

CITY OF HORSESHOE BAY

ORDINANCE NO. 2017-03

CREATION OF A BROADBAND ADVISORY COMMITTEE

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS; ADOPTING PROVISIONS REGARDING THE CREATION OF A BROADBAND ADVISORY COMMITTEE AND DEFINE THE FUNCTIONS, MAKE-UP, VOTING PROCEDURES, MEETINGS AND POWERS AND DUTIES; PROVIDING FOR FINDINGS OF FACT; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council desires to create a Broadband Advisory Committee and define its functions, make-up, voting procedures, meetings, and powers and duties; and

WHEREAS, the City Council desires that the Broadband Advisory Committee be a single-purpose, advisory committee; and

WHEREAS, the City Council of Horseshoe Bay finds that creation of a Broadband Advisory Committee is in the best interests of the City and is necessary and proper for the good government.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY:

I. BROADBAND ADVISORY COMMITTEE

(a) Creation

A committee is hereby created and shall be known as the Broadband Advisory Committee (also referred to as the "Committee"), and the Committee shall have such powers and authority as is prescribed by this ordinance. The Committee shall be composed of six members each of which shall be a registered voter of the City, shall have resided in the City not less than 12 months immediately preceding appointment, shall not be in arrears in the payment of any taxes or other liabilities due the City, and shall have an active application on file with the City Secretary. The City Council shall appoint the members to the Committee to hold office at the pleasure of the Council. Members may be removed by the City Council without cause. Further, all members appointed to the Broadband Advisory Committee shall continue until such time as they resign, are removed, or the Committee is terminated. The Council hereby appoints Craig Haydon to serve as liaison to the Committee.

(b) Duty as Advisory Committee

The Committee shall act as an advisory committee to the City Council for the purpose of exploring and recommending potential broadband service options to increase the availability of high-speed internet options in Horseshoe Bay. However, the Committee expressly does not have the power to make final decisions or the power to adopt rules regarding public business.

(c) Meetings

The meetings of the Committee shall be held on a regular basis as determined by its members. As an advisory committee to the City Council, Committee's meetings are not required to be open to the public pursuant to the Open Meetings Act as set forth in Chapter 551 of the Texas Government Code, as may be amended. The Committees meetings shall be open to the public. Meetings shall be called by the Chair or at the request of two or more of the Committee members.

(d) Attendance

Members shall attend meetings as necessary to complete required duties as specified by City Council and Committee members.

(e) Members Not to Hold Other Public Offices – Compensation

No member of the Committee shall hold any other public office of honor, trust or profit in the government of the city during their term of office. Specifically, no member of the City Council shall serve as a member of the Committee. The members shall serve without pay.

(f) Committee Chair

The Committee shall select from among its members a Chair for the Committee.

(g) Rules

The Committee shall adopt such rules and regulations for the government of its proceedings as may be deemed proper, not inconsistent with the ordinances and the Charter of the City and the laws of the state.

(h) Responsibilities

The Committee will advise the City Council on potential broadband service options to increase the availability of high-speed internet options in Horseshoe Bay. The Committee will provide a report of their activities to the City Council on a quarterly basis.

FINDINGS OF FACT

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

II. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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.

ADOPTED AND APPROVED on this 13th day of December, 2016 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS


Stephen T. Jordan, Mayor

ATTEST:


Kerri Craig, City Secretary