

RESOLUTION NO. 1984

A RESOLUTION ESTABLISHING POLICIES FOR THE CREATION AND OPERATION OF CITIZEN ADVISORY COMMITTEES OF THE CITY OF GARDNER, KANSAS

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Definitions. For the purposes of this Resolution, the following words are defined and shall have the meaning ascribed to them in this section, unless the context clearly indicates a different meaning:

- (A) "Citizen Advisory Committee". A body of members created by resolution to advise the City Council on particular matters. Citizen Advisory Committees shall act in an advisory capacity only and shall have no actual or apparent authority or powers to take any legal action or create any binding legal obligations on behalf of the City. These committees include the Economic Development Advisory Committee, the Streets, Sidewalks, and Stormwater Advisory Committee, the Citizens Police Advisory Committee, the ADA Advisory Committee, and the Parks and Recreation Advisory Committee. The Governing Body may create such additional Committees as it deems appropriate.

SECTION TWO: Creation.

- (A) The City Council may create Citizen Advisory Committees as a significant means to obtain citizen involvement on key issues
- (B) All Citizen Advisory Committees shall consist of five (5) members. Each Councilmember shall recommend an individual for appointment and shall submit the following information to the City Clerk: name, address, and a paragraph explaining the individual's interest in serving. Governing Body members will have seven days to review the recommended appointments and register any objections directly with the Councilmember who made the recommendation. Following the seven days, recommendations shall be placed on the Consent Agenda for approval at the next regularly scheduled City Council meeting. Recommendations for the Committee shall be voted upon as a slate of candidates. If the slate of candidates fails to be approved, the Governing Body shall submit a revised slate of candidates to be considered at the next regularly scheduled Council meeting.
- (C) A Councilmember shall serve as an ex-officio member of the Committee and be appointed by the Mayor on an annual basis, except as otherwise specified by the creation resolution.
- (D) Citizen Advisory Committee Members shall serve without compensation.
- (E) When creating a Citizen Advisory Committee, the Governing Body shall clearly define the mission of the Committee in the creation resolution.
- (F) Any Citizen Advisory Committee so created shall cease to exist when abolished by a majority vote of the Council.

- (G) No Citizen Advisory Committee so appointed shall have powers other than advisory to the Council, except as otherwise specified by the creation resolution.

SECTION THREE: Appointments.

- (A) In the event of a vacancy on any Citizen Advisory Committee, each chair at the dais in the Council Chambers at Gardner City Hall will be assigned a number one through five, with the exception of the Mayor's seat, which shall not be assigned a numerical value. Number one shall be assigned to the seat of the Councilmember furthest to the Mayor's right, and number five shall be assigned to the seat of the Councilmember furthest to the Mayor's left, and the interim seats shall be assigned a corresponding ascending numerical value from right to left. For each vacancy on any Citizen Advisory Committee, the Councilmember in the seat with the next ascendant numerical value following the numerical value of the seat of the Councilmember that made the previous submission to fill a vacancy, at the time of the previous submission, shall submit to the City Clerk within seven days an individual for appointment along with the following information about the individual: name, address, and a paragraph explaining their interest in serving. A vacancy in a Committee shall be effective on the date stated in the individual's written notice of resignation filed with the Councilmember serving as ex-officio member of the Committee or the date s/he becomes ineligible to serve in such position, whichever occurs first. Upon receipt of all required information, the City Clerk will submit the information to the Governing Body. The Governing Body will have seven days to consider the recommendations, after which the final recommendation will be placed on the Consent Agenda for approval at the next regular City Council meeting.

- (B) All candidates for appointment shall be at least 18 years of age or older, a registered voter, and a resident of the City of Gardner or be otherwise connected to the community in terms of property ownership or business affairs

- (C) Appointments to these Citizen Advisory Committees may be based upon applications filed in the City Clerk's Office, which shall be kept for a period of one calendar year.

Members of the public are encouraged to pick up public service applications from the City Clerk's Office, complete the application, and return it to the City Clerk's Office.

- (D) Applicants are encouraged to attend at least one meeting of the Citizen Advisory Committee the applicant is applying for before submitting their application in order to understand the mission of the Committee and the time commitments involved.
- (F) After selection to a Citizen Advisory Committee, the new member shall be given a certificate of appointment and a "New Members Handbook." The Handbook shall contain information designed to help the new member understand his role, duties and responsibilities on the body. The information shall include, but be not limited to the following:

- (1) A list of all members of the advisory body, the Governing Body, and staff liaison (if applicable), including names, addresses, e-mail addresses and phone numbers;
- (2) The mission statement and function of the body;

- (3) Kansas Open Meetings Law information and guidelines;
- (4) Kansas Open Records Act information and guidelines;
- (5) Rules and by-laws of the body;
- (6) Conflict of interest information; and
- (7) A copy of this Resolution.
- (8) A copy of the creation Resolution for the Committee.

SECTION FOUR: Operation and Procedure.

- (A) Unless otherwise specified in the creation resolution, a majority of the Citizen Advisory Committee members currently seated on the Committee shall constitute a quorum for the transaction of business. Staff Liaisons and Ex Officio Members are not counted as part of a majority or quorum.
- (B) Citizen Advisory Committees may make and establish such reasonable rules and by-laws, rules and regulations as may be necessary for their own government and for the full and complete execution of their duties and responsibilities.
- (C) Each Citizens Advisory Committee by majority vote shall elect from among its Members a Chairperson who shall preside over the meetings of the Committee, and a Vice-Chairperson who shall act for the Chairperson during absences. The Chairman shall call meetings, set meeting agenda and act as the principal point of contact for City staff relating to the business of Committee when the Committee is not in session. Election of officers shall be held annually at the first regular meeting of the calendar year. No Member shall serve for more than two consecutive years as an officer.
- (D) Unless otherwise specified by State statute or City ordinance, Citizen Advisory Committees shall be subject to the Kansas Open Meetings Law and to the Kansas Open Records Act. Records shall be kept of all Citizen Advisory Committee meetings.
- (E) Citizen Advisory Committees shall meet every quarter and as needed, except as otherwise specified by the creation resolution.

SECTION FIVE: Vacancies and Removal.

- (A) Vacancies occurring before the expiration of term shall be filled for the remainder of the unexpired term utilizing the process in Section Three (A) of this Resolution.
- (B) Removal. A majority of the Governing Body may remove any appointed Citizen Advisory Committee member at any time for good and sufficient cause. Cause shall include, but be not limited to, any violation of any applicable law, regulation or policy; neglect of duty; and failure to comply with the Committee attendance policy.
- (C) Attendance Policy. A member of a Citizen Advisory Committee violates the City's Citizen Advisory Board attendance policy if the member receives notice of meetings and without excuse misses two (2) consecutive meetings or attends fewer than two-thirds (2/3) of the regular meetings or special meetings of the Committee which they serve within the twelve (12) month period following the member's appointment, or

an anniversary date thereof. Violation of this policy shall be reported to the City Clerk and the Mayor

The Citizen Advisory Committee shall be responsible for keeping track of attendance. In computing attendance, the standard shall be in absolute meetings held as the denominator and meetings attended as the numerator.

“Excuse” shall mean more than inconvenience and includes illness and family emergency. Business commitments shall not be a good excuse.

The Public Service Application Form shall contain an acknowledgment that the applicant has read and understood the attendance policy.

SECTION SIX: Terms of Office.

- (A) The term of office for Citizen Advisory Committees shall be as set by the creation resolution.
- (B) Generally, terms shall be three (3) years in length, unless otherwise specified by the creation resolution.
- (C) Terms of office for Citizen Advisory Committees shall be staggered to provide continuity.
- (D) When a member of a Citizen Advisory Committee has served for a period of two full terms on one particular Committee, that member generally will not be eligible for reappointment until the member has vacated the position for one full term.

A Committee member may be reappointed beyond the two term limit under exceptional circumstances. Exceptional circumstances include, but are not limited to, the incumbent’s special expertise; the need to preserve continuity on the Committee; or a lack of other qualified applicants.
- (E) A person may not serve on more than one Citizen Advisory Committee concurrently.
- (F) No member of any Citizen Advisory Committee shall be allowed to hold over for more than sixty (60) days beyond the term of office fixed by the creation resolution whether or not a successor has been appointed; provided, however, the Council may extend the term for periods of ninety (90) days upon majority vote of the Council.

SECTION SEVEN: Resolution Nos. 1935, 1936, 1937, 1938, and 1939, and any other resolutions not in conformity herewith, are hereby repealed or amended to conform hereto.

SECTION EIGHT: This Resolution shall take effect and be in full force from and after its adoption by the Governing Body of the City of Gardner.

ADOPTED by the Governing Body this 5 day of March, 2018.

SIGNED by the Mayor this 5 day of March, 2018.

/s/
Steve Shute, Mayor

(SEAL)

ATTEST: _____ /s/ _____

Amy Waller, City Clerk

APPROVED AS TO FORM:

_____ /s/ _____

Ryan Denk, City Attorney