

STATE OF TEXAS X

COUNTY OF BEXAR X

ORDINANCE #303

CITY OF CONVERSE X

AN ORDINANCE TO ESTABLISH AND REGULATE THE PARK AND RECREATION COMMISSION FOR THE CITY OF CONVERSE; AND SUPERCEDING CITY OF CONVERSE ORDINANCE #303 DATED April 15, 2003.

WHEREAS, The City of Converse desires to promote public welfare and quality of life through efficient recreational and park facilities; and,

WHEREAS, The City of Converse desires to promote the image of the City through public entertainment events and recreational activities; and,

WHEREAS, The City Council of the City of Converse desires to obtain maximum citizen input to decisions concerning parks and recreational facilities; and,

WHEREAS, The City Council of the City of Converse desires to employ the talent, skill, and effort of the community toward park and recreational objectives;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONVERSE:

SECTION I. ESTABLISHMENT: A Park and recreation Commission is hereby established.

- A. The Park and Recreation Commission shall consist of eleven members who shall be appointed by the Mayor with the approval of City Council. The Mayor may appoint up to four alternates who may serve in the absence of a regular member at the request of the City Manager or the Chairman of the Commission. The Chairman of the Commission shall be appointed by the City Council and may be removed by majority vote of the City Council with or without cause.
- B. The term of office shall be for four years or until their successors are appointed and qualified.
- C. Vacancies in the Commission occurring other than by expiration of term shall be appointed by the Mayor for the remaining portion of the term.
- D. After the Commission is appointed, it shall meet and organize. The Commission shall elect a Vice Chairman and install other officers as may be necessary, on an annual basis.
- E. The Park and Recreation Commission shall meet on the second Monday of each month

or upon call by the Chairman. All meetings of the Commission shall be open to the general public in accordance with the Texas Open Records and Open Meetings Act, Section 551 Texas Government Code.

- F. Commission members are expected to attend and participate in all meetings. Prior to a meeting, absences may be excused by the Chairman of the Commission. After a meeting, absences may only be excused by majority vote of the Commission.
- F. Failure to attend three consecutive meetings without being excused shall be considered a resignation and the Mayor will be asked to appoint a replacement for the remainder of the term.
- G. A quorum shall consist of six voting members who are either regular members or alternates designated by the Chairman, City Council Liaison, or City Manager to serve as regular members for the meeting.
- H. In the absence of the Chairman and Vice Chairman, the City Council Liaison or the City Manger shall call the meeting to order and determine whether the meeting has a quorum, or can achieve a quorum in a reasonable time and with reasonable effort. If a quorum cannot be achieved, he shall dismiss the meeting. If a quorum can be achieved, he shall entertain a motion to appoint an acting chairman for the meeting. After a second to the motion and a majority vote of the members present, the City Council Liaison or city Manager shall call a recess. The newly appointed acting Chairman shall then call the meeting to order and conduct the meeting according to the agenda.
- I. Any Commission member or alternate can be removed from the Park and recreation Commission for cause, by a majority vote of the City Council. Causes for removal of members of the Commission and alternate members of the Commission by the City Council shall include malfeasance, misfeasance, nonfeasance and excessive absences generally, and in particular the following:
  - 1. Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the Commission, or failure to be governed thereby.
  - 2. Failure to disclose conflict of interest for purposes of disqualification when a member has personal or monetary interest in the matter involved, or will be directly affected by a decision of the Commission.
- J. Resignation: When members or alternates of the Commission propose to resign, if reasonably feasible, they shall give notice of their intent to the Chairman; making the date of resignation effective in such a manner as to allow time for appointment of replacement.

## SECTION II. RESPONSIBILITIES:

- A. The Commission shall be responsible for planning and executing the festivities of the annual Night in Ole Converse conducted the first weekend of October.
- B. The Park and Recreation Commission will work jointly with the City Manager and his staff to develop a concept of operations and supporting financial budget for Night In Ole Converse. Unresolved disagreements between the Commission and the City Staff will be placed on the City Council Agenda promptly for consideration and decision.
- C. The Commission shall be responsible for developing and maintaining a Park Master Plan that lists future improvements, renovations and major maintenance projects and their relative priorities for the all of the park and recreational facilities within the City.
- D. The Park and Recreation Commission will work jointly with the City Manager and his staff to develop the annual financial budget for the Park Section of the General Fund Annual Operating Budget.
- E. The Commission is authorized to receive gifts, bequests of money, and donations for Park and recreation programs on behalf of the City. The Commission may with the approval of the City Council, conduct fund raising events for either temporary or permanent emergency response purposes.
- G. The Commission Chairman, or his or her designated representative, shall, in person, make to the City Council a full and complete quarterly report and other reports as requested by other agencies or the Mayor, or the City Council.

### SECTION III. CONFLICTS OF INTEREST:

- A. No member of the Commission, or alternate or a member of the City Staff, shall represent applicants or appellants on matters on which the Commission is to make a determination.
- B. As soon as any Commission member, any alternate member or any staff member of any agency serving the Commission becomes aware of any potential conflict of interest, he shall notify the Chairman or acting Chairman of the particulars. Where the Chairman finds that conflict clearly exists, he shall disqualify the Commission member from both deliberating and voting on the case and shall cause the circumstances of the disqualification to be entered in the record. The Chairman may appoint an alternate member to deliberate and vote on the issue.
- C. Where the Chairman or acting Chairman has reasonable doubt as to whether the facts and applicable law indicate a degree of conflict justifying disqualification or excuse from service, he shall seek advice from the City Attorney. If the City Attorney advises that, under the circumstances reported and applicable law, conflict appears to exist, the Chairman shall proceed to disqualify or excuse as provided above. If the City Attorney advises that there is reasonable doubt, the Chairman may either disqualify or excuse the person involved, or call for a determination by majority vote of the Commission at a

public meeting. The record on any such determination by the Commission shall be full and complete and shall indicate the reasons supporting the decision.

- D. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member, other than in the public hearing.

SECTION IV. COMPENSATION: The compensation is limited to reimbursement of expenses of Commission members and alternates as authorized by the City Council. The City Manager is authorized to reimburse expenses as might be required for Commission members and alternates.

SECTION V. SUPERSESSION: This ordinance supersedes City of Converse Ordinance #303 dated April 15, 2003.

**PASSED AND APPROVED** this 7th day of March 2006.

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Craig Martin, Mayor

ATTEST:

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Adriana I. Hieronymus, City Secretary