



2012
City Of Granbury

Boards and
Commissions
Policy Manual

Approved by City Council on 7/17/2012

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City of Granbury Boards and Commissions Policy Manual

I. Introduction

It is the policy of the City of Granbury that the proper operation of democratic government requires that members of boards and commissions be independent, impartial and responsible to the City Council and the citizens of Granbury; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these worthwhile goals, the following policy has been established for the City appointed Board's and Commission's members deemed necessary and appropriate to assure the faithful and impartial conduct of Boards and Commissions of the City of Granbury.

II. Definitions

For the purposes of this policy, the following words, terms and phrases shall have the meanings ascribed thereto:

Board: Any City Board or Commission whose members are considered to be City Officers.

City Employee: Any person employed by the City, including those individuals employed on a part time basis.

City Board or Commission Member: Members and Alternate Members of the following Boards:

- i. Parks and Recreation Advisory Board
- ii. Historic Preservation Commission
- iii. Planning and Zoning Commission
- iv. Zoning Board of Adjustment
- v. Airport Advisory Board
- vi. Building Standards, Plumbing, Adjustments and Appeals Board
- vii. Tourism Advisory Board
- viii. Municipal Utility Advisory Board
- ix. Public Television Advisory Board
- x. Cemetery Board

City Officer: A Member of the City Council, Planning and Zoning Commission, Zoning Board of Adjustment or Historical Commission.

III. City Charter and Additional Provisions

A. Sec. 12.02 Personal Interest in City Contracts

No officer or employee of the City of Granbury shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested directly or indirectly in the sale to the City of any land, materials, supplies, or services, except on behalf of the City as an officer

or employee. Any knowing and willful violation of this Section shall constitute malfeasance in office and any officer or employee guilty thereof shall be removed from his office or position. Any violation of this Section with knowledge, expressed [sic] or implied, of the person or corporation contracting with the governing body of the City shall render the contract involved void.

B. Chapter 171, Local Government Code. Conflicts of Interest

A City Official who has a substantial interest in a business entity or in real property must file an affidavit and must abstain from making a decision or vote on any matter involving the business entity or real property. This issue is discussed in more detail in Section VII below.

C. Section 553, Government Code. Disclosure of Interest in Property

A public servant who has a legal or equitable interest in property that is to be acquired with public funds shall file an affidavit disclosing his interest within 10 days before the date on which the property is to be acquired by purchase or condemnation. A form affidavit for this purpose is attached as Attachment C.

IV. Commissions and Boards Standards of Conduct

A. Policy

As mentioned in Sections III and V of this Policy and Procedure Manual, State Law is very specific in defining conflict of interest and defines prohibited conduct for City Officials. This Section reinforces those laws and is cumulative of State Law requirements. It is important that City Officials be independent, impartial, and responsible to the Citizens of the City, and that no member of a City Board permit any interest, financial or otherwise, direct or indirect, or engagement in any business transaction or professional activity to conflict with the proper discharge of their duties. Public office will not be used for personal gain.

B. Standards of Conduct

(1) Conflict of Interest

No Board Member shall actively participate in the deliberation and/or approval of City business in which they, or a relative of the officer, have a direct or indirect financial interest that can be determined to be in conflict with the duties of their office. If there is a conflict of interest, the member must leave the room during debate or hearing, refrain from discussing the matter at any time with members of the body of which he/she is a member or any other body which will consider the matter and abstain from voting on the matter. A Conflict of Interest Affidavit in the form of Attachment D must be filed with the City Secretary prior to the issue being deliberated by the City Council or Board. The following are defined as conflicts:

- (a)** owning 10 percent or more of the voting stock or shares of a business entity or 10 percent or more or \$15,000 or more of the fair market value of a business entity;

- (b) funds received by the person from a business entity exceed 10 percent of the person's gross income for the previous year;
- (c) Having a financial interest in real property which is at least \$2,500 in fair market value. All City Council Members must file

(2) Gifts, Grants, Donations, Entertainment

A Commission or Board Member shall not accept or solicit any benefit, gift, or favor from any person that might reasonably tend to influence them in the discharge of their official duties, or grant in the discharge of their official duties any improper favor, service, or thing of value.

A Commission or Board Member shall not accept any transportation or entertainment as a guest, unless it is associated with a City Council approved municipal meeting or conference. Nothing in this Code shall be construed to mean that the acceptance of the following types of items are unethical:

- The acceptance of gifts, grants, and donations to the City of Granbury. (State Law)
- Fees or benefits received that the official is entitled to for which he/she gives legitimate consideration in a capacity other than as a public servant. (State Law)
- Gifts received due to kinship or a personal, professional or business relationship, independent of the official status of the recipient. (State Law)
- Any item or meal with a value of less than \$50. (State Law).

