



HAYS COUNTY
PARKS AND OPEN SPACE ADVISORY COMMISSION
BYLAWS
ADOPTED March 25, 2020

Article I. Creation of the Commission

The Hays County Parks and Open Space Advisory Commission (The POSAC) operates under a charter that was approved by the Hays County Commissioners Court on March 3, 2020.

Article II. Roles and Responsibility of the Commission (Charter)

The POSAC is composed of ten members, with each of the five Commissioners Court members making two recommendations, confirmed by vote of the Hays County Commissioners Court. The POSAC, with organizational support and structural guidance from a consultant hired by Hays County, will establish their own operating procedures (in compliance with this charter) and elect its own Chairperson and Vice-Chair. All meetings will be open to the public, with notice of meetings being provided to each POSAC member and advertised publically at least seventy-two (72) hours in advance.

The role of the Commission shall be the following:

1. Establish a democratic, inclusive process to study a parks, open space, and conservation bond program that will yield project recommendations to the Hays County Commissioners Court meant to ensure the confidence and trust of Hays County voters.

This effort should be at stated meeting times, properly called, and at which all the members of the Commission or subcommission are given an opportunity to attend. Private communication with parties who, because of ownership, employment, consanguinity, or affiliation, will financially benefit from the planning, design, construction, or implementation of a candidate bond project must be disclosed by POSAC members at or before the next public meeting.

2. Receive information from Hays County staff regarding county roles and authorities, previous bond programs, Hays County Parks & Open Space Master Plan (2012), current needs for improved or additional facilities, related maintenance and operating costs for each project, and the financial capacity of the County to assume additional bond debt.

3. Identify the fundamentally critical needs for Hays County projects that include parks, open space, scenic vistas, water quality, water quantity, endangered species habitat, access to water recreation, trails/trail systems, flood mitigation lands, and any other necessary land or water conservation project(s) in the context of the financial impact on taxpayers along with maintenance/management impacts, as well as community benefits.

4. Determine if candidate bond projects meet appropriate tests for inclusion in a bond program with an affordable financial scope as will be established by Commissioners Court and coordinated with other civic efforts. Appropriate tests shall include but not be limited to the following:

- _Optimize limited bond funding and maximize the value received for the outlay of taxpayer dollars by using creative, innovative financing vehicles and achieving economies of scale and other public benefits by partnering with public and private entities.
- _Projects should be based upon need, have a significant scale and outcome, and an expected 20-year design life or better.
- _Projects should be able to be completed within five years of bond issuance.
- _All projects must be consistent with County adopted plans and policies.
- _All projects must demonstrate value and affordability and should include a fiscal impact analysis associated with operating and maintenance costs in order to inform the voting public.
- _All candidate projects should consider joint use with other jurisdictions and due consideration should be given to overlapping debt.
- _All projects should reflect Hays County's statutory responsibilities and include serious consideration of needs expressed by citizens and other local governmental entities.

5. Conduct public meetings throughout Hays County from the beginning to the end of the POSAC process, offering opportunities to receive public input on local needs and initiatives.

6. If a POSAC member stands to benefit financially from any project under consideration, whether personally, or within the 2nd degree of consanguinity or affiliation, that member should disclose that fact to the Commission and recuse himself/herself from deliberation or vote on that project.

7. Make recommendations to the Hays County Commissioners Court on the need for a bond election and the prospects for conducting a successful election in November 2020. If the POSAC believes a bond program is warranted, make recommendations to the Court on the overall scope of a prospective bond package and recommend a prioritized list of projects and/or project types, and report on the fiscal impacts to the County and to local jurisdictions.

The final report shall also include recommendations on projects to be considered for funding through a future bond election. The POSAC is asked to provide an initial status report to the Commissioners Court within three months after their first meeting, with a final report due no later than July 14, 2020.

Article III. Election of Officers

The POSAC shall elect a Chair and a Vice-Chair who will serve in that capacity until the charter is fulfilled, or until that person is no longer a Member or no longer able to serve in that capacity, at which time they will be replaced by vote of the POSAC at a regularly called meeting. Such other officers may be elected as necessary to carry out the business of the Commission.

Article IV. Chair and Vice Chair

The Chair shall be the principal officer of the Commission and shall preside at all meetings of the Commission. In the absence of the Chair, the Vice-Chair shall preside at such meetings. In case the Chair and Vice-Chair are absent or unable to perform their duties, the Commission may appoint a Chair pro tem.

