

BOARD MEMBER HANDBOOK

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WELCOME FROM THE MAYOR

Dear Board Member,

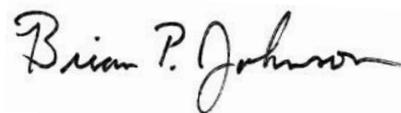
Congratulations on your appointment. On behalf of our City Council and residents, we welcome you and thank you for your service commitment. Your time, energy, knowledge, and active participation are important to the future of Kennedale. We have a great community, and your involvement will ensure that we will continue to prosper and meet the challenges of the future.

Resident participation in government is of vital importance, and we want your time spent in service to be valuable, useful, and rewarding. Always keep in mind that the actions and recommendations of your board are paramount to Kennedale's success as a city, and that your position as a representative of Kennedale residents should always come first. The knowledge and perspective that you bring to the table will have a great effect on both short- and long-term city goals.

As a public servant, it is your responsibility to arm yourself with additional tools and knowledge necessary to fulfill the obligations of your position. There are numerous resources available to assist you with familiarization of city government and processes, and this handbook will serve as a general introduction and guide as you begin your tenure of service. City staff is always available to assist you in any way, and your fellow board members will be a wealth of knowledge.

Thank you for your dedication to Kennedale, and we value your commitment to our continued excellence. We hope that you find your time in service to the city and our residents a positive accomplishment, and we thank you again for your commitment.

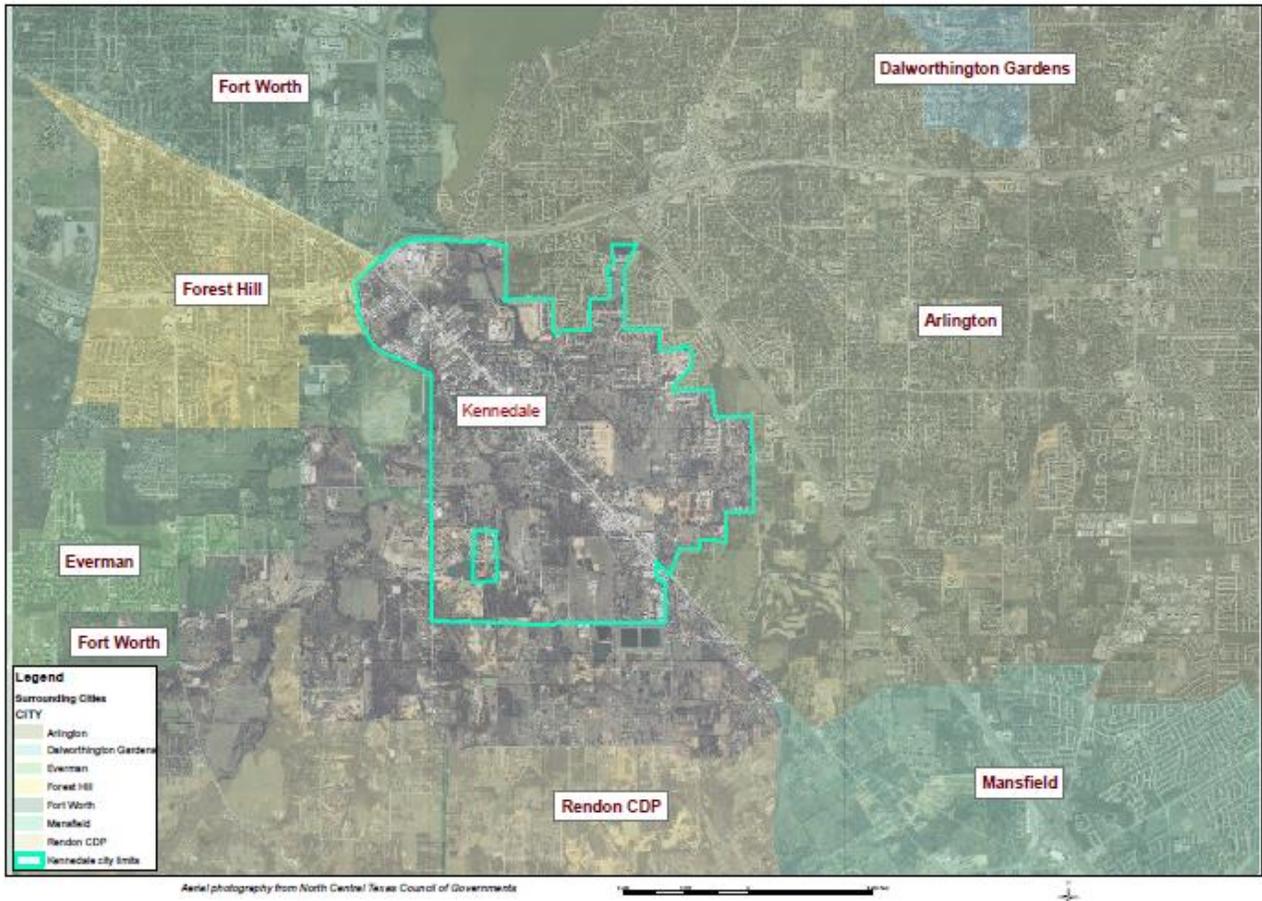
Sincerely,

A handwritten signature in black ink that reads "Brian P. Johnson". The signature is written in a cursive, flowing style.

