


## MEMORANDUM

**DATE:** February 23, 2023

**TO:** Mayor Lankford & City Council

**VIA:** Mercy Rushing, City Manager

**FROM:** Cindy Karch, City Secretary 

**SUBJECT:** Consider action on an ordinance amending Chapter 2, Article V., Boards; of the Cod of Ordinances of the City of Mineola.

### **Background Information:**

Clean up of ordinance to remove inactive boards and update existing boards. Update to expand eligibility to serve on most boards to include persons residing within the Mineola ISD, unless otherwise prohibited by law or ordinance.

See attached document for changes.

### **Recommendation:**

It is recommended that the council approve the ordinances.

### **Final Disposition:**

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## Sec. 2-147. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means a group appointed or created by the city council to serve a particular purpose and with a membership set by the city council, sometimes referred to as a commission or committee.

*Members* means all appointees to a board described herein who have voting authority.

*Periodic boards* means boards that meet either quarterly, less often, or only as needed, including the following:

- (1) ~~Planning and zoning commission;~~ Move to "Regular Board"
- (2) ~~Neighborhood revitalization board;~~ Delete
- (3) Board of adjustments;
- (4) ~~Friends of the preserve advisory board;~~ Delete
- (5) Mineola Economic Development Corporation; Inc.;
- (6) ~~Certified retirement community advisory board;~~ and
- (7) Board of appeals.

*Quorum* means a majority of a board's members.

*Regular board* means boards that have regularly scheduled monthly or bimonthly meetings; including the following:

- (1) Mineola Civic Center Board;
- (2) Landmark commission;
- (3) Mineola Main Street Advisory Board;
- (4) Park and open spaces ~~board~~ Advisory Board;
- (5) ~~Mineola~~ Marketing & Tourism Advisory Board;
- (6) Historic museum advisory board; and
- (7) Planning & Zoning Board.

(Code 1977, § 2-66; Ord. of 7-27-1998; Ord. of 1-7-1999; Ord. No. 03-12-15, § 1, 12-15-2003; Ord. No. 08-01-28A, 1-28-2008)

## Sec. 2-148. Eligibility.

Members must reside inside the city limits, ~~or within the Mineola Independent School District, unless otherwise provided,~~ and should not have any delinquent personal or business city taxes, city utilities or other city assessments, and must not have any claim pending against the city.

(Code 1977, § 2-67; Ord. of 7-27-1998)

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**Sec. 2-158. Exceptions.**

The following boards are exempt from the residential requirements stated in section 2-148 **in that they must reside within the city limits of the City of Mineola to be eligible to serve:**

- (1) Board of Adjustments;
- (2) Board of Appeals (Code Violation Board).
- ~~(3) Landmark Commission;~~
- ~~(4) Mineola Main Street Advisory Board;~~
- ~~(5) Historic Museum Advisory Board;~~
- ~~(6) Mineola Tourism Board;~~
- ~~(7) Parks and Open Space Board; and~~
- ~~(8) Friends of the Preserve Advisory Board.~~

(Code 1977, § 2-78; Ord. of 7-27-1998; Ord. of 1-7-1999; Ord. No. 03-12-15, § 3, 12-15-2003)

**ORDINANCE** 22-02-27-3

**AN ORDINANCE AMENDING ARTICLE V. BOARDS OF THE CODE OF ORDINANCES OF THE CITY OF MINEOLA, TEXAS,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINEOLA, TEXAS, AS FOLLOWS:**

**I.  
AMENDMENTS**

**CHAPTER 2 – ADMINISTRATION, ARTICLE V. –Boards; of the Code of Ordinances, City of Mineola, Texas, is hereby amended to read as follows, to-wit:**

**Section 2-147. Definitions**

*Periodic* boards means boards that meet either quarterly, less often, or only as needed, including the following:

- (1) Board of Adjustments;
- (2) Mineola Economic Development Corporation; and
- (3) Board of Appeals;

*Regular* boards means boards that have regularly scheduled monthly or bimonthly meetings; including the following:

- (1) Mineola Civic Center Board;
- (2) Landmark Commission;
- (3) Mineola Main Street Advisory Board;
- (4) Parks and Open Spaces Advisory Board;
- (5) Marketing & Tourism Advisory Board;
- (6) Historic Museum Advisory Board; and
- (7) Planning & Zoning Board.

**Section 2-148. Eligibility**

Members must reside inside the city limits, or within the Mineola Independent School District, and should not have any delinquent personal or business city taxes, city utilities or other city assessments, and must not have any claim pending against the city.

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- (1) Board of Adjustments; and
- (2) Board of Appeals (Code Violation Board).

**II.**  
**SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, subsections and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, subsection or phrase of this Ordinance shall be declared unconstitutional by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining sections, paragraphs, sentences, clauses, subsections and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or illegal section, paragraph, sentence, clause, subsection or phrase.

**II.**  
**REPEALER**

Any and all Ordinances of the City of Mineola, Texas in conflict with the provisions of this Ordinance shall be and the same are hereby repealed, and all other provisions of the Ordinances of the City of Mineola not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**PASSED AND APPROVED** by the City Council of the City of Mineola, Texas on the 27th day of February, 2023.

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Jayne Lankford, Mayor

Attest:

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Cindy Karch, City Secretary