

## City Commission Policy 110

### Appointment of Citizens and Commissioners to Boards and Committees

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**DEPARTMENT:** Treasurer-Clerk

**DATE ADOPTED:** June 24, 1992

**DATE LAST REVISED:** September 25, 2013

**110.01 Authority:** City Commission

**110.02 Purpose:** To institute formal guidelines for the appointments of citizens, City staff or City Commissioners as City representatives to committees.

**110.03 Definitions:**

**Committee:** Committee is defined as a joint-governmental, legislated or City created committee, a commission, council, board, agency, bureau, authority, corporation, etc.

**110.04 General Statement:**

Citizen participation in the daily program and policy development of the City of Tallahassee is recognized as an important element in providing quality public services to the Tallahassee community. Citizen participation is encouraged through the appointment of City representatives to committees. Guidelines for the appointment process to committees, the operation of City committees, and assignment of responsibilities are provided herein to ensure continuous quality participation by all citizens.

**110.05 Scope and Applicability:**

Unless a committee is specifically identified in Attachment A, the appointment of committee members shall hereby be delegated to the Mayor. These guidelines apply to all City Commission authorized committees and the staff assigned to that committee; and to the citizens appointed by the Commission to serve on committees requesting City representation. Parts I and II of this policy do not apply to the appointment of City Commissioners to boards, committees or commissions.

**110.06 Part I - Appointment Process:**

1. Qualified applicants for vacancies on committees can be solicited or obtained through advertising by the City Treasurer-Clerk's Office, from members currently serving on a committee, through citizens informing the City Commission or the City Treasurer-Clerk's Office of their interest, by the appropriate staff agency submitting recommendations to the City Commission and by City Commissioners recommending specific individuals.
2. Unless otherwise specified by the City Commission, all citizens appointed to a committee must be City residents, City property owners or City utility customers who do not have direct financial interest in the committee to which he/she is to be appointed.
3. The staff department will use applications received to make a recommendation to the Mayor.
4. The Mayor will make an appointment to all committees created by the City Commission except, those committees identified in Attachment A to this Policy. The Mayor will consider the demographic makeup of the committee in making his appointment.5. The Mayor will recommend an appointment to all charter, statutory and joint-intergovernmental committees (those identified in Attachment A). The Mayor will consider the demographic makeup of the committee in making his recommendations. Additional procedures for appointments to charter, statutory and joint-intergovernmental committees are provided in Section 100.07 of this policy.
6. The Mayor will notify in writing each citizen of his/her appointment. A copy of the Mayor's letter will be distributed to each commissioner, the responsible staff department and the City Treasurer-Clerk's Office. The appointment letter will include the purpose, function and term of office for the committee

as outlined in the respective bylaws or statutes, and will ask that the appointment be accepted in writing by the citizen in a letter to the Mayor.

**110.07 Part II - Additional Procedures for Appointment Process for Charter, Statutory and Joint-Intergovernmental Committees:**

1. Staff to charter, statutory and joint-intergovernmental committees listed in Attachment A are asked to notify the City Treasurer-Clerk's Office of any vacancies of City appointees or expiration of terms 60-days prior to expiration.
2. The City Treasurer-Clerk's Office will provide necessary information to the Mayor for use in making a recommendation for appointment. Said information shall consist of the current board membership, list of applicants and copies of applications.
3. The Mayor will notify City Commissioners in writing of his/her intent to appoint and his/her recommended appointee(s) at least 10-days prior to formally presenting the recommendation at a City Commission meeting.
4. The Mayor will prepare a consent agenda item requesting City Commission confirmation of the appointment(s), and a list of applicants will be provided by the City Treasurer-Clerk's Office to City Commissioners.
5. Upon approval of an appointment by the City Commission, the Mayor will notify in writing each citizen of his/her appointment and will ask that the appointment be accepted in writing by the citizen in a letter to the Mayor.

