

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DESIGNATING THE CITY MANAGER AS A NON-VOTING EX-OFFICIO MEMBER TO ALL CITY BOARDS AND COMMISSIONS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield 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 of Mansfield desires to designate the City Manager, or his or her designee, as a non-voting ex-officio member to all city boards and commissions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:**

**SECTION 1.**

The City Manager, or his or her designee, is designated as a non-voting ex-officio member to all city boards and commissions, including the following:

- (a) Construction Codes Board of Adjustments & Appeals;
- (b) Historic Landmark Commission;
- (c) Historic Preservation Advisory Board;
- (d) Keep Mansfield Beautiful Commission;
- (e) Mansfield Commission for the Arts;
- (f) Mansfield Economic Development Corporation;
- (g) Mansfield Park Facilities Development Corporation;
- (h) Mansfield Public Library Advisory Board;
- (i) Planning & Zoning Commission;
- (j) Zoning Board of Adjustment; and
- (k) Any city board or commission created after the effective date of this ordinance.

**SECTION 2.**

The City Manager, or his or her designee, serving in his or her capacity as a non-voting ex-officio member: (a) may not be counted toward a meeting quorum; (b) may participate in any discussion that occurs in open session; and (c) may attend and participate in any discussion that occurs in any executive session.

**SECTION 3.**

Any amendments made to any city board or commission bylaws which designate the City Manager or his or her designee as a non-voting ex-officio member are approved. Failure of a board or commission to amend its bylaws to designate the City Manager or his or her designee as a non-voting ex-officio member will not affect the right to serve in that capacity.

**SECTION 4.**

This ordinance shall and does amend and/or repeal every prior ordinance or rule or regulation or policy in conflict herewith, but as to all other ordinances or rules or regulations or policies or sections

of ordinances or rules or regulations or policies not in conflict herewith, this ordinance shall be and is hereby made cumulative.

#### **SECTION 5.**

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 void, ineffective, or unconstitutional by the valid judgment or final decree of a court of competent jurisdiction, such voiding, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections hereof, since the same would have been enacted by the City Council without the incorporation of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 6.**

This ordinance shall take effect immediately from and after its passage.

DULY PASSED by the City Council of the City of Mansfield, Texas, this 13th day of September, 2021.

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Michael Evans, Mayor

ATTEST:

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Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

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E. Allen Taylor, Jr., City Attorney