

## **ORDINANCE NO. 2012-9332**

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF CIVIL AND CRIMINAL ORDINANCES OF THE CITY OF IRVING, TEXAS, BY REVISING A UNIFORM GUIDELINE FOR ALL BOARDS, COMMISSIONS, AND COMMITTEES APPOINTED BY THE CITY COUNCIL AND BY ADDING ARTICLE II. ADVISORY COMMITTEE ON DISABILITIES, ARTICLE III. ANIMAL SERVICES ADVISORY COMMITTEE, ARTICLE IV. BOARD OF HEALTH, ARTICLE V. LIBRARY BOARD, ARTICLE VI. MUSEUM ADVISORY BOARD, ARTICLE VII. PARKS AND RECREATION BOARD, AND ARTICLE VIII. YOUTH COUNCIL; REPEALING VARIOUS CHAPTERS, ARTICLES, AND SECTIONS WITHIN THE CODE PERTAINING TO SAID BOARDS AND COMMITTEES; AND PROVIDING A SEVERABILITY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS:

SECTION 1. That Section 38-8 of Chapter 38 of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, is hereby amended to read as follows:

### **Sec. 38-8. Quorum.**

A majority of voting board members constitutes a quorum for the transaction of all matters and business.

SECTION 2. That Chapter 38 of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, is hereby amended by adding Articles II – VIII thereto to read as follows:

## **ARTICLE II. IRVING ADVISORY COMMITTEE ON DISABILITIES**

### **Sec. 38-20. Definitions.**

For the purposes of this article:

*Committee* means the Irving Advisory Committee on Disabilities.

### **Sec. 38-21. Creation; establishment.**

There is hereby created and established the Irving Advisory Committee on Disabilities which shall be an advisory body to the city council.

### **Sec. 38-22. Purpose.**

The purpose of the committee is to serve as a contact and voice of the residents of the City of Irving to the city council, to review and discuss matters referred to the committee by the city council and the city manager, and to provide recommendations to the council concerning matters of accessibility, use, and benefit to persons with disabilities.

### **Sec. 38-23. Number; qualifications; and terms of office.**

- (a) *Number.* The city council shall appoint eleven (11) voting members.

(b) *Qualifications.* All voting members of the committee shall live or work within the corporate limits of the City of Irving.

(c) *Term of office.* The eleven (11) voting members shall occupy a place on the committee, such places being numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, 7, 9, and 11 shall expire in odd-numbered years. The term of office for places 2, 4, 6, 8, and 10 shall expire in even-numbered years.

**Sec. 38-24. Ex officio members.**

The Americans with Disabilities Act coordinator for the City of Irving or his or her designee shall be an ex officio, nonvoting member of the committee and may act in an advisory capacity to the committee.

**ARTICLE III. IRVING ANIMAL SERVICES ADVISORY COMMITTEE**

**Sec. 38-30. Definitions.**

For the purposes of this article:

*Committee* means the Irving Animal Services Advisory Committee.

*Department* means the animal services department of the city.

**Sec. 38-31. Creation; establishment.**

There is hereby created and established the Irving Animal Services Advisory Committee which shall be an advisory body to the city council.

**Sec. 38-32. Purpose.**

The purpose of the committee is to advise the city council and the department regarding issues pertaining to animal bite prevention, zoonotic disease transmission, animal care and welfare, animal rescue, standards for animal shelters, training of personnel, and any other issues that may be required by applicable law.

**Sec. 38-33. Number; composition; qualifications and terms of office.**

(a) *Composition.* The committee shall have seven (7) voting members. The committee shall be composed of at least one (1) licensed veterinarian, one (1) county or city official, one (1) person whose duties include the daily operation of an animal shelter, and one (1) representative from an animal welfare organization.

(b) *Qualifications.* All voting members of the committee shall be residents of the city or shall have their primary place of business in the city except that the one (1) person whose duties include the daily operation of an animal shelter may be a nonresident of the city.

(c) *Term of office.* The seven (7) voting members shall occupy a place on the committee, such places being numbered 1, 2, 3, 4, 5, 6, and 7, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, and 7 shall expire on odd-numbered years. The term of office for places 2, 4, and 6 shall expire on even-numbered years.

#### **ARTICLE IV. IRVING BOARD OF HEALTH**

##### **Sec. 38-40. Definitions.**

For the purposes of this article:

*Board* means the Irving Board of Health.

##### **Sec. 38-41. Creation; establishment.**

There is hereby created and established the Irving Board of Health which shall be an advisory body to the city council.

##### **Sec. 38-42. Purpose.**

The purpose of the board is to offer vision, advice, and the community perspective to the city council in matters concerning community health and related public policy.

##### **Sec. 38-43. Number; qualifications and terms of office.**

(a) *Number.* The city council shall appoint nine (9) voting members.

(b) *Qualifications.* All voting members of the board shall be residents of the city or shall be employed full-time within the city. The board shall be composed of at least two (2) individuals who are employed in a medical-related field.