Mayor Brian Johnson

INTRODUCTION TO THE CITY OF KENNEDALE

The City of Kennedale is located in Tarrant County, Texas, and is part of the Dallas-Fort Worth Metroplex. Located just ten miles southeast of Fort Worth and bordering both Arlington and Mansfield, the city occupies approximately six square miles of land in a very strategic location in the region.



Named after Oliver S. Kennedy, who originally platted the area, Kennedale was settled in the 1880s at the site of a mineral water well. By 1904 Kennedale had a population of 312. With the growth of nearby Fort Worth during the development of the defense industry, Kennedale began to expand, and by 1965 its population had grown to 1,800 residents and more than 50 businesses. The City of Kennedale has continued a steady growth and had approximately 5800 residents at the turn of the millennium. According to the 2010 census, Kennedale has a population of 6,763, and today the population is estimated at 7,800.

DEMOGRAPHICS	Kennedale	Tarrant County	State of Texas	United States
Population (2010 Census)	6,763	1,809,537	25,145,561	308,747,716
Population (2015 Estimate)	7,800	1,911,541	26,448,193	316,128,839
Male	49.8%	49.2%	49.0%	49.6%
Female	50.2%	50.8%	51.0%	50.4%
Population, percent change 04/2010 to 07/2013	7.0%	5.6%	5.2%	2.4%
Unemployment	4.1%	4.1%	4.2%	5.5%
Median value of owner-occupied housing, 2009-13	\$159,500	\$136,400	\$128,900	\$176,700
Persons per household, 2009-13	2.8	2.77	2.82	2.63
High school graduate or higher, percent of persons age 25 years+, 2009-13	87.3%	84.5%	81.2%	86.0%
Median household income (in 2013 dollars), 2009-13	\$73,854	\$56,853	\$51,900	\$53,046
Persons in poverty, percent	10.6%	15.5%	17.5%	14.5%

* Source: U.S. Census Bureau (www.census.gov)

GOVERNANCE

Incorporated	1947
Home Rule Charter	1998 (<i>Amended 2016</i>)
Government	Council/Manager (5 members + Mayor)

A thoughtfully crafted governance model forms the heart of an effective board. The City of Kennedale embraces the concept of ‘*Exemplifying Excellence*’ through a well-balanced set of policy governance principles that, when applied appropriately, allow governing boards and bodies to function in a manner that realizes true accountability. Policy governance is a precise system, requiring buy-in from all players and strict adherence to the model. Part of the development of this model includes producing documentation that outlines the purpose of governance itself and provides a clear blueprint for a board to follow.

The City of Kennedale’s leadership is dedicated to providing superior services to residents, business-owners, and visitors. In doing so, City Council adopted an Ends (or Vision) Statement, through which each employee and official should filter all decisions and actions:

“Kennedale is a family-oriented community providing a refuge from the hectic pace of the Dallas-Fort Worth Metroplex. Open spaces, green belts, and trails enhance our serenity, quality of life and community. With easy access from major roadways, Kennedale is economically prosperous, business friendly and conveniently located, providing opportunities to shop, work, and play.”

Home Rule Charter

The structure of city government in Texas is founded on the premise that each local community knows how to best run their own affairs. Consequently, Texas State Law (Article XI, Section 5) promotes local autonomy by providing that any city with a population of more than 5,000 may adopt a home rule charter.

Home rule cities look to the state constitution and statutes to determine what they are unable to do. If an action is not prohibited or preempted by the state, the home rule city can, as a rule, proceed with the action. Although charters bolster local power, they cannot conflict with the state’s constitution or any statutes in place prior to the charter’s adoption.

The City of Kennedale drafted a home rule charter in 1997, and it was adopted by voters on January 17, 1998. This charter establishes a Council-Manager form of government, authorizing City Council to enact legislation, approve and adopt budgets, determine policies, and appoint a City Manager. The charter has since been amended once (Election: May 16, 2016). You can view both the original and current charters at www.cityofkennedale.com/charter.

Kennedale's Home Rule Charter Provides for the Following Positions:

Appointed by the City Council, the **City Manager** is the chief executive officer of the city, and is responsible for the overall management of daily operations. These responsibilities include the execution of laws and governmental administration of city operations and functions. The City Manager is responsible for appointing all department heads, with the exception of the City Secretary and the City Attorney, who are directly appointed by the City Council. Only a candidate recommended by the City Manager may be appointed by Council as City Secretary. There is no such requirement for the City Attorney.

The **Mayor** is responsible for reviewing governmental activities, providing leadership, and making recommendations to Council. The Mayor only votes in the event of a tie. The position does have veto power, but a veto may be overturned by Council vote.

The governing body of the city is known as “**The City Council of the City of Kennedale**”. Council is composed of one (1) Mayor and five (5) council seats. Council members are elected to two-year terms, by a majority vote from the city at-large. Elections are staggered, with Places 1, 3, and 5 up for election in odd years and the Places of Mayor, 2, and 4 elected in even years.

The **City Secretary** is appointed by City Council (upon recommendation by the City Manager), and serves as the clerical officer for the City Council by drafting and maintaining meeting minutes, agendas, ordinances, attendance records, and other clerical records of the city and City Council. The City Manager designates additional administrative duties to be performed.

The **City Attorney** is the legal advisor to the City Council, officials, and staff, and represents the City of Kennedale in all legal proceedings. This position is appointed by the City Council.

