

## Ordinance No. 16-04-21-01

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, REPEALING AND RE-ESTABLISHING THE PARKS AND RECREATION ADVISORY COMMITTEE OF THE CITY AND PROVIDING FOR THE APPOINTMENT OF MEMBERS AND DEFINING THEIR FUNCTIONS AND DUTIES; REPEALING ALL PRIOR CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE, EFFECTIVE DATE AND OPEN MEETINGS.**

**WHEREAS**, the development of a parks and recreation facilities is an important factor in contributing to the quality of life in the community, and

**WHEREAS**, the City Council wishes to solicit the input and recommendations of interested citizens with regard to the use of parklands, including acquisition of parkland and development of park and recreation facilities, and

**WHEREAS**, the re-establishment of a parks and recreation advisory committee represents a practical and prudent method in which to obtain input and recommendations from interested citizens,

**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. Article 9.1600, Parks and Recreation Advisory Committee.** Article 9.1600, Parks and Recreation Advisory Committee in Chapter 9, Personnel, Sections 9.1600-1607 is hereby repealed in its entirety and re-established, as follows:

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### **ARTICLE 9.1600 PARKS AND RECREATION ADVISORY COMMITTEE**

#### **Sec. 9.1601 Creation and Purpose**

A parks and recreation advisory committee is hereby established to perform such duties and functions as are required or authorized by the city council and this enabling article. The parks and recreation advisory committee shall:

- a) Act as an advisory committee to the council with respect to the use of parkland, parkland dedication funds, the acquisition of new parkland and the development of park facilities.
- b) Study and evaluate alternative potential sites for parks and potential park and recreational facilities to be developed.

- c) Develop and recommend as well as maintain a Park and Recreational facilities Master Plan which will guide the city in the acquisition of parkland and the development of park and recreational facilities.
- d) Perform any other planning and development related functions as required or requested by the city council.

**Sec. 9.1602 Membership, Appointment and Removal**

(a) The parks and recreation advisory committee shall be composed of seven (7) qualified electors of the city and shall be organized and exercise such advisory functions as prescribed herein and by city ordinances.

(b) The City Council will consider for appointment to the committee only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in parks and recreation, and availability to prepare for and attend necessary meetings. It is the intent of the city council that members shall, by reason of diversity of their occupations, backgrounds, and experience, constitute a committee which is broadly representative of the community.

(c) Removal of a member or members of the committee shall require approval by the council after receiving such recommendation from the committee based upon a vote recommending same by a majority of the members of the committee.

**Sec. 9.1603 Terms of Office**

(a) The terms of four (4) of the members shall expire on January 1 of each odd-numbered year and the terms of the other three (3) members shall expire on January 1 of each even-numbered year.

(b) The terms of all members of the committee shall be for a two-year term.

(c) If a membership vacancy exists, the term of office may be filled by a person appointed by the city council to fill the vacancy for the time remaining for that vacancy.

(d) No member shall be appointed for a term in excess of two years.

(e) Newly appointed members shall be installed at the first regular or called committee meeting after their appointment.

**Sec. 9.1604 Organization of Committee.**

(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.

(b) In the absence of both the chair and vice-chair, the board shall elect a chair pro tem.

(c) The board shall meet regularly and shall designate the time and place of its meetings.

(d) The board shall adopt its own rules and procedures and keep a record of its proceedings consistent with the provisions of this article.

### **Sec. 9.1605 Duties and Powers**

The parks and recreation advisory committee shall act in an advisory capacity only, and shall have no power to bind the City by contract or otherwise; authorize expenditures out of the City's budget; hire, appoint or terminate staff; interfere with administrative or personnel affairs; nor create any other obligation on the part of the City.

1. It shall be the function of the committee to advise the city council concerning the operation, marketing, policies, and programs of the city's parks and recreational areas.
2. The committee shall make a semi-annual report to the city council on the status of the parks and recreation areas in December and June and shall include in the report a summary of its activities for the past six months and proposed program for the next six months.
3. The committee shall further be charged as follows:
  - a. To assist in the development and maintenance of a Parks Master Plan for the city, which will guide the city in the acquisition of parkland and the development of park and recreation facilities in the city.
  - b. Act as an advisory committee to the council with respect to the use of parkland dedication funds or the acquisition of new parkland and the development of park and recreational facilities.
  - c. To analyze and make recommendations concerning the long-range parks and recreation facility needs of the city.
  - d. To provide opportunities for citizen input regarding appropriate parks and recreation facility needs of the city.
  - e. Provide input to the city staff and the city council on potential parkland acquisition and facility projects to be considered for inclusion in the city's five year capital improvement program.
  - f. To recommend names for parks and recreational facilities.
  - g. To work in cooperation to the fullest extent possible with all Property Owners Associations and Lago Vista Independent School District.
  - h. To make periodic, but no less frequently than every six months, reports to the city council concerning the work of the committee and such special reports as may be requested by the city council or as the committee may deem appropriate.
  - i. To carry out and perform such other matters as the city council may deem beneficial to the city.

### **Sec. 9.1606 Meeting, Quorum and Voting**

(a) A quorum shall consist of four voting members present at a called regular or special meeting, duly posted in accordance with the Open Meetings Act, which is 72 hours before said meeting. The committee is advisory and requiring compliance with the Open Meetings Act does not modify the status of the committee. The chairperson, or designee, in coordination with the city manager, or designee, shall provide the city secretary with an agenda for the required 72-hour posting.

(b) A motion may be made by any member of the committee.

(c) A motion to recommend the City Council take action or adopt a policy shall require four (4) favorable votes of the members.

**Sec. 9.1607 Disqualification.**

(a) A member shall disqualify themselves from voting whenever they find that they have a personal or monetary interest in the matter under consideration, or that they will be directly affected by the recommendation of the committee or decision of the city council with regard to the matter under consideration.

(b) A member may disqualify themselves from voting whenever any applicant, or their agent, has sought to influence the vote of the member on their application, other than in the public hearing.

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**SECTION 3. 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. Effective Date.** This Ordinance shall be in force and effect from and after its passage on the date shown below.

**SECTION 5. Open Meeting.** It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

**PASSED AND APPROVED this 21<sup>st</sup> day of April, 2016.**

ATTEST:



Sandra Barton, City Secretary

**City of Lago Vista, Texas**



Dale Mitchell, Mayor