

RESOLUTION NUMBER 17-7469

A RESOLUTION AMENDING SECTION 3.B. AND ADDING SECTION 3.F. OF RESOLUTION NUMBER 16-7316 REGARDING THE PROVISION OF TRAINING REGARDING THE ETHICS POLICY OF THE CITY OF SALINA; OTHERWISE RESTATING RESOLUTION NUMBER 16-7316 REGARDING VOLUNTEER CITIZEN BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF SALINA; AND REPEALING RESOLUTION NUMBER 16-7316.

WHEREAS, volunteer citizen boards serve an important role in democratic local governments and provide an excellent mechanism for eliciting constructive citizen input and using the talents of individual citizens; and

WHEREAS, the City of Salina uses numerous citizen boards and commissions to assist in the provision of services to its citizens; and

WHEREAS, the City Commission has determined it is advisable to adopt a more formal policy and procedural guide for appointments to, and administration of, an effective board and committee system; SO NOW, THEREFORE

BE IT RESOLVED by the Governing Body of the City of Salina, Kansas:

Section 1. Adoption of Policy. The policies and procedures outlined hereafter shall generally govern the appointment and administration of the citizen boards system, unless otherwise waived by the governing body.

Section 2. Appointment procedure. It shall be the policy of the governing body to follow the steps outlined hereafter regarding citizen boards, committees and commissions:

- A. Solicitation of interest. Names of persons willing to serve the City in the capacity of volunteer board, committee or commission member will be obtained by both formal and informal advertising designed to reach as many citizens as possible. Each individual will complete an Expression of Interest Form and submit it to the city clerk. Those presently serving on a board or commission interested in reappointment shall also be asked to submit an Expression of Interest Form. The Expression of Interest form shall remain on file for two years.
- B. Record of interested persons. The City Clerk's Office will maintain a record of all city boards and commissions and will notify the Mayor of any vacancies as they occur. The Clerk's Office will solicit volunteers for appointment when needed. Vacancies occurring at other than the normal expiration date of a term (for example, a resignation for reasons of health) will be filled, whenever possible, by considering those individuals who have Expression of Interest Forms on file.
- C. Manner and time of appointment. It will be the responsibility of the City Clerk's Office to distribute copies of completed Expression of Interest Forms to the governing body so that they may offer written suggestions to the Mayor on appointments. Commissioners shall also be notified if any of the applicants are currently members of the board or committee and, if so, are eligible for

reappointment. All appointments will be made by Resolution submitted by the Mayor to the full City Commission for final approval at the times indicated:

- 1) The members for all of the citizen boards and commissions will be appointed in August of appropriate years, with an effective date of appointment of September 1 of that year, except for the following:
 - a). The members of the Salina Airport Authority will be appointed in February with an effective date of March 1.
 - b). The members of the Library Board will be appointed in February with an effective date of April 1 of that year.
 - c). The members of the Saline County Community Corrections Advisory Board shall be appointed in July with an effective date of August 1 of that year.

- D. Terms of appointment. An appointee may serve no more than two full consecutive terms on the same board or commission. Members who are serving terms beyond this limit at the time of adoption of this policy shall serve only until the end of their current term. One year shall pass before consideration of reappointment to the same board or commission will be given, unless otherwise specified.

- E. Dual appointment: An appointee may only serve on one City board at any given time.

Section 3. Guidelines for operations. It shall be the policy of the City Commission to follow the guidelines outlined hereafter regarding the operation of citizen boards, committees and commissions:

- A. Participation. Members of citizen boards and commissions are expected to attend meetings on a regular basis. Board attendance records will be monitored by the staff liaison. Whenever a board member misses three (3) consecutive meetings or his or her attendance falls below 66% in a twelve-month period, the board's staff liaison will so notify the Mayor. The Mayor will formally request, by letter, clarification from the identified board member of the reason for lack of attendance. If no attendance improvement plan can be agreed upon by the Mayor and member or if the member's attendance record falls below 50%, the member may be dismissed by the Mayor for lack of attendance. At the Mayor's discretion, a member of a board may be dismissed due to a substantial interest or conviction of certain crimes such as, but not limited to, felonies or crimes of moral turpitude.

- B. Orientation. All new board and commission members shall complete orientation training within ninety (90) days of their board appointment. City staff is directed to provide the required orientation training and related materials for all new board and commission members. This orientation training shall include, but not be limited to: the enabling legislation for that board or commission, a historical perspective on the work of that board, a review of the Ethics Policy of the City of Salina (originally adopted by Resolution No. 17-7463) and any other material appropriate to the conduct of that board's duties. The City Clerk's Office will provide all committee members with orientation material applicable to service on all City boards and

commissions.

- C. Compensation. Citizen board, committee and commission members will receive no compensation for service.
- D. Annual Report. With the assistance of their staff liaison, each citizen board and committee shall submit a brief "annual report" to the City Clerk's Office no later than February 15 of each year, indicating accomplishments in the prior year, goals, needs and concerns. Such a report is intended to establish a formal line of communication between the boards and the governing body.
- E. Rules of Procedures. All boards must follow "The Rules and Procedure for Conducting Boards and Commissions" dated January 23, 2012, as incorporated as part of this resolution.
- F. Annual Training. For those boards and commissions that meet on a regularly scheduled basis, City staff shall provide annual training regarding the Ethics Policy of the City of Salina. The city manager shall ensure that all department heads and board liaisons are also adequately training regarding the Ethics Policy of the City of Salina.

Section 4. Relationships of citizen boards, City Commission and City staff.

- A. Role definition. During orientation training, definition of the relationships among citizen boards, the governing body and City staff shall be discussed as they are established by the enabling ordinance or resolution or by other statements of policy.
- B. Ad hoc committees. The governing body or a citizen board may establish ad hoc citizen committees as needed to review City programs, to provide citizen input and recommendations on City projects and to assist in program review. All ad hoc committees are subject to the same open meeting and records requirements, this policy, and rules and procedures as established by the governing body.
- C. Staff responsibilities. Citizen boards are not given authority by the governing body to direct the work of City staff. City staff is provided to a board or commission as a resource for necessary information. However, staff will always endeavor to work closely with boards to enable them to carry out, as efficiently as possible, their responsibilities in the City government. It is recognized that some City-appointed boards, e.g., Library Board, have their own appointed professional staff. Nothing herein is intended to change the employer-employee relationship established by law in these cases.
- D. Governing Body Liaisons: The Mayor may appoint a member of the governing body to serve as a liaison and attend and observe meetings on behalf of the governing body for certain boards. When a member of the governing body is appointed as a liaison, he or she serves as a means of communication between the City Commission and the board and does not have rights as a regular member of the board.

- E. Governing Body Representatives: The Mayor may appoint himself or herself or another member of the governing body to serve a member of other boards and committees (i.e. Building Authority, Board of Health, North Central Regional Planning Commission, and Chamber of Commerce Board of Directors). Typically the governing body representative shall have the same rights as other members of the board as set out by the board or committee's bylaws or rules of procedure.

Section 5. Youth Liaisons: In an effort to encourage more youth involvement in local government and increase diversity and representation of the community, each board, with the exception of the Disciplinary Advisory Board, may allow at least two youth members to be appointed. Appointments of youth board members shall be as follows:

- A. Eligibility: Any individual between the ages of 15 through 20 attending a secondary or post secondary school may submit an Expression of Interest form for consideration of appointment.
- B. Appointment Procedure: The appointment of youth members shall follow the same procedure as outlined in Section 2, Sub-Sections A through C of this resolution.
- C. Terms: The term for a youth member shall be one year. A youth member shall be eligible for reappointment; however, no youth member shall serve more than **four (4)** consecutive full terms.
- D. Orientation: When appointed, youth members shall attend a Youth Board Orientation, as well as the regular Board Orientation, to discuss the responsibilities and expectations of a board member. The youth board member will also select a member on the board to which he or she has been appointed, City of Salina Director of Human Relations, or the City of Salina Human Relations Department Outreach Specialist as a mentor.
- E. Responsibilities: Youth members shall have the same responsibilities as all other members of the board, except each youth member shall have "non-binding" voting rights. The meeting minutes shall reflect each youth member's vote and that it is non-binding.