The city maintains several **boards and commissions** (*referred to collectively as ‘boards’ for the purposes of this document*). These boards are composed of qualified, engaged residents who are relied upon to provide their unique perspectives, insights, experiences, and expertise. These boards augment the knowledge and perspectives of elected officials and staff, making their contributions invaluable to the process of establishing workable, responsive, and effective governance.

The boards established by Council are intended to assist in the pursuit of the “Ends Statement”. Most boards serve in an advisory capacity, working alongside staff to formulate knowledgeable policy recommendations to Council. Other boards serve in a quasi-judicial fashion, with the power to make official decisions and rulings. All board members are vital to our city’s success, and should strive to represent the residents to the best of their ability.

MEMBER REQUIREMENTS AND EXPECTATIONS

Qualifications to Serve

- Registered voter
- Resident of the City of Kennedale for at least one (1) year
- Continued residency during term of office
- Demonstrate effective communication with residents, fellow board members, City Council members, city management, and city staff

Time Commitment

- Attend regular meetings
 - *Meeting duration is typically one to four hours, but may be longer when significant discussion is necessary*
 - *Any member that is absent for 25% or more meetings in one (1) year will reviewed by the City Council and may be subject to removal*
- Attend special meetings and/or workshops as called
- Attend trainings (either online or in-person) on the Open Meetings Act, the Public Information Act, board governance, and any other subjects deemed necessary

Typical Duties

- Proactively solicit resident input in the development of policy
- Influence the development of a “pride of place” in Kennedale
- Recommend and periodically update long-range plans
- Maintain active and positive relationships with community organizations
- Coordinate activities and/or events with other boards or staff

General Expectations of Members

- Understand the role and scope of board members’ responsibilities
- Be informed of the individual board’s purpose and of its operating procedures
- Perform functions in the best interest of the residents as a whole, never self-interest or special interest group(s)
- Serve as liaison between city government and residents, aiming to reconcile opposing viewpoints and build consensus around goals and objectives
- Speak with ‘one voice’ or not at all when representing the views of the board
- Review agendas and their corresponding packets prior to meetings to make the best use of limited board time
- Avoid all legal impropriety — even the *appearance* of impropriety — in the performance of public duties

Compensation

- All City Council and board members (except Youth Advisory Council members) for the City of Kennedale will receive a reimbursement payment of \$1.00 for each regular meeting attended. Reimbursement will not be made for mileage or attendance at events or other functions. These payments will be made once per year, at the end of the term in October, unless another schedule is necessary.

BOARD TYPES, COMPOSITION, AND RESPONSIBILITIES

There are four types of boards in the City of Kennedale:

- Advisory
- Quasi-Judicial
- Separate Entity
- Ad-Hoc

All boards exist to provide a linkage between the City Council and Kennedale's residents and to coordinate with other boards to develop recommendations for city services, programs, and policies.

ADVISORY BOARDS

The City of Kennedale currently maintains six (6) advisory boards. Five (5) of these are advisory to City Council and are tasked with providing Council with feedback, updates, and recommendations on projects, actions, and relevant topics.

1. ***Keep Kennedale Beautiful Commission (KKB)***
2. ***Parks and Recreation Board***
3. ***Planning and Zoning Commission (P&Z)***
4. ***Utility and Infrastructure Board***
5. ***Youth Advisory Council (YAC)***

One (1) board is advisory to staff and is tasked with providing *staff* with feedback, updates, and recommendations on relevant topics.

6. ***Library Advisory Board***

1. ***Keep Kennedale Beautiful Commission (KKB)***

- Nine (9) regular members
- One (1) Chair and one (1) Vice-Chair, annually selected in November by majority vote
- Meets at least ten (10) times per year
- Requires a quorum of five (5) members to take action

KKB engages residents and businesses to take greater responsibility for improving the community's appearance and environment. This board is responsible for the development and coordination of beautification-related programming, outreach, and events. The KKB also serves as the Tree Advisory Board and the Tree City USA support group. In order to accomplish these duties, this board may establish subcommittees, as necessary, whose membership shall be chosen by the members of the KKB.

2. Parks and Recreation Board

- Five (5) regular members
- One (1) Chair and one (1) Vice-Chair, annually selected in November by majority vote
- Meets at least ten (10) times per year
- Requires a quorum of three (3) members to take action

The Parks Board advises and formulates recommendations to Council for the use, improvement, and growth of parks and recreation activities and community events in Kennedale. This includes, but is not limited to, park planning, grant acquisition, rules, regulations fees, park and open space beautification, maintenance, and expansion, and development and implementation of events. In order to accomplish these duties, this board may establish subcommittees, as necessary, whose membership shall be chose by the members of Parks Board.

3. Planning and Zoning Commission (P&Z)

- Seven (7) regular members
- Two (2) alternate members
- One (1) Chair and one (1) Vice-Chair, annually selected in November by majority vote
- Meets at least ten (10) times per year
- Requires a quorum of four (4) members to take action

The Planning and Zoning Commission advises and formulates recommendations to Council for the development of land in the city, with regard to changes in zoning districts, approval of plats, and other applicable policy areas. Areas of responsibility include, but are not limited to, the development and advancement of city facilities, layouts, and appearances, active awareness of land use and development of land bordering the city, consultation with private property owners pertaining to location and erection of private structures and zoning to ensure compliance with the comprehensive plan, planning for streets and routes of transportation, approving or rejecting plans, plats or re-plats of additions, holding appropriate public hearings, establishment of zoning, promoting health and safety, and generally making recommendations to Council regarding the above topics. Members of the Planning & Zoning Commission may have additional time commitments, including time spent visually inspecting sites.

4. Utility and Infrastructure Board

- Seven (7) regular members
- One (1) Chair and one (1) Vice-Chair, annually selected in November by majority vote
- Meets at least six (6) times per year
- Requires a quorum of four (4) members to take action

The Utility and Infrastructure Board advises and formulates recommendations to the Council regarding policies, projects, and other matters pertaining to the water and wastewater system, the storm water utility system, the streets and transportation system, and the solid waste collection system.

5. Youth Advisory Council (YAC)

- Up to fifteen (15) regular members, who must meet the following qualifications:
 - *Between the ages of 15 and 19*
 - *Reside and attend a state-recognized school or homeschool within the boundaries of the City of Kennedale or the boundaries of the Kennedale Independent School District*
- One (1) Chair, one (1) Vice-Chair, one (1) Historian, and one (1) Secretary, selected annually by YAC membership by majority vote

YAC is assigned with identifying areas for community and policy improvement related to youth, including the development of programs and services that empower, support, and inform youth, create a family-friendly community, enable and encourage youth to be productive members of the community, and that bridge the generational gap and elevate youth interest and participation in local government. In order to achieve these goals, YAC members plan events, build partnerships, and carries out directives from Council and staff.

6. Library Advisory Board (LAB)

- Five (5) regular members
- One (1) Chair and one (1) Vice-Chair, annually selected in November by majority
- Meets at least four (4) times per year
- Requires a quorum of three (3) members to take action

LAB advises and formulates recommendations to city staff for all facets of library operations and planning. These responsibilities include but are not limited to the development of the library, library programs, literacy programs, community events, and maintaining relationships with regional library partners and private groups.

QUASI-JUDICIAL

Kenedale currently maintains two* (2) quasi-judicial boards tasked with the enforcement of public policy and making legally-binding decisions based on the authority given to the board by state law. These boards also provide feedback and updates to City Council on relevant topics.

7. Board of Adjustment (BOA)

8. Building Board of Appeals (BBA)

**While these are, indeed, two separate boards, for the purposes of the City of Kennedale, all Board of Adjustment (BOA) members shall automatically serve as members of the Building Board of Appeals (BBA).*

7. Board of Adjustment (BOA)

- Five (5) regular members
- Four (4) alternate members
- One (1) Chair and one (1) Vice-Chair, annually selected by majority vote of the board
- Meets at least two (2) times per year
- Requires a quorum of four (4) members to take action

The BOA hears resident requested appeals regarding decisions made by the city staff in their interpretation of the city's planning and zoning ordinances, hears appeals on zoning boundary disputes, issues decisions on nonconforming uses, including termination and/or extension of such uses in conformance with city and state laws, or resumption of such uses, and makes decisions on when to allow variances to the development regulations contained in the city's planning and zoning ordinances. In order to meet these responsibilities, board members must develop expertise in the formation and/or enforcement of ordinances.

8. *Building Board of Appeals (BBA)*

The membership of BOA simultaneously serves as the membership of BBA. The same organizational structure applies.

The BBA hears appeals of orders, decisions, or determinations made by the building official in his/her application or interpretation of the technical provisions of the various building codes adopted by the city, and demolition of sub-standard structures. In short, the BBA hears appeals on alleged errors in staff decisions, enforces provisions of the Substandard Building Ordinance, and carries out the functions established by that ordinance to abate substandard buildings. In order to meet these responsibilities, members are expected to have some experience in the various fields of building construction and building standards, including building construction, mechanical design, plumbing systems, or electrical systems.

SEPARATE ENTITY BOARDS

Kennedale currently maintains three (3) separate entity boards, which serve as advisory to Council, but are separate legal entities from the City of Kennedale, tasked with overseeing an independent affiliate organization.

9. *Kennedale Economic Development Corporation (EDC or KEDC)*

10. *TownCenter Development District (TDD)*

11. *Tax Increment Reinvestment District (TIRZ) Board of Directors*

9. *Kennedale Economic Development Corporation (EDC or KEDC)*

- Seven (7) regular members
- One (1) President and one (1) Vice-President, annually selected in November by majority vote
- Meets at least ten (10) times per year
- Requires a quorum of four (4) members to take action

The EDC is responsible for the development and implementation of a comprehensive economic development plan. Responsibilities include but are not limited to industrial, retail, tourism, and commercial development for the city, including proactively soliciting businesses, organizational, and resident input in the development of Kennedale and ensure the coordination of economic development activities with the Kennedale Chamber of Commerce, Dallas Chamber of Commerce, and other regional and state economic development related entities. Members of the EDC may have additional time commitments, including time spent visually inspecting sites under consideration for funding assistance, participation in trade shows, and attendance at training related to 4A and 4B sales tax cities.

10. TownCenter Development District (TDD)

- Five (5) regular members
- Membership on this board is based on membership on other boards as follows:
 - *Place 1: EDC President*
 - *Place 2: EDC Board Member*
 - *Place 3: Mayor*
 - *Place 4: City Councilmember*
 - *Place 5: City Councilmember*
- One (1) Chair, filled by the EDC President, and one (1) Vice-Chair, filled by the Mayor
- Meets at least one (1) time per year
- Requires a quorum of three (3) members to take action

The TDD functions as the oversight board for the Kennedale Municipal Management District (MMD) created in 2009 by the Texas State Legislature to assist in the development of the Kennedale Town Center. The terms (MMD and TDD) are used interchangeably.

11. Tax Increment Reinvestment Zone (TIRZ) Board of Directors

- Seven (7) regular members
- Each taxing unit other than the city that levies taxes on real property in the TIRZ may, but is not required to, appoint one (1) member to the Board of Directors
- After each taxing unit other than the city designates either the member that the taxing unit wishes to appoint or the fact that the taxing unit wishes to waive its right to appoint, Council shall appoint whatever number of members are necessary to fill the remaining positions
- One (1) Chair, appointed by the City Council
- The Board may elect from its members a vice chair and such other officers as the Board sees fit

The TIRZ Board of Directors shall make recommendations to Council concerning the administration, management and operation of the TIRZ. The board shall prepare and adopt a project plan and a reinvestment zone financing plan for the zone and submit such plans to the Council for its approval. The board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the zone's project plan and financing plan.

AD-HOC COMMITTEES, SUBCOMMITTEES, ETC.

At any time, City Council or authorized boards may initiate an ad-hoc committee to provide a linkage between leadership and residents to address a specific need for a limited duration. Initiation of these committees is left to the discretion of Council or the authorized board. Previous examples include:

- *Water/Sewer Rate Committee*
- *Long-Range Comprehensive Land Use Plan Committee*
- *Strategic Plan Committee – Imagine Kennedale 2015*

TRAINING AND EDUCATION

The Texas Open Meetings Act (Govt. Code Chapter 551) and the Public Information Act (Govt. Code Chapter 552) require that all meetings of a board or commission, and all meetings of any committee of a board or commission, be open to the public at all times, except when the board or commission is meeting in a validly convened Executive Session. Failure to comply with either the Open Meetings Act or Public Information Act may result in civil and criminal penalties for public officials, and can also lead to a general breakdown of confidence in our governing bodies. In an attempt to promote transparency and increase compliance to the open government laws, public officials are required to participate in training.

This training consists of at least two hours of open government training: a one-hour educational course on the Open Meetings Act and a one-hour educational course on the Texas Public Information Act. Officials and others subject to the training requirements must complete a course of training at least once. There is no requirement for continuing education or refresher courses. However, this training must be completed within 30 days of taking office. Certificates of completion for these courses must be filed with the City Secretary.

The Office of the Attorney General provides free training for all public officials through online video courses. For more information regarding the mandatory training, please visit www.texasattorneygeneral.gov/og/open-government-training.

For your convenience, links to the required training are included below:

- www.cityofkennedale.com/agvideos
- Open Meetings Act Training Video (*running time: approx. 1 hour*)
- Public Information Act Training Video (*running time: approx. 1 hour*)

Once you've viewed these videos, please [print your completion certificates](#) and submit them to the City Secretary's Office (405 Municipal Drive) or email them to lgalloway@cityofkennedale.com.

Certain boards will be required to complete additional training. For example, quasi-judicial boards will be required to complete training specific to their legal decision-making duties. Staff will schedule this training when required.

PROCEDURES

It is important that boards conduct their meetings in a manner that is procedurally correct. This section describes several procedural processes by which all boards and board members must abide.

Parliamentary Procedures

The City of Kennedale has adopted a customized set of parliamentary procedures by which all boards (and Council) operate. These procedures were drawn from a variety of sources (including Roberts Rules of Order and Rosenberg's Rules of Order), and have been combined, simplified, and updated. *(See pages 19-24)*

Open Meetings

All meetings* of any board shall be open to the public at all times, except when the board or commission is meeting in a legally convened Executive Session. The term 'meeting' is defined as a gathering of a quorum** or three or more members, whichever is fewer, of any board or commission, or any committee of such board or commission, at which any public business is discussed or at which any formal action may be taken. This does not include a chance meeting or social gathering at which the discussion of public business is not the central purpose.

** It is important to remember that the open meeting requirements not only apply to in-person gatherings, but also conference calls, electronic 'chat room' or 'text' conferences, group texts, or any other means of communication where conference-like communication can take place.*

*** When determining a quorum of Council, the Mayor is not counted, as he or she is not a voting member.*

Public Forums, Public Hearings & Input

Each board shall, at or near the beginning of each regular meeting, offer members of the public an opportunity to speak on any matter within the scope of responsibility of that board, regardless of whether such matter is scheduled for consideration on the agenda at that particular meeting. Time limitations may be implemented by the chairperson of the board or commission on these public input sessions, as necessary, to conduct the business of the board in a timely and efficient manner. Public forums are open speaking times that allow members of the public an opportunity to express and present their opinions on issues to the appropriate board.

Although formal public hearings/appeals are only conducted by certain boards, all boards should welcome informal resident participation and input. Please note that formal public hearings may require legal notices and official notice publications, which staff will manage.

Unless required by law, the swearing in of witnesses and citizens is not necessary. This process is appropriately limited to City Council and Board of Adjustment meetings only.

Agenda Preparation

The order of business of each meeting of a board shall be contained in a written agenda, which shall consist of a list of the topics to be discussed. The agenda will be prepared by the board's staff liaison, in conjunction with the board's chair and the City Secretary, and will be posted at least seventy-two (72) hours before the meeting. Board members will be provided with agenda materials as much in advance of the meeting as possible.

Meeting Minutes

The actions and discussions of each board should be compiled into written minutes, which will be reviewed and approved by the board or commission at a succeeding meeting. Most boards are assigned a specific staff member who is responsible for taking and transcribing the minutes. Those boards that do not have a designated staff member may select a person, from membership, to serve in in this capacity.

The minutes must be open to public inspection and a copy must be filed with the City Secretary upon approval. The minutes of a meeting must contain, at a minimum, the following information:

- Date, time, and location of the meeting
- Listing of members present and absent
- General outline of each major topic discussed, considered, and the outcome
- Detailed information on all formal action taken
- Start time of the meeting as well as time of adjournment

Any additions, deletions, or corrections to the minutes should be presented to the board when the minutes are on the agenda for approval. All approved minutes should be signed by the chairperson and secretary of the board or commission and filed with the City Secretary.

Quorum

A quorum* is defined as *the minimum number of members needed to officially conduct business*. A quorum is generally established by ordinance, resolution, or other document that creates the board or commission. In order for a board to conduct any business or take any formal action, it is necessary that a quorum of the membership be present at the meeting. This quorum requirement does not change even if a position on the board or commission is vacant. In the event that a quorum is not present for a meeting, those present can adjourn the meeting to a later date and time.

** When determining a quorum of Council, the Mayor is not counted, as he or she is not a voting member.*

Board Chair Participation

Chairs of boards and commissions shall be permitted to participate in the debate of matters presented to boards and commissions. Chairs shall also be permitted to vote on all motions made by members of boards, to the same extent and with the same effect as other members.

POLICIES

ATTENDANCE & PARTICIPATION

The City of Kennedale has high expectations for its boards and their members. Members are most effective when they are active participants and their attendance is regular. Many agenda items and board topics span several months, and attendance is paramount to members' full understanding of important issues.

The required annual attendance for each board or commission member, regular and alternate, is 75%. **As such, each member must be present for 75% of all meetings held by the board or commission on which they serve.** The City Council will review attendance annually and may remove any member falling below the 75% attendance threshold. The City Secretary is responsible for monitoring attendance and reporting to City Council. A copy of this policy can be found in the appendix.

ETHICS

It is the desire of the Kennedale City Council to promote and encourage the highest standard of conduct for elected city officials and officials appointed to city boards and commissions who represent the citizens of Kennedale. The members of the Kennedale City Council support the philosophy that elected officials and officials appointed to boards and commissions act in a manner which avoids even the appearance of impropriety.

Each elected or appointed official shall, at a minimum, comply with all state laws and city ordinances and policies regarding ethical behavior. Elected or appointed official shall always act in the public interest rather than in the furtherance of self-interest or those of special interest. The Kennedale City Council recognizes that it cannot, by policy, define ethical behavior but it expects each elected or appointed official to act conscientiously in public service, recognizing that the public is best served when officials make decisions and act in a manner which promotes confidence by the residents of Kennedale in the process of city government.

Ethics Guideline and Procedures

The following provisions apply to:

1. *The members of the City Council; and*
2. *The members of any board, commission or committee established pursuant to the Charter or the ordinances of the city, or the laws of this state.*

Council and Appointed Board Members

Within thirty days of election or appointment to a board or commission, each official shall sign a copy of the code of ethics which shall be filed with the City Secretary. In addition, each official shall complete the open meetings training sponsored by the Texas Attorney General within the same thirty-day period. Certificates of completion from these training sessions must also be filed with the City Secretary.

Acceptance of Gratuities

No person subject hereto shall knowingly solicit or accept, from any source, any gift, favor, service, or thing of value, including a promise of future employment, in consideration of any person subject hereto exercising or having exercised any official power or performing or having performed any official duty on behalf of the city.

Use of Facilities, Personnel, Equipment, Etc.

No person subject hereto shall knowingly use city facilities, personnel, equipment, or supplies, or utilize any confidential information concerning the property, operations, policies or affairs of the city, for his or her private financial gain.

Conduct in Commercial Transactions

No person subject hereto shall knowingly be an interested party to any exchange, purchase, or sale of property, goods, or services with the city, or enter into any contract with the city, except in full and impartial compliance with State statutes, the city Charter, ordinances and regulations applicable thereto and subject to any restrictions of the city Charter; provided further that such persons shall receive no favor or special concession or inducement not customarily available and granted by the city in such a transaction; and provided further that any discretion by officers or employees of the city, in connection with any such transaction, shall be exercised impartially and upon the same standards applied to all Kennedale citizens.

Representing Interests Contrary to Those of the City

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.

Conflicting Interests in Legal Proceedings

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding in the municipal court of this city which was instituted by a city officer or employee in the course of official duties, or in any criminal proceeding in which any city officer is a material witness for the prosecution.

Conflicts of Interest Disclosure and Voting Abstentions

If any city officer has a personal financial interest, direct or indirect, in any matter pending before such officer or employee, or the City Council or a department, agency, commission, or board of which the officer or employee is a member, then the officer or employee shall not render any decision and shall abstain from voting upon the matter and shall publicly disclose the fact of such interest in the applicable permanent city files or minutes prior to any consideration or determination of the matter in the manner. Conflict of interest questionnaires can be acquired from and must be appropriately filled out and turned into the City Secretary.

