

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER CODE OF ORDINANCES, BY AMENDING CHAPTER 2, ADMINISTRATION, BY DELETING ARTICLE IX. RESERVED, AND ADDING A NEW ARTICLE IX, "CAPITAL IMPROVEMENTS ADVISORY COMMITTEE," TO PROVIDE FOR THE CREATION, COMPOSITION, TERMS, POWERS, AND DUTIES OF THE COMMITTEE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR REPEALER; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 395 of the Texas Local Government Code, as amended by Senate Bill 1883 of the 89th Texas Legislature, requires municipalities that assess impact fees to establish a Capital Improvements Advisory Committee (CIAC) composed of members representing the real estate, development, and building industries, and

WHEREAS, the City Council of the City of Keller, Texas, finds it necessary to establish a CIAC consistent with the updated statutory requirements to advise and assist the City in adopting land use assumptions, reviewing capital improvements plans, and evaluating the assessment and collection of impact fees.

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

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, Chapter 2, Administration, of the City of Keller Code of Ordinances, is hereby amended by deleting Article IX. Reserved in its entirety and adding a new Article IX to read as follows:

**"ARTICLE IX. CAPITAL IMPROVEMENTS ADVISORY COMMITTEE**

**Sec. 2-900. Creation; composition; appointment of members; appointment of chairperson.**

There is hereby established a Capital Improvements Advisory Committee (CIAC) for the City of Keller, Texas, in accordance with Chapter 395 of the Texas Local Government Code. The committee shall consist of not fewer than five (5) and not more than seven (7) members. At least fifty percent (50%) of the members shall be representatives of the real estate, development, or building industries and shall not be employees or officials of the City. Members shall be

residents of the City of Keller or its extraterritorial jurisdiction. The City Council may, but is not required to, appoint up to two (2) alternates for the regular members. Alternates may serve in the event of an absence by a committee member and shall be designated as first alternate and second alternate. Alternates may fill the remainder of a term vacated by a regular member. Members and alternates shall serve without compensation.

All members shall be appointed by the City Council by a majority vote. Each member shall serve for a period of two (2) years with the terms 1, 3, 5, and Alternate Member 1 ending on November 30th of odd-numbered years and the term of places 2, 4, 6, and Alternate Member 2 ending on November 30th of even-numbered years or until their successors are duly appointed and qualified. Members and alternates may be removed by a majority vote of the City Council, with or without cause. Members may not serve on more than one (1) appointed board or commission simultaneously.

At the time annual appointments of members are made, the City Council may appoint the chairperson and vice-chairperson for the CIAC. Any member may be subsequently reappointed or re-elected. Any member or alternate remaining absent for three (3) consecutive regular meetings of the committee shall have their appointment declared vacated by a majority vote of the City Council at the next regularly scheduled Council meeting. Any member or alternate remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term shall be deemed to have vacated their appointment.

#### **Sec. 2-910. Meetings; quorum; agenda.**

Regular and special committee meetings shall be called by the city staff serving the committee; however, the committee shall meet not less than twice (2) per calendar year, or as necessary to fulfill the requirements of Chapter 395 of the Texas Local Government Code. In addition, the committee may call a special meeting upon written request approved by a quorum of said committee that includes the chairperson during a regular or special meeting.

A quorum will be established by the presence of at least four (4) members, including the chairperson. In the absence of the chairperson and/or vice-chairperson, the members constituting a quorum shall select from those present, a chairperson to conduct the meeting. A committee member may request, in writing, at least seven (7) working days in advance of a scheduled meeting that an item be placed on the agenda. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

**Sec. 2-920. Duties and responsibilities.**

The Capital Improvements Advisory Committee shall have the duties and responsibilities as follows:

- (1) Advise and assist the City in adopting land-use assumptions and capital-improvements plans in accordance with Chapter 395 of the Texas Local Government Code.
- (2) Monitor and evaluate the implementation of the capital-improvements plan and the assessment and collection of impact fees.
- (3) File semi-annual reports to the City Council evaluating the progress of the capital-improvements plan and reporting any perceived inequities in implementing or imposing impact fees.
- (4) Advise the City Council of the need to revise or update the land-use assumptions, capital-improvements plan, or impact-fee program.
- (5) Ensure transparency and public participation by reviewing information made available to the public at least sixty (60) days before the first publication of notice of any public hearing required under Chapter 395.
- (6) Serve in an advisory capacity only, without administrative authority over any operating department of the City.

**Sec. 2-930. Election of officers; adoption of procedural rules.**

If the City Council does not appoint a chairperson and/or vice-chairperson on the date annual appointments are made pursuant to Section 2-900, the committee shall, at its next regular meeting, elect from its members a chairperson and vice-chairperson for a term of one (1) year. It shall be the duty of the chairperson to preside at all meetings of the committee and the duty of the vice-chairperson to serve in the place of the chairperson in his or her absence, or if the chairperson is unable to serve, to assume those responsibilities until a new chairperson is appointed or elected.

The committee may appoint one (1) of its members to serve as secretary, whose duty shall be to maintain a record of all proceedings of the committee. Officers shall serve a term of one (1) year or until their successors have been duly qualified and appointed or elected. Any officer may be subsequently reappointed or re-elected.

Section 3: THAT, this Ordinance shall be cumulative of all other ordinances of the City of Keller and shall not repeal any such ordinance except to the extent of conflict.

Section 4: THAT, all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: THAT, if any section, subsection, clause, or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions hereof.

Section 6: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method of publication as provided by law.

Section 7: THAT, this Ordinance shall become effective immediately upon passage and publication as required by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of \_ to \_ on this the 18th day of November 2025.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney