

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AMENDING ARTICLE II “BOARDS, COMMISSIONS AND COMMITTEES” OF CHAPTER 2 “ADMINISTRATION OF THE CITY’S CODE OF ORDINANCES BY AMENDING SECTION 2-31 “APPOINTMENTS; TERMS; REMOVAL; EXCPETIONS,” SECTION 2-34 “ABSENCE RULE”, SECTION 2-35 “SCOPE OF RESPONSIBILITIES,” AND SECTION 2-37 “PARK BOARD,” AND ADOPTING SECTION 2-38 “CREATION OF BOARDS, COMMISSIONS, AND COMMITTEES”; AND AMENDING CHAPTER 6 “ANIMAL CARE AND CONTROL” OF THE CITY’S CODE OF ORDINANCES BY AMENDING SECTION 6-16 “ANIMAL SHELTER ADVISORY COMMITTEE”; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AND THAT THE RECITALS ARE TRUE; CONTAINING A SEVERABILITY CLAUSE, CUMULATIVE CLAUSE, AND EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas is a home rule city acting under its charter 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 Council passed Ordinances creating Chapter 2, Administration, Article II Boards, Commissions and Committees in the City of Burleson Code of Ordinances; and

WHEREAS, Chapter 2, Article II of the City Code of Ordinances was created to administer all the boards, commissions, and committee of the city for uniformity and function; and

WHEREAS, Chapter 6 of the City Code of Ordinances, among other things, created the City’s animal shelter advisory committee; and

WHEREAS, the City Council desires to amend Chapters 2 and 6 of the City Code of Ordinances as set forth herein; and

WHEREAS, the City Council finds that amending Chapters 2 and 6 of the City Code of Ordinances as set forth herein is in the best interest of the citizens of Burleson and is necessary for the health, safety, and welfare of the general public.

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

Section 1.

Subsection (d) of Section 2-31, "Appointments; terms; removal; exceptions," of Article II, "Boards, Commissions and Committees," of Chapter 2, "Administration," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

Option 1:

"(d) The term of each member shall not exceed ~~two (2)~~ **three (3)** consecutive full terms and a member must have remained off of that particular board, commission, or committee for one (1) full term before the member can be reappointed. ~~Planning and zoning commission members terms shall not exceed three (3) consecutive full terms.~~ Youth members terms have no limit except that they must remain qualified members"

Option 2:

"(d) The term of each member shall not exceed two (2) consecutive full terms and a member must have remained off of that particular board, commission, or committee for one (1) full term before the member can be reappointed. ~~Planning and zoning commission members terms shall not exceed three (3) consecutive full terms.~~ Youth members terms have no limit except that they must remain qualified members"

Option 3:

"(d) The term of each member shall not exceed ~~two (2)~~ consecutive **one (1)** full terms and a member must have remained off of that particular board, commission, or committee for one (1) full term before the member can be reappointed. ~~Planning and zoning commission members terms shall not exceed three (3) consecutive full terms.~~ Youth members terms have no limit except that they must remain qualified members"

Option 4:

"(d) The term of each member shall not exceed two (2) consecutive full terms and a member must have remained off of that particular board, commission, or committee for one (1) ~~full term~~ **year** before the member can be reappointed. Planning and zoning commission members terms shall not exceed three (3) consecutive full terms. Youth members terms have no limit except that they must remain qualified members"

Section 2.

Subsection (b) of Section 2-34, "Absence rule," of Article II, "Boards, Commissions and Committees," of Chapter 2, "Administration," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"(b) ~~If any~~ **Board** or commission member shall ~~fail to~~ attend at least 75 percent of the called meetings during the 12-month period between October 1 through September 30. ~~If a such board or commission member shall be deemed to have vacated their position on that board or commission (the 75 percent rule shall only apply to boards or commissions which meet at least once a month on a called basis)~~ **fails to attend 75 percent that member may not be eligible to continue to serve their current term or not be re-appointed as determined by the city council in their review of membership when presented by the city secretary in an open meeting."**

Section 3.

Subsection (a) of Section 2-35, "Scope of responsibilities," Article II, "Boards, Commissions and Committees," of Chapter 2, "Administration," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"(a) Each board and commission shall review data and circumstances pertaining to their respective boards and commissions and formulate and recommend to the city council, ~~for its adoption,~~ policies and regulations consistent with the overall city plan and ordinances. **This excludes items concerning finances of the city, budgets, fines and fees, and maintenance operations functions of the city.**"

Section 4.

The title and Subsection (a) of Section 2-37, "Park board," of Article II, "Boards, Commissions and Committees," of Chapter 2, "Administration," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"§ 2-37 Parks **& Recreation** board.

(a) Creation. The parks **and recreation** board was established in the city charter and removed through charter election in 2013."

Section 5.

Article II, "Boards, Commissions and Committees," of Chapter 2, "Administration," of the Code of Ordinances, City of Burleson, Texas is hereby amended by adopting Section 2-38, "Creation of boards, commission, and committees," to read as follows:

"§ Section 2-38 Creation of boards, commissions, and committees.

(a) The city council may create and establish other committees, boards and commissions to assist in the conduct of the city government with such duties as the city council may specify, not inconsistent with the city Charter or this Code. A comprehensive list of boards shall be listed in city council Policy #40."

Section 6.

Subsection (g) of Section 6-16, "Animal shelter advisory committee," of Chapter 6, "Animal Care and Control," of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

"(g) Quorum. A quorum for the conduct of business shall be at least three (3) members of the committee. ~~A quorum of the committee shall consist of a majority of the members, excluding any vacancies.~~ The presence of a quorum of the committee shall be required prior to a meeting being called to order."

Section 7.

The City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was duly given as required by the Texas Open Meetings Act.

Section 8.

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life in the City.

Section 9.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 unconstitutional phrase, clause, sentence, paragraph or section.

Section 10.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 11.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Burleson on this ____ day of _____, 2025.

First Reading: the ____ day of _____, 20____.

First Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney