

ORDINANCE NO. 4918

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE, AS PREVIOUSLY AMENDED, BY REVISING CERTAIN ARTICLES AND SECTIONS IN CHAPTER 20 “BOARDS, COMMISSIONS, AND COMMITTEES” THEREBY ALLOWING THE DOWNTOWN DEVELOPMENT ADVISORY BOARD REGULAR MEMBER TERMS TO BE THREE-YEAR TERMS; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Downtown Development Advisory Board was originally created on December 17, 2018, Ordinance No. 4637; and

WHEREAS, Downtown Mesquite was designated an official Texas Main Street program community on January 1, 2019; and

WHEREAS, with State and national designation came a commitment to intensive, ongoing training for the 12 local Downtown Development Advisory Board members serving three-year terms; and

WHEREAS, best industry practices provide that training cycles and strategic planning coordinate with three-year term cycles to provide for optimal program implementation; and

WHEREAS, a new CHAPTER 20 – BOARDS, COMMISSIONS, AND COMMITTEES was adopted by the City Council on September 7, 2021, Ordinance No. 4894, which included a standardized term of two years for most City boards; and

WHEREAS, upon further review, City staff recommends the original three-year terms of the Downtown Development Advisory Board be re-adopted by the City Council; and

WHEREAS, three-year board member terms provide that only one-third of board members’ terms will end any given calendar year thus furnishing a continuity of operation and retention of fully-trained board members; and

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”), to protect the public health, safety, and welfare; and

WHEREAS, the City of Mesquite, Texas (“**City**”), is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, [Section 5](#) of the Texas Constitution and [Chapter 9](#) of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072\(a\)](#); and

WHEREAS, upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion this ordinance should be approved and adopted.

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

SECTION 1. **Recitals Incorporated.** The City Council hereby finds and determines the recitals made in the preamble of this ordinance are true and correct, and hereby incorporates such recitals here in the body of this ordinance as if copied in their entirety.

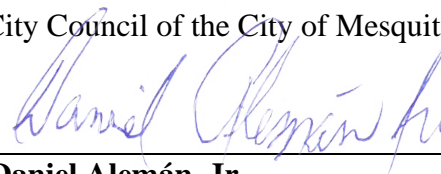
SECTION 2. **MESQUITE CITY CODE TEXT AMENDMENT.**
CHAPTER 20 – BOARDS, COMMISSIONS, AND COMMITTEES. That new Chapter 20 titled “Boards, Commissions, and Committees” of the Mesquite City Code, as amended, is hereby created as identified in **EXHIBIT A** attached hereto and made a part hereof, and in all other respects, the remaining Chapters of the Mesquite City Code shall remain in full force and effect.

SECTION 3. **Authorization of Transitional Provisions – Authority to adjust time period of new terms.** The City Secretary or his/her designee is hereby authorized to make one-time adjustments to the regular members’ new terms starting on **JANUARY 1, 2022**, as necessary, to align persons with position numbers and coordinating expiration dates as identified in new Chapter 20 of the Mesquite City Code.

SECTION 4. **Severability Clause.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 5. **Effective Date.** This shall take effect and be in force from and after the passage thereof, in accordance with Mesquite City Charter, Article IV, [Section 24](#), and it is accordingly so ordained.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the **6th day of DECEMBER 2021**.



Daniel Alemán, Jr.
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney

MESQUITE CITY CODE

* * *

Chapter 20 – BOARDS, COMMISSIONS, AND COMMITTEES

* * *

ARTICLE III. - GENERAL REGULATIONS

DIVISION 1. - REGULATIONS APPLICABLE TO ALL BOARDS, COMMISSIONS, AND COMMITTEES

* * *

Sec. 20-303. Term duration and expiration.

(a) *Term duration.*

- (1) *General rule.* Unless otherwise specifically provided for particular boards, a term for a REGULAR MEMBER or ALTERNATE is generally defined and assigned herein as approximately two (2) years.
- (2) *Exceptions.*
 - a. In accordance with Texas Local Government Code, Chapter 143, as amended, the Civil Service Commission REGULAR MEMBER terms are approximately three (3) years.
 - b. The Downtown Development Advisory Board REGULAR MEMBER terms are approximately three (3) years.

* * *

Cross references –

Civil Service Commission; Article IV, Division 5.

Downtown Development Advisory Board; Article V, Division 3.

State law reference – Implementation: [Civil Service] Commission, V.T.C.A. Local Government, § 143.006.

State constitution reference – Texas Constitution, Article XVI, Section 17.

Sec. 20-304. – Calculation of terms and term limits.

* * *

(b) *Term limits.*

- (1) *Applicability.* Term limits shall be applied to REGULAR MEMBERS and ALTERNATES serving on the same board, commission, or committee. Terms served on different boards, commissions, or committees shall not be combined for calculation of term limits.