(3) Disclosure of Confidential Information

A Board or Commission Member shall not disclose information that could adversely affect the property, government, or affairs of the City, nor directly or indirectly use any information gained solely by reason of his official position or employment with the City for his own personal gain or benefit or for the personal interests of others.

(4) Use of City Supplies or Facilities

City supplies, equipment or facilities will not be used for any purpose other than conduct of official business, unless otherwise provided by law, ordinance, or City Policy.

(5) Conduct

No Board or Commission Member shall engage in any conduct prejudicial to the government of the City.

(6) Opinion of Commission and Board Members

Individual Commission and Board Members shall avoid expressing views or opinions that could be interpreted to represent those of the City or its citizens. No Board or Commission Member shall purport to speak or express opinions on behalf of the City.

B. City Travel Policy

This policy allows reimbursement of members of Boards and Commissions members for budgeted travel and training opportunities for meetings, conventions, and symposiums of the City. Unforeseen requirements a Board Member may request approval from the City Manager to cover expenses for special unbudgeted trips. Board and Commission members will submit such unbudgeted request to the City Manager for approval.

C. Board Members

(1) Appointment

The City Council shall consider the appointment of any person to a Board or Commission who has filed an application with the City Secretary Office.

- a. Appointees shall be qualified by the City Department for which the associated board shall serve prior to being appointed by the City Council.
- b. No Appointee shall be allowed to serve on more than one (1) board unless the City Council shall deem it to be necessary.
- c. Any Appointee serving on more than one (1) board at the time this policy manual is adopted shall be allowed to continue to serve on multiple boards until their current terms on those boards expire.

(2) Advisory

All Board members who are appointed by the City Council serve at the pleasure of the City Council and merely serve in a advisory capacity, except as otherwise provided by law including City Ordinance. Accordingly any action taken by any Board shall not be binding on the City Council, but shall be considered as recommendation of said Board.

(3) Meetings

All meetings of Boards and Commissions shall be posted in accordance with the Texas Open Meetings Act. If it is determined by the chairman or acting chairman that an emergency exists requiring immediate attention, the City Manager, and Mayor shall be notified prior to posting of the emergency agenda.

(4) Attendance Policy

To ensure that all appointed Boards and Commissions have sufficient members present to transact business, it is important that Board Members maintain a good attendance record. The policy of the City Council is to require that Board Members and Alternates

maintain a record of at least 80% attendance (during any twelve month period) at the official meetings of the Board to which they were appointed. If the attendance rate of any Board Member falls below 80%, the appropriate Staff liaison will notify the City Manager, and the Mayor regarding the fact. The City Council may inquire of the Board Member regarding his/her continued ability to serve and may remove the Member after due consideration of the response.

If the attendance of a Planning and Zoning Commission or Board of Adjustment Member falls below 80% on any calendar year, an interview will be scheduled with the Mayor regarding the reasons for the low attendance.

(5) Relationship to Staff

Appointed Board Members should deal with the City Staff only through the Staff Member designated as the liaison for the Board to which they were appointed. Instructions and requests should be made by the Board acting as a group, through their chair. Communication with the City Council could take place with the Mayor or any Council Member on an informal basis by any Commission or Board Member

(6) Conflict of Interest Provisions

Appointed Board and Commission Members should be aware of conflict of interest provisions of State Law and the need to avoid participating in decisions of the Board to which they belong, if they are in a situation which presents a conflict. If the Member finds that a decision of the Board of which he/she is a member will create a conflict of interest as defined by State Law, the Member should not attempt to influence the decision and should not participate in official or unofficial discussion with other Board Members, City Staff Members or others about the item. Such Member, may not participate in meetings, hearings, or vote on the item and should be absent from the meeting room during the deliberation of the item.

(7) Financial Responsibility of Board and Commission Members

Appointed Board and Commission Members shall not be in arrears on the payments of any taxes or other financial obligation due to the City.

(8) New Member Orientation

Newly appointed Board and Commission Members will be required to attend an orientation conducted by the Chair of said Board and staff liaison. After City Council appointment, the responsible Department liaison and Chair of said Board will coordinate an orientation session between all parties. All orientations should be conducted within 30 days of appointment.

E. Abstentions from Voting

It is the policy of the City of Granbury that Members of Boards and Commissions should vote on all items before them, except for matters where a Member has a conflict of interest as described in this policy manual or except for lack of information. Any member prohibited from voting due to a conflict of interest shall announce such conflict at the commencement of consideration of the matter, briefly stating the reason. The Member shall be excused from voting.

