

Office of the City Manager

City of Richland Hills, Texas

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Curtis E. Hawk, City Manager
Date: August 20, 2013
Subject: Update on Amendments to Chapter 10, "Boards, Committees, Commissions,"
Richland Hills Municipal Code (City Code of Ordinances).

City Council Action Requested:

No Action requested. Discussion item only.

Background Information:

At the August 20th Council meeting the City Council approved the City Manager to bring forward amendments to Chapter 10. Staff has been working on recommendations for specific amendments regarding the various boards. The recommended changes are scheduled at this time to be presented to Council at the September 17th meeting.

This item is on the agenda for tonight's meeting in order to allow staff and City Council to discuss. As a review, the following is excerpted from the August 20, 2013 City Council meeting agenda memo.

City Council approved Ordinance 1234-12 on September 11, 2012 amending Chapter 10 of the Richland Hills Municipal Code to provide for the creation of the Council's various advisory boards, committees, and commissions, and their terms, rules of procedure and other requirements. Over the last several months Council and staff have had one-on-one discussions with individual Council members regarding roles, relationships, and responsibilities of the different boards, committees, and commissions vis-a-vis staff and Council. Council and staff have discussed these concerns at Council meetings, and as well questions of overlapping responsibilities of some boards and the

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question of whether or not some duties assigned to the various boards, committees, and commissions require more direct involvement by city management staff and/or city council .

*It has been discussed from time-to-time as to whether or not it would be appropriate to include Council members on some of the various boards, much like the Comprehensive Plan Steering Committee which includes members of the Council and several boards. It has been explained to Council that due to the common law doctrine of incompatibility it **would not be appropriate** for the governing body to appoint one of its members to serve on a board it has created. The difference from what the Council has done with the Comprehensive Plan Steering Committee, and the boards, committees and commissions set out in Chapter 10 is that the Steering Committee is an ad hoc (special purpose) **committee of the City Council**, with others besides council members appointed to serve on the committee with the council members. Council has also created the Council's Finance Committee as a standing committee of the Council and appointed Councilmembers Goveas and Lopez to the committee.*

Staff has discussed with Council that for a number of reasons, particularly policy considerations and budget impacts, it might be appropriate for Council to consider transitioning some of the specific boards, committees and commissions set out in Chapter 10 to where they would become committees of the council (where not prohibited by state statute) like either the Council's Finance Committee (again, a standing committee) or the Comprehensive Plan Steering Committee (an ad hoc committee with a special, specific purpose and a projected cessation date). Another example of a special purpose ad hoc committee is the Council's Charter Review Committee, which completed its work in July and is no longer constituted.

For a number of months Council and staff have discussed the transitioning of Keep Richland Hills Beautiful (KRHB) from a City board to an independent Affiliate with Keep Texas Beautiful with status as non-profit, 501 (c) (3) corporation. This would eventually

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benefit KRHB in that it would not have the restrictions that by state law and City Charter are placed on a city board, and it could independently solicit tax deductible donations.

At the August 6, 2013 Council meeting, City Council authorized the City Manager to start the process of transitioning Keep Richland Hills Beautiful as a 501 (c) (3) corporation. The City will help KRHB set up their by-laws and assist with filing paperwork with the state as a non-profit corporation and the IRS as a tax exempt organization.

The purpose of this agenda item is to allow Council to have a public discussion about other possible City boards, committees, and commissions that might be appropriately transitioned to committees of the council (with citizen volunteers working with the committees), as contrasted with council appointed boards, and whether or not there are instances where the community might be better served with the former. Council will recall that the City Manager has indicated it is management's intention to establish a Volunteer Clearing House where the City would actively recruit volunteers to work the staff and any committees of the council that might be created.

Board/Citizen Input:

The proposed item has been discussed with members of KRHB, and other boards are aware of Council's direction and actions over the last several meetings.

Financial Impact:

Cost for securing a 501 (c)(3) designation for KRHB has been included in the proposed FY14 Annual Budget.

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