

ORDINANCE NO. 1879

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, ARTICLE V, PLANNING AND ZONING COMMISSION, BY DELETING SECTION 2-500, CREATION; COMPOSITION; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND ADDING A NEW SECTION 2-500; AND BY AMENDING ARTICLE VI, ZONING BOARD OF ADJUSTMENT, BY DELETING SECTION 2-610, TERMS OF OFFICE; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND ADDING A NEW SECTION 2-610; AND BY AMENDING ARTICLE X, LIBRARY BOARD, BY DELETING SECTION 2-1000, CREATION; COMPOSITION; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND ADDING A NEW SECTION 2-1000; AND BY AMENDING ARTICLE XI, PUBLIC ARTS BOARD, BY DELETING SECTION 2-1100, CREATION; COMPOSITION; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND ADDING A NEW SECTION 2-1100; AND BY AMENDING ARTICLE XV, ECONOMIC DEVELOPMENT BOARD, BY DELETING SECTION 2-1500, CREATION; COMPOSITION; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND ADDING A NEW SECTION 2-1500; AND BY AMENDING CHAPTER 12, PARKS AND RECREATION, ARTICLE III, BOARD OF PARKS AND RECREATION, BY DELETING SECTION 12-300, CREATION; COMPOSITION; APPOINTMENT OF MEMBERS; APPOINTMENT OF CHAIRPERSON, IN ITS ENTIRETY AND BY ADDING A NEW SECTION 12-300; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it has been determined by the City Council of the City of Keller, Texas, that it is in the best interest of the citizens of the City of Keller, Texas, for the City Council to establish rules and procedures therefor; and

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, Article V, Planning and Zoning Commission, Section 2-500, Creation; composition; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended, by deleting Section 2-500, in its entirety and adding a new section to read as follows:

"Sec. 2-500. Creation composition;
appointment of members; appointment of
chairperson.

There is hereby established the planning and zoning commission for the City of Keller, Texas, composed of seven (7) members. The City Council may, but is not required to, appoint two (2) alternates for the regular members. Alternates may serve in the event of an absence by a commission member. Alternates shall be designated as first alternate and second alternate, and shall serve according to that order. Alternates may fill the remainder of a term vacated by a regular member. Members of the planning and zoning commission shall be residents and qualified voters of the City of Keller. All members shall be appointed by the City Council by a majority vote. Each member appointed to the commission shall serve for a period of up to two (2) years with the term of places 1, 2, 3, 4, and alternate member 2 ending on November 30th of odd numbered years and the term of places 5, 6, 7, and alternate member 1 ending on November 30th of even numbered years or until their successors are fully qualified and duly appointed. Members and alternates shall serve without compensation. Members and alternates may be removed by a majority vote of the City Council, with or without cause. At the time said annual appointments of the members are made by the City Council, the City Council may appoint the chairperson and vice-chairperson for the planning and zoning commission. Any member or alternate

of the planning and zoning commission remaining absent for three (3) consecutive regular meetings of the commission will have their appointment declared vacated by a majority vote of the City Council at the next regularly scheduled meeting of the City Council. Any member or alternate of the commission remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term on the commission shall be deemed to have vacated their appointment."

Section 3: THAT, Chapter 2, Administration, Article VI, Zoning Board of Adjustment, Section 2-610, Terms of office; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended, by deleting Section 2-610, in its entirety and adding a new Section 2-610 to read as follows:

"Sec. 2-610. Terms of office; appointment of members; appointment of chairperson.

Each member of the zoning board of adjustment shall serve for a period of two (2) years with the term of regular member places 2 and 4 and alternate number 2 ending on November 30th of even-numbered years and the term of regular member places 1, 3, and 5 and alternate number 1 ending on November 30th of odd-numbered years, or until their successors are fully qualified and duly appointed. All members shall be appointed by the City Council by a majority vote. Members may be removed by a majority vote of the City Council, with or without cause. Members may not serve on more than one appointed board or commission simultaneously. At the time said annual appointments of the members are made by the City Council, the City Council may appoint the chairperson for the zoning board of adjustment; however, if the City Council does not appoint said chairperson on the date annual appointments

are made, the board shall, at the next regular meeting of the board, elect from its members a chairperson for a term of one (1) year. A board member shall be removed as provided by state law."

Section 4: THAT, Chapter 2, Administration, Article X, Library Board, Section 2-1000, Creation; composition; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended by deleting Section 2-1000, in its entirety and adding a new Section 2-1000 to read as follows:

"Sec. 2-1000. Creation; composition; appointment of members; appointment of chairperson.

There is hereby established a library board for the City of Keller, Texas composed of seven (7) members. The City Council may, but is not required to, appoint two (2) alternates for the regular members. Alternates may serve in the event of an absence by a board member. Alternates shall be designated as first alternate and second alternate, and shall serve according to that order. Alternates may fill the remainder of a term vacated by a regular member. Members and alternates shall serve without compensation. Members of the library board shall be residents and qualified voters of the City of Keller. All members shall be appointed by the City Council by a majority vote. Each member of the board shall serve for a period of two (2) years with the term of places 1, 2, 3, 6 and Alternate Member 1 ending on November 30th of even-numbered years and the term of places 4, 5, 7, and alternate member 2 ending on November 30th of odd-numbered years or until their successors are fully qualified and duly appointed. 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 by the City Council, the City Council may appoint the chairperson and vice-chairperson for the library board. Any member may be subsequently reappointed or re-elected. Any member or alternate of the library board remaining absent for three (3) consecutive regular meetings of the board will have their appointment declared vacated by a majority vote of the City Council at the next regularly scheduled meeting of the City Council. Any member or alternate of the board remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term on the board shall be deemed to have vacated their appointment."

Section 5: THAT, Chapter 2, Administration, Article XI, Public Arts Board, Section 2-1100, Creation; composition; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended, by deleting Section 2-1100, in its entirety and adding a new Section 2-1100 to read as follows:

**"Sec. 2-1100. Creation; composition;
appointment of members; appointment of
chairperson.**

There is hereby established a public arts board for the City of Keller, Texas composed of seven (7) members. The City Council may, but is not required to, appoint two (2) alternates for the regular members. Alternates may serve in the event of an absence by a board member. Alternates shall be designated as first alternate and second alternate, and shall serve according to that order. Alternates may fill the remainder of a term vacated by a regular member. Members of the public arts board shall be residents and qualified voters of the city. The

composition of the board shall consist of at least two (2) members representing the local artistic community or an arts-related field of which one (1) shall be a practicing artist or curator. All members shall be appointed by the City Council by a majority vote. Each member of the board shall serve for a period of two (2) years with the term of places 1, 2, 3, and alternate member 1 ending on November 30th of even-numbered years and the term of places 4, 5, 6, 7, and alternate member 2 ending on November 30th of odd-numbered years or until their successors are fully qualified and duly appointed. Members and alternates shall serve without compensation. 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 by the City Council, the City Council may appoint the chairperson and vice-chairperson for the public arts board; however, if the City Council does not appoint said chairperson and vice-chairperson on the date annual appointments are made, the public arts board shall, at the next regular meeting of the board, elect from its members a chairperson and vice-chairperson for a term of one (1) year or until their successors have been fully qualified and duly appointed or elected. Any officer may be subsequently reappointed or re-elected. Any member or alternate of the board remaining absent for three (3) consecutive regular meetings of the board will have their appointment declared vacated by a majority vote of the City Council at the next regularly scheduled meeting of the City Council. Any member or alternate of the public arts board remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term on the board shall be deemed to have vacated their appointment."

Section 6: THAT, Chapter 2, Administration, Article XV, Economic Development Board, Section 2-1500, Creation; composition; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended, by deleting Section 2-1500, in its entirety and adding a new Section 2-1500 to read as follows:

"Sec. 2-1500. Creation; composition; appointment of members; appointment of chairperson.

There is hereby established an economic development board for the City of Keller, Texas composed of seven (7) active members and two (2) advisory members. The City Council may, but is not required to, appoint two (2) alternates for the regular members. Alternates may serve in the event of an absence by a board member. Alternates shall be designated as first alternate and second alternate, and shall serve according to that order. Alternates may fill the remainder of a term vacated by a regular member. Members of the economic development board shall be residents or owners of businesses that reside in the city limits and consist of the mayor and one (1) City Council member; one (1) Greater Keller Chamber of Commerce Board member as selected by the Greater Keller Chamber of Commerce Board; four (4) residents and/or Keller business owners. The two (2) advisory members shall be one (1) commercial broker and one (1) financial representative and do not need to reside or own a business in the City of Keller, Texas. All members of the Keller economic development board shall be appointed by the City Council by a majority vote. Each member of the board shall serve for a period of two (2) years with the term of places 1, 2, 3, 4, Advisory member 1 and Alternate member 2 ending on November 30th of odd numbered years and the term of places 5, 6, 7,

advisory member 2, and alternate member 1 ending on November 30th of even numbered years or until their successors are fully qualified and duly appointed. Members and alternates may be removed by a majority vote of the City Council, with or without cause. Citizen members may not serve on more than one (1) appointed board or commission simultaneously. The mayor shall serve as the chairperson for the economic development board. Any member or alternate of the board remaining absent for three (3) consecutive regular meetings of the board will have their appointment declared vacated by majority vote of the City Council at the next regularly scheduled meeting of the City Council. Any member or alternate of the board remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term on the board shall be deemed to have vacated their appointment."

Section 7: THAT, Chapter 12, Parks and Recreation, Article III, Board of Parks and Recreation, Section 12-300, Creation; composition; appointment of members; appointment of chairperson, of the City of Keller Code of Ordinances, be hereby amended, by deleting Section 12-300, in its entirety and adding a new section to read as follows:

**"Sec. 12-300. Creation; composition;
 appointment of members;
 appointment of chairperson
 and vice-chairperson.**

There is hereby established the parks and recreation board for the City of Keller, Texas composed of seven (7) members. The City Council may, but is not required to, appoint two (2) alternates for the regular members. Alternates may serve in the event of an absence by a commission member. Alternates shall be designated as first alternate and second alternate, and shall

serve according to that order. Alternates may fill the remainder of a term vacated by a regular member. Members of the parks and recreation board shall be residents and qualified voters of the City of Keller. All members shall be appointed by the City Council by a majority vote. Each member of the board shall serve for a period of two (2) years with the term of places 5, 6, 7, and alternate member 1 ending on November 30th of even-numbered years and the term of places 1, 2, 3, 4, and alternate member 2 ending on November 30th of odd-numbered years or until their successors are fully qualified and duly appointed. Members and alternates may be removed by a majority vote of the City Council, with or without cause. At the time annual appointments of the members are made by the City Council, the City Council may appoint the chairperson and vice-chairperson for the parks and recreation board. Any member or alternate of the parks and recreation board remaining absent for three (3) consecutive regular meetings of the board will have their appointment declared vacated by a majority vote of the City Council at the next regularly scheduled meeting of the City Council. Any member of the board remaining absent for four (4) consecutive regular meetings or a total of seven (7) regular meetings during their term on the board shall be deemed to have vacated their appointment."

Section 8: THAT, all other ordinances in conflict herewith are hereby repealed.

Section 9: THAT, if any section, paragraph, clause, phrase, or provision of this Ordinance, shall for any reason, be held invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 10: 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 11: THAT, this Ordinance shall become effective upon its adoption and publication as provided by law.

AND, IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 20th day of March, 2018.

CITY OF KELLER, TEXAS

By: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney