

ORDINANCE NO. 3826

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, CHAPTER 2, ARTICLE III BOARDS, COMMISSIONS AND COMMITTEES AS IT PERTAINS TO EX-OFFICIO AND ALTERNATE MEMBERS FOR THE PLANNING AND ZONING COMMISSION AND THE CIVIL SERVICE COMMISSION, AND MEETINGS OF THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of North Richland Hills conducted a charter election on May 6, 2023; and

WHEREAS, North Richland Hills voters approved Propositions “F” and “K” granting City Council the authority to appoint alternate members to the Planning and Zoning Commission and the Civil Service Commission to allow alternate members the right to vote on matters coming before the respective Commission in the absence of regular commission members; and

WHEREAS, the City Council deems it appropriate to appoint two alternate members to the Planning and Zoning Commission and two alternate members to the Civil Service Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1: Section 2-123, Ex-officio members, of the Code of Ordinances of the City of North Richland Hills is hereby amended to read as follows:

Sec. 2-123. – Alternate members.

The mayor may appoint two alternate members to the planning and zoning commission and two alternate members to the civil service commission, such appointments are subject to confirmation by majority vote of the city council. Alternate members are entitled to participate in proceedings and deliberations of their respective commissions, but shall only have the power to vote in the absence or disability of a regular commissioner. The alternate members of each respective commission shall be known as Alternate A and Alternate B. If one regular commissioner is absent, Alternate A shall serve in the absence of such member and vote in the regular commissioner's place, unless Alternate A is unavailable. In the event, Alternate A is unavailable, Alternate B shall serve in the absence of such member and vote in the regular commissioner's place. If two regular commissioners are absent, Alternate A and Alternate B shall both serve in the absence of the regular commissioners and vote in the regular commissioners' places. The terms of such alternate members shall expire June 30 of the year the term of the mayor expires.

SECTION 2: Section 2-143, Organization, of the Code of Ordinances of the City of North Richland Hills, Texas is hereby amended to read as follows:

Sec. 2-143. - Organization.

The capital improvements advisory committee shall be composed of the seven regular members and two alternate members of the planning and zoning commission. The advisory committee shall have at least one member of the real estate, development, or building industry. The advisory committee shall exercise such powers as prescribed by Chapter 395 of the Texas Local Government Code, and as granted by the city council.

SECTION 3: Section 2-147, Quorum, of the Code of Ordinances, City of North Richland Hills, Texas is hereby amended to read as follows:

Sec. 2-147. – Quorum.

A quorum shall consist of four members of the capital improvements advisory committee and shall be required to conduct official business and forward recommendations to the city council. In the instance where one or more regular members of the capital improvements advisory committee cannot be present, one or more alternate members shall serve in the absence of such regular member and have the right to vote in the absence of the regular committee member.

SECTION 4: Section 2-149, Meetings, of the Code of Ordinances of the City of North Richland Hills, Texas shall be amended by modifying subsections (a) and (b) to read as follows:

Sec. 2-149. – Meetings.

...

(b) *Place of meeting.* Meetings of the capital improvements advisory committee shall be held at North Richland Hills City Hall.

...

(e) *Work sessions.* The capital improvements advisory committee may be convened in work session in order to discuss any matter concerning impact fees.

SECTION 5: Subsections (a)(2) and (a)(3) of Section 2-121, Appointments, review, removal, and training for boards and commissions of the Code of Ordinances of the City of North Richland Hills, Texas, are hereby deleted.

SECTION 6: This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 7: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

SECTION 8: All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued

violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance once.

SECTION 10: This ordinance shall be in full force and effect upon publication as required by Section 9 herein.

AND IT IS SO ORDAINED.

Passed on this 13th day of November, 2023.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED TO FORM AND LEGALITY:

Maleshia McGinnis, City Attorney

RECOMMENDED:

Clayton Comstock, Planning Director