

## **ORDINANCE #2018 – 07**

**AN ORDINANCE PROVIDING FOR ESTABLISHMENT OF KEEP LA FERIA BEAUTIFUL COMMITTEE; PROVIDING FOR THE APPOINTMENT OF A NINE (9) MEMBER COMMITTEE; PROVIDING FOR THEIR TERMS AND TERM LIMITS; PROVIDING A CHARGE FOR THE COMMITTEE; PROVIDING FOR A STAFF MEMBER TO BE INVOLVED; PROVIDING A SEVERABILITY CHARGE AND PROVIDING AN EFFECTIVE DATE.**

Be it ordained by the City Commission of the City of La Feria, Texas:

### **SECTION I.**

That a Keep La Feria Beautiful Committee is hereby created for the purpose of assisting the City Commission in establishing a citywide policy for decreasing the amount of litter in the city.

### **SECTION II.**

That the Committee provided for herein shall be comprised of nine (9) members to be nominated by, and approved by, the City Commission and shall be residents of the City. The board shall consist of representatives from business and industry, media, community organizations, education, and members at large.

Five (5) members of the Committee originally appointed shall be for a term of one (1) year. Four (4) members of the Committee originally appointed shall be appointed for a term of two (2) years. Thereafter, the term of each Committee member shall be two (2) years. No Committee member shall serve more than three (3) successive terms, provided, however, that a Committee member appointed to complete the term of another Committee member shall, at the completion of such term, be eligible for appointment for another full term; and provided further, that one place shall always be filled by a city employee who shall serve as a non-voting ex-officio member of the Committee.

### **SECTION III.**

That the Coordinator of the Committee shall be a non-voting member. The Coordinator shall be custodian of all minutes and records of the Committee and perform such other duties as the Committee may deem necessary and consistent with both the responsibilities of the Committee and their responsibilities to the City of La Feria through the City Manager. The Coordinator shall work under the supervision and control of the City Manager for the purpose of implementing the provisions of this ordinance.

### **SECTION IV.**

Five (5) members of the Committee shall constitute a quorum for the conduct of business. The members of the Committee shall regularly attend meetings and serve without compensation except for reimbursement of authorized expenses attendant to the performance of their duties.

The Committee shall hold an organizational meeting in July of each year and shall elect a Chairman and Vice-Chairman from among its members before proceeding to any other matters

of business. The Committee shall meet regularly and shall designate the time and place of its meetings.

The Committee shall adopt its own rules of procedure and keep a record of its proceedings in accordance with the provisions of this ordinance and the Charter of the City of La Feria. Newly-appointed members shall be installed at the first regular meeting after their appointment.

Each year a report shall be submitted to the City Commission showing the cumulative attendance of each member with notation of members who have been absent from three (3) consecutive meetings.

#### **SECTION V.**

That the Committee shall recommend policies related to litter prevention, beautification and community improvement, and the minimization of solid waste to the City Commission so all city activities might follow a common purpose. The Committee shall have the following responsibilities:

1. Develop citywide refuse and environmental policy plan(s);
2. Evaluate City actions in light of that policy;
3. Determine and recommend to the City Commission the management and program priorities on a citywide basis;
4. Recommend enforcement and additional program alternatives;
5. Monitor City performance from data collected and examined under the Keep America Beautiful, Inc. Affiliate System guidelines and make an annual report the to the City Commission; and
6. Carry out such other tasks as the City Commission may designate.

To accomplish these responsibilities the Committee shall establish sub-committees such as, but not limited to, the areas of Business and Industry, Communications, Education, Finance/Fundraising, and Cleanup.

A Committee member will chair each sub-committee with an unspecified number of community volunteers chosen by the Committee as working sub-committee members.

#### **SECTION VI.**

The City, within the budgetary appropriation process, shall furnish the office space, supplies, telephone, postage, and secretarial support for the Coordinator. The City, within Commission-imposed budgetary restraints, shall also supply additional funds for Committee activities involving travel or training for the Coordinator.

The City shall pay the Coordinator's salary. Such salary and other expenses, whether specifically enumerated in the preceding paragraph or not, may be paid from donations when, as and if same are received by the City from the general public, business, industry, foundations, and other sources for the purposes embraced by the scope of the Committee's purpose and responsibilities administered in accordance with standard City policy and practice governed by statute, charter, and ordinance.

**SECTION VII.**

That it is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses, and phrases of the Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or illegal by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, or paragraphs and section of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph, or section.