**110.08 Part III - Operations and Responsibilities:**

**A. Committee Operations:**

1. Committees shall have established standardized bylaws that are to be reviewed and approved by the City Commission; filed with the staff assigned to that committee and the City Treasurer-Clerk's Office. Bylaws will include, but not be limited to name, authority, purpose, and membership. If a committee includes ex officio members, the bylaws shall clearly state whether the ex officio members are voting or non-voting members.
2. Committees shall have no authority other than to serve in an advisory capacity to the City Commission as defined by the Committee's bylaws, unless otherwise provided in the City's regulations, as approved by the City Commission.
3. The committees shall serve as advisors to the City Commission to encourage citizen participation; present or discuss policies and programs affecting their area of function; study issues; provide input on the values, goals and objectives of a program; develop program plans; contribute to continuous feedback; and make recommendations for quality program/service deliveries. Additional functions of the committees may be defined by the City Commission. Some committees have authority to make final decisions, as set out in the City's Code of General Ordinances and Land Development Code.
4. Committees will meet routinely based upon an adopted meeting schedule.
5. Committees will have all meetings noticed by being posted on the Citizen Information Board in the Public Information Office and posted to the online meeting calendar on the City's web site, open to the public and will ensure agendas and minutes are available to the public according to State "Sunshine" Laws. Committees shall comply with any additional notice requirements set out in the City's Code of General Ordinances, the Land Development Code, or Florida Statutes. Committees shall also comply with City Commission Policy 108, Citizen Appearances at Meetings providing for public participation in meetings.
6. Unless otherwise provided in the committee's bylaws, a majority of the committee members shall constitute a quorum to hold a meeting, and any action of the committee shall be by simple majority of the membership in attendance.
7. A member's position shall become vacant when:
  - a. a member is absent from 33% of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused. All absences will be duly recorded in the meeting summary. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences, or
  - b. when the committee is notified by staff that a member no longer meets the membership

requirements, or

- c. when a member's term expires, or
- d. when a member resigns.

Special exceptions on the removal of members for absences may be made by the Chairperson of the Committee when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the committee to maintain a quorum.

- 8. The committee Chairperson shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Mayor. It will be the responsibility of the Mayor to insure an appointment will occur within 30-days of notification. If an appointment is not made within 30-days by the Mayor, the committee shall have the authority to request an appointment be agendaed for next available commission meeting.
- 9. The responsible staff department will provide committee members with training that will address the bylaws, the legal obligations and responsibilities, including the Florida Sunshine Law and public records law, and will provide responses to any concerns the new members may have with the responsibilities of the committee.
- 10. The Chairperson and the staff department will be responsible for compliance with the bylaws. The Chairperson will notify members of removal from the committee for noncompliance. Specific questions of conflict of interest will be addressed by the City Attorney, or his designee.
- 11. The staff department will inform the City Attorney, or his designee, of noncompliance by the Chairperson of the statutes or bylaws. The City Attorney, or his designee, will be responsible for resolution of these noncompliance issues.

**B. Eligibility and Terms of Committee Membership:**

- 1. Committees will be made up of an odd number of members. The City Commission will establish the number of members of the committee.
- 2. When possible, City committees should be made up of an equitable representation based on race and sex, determined by the demographic ratio of the City. In cases of committees representing the interest of a specific neighborhood, representation based on race and sex will be determined by the demographic ratio of the neighborhood. Such demographic information shall be the most current available data in the Tallahassee-Leon County Planning Department by census tract. In consideration of the Americans with Disability Act, City committees shall include citizens with disabilities.
- 3. The length of the term for appointments to a committee should, unless otherwise specified, initially be for a three-year staggered term, with permanent three-year terms thereafter. For example, a five-member committee could have three people serving a two-year term, and two people serving a three-year term. The staggered term concept will not include any one-year term appointments. The staggered term arrangement for appointees shall be established by the City Commission.
- 4. An appointee to a committee shall not serve more than two-full consecutive terms.
- 5. All City appointed citizens serving on committees may be removed from their committee by the City Commission if it is believed it would be in the best interest of the City of Tallahassee.

**C. City Treasurer-Clerk's Office Responsibilities:**

- 1. The City Treasurer-Clerk's Office will maintain files on all committees. A separate file for each committee will be established and will include, but not be limited to, a copy of the bylaws or statutes, a current list of members and officers, including names, addresses, dates of appointment, expiration dates of appointment, staff department, and contact person within the departments.
- 2. The City Treasurer-Clerk's Office will be responsible for ensuring that [www.talgov.com](http://www.talgov.com) contains current information regarding boards and committees. Available information will include an application form for citizens interested in serving. It will also include general information such as membership rosters, vacancies, and roles and responsibilities for boards and committees. The City Treasurer-Clerk's Office will also be responsible for periodically advertising open boards and

committees on WCOT.

