

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF KYLE, TEXAS AMENDING
SECTION 2-50 OF THE CODE OF ORDINANCES TO PROVIDE ONE
ADDITIONAL EX OFFICIO SEAT; PROVIDING AN EFFECTIVE DATE;
AND MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED
HERETO.**

WHEREAS, the City Council of the city of Kyle adopted Ordinance No. 852 on June 2, 2015 to establish boards to promote efficient governmental operations and involvement of citizens in community issues; and

WHEREAS, the City Council of the city of Kyle adopted Ordinance No. 887 on January 19, 2016 to establish ex officio membership; and

WHEREAS, in accordance with City Charter Section 4.03 (f), the City Council has the authority to provide for boards and commissions as “deemed necessary” by the City Council; and

WHEREAS, the City Council now deems necessary one additional seat for ex officio membership;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF KYLE, TEXAS, THAT:**

Section 1. Finding of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Incorporation. The following section is hereby considered an amendment to the previous approved Ex Officio Ordinance, No. 887, adopted by the City Council on January 19, 2016, and all provisions of Ordinance No. 887 shall remain in effect.

Section 3. The following provision shall be amended in Sec. 2-50. Ex Officio Members of the City Code of Ordinances.

Sec. 2-50.- Ex Officio Members

- a) **Membership; Quorum.** The board shall recommend for appointment no more than five (5) persons as ex officio members to serve on a board. Ex officio members may not be counted toward meeting quorum. Ex officio members may participate in any discussion that occurs in Open Session of the board meeting and may attend any Executive Session held by the board. Ex Officio members shall be required to keep information from Executive Session confidential in accordance with the City’s Ethics Ordinance.

Section 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause. or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

Section 6. Effective Date. This ordinance shall be effective from and after its approval and passage in accordance with the Texas Local Government Code and the city charter.

Section 7. Open Meetings. That is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this ____ day of _____, 2018.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2018.

THE CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer A. Vetrano, City Secretary