

ORDINANCE NO. 2011-008

AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), BY ADDING SECTION 33.05 (BUDGET ADVISORY BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO ESTABLISH THE BUDGET ADVISORY BOARD AND PROVIDE FOR THE DUTIES, APPOINTMENT, AND REMOVAL OF BOARD MEMBERS; AND PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards and commissions to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council of the City of Wimberley, County of Hays, State of Texas has certain duties and responsibilities relating to budgetary, investment and financial matters; and

WHEREAS, the City Council finds it to be in the best interest of the City of Wimberley, to seek advice from a committee of citizens with respect to these matters.

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

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENTS

THAT Chapter 33 (Boards and Commissions) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to section 33.05 (Budget Advisory Board) to read as follows:

"§ 33.05 Budget Advisory Board

(A) *Purpose.* The purpose of the Budget Advisory Board (the "Board") is to provide advice to the City Council with respect to budgetary matters. This ordinance is adopted so that the Budget Advisory Board (the "Board") created hereby may advise the City Council with respect to these matters.

(B) *Duties.* The Board shall advise the Council with respect to: (1) a fiscally sound and responsible budget process, (2) long term budgetary goals, (3) achieving budgetary goals, (4) informing the citizens of the City about the information contained in the annual budget, (5) exploring funding alternatives and (6) such other matters as Council from time to time by resolution may request.

(C) Composition of the Board.

(1) The Board created by this ordinance, shall be an independent advisory board to the City Council, and shall be comprised exclusively of volunteer members appointed by the Council.

(2) The Board shall be comprised of five (5) members, all of whom shall be residents of the City.

(D) Appointment of Board Members; Terms; Vacancies

(1) All members of the Board shall be nominated by consensus of the City Council. Nominations for consensus Board positions shall be presented at the second regular City Council meeting in October, every two (2) years. At the same meeting in October, City Council shall consider those nominations for appointment. Once appointed by a majority vote of City Council, the appointed Board members shall serve until their successor is appointed. Each Board member shall be eligible for reappointment.

(2) The term for each Board member shall be for two (2) years from date of appointment.

(E) Removal of Board members. The City Council may by majority vote remove a Board member for, incompetence, corruption, misconduct, malfeasance, or for any other reason stated in such vote. Any Board member who misses three (3) consecutive meetings, or one-third (1/3) of all regular meetings within a twelve (12) month time period, shall be deemed to have automatically vacated his/her position on the Board. This provision shall not apply to a Board member who applied for and received an excused absence from the Board chairperson the meeting(s) at issue. If any member of the Board changes his/her residence or voter registration with the result that fewer than five (5) members of the Board are residents of and registered to vote in the City, then such member of the Board is deemed to have automatically vacated his/her position on the Board.

(F) Board officers. The Board shall elect officers from among its members. The officers shall be the chairperson, vice-chairperson, and secretary. Officers shall be elected for terms of one (1) year. The Board chairperson shall preside over all meetings and may vote. If the chairperson is absent, or fails or refuses to act, the Vice-Chairperson shall perform the duties of the chairperson. If the chairperson and vice-chairperson are absent or fail or refuse to act then any Board member may be appointed by the Board to preside over the meeting. The secretary shall keep the minutes of the meetings of the Board. If the secretary is absent or fails or refuses to act then any Board member may be appointed by the Board to take the minutes of the meeting. The officers of the Board shall have such other duties as the Board may determine.

(G) Board meetings. The Board shall conduct regular meetings no less frequently than once a month at a time and place determined by resolution adopted by the Board. The initial meeting of the Board shall be called by the City Council. Special meetings may be called by the

Board chairperson or by three Board members. A majority of the Board shall constitute a quorum.”

Except as provided herein, of the Code of Ordinances of the City of Wimberley shall remain in full force and effect.

III. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

IV. EFFECTIVE DATE

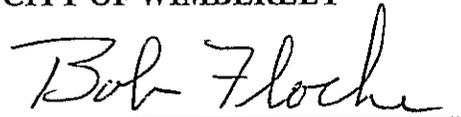
This Ordinance shall take effect following its passage and publication as may be required by governing law.

V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public 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 on this 17th day of March, 2011, by a 4 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

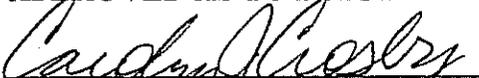


Bob Flocke, Mayor

ATTEST:


Cara McPartland, City Secretary

APPROVED AS TO FORM:


Carolyn J. Crosby, City Attorney