(c) *Term of office.* The nine (9) voting members shall occupy a place on the board, such places being numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, 7, and 9 shall expire on odd-numbered years. The term of office for places 2, 4, 6, and 8 shall expire on even-numbered years. Places 1 and 2 shall be designed for individuals who are employed in a medical-related field.

##### **Sec. 38-44. Ex officio and nonvoting members.**

The city manager or designee and the city health officer or designee shall be ex officio, non-voting members of the board.

##### **Sec. 38-45. Duties and responsibilities.**

The board shall have the power to hold hearings in the city and to consider and make recommendations to the city council in writing, from time to time, on any and all matters pertaining to the public health of the city including providing official written input to the city council.

## **ARTICLE V. IRVING LIBRARY BOARD**

### **Sec. 38-50. Definitions.**

For the purposes of this article:

*Board* means the Irving Library Board.

*Director* means the director or designee for the libraries department.

*Library system* means the Irving Public Library System.

### **Sec. 38-51. Creation; establishment.**

There is hereby created and established the Irving Library Board which shall be an advisory body to the city council.

### **Sec. 38-52. Purpose.**

The purpose of the board is to advise the city council and the director on matters pertaining to the operation of the library system. The board shall participate in recommending policies for both the maintenance and improvement of library service to the residents of Irving. The board shall make recommendations concerning the adoption and enforcement of policies deemed necessary for the administration of the library system.

### **Sec. 38-53. Number; qualifications; and terms of office.**

(a) *Number.* The board shall consist of nine (9) voting members. The city council shall appoint eight (8) members, and the Friends of the Library Board shall appoint one (1) as the Friends of the Library Liaison.

(b) *Qualifications.* The members of the board shall be residents of the city for at least one (1) year prior to their appointment.

(c) *Term of office.* The nine (9) voting members shall occupy a place on the board, such places being numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, 7, and 9 shall expire on odd-numbered years. The term of office for places 2, 4, 6, and 8 shall expire on even-numbered years.

**Sec. 38-54. Duties and responsibilities.**

The board shall have the following duties and responsibilities:

- (1) Cooperate with other governmental agencies and civic groups in the advancement of library service;
- (2) Make recommendations concerning the adoption and enforcement of all necessary rules, regulations, and ordinances deemed necessary for the administration of the library system;
- (3) Make recommendations for the establishment of such branches of the library as the growth of the city may from time to time demand;
- (4) May interview with the city manager and make recommendations relating to the employment and duties of the director;
- (5) Make recommendations relating to the enlargement, expansion, or rebuilding of a library, including selection of a site;
- (6) Review and provide input on the annual budget of the department proposed by the director before submission to the city manager and advise on other fiscal matters pertaining to the department;
- (7) Inform the public regarding the policies and functions of the library; and
- (8) Review the effectiveness of library service.

**ARTICLE VI. IRVING MUSEUM ADVISORY BOARD**

**Sec. 38-60. Definitions.**

For the purposes of this article:

*Board* means the Irving Museum Advisory Board.

**Sec. 38-61. Creation; establishment.**

There is hereby created and established the Irving Museum Advisory Board which shall be an advisory body to the city council.

**Sec. 38-62. Purpose.**

The board was established to collect, preserve, interpret, and exhibit the material culture and the heritage of Irving and the surrounding area. The board strives to make the history of Irving relevant for our local, regional, and national audiences through educational and enjoyable exhibits and programs.

**Sec. 38-63. Number; qualifications; and terms of office.**

(a) *Number.* The board shall consist of nine (9) voting members.

(b) *Qualifications.* All voting members of the board shall be residents of the City of Irving.

(c) *Term of office.* The nine (9) voting members of the board shall each occupy a place, such places being numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, 7, and 9 shall expire on odd-numbered years. The term of office for places 2, 4, 6, and 8 shall expire on even-numbered years.

**Sec. 38-64. Duties and responsibilities.**

The board shall have the following duties and responsibilities:

- (1) Provide a forum for resident input;
- (2) Advise the city council and city staff in matters pertaining to the development and maintenance of the Irving Museum;
- (3) Recommend for approval the means and method of constructing a museum in Irving;
- (4) Advise the city council of any need for future museum improvements;
- (5) Study and recommend funding sources available for the museum;
- (6) Study and recommend exhibits, artifacts, and displays for the museum;
- (7) Advise the city council in regard to the ongoing maintenance and operations of the museum;
- (8) Recommend for approval the annual budget, program of work, and progress report relating to the museum for presentation and adoption by city council; and
- (9) Recommend employment of such personnel as may be necessary to fulfill the requirements of the museum program.

**ARTICLE VII. IRVING PARKS AND RECREATION BOARD**

**Sec. 38-70. Definitions.**

For the purposes of this article:

*Board* means the Irving Parks and Recreation Board.

*Department* means the parks and recreation department of the city.

*Director* means the director or designee of the parks and recreation department.

**Sec. 38-71. Creation; establishment.**

There is hereby established the Irving Parks and Recreation Board which shall be an advisory body to the city council.

**Sec. 38-72. Purpose.**

The purpose of the board is to act in an advisory capacity to the city council and the director in all matters pertaining to parks and recreation and cooperate with other governmental agencies, civic groups, and all citizens of the city in the advancement of sound parks and recreation planning and programming.

**Sec. 38-73. Number; qualifications; terms of office.**

(a) *Number.* The board shall consist of nine (9) voting members.

(b) *Qualifications.* All voting members of the board shall be residents of the city.

(c) *Term of office.* The nine (9) voting members shall occupy a place on the board, such places being numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, 7, and 9 shall expire on odd-numbered years. The term of office for places 2, 4, 6, and 8 shall expire on even-numbered years.

**Sec. 38-74. Duties and responsibilities.**

The duties and responsibilities of the board shall be to:

- (1) Recommend policies on recreation services for approval by the city council;
- (2) Advise the director on problems of development of recreation areas, facilities, programs, and improved recreation services;
- (3) Recommend the adoption of standards for recreational areas, facilities, programs, and their financial support;
- (4) Have periodic inventories made of existing services and survey of services needed and interpret the needs of the public to the city council and to the director;
- (5) Aid in coordinating the recreation services with the programs of other governmental agencies and interested groups;
- (6) Review the effectiveness of the parks and recreation program with the director and the city manager;
- (7) Promote the policies and functions of the department to the public; and

- (8) Have the opportunity to review the annual budget of the department proposed by the director before submission to the city manager and advise the director on the development of long-range capital improvement program.

## **ARTICLE VIII. IRVING YOUTH COUNCIL**

### **Sec. 38-80. Definitions.**

For the purposes of this article:

*Council* means the Irving Youth Council.

### **Sec. 38-81. Creation; establishment.**

There is hereby created and established the Irving Youth Council which shall be an advisory body to the city council.

### **Sec. 38-82. Purpose.**

The purpose of the council is to develop an alliance among the youth, youth serving agencies, city government, schools, and the community to secure for all children and youth the highest advantage in physical, mental, social, and moral development and to advise on how to solve the problems encountered in providing services to the youth of the community.

### **Sec. 38-83. Number; qualifications; terms of office.**

(a) *Number.* The city council shall appoint seven (7) voting members which will reflect a cross section of the community.

(b) *Qualifications.* All voting members of the council shall be residents of the city.

(c) *Term of office.* The seven (7) voting members shall occupy a place on the council, such places being numbered 1, 2, 3, 4, 5, 6, and 7, respectively. The term of office for all voting members is two (2) years. The term of office for places 1, 3, 5, and 7 shall expire on odd-numbered years. The term of office for places 2, 4, and 6 shall expire on even-numbered years.

### **Sec. 38-84. Duties and responsibilities.**

The ultimate success of the council depends on six (6) primary factors:

- (1) The council must maintain a clear-cut division of responsibilities between itself, its parent body, and the professional staff. The council has the responsibility to advise the city council and the administration on various policy matters in regard to providing services and facilities for the youth and children. It has no administrative authority or responsibility.



- (2) The council is responsible for advising city council on basic policies which guide the administrative staff. The actual providing of services is of a technical nature which requires an important and practical purpose to enable the council and city staff to recognize their respective functions.
- (3) Relationship of the council with the city council:
  - a. Know and support the purpose of the council.
  - b. Work with the city council liaisons to the council.
  - c. Meet with the city council when policies are needed to ensure a smooth running operation.
- (4) Support all recommendations to the city council with written facts, oral communications, and action necessary, with the realization that the city council may question aspects to the recommendation and approve or deny the request.
- (5) Relationship with the city staff:
  - a. Recognize the city staff as being formally trained in management, administration, and technical fields that they represent, and they are advisors to the council.
  - b. Do not expect city staff to take sides in political situations or one involving personalities.
- (6) Pursuit of objectives:
  - a. Enrich the lives of the youth and children of our community by meeting their needs.
  - b. Advise the city council, administration, and residents of Irving on programs to eliminate violence and provide a safe environment for our youth and children.
  - c. Empower youth to solve their own problems through training and involvement.
  - d. Serve as a central clearing house for all the programs offered for youth and children by various organizations and agencies in Irving.

SECTION 3. That The Code of Civil and Criminal Ordinances of the City of Irving, Texas, is hereby amended by repealing the following: Chapter 16F (Irving Museum Advisory Board), Sections 20-3 through 20-5 (Irving Public Library Board), Article II of Chapter 25 (Parks and Recreation Board), Article I of Chapter 54 (Board of Health), Chapter 60 (Youth Council), Chapter 61 (Irving Advisory Committee on Disabilities), Chapter 65 (Animal Services Advisory Committee), and Articles II-XV of Appendix B.

SECTION 4. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,  
on May 24, 2012.

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BETH VAN DUYNE  
MAYOR

ATTEST:

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Shanae Jennings  
Acting City Secretary

APPROVED AS TO FORM:

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Charles R. Anderson  
City Attorney