

ORDINANCE NO. 849

“Creation and Appointment of Boards, Commissions, and Committees”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMISSIONS AND COMMITTEES) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES TO ADD A NEW SECTION 2-51 (CREATION AND APPOINTMENT OF BOARDS, COMMISSIONS, AND COMMITTEES) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, the City of Granite Shoals, Texas (the “City”) is a Home Rule City as described in and defined by Section 5, Article XI of the Texas Constitution and Section 1.005 of the Texas Local Government Code; and

WHEREAS, pursuant to Section 8.01(1) of the City’s Charter, the City Council of the City of Granite Shoals, Texas (the “Council”) may create, establish, or appoint the boards, commissions and committees that Council believes are necessary to carry out the functions and obligations of the City; and

WHEREAS, pursuant to its authority under the Charter, the Council desires to establish by Ordinance the process by which it may create the City’s boards, commissions, and committees; and

WHEREAS, the Council finds that the following amendment to City’s Code of Ordinances is in the best interest of the health, safety and welfare of the citizens of the City and of the public generally;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, AS FOLLOWS:

**SECTION I
FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Granite Shoals and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION II
AMENDMENTS**

A. Chapter 2 (Administration), Article III (Boards, Commissions and Committees) of the City of Granite Shoals Code of Ordinances is hereby amended to add a new Section 2-51 (“Creation and Appointment of Boards, Commissions, and Committees”) as follows:

“Sec. 2-51 – Creation and Appointment of Boards, Commissions, and Committees.

- (a) The City Council, by majority vote, may create a board, commission, or committee that the Council believes is necessary to carry out the functions and obligations of the City. Pursuant to Charter Section 8.01(1), the City Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee.

- (b) Boards, commissions, and committees shall comply with the provisions of the Texas Open Meetings Act when applicable. A “regular meeting” of a board, commission, and committee includes a meeting that is rescheduled in compliance with the Texas Open Meetings Act.
- (c) The City Council, by majority vote, shall appoint or remove the members of any board, commission, or committee. Pursuant to Charter Section 8.01(2), individuals who are property owners or reside in the City may be appointed to serve on one (1) or more boards, commissions, or committees.
- (d) The chair, vice chair, and/or secretary of each board, commission, or committee shall be selected by majority vote of that respective board, commission, or committee.
- (e) A quorum of members of the board, commission, or committee must be physically present in the posted physical location where a meeting is held in order to proceed with the meeting. Members appearing at a meeting by telephone, videoconference technology, or other electronic means may be counted as present, may participate in discussions, and may vote, but their presence by those electronic means shall not contribute to a quorum for the meeting.
- (f) If videoconferencing or other electronic media are not available for any reason and at any time to broadcast a board, commission or committee meeting, the meeting may nevertheless proceed provided that the meeting otherwise complies with the Texas Open Meetings Act.
- (g) Any officer of the City, employee of the City, or person holding a compensated appointive position with the City may be appointed to any board, commission, or committee only in an advisory capacity. Persons serving in an advisory capacity shall not be entitled to vote or to contribute to the quorum of said board, commission, or committee.”

**SECTION III
SAVINGS**

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 rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION IV
SEVERABILITY**

If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

**SECTION V
REPEALER**

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

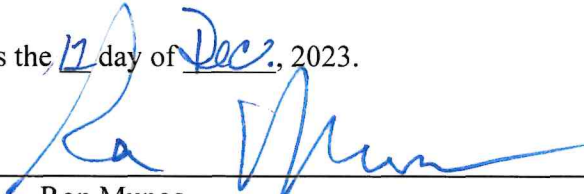
**SECTION VI
EFFECTIVE DATE**

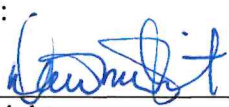
This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

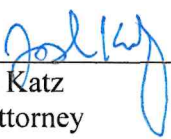
**SECTION VII
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance 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, Chapter 551 of the Texas Government Code.

PASSED, APPROVED, and ADOPTED on this the 17 day of Dec., 2023.

By: 
Ron Munos
Mayor

ATTEST:

Dawn Wright
City Secretary

APPROVED AS TO FORM:

Joshua Katz
City Attorney