Section 6. Procedural Guidelines. Each citizen committee may adopt additional procedural guidelines, provided that prior to their enactment the additional procedural guidelines:

- A. Are determined to be consistent with this policy, other rules or City ordinances as established by the governing body, and applicable state or federal laws;
- B. Are reviewed and approved by the city attorney to ensure compliance with Section 3E of this resolution.
- C. Are filed with the city clerk.

Section 7. That the existing Resolution Number 12-6875 is hereby repealed.

Section 8. This Resolution shall be in full force and effect from and after its adoption.

Adopted by the Board of Commissioners and signed by the Mayor this 14th day of August, 2017.

Consolidated-Salina EPN111155

[SEAL]
ATTEST:

Shandi Wicks
Shandi Wicks, CMC, City Clerk

Kaye J. Crawford
Kaye J. Crawford, Mayor

THE RULES OF PROCEDURE FOR CONDUCTING REGULAR MEETINGS FOR CITY OF SALINA CITIZEN BOARDS AND COMMISSIONS.

Introduction. City Citizen Boards/Commissions. Citizen boards and commissions shall include any board, commission, and/or committee established by the governing body of Salina, Kansas (referred to herein as a “Board” or collectively as the “Boards”). The Boards shall be governed by these rules of procedures for conducting regular and special meetings, unless otherwise determined by applicable law. These rules of procedure are organized and numbered to correspond with the City Commission Rules and Procedures.

Rule No. 1. Regular Meetings, Quorum: The Board shall hold regular meetings as required by applicable law or as self-determined by the Board. Special meetings shall be called by the presiding officer with the consent of any two members of the Board provided that each member receives notice of the meeting. If a regular meeting date falls on a holiday, the meeting shall either be held on the next regularly scheduled meeting date or be rescheduled for an alternative date by a majority vote of the Board. A majority of the members appointed shall constitute a quorum.

Board meetings shall be conducted in a courteous, expeditious and business-like atmosphere.

Rule No. 2. Agenda: An agenda for each regular and special meeting shall be prepared by the staff liaison in accordance to the following order of business:

- Call to Order/Roll Call
- Approval of Minutes
- New Business
- Unfinished or Other Business
- Adjournment

Agendas shall state the date, time and meeting location and shall be forwarded to the City Clerk’s Office for safekeeping in accordance to the City of Salina Records Management policy.

Rule No. 3. Member Agenda Items, Date: The Board may take action only upon those items included on the agenda of a regular or special meeting; provided, however, during the “Other Business” segment of any regular meeting, the Board may add (a) an item to its current agenda by 2/3 consent of all members present or (b) an executive session by a simple majority vote of all members present. The Board may schedule certain topics for consideration for future agendas of a regular or special meeting by majority vote of the members present. Discussion relating to these scheduling matters shall be limited to whether the topic is to be scheduled and, if so, when. Discussion shall not extend to a debate of the merits of the matter.

Rule No. 4. Public Participation: The public may participate in discussion of matters before the Board. However, members of the public may participate only when recognized by the presiding officer, may discuss only items germane to the matter at issue, and may be subject to any time limits established by the presiding officer for the efficiency of the meeting. No member of the public may be recognized to speak while the Board is debating an item among themselves.

Rule No. 5. Public Hearings: Public hearings shall be conducted in the manner required by applicable law. The presiding officer may establish time periods for discussion at public meetings. The presiding officer may determine the order in which citizens may speak. The minutes shall show by name and address persons speaking for and against propositions. Citizens whose position cannot be determined will be mentioned in the minutes as speaking “with interest”.

Rule No. 6. Minutes: The recording officer for the Boards shall be the staff liaison or the staff liaison’s designee. The minutes of each meeting shall be prepared by the staff liaison, under the

supervision of the presiding officer and shall be reduced to typewritten form. The minutes shall record the official actions of the Board: identify Board members making or seconding motions, and the results of any votes. If directed by the motion maker, the minutes shall include the reason for motion.

The unapproved minutes shall be delivered to the Board prior to the next regular meeting. At the meeting, approval of the minutes of the previous regular and special Board meeting, if any, shall be considered by the Board. After approval of the minutes, the presiding officer for that meeting shall sign the minutes and the staff liaison shall attest thereto. Any Board member may request at the meeting, through the presiding officer, the privilege of having a statement on any matter under consideration by the Board or the reason for any action entered into the minutes. Unless the Board by vote of the members present objections thereto, such statement shall be entered into the minutes.

