

**ARTICLE 6.05. FARMERS MARKET COMMITTEE ASSOCIATION**

*DIVISION 1. GENERALLY*

**Sec. 6.05.001. ~~Popular name.~~ Title.**

This article shall be commonly cited as the Farmers Market Association ordinance.

**Sec. 6.05.002. Purpose.**

The purpose of the Dripping Springs Farmers Market ~~Association~~ Committee (the "~~association committee~~") is to:

- (1) support and coordinate the farmers market;
- (2) The association's board of directors provide recommendations to the city council related to the operation of the farmers market;
- (3) support the Farmers Market Manager, city staff, and the City in coordinating the farmers market;
- (4) support and determine the mission of the market; and
- (5) review and decide on vendor applications based on the mission of the market. ~~oversight of the market and serves as an advisory body for the city council.~~

**Sec. 6.05.003. Mission of the market.**

The mission of the farmers market is to provide the city and the surrounding Central Texas region with locally grown foods and farm products in a direct farm-to consumer marketing venue that will serve diverse populations, preserve and promote regional agriculture and improve our quality of life.

- (1) The market creates a food secure community by improving access to local, healthy, affordable food for children and adults in Central Texas.
- (2) The market strives to achieve are increased education about and support of regional agriculture.

**Sec. 6.05.004. Definitions.**

- (a) Rules of interpretation. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the code of ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the code of ordinances shall be given their common, ordinary meaning unless

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the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

(b) Specific.

Agricultural facilities: A farm, garden or greenhouse where produce is grown.

~~Association: The Dripping Springs Farmers Market Association, as created herein. Board: The board of directors (i.e., governing body) of the Dripping Springs farmers market.~~

City administrator: The employee appointed by the city council to serve as the chief administrative officer of the city.

City limits: The incorporated municipal boundary of the city.

Committee: The farmers market committee created herein.

~~Director: The city employee serving as director of parks, recreation and open space and community services~~ for the city, as designated by the city council.

ETJ: The extraterritorial jurisdiction of the city.

Market manager: The city employee designated by the city administrator to supervise the operations of the market.

**Sec. 6.05.005. Association-Membership, Meetings**

(a) Membership. Farmers, ranchers, and harvesters are eligible to be members of the ~~association~~ committee, as allowed by the rules and regulations for market operations.

(b) Number of members. The committee shall have eight members.

(c) Terms of members. Committee members will serve two-year terms. Members may be reappointed with no limitation on the number of terms one member may serve.

(d) Member selection.

~~(b) — Responsibilities, activities and benefits. All responsibilities, activities and benefits of association membership shall be as provided in the rules and regulations for market operations.~~

(1) Every year, city staff will prepare a slate of nominees for city council consideration.

(2) Committee members shall be appointed by majority vote of the city council.

(3) Committee members may be residents or business owners with agricultural facilities in the city limits or ETJ or within 150 miles of the city limits. At least two committee members must be farmers who sell their own produce.

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- (4) Although not strictly required, preference for committee membership shall be given to persons who raise, grow or make food products, or artists who make crafts from agricultural products.
- (e) Officers. The chair shall be appointed by the city council from among the membership. A vice-chair shall be selected by the committee members. In the absence of the chair or vice-chair, the remaining committee members may select a person among themselves to preside over a meeting.
- (f) Member removal.  
The city council may remove committee members by majority vote, with or without cause.
- (g) Resignation; vacancies.  
A committee member may resign by providing the city secretary written intent to resign. A failure to attend three or more sequential, regular committee meetings will constitute automatic notification of intent to resign. The city council may fill vacancies by majority vote. Committee members appointed to fill a vacancy will complete the unexpired portion of the term.
- (h) Meetings.  
(1) The committee will meet monthly at city hall, as coordinated with and arranged by city staff. Agendas will be drafted by the chair with the support of city staff.  
(2) Committee-designated subcommittees may meet more often, as coordinated with and arranged by city staff. Agendas will be drafted by the subcommittee chair.  
(3) A quorum of four or more committee shall constitute a quorum. The chair shall count toward the establishment of a quorum. Abstentions shall not affect the establishment of a quorum.

#### **Sec. 6.05.006. Authority.**

The committee is advisory only. They have no authority to make decisions binding on the city. The authority of the committee will include:

- (a) To make recommendations to the city council regarding market operations.
- (b) To evaluate the market to identify means of making improvements.
- (c) To make recommendations related to the drafting and implementation of all rules and procedures for the market to the city council.
- (d) To assist city staff with the operations of the market, in addition to preparations and post-event recovery of the site.
- (e) To make recommendations to city council regarding budget for the farmers market and expenditures related to appropriated funds.
- (f) To perform other duties as established in the rules and regulations for market operations, as enacted by the city council.

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(g) The committee's work and work product will be subject to the Public Information Act, Texas Government Code chapter 552.

