

**ORDINANCE NO. 1418-2024**

**AN ORDINANCE AMENDING ARTICLE 1.04 "BOARDS AND COMMISSIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2020) IN DIVISION 1 "GENERALLY" SPECIFICALLY IN SECTION 1.04.001 "DEFINITIONS" ADDING A DEFINITION FOR "SPECIFIC PURPOSE COMMITTEES"; AMENDING 1.04.006 "GENERAL RULES AND PROCEDURES" BY ADDING SUBSECTION (j) "DUTIES AND EXPECTATIONS OF A COUNCIL LIAISON (NON-VOTING MEMBERS)"; DIVISION 2 "PLANNING & ZONING COMMISSION" BY INCORPORATING SECTION 1.04.036 "DUTIES AND EXPECTATIONS OF A COUNCIL MEMBER LIAISON (NON-VOTING MEMBERS)"; DIVISION 3 "PARK BOARD" SPECIFICALLY IN SECTION 1.04.065 "GENERAL RULES AND PROCEDURES" BY ADDING SUBSECTION (j) "DUTIES AND EXPECTATIONS OF A COUNCIL MEMBER LIAISON (NON-VOTING MEMBERS)" AND INCORPORATING DIVISION 4 "SPECIFIC PURPOSE COMMITTEES" AND REPEALING ORDINANCE # 1413-2024 AS ADOPTED ON FEBRUARY 20, 2024; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PROVISIONS OF ORDINANCES IN THE CITY OF RIVER OAKS; PROVIDING THAT THE PHRASES, CLAUSES, SENTENCES, PARAGRAPHS, AND SECTIONS OF THIS ORDINANCE ARE SEVERABLE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of River Oaks, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, Members of city boards and commissions, as officers of the city are recommended by the mayor/city manager but are appointed and approved by a majority vote of the city council; and

**WHEREAS**, Non-Voting Members that are usually referred to as City Council Member Liaisons are also appointed by a majority vote of the city council; and

**WHEREAS**, Council Member Liaisons has always been considered by the City Council to be a useful person who establishes and maintains communication for mutual understanding and cooperation; and

**WHEREAS**, as currently provided in the City Code of Ordinances, there is no job description for Council Member Liaisons and the consensus is that there needs to be; and

**WHEREAS**, the City finds it beneficial to establish a framework for the governance and oversight of specific-purpose committees responsible for planning and organizing city-sponsored events; and

**WHEREAS**, the City Council finds that it would be beneficial to the Boards and Commissions that the duties and expectations of Council Member Liaisons and of specific purpose committees be established so that everybody will be informed, however in order to make that happen, it is necessary to amend Article 1.04 "Boards and Commissions" in order to establish the duties and expectations of council member liaisons (non-voting members) and by incorporating a separate Division that establishes the duties and expectations of specific purpose committees.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS, TEXAS:**

**SECTION 1.**

That Article 1.04 "Boards and Commissions" specifically in Division 1 "Generally" in that Section 1.04.001 "Definitions" is hereby amended by adding a definition for "Specific Purpose Committees" to now read as follows:

" Specific Purpose Committees. A board; commission or committee of the city that functions only in an advisory or study capacity."

## SECTION 2.

That Division 1 "Generally" specifically in Section 1.04.006 "General Rules and Procedures" is hereby amended by adding subsection (j) "Duties and Expectations of a Council Member Liaison (Non-Voting Members)" of Article 1.04 "Boards and Commissions" of the Code of Ordinances of the City of River Oaks, Texas as adopted and as amended being hereby revised to now read as follows:

### §1.04.006 General Rules and Procedures

"(j) Duties and Expectations of a Council Member Liaison (Non-Voting Members). Individual members of the Council may be appointed as liaisons whose duties involve keeping current with the board or commissions of the City by either attending meetings or conferring with members and keeping the City Council informed. A Councilmember acting as a liaison to a Council advisory committee or other body (a "Committee") is not a member of the Committee. Rather, the Councilmember is a positive resource to support the Committee in the completion of its work subject to the rules stated below:

- i. A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council; and
- ii. the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee; and
- iii. the Councilmember shall not take part in the Committee's deliberations or discussions unless (a) the Committee requests the Councilmember's participation in a particular discussion {in this situation, the Councilmember must expressly state that she or he is speaking for her or himself, not for the entire Council) or (b) the Councilmember determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or laws including the Open Public Meetings Act and the Public Records Act; and
- iv. the Councilmember shall not take part in any votes or decision-making of the Committee; and
- v. the Councilmember liaison shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee's work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee; and
- vi. the Councilmember liaison shall bring to the Council any requests from the Committee, such as the following:
  - (1) questions raised by a Committee about the Committee's scope of work;
  - (2) requests from the Committee to change the Committee's scope of work;
  - (3) requests for expenditures of City resources to further the Committee's work (money, staff time, or other resources); and
  - (4) requests from the Committee to place an item on a Council meeting agenda; and
- vii. the Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council as needed shall revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan."