**SECTION VIII.**

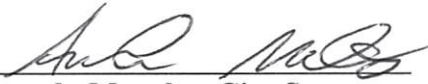
That this ordinance shall be in full force and effect from and after the date of its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS THE 10<sup>th</sup> DAY OF JULY, 2018.**

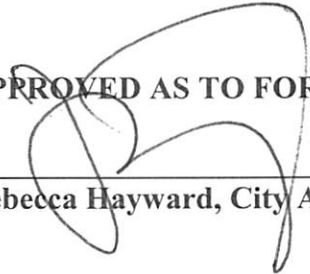


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**Olga H. Maldonado, Mayor**

**ATTEST:**

  
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**Amanda Morales, City Secretary**

**APPROVED AS TO FORM:**

  
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**Rebecca Hayward, City Attorney**

# Keep La Feria Beautiful Committee bylaws

Approved by City Commission: July 10, 2018

## SECTION 1

1. AUTHORITY: Created by Ordinance #2018-04, being the most prevailing ordinance regarding the Keep La Feria Beautiful (KLFB) Committee
2. PURPOSE OF THE KLFB COMMITTEE: Specific functions and responsibilities of the KLFB are outlined in Section 2 of this manual. The overall purposes of the Board are to:
  - a. Assisting the City Commission in establishing a citywide policy for decreasing the amount of litter in the city.
  - b. Develop citywide refuse and environmental policy plan(s)
  - c. Evaluate City actions in light of that policy
  - d. Recommend enforcement and additional program alternatives.
  - e. Monitor City performance from data collected and examined under the Keep American Beautiful, Inc. Affiliate System guidelines and make an annual report to the City Commission; and
  - f. Carry out such other tasks as the City Commission may designate.
3. MEMBERSHIP COMPOSITION: The Board shall consist of nine (9) members, either to be a resident of the City of La Feria, or work in the City, or operate a business in the city; and shall be at least eighteen (18) years of age, and of good moral character and standing in the community. The Mayor and City Commissioners shall be ex-officio members of the Board. The KLFB Committee Coordinator shall also be an ex-officio member of the Committee.
  - a. APPOINTMENT: Members shall be appointed by the Mayor and the City Commission.
  - b. TERM OF MEMBERS: Initial membership shall draw lots to determine which five (5) members will serve an initial one-year term and which four (4)

members will serve an initial two-year term. Subsequent membership terms shall be two (2) year terms.

e. PRESIDING OFFICER: The Committee shall annually select, by majority vote of members present, a Chairperson and a Vice Chairperson, and a Secretary. The Chairperson may be re-elected for not more than one additional consecutive year. The Vice Chairperson shall preside at meetings in the absence of the Chairperson. The Secretary shall keep the Committee's minutes, and provide other administrative duties to facilitate its meetings, events, and projects.

4. MEMBERSHIP TERMINATION: Membership on the Committee may be terminated before expiration of the appointment under the following conditions:

a. RESIGNATION: A member may submit in writing to the Coordinator's Office his or her resignation for any reason considered appropriate by the resigning member. A copy of the letter of resignation may be provided to the Committee.

b. FORFEITURE: An appointee may forfeit his or her membership if such appointee fails to attend three (3) consecutive meetings without just cause, and /or three (3) consecutive scheduled events in a calendar year.

5. FILLING VACANCIES: Whenever a vacancy exists, the Committee Coordinator shall ensure that notice of vacancy is posted on the City Hall bulletin board, the City of La Feria's website, and in other acceptable methods of "Notice" until the vacancy has been filled.

6. MEETINGS:

a. QUORUM: Five (5) members present shall constitute a quorum for conducting official Committee business at a regular meeting. A majority vote of quorum or a majority vote of members present, whichever is greater, shall determine all Committee recommendations and actions. The Chairperson shall always have the right to vote on any item of the Committee agenda and /or convey a motion or second on any given item. A tied vote constitutes an item that is "not approved".

b. CITY STAFF: City Staff members shall provide all information required by the Committee in the conduct of its official functions and within the scope of its responsibilities.

c. Robert's Rules of Order (newest version) shall be observed in the conduct of all Committee meetings.

d. REGULAR MEETINGS: The Committee shall convene as needed, but not less than once a quarter. The date and location may be changed at the convenience of the membership or based on availability of facilities. Any semi-permanent change in meeting date and time will be voted upon by the Committee membership.

e. SPECIAL MEETINGS: The Committee may hold such special meetings as deemed necessary in the conduct of its business. Such special meetings may be called by the Chairperson or at the request of four or more Committee Members.

f. PUBLIC NOTICE OF MEETINGS: All meetings of the Committee shall be open to the public. The Coordinator shall ensure that notice of all meetings — citing date, time, place, and subjects to be considered — is posted on the City Hall bulletin board not later than 72 hours prior to the meeting.

## SECTION 2

### FUNCTIONS AND RESPONSIBILITIES

1. GENERAL: Generally, the Committee's function and responsibility is to educate and engage citizens to take responsibility for improving their community's environment. The Committee is expected to provide a link between the citizens of the community, elected officials of the City, and the professional staff of the Planning, Code Enforcement and Public Works Departments. The Committee shall act in a review and advisory capacity. The Coordinator shall consider all recommendations and within the scope of the City's fiscal and management policies, and carry out such recommendations within that context and within reasonable parameters of available resources.

2. THE COMMITTEE'S ACTION INSTRUMENT: The Committee shall express its consensus on such various questions concerning operating policies, projects and programming, budgetary considerations and other significant propositions it deems proper by way of a formal recommendation to City Commission.

