



## **Board and Commission Policy**

### **BACKGROUND**

The City Council through the Charter has authority to establish Advisory Boards and Commissions. The following are those currently established: Airport Board, Advisory Planning Commission, Harbor Commission, Heritage Preservation Commission, Human Rights Commission, Library Board, the Sister Cities Commission, and the Sustainability Commission.

Except for the Advisory Planning Commission and the Charter Commission, the Council has authority to create advisory boards or commissions as it deems appropriate. Each city in Minnesota must have an Advisory Planning Commission and each city that is organized as a Home Rule City must have a Charter Commission.

In addition to the Advisory Boards listed above, the Council has created two boards of authority. They are the Housing and Redevelopment Authority and the Port Authority. Each has been created by resolution and falls under the guidelines of the State's empowering statutes.

The city, through an estate gift, has received the T.B. Sheldon Theatre and is required, through the terms of the gift, to have an Auditorium Board. The board was created through a city ordinance.

All Board and Commission appointments will be made by the Mayor with confirmation from the City Council with the exception of the Charter Commission. The purpose and overview of each Board and Commission is described in the attached Overview of Boards and Commissions document. This policy does not apply to Joint Powers Boards.

### **PURPOSE**

The purpose of this policy is to set forth the organizational structure of the Council's Advisory Boards and Commissions, the Auditorium Board and the two authority boards.

### **ORGANIZATION OF BOARDS AND COMMISSIONS AND AUTHORITIES**

- A. Each Board and Commission is authorized to have a maximum number of members.
- B. The terms of Board and Commission members are three years, unless specified by the Charter or state statutes, or other controlling documents. (Housing and Redevelopment Authority, Auditorium Board and the Charter Commission are the exceptions).

- C. Persons interested in being a board or commission member must complete an application and return it to City Hall. The application will be forwarded to the Mayor or responsible party for consideration.
- D. Except where provided in the City Charter, board and commission members must be residents of the City of Red Wing. The Mayor will direct the City Administration staff to confirm, through the election roster or utility billing, the residency of each applicant.
- E. Each board member or commissioner is eligible to serve two terms.
- F. Board or commission members may be appointed to serve a partial term.
- G. **If the partial term is 18 months or more**, the partial term will be considered a complete term for the purpose of reappointment.
- H. Board or commission members can return to two full additional terms if they are off for at least 12 months.
- I. Board and commission members can only serve on one Advisory Board at a time with one exception, i.e., any member of the Charter Commission can also serve at the same time on any other Advisory Board of the City.
- J. One member of the Library Board can be a resident of rural Goodhue County.
- K. Two Airport Board members can be residents of Pierce or Goodhue County.
- L. Members of the Human Rights Commission, the Sister Cities Commission, and the Sustainability Commission may be drawn from within the limits of the Independent School District 256.
- M. Board and commission members serving a minimum of one full term will receive a nominal gift for their service at the end of their term.
- N. Board and commission members will be appointed to their position by the Mayor, and confirmed by the City Council, per the City Charter with the exception of the Charter Commission.
- O. The City Administration staff will maintain the official list, which contains appointment and reappointment dates and term expiration dates.
- P. Each board and commission will have a staff liaison.
- Q. Staff liaisons will be appointed by the Council Administrator.
- R. The City Attorney will be the legal counsel to each board and commission, unless specifically authorized by the City Council to seek outside legal aid.
- S. Board and commission members will receive no compensation for service to the city

(Authorities can determine compensation without City Council authorization).

- T. The City Council President shall appoint a council liaison to each board and commission in January of each year a Council President is elected. The Council President may make changes to the council liaison appointments from time to time.
- U. Each Board or Commission may have ex-officio members. All ex-officio members will be appointed annually by the Mayor and confirmed by the City Council. Ex-officio members are non-voting members and may live outside of the City limits. Youth under the age of 18 may serve in a non-voting ex-officio status.
- V. The City Council Administrator serves as an ex-officio member on all Boards, Commissions, and Authorities.

