

CITY OF OLATHE		Policy No.:	CC-5
COUNCIL POLICY STATEMENT		Date Issued:	10-19-99 03-05-19
General Scope:	City Council	Effective Date:	10-19-99 03-05-19
Specific Subject:	Boards, Commissions, and Committees, and Task Forces of the City Council	Cancellation Date:	
		Supersedes No.:	91-1126 Listed Below

Purpose:

To establish policies for the creation and operation of boards, commissions, ~~and~~ committees ~~and task forces~~ of the City Council.

Statement of Policy:

The statement of policy is hereby incorporated with Resolution No. ~~19-XXXX~~ 99-1127.

Establishment of previous policy was incorporated with Resolutions 91-1126 and 99-1127.

RESOLUTION NO. ~~19-1023~~ 99-1127

A RESOLUTION ESTABLISHING POLICIES FOR THE CREATION AND OPERATION OF BOARDS, COMMISSIONS, ~~AND~~ COMMITTEES ~~AND TASK FORCES~~ OF THE CITY COUNCIL; ~~AND~~ REPEALING RESOLUTION NO. ~~99-1027~~ 91-1126.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, 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. Titles and subheadings as used herein are provided only as a matter of convenience and will have no legal bearing on the interpretation of any provisions of this resolution. The use or failure to use capitals has no legal bearing on the interpretation of such terms.

~~(A) "Appointive Body"~~ ~~A~~ is a term of art in this Resolution used to describe all manner of permanent or temporary appointive bodies created by the City Council, including, but not limited to, boards, commissions, ~~authorities~~, and committees ~~and task forces~~.

~~(B) "Boards, Commissions, Committees, and Authorities."~~ A body of members created by ordinance to serve in a continuing capacity to the City Council having advisory (examples-

~~include: Parks and Recreation Advisory Board, Planning Commission), supervisory (Library Board, Housing Authority), investigatory (Human Relations Commission), or decision-making (Planning Commission) powers and authority. These bodies may also be established through a grant of statutory authority from the State of Kansas (Planning Commission, Library Board).~~

~~(C) "City Manager"~~ ~~The~~ means the appointed City Manager of the City of Olathe, Kansas.

~~(D) "Committees". A body of members created by ordinance to advise the City Council on particular matters (Audit Committee, Cable Television Advisory Committee, Citizens Police Advisory Council, Community Image Committee). Such bodies have little or limited decision-making authority.~~

~~(E) "Governing Body, City Council or Council"~~ ~~The~~ means the City Council of the City of Olathe, Kansas.

"Mayor" means the elected mayor of the City of Olathe.

~~(F) "Task Force~~Temporary Appointive Body" ~~A~~ means a body of members created by resolution to advise the City Council on some specific matter and having a time period to fulfill its appointed tasks.

SECTION TWO: Creation.

(A) The ~~City Council~~ Governing Body may create appointive bodies to assist in the conduct of the operation of the City government with such duties as the Governing Body may specify not inconsistent with State statute, Charter Ordinance No. ~~2876~~, as amended, or the Olathe Municipal Code.

(B) When creating an ~~advisory~~ appointive body, the Governing Body ~~shall clearly define~~ will set forth the mission of the ~~advisory~~ appointive body in the creation ordinance or resolution.

(C) Any ~~advisory~~ appointive body so created ~~shall~~ will cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the ~~Council~~ Governing Body.

(D) No ~~advisory~~ appointive body so ~~appointed shall~~ created will have powers other than advisory to the ~~Council~~ Governing Body, except as otherwise required by law or specified by the applicable creation ordinance or resolution.

SECTION THREE: Appointments.

(A) The Mayor is charged with the responsibility of recommending people to serve on ~~advisory~~ ~~appointive~~ bodies, subject to ratification by the Governing Body.

(B) Preferred candidates for appointment should be residents of Olathe, or be otherwise connected to ~~the community~~ ~~Olathe~~ in terms of property ownership, business affairs, or by offering a unique and necessary expertise.

(C) The City will inform the ~~general~~ public ~~shall be notified~~ of all openings on all ~~advisory~~ ~~appointive~~ bodies. Appointments to these ~~advisory~~ ~~appointive~~ bodies ~~shall will~~ be based upon applications filed in the City Manager's Office, which ~~shall will~~ be kept for a ~~minimum~~ period of one calendar year ~~from receipt of the application~~.