Upon approval of the minutes, minutes must be submitted to the City Clerk's office for safekeeping in accordance to the City of Salina Records Management Policy.

Rule No. 7. Presiding Officer: The Board shall elect a Chair and Vice-Chair at the first regular meeting after the Mayor has appointed members to that Board during the annual fall or spring appointments. In the absence of the Chair, the Vice-Chair shall be the presiding officer. In the absence of the Vice-Chair, the Board shall select from one of its members a presiding officer for that meeting. If the Chair or the Vice-Chair, as the case may be, should appear, the Chair or the Vice-Chair shall assume the chair after conclusion of the item then under debate.

Rule No. 8. Duties of the Presiding Officer: The presiding officer shall be responsible for the conduct of all board meetings. The presiding officer shall have authority to recognize the board members and members of the public to speak and to decide all questions of parliamentary procedure and order of business. All rulings of the presiding officer shall be considered valid unless overruled by a majority vote of the members present as explained in Rule No. 9.

Rule No. 9. Appeals of Rulings by Presiding Officer: Any board member may appeal to the Board from a ruling of the presiding officer. The appeal shall be sustained if seconded and approved by a majority of the members present. Prior to any action taken on the appeal, the presiding officer shall consult with the staff liaison for an advisory interpretation.

Rule No. 10. Rights of Presiding Officer: The presiding officer may make motions, second motions or debate any questions, and have the full responsibilities and rights of a member of the Board. When these rules refer to the Board or board members, they shall also include the presiding officer. The presiding officer may set aside items on the agenda for later consideration during the meeting.

Rule No. 11. Debate, Motion and Second Required, Exception: Following any discussion necessary to formulate a motion on any item on the agenda requiring formal action, a motion shall be made by a board member which shall specify the action to be taken. All motions, except a motion to withdraw a motion, shall require a second prior to the debate. If a motion or a second is not made, the matter shall die for lack of a motion. All motions of the Board shall be debatable except the motion to adjourn, to lay on the table, and the previous question. The author of the motion may withdraw the motion anytime prior to the vote.

Rule No. 12. Motion and Order During Debate: When any question is under debate, no motion shall be received but the following, which shall have precedence in the order listed: (1) to adjourn (2) to lay on the table, (3) for previous question, (4) to postpone to a certain day, (5) to amend and (6) to postpone indefinitely. The presiding officer may call recesses but said recesses shall not affect the status of pending motions or actions.

Rule No. 13. Motion to Adjourn: The effect of the motion to adjourn is to conclude the meeting. Unless a specific time is established, the board meeting is adjourned to the next regular meeting day at which time the items on the uncompleted agenda shall be the first order of business. This motion is always in order except when a board member is speaking, must be seconded, and must be voted upon without debate.

Rule No. 14. Motion to “Lay on the Table”: The motion to “lay on the table” delays consideration of an item until later in the same meeting and the time of reconsideration must be specified in the motion. The motion to “lay on table” must be seconded, cannot be debated, and must be voted upon immediately.

Rule No. 15. Previous Question: The previous question shall put in these words, “call the question.” Its effect is to put an end to all debate and bring the Board to immediate vote upon the motion; it must be seconded, may not be debated, and must be adopted by a 2/3 vote of the members present.

Rule No. 16. Motion to Postpone to a Certain Day, to Postpone Indefinitely: The effect of both motions to postpone is to remove the item under consideration from the current agenda. The motion to postpone to a certain day must establish the board meeting, either regular or special, at which the item is to be reconsidered. The effect of the motion to postpone indefinitely is to end consideration.

Rule No. 17. Amendments: A main motion may be amended by a motion and second. Amendments may be further amended by motion and second.

Rule No. 18. Order of Voting on Main Motion, and Amendments: All amendments shall be voted upon in the inverse order in which they are presented, the last amendment being voted on first. Amendments, if adopted by the Board, shall remain part of the main motion. When the main motion is voted upon, it shall include all amendments previously adopted.

Rule No. 19. Motion – Withdrawal, Procedure: Any board member may withdraw either the motion or second to a motion at any time prior to voting. If the maker of the motion withdraws the motion, the entire motion dies. If the seconder withdraws, the motion may be seconded by another board member and continued.