- (2) Term limits dependent on time period for terms.
- a. Two-year terms. A REGULAR MEMBER or ALTERNATE may serve no more than three (3) consecutive two-year terms (i.e., approximately 6-years) on the same board, commission, or committee as a REGULAR MEMBER, ALTERNATE, or any combination thereof.
 - b. Three-year terms. Unless otherwise excepted, a REGULAR MEMBER or ALTERNATE may serve no more than two (2) consecutive three-year terms (i.e., approximately 6-years) on the same board, commission, or committee as a REGULAR MEMBER, ALTERNATE, or any combination thereof.
- (3) If a person cycles off the board, commission, or committee for more than three hundred (300) days, moving forward the person may again serve for no more than three (3) consecutive two-year terms, or two (2) consecutive three-year terms (i.e., approximately 6-years) on the same board as a REGULAR MEMBER, ALTERNATE, or any combination thereof, before again cycling off the board.

* * *

Cross references –

Civil Service Commission; Article IV, Division 5.

Downtown Development Advisory Board; Article V, Division 3.

State law reference – Implementation: [Civil Service] Commission, V.T.C.A. Local Government, § 143.006.

Sec. 20-305. Reappointment.

* * *

- (c) *Nonconsecutive terms.*
- (1) Unless otherwise provided, a REGULAR MEMBER or ALTERNATE may be reappointed for nonconsecutive term(s) for the same City board, commission, or committee.
 - (2) Unless otherwise provided, a REGULAR MEMBER or ALTERNATE having already served three (3) consecutive two-year terms, or two (2) consecutive three-year terms (as a REGULAR MEMBER, ALTERNATE, or any combination thereof) wishing to be reappointed for a nonconsecutive term, shall be cycled off the previous City board, commission, or committee for more than three hundred (300) days prior to any reappointment for a nonconsecutive term on the same board.

Cross references –

Civil Service Commission; Article IV, Division 5.

Downtown Development Advisory Board; Article V, Division 3.

State law reference – Implementation: [Civil Service] Commission, V.T.C.A. Local Government, § 143.006.

* * *

ARTICLE V. - ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES

* * *

DIVISION 3. - DOWNTOWN DEVELOPMENT ADVISORY BOARD

Sec. 20-5301. - Establishment of the Downtown Development Advisory Board.

The City of Mesquite, Texas, Downtown Development Advisory Board was created and established by the City Council on December 17, 2018. The Downtown Development Advisory Board may also be referred to as “Mesquite Downtown Development Advisory Board.”

(Ord. No. 4637, § 1, 12-17-2018)

Sec. 20-5302. - In general.

The Downtown Development Advisory Board was created and established by the City Council to serve in an advisory capacity regarding Downtown Mesquite development initiatives, programs, and other downtown related projects.

Sec. 20-5303. - Members.

Twelve (12) REGULAR MEMBERS shall be appointed by the City Council in accordance with this chapter.

Cross reference – City Council action for appointments and confirmations, Article II, Sec. 20-206.

Sec. 20-5304. - Organization.

(a) *Regular Members.*

- (1) REGULAR MEMBERS shall be appointed by the City Council to a specified position as designated below. ~~Position numbers are assigned for term expiration date purposes and do not signify rank or seniority.~~
- (2) REGULAR MEMBERS serve three-year terms in accordance with the chart below.
- (3) Position numbers are assigned for term expiration date purposes and do not signify rank or seniority.

[The remainder of this page is left blank intentionally]

Downtown Development Advisory Board – Regular Members	
Position No. 1.	<u>Appointed for a term expiring in the year 2022; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 2.	<u>Appointed for a term expiring in the year 2023; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.
Position No. 3.	<u>Appointed for a term expiring in the year 2024; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 4.	<u>Appointed for a term expiring in the year 2022; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.
Position No. 5.	<u>Appointed for a term expiring in the year 2023; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 6.	<u>Appointed for a term expiring in the year 2024; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.
Position No. 7.	<u>Appointed for a term expiring in the year 2022; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 8.	<u>Appointed for a term expiring in the year 2023; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.
Position No. 9.	<u>Appointed for a term expiring in the year 2024; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 10.	<u>Appointed for a term expiring in the year 2022; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.
Position No. 11.	<u>Appointed for a term expiring in the year 2023; and then every three-years thereafter.</u> Appointed for a term expiring in odd-numbered years.
Position No. 12.	<u>Appointed for a term expiring in the year 2024; and then every three-years thereafter.</u> Appointed for a term expiring in even-numbered years.

(b) *Alternates.* No alternates are appointed to the Downtown Development Advisory Board.

* * *