V. Oath of Office

As required by the Texas Constitution, Article XVI, Section 1 (c), Members of the, Planning and Zoning Commission, Zoning Board of Adjustment and certain city employees are required to file a Statement of appointment, with the Texas Secretary of State prior to taking the Oath of Office which is filed with the City Secretary.

VI. Advertising of Openings on Boards and Commission

At least ninety days before terms of Board and Commission Members expire, the City Secretary will advertise the upcoming openings in the local paper and on the City' web site. The advertisement will include the need for a completed application to be submitted to the City Secretary's office at least thirty days before the expiration of the term. Although there are no limits to the number of terms any Board or Commission member can serve, a member wishing to be reappointed will need to apply just as any applicant for the opening created by the expiration of a term.

**City of Granbury Board and Commission Policy Manual
Conflict of Interest Affidavit**

Attachment A

CONFLICT OF INTEREST AFFIDAVIT
(To be filed with the City Secretary prior to consideration)

THE STATE OF TEXAS
COUNTY OF HOOD

§
§

I, _____, as a member of the _____, make this affidavit and hereby on oath state the following: I, and/or a person or persons related to me, have a substantial interest in a business entity or real property such that action on the matter will have a special economic effect on the business entity, or in the case of real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, in accordance with Chapter 171, Texas Local Government Code.

The agenda item affecting this business entity or real property is:
_____.

COMPLETE (A) or (B):

- (A) The business entity is _____ (name); or
- (B) The real property is located at: _____.

I have a substantial interest for the following reasons: (check all which are applicable).

- _____ Ownership of 10% or more of the voting stock or shares of the business entity.
- _____ Ownership of 10% or more or \$15,000 or more of the fair market value of the business entity.
- _____ Funds received from the business entity exceed 10% of my gross income for the previous year.
- _____ Real property is involved and I have an equitable or legal ownership of the property with a fair market value of at least \$2,500.
- _____ A relative of mine has a substantial interest in the business entity or real property that would be affected by a decision of the public body of which I am a member.

Upon filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity or real property and from any further participation on this matter by discussion or debate.

Signed this ____ day of _____, 20__.

Signature of Official

THE STATE OF TEXAS §
COUNTY OF HOOD §

Before me _____ on this day personally
appeared _____ known to me (or proved to me
on the oath of _____ or through _____ (description of
identity card or other document) to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the
purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20__.

(SEAL)

Notary Public in and for the State of Texas

Attachment B

City of Granbury Board and Commission Policy Manual *Board and Commission Travel Policy*

Purpose:

To establish the procedures for Board and Commission Member Travel

TRAVEL POLICY:

The City recognizes that direct benefits accrue to the City as the result of official attendance and training at seminars and meetings. All proposed travel must be for job related or professional related activities.

A. Request for Travel

- (1) All requests for travel will be submitted to the Finance Department for funds approval and to the City Manager for final approval.
- (2) Brochures, registration forms, agendas and other descriptive data must accompany the travel request.
- (3) All requests must be submitted at least two weeks prior to the date of departure.

B. Authorized Expenses and Reimbursement

- (1) For approved travel, employees will be reimbursed by the City for their travel, lodging and registration fee expenses. Alcoholic beverages are not included.
- (2) For all expenses, except meals, receipts will be required for reimbursement.
- (3) Reasonable tips (not exceeding 15%) may be included. Reimbursable expenses must be business related. Individual entertainment expense and items of personal nature are not reimbursable-for example, in-room movies. Phone calls to families may be considered for reimbursement at the discretion of the Department Director or the City Manager in isolated cases of family emergencies or other situations.
- (4) A daily per diem is authorized for meal expenses. The daily per diem shall consist of \$7 for breakfast expenses, \$13 for lunch expenses and \$20 for dinner expenses. The City manager may

authorize from time to time group meals to be reimbursed at actual cost. The per diem will not be due for any meal provided at another organization's expense, or included in registration fees for conferences, meeting, etc. Employees must also be away from the Granbury area before 6:30 am or after 7:00 pm to receive the respective breakfast or diner portion of the per diem.

- (5) Employees using private autos will be reimbursed for parking, toll fees, etc. Traffic or parking fines will not be reimbursed. Out-of-state private automobile mileage reimbursement will not exceed the best available airfare amount and reasonable alternatives to include applicable ground transportation. Employees will provide airfare costs as applicable to document allowable payment for out-of-state private auto use.
 - (6) Within ten (10) days of completion of any travel, City employees must complete and submit Part II of the Travel Request Form along with expense receipts to the Finance Office.
- C. Advance expenses may be allowed to cover costs of travel, lodging, registration fees and meals when employees are faced with large out-of-pocket expenses.
 - D. Special conditions and unusual circumstances may merit exceptions to the stated policy on travel. Each request for variances will be considered separately in light of existing needs. Exceptions will not be made without the prior concurrence of the City Manager.
 - E. As a guideline it is the City's policy to limit annual employee travel to schools, workshops, conferences, etc., to no more than 10 working days per year. Necessary business trips and required schools or training courses are excluded from this limit when approved.

