



**DATE:** March 1, 2011

**TO:** Honorable Mayor Dyer  
Honorable Deputy Mayor Pro Tem Miner  
Honorable Council Member Callison  
City Manager Glasscock

**FROM:** Diane Zucco, City Secretary

**RE:** Board and Commission Review Committee

In response to a request for information from the Board and Commission Review Committee, Staff has compiled the following information regarding the requirement for and duties of the board and requests Council direction.

#### **Creation and Duties**

The process of a sunset review was established in 1992 as part of Council's adoption of the governance process.

"All Boards and Commissions will undergo a regular sunset review, no less than every five years, and according to a schedule to be adopted separately by Council.

Said sunset review shall include a review of the Board or Commission's Mission Statement, and of the City Council's charge to the Board or Commission of their role, responsibility and authority."

Following these guidelines, the Council adopted Ordinance No. 92-10-36, establishing the Sunset Advisory Commission to review and evaluate boards/commissions and make recommendations on the abolition or continuation of each. Meetings were to be called as needed by the Chair and duties/criteria were established as described by the current committee. In March 2003, Council renamed the board as a review committee to more accurately reflect its purpose.

#### **Requirements and Recommendations**

The City Attorney has advised that there is no statutory requirement to have such a committee; however, recommends that since it is adopted by ordinance and is in effect, that it be followed, revised or deleted in accordance with needs. If the board were sunset, respective Council Liaisons could provide information to the full Council on an as needed basis.

Alternatively, Sec. 2-313 Duties and responsibilities could be revised to read as follows:

Sec. 2-313. Duties and responsibilities.

The Committee shall have the following duties and responsibilities:

- (1) Prepare and keep current a listing of all existing boards and commissions of the City and ~~recommend~~ **prioritize** a review schedule of such boards and commissions for City Council review and approval.
- (2) **As needed, but no less than every five years**, the Committee shall review and conduct a performance evaluation of those boards and commissions on the ~~approved~~ review schedule.
- (3) Present **a follow-up** ~~an annual~~ report to the City Council of the Committee recommendations as to abolition, continuation or reorganization of reviewed boards and commissions.
- (4) Monitor implementation of prior City Council approved recommendations and actions.

**ARTICLE XVII. - BOARD AND COMMISSION REVIEW COMMITTEE** <sup>[20]</sup>

Sec. 2-311. - Created.

Sec. 2-312. - Terms of office.

Sec. 2-313. - Duties and responsibilities.

Sec. 2-314. - Criteria.

Secs. 2-315—2-320. - Reserved.

**Sec. 2-311. - Created.**

A board and commission review committee is hereby created to make recommendations to the City Council of the City of Plano as to the advisability of abolition, continuation or reorganization of boards and commissions of the city. The committee shall be advisory in nature and shall not have responsibility or authority over any board or commission of the city.

*(Ord. No. 2003-3-9, § II, 3-24-03)*

**Sec. 2-312. - Terms of office.**

The board and commission review committee shall consist of two (2) council members to be appointed by the mayor.

*(Ord. No. 2003-3-9, § II, 3-24-03)*

**Sec. 2-313. - Duties and responsibilities.**

The committee shall have the following duties and responsibilities:

- (1) Prepare and keep current a listing of all existing boards and commissions of the city and prioritize a review schedule of such boards and commissions for city council review and approval.
- (2) Annually, the committee shall review and conduct a performance evaluation of those boards and commissions on the approved review schedule.
- (3) Present an annual report to the city council of the committee recommendations as to abolition, continuation or reorganization of reviewed boards and commissions.
- (4) Monitor implementation of prior city council approved recommendations and actions.

*(Ord. No. 2003-3-9, § II, 3-24-03)*

**Sec. 2-314. - Criteria.**

The committee shall consider the following criteria in determining whether a public need exists for the abolition, continuation or reorganization of a city board or commission:

- (1) The efficiency with which the board or commission operates;
- (2) Identification of the objectives intended for the board or commission and the problem or need that the board or commission was intended to address, the extent to which the objectives have been achieved, and any activities of the board or commission in addition to those assigned;
- (3) Assessment of alternative methods of performing the duties and responsibilities that the board or commission performs that would benefit the city and the public;
- (4) The extent to which the board or commission is needed and is used;
- (5) The extent to which the jurisdiction of the board or commission and its duties and responsibilities overlap or duplicate those of another board or commission, and the extent to which the programs administered can be consolidated with the programs of other boards or commissions;
- (6) Whether the board or commission has recommended or advised the city council of changes or actions calculated to be of benefit to the city and its citizens;

- (7) The extent to which the agency has encouraged participation by the public in its activities and the extent to which the public participation has resulted in achieving the goals and objectives of the board or commission;
- (8) The extent to which the board or commission complies with the Texas Public Information Act, Texas Open Meetings Act and other applicable state and federal law;
- (9) The loss of federal or state funds or grants if the board or commission is abolished.

*(Ord. No. 2003-3-9, § II, 3-24-03)*

**Secs. 2-315—2-320. - Reserved.**

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FOOTNOTE(S):

<sup>(20)</sup> **Editor's note—** Ord. No. 2003-3-9, § I, repealed art. XVII, §§ 2-311—2-316, in its entirety. Former art. XVII pertained to the sunset advisory commission as enacted by Ord. No. 92-10-36, §§ I—VI, adopted Oct. 26, 1992. Section II of Ord. No. 2003-3-9 provided for the enactment of a new art. XVII, §§ 2-311—2-314 to read as herein set out. See the Code Comparative Table. [\(Back\)](#)