

ARTICLE 13. PORT COMMISSION¹

Sec. 13.01. Port Commission [created].

All properties now or subsequently owned by the City which are designated port, wharf and dock property or waters shall hereafter be placed under the supervision and control of the City Council. In order to provide a forum for public regarding such properties, a Port Commission may be created by ordinance by Council, to consist of not less than five (5) nor more than seven (7) members. Said Commissioners shall be qualified voters of the City, shall be over twenty-five (25) years of age, shall not be members of the Council, and shall be appointed to serve without compensation for a period of two (2) years, by a majority vote of the Council. Commissioners may be removed by a majority vote of the Council with or without cause.

Sec. 13.02. Powers.

In addition to any powers and duties specified in the ordinance creating such commission, the Port Commission shall provide recommendations to the City Manager regarding said port, wharf and dock properties and waters, and is expressly empowered to:

- (a) Appoint its own Chair and Secretary and adopt its own rules and order of business. It shall keep minutes of its meetings and the minutes shall be open to public inspection. Its meetings shall be conducted in accordance with the Texas Open Meetings laws.
- (b) Provide recommendations regarding the extension and improvement of the physical properties to facilitate the most efficient operation of the port and for the best interest of the inhabitants of the City.
- (c) Make recommendations to the Council for ordinances to provide for the issuance of licenses and/or permits and to adopt such rules and regulations it deems necessary for the operation of the port, as well as for the use of port property, so long as the same are not inconsistent with the general laws and administrative rules relative thereto.
- (d) Review and provide recommendations to the Council on the budget for port operations each year at the regular budget time for the City.

Sec. 13.03. Finances.

The City Manager, at least ninety (90) days prior to the beginning of each budget year, shall submit to the Council a proposed budget detailing all revenues and expenditures incidental to the operation of the port and the properties under its control. All revenues derived from the port properties and their operations shall be deposited with the Director of Finance to the credit of the Port Fund, and the Director of Finance shall make disbursements therefrom in accordance with the provisions of this Article. Any surplus remaining in the Port Fund over and above the budget requirements shall be applied for the retirement of Port Bonds or applied to a sinking fund for the benefit of the Port or the City. The proceeds of any Port improvement, maintenance or extension bonds heretofore voted and authorized but not now sold or which may in the future be authorized by the vote of the people, shall be under the supervision of the City Manager with input and recommendations from the Port Commission, and shall be spent for the purpose for which said bonds were voted.

¹State law reference(s)—Waterways and ports, V.T.C.A., Transportation Code ch. 51 et seq.