

CITY OF NIEDERWALD
ORDINANCE NO. 091806-B

AN ORDINANCE ESTABLISHING THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR THE CITY OF NIEDERWALD, TEXAS; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 51.001 of the Texas Local Government Code authorizes the City of Niederwald to enact ordinances for the good government, peace, or order of the City; and

WHEREAS, the City of Niederwald desires to enact this Ordinance establishing the Community Development Advisory Committee in order to advise and assist the Mayor and City Council regarding development issues affecting the City of Niederwald and the surrounding area;

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

I.

There is hereby created Community Development Advisory Committee of the City of Niederwald. The Board shall be comprised of seven (7) members, including a Chairperson, appointed by the City Council of the City of Niederwald. The Chairperson of the Committee shall be appointed by the City Council of the City of Niederwald. The members of the Community Development Advisory Committee shall serve two (2) year terms, and shall serve without compensation. Terms shall commence on October 1 and end on September 30. Initial terms shall be staggered with three (3) members appointed for one (1) year, and four (4) members, including the Chairperson, appointed for two (2) years.

Each member shall hold office until resignation, death, disqualification, or is otherwise removed from the position by the City Council. Any member of the Committee, including the Chairperson, may be removed from the Community Development Advisory Committee at the City Council's discretion, with or without cause. Vacant positions on the Committee shall be filled by appointment by the City Council. The City Council may, but is not required to, publish public notice of available Committee positions. Applicants for vacant positions shall apply to the Office of the Mayor.

II.

Community Development Advisory Committee members shall be registered voters. Committee members may include persons who reside within the City, as well as those who live outside the City and within the City's extraterritorial jurisdiction ("ETJ"). Persons who do not reside within the City limits or the City's ETJ, but who own or operate a business located within the City limits or ETJ, may also be appointed to the Committee.

III.

The Community Development Advisory Committee shall act in an advisory capacity to the City Council, in accordance with the provisions of the state law and city ordinances, in all matters pertaining to the growth and development of the City of Niederwald and the surrounding area, and shall also:

- (1) Advise the City Council concerning business retention and expansion, business recruitment, and economic development of the City and surrounding area;
- (2) Advise the City Council concerning the preservation and enhancement of the historical and cultural heritage and unique character of the community, and the promotion of tourism of the City and surrounding area;
- (3) Advise the City Council concerning the development of a transportation planning process, and advise the City Council regarding transportation system improvement needs of the City and surrounding area resulting from the planning process;
- (4) Advise the City Council concerning capital improvement projects and priorities, utility services, and other infrastructure needs of the City and surrounding area;
- (5) Advise the City Council concerning the housing needs of the City and surrounding area;
- (6) Advise the City Council concerning parkland and parks, recreational facilities and improvements, and programs, activities and facilities needed to meet the recreational needs and interests of the City and surrounding area;
- (7) Advise the City Council concerning City growth and development, comprehensive community planning, make recommendations to the City Council regarding new development regulations, and conduct periodic review of existing regulations and plans; and
- (8) Perform such other duties as the City Council may prescribe.

IV.

The Community Development Advisory Committee shall report at least annually in writing to the City Council on accomplishments and issues for the future.

V.

The Chairperson shall be the liaison between the Community Development Advisory Committee and the City Council, and shall attend City Council meetings as requested by the Mayor or City Council. The Chairperson shall preside at all meetings, and shall perform all other duties as usually pertain to the office, or as may be instructed by the City Council. The Committee may appoint ad hoc committees of the Community Development Advisory Committee for specific purposes as assigned by the Committee.

The Community Development Advisory Committee shall adopt procedural rules governing the transaction of its business, the provisions of which shall be consistent with the provisions of this Ordinance. The rules may include provision of the date, time and place of regular meetings of the Committee. Provisions shall be made for maintaining minutes of Committee meetings and records of all Committee reports, conclusions and recommendations. The Rules of Procedure shall provide for election of Committee Officers (other than the Chairperson who is appointed by the City Council), which shall include a vice chairperson and secretary, who shall serve for at least one (1) year. The Rules of Procedure shall provide that all Committee meetings shall be open to the public and that notice of meetings shall comply with the Texas Open Meetings Act, to the extent proceedings of the Committee are governed by such Act.

VI.

That all orders, resolutions, ordinances, or parts of ordinances in conflict with this Ordinance, or inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

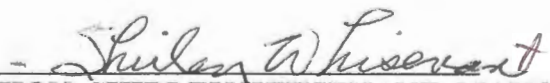
VII.

That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, such decision shall not effect the validity of the Ordinance as a whole or any part thereof other than the part so declared to invalid, unenforceable, or unconstitutional.

VIII.

That this Ordinance shall become effective immediately upon its adoption by the City Council.

PASSED AND APPROVED this 18th day of September, 2006.


HON. SHIRLEY WHISENANT, MAYOR
CITY OF NIEDERWALD, TEXAS

ATTEST:


ANGIE SCHULZE, CITY SECRETARY
CITY OF NIEDERWALD, TEXAS

