

ORDINANCE NO. 2025-20

AMENDING CHAPTER 1, ARTICLE 1.04 BOARD, COMMITTEES, AND COMMISSIONS

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING CODE OF ORDINANCES CHAPTER 1 “GENERAL PROVISIONS”, ARTICLE 1.04 “BOARDS, COMMITTEES, AND COMMISSIONS”, AMENDING SECTION 1.04.002 MEMBERSHIP, AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas seeks to promote orderly transition of power of its elected officials when they leave office;

WHEREAS, the City Council has the authority to remove persons from Boards, Committees, or Commissions at its sole discretion;

WHEREAS, the orderly transition of power requires the newly elected officials to take their seat on boards, committees, or commissions, once they are elected;

WHEREAS, The City’s Code of Ordinance Chapter 1, General Provisions, Article 1.04 Boards and Commissions was established to provide a framework for residents to participate in local governance;

WHEREAS, the City finds it necessary to review and amend certain aforementioned codes to meet changing conditions and are in the best interest of the City and its residents that newly elected officials have the ability to participate on the day of their swearing in;

WHEREAS, the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

Section 1. Findings of Fact. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Amendment. Chapter 1 Article 1.04, Section 1.04.002 is hereby amended as set forth with underlines being additions, double

underlines being moved text, and ~~strike throughs~~ being deletions.

Sec. 1.04.002 Membership, terms.

Unless otherwise controlled and mandated by state or federal law and/or City Charter, the following overarching provisions shall apply to the city's boards, commissions, task forces, committees and advisory bodies ("board(s)," "body" or "advisory bodies"):

- (1) Board members shall be appointed by the mayor and confirmed by the Council, for terms of three (3) years. No board member shall serve more than two (2) consecutive terms on a particular advisory body. An individual that has previously served two (2) consecutive terms on a particular advisory body, must wait one full year before being reappointed to the same advisory body. The Mayor, upon a finding of good cause, has the authority to waive this one-year waiting period.
- (2) All city advisory bodies shall consist of seven (7) members and each seat shall be assigned a "place."
- (3) Advisory body members' terms of service shall be "staggered" three-year terms, so that the entire membership of the board will not be subject to replacement at any single point in time. If necessary, to establish initial staggering of the membership Place 1 and Place 2 shall initially serve a three-year term, Place 3 and Place 4 shall initially serve a two-year term, and Place 5, Place 6 and Place 7 shall initially serve one-year terms.
- (4) In the event of a vacancy, an individual appointed to fill the vacant place will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.
- (5) All advisory body members shall reside within the city limits or the city's Extraterritorial Jurisdiction (ETJ). No more than two (2) members of a particular advisory body can be from the ETJ. Upon a showing of good cause, the Mayor may waive the residency requirement.
 - (a) The City Secretary shall send out notice to all members each March to verify residency and attendance requirements and upon such findings, present to the Mayor and City Council, those members who no longer qualify to serve.
- (6) Each advisory body will have a City Council Member assigned as Council Liaison. This will facilitate the transfer of information from the advisory bodies to the City Council.
 - a. Council Members whose term has ended either by election or resignation, shall be removed from any board and commission they are currently serving on at the time the election is canvassed. (7) Members of advisory boards that are subject to the Code of Ethics. Article 1.15 of the Code of Ordinances, shall be deemed to have resigned and automatically vacated their place immediately upon filing an application for a place on the ballot to run for City Council.

Section 3. Enactment. Chapter 1, Section 1.03.002 of the City of Bastrop Code of Ordinances is hereby amended so to read in accordance with Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

Section 4. Codification. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local

Government Code.

Section 5. Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.

Section 6. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 7. Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 8. Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

READ & ACKNOWLEDGED on First Reading by the City Council of the City of Bastrop, on this, the 25th day of February 2025.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the 11th day of March 2025.

APPROVED:

by: _____
John Kirkland, Mayor Pro-Tem

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Attachment A

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Members of advisory boards that are subject to the Code of Ethics. Article 1.15 of the Code of Ordinances, shall be deemed to have resigned and automatically vacated their place immediately upon filing an application for a place on the ballot to run for City Council.

(Ord. No. 2012-13, pt. 1, 6-26-12; Ord. No. 2019-44 , § 2(Exh. A), 11-26-19; Ord. No. 2023-03 , § 2(Att. A), 2-28-23; Ord. No. 2023-19 , § 2(Att. A), 7-11-23)