3. The City Treasurer-Clerk's Office will be responsible for receiving applications and resumes, and will maintain a file for all applications or resumes received from citizens expressing an interest in consideration for future vacancies. The applications or resumes will be provided to the departments for use in filling vacancies. Recommendations, along with other applications received, will be provided by the committee or department to the Mayor for consideration.

#### **D. City Staff Responsibilities:**

1. Staff to a committee will have the responsibility of informing the committee of events, activities, policies, programs, etc. occurring within the scope of its functions and to make members aware of all City Commission requests for information. The staff department will maintain the original copy of the minutes of the committee's meeting and reports associated with the purpose of the committee.
2. Staff will inform the City Treasurer-Clerk's Office of all vacancies, changes in officers, and any other changes to the committee. At least 60-days prior to the expiration of any term, the staff department will request a copy of all applications from the City Treasurer-Clerk's Office for the committee. The staff department or committee will use these applications to make a recommendation to the Mayor. The staff department will consider the demographic makeup of the committee in making its recommendation.
3. The staff department will be responsible for the continuous flow of information to the appropriate appointed official and the City Treasurer-Clerk's Office. Such information shall include, but not be limited to, a provision of bylaws, membership, recommendations of the committee, actions and noncompliance by the board or Chairperson with the bylaws or statutes.
4. The staff department will coordinate with the City Attorney, or his designee, on noncompliance issues by the Chairperson of the statutes or bylaws.
5. The staff department will provide to all new committee members a copy of the committee's bylaws, and when applicable, the City Code, Charter and statutory authorization. The staff department will brief each new appointee on the committee's bylaws, legal obligations and responsibilities, including the Florida Sunshine Law and public records law, and will provide responses to any concerns the new members may have with the responsibilities dictated by the committee.
6. Staff to a committee will take steps to ensure that a time for citizen appearances is placed on the agenda of each meeting as required by City Commission Policy 108, Public Participation at Meetings. Staff will ensure that the committee's bylaws are amended to include the requirements of City Committee Policy 108.

#### **110.09 Part IV – Appointment of City Commissioners to Boards, Committees, and Authorities:**

The Mayor shall be responsible for notifying City Commissioners of vacancies on boards, committees and authorities seeking City Commission representation either as a voting member or as an ex officio/liaison, and seeking Commission input. In the event that only one Commissioner wishes to serve, the Mayor may make the appointment, noticing the Commission and staff of such appointment by memorandum. If more than one Commissioner expresses an interest in serving, then the item will be agendaed for Commission action without a recommendation.

#### **110. 10 Sunset Provisions:**

The City Commission will review the activities and accomplishments of each City Commission authorized committee every four years. This review will be based on a formal review by the staff department to decide if the committee has completed the original objectives and to determine if the committee should continue, modify its activities, or terminate activities. However, if the committee becomes inactive it may be abolished.

#### **110.11 Effective Date:**

This policy guideline became effective on May 10, 1995, after City Commission review and approval.

#### **110.12 Responsible Agency:**

The City Treasurer-Clerk shall make amendments as required for the purpose of keeping this policy complete and up to date.

**City Commission Policy 110 Attachment A**  
**List of Boards and Committees Created By Charter or Regulatory Authority**

<b><u>Board Name</u></b>	<b><u>Board Type</u></b>	<b><u>Appointment Made By</u></b>
Adjustment and Appeals, Board of	Joint TLC	Commission
Affordable Housing Advisory Committee	Charter	Commission
Architectural Review Board	Joint TLC	Commission
Audit Committee	Charter	Commission
Downtown Improvement Authority	Statutory	Commission
Environmental Board	Statutory	Commission
Joint City-County Bicycling Workgroup	Joint TLC	Commission
Joint Public School Coordinating Committee	Joint TLC	Commission
Municipal Code Enforcement	Statutory	Commission
Planning Commission/Local Planning Agency	Joint TLC/Statutory	Commission
Sinking Fund Commission	Charter	Commission
Tallahassee Housing Authority	Statutory	Commission

**REVISIONS:**

November 13, 1996

February 24, 2005

April 18, 2012 – Construction Industry Review Committee abolished per City Ordinance 11-o-08

August 22, 2012