### SECTION 3.

That Division 2 "Planning & Zoning Commission" by incorporating into section 1.04.036 "Duties and Expectations of a Council Member Liaison (Non-Voting Members)" in Article 1.04 "Boards and Commissions" of the Code of Ordinances of the City of River Oaks, Texas as adopted and as amended being hereby revised to now read as follows:

#### **"Section 1.04.036 "Duties and Expectations of a Council Member Liaison (Non-Voting Members)"**

Duties and Expectations of a Council Member Liaison (Non-Voting Members). Individual members of the Council may be appointed as liaisons whose duties involve keeping current with the board or commissions of the City by either attending meetings or conferring with members and keeping the City Council informed. A Councilmember acting as a liaison to a Council advisory committee or other body (a "Committee") is not a member of the Committee. Rather, the Councilmember is a positive resource to support the Committee in the completion of its work subject to the rules stated below:

- i. A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council; and
- ii. the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee; and
- iii. the Councilmember shall not take part in the Committee's deliberations or discussions unless (a) the Committee requests the Councilmember's participation in a particular discussion {in this situation, the Councilmember must expressly state that she or he is speaking for her or himself, not for the entire Council) or (b) the Councilmember determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or laws including the Open Public Meetings Act and the Public Records Act; and
- iv. the Councilmember shall not take part in any votes or decision-making of the Committee; and
- v. the Councilmember liaison shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee's work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee; and
- vi. the Councilmember liaison shall bring to the Council any requests from the Committee, such as the following:
  - (1) questions raised by a Committee about the Committee's scope of work;
  - (2) requests from the Committee to change the Committee's scope of work;
  - (3) requests for expenditures of City resources to further the Committee's work (money, staff time, or other resources); and
  - (4) requests from the Committee to place an item on a Council meeting agenda; and
- vii. the Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council as needed shall revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan."

#### SECTION 4.

That Division 3 "Park Board" specifically in Section 1.04.065 "General Rules and Procedures" by adding subsection (j) "Duties and Expectations of a Council Member Liaison (Non-Voting Members)" in Article 1.04 "Boards and Commissions" of the Code of Ordinances of the City of River Oaks, Texas as adopted and as amended is hereby being revised to now read as follows:

##### **Section 1.04.065 General Rules and Procedures**

"(j) Duties and Expectations of a Council Member Liaison (Non-Voting Members). Individual members of the Council may be appointed as liaisons whose duties involve keeping current with the board or commissions of the City by either attending meetings or conferring with members and keeping the City Council informed. A Councilmember acting as a liaison to a Council advisory committee or other body (a "Committee") is not a member of the Committee. Rather, the Councilmember is a positive resource to support the Committee in the completion of its work subject to the rules stated below:

- i. A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council; and
- ii. the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee; and
- iii. the Councilmember shall not take part in the Committee's deliberations or discussions unless (a) the Committee requests the Councilmember's participation in a particular discussion {in this situation, the Councilmember must expressly state that she or he is speaking for her or himself, not for the entire Council) or (b) the Councilmember determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or laws including the Open Public Meetings Act and the Public Records Act; and
- iv. the Councilmember shall not take part in any votes or decision-making of the Committee; and
- v. the Councilmember liaison shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee's work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee; and
- vi. the Councilmember liaison shall bring to the Council any requests from the Committee, such as the following:
  - (1) questions raised by a Committee about the Committee's scope of work;
  - (2) requests from the Committee to change the Committee's scope of work;
  - (3) requests for expenditures of City resources to further the Committee's work (money, staff time, or other resources); and
  - (4) requests from the Committee to place an item on a Council meeting agenda; and
- vii. the Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council as needed shall revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan."

## SECTION 5.

That Article 1.04 "Boards and Commissions" be amended by incorporating Division 4 "Specific Purpose Committees" that will read as follows:

### **"Division 4 Specific Purpose Committees.**

**Section 1.04.072 General rules and procedures.** The City Council shall have oversight of specific-purpose committees established for planning and executing city events.

**Section 1.04.073 Formation.** Specific-purpose committees shall be formed as deemed necessary by the City Council for the planning and execution of city events. Each specific-purpose committee shall be responsible for a specific event or a category of events.

**Section 1.04.074 Membership.** Specific-purpose committee members shall include council members, community representatives, and subject matter experts. Council members participating in specific-purpose committees shall provide a communication link between the specific-purpose committee and the City Council. All specific-purpose committee meetings and decision-making processes shall be transparent and open to the public.

**Section 1.04.075 Duties of Specific Purpose Committees.** Specific-purpose committees shall be responsible for event planning, budgeting, logistics, and ensuring the success of city events. Plans and budgets must be presented to the City Council for approval before implementation. Any amendments to the budget must be approved by the City Council.

**Section 1.04.076 Specific Purpose Committee Responsibilities.** Each specific-purpose committee shall:

- (a) Report to the City Council on the specific-purpose committee's progress; and
- (b) Convey relevant information and concerns to the City Council; and
- (c) Ensure the specific-purpose committee operates within the approved budget and complies with the city policies; and
- (d) Facilitate communication and collaboration between the specific-purpose committee and other city departments; and
- (e) Participate in the evaluation and review of the specific-purpose committee's performance."

## SECTION 6.

With the adoption of this Ordinance by a majority vote of the City Council, Ordinance # 1413-2024 as adopted on February 20, 2024 is hereby repealed in its entirety and replaced with Ordinance # 1418-2024 as adopted on March 5, 2024.

## SECTION 7.

This ordinance shall be cumulative of all provisions of ordinances of the City of River Oaks, Texas, except where the 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.

## SECTION 8.


It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs

and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 9.**

This ordinance shall be in full force and effect from and after its passage and legal publication if required and it is so ordained.

**PASSED AND APPROVED ON THIS THE 5<sup>TH</sup> DAY OF MARCH 2024.**



DARREN HOUK  
MAYOR  
CITY OF RIVER OAKS



ATTEST BY  
CITY SECRETARY