Article V. Quorum and Action

A minimum of Six (6) members (a quorum) of the Commission shall be present while business of the Commission is being conducted. Although it is the objective of the Commission to seek and achieve consensus on action items, the Commission may rely upon a majority vote of the members present at a meeting at which a quorum is present when consensus cannot be achieved. If a voted action represents a recommendation of the Commission, then the nay-voting members shall have an opportunity to file a minority recommendation. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a Commission vote or action must be postponed until the next scheduled meeting at which a quorum is established.

Article VI. Attendance

Members are expected to attend all meetings. Hays County will maintain attendance records documenting Commission member absences. If a member is unable to attend a scheduled meeting, notification must be provided to the Chair and Staff at least one (1) day prior to the meeting. A member's seat on the Commission shall be considered abandoned after four (4) Commission meeting absences and the Commission could then recommend that the Commissioners Court replace the member.

Article VII. Regular Meetings

The Commission shall meet regularly, having an estimated seven (7) to ten (10) meetings between March and July 2020. Meeting times and locations shall be designated as far in advance as possible, as a courtesy to POSAC members and the public.

Article IX. Public Meetings

All meetings of the Commission shall be open to the public, the time and location to be advertised publicly at least seventy-two (72) hours in advance. Each meeting shall provide some reasonable opportunity for members of the public to speak prior to the commencement of official business by the POSAC. If circumstances dictate that the Commission cannot meet in person, then it can opt to meet electronically (via Zoom, Team, GoToMeeting or some other platform), granted that adequate means for public involvement is provided (except for Executive Sessions, as described below) and properly advertised.

Article X. Executive Sessions

Although the POSAC's public meetings are not operated under Chapter 551 of the Texas Local Government Code (the Open Meetings Act), the Commission may, where appropriate, choose to hold the equivalent of Executive Sessions under that chapter, wherein the Commission deliberates or receives information outside the presence of members of the public. Executive Sessions should be limited to when the POSAC is discussing the purchase, exchange, lease, or value of real property; or a recommendation for removal of a member of the POSAC.

Article XI. External Communications and Public Involvement

1. Document Releases

The POSAC is not authorized to release any document representing an official position or policy of Hays County. Documents that would be considered executive material (reviewed by the POSAC in Executive Session) shall be reviewed for redaction by Hays County staff prior to their release.

2. Web Page

Hays County (or its consultant) will maintain a web and/or Facebook page that will contain information about Parks and Open Space projects, as well as the POSAC meeting dates, and links to agendas, minutes of meetings, and other documents under consideration.

3. Procedures for Handling Citizen's Comments

a. Oral Comments Made at Public Meetings and at Hearings

The fact that a citizen commented shall be recorded in the minutes of the meeting.

b. Written Comments

Written comments provided to Hays County's lead consultant for the POSAC will be shared with Commission Members at the next POSAC meeting.

c. Phone Calls

Phone comments made to Hays County staff or consultants will be shared with the Commission Members at the next POSAC meeting.

Article XII. Internal Communications Between Staff and Commission

1. *Points-of-Contact for the Commission*

Although Commission Members are not prohibited from communicating with staff members of the County or other third parties regarding the work of the Commission, Members are encouraged to communicate through either Karen Ford, WaterPR, or Tammy Crumley, Hays County Director of Countywide Operations (or her designee within the Department of Countywide Operations), which will facilitate the compilation of questions, ideas, and problems being raised by Members.

2. *Proposals and Internal Documentation*

Where appropriate, all documents, including maps and cost estimates will be marked “Draft” or “Draft Subject to Change” on every page. Project lists shall always be marked “Draft” or “Draft Subject to Change” until such list is given final approval by the Commissioners Court.

Article XIII. Administrative Support

Hays County staff and/or consultants will serve as administrative support to the POSAC, posting notices when appropriate, keeping minutes and records of meetings, supplying information, facilitating project presentations, performing technical analysis, and various other tasks as assigned. Printed or scanned copies of summary minutes for each meeting shall be permanently maintained on file.

Article XIV. Rules of Order

Commission meetings shall be governed in a way that provides opportunity for each member to speak and be heard. If the Commission is able to achieve consensus in its discussions, a simple affirmative vote of the Commission will suffice to achieve formal action. If the Commission cannot achieve consensus on a proposed action, then the Commission may follow a more formal parliamentary procedure, with a motion, followed by a second, and a recorded vote of the Commission members.

Article XV. Amendment of Bylaws

These Bylaws may be altered or amended by a majority vote of the Commission at any regular meeting of the Commission at which a quorum is present.