**Sec. 6.05.006. Support for the association.**

- (a) City staff ~~will~~ shall provide logistical support to the ~~board~~ committee and its subcommittees, 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 market manager to serve as staff liaison to coordinate and direct such support. ~~Market managers shall also perform the functions established in the rules and regulations for market operations, as may be amended.~~
- (b) One or more market managers shall be designated by the city administrator. A market manager shall be a city staff member (employee or contract professional services). ~~In addition to any other means of compensation for other municipal duties, market managers shall be compensated monthly for services directly related to the market in the form of a commission on gross (or net) market sales. The amount of the commission shall be established by the city administrator. Market managers shall be assigned to work on market days in accordance with a schedule approved by the city administrator.~~
- (c) The city website will provide a page via the market manager upon which the ~~association~~ committee may request that the City post:
- (1) ~~Board~~ Committee meeting information;
  - (2) ~~Board~~ Committee agendas and minutes; and
  - (3) Resource materials, if any.

(d) City staff shall inform the Committee on changes on personnel, logistical support, and other matters related to the operation of the farmers market.

**Sec. 6.05.031. Number.**

~~The board~~ committee will have eight members.

~~(Ordinance 1550.10, ex. A, § 3.1.1, adopted 6/9/09)~~

**Sec. 6.05.032. Terms.**

~~Board~~ members will serve two-year terms. There is no limit as to how many terms a member may serve. Original (first) ~~board~~ members shall draw lots to determine who will serve a one-year initial term. ~~Members are volunteers.~~

~~(Ordinance 1550.10, ex. A, § 3.1.2, adopted 6/9/09)~~

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**~~Sec. 6.05.033. Board Committee member selection.~~**

- ~~(a) Each year, city staff will prepare a slate of nominees for city council consideration.~~
- ~~(b) Board Committee members shall be appointed by majority vote of the city council.~~
- ~~(c) Board members may be residents or business owners with agricultural facilities in the city limits or ETJ or within 150 miles of the city limits. At least two board members must be farmers who sell their own produce.~~
- ~~(d) Although not strictly required, preference for board membership shall be given to persons who raise, grow or make food products, or artists who make crafts from agricultural products.~~
- ~~(e) Board members are municipal officers, and as such must take the oath of office and abide by all applicable ethics rules.~~

~~(Ordinance 1550.10, ex. A, § 3.1.3, adopted 6/9/09)~~

**~~Sec. 6.05.034. Officers.~~**

~~The chairperson shall be appointed by the city council from among the membership. A vice-chairperson shall be selected by the board members. In the absence of the chairperson or vice-chairperson, the remaining board members may select a person among themselves to preside over a meeting.~~

~~(Ordinance 1550.10, ex. A, § 3.1.4, adopted 6/9/09)~~

**~~Sec. 6.05.035. Removal and vacancies.~~**

~~A board member may resign by providing the city secretary written intent to resign. A failure to attend three or more sequential, regular association meetings will constitute automatic notification of intent to resign. The city council may remove board members by majority vote, with or without cause. The city council may fill vacancies by majority vote. Board members appointed to fill a vacancy will complete the unexpired portion of the term.~~

~~(Ordinance 1550.10, ex. A, § 3.1.5, adopted 6/9/09)~~

**~~Sec. 6.05.036. Meetings.~~**

- ~~(a) The board will meet monthly at city hall, as coordinated with and arranged by city staff. Agendas will be drafted by the board chairperson.~~
- ~~(b) Board designated subcommittees may meet more often, as coordinated with and arranged by city staff. Agendas will be drafted by the subcommittee chairperson.~~

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- (c) ~~A quorum of board members must be present for the board to conduct a meeting. A quorum shall be 51 percent of the number of members serving (i.e., vacancies shall not count when calculating a quorum). Abstentions shall not affect the establishment of a quorum.~~
  - (d) ~~The board chairperson, or the chairperson's designee(s), will attend the first city council meeting of each month to update the council.~~
  - (e) ~~Board meetings are subject to the Texas Open Meetings Act, Texas Government Code chapter 551.~~

**~~Sec. 6.05.037. Authority.~~**

~~The association and its board of directors are advisory only. They have no authority to make decisions binding on the city. With the consent of the city administrator, the board may expend city funds in accordance with budget appropriations by the city council.~~

~~(Ordinance 1550.10, ex. A, § 3.2, adopted 6/9/09)~~

**~~Sec. 6.05.038. Responsibilities.~~**

- ~~(a) The board shall make recommendations to the city council regarding market operations.~~
- ~~(b) The board shall evaluate the market to identify means of making improvements.~~
- ~~(c) The board shall conduct the market and implement all rules and procedures established by the board and by the city council. The board is obligated to assist city staff with the day-off operations of the market, in addition to preparations and post-event recovery of the site.~~

~~(Ordinance 1550.10, ex. A, § 3.3, adopted 6/9/09)~~

**~~Sec. 6.05.039. Duties.~~**

- ~~(a) The board shall make recommendations to the city council regarding market operations.~~
- ~~(b) The board shall evaluate the market to identify means of making improvements.~~
- ~~(c) The board shall conduct the market and implement all rules and procedures established by the association and by the city council.~~
- ~~(d) The board shall perform other duties as established in the rules and regulations for market operations, as enacted by the city council.~~
- ~~(e) The board's work and work product will be subject to the Public Information Act, Texas Government Code chapter 552.~~

~~(Ordinance 1550.10, ex. A, § 3.4, adopted 6/9/09)~~