## **PROCEDURES FOR BOARDS AND COMMISSIONS**

- A. On the Fourth Thursday in February of each year, the city will honor each outgoing board or commission member who has served at least a full term with a nominal gift. The Mayor and/or Council President will award the gift at a recognition event. The gift will be consistent with the City Council Adopted Public Gift Policy. No other gifts from the City of Red Wing will be accepted by board and commission members.
- B. In the first month of appointment, all new board and commission members will receive orientation materials from the staff liaison, including the current roster of members for the board or commission they have been appointed to, rules the board or commission operates under, and this Board and Commission Policy.
- C. At the first regular meeting of the calendar year, each board and commission will consider the following items:
  - 1. Swear in any new members  
Swearing in of new members shall be done by the Mayor. In the Mayor's absence, the Council Liaison shall swear in the new members. In the Mayor's and Council Liaison's absence, the staff liaison may swear in the new members. Certificates, once signed, should be filed in the office of the City Clerk.
  - 2. Election of Chairperson and Vice Chairperson  
Boards and commissions have the right to elect or appoint additional positions such as a secretary or subcommittee chair. Individuals can only hold the position of Chair or Vice Chair for a maximum of two consecutive years.
  - 3. Adoption of rules of order  
The City Council will adopt rules of order at its biennial organizational meeting. Except for the Charter Commission, boards and commissions will follow the rules of order adopted by the City Council, unless they specifically amend the rules and get approval from the City Council. In no way will the rules of order be amended to violate state or federal law.
  - 4. Creation of an annual work plan

Each board and commission should discuss in January its goals for the upcoming year. This can be done in a regular meeting or at a separate meeting. Part of the discussion should be the anticipated use of funds within the budget set for the board or commission in the current year.

5. Notice of Board and Commission Training and Recognition Event

Each year the City will conduct board and commission training for all members on pertinent public laws and/or applicable policies or procedures. The City will determine the contents of such training and when it will take place.

- D. Agendas, minutes and supporting materials for all regular meetings, special meetings, and workshops will be prepared for each board and commission with consultation between the board or commission chair and staff liaison.
- E. The staff liaison will be required to make the necessary posting and advertisement to meet the open meeting law for all regular meetings, special meetings, and workshops.
- F. Minutes and agendas for all regular meetings, special meetings, and workshops will be sent to all board and commission members at least three days prior to the meeting date. The Mayor and City Council will receive the board and commission minutes and agendas (only) at the same time as board and commission members via email or postal service (depending on the preference of the Mayor/City Council). A complete packet will be on file in the Red Wing Public Library three days prior to the meeting.
- G. Board or commission members who miss three consecutive meetings that are unexcused or who miss 50 percent of meetings in a 12-month period will be removed from their positions. In order to have their absence excused, board or commission members shall notify either the staff liaison or the chairperson of an intended absence. The staff liaison will monitor the attendance roster and report to the board or commission and mayor on this issue. If the board or commission member is not fully participating, the mayor shall have a conversation with the member to see if they wish to remain on the board or commission.
- H. All regular and special board and commission meetings will take place in the Red Wing City Council Chambers and will be broadcast live and taped for subsequent broadcasts on Channel 6, the local government access channel. In the event a board or commission meeting in which action is to be taken is moved off-site, the meeting shall be digitally recorded, unless approved by the City Council or if it is physically impossible or impractical to do so. All board and commission workshops will be digitally recorded.

### **SPECIAL AGENCY PROVISIONS**

- The Port Authority and Housing and Redevelopment Authority (HRA) have taxing authority.
- The Port Authority and the Sheldon Auditorium Board are staffed with city employees. The Housing and Redevelopment Authority will have a personnel policy to guide internal employment and will work within the guidelines of statutes relating to public employment.

- The Port Authority Board was established in 1985 per Enabling Resolution No. 2226 adopted by the Red Wing City Council on July 8, 1985 and amended February 12, 1996 (per Resolution No. 3643) pursuant to Minnesota Statutes Section 469.081; and amended March 8, 1999 (per Resolution No. 4185); and amended July 12, 2010 (per Resolution No. 6136); and amended August 22, 2011 (per Resolution No. 6312); and amended May 12, 2014 (per Resolution No. 6685).

On June 28, 2011 the Red Wing City Council adopted Resolution No 6291, approving legislation in laws of Minnesota 2011, Chapter 17, Section 1, changing the length of a term for a Port Authority member from six years to three years, which applied retroactively to all terms beginning on or after January 1, 2011.

