

ORDINANCE NO. 2012-006

AN ORDINANCE AMENDING TITLE III (ADMINISTRATION), CHAPTER 30 (CITY GOVERNMENT) OF THE CITY OF WIMBERLEY'S CODE OF ORDINANCES TO AMEND SECTION 30.06 (QUORUM) TO REVISE THE QUORUM REQUIREMENT FOR MEETINGS AT WHICH THE IMPOSITION OF AN AD VALOREM TAX WILL BE DISCUSSED; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council may, in certain instances, establish the quorum requirements for its meetings; and

WHEREAS, currently the City of Wimberley ("City") does not impose ad valorem taxes (real property taxes), and the Council believes it is important that all members be present if the discussion of an ad valorem tax is on a meeting agenda, regardless of whether it is a regular or specially called meeting; and

WHEREAS, the City Council finds the change in the quorum requirement as enumerated will be in the best interest of the public.

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

Section 1. Findings. 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.

Section 2. Amendment.

That Title III (Administration), chapter 30 (City Government), section 30.06 (Quorum) of the Wimberley Code of Ordinances is hereby amended to read as follows:

"Section 30.06 Quorum

Except as otherwise provided, a majority of the number of City Council Members established in Section 30.01 of this code constitutes a quorum. However, at a special called meeting two-thirds of the number of City Council members established by that section constitutes a quorum, and at any meeting, whether it be a regular or special meeting, the entire Council must be present in order to impose ad valorem taxes."

Section 2. Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 3. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 6. Open Meetings. That 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 Meeting Act, Capt. 551, Loc. Gov't. Code.

PASSED AND APPROVED this 16th day of February, 2012, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS

Bob Flocke

Bob Flocke, Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby
Carolyn J. Crosby, City Attorney

