

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-_____

AN ORDINANCE AMENDING THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES CHAPTER 2. ADMINISTRATION AND PERSONNEL; ARTICLE 2.04 BOARDS, COMMISSIONS AND COMMITTEES ADDING DIVISION 5. DRIPPING SPRINGS RANCH PARK BOARD OF DIRECTORS AND PROVIDING THE FOLLOWING: FINDINGS OF FACT; AMENDMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to update its existing Boards to include a Board for Dripping Springs Ranch; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the requirements within the ordinance are adopted to affect the purposes stated above; and

WHEREAS, the City Council finds that the amendments imposed by this Ordinance are reasonable, necessary, and proper for the good government of the City; and

WHEREAS, the City Council had a meeting and a public hearing on June 16, 2020 and recommended approval; and

WHEREAS, the City Council finds that the amendment proposed is reasonable, necessary, and proper for the good government of the City of Dripping Springs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Chapter 2 “Administration and Personnel,” Article 2.04 “Parks and Recreation,” Division 2 “Dripping Springs Ranch Park Board of Directors,” of the City of Dripping Springs 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. Any underlined text shall

be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment "A"*.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. 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.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication of caption.

7. 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 17th day of November 2020, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of the City of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Todd Purcell, Mayor

ATTEST:

Andrea Cunningham, City Secretary

City of Dripping Springs
CODE OF ORDINANCES
CODE OF ORDINANCES

CHAPTER 2: ADMINISTRATION AND PERSONNEL

ARTICLE 2.04 BOARDS, COMMISSIONS AND COMMITTEES

Division 5. Dripping Springs Ranch Park Board of Directors

Sec. 2.04.121 Scope

This division shall apply throughout the city limits.

Sec. 2.04.122 Definitions

The terms listed below shall have the following meaning for purposes of this division. Any term not herein defined but defined elsewhere in this code shall have the meaning given by the code. Terms not otherwise defined by the city's code shall be given the ordinary and common meaning.

Board. The city's Dripping Springs Ranch Park Board of Directors, as created by this division.

Boardmember. An appointed member of the city's Dripping Springs Ranch Park Board of Directors.

City. The City of Dripping Springs, an incorporated municipality located in Hays County, Texas.

City council. The governing body (i.e., board of aldermen) of the city.

Community events. Events organized in the city to enhance the community and encourage unity among residents.

Dripping Springs Ranch Park. A municipally owned and operated recreational facility located in the city.

Park. The Dripping Springs Ranch Park, a recreational facility owned and operated by the city.

Sec. 2.04.123 Board of directors created

- (a) Formation. There is hereby created the board of directors.
- (b) Membership. The board shall consist of and be governed by five (5) members.
- (c) Appointment and removal. Members of the board shall be appointed by the city council. Boardmembers may be removed by the city council for any reason. Any boardmember absent for three (3) or more consecutive regular meetings, or more than four (4) regular meetings within a fiscal year, unless excused, shall be deemed to have automatically and voluntarily resigned, and thus vacated the boardmember's position on the board.
- (d) Terms of office. Each boardmember will serve a two (2) year term and may be reappointed upon application. Vacancies on the board may be filled by appointment of the city council for the unexpired term. Upon the creation of the Board, the first three members appointed shall serve a two (2) year term and the other two members appointed shall serve a one (1) year term initially.
- (e) Municipal officers. Boardmembers are not municipal officers, but shall be obligated to comply with all ethical standards applied to officers of the city.
- (f) Management. The presiding officer of the board shall be a chair appointed by the city council from among the boardmembers. The presiding officer shall serve a term of two (2) years.
- (g) Voting. A quorum for all meetings of the board shall consist of a simple majority. The chair shall have the right to vote in matters before the board.

Sec. 2.04.124 Authority and responsibilities

- (a) Meetings. The boardmembers shall conduct meetings once a month. Meetings shall be conducted at the Dripping Springs Ranch Park, unless otherwise deemed appropriate by the chair. The boardmembers may hold public hearings as deemed necessary and appropriate. Other meeting times and locations can be selected by the chairperson, as deemed necessary and appropriate. All meetings are subject to the Open Meetings Act, chapter 551 of the Texas Government Code.
- (b) Policies and implementation. The boardmembers shall advise the city council on recommended policies and application of policies for the development, operation and management of the park and event center. Policy review may be undertaken by the boardmember upon its own initiative, or at the direction of the city council. The chair may be asked to appear in person to report on specific issues if requested to do so by the parks and recreation commission or the city council.
- (c) Duties and responsibilities. The board shall:
 - (1) Review and make recommendations relate to fees, events, forms, and policies of the Dripping Springs Ranch Park.
 - (2) Review, ~~makes recommendations approve~~, and finalizes Sponsorship Agreements where the City sponsors an event in an amount in excess of what is allowed in the Dripping Springs Ranch Park Sponsorship Policy (Resolution No. 2017-63) or the City Fee Schedule. All

sponsorships that fall within the Sponsorship Policy or the City Fee Schedule may be approved by the Event Center Manager. All approved Sponsorship Agreements shall be filed with the City Administrator and Parks and Community Services Director, for submission to city council for approval.

(3) Work with Event Center Manager and Parks and Community Services Director to establish and oversee an operating budget for Dripping Springs Ranch Park, contingent upon approval of the city council.

(4) The board shall interview all qualified finalists seeking the Event Center Manager position. ~~The board may interview finalists seeking other positions with the city directly related to the park.~~ Following interviews of the Event Center Manager position, the board shall make recommendations to the city council stating which (if any) candidate should be engaged by the city.

(5) Work with DSRP Event Center Manager and Parks and Community Services Director to provide the city council with ~~quarterly and annual~~ monthly financial statements showing income, expenditures, and profit or loss for Dripping Springs Ranch Park facilities.

(6) Budget. The board may determine expenditures related to the Dripping Springs Ranch Park. All expenditures shall be in accordance with the city's purchasing policy, city budget, and state law. Any expenditure that has not been authorized in the budget, is in excess of the authorized amount, or in an amount in excess of what is authorized by the purchasing policy, shall be submitted to city council before the expenditure may be made. Any approved expenditure shall be submitted to the city's event center manager or the maintenance director, as appropriate, for completion of a purchase order or agreement as required by the city's purchasing policy. If city staff desires a different vendor or product for a purchase, the board and staff's recommendations will be forwarded to the city administrator by city staff. The city administrator's decision shall be final. Any completed purchase of equipment shall immediately also be reported to the city administrator for inclusion in the city's liability coverage.

Sec. 2.04.125 Support

(a) City staff will provide logistical support to the board, as defined by access to city facilities for purposes of public meetings, access to city resources for purposes of copies and communications, and a designated staff liaison to coordinate and direct such support.

(b) The city website will provide a page via the staff liaison upon which the board may post:

- (1) Meeting information;
- (2) Agendas and minutes; and
- (3) Resource materials, if any.

Secs. 2.04.126–2.04.150 Reserved