

CITY OF LAGO, VISTA, TEXAS

ORDINANCE NO. 15-02-19-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, MODIFYING SELECTION OF BOARDS AND COMMISSIONS CHAIRPERSONS LOCATED VARIOUS PORTIONS OF THE CITY'S CODE OF ORDINANCES TO ALLOW SUCH INDIVIDUAL BOARD TO SELECT THEIR OWN CHAIR, AS FOLLOWS: CHAPTER 9, ARTICLE 9.400, SECTION 9.404, KEEP LAGO VISTA BEAUTIFUL; MODIFYING CHAPTER 9, ARTICLE 9.600, SECTION 9.604, AIRPORT ADVISORY BOARD; MODIFYING CHAPTER 9, ARTICLE 9.800, SECTION 9.804, BUILDING COMMITTEE; REVOKING CHAPTER 9, ARTICLE 9.900, APPOINTMENT OF CHAIRPERSONS; MODIFYING CHAPTER 9, ARTICLE 9.1300, SECTION 9.1305, LIBRARY ADVISORY BOARD; MODIFYING CHAPTER 9, ARTICLE 9.1600, SECTION 9.1604, PARKS AND RECREATION ADVISORY COMMITTEE; MODIFYING CHAPTER 9, ARTICLE 9.1800, SECTION 9.1804, PLANNING AND ZONING COMMISSION; MODIFYING CHAPTER 9, ARTICLE 9.1900, SECTION 9.1904, BOARD OF ADJUSTMENT; REMOVE CONSECUTIVE TERM LIMITS FOR CHAIRS; AND PROVIDE MATCHING LANGUAGE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SERVERABILITY CLAUSE; AND, PROVIDE AN EFFECTIVE DATE.

WHEREAS, the City Council has established various board and commissions to assist in the performance of City business as well as provide the City Council with input from the public on various issues;

WHEREAS, the City Council has in some instances established that they will select the chairperson for the board or commission and in others, that the board or commission shall select such individual;

WHEREAS, the City Council desires to obtain uniformity with its approach and has requested staff to modify the selection process for appointed board chairpersons at their January 15, 2015 regular meeting;

WHEREAS, City staff has made and included those changes for review by the City Council; and

WHEREAS, the City Council having held a public hearing on February 19, 2015 on the proposed amendments, known as Exhibit "A" to Chapter 9, Article 9.400, Section 9.404, Keep Lago Vista Beautiful; Chapter 9, Article 9.600, Section 9.604, Airport Advisory Board; Chapter 9, Article 9.800, Section 9.804, Building Committee; Chapter 9, Article 9.900, Appointment Of Chairpersons; Chapter 9, Article 9.1300, Section 9.1305, Library Advisory Board; Chapter 9, Article 9.1600, Section 9.1604, Parks And Recreation Advisory Committee; Chapter 9, Article 9.1800, Section 9.1804, Planning And Zoning Commission; and Chapter 9, Article 9.1900, Section 9.1904, Board Of Adjustment, Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS THAT:

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Modification or Repeal. The City Council hereby modifies or revokes the following: Chapter 9, Article 9.400, Section 9.404, Keep Lago Vista Beautiful; Chapter 9, Article 9.600, Section 9.604, Airport Advisory Board; Chapter 9, Article 9.800, Section 9.804, Building Committee; Revoking Chapter 9, Article 9.900, Appointment Of Chairpersons; Chapter 9, Article 9.1300, Section 9.1305, Library Advisory Board; Chapter 9, Article 9.1600, Section 9.1604, Parks And Recreation Advisory Committee; Chapter 9, Article 9.1800, Section 9.1804, Planning And Zoning Commission; and Chapter 9, Article 9.1900, Section 9.1904, Board Of Adjustment, Code of Ordinances as shown in Exhibit "A"; and

Section 3. Amendment of Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

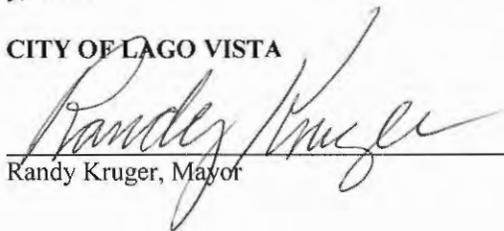
Section 4. Severability. If any section, subsection, sentence or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. It is the intent of the City Council in adopting this Ordinance, that no provision or regulation contained herein shall become inoperative, or fails by reason of the unconstitutionality or invalidity of any other section, subsection, sentence or phrase of this Ordinance.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code and the City Charter.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 19th day of February, 2015.