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

~~(D) Applicants are encouraged to attend at least one meeting of the advisory body the applicant is applying for before submitting their application in order to understand the mission of the body and the time commitments involved.~~

~~(E)~~ The Governing Body will receive written notification, including a copy of the ~~Public Service Application~~ ~~application~~, from the Mayor of ~~the all~~ proposed appointments at least seven (7) days prior to the consideration of the appointment at a regular ~~Council~~ meeting ~~of the Governing Body~~.

(E) If Governing Body ratifies the proposed appointment, then the candidate will be appointed effective immediately unless Governing Body provides for a different effective date.

(F) After ~~selection~~ appointment to an ~~advisory~~ ~~appointive~~ body, the new member ~~shall will~~ be ~~given~~ provided a certificate of appointment and orientation materials and training from City staff. ~~a "New Members Handbook."~~ The ~~Handbook shall~~ materials and training will contain information designed to help the new member understand his or her 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, the City Manager and staff liaison, including names, addresses, e-mail addresses and phone numbers;~~

~~(2) The mission statement and function of the body;~~

~~(3) Open meeting information and guidelines;~~

~~(4) Current work plan of the body;~~

~~(5) Past accomplishments of the body;~~

~~(6) Rules and by-laws of the body;~~

~~(7) Conflict of interest information; and~~

~~(8) A copy of this Resolution.~~

(G) A current City staff member may serve as an ex-officio member of an appointive body but may not serve as a voting member and also may not be appointed by the Governing Body.

SECTION FOUR: Operation and Procedure.

(A) Upon creation of the ~~advisory~~ appointive body, the body ~~shall~~ must appoint or elect one ~~of its members~~ as chair~~man~~, one as vice chair~~man~~ and one as secretary, ~~unless otherwise required by law or specified by the applicable creation ordinance or resolution.~~ The secretary may be a City employee acting as a non-member, ex-officio staff liaison. ~~(B) In January of each year, every board, commission, committee and authority shall appoint or elect a chair, vice chair and secretary who will serve for a one-year term. The secretary may be a City employee. No one-elected chairman shall serve more than two consecutive terms without a one-term break. Task-forces~~ Temporary appointive bodies will not be required to reappoint or elect officers unless the term of the ~~task force~~ temporary appointive body will exceed one year.

~~(B)~~ Unless otherwise specified in the creation ordinance or resolution, a majority of the ~~advisory~~ appointive body ~~shall~~ will constitute a quorum for the transaction of business.

~~(D)~~ ~~Advisory~~ Appointive bodies may make and establish such reasonable rules and by-laws, rules and regulations as may be necessary for their own ~~government~~ governance and for the full and complete execution of their duties and responsibilities.

~~(E)~~ Unless otherwise ~~specified~~ required by law ~~State statute or City ordinance~~, ~~advisory~~ appointive bodies ~~shall be~~ are subject to the Kansas Open Meetings Law and ~~to~~ the Kansas Open Records Act, ~~as amended~~.

~~(F)~~ ~~Except for the Library Board, the~~ The City Manager ~~shall~~ may assign a City employee as staff liaison with each ~~advisory~~ appointive body. The City Manager ~~shall~~ may also provide opportunities for each staff liaison and ~~advisory~~ appointive body chair to attend facilitator training ~~and other appropriate training related to their duties.~~

~~(G)~~ The City Manager and ~~City Council shall~~ Governing Body will include funds in the City budget for appropriate expenses as necessary to carry out the mission of the ~~advisory~~

appointive bodies. ~~All proposed expenditures shall be approved before being made. Expenses of \$1,000 or less may be pre-approved by the City Manager. Expenses over \$1,000 shall be pre-approved by the Governing Body.~~

(H) Each ~~board, commission, committee or authority shall~~ appointive body must submit by ~~October 30th~~ March 1st of each year to the City Manager's office for delivery to the ~~City Council~~ Governing Body, a written ~~annual report which must include work plan,~~ a report on activities for the preceding year ~~and,~~ a report on attendance of members, ~~and a work plan for the current year.~~ Task forces Temporary appointive bodies are not required to submit such report, unless the term of the ~~task force~~ temporary appointive body exceeds two years, since a report is required to be filed with the ~~Council~~ Governing Body at the end of the ~~task force's~~ temporary appointive body's project.

~~(I) By December 31st of each year, the City Manager shall file a report and recommendation on the continuing need for each advisory body.~~

(J) Each ~~spring~~ year, the City Manager ~~shall~~ will plan and produce an annual appreciation celebration for volunteers and invite all members of appointive bodies to the celebration.

~~(K) At the end of each advisory body's member's term of service, an appropriate public service award shall be given to the member.~~

SECTION FIVE: Attendance.

(A) All members of appointive bodies should strive to attend all meetings of the appointed body to which they are a member. A member of ~~a board, commission, committee or authority violates the City's advisory~~ any appointive body is considered to be in violation of the appointive board attendance ~~policy~~ requirements if the member receives notice of meetings and without excuse misses three (3) consecutive meetings or attends fewer than two-thirds (2/3) of the regular or special meetings of the ~~advisory~~ appointive body which they serve within the twelve (12) month period following the member's appointment, or an anniversary date thereof.

~~A member of a task force violates the City's advisory board attendance policy if the member receives notice of meetings and without excuse misses three (3) consecutive meetings.~~

(B) The ~~board, commission, committee or authority shall~~ appointive body will be responsible for keeping track of attendance. ~~and making a yearly report on attendance to the City Council by October 30th of each year. The task force shall be responsible for keeping attendance.~~ In computing attendance, the standard ~~shall~~ will be in ~~absolute~~ meetings held as the denominator and meetings attended as the numerator.

(C) "Excuse" ~~shall~~ means more than inconvenience and includes illness and family emergency. ~~Business commitments shall not be a good excuse.~~

(D) The ~~Public Service Application Form shall~~ application form will contain an acknowledgment that the applicant has read and understood the attendance ~~policy~~ requirements.

SECTION FIVE SIX: Vacancies and Removal.

(A) Vacancies occurring before the expiration of term ~~shall~~ will be filled by appointment by the Mayor with the consent of the remaining members of the Governing Body for the remainder of the unexpired term.

(B) Removal. A majority of the Governing Body may remove any ~~appointed advisory~~ appointive board member at any time for good and sufficient cause. Cause ~~shall~~ includes, but ~~be~~ is not limited to, violations of the Code of Ethics ~~conflict of interest policy~~ of the City; any violation of ~~any~~ applicable law, regulation or policy; neglect of duty; ~~and or~~ failure to comply with the appointive body attendance ~~policy~~ requirements set forth in Section Five, above.

~~(C) Attendance Policy.~~

SECTION SIXSEVEN: Terms of Office.

(A) The term of office for ~~advisory~~ appointive bodies ~~shall be as is~~ set by State statute or the creation ordinance or resolution. ~~(B) Generally, terms shall be four (4) years in length. Members of temporary appointive bodies will serve until completion of the body's term or work, unless circumstances require otherwise specified by State statute or the creation ordinance or resolution.~~

~~(CB)~~ Terms of office for ~~boards, commissions, committees and authorities~~ appointive bodies ~~shall~~ will be staggered to provide continuity. ~~Task force~~ Temporary appointive body membership is not required to be staggered.

~~(DC)~~ When a member of an ~~advisory~~ appointive body has served for a period of eight consecutive years on one particular appointive body, that member generally will not be eligible for reappointment until the member has vacated the position for one full term.

An appointive body member may be reappointed ~~beyond the~~ for more than eight ~~year limit~~ years under exceptional circumstances. Exceptional circumstances include, but ~~is~~ are not limited to, the incumbent's special expertise; the need to preserve continuity on the ~~board, commission, committee or authority~~ appointive body; or a lack of other qualified applicants.

(ED) A person may serve on more than one ~~advisory~~ appointive body concurrently, provided there is no incompatibility of offices ~~between the appointments~~ and ~~that~~ meeting times of the appointive bodies do not conflict.

~~(F) No member of any board, commission, committee, or authority shall be allowed to hold over for more than sixty (60) days beyond the term of office fixed by the creation ordinance 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 SEVENEIGHT: Amendment of Policies. These policies may be amended, or new policies adopted, by a majority vote of all members of the ~~City Council~~ Governing Body.

SECTION EIGHTNINE: Resolution No. ~~91-1126~~ 99-1127 is hereby repealed.

SECTION NINETEN: This Resolution shall take effect immediately.

ADOPTED by the Governing Body this 5th day of March, 2019~~19th day of October, 1999.~~

SIGNED by the Mayor this 5th day of March, 2019~~19th day of October, 1999.~~

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

Disclaimer: The City Clerk's Office has the official version of the Olathe City Council Policies. Users should contact the City Clerk's Office for resolutions passed subsequent to the resolution cited here.

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