

Memorandum



CITY OF DALLAS

DATE May 22, 2023

Honorable Chair and Members of the Government Performance and Financial
TO Management Committee

SUBJECT **Update to Boards and Commissions Audit - City Manager Actions**

The purpose of this memorandum is to provide an update on the Audit of City Boards and Commissions observations and the agreed actions from the City Manager. In 2021, the City Auditor's *Audit of City Boards and Commissions* ("the Audit") reported a *"lack of one focal point for boards and commissions oversight, with the responsibility for ensuring compliance with the City's Charter and Code, is a contributing factor for many of the observations identified in their audit report, including: racial and ethnic diversity, annual reports, member qualification reviews, and on-time reporting of meeting documentation."* Sixteen City departments and offices are responsible for coordinating more than 50 Boards and Commissions (B&C), including costs related to staff time and materials to prepare for and facilitate meetings.

ACTION UPDATES

The City Manager has taken direct action and steps to address the observations found in the Audit and are summarized within this memo and described in the enclosed documents.

Observation A.1. Joint efforts between the Senior Coordinator, the City Secretary's Office, and the City Attorney's Office continue to ensure B&C training and resources encourage compliance with City Code and charters. Quarterly compliance checklist along with annual desk audits began FY 2022-23.

Observation B.1 The total operational cost for each B&C, which include staff costs and other operational expenses have been collected from the departments and will be presented before the committee, in October. As of June 1, 2022, departments have been directed to track staff time dedicated to support a B&C in the payroll management system Workday.

Observation C.1. The department directors of boards and commissions identified as lacking clearly defined membership roles and responsibilities, have been presented with amendment recommendations to specific ordinances and charters. The proposed amendments may assist in ensuring all B&Cs have clearly defined roles and responsibilities. Departments are currently drafting proposed amendments with the City Attorney's Office. The proposed amendments should address the challenges with high vacancy rates, meeting attendance, agenda setting, participation, and meeting decorum.

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Observation D.1. The City Manager’s Office maintains its position that it does not have a statutory role to ensure the racial and ethnic membership of B&Cs reflect the racial and ethnic make-up of the city’s population.

In collaboration with the Communications, Outreach, and Marketing Department (COM), the Senior Coordinator has developed and shared city-wide and Council District-specific outreach content to assist with the promotion of encouraging applicants that reflect an equitable and diverse B&C membership, in English and Spanish. The B&C outreach content is also available in multicultural languages, upon request.

Observations E.1, E.2, F.1, F.2. The Senior Coordinator began conducting the annual desk audits and received the first quarterly compliance checklist to ensure B&Cs comply with the City Code, Chapter 8, and the Texas Open Meetings Act (T.O.M.A). Continued efforts to improve administrative policies and procedures, checklists, templates, and trainings for the B&C Coordinators are examined monthly.

On March 10, 2023, the City Manager distributed the Board and Commission annual reports to the Mayor and City Council, which are also posted and available on the City’s website [here](#). Each report submitted has been reviewed and distributed per City Code.

Fiscal year 2023 launched enhanced transparency efforts. The B&Cs agendas posted with the City Secretary’s Office are available in Legistar. City meeting agendas, minutes, and agenda packets are accessible to the public in one central location and easily searchable online through Legistar. Also, the revamped Boards and Commissions website is another enhanced resource to the public that ensures transparency. Each B&C webpage is presented in a standardized format to ensure all B&C webpages are consistent, provides the mission, purpose, authoritative power, and duties for the B&C. The webpages also list B&C upcoming meeting dates that conveniently link to the meeting content in Legistar.

Observation H.1 Update. The Senior Coordinator has shared and discussed recommendations for potential City Code and charter amendments with department directors. The proposed B&C amendment recommendations are unanimously supported by the responsible department directors and recommended Staff amendments will be drafted for consideration by the City Council.

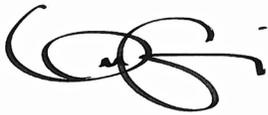
Observation H.2 Update. The City Secretary distributes a monthly vacancy report to City Council and a memorandum of concern regarding vacancies. The Senior Coordinator currently reviews the monthly report and identifies B&Cs with a vacancy rate above 40 percent and the racial and ethnic make-up of the B&C, to identify membership that may not proportionately represent the City’s make-up. A policy and procedure has been developed to ensure assistance is provided to City Council to increase the available pool of applicants.

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Operational processes and procedures continue to ensure the proposed deliverables detailed in the August 22, 2022 GPFM Committee memorandum are addressed. The B&C work plan summarizes the proactive processes and procedures that have been initiated, developed, or implemented. The Senior Boards and Commissions Coordinator has assumed the responsibility for ensuring compliance with City requirements that were fragmented and shared among multiple offices, departments, and positions. Joint efforts between the City Manager's Office, the City Secretary's Office, and the City Attorney's Office are ongoing to ensure compliance with City requirements; transparent documentation and communication of board and commission operations; and monitoring of the costs to operate boards and commissions.

The Senior Coordinator continues to develop initiatives that encourage and maintain engagement of the appointed members. On December 3, 2022, the City Manager hosted the inaugural Boards and Commissions Appreciation Luncheon that celebrated more than 400 volunteers appointed to City Boards and Commissions.

Should you have any questions, please contact Yldefonso Rodriguez Sola, Director of the Mayor and City Council Office, at (214) 422-9222 or yldefonso.sola@dallas.gov.



Genesis D. Gavino
Chief of Staff to the City Manager

Attachments:

Board & Commissions Audit Observations Summary of Actions
[March 17, 2023 Boards and Commissions Annual Reports Memo](#)
[August 22, 2022 Government, Finance, and Performance Committee Memo](#)

c: T.C. Broadnax, City Manager
Tammy Palomino, Interim City Attorney
Mark Swann, City Auditor
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager
Jon Fortune, Deputy City Manager
Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Robert Perez, Interim Assistant City Manager
Carl Simpson, Interim Assistant City Manager
Jack Ireland, Chief Financial Officer
Directors and Assistant Directors
Shanee Weston, Senior Boards and Commissions Coordinator

Boards and Commissions Audit Observations Summary of Actions/Work Plan

Observation	City Manager's Recommendation	Status	Staff Action
<p>A.1: Present to the City Council, a proposal, to assign overall responsibility for ensuring B&Cs operations comply with the City's Charter and Code to one position.</p>	<p>Create Senior Board and Commissions Coordinator position</p>	<input checked="" type="checkbox"/>	<p>Hired Senior Board and Commission Coordinator (Senior Coordinator) with 5/2/22 start date</p>
<p>B.1: Establish procedures to account for all costs to operate each board and commission and report the total cost by board and commission to the City Council on an annual basis.</p>	<p>Update B&Cs Process and procedures to include annual expense report submission to CMO.</p> <p>Create Workday project code to track staff time and cost</p>	<input checked="" type="checkbox"/>	<p>Created "Board/Commission Support" project code in Workday</p> <p>Updated B&C Processes and Procedures to require all B&Cs to submit an expense report by Oct. 1 annually.</p> <p>Updated B&C Processes and Procedures to require Report Board and Commission cost to Mayor City Council annually.</p>
<p>C.1: Ensure all B&Cs have defined roles and responsibilities of members either in bylaws or another authoritative document.</p>	<p>Review City Charter, by-laws, and other authoritative documents for: ASC, CHC, MLK, SDF, YOC</p> <p>Provide staff recommendations to CM.</p>	<p>In Progress</p>	<p>Reviewed B&C City Charter and by-laws identified with a lack of roles and responsibilities</p> <p>Recommend amendments to the appropriate director for the following BC Charters to include or update purpose, duties and responsibilities and other recommended amendments from CM, for the following B&Cs:</p> <ul style="list-style-type: none"> - Animal Advisory Commission - Citizen Homeless Commission - Martin Luther King Community Center Board - South Dallas/Fair Park Opportunity Fund Board <p>Recommend all advisory Boards and Commission Charters include the following:</p> <ul style="list-style-type: none"> - Purpose: - Reference to Ch. 8 governance - Reference Committees

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<p>D.1: Develop procedures to ensure the racial and ethnic membership of B&Cs reflect the racial and ethnic make-up of the City's population, as nearly as may be practicable.</p>	<p>Board and Commission procedures updated to require all board and commission outreach be translated in Spanish and other Multilanguage to the public in a timely manner.</p> <p>Develop multi-cultural outreach efforts that encourage a diverse racial and ethnic volunteer rate.</p> <p>Assist Mayor and City Council to intently seek diverse board and commission volunteers that reflect the City's population.</p>	<p><input checked="" type="checkbox"/></p>	<p>Developed and implemented an Accessibility Statement and service for B&Cs to ensure equitable access to City meetings by providing translation and interpretation of meeting materials.</p> <p>Created and promoted B&C outreach media through COM Channels of communication. Coordinated with COM on community engagement and outreach efforts that encourages applicants that represent the racial and ethnic of the City.</p> <p>Hosted inaugural annual City-wide boards and commission event that recognizes and encourages board and commission volunteerism.</p>
<p>E.1: Develop procedures to ensure compliance with requirements of City Code, Chapter 8, Sec. 8-1.1, Reports to the City Council for all applicable B&Cs</p>	<p>Update B&Cs process and procedures to include submission of annual report to CMO by Feb. 1, 2022.</p> <p>CMO approved reports will be submitted to CSO for recordkeeping.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Developed and implement checklist that encourage B&C Coordinators to submit required Board & Commission documents in a timely manner.</p> <p>Developed and implement agenda, minutes, and public speaker registration templates. The process and procedures have been updated to reflect the new requirement, which will assist with ensuring all B&Cs documents comply.</p> <p>B&C Coordinator policy and procedures include language requiring compliance. Senior Coordinator initiated the annual desk audit of B&C documents and require quarterly submission of compliance checklist from B&C Coordinators.</p>
<p>E.2: Develop procedures to ensure all board and commission annual reports are posted to the City's website.</p>	<p>Develop B&Cs process and procedures requiring all approved and CSO stamped Annual Reports are posted to B&Cs webpages by March 1, annually</p>	<p><input checked="" type="checkbox"/></p>	<p>The Senior B&Cs Coordinator collected and reviewed Annual Reports, on behalf of the CM for review and approval. All approved B&C reports were submitted to the CSO and are available on the City's B&C website.</p> <p>B&C webpage revamped for all B&C and includes an annual report, for FY 2023.</p>

