ORDINANCE

AN ORDINANCE OF THE CITY OF DESOTO, TEXAS, AMENDING CHAPTER 8, ARTICLE 8.100, SECTION 8.102 CITY BOARD AND COMMISSION ATTENDANCE, REMOVAL, AND VACANCIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESOTO, TEXAS;

SECTION 1. That Chapter 8, Article 8.100, Section 8.102 of the Code of Ordinances of the City of DeSoto, Texas, be and the same is hereby amended in part, to read as follows:

"ARTICLE 8.100 ADVISORY BOARD AND COMMISSIONS

Sec. 8.102 Attendance; Removal; Vacancies; Applications

- (a) No person appointed by the city council under authority of state law, city charter, or city ordinance to any City board, commission, or corporation, including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation may serve in such appointed position or capacity for more than six (6) consecutive years, or until the expiration of the term then being served. This requirement shall not preclude a person appointed to a City board, commission, or corporation from being appointed to a different board, commission, or corporation at anytime, or to the same board, commission, or corporation after one (1) year has elapsed from the expiration of such person's previous term of office on such board, commission or corporation.
- (b) Any member of a City board, commission or corporation including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation absent from three (3) or more consecutive regular meetings of such board, commission or corporation without an approved leave of absence granted by the City Council, shall be removed for cause from office by the City Council after public hearing and prior written notice thereof.
- (c) Any member of a City board, commission, or corporation including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation who is absent from thirty (30) percent or more of the regularly scheduled meetings of such board, commission, or corporation within any six (6) month period shall be notified in writing by the City Secretary on behalf of the City Council of the attendance requirements of this section. Any member of a City board, commission or committee including the board of directors of the Economic Development Corporation and the DeSoto Park Development Corporation who is absent from thirty (30) percent or more of

the regular scheduled meetings within each of any two (2) consecutive six (6) month periods shall be removed for cause from such position by the City Council with prior written notice after public hearing unless such member resigns in writing or waives the public hearing in writing.

- (d) Any member of a City board, commission, or corporation including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation may be removed for cause as determined by the City Council after public hearing and prior written notice thereof.
- (e) Except as otherwise provided by State law, City Charter, City ordinance or bylaws, the term of office of a member of any City board, commission, or corporation shall expire on September 30th of the year in which such person's term expires or until a successor is appointed. Any vacancy in office shall be filled by an appointment for the remainder of the unexpired term.
- (f) Citizens interested in serving on any City board, commission or corporation shall make application to the City Council, on a form provided by the City for such purpose. The city council shall interview all available applicants for board and commission vacancies.
- (g) The provisions of this section shall not preclude the removal of any member of a City board, commission or corporation without cause by the City Council when authorized by State law, City Charter, or City ordinance.
- (h) Every City board, commission or corporation including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation shall adopt bylaws governing their duties, functions, the date, place and time of regular scheduled meetings and shall include or incorporate by reference the attendance requirements and the grounds for removal set forth in this section. All bylaws and amendments thereto shall be approved by the City Council.
- (i) Every person appointed to a City board, commission or corporation including the board of directors of the DeSoto Economic Development Corporation and the DeSoto Park Development Corporation shall be provided by the City Secretary with a copy of the bylaws for such board, commission or corporation and of this section; and shall prior to appointment, acknowledge in writing the receipt and understanding thereof."

<u>SECTION 2.</u> That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 3. That all provisions of the Code of Ordinances of the City of DeSoto, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed,

and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. This ordinance shall take effect immediately from and after its passage, as the law and charter in such case provides; and,

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DESOTO, TEXAS, THE 10th DAY OF ________, 1944.

APPROVED:

Richard Rozier, Mayor

ATTEST:

Anell Shipman, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Peter G. Smith, City Attorney

(PGS/ttl 4/20/99) (SS23328)