

ORDINANCE NO. 20230215-_____

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING CHAPTER 17 PARKS AND RECREATION ARTICLE II. PARK AND RECREATION BOARD SECTION 17-19 RULES OF PROCEDURE; QUORUM, OPEN MEETINGS, RECORDS AND AMENDING SECTION 17-20 POWERS AND DUTIES; OF THE ANGLETON TEXAS CODE OF ORDINANCES AND AMENDING SECTION 17-20 POWERS AND DUTIES; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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Whereas, the City of Angleton owns, operates, and maintains various parks and park facilities for the use and enjoyment of its citizens and the general public and the City by ordinance created a Park and Recreation Board in 1965 and later codified requirements for the Park and Recreation Board in Chapter 17 of the Angleton Texas Code of Ordinances, as amended; and

Whereas, the City Council of the City of Angleton, desires to revise the number of regular mandatory meetings held by the Park and Recreation Board and to modify the frequency of meetings and therefore amend Section 17-19 of Chapter 17 Parks and Recreation of the Angleton Texas Code of Ordinances;

Whereas, the City Council of the City of Angleton, desires to revise the mandatory powers and duties of the Park and Recreational Board and revise the powers of review by the board and therefore amend Section 17-20 of Chapter 17 Parks and Recreation of the Angleton Texas Code of Ordinances;

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

Section 1. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

Section 2. Chapter 17 Parks and Recreation Board Section 17-19 Rules of Procedure; Quorum; Open Meetings; Records is set out below:

Sec. 17-19. - Rules of procedure; quorum; open meetings; records.

The park and recreation board shall elect annually one of its members, that is not the youth member, as chair and shall establish its own rules of procedure. A quorum shall consist of a majority of the members of the board and an affirmative vote of a majority of those present shall be necessary to pass upon pending questions. The chair shall be entitled to vote upon any question. The youth member position shall not be a voting position, but rather a position to offer input and opinion as a youth representation for the city. Regular meetings shall be held not less than bimonthly in June, August, October, December, February, and April. Such meetings shall be open to the public and a record of all proceedings shall be kept. The record shall be filed with the city secretary and shall be a public record.

Chapter 17 Parks and Recreation Board Section 17-19 Rules of Procedure; Quorum; Open Meetings; Records is revised as follows:

The park and recreation board shall elect annually at the first meeting of the fiscal year one of its members, that is not the youth member, as chair and shall establish its own rules of procedure. A quorum shall consist of a majority of the members of the board and an affirmative vote of a majority of those present shall be necessary to pass upon pending questions. The chair shall be entitled to vote upon any question. The youth member position shall not be a voting position, but rather a position to offer input and opinion as a youth representation for the city. Regular meetings shall be held not less than twice a year and one of the meetings shall occur in the beginning of the fiscal year. Such meetings shall be open to the public and a record of all proceedings shall be kept. The record shall be filed with the city secretary and shall be a public record.

Section 3. Chapter 17 Parks and Recreation Board Section 17-20 Powers and Duties is set out below:

Sec. 17-20. - Powers and duties.

The park and recreation board shall have the power and shall be required to:

- (1) Draft and recommend to the city council, policies for use of the city's parks and recreational facilities;
- (2) Submit annually to the city administrator, not less than 90 days prior to the beginning of the budget year, a list of recommendations for capital improvements. This capital projects budget should include immediate and long-range capital improvements such as park acquisition, development of new and present park sites and procurement and installation plans for playground equipment, as well as possible recreation programs. Such list shall be arranged in order of priority;
- (3) Review any proposed acquisition of land, buildings or other properties and construction or capital improvements or facilities, or any grant or devise of real estate or personal property for use as a park, playground or other recreational purpose, and recommend appropriate action to the city council; and
- (4) Perform such duties and be vested with such other powers as the city council shall from time to time authorize.

Chapter 17 Parks and Recreation Board Section 17-20 Powers is revised as follows:

The parks and recreation board shall have the following powers and duties:

- (1) The Parks and Recreation Board shall review and make recommendations to the Parks Director;
- (2) Submit annually to the Parks Director, not less than sixty (60) days prior to the beginning of the budget year, a list of recommendations for parks and recreation. Such list shall be arranged in order of priority; and

(3) Perform such duties and be vested with such other powers as the city council shall from time to time authorize.

Section 4. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred and No/100 Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense.

Section 5. Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Effective date. That this Ordinance shall be effective and in full force upon adoption.

Section 8: Proper Notice & 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, Texas Government Code, Chapter 551.

PASSED, APPROVED, and ADOPTED this, the ____ day of February, 2023.

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Jason Perez, Mayor

ATTEST:

Michelle Perez, City Secretary