

ORDINANCE 95

CREATING A PARK COMMITTEE FOR THE TOWN OF BAYSIDE, COUNTY OF REFUGIO, STATE OF TEXAS

WHEREAS, it is deemed necessary in order to promote the health and general welfare of the public; to facilitate the adequate provision of the public's need for a town park to encourage the most appropriate use of the park land for the enjoyment of the public, all in accordance with a comprehensive plan; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF BAYSIDE, REFUGIO COUNTY, TEXAS:

SECTION 1: CREATION OF A PARK COMMITTEE: The town council shall establish a park committee whose primary duties shall be to advise the town council in carrying out its various duties and functions regarding the town's park and quality of life issues within said park.

SECTION 2: ORGANIZATION AND QUALIFICATIONS: The park committee shall consist of a minimum of three (3) members, but limited to five (5) members. The members of the said committee shall be appointed by the town council within sixty (60) days of the adoption of this ordinance, for a term of two (2) years. The members of said committee at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the date of initial appointment of the committee. On the expiration of the term of each of the members who have drawn lots, his or her place shall be filled by a member appointed for a two year term. The committee shall elect a chairperson from among its membership each year at the first regular meeting. The committee shall meet not less than once each sixty (60) days. Vacancies in an unexpired term shall be filled by the town council within thirty (30) days of the date of the vacancy for the remainder of the term.

Members of the park committee shall be residents of the Town of Bayside for at least eighteen (18) months preceding the date of appointment. Members must be a qualified voter in said town and be knowledgeable in the affairs and needs of the town. Members must be knowledgeable in the functions and activities provided for in this ordinance.

Members of the park committee may be removed at any time by the town council for cause. The existence of cause shall be discussed by the town council in executive session as permitted by the Open Meetings act, and the determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause. Any fact, which in the discretion of the council, is deemed to adversely affect the public interest, including lack of attendance at three (3) consecutive meetings, unless the member is sick or has first obtained a leave of absence at a regular meeting, shall constitute cause.

SECTION THREE: DUTIES AND POWERS OF THE PARK COMMITTEE:
The park committee shall:

1. Make and recommend to the town council a master plan for the orderly development of the town park. The committee shall not less than every five (5) years, review and recommend to the town council amendments to the master plan.
2. Recommend to the town council proposed ordinances and amendments to the ordinances regarding the park's use, design and environmental quality. Review ordinances and amendments proposed by the town council relative to the town's park. Such review and recommendation by the park committee must be received by the town council prior to action on the proposed ordinance or amendment. In case of disapproval by the committee, the committee shall communicate its reasons to the town council, which shall have the power to overrule such disapproval by an affirmative vote of not less than three members of the town council. Committee recommendations shall be made to the council at the earliest date possible. If the recommendation requested by the town council is not received within thirty (30) days the committee chairperson shall report the cause of the delay to the council at the next regular meeting.
3. Submit annually, at least sixty (60) days prior to the adoption of a budget, or thirty (30) days prior to the posting of the proposed budget, to the mayor, recommendations regarding capital improvements desired and needed in the park for the upcoming fiscal year.
4. Request information relative to the committee's work, and as necessary and within budget or appropriations, retain professional and consultant services to aid in carrying out its duties.
5. Hold public hearings to determine the needs and wishes of the public.
6. Maintain records of committee meetings and hearings for the use of the town council and public.
7. Report to the town council at least once each year concerning the committee's activities for the past year and its intended activities for the upcoming year.

SECTION FOUR: EFFECTIVE DATE: This ordinance shall be effective upon adoption by the town council.

SECTION FIVE: SEVERABILITY: It is hereby declared to be the intentions of the town council that the sections, paragraphs sentences, clauses and phrases of this ordinance are separable, and if any phrase, clause, sentence, paragraph or section shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

PASSED, ORDAINED, APPROVED AND ADOPTED this 11th day of August, 2015.

Attest:

John A. Rineer
City Secretary

Tom Van Buren
Mayor, Town of Bayside, Refugio County, Texas