- The Housing and Redevelopment Authority was established in 1966 per Resolution adopted by the Red Wing City Council at a meeting held on March 3, 1966 pursuant to Minnesota Statutes Section 469.003. Each board member serves a five-year term as established by state law.
- The Sheldon Auditorium Board was established by Resolution of October 7, 1904 and subsequently amended in 1985 by Ordinance No. 12, Third Series. Each board member shall hold office for a term of five years for up to three successive terms.
- The Charter Commission is a statutory obligation for all Home Rule Cities. Minnesota Statutes Section 410.05, Subdivision 1 describes the appointment process. Subdivision 2 describes the terms of the Commissioners. Each Charter Commissioner serves a four-year term.
- The Port Authority, HRA, and Sheldon Auditorium can set rules of order different than the City Council but will have rules on file that were approved by their respective boards.
- Each authority board can elect to have a separate attorney. Employees of the Sheldon Auditorium Board and Port Authority Board have access to the City Attorney because they are city employees.
- Agency boards and commissions can receive funds as self-determined.
- The Harbor Commission consists of up to seven members. Three Harbor Commissioners will be appointed by the Port Authority President and confirmed by the Port Authority Board, and three Harbor Commissioners will be appointed by the Mayor and confirmed by the City Council. The seventh commissioner will be appointed by the Mayor and confirmed by the City Council and by the Port Authority Board. A roster of commissioner membership and designation of appointment body will be kept by City Administration staff.
- The Charter Commission consists of not less than seven and no more than fifteen members. The City Council can appoint up to seven members and the Charter Commission can appoint up to eight members.

## **ROLE OF THE COUNCIL LIAISON**

The Council President has the right to appoint each council member to serve as a liaison to all boards and commissions. Council members are not voting members of boards and commissions, but may be on the Port Authority. (*City Code Section 2.30*)

The appointments will occur at the first meeting of the regular City Council meeting following the organizational meeting. The appointments can be changed by the City Council President, based on a request of the council member or for non-observance of the guidelines listed below.

- Council Liaisons are held to the same attendance standard as board and commission members (see Page 3, Section G).
- Council Liaisons are expected to sit at the table of the board or commission.
- Council Liaisons are expected to participate in the discussion and encouraged to offer suggestions on how to work effectively with the City Council.
- Council Liaisons are expected to relay issues to the City Council as requested by the Chair of the board and commission.

## **ROLE OF THE STAFF LIAISON**

Each board and commission will have a staff liaison. Each staff liaison will be appointed annually by the Council Administrator for each board and commission. Each staff liaison will support its board or commission by providing clerical support, processing financial requests, notifying members of training opportunities, coordinating all legal questions, and generally providing guidance. All work projects anticipated by the board and commission must be approved as a work project by the staff liaison's supervisor. Staff is expected to follow the guidelines listed below:

- Staff liaisons are expected to attend all of their assigned board or commission meetings and if they cannot, they must find a staff replacement to attend the meeting.
- Staff liaisons shall cause minutes of the meetings to be kept and in all cases approved minutes shall be electronically filed in Laserfiche.
- Staff liaisons will work with the chair of the board or commission to create the agenda for the monthly meeting and distribute the agenda and minutes at least three days prior to the board or commission meeting.
- Staff liaisons are expected to provide support and information to the board or commission, but not participate in the debate of issues or vote on any issues.
- Staff liaisons are responsible to get action items from boards and commissions on the City Council agenda in a timely manner.
- Staff liaisons are responsible for processing all financial transactions, including reimbursements and payment authorizations.

## **ADVISING CITY COUNCIL**

Each board and commission is to advise the City Council on matters that fall within their responsibilities. Council liaisons shall report during the "Board and Commission" portion of the City Council agenda. Boards and commissions are encouraged to provide the City Council with formal reports on a scheduled basis whether that is quarterly or semi-annual, etc. All agenda items must be submitted the week prior to the City Council meeting.

## **EDUCATION AND ADVOCACY**

Each board and commission may educate the public and may take a specific position on issues that fall within their mission statement. Positions of boards and commissions may or may not be adopted by the City Council. Unless the City Council provides express permission, any advocacy position of a board or commission may not be portrayed as the position of the City Council or the City.

Boards and commissions may use City funds for the purpose of educating the public, if funds are available in the board's or commission's budget. In educating the public, boards and commissions must present the information as a neutral educator and refrain from any type of endorsement of a certain viewpoint. They cannot use City funds to advocate a position on any issue.

## **FACILITY USE**

Boards and commissions may use City facilities for educational purposes at no cost. To do so, the board and commission should reserve the facility through their staff liaison. A board or commission may reserve City facilities for advocacy purposes only upon prior City Council approval. For such advocacy purposes, the board or commission must reserve the facility in the same manner as any other private group or individual, including paying the general facility rental fee; not utilizing taxpayer dollars.