

CITY OF EL PASO, TEXAS
BOARDS AND COMMISSIONS
Uniform Bylaws

Article I-Purpose

El Paso City Council establishes City Boards and Commissions (“Boards”) to inform City Council under statutory authorization or on particular issues or subjects of interest to the Council. These Uniform Bylaws (“Bylaws”) are established to provide a consistent governance framework for all Boards operating within the City of El Paso, and to ensure consistent City policy and compliance with applicable laws. The purpose of these Bylaws is to ensure efficient, transparent, and accountable operations across all Boards, while respecting their unique roles and responsibilities within the City of El Paso.

Article II-Scope

- 2.1 Applicability. These Bylaws will apply to and control all City governed Boards established by or operating within the City of El Paso, unless otherwise specified by applicable law, regulation, resolution, or an express exemption granted by the City Council. This policy does not apply to certain committees, boards, and commissions of the City that are external or have independent legal status as separate entities.
- 2.2 Limitation on Authority. Unless otherwise authorized by law that specifically provides for the establishment and function of a particular City board or commission, Boards generally will have no executive, administrative, judicial, or operational functions. Their function will be solely to study and make recommendations to City Council within the scope of the subject matter specified in the statute, ordinance, or resolution establishing them. Boards will not be empowered, nor assume by their appointment to be empowered, with authority on behalf of the City to decide matters of City policy; oversee or enter into any contract; procure materials or services; recruit, hire, direct, manage, review or terminate staff, or involve themselves in any other way in personnel matters; seek, inquire about, or negotiate regarding the purchase, sale or lease of property. Individual City Board members or the Boards may not use the Board as a vehicle for political activity or to engage in political activity such as lobbying or campaigning on an issue. A Board may, as a body, take a position on certain issues as long as the issue is aligned with the Board’s mission and purpose as set by City Council or by law. Boards will not have, nor assume to have, any authority to raise funds or solicit revenues, nor incur indebtedness, nor to expend City resources of any type. Any resources necessary for the support of a Board’s meetings will be approved by City Council as part of the departmental budgetary process. City Council will specifically approve any other special or extraordinary expenditures requested by Boards.

2.3 Scope of Interest. The scope of each Board's interest and activity will be limited to that specified in the law, resolution, or order establishing or providing for the Board. If not specified, the scope will be as indicated by the title of the Board and directive from City Council. Agenda items must be items within the scope of the Board.

Article III-Board Structure and Composition

3.1 Eligibility. To be eligible for appointment to the commission, a person must:

3.1.1 Be eighteen years or older.

3.1.2 Reside in the City of El Paso.

3.1.3 Appointed based on their interest and experience relevant to the specific board.

3.1.4 Not be involved in litigation against the City of El Paso.

3.1.5 Not be in any financial obligation to the City of El Paso.

3.1.6 Not be a current employee or have been employed by the City of El Paso in the last two (2) years.

3.1.7 Not be related within the third degree of consanguinity or within the third degree of affinity to a member of the city council or the city manager as defined within the Code of Ethics Section 2.92.020.

3.2 Structure. The structure of the members is set below unless it is set or stated differently by statute, City Charter, City Code, or resolution.

3.2.1 Number. The number of members will be nine.

3.2.2 Appointment. The members of the Board will be those appointed by the Mayor and each member of City Council.

3.2.3 Term. The appointment of all members will be for a two-year term. The term will begin on September 1 and conclude on August 31, with appointments from districts 2, 3, 4, and 7 and the mayor to begin in odd-numbered years, and districts 1, 5, 6, and 8 to begin in even-numbered years. If needed, the first term thereafter for districts with terms beginning on even numbered years will be for one year, however, all terms thereafter will be for two years. An individual may serve no more than two full (2) consecutive terms on the Board and for no more than six (6) years in total.

3.2.4 Quorum. A quorum of the Board must be present to conduct a meeting. A quorum will consist of five (5) members.

3.2.5 Holding over. When the time the term of office of any member expires, the member will continue to serve until their successor is appointed and qualified, or until thirty (30) days have passed following the expiration of the term, whichever event occurs first. Any holding over past the thirty (30) day period is prohibited, and after that time a vacancy will exist.

3.2.6 Attendance. A member who cannot attend a Board will notify the Board Liaison or Chair prior to the meeting, or as soon as practicable. The Board Liaison will report any member who is absent from three consecutive meetings to the Mayor and City Council. The Chair will attach an attendance record to the Committee's annual report to the Mayor and City Council.

3.2.7 Removal. Any member who fails to attend three consecutive meetings or has an attendance record of less than sixty percent automatically vacates their position for the remainder of the unexpired term.

3.2.8 Vacancies. Vacancies of a board are to be filled by the appointing Member of City Council for the remainder of the unexpired term, as it applies to their own appointment slot. If appointed to fulfill an unexpired term, an individual may also serve two full terms on the Board.

3.2.9 Subcommittees. Strongly discouraged. Can only be established within the framework of the Board's enabling resolution.

3.3 Board Leadership.

3.3.1 Each Board will choose a Chair and Vice Chair. The officers will be elected annually by a simple majority vote of the members present at the last meeting of their term.

3.3.2 Board Liaison: Each Board will be related to or affiliated with a specific city department. The head of that department, or designee, will serve as Board Liaison to the Board. The Liaison will be responsible for ensuring the carrying out of the duties, as well as serving as a non-partisan, non-voting guiding facilitator during the meetings.

3.3.3 Legal Representative. Each Board will be assigned an assistant city attorney to advise the board on matters of law. The legal representative will be responsible with providing non-partisan, non-voting guidance on legal restrictions, authorities, and any consequences from Board actions.

3.4 Duties. The duties of the officers and members are as follows:

3.4.1 Chair. Votes on all matters. It is the responsibility of the chair to: (1) Be thoroughly familiar with the Board's rules of order, by-laws, enabling resolutions, code of conduct handbook, code of conduct agreement, and State law and relevant City policies, practices, protocols and procedures, including this policy; (2) Inform the members, when necessary or referred to for that purpose, on pertinent points of order or practice; (3) Open and call official meetings of the Board to order; (4) Recognize members entitled to the floor; (5) Expedite business in every way compatible with the rights of the members; (6) Restrain members engaged in debate within the rules of order and (7) Enforce on all occasions the observance of civility, order and decorum among the members and others in attendance.

3.4.2 Vice Chair. Votes on all matters. It is the responsibility of the Vice Chair to preside in the chair's absence. In cases of the chair's illness, resignation, or death, the vice chair is first in line to assume the office of chair for the remainder of the unexpired term.

3.4.3 Board Liaison. The Board Liaison serves as the secretary. They do not vote on matters, and do not count towards quorum. It is the responsibility of the Board Liaison to: (1) Keep the official records of the Board; (2) Record in the formal minutes the actions of the group; (3) Keep attendance of the members and call roll when required; (4) Work with City Council on filling vacancies and immediately communicate any changes to member status (i.e. excessive absences and resignations) to the appointing office; (5) Post notice of public meetings in accordance with the Texas Open Meetings Act; (6) Format, compile, prepare, post and distribute meeting agendas and materials to the members of the Board; (7) Post signage for meeting locations; (8) File the minutes with the Clerk's Office upon approval; (9) Announce the business of the day; (10) State, call for and put to vote all questions moved or necessary in the course of the proceedings, and to announce the results of the vote; (11) Conduct correspondence for the group as necessary and appropriate; (12) Maintain in good order the Board's enabling statute or resolution; (13) Be familiar with relevant regulations, policies, practices, protocols and procedures, including this Policy, as may be amended from time to time; (14) Provide Board specific training and an

orientation for all newly appointed Board members; and, (15) Provide guidance and information to the Board.

3.4.4 Members. It is the responsibility of each appointee to Boards to respect and uphold City policies, practices, protocols and procedures. It is the responsibility of each appointee to conduct themselves at all times with appropriate civility, respect and decorum, mindful that their conduct before the public reflects upon the integrity of the El Paso City Council.

3.4.5 Representation. A Board, its officers, or the members, will not represent the City to any state, county, city, special district or school district, agency or commission, nor to any other organization or members of the public, on any matter unless specifically authorized to do so by City Council. Each member will serve without compensation or reimbursement of expenses unless otherwise provided in accordance with statute, ordinance or resolution authorizing the same and specifying the details thereof.

3.4.6 Rules of Order and Procedure. Robert's Rules of Order will be used as a general guide for the conduct of Boards.

3.4.7 Minutes. Each Board will keep written minutes of its meetings which will be maintained as public records in accordance with applicable laws. Minutes will include: (1) The kind of meeting; (2) The name of the Board; (3) The date, time, and location of the meeting; (4) The names of the Board members present and absent, note the time of late arrivals and early departures; (5) Whether the minutes of the previous meeting were approved; (6) Actions (motions) to include notations of: Language of motion made, by whom the motion was made and by whom it was seconded; (7) The results of all votes, including the names of members voting for and against each action, and whether the motion passed or failed; (8) The times the meeting started and adjourned, and (9) Statements or abstracts made by a member that they specifically ask to be included in the record. These specific and occasional directives should be the only time you include verbatim statements in the record.

3.4.8 Training and Orientation. All Board members will participate in a mandatory training and orientation program to ensure they are knowledgeable about their roles, responsibilities, and ethical obligations. Training will include, but is not limited to: Ethics, Code of Conduct, Rules of Order, Public Information Act, and Texas Open Meetings, Act, which will be coordinated by the Board Liaison. Board members must sign Code of Conduct agreement. Assistant City Attorney assigned to the Board will also provide an annual presentation to the Board regarding their charge, purview, legal requirements, etc.

3.4.9 Executive Session. There are limited circumstances in which a typical Board will need to hold executive sessions as provided for under the Texas Open Meetings Act. If the Board is advisory, there is no circumstances in which the Board will need to hold an executive session. Any Board having such a need must strictly adhere to the provisions of the Act in conducting such meetings when so authorized and approved by the City Attorney.

3.4.10 Reports. All Boards by August 1st of each year must develop an annual report of its activities and recommendations to be provided to City Council in writing, and can be presented during a Council meeting by the membership if desired.

3.4.11 Recommendations. The recommendations Boards wants City Council to consider for official action will be submitted to the City Manager for review before being provided to City Council, as deemed appropriate. City departments will retain the right to include an alternate recommendation for consideration.

Article IV-Miscellaneous Provisions

4.1 Conflicts of Interest. Each Board member will disclose any potential conflicts of interest, financial or otherwise, that may impact their ability to serve impartially on the Board.

4.2 Effective Date. These Uniform Bylaws will take effect _____, 2025, when Ordinance No. _____ is set to take effect, and will supersede any previous individual bylaws governing the Boards.