

ORDINANCE NO. 2014-

AN ORDINANCE OF THE CITY OF LEAGUE CITY, TEXAS AMENDING CHAPTER 2, ARTICLE VIII OF THE CODE OF ORDINANCES ENTITLED "APPOINTMENT AND/OR REMOVAL OF MEMBERS TO BOARDS, COMMISSIONS AND COMMITTEES" AFFECTING ELIGIBILITY AND APPOINTMENT PROCESS FOR SPECIFIC BOARDS AND COMMISSIONS, AND CONTAINING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT.

WHEREAS, pursuant to Article II, Section 17 of the Charter of the City of League City, Texas, the City Council shall have the power and authority by ordinance to create such boards, commissions, agencies and offices, in addition to those specially provided for under by this Charter, or by the laws of the State of Texas, and to provide for the expense and operation of same and the compensation to be paid such members, officers, and/or employees, as it may deem advisable; and

WHEREAS, Chapter 2, Article VIII of the Code of Ordinances of the City of League City provides for the terms of eligibility, appointment and removal of persons appointed to boards, commissions and committees of the City of League City; and

WHEREAS, the City Council wishes to provide for specific criteria as it concerns nominees to be appointed to certain of the City's boards, commissions and committees as more fully described in this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS:

SECTION 1. The City Council of the City of League City adopts the preceding preamble paragraphs as if repeated verbatim herein and finds them as matters of fact.

SECTION 2. Upon passage of this ordinance, Sections 2-383 and 2-384 of the Code of Ordinances of the City of League City, Texas shall read as hereinafter provided below:

Sec. 2-383. - Eligibility.

- (a) Each member must be a registered voter of the city who has resided in the city for at least six months and shall not be delinquent in the payment of any monies owed to the city for city taxes, city utility bills, or other assessments for which official notice of delinquency has been submitted to the member by proper authority. The member also must not have any pending claims against the city. ~~The member shall not be related to any city council member.~~
- (b) The member shall not be related to any city council member as defined under ~~Article X~~, section 34 of the City Charter.
 - (1) "Relatives by consanguinity" shall include parents, children, siblings, grandchildren and grandparents, great-grandparents and great-grandchildren, aunts, uncles, nieces/nephews.

- (2) "Relatives by affinity" shall include spouse, parents of spouse, siblings of spouse, grandparents and grandchildren of spouse.
- (c) The member shall have no conflict of interest (business) where his/her position on that board or committee could result in a personal advantage or monetary benefit to accrue because of his/her position on the board. The council and mayor may give preference to individuals with experience relating to the position being applied for.
- (d) No person shall be eligible for appointment or reappointment to serve on the Planning & Zoning Commission, Zoning Board of Adjustment, Section 4B Industrial Development Corporation, or Finance Committee if such person shall have been convicted of a felony or crime involving moral turpitude. No person shall be eligible for appointment or reappointment to serve on the Ethics Review Board if such person shall have been convicted of a felony, crime of moral turpitude or offense categorized as a Class B misdemeanor or higher.

Sec. 2-384. - Appointment process.

The city manager shall develop a board handbook, which explains the duties and responsibilities of each board and the appointment process. Applications will be included. In August of each year, the city manager will solicit applications from eligible citizens through the media and other appropriate means. Positions shall be advertised in the local newspapers, in electronic media utilized by the city and in the city's newsletter to citizens to solicit applications for the position. Each applicant must certify that they have read this article that pertains to attendance, and acknowledge they understand the duties and responsibilities of the position. Applications from incumbents who wish to be reappointed, together with applications from nonmembers, shall be compiled and submitted to the mayor and the city council each November. The city secretary shall verify the completeness of the application the mayor and the city council shall be provided with an attendance report in November detailing the number of absences of each current member, and a listing of vacancies. All applicants will be considered at a council meeting in December, and the council will select the most qualified individuals for the available positions. Applicants seeking appointment or reappointment to the Planning & Zoning Commission, Zoning Board of Adjustment, Section 4B Industrial Development Corporation, Ethics Review Board or Finance Committee shall be voted upon on an individual basis. Proposed appointees to the above-referenced boards and commissions shall be disclosed to all members of the City Council not less than two weeks prior to the meeting at which their appointment will be considered.

Persons seeking appointment or reappointment to the Planning & Zoning Commission, Zoning Board of Adjustment, Section 4B Industrial Development Corporation, Ethics Review Board or Finance Committee shall be required to include, along with their application, a detailed resume to include a complete work history, description of positions held and tasks responsible for, educational background and professional certifications, if any, and a minimum of 3 professional references.

Sec. 2-389. – ~~One~~ Multiple board membership.

No member shall simultaneously serve on more than two boards. No member may serve on two boards if the duties of the boards may conflict with each other. An exception to this section is that members of the planning commission may be members of the capital improvements advisory committee and the transportation committee, and boards that have nonvoting, ex-officio members on the boards with whom such working relationship exists. The direct working relationships must be documented in writing; by the chair of the board or committee and approved by the mayor in order for the nonvoting, ex-officio members to be utilized. The ex-officio members must be designated by the chair of the board or committee and approved by the mayor.

Members of the Planning & Zoning Commission, Zoning Board of Adjustment, Section 4B Industrial Development Corporation, Ethics Review Board or Finance Committee may not simultaneously serve on more than one of such named boards or commissions. In addition, no appointee to any committee, board or commission formed by the council to evaluate the city charter and potential amendments or changes thereto shall be eligible for simultaneous service on any other City board, committee or commission, and no person serving on any other City board, committee or commission shall be eligible for appointment to a committee, board or commission formed to evaluate the city charter and potential amendments or changes thereto.

Sec. 2-395. – Staff support.

The city manager shall designate staff support to provide administrative support, when required, in the preparation of agendas and minutes. All minutes shall be filed in the office of the staff liaison for the board, commission, or committee within ten days of their approval by such board, commission, or committee. A copy of the approved minutes shall be provided to the city secretary for permanent filing in binders and available for review.

Those boards and commissions that have responsibility for city funds are required to submit complete financial statements to the city's finance officer. Those statements will be submitted monthly in a format acceptable for inclusion in the comprehensive annual financial report.

Those boards and commissions whose proceedings are governed by the Texas Open Meetings Act shall be required to maintain an audiotape record of such proceedings. Proceedings of the Ethics Review Board shall be both audio recorded and videotaped.

SECTION 4. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading this ____ day of _____, 2014.

PASSED on second reading this _____ day of _____, 2014.

PASSED AND ADOPTED the _____ day of _____, 2014.

By: _____
TIMOTHY PAULISSEN
Mayor

ATTEST:

By: _____
DIANA STAPP
City Secretary