

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ESTABLISHING A BOARD AND COMMISSION APPOINTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 8.01 of the Prosper Town Charter provides that the Town Council has the authority to establish such board, commissions, and committees as it deems necessary to carry out the functions and obligations of the Town; and

WHEREAS, the Town Council of the Town of Prosper has determined that an appointment process for Town boards, commissions, and committees will assist the Town Council and staff involved in the appointment process with consistent procedures and standards.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

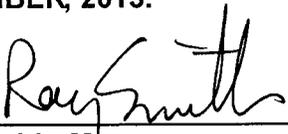
SECTION 1.

The Town Council of the Town of Prosper hereby adopts the Board and Commission Appointment Policies and Procedures, attached hereto as Exhibit A, and made a part hereof for all purposes.

SECTION 2.

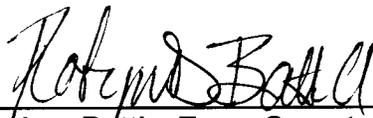
This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS THE 10TH DAY OF DECEMBER, 2013.



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, Town Attorney

EXHIBIT A

**TOWN OF PROSPER, TEXAS
BOARD AND COMMISSION APPOINTMENT POLICIES AND PROCEDURES**

1. PURPOSE AND SCOPE:

The purpose of this policy is to establish consistent procedures and standards for the appointment of individuals to all Town boards and commissions. This policy applies to individuals serving on Town boards and commissions appointed by the Prosper Town Council. This policy does not apply to temporary or ad hoc committees or to appointments made by the Town Council to external boards, commissions, or committees.

2. DUTIES OF BOARDS AND COMMISSIONS:

All boards and commissions shall act in an advisory capacity to the Town Council with the exception of the Board of Adjustment/Construction Board of Appeals, which has quasi-judicial authority. The duties and authority of the Town boards and commissions have been established by the following:

Board:	Authority Established By:
Board of Adjustment	Town Charter, Article IX, Section 9.05 Town of Prosper Zoning Ordinance (Ordinance No. 84-16, as amended)
Construction Board of Appeals (concurrently serves as the Board of Adjustment)	Ordinance No. 05-39, as amended
Library Board	ILA with PISD dated November 10, 2000 Resolution No. 05-91; Resolution No. 08-097; Governance Documents approved June 23, 2009; Resolution No. 12-47
Parks & Recreation Board	Comprehensive Parks Ordinance (Ordinance No. 02-07, as amended by Ordinance No. 05-87, Ordinance No. 07-040, Ordinance No. 11-52, Ordinance No. 11-65, and Ordinance No. 12-02)
Planning & Zoning Commission	Town Charter, Article IX, Section 9.01 Ordinance No. 06-101, as amended by Ordinance No. 06-103
Prosper Economic Development Corporation	Resolution No. 96-26; Resolution No. 09-104, approving PEDC Articles of Incorporation and PEDC Amended and Restated Bylaws

3. MEMBER ELIGIBILITY

Applicant qualifications include the following:

- In accordance with the Town Charter, applicants must be residents of the Town or its Extraterritorial Jurisdiction (ETJ).
- Applicants must be residents of the Town or ETJ for at least one year at the time of application.
- Each applicant must be a registered voter.

- Town employees are not eligible to serve on a Town board or commission, unless serving in an advisory and/or ex officio capacity.
- Applications must be received by the Town Secretary on or before the advertised deadline. Late applications will not be considered for the current year's expiring terms and vacancies, but will be kept on file in the Town Secretary's Office.

To remain eligible to serve, appointees must continue to meet the eligibility criteria for their board or commission for the duration of their term.

4. **RECRUITMENT**

The annual application period for boards and commission positions with expiring terms and known vacancies will begin in July, and applications will be accepted for approximately four weeks. All recruitment efforts will specify the application deadline. Resident involvement may be solicited in a variety of ways including, but not limited to:

- press releases
- Town e-news
- website advertisements
- social media
- utility billing inserts
- nomination by invitation

In July, the Town Secretary will notify incumbent board and commission members with expiring terms that the end of their term is approaching. If the member is eligible and wishes to seek another term, he or she must reapply in the same manner as other applicants.

A timeline for the recruitment, interview, and appointment process is attached as **Exhibit A**.

5. **APPLICATION PROCESS**

All qualified candidates must complete an application form and submit it to the Town Secretary's office prior to the advertised deadline to ensure adequate time for the Town Council to review, select, and interview qualified candidates. Applications may be submitted in person, via fax, U.S. mail, or email.

Application forms shall be made available on the Town's website, at Town Hall, and in the Town Secretary's office. The application shall solicit information about the applicant's background, including current and past occupations and involvement in and knowledge of issues related to the subject of the board to which the applicant is applying. In addition to the completed application, applicants are encouraged to submit a letter or résumé further explaining their interest and experience.

Applicants will indicate their preferred board or commission on their application, but may indicate a second choice if interested in service on more than one board or commission. Applications are kept on file in the Town Secretary's office and are considered current for one year from submittal date, after which the application will be removed from consideration. In order to be considered in the next recruitment period, the applicant is required to submit a new application.

6. SELECTION PROCESS

Council Nominating Committee

Prior to the start of the annual board and commission appointment process, the Town Council may appoint from its own membership a Council Nominating Committee of at least three members to be responsible for screening applications, conducting interviews, and making recommendations for appointment to Town boards and commissions.

Board Chairman Evaluation

The Mayor or Mayor's designee may contact the chairman of each board and commission prior to the start of the annual appointment process. The board of commission chairman is encouraged to provide feedback on the ideal characteristics and experience for potential board members.

Applicant Review

The Town Secretary will review the eligibility requirements and identify those applicants who are ineligible for appointment before submitting applications to the Town Council/Nominating Committee for review. When the application deadline has passed, the Town Secretary will compile all applications and distribute copies to each Town Council member for review. The Town Secretary will also provide to the Council an attendance report for each board and commission for the previous year.

Interview Process

In August, the Town Council/Nominating Committee will select applicants for interview. The number of applicants selected for interview will vary based on the number of open positions, the qualifications of the applicants, and the number of applications received.

Interviews will be conducted in late August/early September. The Town Secretary shall schedule and confirm interviews under the direction of the Town Council/Nominating Committee. Applicants who fail to attend their scheduled interview may forfeit their opportunity for an interview.

With the agreement of the applicant, the Town Council/Nominating Committee may consider an applicant for service on an alternate board if the skills and competencies of the applicant are more suited for service on that board.

Appointment Process

When interviews have been completed, the Town Council/Nominating Committee shall make its recommendations to the full Council at the first or second meeting in September. The Town Council will appoint one person for each available board or commission position.

On the following business day, the Town Secretary shall notify each applicant of the Council's appointment decision via email or telephone. Letters will be mailed to each individual appointed to a board or commission stating the name of the board to which they have been appointed, the name of the staff liaison for their board, and any other pertinent information relevant to the board position. The Town Secretary will also prepare and mail letters to those not selected for service to express the Council's appreciation for their willingness to serve the Town of Prosper and to encourage them to volunteer in other areas of the community.

7. **TERM OF OFFICE**

All board and commission members shall be appointed for a term of two years, with the exception of the Prosper Economic Development Corporation, whose members serve a term of three years. All terms expire on September 30 of the respective year. Residents are appointed to serve on a board at the pleasure of the Town Council. Members shall be appointed for one term of office, and generally the Town Council retains the right to replace any appointed member at any time and for any reason, consistent with applicable state law. Terms of office are staggered so that approximately one half of the membership has previous experience at any given time. Board members are appointed for a limited purpose and time, and once the assigned term of office is completed, they are excused from this appointment unless the Town Council selects them for another term of service in accordance with the adopted policy for board and commission appointments.

8. **MID-TERM APPOINTMENTS**

Occasionally, a board member may be unable to finish his or her term, may voluntarily resign, or may be removed by the Town Council prior to the term ending. In such cases, the vacant position may be filled by the Town Council with a mid-term appointee who will serve out the remainder of the unexpired term. Instead of re-soliciting applicants, the Town Council may refer to the current year applications kept on file by the Town Secretary.

9. **NEW MEMBERS**

Newly-appointed board and commission members should make every effort to become as familiar as possible with all aspects of his or her particular board. To aid in the process, new members will be contacted by a staff liaison and will be provided with relevant information and regulations that govern their particular board. Newly-appointed and re-appointed board and commission members must take an Oath of Office and complete required forms and paperwork prior to attending their first meeting.

Required Forms

Each appointed board and commission member will be required to complete the following forms upon appointment:

- Oath of Office
- Code of Ethics Statement of Acknowledgement
- Public Access Option Form
- Statement of Officer (quasi-judicial only)

Training

All Town board and commission members shall be required to complete training courses approved by the Attorney General's Office on the Open Meetings Act, and the Public Information Act within 90 days of their appointment. Other training may be provided as deemed necessary by the Town Council or staff. Signed forms and training certificates of completion will be kept on file in the Town Secretary's office.

10. **RECOGNITION OF FORMER MEMBERS**

Upon completion of service, a board or commission member shall be recognized at a designated Town Council meeting.

11. ATTENDANCE AT MEETINGS

The Council is appreciative of the dedication and contribution by those who are willing to donate their time to community service. Any decision reached by any of these boards has an impact on the entire community; therefore, board and commission members are expected to maintain regular attendance. Members who cannot attend a meeting should inform the board or commission chairman or staff liaison prior to the meeting.

In accordance with the Prosper Town Charter, any member of a board, commission, or committee who is absent from three consecutive regular meetings, or twenty-five percent of regularly scheduled meetings during the twelve-month period immediately preceding and including the absence in question, without explanation acceptable to a majority of the other members, shall forfeit his or her position on the board, commission, or committee.

12. ROLE OF STAFF LIAISON

A Town staff member is assigned to each board or commission to perform support services, provide technical data, prepare agendas, prepare minutes of the meetings, and other related functions. The staff member is not entitled to vote or preside over meetings.

The staff liaison may arrange a meeting with new members prior to the first meeting date for briefings on the duties of the board and background information on items that may be considered at the next meeting.

13. RULES OF ORDER AND CODE OF ETHICS

The Rules of Order and Procedure, as described in the Code of Ordinances, shall apply to all Town boards, commissions and committees.

Members of all Town boards, commissions and committees shall agree to abide by the Council Code of Ethics, as described in the Code of Ordinances.

14. OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT

All interviews and meetings will be held in compliance with the Open Meetings Act.

All board, commission, and committee members shall agree to comply with the provisions of the Texas Public Information Act.

15. REVIEW OF POLICY AND PROCESURES

This policy may be reviewed and amended by resolution as deemed necessary by the Town Council.