Award of Bids or Contracts to Entity Employing Former City Officers

The City Council shall not approve or award any bid or contract for the city's purchase of goods or services from any person, group or entity which, within the six months prior to such award or approval, has hired a person who, at any time within such six-month period, was either a member of the City Council or the chief or assistant administrator of any city department or agency that had direct or indirect review or consideration, or recommending or approval authority, for the award of such bid or contract.

Violations, Censure, or Reprimand

The failure of a city officer to comply with or the violation by such officer of any of the applicable standards of conduct set forth herein shall constitute, in addition to any other penalties and forfeitures that may be provided by law, grounds for public censure and reprimand by the City Council. Such decision of censure and/or reprimand shall be made only upon the affirmative vote of all members of the City Council, excluding only those council members who are the subject of any inquiry.

ADDITIONAL RESOURCES

These are just a few of the resources available to build board members' knowledge and understanding.

American Planning Association

www.planning.org

APA is an independent, not-for-profit educational organization that provides leadership in the development of vital communities.

Congress for New Urbanism

www.cnu.org

CNU is the leading organization promoting walkable, mixed-use neighborhood development, sustainable communities and healthier living conditions.

Mayor's Council of Tarrant County

Promotes development, redevelopment, and renewal aimed at combating community deterioration.

National League of Cities

www.nlc.org

The National League of Cities (NLC) is dedicated to helping city leaders build better communities.

National Recreation and Park Association

www.nrpa.org

NRPA's mission is to advance parks, recreation, and environmental conservation efforts that enhance the quality of life for all people.

North Central Texas Council of Governments

www.nctcog.org

NCTCOG is a voluntary association of, by, and for local governments, established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development.

North Texas Commission

www.ntc-dfw.org

The North Texas Commission unites businesses, municipalities, chambers of commerce and higher education institutions to network and collaborate in addressing regional topics and issues.

Regional Transportation Council

www.nctcog.org/trans/committees/rtc

RTC is the independent transportation policy body of the Metropolitan Planning Organization.

Southeast Tarrant Transportation Partnership

www.settpartnership.com

SETTP is dedicated to meeting the transportation and development needs of Southeast Tarrant County.

Tarrant Regional Transportation Council

www.trtcmobility.org

TRTC is committed to finding solutions to the mobility challenges facing the western half of the Metroplex.

Vision North Texas

www.visionnorthtexas.org

Vision North Texas is an award-winning partnership of private, public, and academic organization.

PARLIAMENTARY PROCEDURES FOR THE CITY OF KENNEDALE

The City of Kennedale is dedicated to excellent service and development for its residents. In order to conduct effective meetings, City Council has adopted the following parliamentary procedures. These procedures are supported by the following principles:

1. **Rules should establish order.** The first purpose of the rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (*but not dominate*) and fully participate in the process.

The Mayor or Board Chair Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedures, it is the Mayor or Board Chair that is charged with applying the rules of conduct. The Mayor or Chair should be well versed in those rules, because the Mayor/Chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the Mayor/Chair are final unless overruled by the governing body or board itself.

Because the Mayor/Chair conducts the meeting, it is common courtesy for him or her to take a less active role than other members of the body in debates and discussions. This does not mean that the Mayor/Chair should not participate in the debate or discussion. On the contrary, as a member of the body, the Mayor/Chair has full rights to participate in the debates, discussions and decision-making. The Mayor/Chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Meetings have a written published agenda, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the Mayor/Chair in the following basic format.

1st The Mayor/Chair should clearly announce the agenda item number and should clearly state what the subject is. The Mayor/Chair should then announce the format that will be followed.

2nd Following that agenda format, the Mayor/Chair should invite the appropriate individuals to report on the item, including any recommendation they might have. The appropriate individual may be the Mayor/Chair, a member of the governing body, a staff person, or a committee chair charged with providing information about the agenda item.

3rd The Mayor/Chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

4th If the item includes a public hearing, the Mayor/Chair should invite public comments at the appropriate time. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the Mayor/Chair should announce that the public hearing has closed.

5th The Mayor/Chair should invite a motion from the governing body members. The Mayor/chair should announce the name of the member who makes the motion.

6th The Mayor/Chair should determine if any member of the body wishes to second the motion. The Mayor/Chair should announce the name of the member who seconds the motions. It is normally a good practice for a motion to require a second before proceeding with it, to ensure that it not just one member of the body who is interested in a particular approach. If there is no second to the motion, the Mayor/Chair must ask three additional times before the motion is dismissed.

7th if the motion is made and seconded, the Mayor/Chair should make sure everyone understands the motion. This is done in one of three ways:

1. The Mayor/Chair can ask the maker of the motion to repeat it;
2. The Mayor/Chair can repeat the motion; or
3. The Mayor/Chair can ask the secretary of the body to repeat the motion

8th The Mayor/Chair should now invite discussion of the motion by the member of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

9th The Mayor/Chair takes a vote. Votes are typically done by a show of hands or by using the vote button. If members of the body do not vote, then they “abstain” and not state the reason for abstaining from the vote. Unless the rules of the body provide otherwise or unless a majority determines whether the motion passes or is defeated.