Rule No. 20. Reconsideration of Questions: When a vote has been taken, it shall be in order for any board member voting with the prevailing side to move a reconsideration thereof at the same or next regular meeting, but no question shall a second time be reconsidered at the same or next regular meeting. Beyond the next regular meeting, reconsideration of an item shall be governed by Rule No. 3.

A motion for reconsideration must be seconded; however, the seconding can be done by any board member, regardless of how the seconding board member voted on the motion to be reconsidered. Approval of a motion for reconsideration requires only a majority vote, regardless of the vote necessary to adopt the motion to be reconsidered. The effect of the adoption of the motion to reconsider is to immediately place before the Board again the question on which the vote is to be reconsidered in the exact position it occupied the moment before it was voted on originally.

Rule No. 21. Ordinance, Adoption: Not applicable.

Rule No. 22. Voting, Order, Roll Call Vote Required, Silence: For all roll call votes, all board members shall vote in alphabetical order by their last names, with the presiding officer voting last. At the discretion of the presiding officer, the vote may be either by voice or roll call. When required by law or requested by any board member the vote shall be by roll call. When directed by the presiding officer, the staff liaison shall call the roll.

A majority vote of those present shall prevail and the presiding officer shall announce the results of any vote.

When a question is put by the presiding officer, every board member present shall vote unless a member chooses to abstain from voting. On voice votes, silence by a member shall be counted as a vote in the affirmative. On roll call votes, when a member fails to vote upon any proposition, the vote shall be counted in the negative.

If a board member steps down from the debate of an agenda item and abstains from voting on the item, the abstaining member remains “present” for purposes of sustaining a quorum.

Rule No. 23. Appearance of Conflict of Interest, Substantial Interest, Abstention:

Appearance of Conflict of Interest. A board member who believes he or she would present the appearance of a conflict of interest and for that reason chooses not to participate in the debate or the vote on an item on the agenda, shall so state immediately following the introduction of the agenda item, shall step down until the board consideration of the agenda item has been completed, and shall abstain from voting on any motions relating to the agenda item.

Substantial Interest – Contract. A board member who has a “substantial interest” in a business, as defined by Kansas law, shall not participate in the making of a contract with that business, shall so state immediately following the introduction of the agenda item, shall step down until the debate of the agenda item has been completed, and shall abstain from voting on any motions relating to the agenda item.

Substantial Interest – Other than Contract. Other than in the case of contracts as addressed above, a board member who has a “substantial interest” in a business, as defined by Kansas law, shall not act upon any agenda item which will affect the business without disclosing the substantial interest in accordance with Kansas law, or, if the board member chooses, shall so state immediately following the introduction of the agenda item, shall step down until the debate of the agenda item has been completed, and shall abstain from voting on any motions relating to the agenda item.

Appearance of Conflict or Substantial Interest – Another Board Member. If a board member believes that another board member has a substantial interest in a business or presents the appearance of a conflict of interest in relation to a scheduled agenda item, that board member is encouraged to advise the liaison prior to the meeting in order that the concern may be called to the attention of the affected board member. The matter of one board member’s belief that another board member has a substantial interest in a business or presents the appearance of a conflict of interest in relation to a scheduled agenda item shall be presumed to be an appropriate subject for an executive session for the purpose of consulting with the city attorney regarding the alleged substantial interest or appearance of a conflict of interest.

Rule No. 24. Roberts Rules of Order Adopted, Parliamentarian: Board meetings shall be conducted in accordance with the latest revised edition of Roberts Rules of Order except where said Roberts Rules of Order are in conflict with these Rules, in which case these Rules shall prevail. The staff liaison shall be Parliamentarian and give advice to the Board on all parliamentary questions. In the absence of the staff liaison, the presiding officer shall serve as Parliamentarian. Failure to comply with Roberts Rules of Order or these Rules shall not invalidate any action. The City Clerk shall reproduce these Rules in pamphlet form and distribute one copy to each board member, the liaison, the City Manager and City Attorney.

Rule 25. Legal Documents: Not applicable.

Rule 26. Rules - Amendment: These rules may be amended by resolution of the Governing Body.