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<p>F.1: Develop procedures to ensure compliance with requirements of City Code, Chapter 8, B&Cs: Sec. 8-4 (a); Sec. 8-6 (a), (b), (c), (d); Sec. 8-8 (a), (b); and, Sec. 8-20 (a), (b), (c).</p>	<p>Develop B&Cs process and procedures</p>	<p><input checked="" type="checkbox"/></p>	<p>CMO, MCC, CSO, and CAO coordinate trainings incrementally throughout the year to ensure compliance requirements are understood.</p> <p>Developed checklist, templates, timelines, and processes and procedures to assist with compliance. A B&C Resource SharePoint site has developed to provide a focal point for all B&Cs material, links to CSO and CAO documents and monthly trainings</p>
<p>F.2: Develop procedures to ensure all meeting minutes are posted to the City's website.</p>	<p>Updated process and procedures to include meeting minutes submission requirement and process.</p>	<p><input checked="" type="checkbox"/></p>	<p>Developed and implement checklist that encourage B&C Coordinators to submit required Board & Commission documents in a timely manner to CSO.</p> <p>B&C Coordinator policy and procedures include language requiring compliance. Senior Coordinator initiated annual desk audit of B&C documents submitted documents.</p>
<p>H.1: Review the qualifications and requirements for hard-to-fill B&Cs positions and present to the City Council a proposal to revise the qualifications and requirements.</p>	<p>Review current qualification and requirements set-forth in enabling ordinances, charters, and by-laws.</p>	<p><input checked="" type="checkbox"/></p>	<p>MCC Director and Senior Coordinator provided department Director recommendations of amendments to City charter</p>

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		In progress	<p>qualifications. Staff recommend the following B&C charter amendments:</p> <ul style="list-style-type: none"> - Building Inspection Advisory, Examining & Appeals Board (BIA) - Fire Code Advisory Board (FCB) - Landmark Commission (LMK) - Martin Luther King Jr. Community Center Board (MLK) <p>Staff recommendations is to merge the duties of the BIA and FCB responsibility into one Board. The combing of the 2 boards will address the high vacancy rate and the lack of minority and women membership.</p>
<p>H.2: Establish procedures to identify B&Cs with high vacancy rates and communicate these B&Cs to City Council members for their actions.</p>	<p>Request quarterly CSO vacancy report by Board and Commission and determine high vacancy rate %.</p>	<p></p> <p>Ongoing</p>	<p>Developed processes and procedures that assist Councilmembers with outreach efforts, once a 40% vacancy rate or more is identified.</p> <p>Assist Council offices with resources that promote and encourage B&C membership retainage.</p>

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FY 2022-23 Work Plan

- Continue to develop and implement FY 2023 B&C Initiatives that focus on B&C members and standardizing onboarding practices.
- Assist in the amendment process for B&C ordinances/charters/by-laws:

Board or Commission	Authoritative Doc	Amendment Recommendation
All B&C	Sec. 8-1.4	All B&C recess during the month of July, following the precedent of City Council's schedule
North Texas Education Finance Corp	Res. 12-0575	City Code Authorization, incorporate By-laws
Fire Code Advisory and Appeals Board	Sec. 16-2.303 Res. 16	City Code Authorization joint Board BIA and FCB
MLK Board	Sec. 2-125	Mission Functions/Responsibilities Remove Budget Review Process
South Dallas/Fair Park Opportunity Fund Board	Sec. 2-132 Res. 18-0922, 30905	Purpose
- Developing secure process to provide email addresses for all B&C members
- Create Group email addresses that assigned members Council district specific general email addresses
- Draft Boards and Commissions Welcome Guide Handbook
- Implemented B&C Membership Recognition Program
- Hosted annual B&C Member Appreciation Event and B&C recruitment event
- Develop B&C mentor program
- Began discussion of collaboration efforts with PUD to foster community partnerships with organizations, schools, and neighborhood associations to assist in the recruitment of B&C members that reflects the diverse ethnic and cultural make-up of the City