CITY OF LAGO VISTA



Randy Kruger, Mayor

ATTEST:



Belinda Kneblick, Assistant City Secretary

On a motion by Council Member DALE MITCHELL, seconded by Council Member ED Tidwell, the above and foregoing instrument was passed and approved.

Chapter 9 Personnel, Article 9.400 Keep Lago Vista Beautiful Board, Section 9.404 Organization

Officers shall be elected annually from among the Board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Board shall elect a chair-pro-tem.

- (1) Members are required to take an oath of office, be knowledgeable of the mission of the board and adhere to the requirements of the Texas Open Meetings Law.
- (2) Meetings shall be posted for public viewing, minutes kept and filed with the office of the city secretary for codification in the archives of the city.

Chapter 9 Personnel, Article 9.600 Airport Advisory Board, Section 9.604 Organization

Officers shall be elected annually from among the Board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Board shall elect a chair-pro-tem. The secretary shall be responsible for the official minutes of all public hearings and meetings of the Board and these will be presented to the City Secretary for official recording. The Board shall meet whenever necessary as determined by the Board and shall designate the time and place of its meetings. The Board shall keep a record of its proceedings consistent with the provisions of this article.

Chapter 9 Personnel, Article 9.800 Building Committee, Section 9.804 Organization

Officers shall be elected annually from among the Committee's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Committee shall elect a chair-pro-tem. The Committee shall meet as needed and shall designate the time and place of its meetings. The Committee shall adopt its own rules and procedures and keep a record of its proceedings consistent with the provisions of this article and the requirements of law.

Chapter 9 Personnel, Article 9.1300 Library Advisory Board, Section 9.1305 Organization

- (a) Officers shall be elected annually from among the Board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Board shall elect a chair-pro-tem. The Board shall meet regularly and shall designate the time and place of its meetings.
- (b) A quorum shall consist of a chairperson and three (3) voting members present at a called regular or special meeting. A motion may be made by any member other than the chairperson or presiding officer. A motion to recommend the city council take an action or adopt a policy shall require four (4) favorable votes of the members present. The chairperson shall not have any veto authority.
- (c) The board shall keep a record of its proceedings consistent with the provision of this article and the requirements of state law.

Chapter 9 Personnel, Article 9.1600 Parks & Recreation Advisory Board, Section 9.1604 Organization

Officers shall be elected annually from among the Board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Board shall elect a chair-pro-tem. The Board shall meet regularly and shall designate the time and place of its meetings. The Board shall adopt its own rules and procedures and keep a record of its proceedings consistent with the provisions of this article.

Chapter 9 Personnel, Article 9.1800 Planning & Zoning Commission, Section 9.1804 Organization

(a) Officers shall be elected annually from among the Commission's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Commission shall elect a chair-pro-tem. The Commission shall meet regularly and shall designate the time and place of its meetings.

(b) The Commission shall adopt its own rules and procedures and keep a record of its proceedings consistent with the provisions of this article and the requirements of state law.

Chapter 9 Personnel, Article 9.1900 Board of Adjustment, Section 9.1904 Officers; Meetings, Rules and Regulations; Compensation of Members

(a) Officers shall be elected annually from among the Board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absence of both the chair and vice-chair, the Board shall elect a chair-pro-tem.

(b) The Board shall adopt such procedural rules as are necessary to execute its duties.

(c) Meetings of the Board shall be held at the call of the chair, and at such other times as the Board may determine. Such chair, or in his/her absence the acting chair, may administer oaths and compel attendance of witnesses. All meetings of the board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the City Secretary and shall be a public record.