3. COMMUNITY LIAISON:

a. It shall be the responsibility of all members of the Committee to actively seek out the opinions, needs, and desires of the public regarding recycling, solid waste reduction, beautification and litter reduction and to convey these opinions to the Committee and the Coordinator.

b. To effectively carry out this responsibility it is necessary that all Committee Members participate as fully as possible in all Committee meetings and outside functions. The Committee Chairman and/or Secretary shall maintain a calendar of events to keep the Committee abreast of the plans and programs projected or under study.

c. The Committee may, as it deems proper, from time to time, invite interested individuals and/or groups to attend Committee meetings and to present appropriate suggestions and/or recommendations.

d. From these inputs, the Coordinator shall attempt to incorporate those suggestions and/or recommendations into the existing system or into future plans, providing that such suggestions or recommendations are, in the opinion of the Committee, feasible and acceptable.

4. FINANCIAL REVIEW: Preparation of the Keep La Feria Beautiful annual operations budget is the Coordinator's responsibility. However, prior to submittal of the budget, they will submit it to the Committee concerning the general content of the budget and programs planned to solicit the sense of the Committee regarding their budgetary suggestions.

Prior to budget submission to the City Manager, the Committee will review said budget and express its approval or disapproval as it deems appropriate.

a. PRIVATE DONATIONS:

1. As members of the community, it is entirely proper for the members of the Committee to discuss with their friends and associates the merits of private donations to the City for planned programs including time, cash, in-kind service (i.e. labor or special skills), or other material donations. Such donations can make significant contributions to the efforts of the Committee and should be encouraged at every opportunity.

2. The Coordinator shall keep the Committee cognizant of such projects in progress as well as possible grants opportunities to fund activities or to match such donations as may be made by others outside the organization.

5. PLAN OF WORK: The Committee recognizes that there will be many competing ideas and opportunities. Insomuch as the budget is limited it will be necessary for the Committee to prioritize its' programs and activities.

Each year, the Committee should review the Plan of Work to determine which projects have been completed or are no longer necessary and if other priorities have changed. This will assist the Coordinator in the preparation of the annual report required for affiliation with Keep Texas Beautiful program, and assure that as priorities evolve in the community, they are reflected in the Plan of Work.

In its contacts with the public, the Committee members shall actively solicit ideas, suggestions, and recommendations regarding the type, scope, and locations of the various projects undertaken by Keep La Feria Beautiful participants.

6. CAPITAL IMPROVEMENTS PROGRAM:

a. From time to time, the City may prepare and offer citizens, for approval or disapproval, capital improvements bond programs. In the preparation stage of such programs, the Committee shall actively participate with the Planning, Code Enforcement and Public Works Department to ensure that those capital projects needed and desired by the various segments and groups of the community are thoroughly studied and, if feasible, included in the proposed bond program.

b. Following formalization of the program and during the voter consideration period, the Committee shall actively seek to convey the program to the public to ensure citizen understanding of the issues if projects related to their purpose are included within the bond program.

c. In no way shall this section be construed as a requirement on Committee members to support a particular bond program. Rather, it is meant to encourage committee participation, either pro or con, depending on the individual dictates of conscience.

SECTION 3

ADMINISTRATIVE SUPPORT

1. GENERAL: The Coordinator shall provide such administrative support and technical assistance as may be required by the Committee to carry out its official functions. Meeting space in the offices of the City shall be made available as needed.

2. PRELIMINARY ADMINISTRATIVE STAFF WORK: The Coordinator's staff may provide briefing displays, project summaries, resolutions and any written material that will be helpful to the Committee in its deliberations.

3. REPORTS:

a. The Coordinator shall prepare an annual report of department programs, facilities and projects. This report will be distributed to all members of the Committee. He/she will also prepare such special reports as may be requested from time to time.

4. PREPARATION OF AGENDA:

a. Ten (10) days prior to the regularly scheduled monthly meeting the KLFB Secretary will prepare a preliminary Committee agenda. The Secretary will contact the Chairperson to determine any other items that the Committee may wish to consider.

b. A formal agenda will then be prepared by the Coordinator and emailed, mailed, or delivered to individual members. Any pertinent reports or summaries



will be included in this package so as to ensure adequate member preparation for the meeting.

c. Members should make contact with the Committee Coordinator or Secretary if they will not be attending. As soon as it is determined that the Committee will not have a quorum, the Coordinator alerts other Committee members who may be making arrangements to attend. Also, the posting of any Meetings shall be marked “Cancelled due to lack of Quorum” thereon, inclusive of the notice on the City’s website.

5. MINUTES AND CORRESPONDENCE:

a. The Committee Coordinator will take the minutes of all meetings and will prepare copies of same.

b. A copy of the minutes of each meeting shall be reviewed by the Committee at the next meeting, and be acted upon by vote of the Committee.

c. All correspondence required by the Committee will be prepared by the Committee Coordinator or their designated representative.