Attachment B

Exhibit A

City of Granbury Board and Commission Policy Manual Travel Request Instructions

A. Numbered items should be completed as indicated below:

- 1) Employee name(s)
- 2) Employee(s) department and, division.
- 3) Date travel request form is filled out.
- 4) Reason for trip, name of seminar, meeting, etc.
- 5) Account number(s) to be charged for trip.
- 6) Location: employee will be traveling to.
- 7) Inclusive date(s) for trip.
- 8) Indicate if employee will be traveling in City vehicle, private automobile, airplane, bus or other form of transportation.
- 9) Estimated, total cost of trip including registration fees, any applicable travel fees (i.e., airfare, mileage), lodging, etc.
- 10) Money requested in advance to be given to employee.
- 11) Must have proper Department Head, Finance/Funds, and City Manager approval.
- 12) Indicate any expenses which must be prepaid and indicate the payee. This is to include registration fees that must be paid in advance, lodging deposits, travel (airfare, travel advances, etc.), or other (must be specified). Total should be entered on line 22.
- 13) Indicate individual dates of charges, i.e., 9/19/01.
- 14) Charges for lodging.
- 15) Charges for garage or parking fees.
- 16) Charges for taxis or car rental.
- 17) Charges for transportation (bus, airfare, etc.).
- 18) Registration fees for meeting, seminar, etc.
- 19) A per diem rate of \$40.00 is authorized. This is allowed at the rate of \$7.00 for breakfast, \$13.00 for lunch and \$20.00; for dinner. The per diem will not be due for any meal provided at another organization's expense or included in registration fees for conferences, meetings, etc. Employees must also be away before 6:30 a.m. or after 7:00 p.m. to receive the respective breakfast or dinner portion of the per diem.
- 20) List any miscellaneous charges which can include business related telephone charges.
- 21) Total lines 13-20 and enter total here and on line 23.
- 22) Indicate amounts prepaid from line 21.
- 23) Indicate any reimbursable expenses.
- 24) Indicate any amount that may be due *back* to the City.
- 25) Indicate any amount that is due to the employee.

- 26) Employee and Department Head must sign indicating that the expenses listed were directly related to City business and funds are available in the budget.

B. FORM ROUTING PROCEDURE:

- 1) The three-part form shall remain intact through the approval process.
- 2) After City Manager approval, the white copy will be kept by Accounts Payable, the remaining copies will be returned to the originating division.
- 3) After completion of travel, the 'Expense Report' section is to be completed and the original copy then forwarded to Finance after approval.

**City of Granbury Board and Commission Policy Manual
Travel Request Form**

**Attachment B
Exhibit B**

CITY OF GRANBURY

PART I - TRAVEL REQUEST

1) Name		2) Department/Division			3.) Date	
4) Purpose of Trip (name of meeting, reason for travel, job relation)				5) Account Number(s)		
6) Destination			7) Dates From: To:			
8) Method of Travel	9) Total Estimated Cost of Trip		11) Approval			
___ City Vehicle	\$ _____					
___ Private Auto	10) Advance Pay Requested					
___ Air	___ Yes ___ No					
___ Bus	If yes, complete below					
___ Other			_____		Department Head Date	
			_____		Finance- Funds Approval Date	
			_____		City Manager Date	

12) PREPAID EXPENSES (Attach check request for each payee)

Registration Fee (Form Attached)	Payee _____	Amount \$ _____
Lodging Deposit.	Payee _____	Amount \$ _____
Travel.	Payee _____	Amount \$ _____
Travel Advance.	Payee _____	Amount \$ _____
Other (Specify) .	Payee _____	Amount \$ _____
Total		\$ _____

PART II - EXPENSE REPORT

13) Date(s)									Total
14) Lodging									
15) Garage/Parking									
16) Taxis/Car Rental									
17) Transportation									
18) Registration Fee									
19) Meals									
20 Misc. (Sped f									
21 Total									

22) Amount Prepaid \$ _____ 23) Reimbursable Expenses \$ _____ 24) Amount Due City \$ _____ 25) Amount Due Employee \$ _____	26) I certify that the foregoing expenses were incurred in the conduct of City business and for payment of such are available in the current budget. <div style="text-align: center;"> _____ Employee Date </div> <div style="text-align: center; margin-top: 20px;"> _____ Department Head Date </div>
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