10th The Mayor/Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Mayor/Chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: *“The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days’ notice for all future meetings of this governing body.”*

The Two Basic Motions

These motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: *“I move that we create a five-member committee to plan and put on our annual fundraiser.”*
2. **The motion to amend.** A motion to amend takes the basic motion that is before the body and seeks to change it in some way. If a member wants to change a motion that is already under discussion, he or she must request an amendment through the individual who made the original motion. A motion to amend might be: *“I would like to amend my motion to have a 10-member committee.”*

When Multiple Motions are Before the Governing Body

Up to three motions may be on the floor simultaneously. The Mayor/Chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions are seconded) at the same time, the first vote should be on the last motion made. So for example, assume the first motion is a basic *“motion to have a five-member committee to plan and put on our annual fundraiser.”* During the discussion of this motion, a member might make a second motion to *“amend my motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser.”* And perhaps, after further discussion, a member makes yet another motion *“to amend my motion that we not have an annual fundraiser this year.”* The proper procedure would be as follows:

First, the Mayor/Chair would deal with the third (the last) motion on the floor (the second amended motion). After discussion and debate, a vote would be taken first on the third motion. If this motion passes, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions.

On the other hand, if the second motion to amend fails, the Mayor/Chair would proceed to consideration of the second (now the last) motion on the floor (the first motion to amend). The discussion and debate would focus strictly on the first motion to amend (should the committee be five or 10 members). If the first motion to amend passes, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot and the action on the agenda item would be complete.

If the first motion to amend fails, the Mayor/Chair would now move to consider the main motion (the first motion) in its original format, not amended. And the questions on the floor for discussion and decision would be whether a five-member committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and other motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Mayor/Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Mayor/Chair must immediately call for a vote of the body without debate on the motion):

- **A motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
- **A motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the Mayor/Chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.
- **A motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For examples, the motion might be: *"I move we adjourn this meeting at midnight."* It requires a simple majority vote.
- **A motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion may contain a specific time in which the item can come back to the body: *"I move we table this item until our regular meeting in October;"* or the motion may seek to delay an item until after a certain occurrence: *"I move to table this item until the Planning and Zoning Commission has made a recommendation."* If the motion to table contains no specific time for the return of the item, the item will be posted for consideration at the next regular meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.
- **A motion to limit debate.** The most common form of this motion is to say: *"I move the previous question"* or *"I move the questions"* or *"I call for the question."* When a member of the body makes such a motion, the member is really saying: *"I've had enough debate. Let's get on with the vote."* When such a motion is made, the Mayor/Chair should ask for a second to the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: *"I move we limit debate on this agenda item to 15 minutes."* Even in this format the motion to limit debate requires a two-thirds vote of the body (normally four votes for Council and five votes for a seven member board).
A similar motion is a motion to object to consideration of an item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. For example, in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. The extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to Limit Debate

Whether a member says, “*I move the previous question,*” “*I move the question,*” “*I call for the question*” or “*I move to limit debate,*” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenant of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if the Mayor places the item on a future agenda.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. In order to be considered at the very next meeting, a motion to reconsider must be properly posted in accordance with the Open Meetings Law. Moreover, a motion to reconsider may not be used to reconsider any item that requires special notice or public hearing procedures that cannot be met by reconsideration.

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the member of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the Mayor/Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Mayor/Chair before proceeding to speak.

The Mayor/Chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The Mayor/Chair has the right to cut off discussion that is too personal, too loud, or too crude. Debate and discussion should be focused, but free and open. In the interest of time, the Mayor/Chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

- **Order.** The proper interruptions would be: “*Point of order.*” Again, the Mayor/Chair would ask the interrupter to “*state your point.*” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example if the Mayor/Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.
- **Appeal.** If the Mayor/Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor/Chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the Mayor/Chair is deemed reversed.
- **Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Mayor/Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes about Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the Mayor/Chair, it is wise to remember three special rules that apply to each agenda item:

1. Tell the public what the body will be doing.
2. Keep the public informed while the body is doing it.
3. When the body has acted, tell the public what the body did.

Public input is essential to a health democracy, and community participation during the Visitor/Citizens Forums and Public Hearings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while staying on task and maintaining focus on overarching policy goals and community vision.

We hope that these parliamentary procedures will be useful and effective in maintaining a highly transparent process for all of the city’s governing and advisory bodies and will allow all board and commission members to function as effectively as possible. Thank you for your service to the City of Kennedale.

These parliamentary procedures are based on both Rosenberg’s Rule of Order and Robert’s Rule of Order.

RESOLUTION NO. 362

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS
ESTABLISHING AN ATTENDANCE POLICY FOR ALL MEMBERS OF ALL CITY
BOARDS AND COMMISSIONS AND PROVIDING AN EFFECTIVE DATE.**

Whereas, the City of Kennedale has high expectations for its advisory boards and their members; and

Whereas, contributions by members can best be done by regular attendance and active participation.

Now, Therefore Be It Resolved by the City Council of the City of Kennedale that:

Section 1.

The preamble is true and correct

Section 2.

The required annual attendance for each board or commission member is 75%.

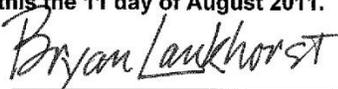
Section 3.

The City Council will review attendance annually and may remove any member falling below the 75% attendance threshold.

Section 4.

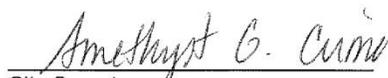
The City Manager is directed to monitor attendance and inform the City Council in six-month intervals if any board or commission member is failing to the attendance requirement.

Passed, approved and adopted on this the 11 day of August 2011.



Mayor, Bryan Lankhorst

ATTEST:



City Secretary

APPROVED AS TO FORM AND LEGALITY:



City Attorney