

THE CITY OF WOODCREEK
ORDINANCE NO. 2023-XX-XX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS,

[CAPTION]

[PREAMBLE (“WHEREAS” CLAUSES)]

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

[CONTROLLING PROVISIONS]

SEVERABILITY CLAUSE: 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. All provisions of this Ordinance are declared severable.

CUMULATIVE CLAUSE: This Ordinance shall be cumulative of all provisions of ordinances of the City except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

REPEALER CLAUSE: 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Resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SAVINGS CLAUSE: The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any right of the City of Woodcreek under any section or provisions of any ordinances in effect at the time of the passage of this Ordinance.

PROPER NOTICE AND MEETING: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

[EFFECTIVE DATE]

FIRST READING PASSED AND APPROVED this _____ day of _____, 2023,

by a _____ to _____ vote of the City Council of Woodcreek, Texas.

SECOND READING PASSED AND APPROVED this _____ day of _____, 2023,

by a _____ to _____ vote of the City Council of Woodcreek, Texas.

WOODCREEK, TEXAS

By:

Jeff

PLACE
CITY SEAL
HERE

Rasco, Mayor

ATTEST:

Suzanne J. Mac Kenzie, City Secretary

APPROVED AS TO FORM:

City Attorney's Office

ORDINANCE REVIEW COMMITTEE

§ 30.70 POPULAR NAME.

This subchapter shall be commonly cited as the "Ordinance Review Committee Ordinance."

§ 30.71 PURPOSE.

The purpose of this subchapter is to create an Ordinance Review Committee which shall: (1) advise the City Council on the amending, creating, and rescinding of city ordinances; (2) secure public input in this process; and (3) promote transparency in the process of amending, creating, and rescinding of city ordinances. The Ordinance Review Committee shall be viewed as an independent advisory body to Council.

§ 30.72 CREATION AND COMPOSITION.

The Ordinance Review Committee is hereby created. The Ordinance Review Committee shall consist of seven members: five regular voting members and two alternate non-voting members. Exception: at a meeting where there are not enough regular members present, an alternate(s) may act as a voting member. Those present committee members, including alternates, shall vote on the alternate(s) which will stand in as a voting member for that meeting. Each of Woodcreek's five Councilmembers

shall make one regular member appointment to the Ordinance Review Committee. The Mayor will make two alternate member appointments to the Ordinance Review Committee, specifically a first and second alternate. All appointments shall be confirmed by a majority vote of the City Council. In the event any Councilmember or the Mayor fails or refuses to make an appointment, the vacancy may be filled by the majority vote of the remaining members of the City Council, in their stead. No member of the Ordinance Review Committee may be a present member of the City Council.

§ 30.73 TERMS, RESIGNATION, VACANCY, AND REMOVAL.

- (A) The terms of each member (regular and alternate) of the Ordinance Review Committee shall coincide with the term of the Councilmember (including Mayor) who appointed the member and will expire upon the appointing Councilmember's term of office ending. This shall result in staggered two year terms for Ordinance Review Committee members. One year, the three newly elected members of council shall make recommendation for a regular member of the Ordinance Review Committee. The next year, the two newly elected members of council shall make a recommendation for a regular member of the Ordinance Review Committee, and the newly elected Mayor shall make recommendation for two alternates.
- (B) Any member of the Ordinance Review Committee may resign by submitting written notice to the Chairperson of the Ordinance Review Committee. Resignation will be effective when received. Upon receipt of written notice of resignation, Chairperson of the Ordinance Review Committee shall promptly send such resignation to the Mayor, the City Secretary and committee liaison.
- (C) If a vacancy occurs on the Ordinance Review Committee, the vacancy shall be filled by a recommendation from the Councilmember who appointed the resigning member. Upon confirmation by a majority vote of council, the newly filled vacancy shall fulfill the unexpired term of that Ordinance Review Committee seat.
- (D) Members of the Ordinance Review Committee may be removed from the Ordinance Review Committee by a simple majority vote of the Councilmembers, at a meeting of the Woodcreek City Council for which such a vote has been properly noticed. By a majority vote, the Ordinance Review Committee may make recommendation to council regarding removing a member from their committee.
- (E) Members of the Ordinance Review Committee shall remain on the committee, past their expired term, until their reappointment or replacement has been approved by Council. Unless the committee member submits a resignation letter.
- (F) In order to be considered for appointment or reappointment to the Ordinance Review Committee, a Volunteer Application shall be filled out and submitted to city hall. City staff shall present all volunteer applications to council for their consideration of committee appointments.
- (G) There are no limits to the amount of terms members can serve on this committee.

§ 30.74 DUTIES AND MEETINGS.

- (A) The Ordinance Review Committee shall meet to consider making recommendations on amending, creating, and rescinding of city ordinances they have been tasked to consider by the City Council. To accomplish these tasks, the Ordinance Review Committee shall study, investigate and develop a recommendation or plan in response to the task given to them by council, and under any deadlines established by the City Council. The Ordinance Review Committee should be prepared to provide monthly reports at regular meetings of the City Council. In the absence of explicit direction from the City Council, the Ordinance Review Committee may review ordinances at their

discretion, with the exception of city zoning chapters, and provide recommendations to the City Council on their findings as part of the monthly reports.

- (B) The Ordinance Review Committee shall meet at least once a month if they are presently considering advising on amending, creating, and/or rescinding ordinances, but as often as necessary to accomplish the tasks at hand. At a minimum, there shall be two Ordinance Review Committee meetings a year.
- (C) Any recommendation of the Ordinance Review Committee regarding amending, creating, and/or rescinding ordinances shall result from a majority vote of the regular members of the Ordinance Review Committee. However, any recommendation of the Ordinance Review Committee regarding amending, creating, and/or rescinding ordinances is merely a recommendation and is not binding on the City Council. Any final decision on amending, creating, and/or rescinding ordinances rests with the City Council.

§ 30.75 CHAIRPERSONS.

- (A) The Ordinance Review Committee shall choose its own Chairpersons from among its members. Chairpersons shall be elected for terms of one year by majority vote of its membership present, including alternates. Chairpersons shall include Chairperson and Vice-Chairperson. Chairperson and Vice-Chairperson retain all rights given to regular voting members.
- (B) The Chairperson's sole duty shall be to preside over at all meetings in accordance with any rules the Ordinance Review Committee may establish. The Chairperson may vote. If the Chairperson fails or refuses to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the Chairperson and Vice-Chairperson are absent, any committee member may be appointed by the committee to preside over the meeting. The committee shall keep minutes of its proceedings. A majority of the regular members shall be a quorum for the transaction of business.

§ 30.76 OPEN MEETINGS ACT.

The Ordinance Review Committee shall comply with the provisions of Tex. Gov't Code Ch. 551, commonly referred to as the Open Meetings Act, including posting notices and agendas. The Ordinance Review Committee agenda shall have a Public Comments section allowing the public the right to speak.

City Staff shall post a notice of quorum for all meetings of the Ordinance Review Committee so that all members of the governing body may attend all meetings of the Ordinance Review Committee.