



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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|---|----------------------------------|-------------------------|--|---------------|
| CITY SECRETARY'S USE ONLY | | | | |
| <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory | | | | |
| Council Meeting Date: | | 06-25-12 | | |
| Department: | | City Secretary | | |
| Department Head | | Di Zucco | | |
| Agenda Coordinator (include phone #): Di Zucco - x7515 | | | | |
| CAPTION | | | | |
| An Ordinance of the City of Plano, Texas amending Sec. 2-251. – Created; purpose; Sec. 2-253. - Officers; and Sec. 2-257. - Reports of Article XIII. Cultural Affairs Commission of the Code of Ordinances of the City of Plano to require abstention from discussion and voting for funding if a commission member serves on a nonprofit board seeking funding before the Cultural Affairs Commission, to remove reference to a board secretary and to amend report requirements; and providing a repealer clause, a severability clause, and an effective date. | | | | |
| FINANCIAL SUMMARY | | | | |
| <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP | | | | |
| FISCAL YEAR: 2011-12 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS |
| Budget | 0 | 0 | 0 | 0 |
| Encumbered/Expended Amount | 0 | 0 | 0 | 0 |
| This Item | 0 | 0 | 0 | 0 |
| BALANCE | 0 | 0 | 0 | 0 |
| FUND(S): N/A | | | | |
| COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: This Ordinance which requires abstention from discussion and voting for funding if the commission member serves on a nonprofit board seeking funding; removes reference to a board secretary; and amends report requirements relates to the City's Goal of a Financially Strong City with Service Excellence. | | | | |
| SUMMARY OF ITEM | | | | |
| List of Supporting Documents: Ordinance | | | Other Departments, Boards, Commissions or Agencies | |
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An Ordinance of the City of Plano, Texas amending Sec. 2-251. – Created; purpose; Sec. 2-253. - Officers; and Sec. 2-257. - Reports of Article XIII. Cultural Affairs Commission of the Code of Ordinances of the City of Plano to require abstention from discussion and voting for funding if a commission member serves on a nonprofit board seeking funding before the Cultural Affairs Commission, to remove reference to a board secretary and to amend report requirements; and providing a repealer clause, a severability clause, and an effective date.

WHEREAS, on February 11, 1991, by Ordinance No. 91-2-9, the City Council created the Cultural Affairs Commission and provided for appointment, removal and terms of office for members and officers; established the purpose and responsibilities of the commission; provided rules and guidelines under which the commission would function; and

WHEREAS, portions of Ordinance No. 91-2-9 were codified as Sec. 2-251. – Created; purpose, Sec. 2-253 - Officers and Sec. 2-157. Reports of Article XIII. – Cultural Affairs Commission of the Code of Ordinances of the City of Plano; and

WHEREAS, the City Council hereby finds and determines that it is necessary to amend Sec. 2-251 to require abstention from discussion and voting for funding if the commission member serves on a nonprofit board seeking funding before their commission, Sec. 2-253 that the position of secretary should be removed from this commission as duties are being managed by city staff and Sec. 2-257 to amend report requirements to the City Council.

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

Section I. Sec. 2-251. Created; purpose of Article XIII – Cultural Affairs Commission of the Code of Ordinances of the City of Plano is hereby amended to read in its entirety as follows:

“A cultural affairs commission is herein created to be responsible for advising the city council on the distribution of city grants to various cultural affair organizations, agencies, or groups. The commission shall be advisory, evaluating and prioritizing the manner in which various cultural affair organizations, agencies or groups are to receive city funds. The commission shall not have responsibility or authority over public officials or employees of the city.

No commissioner who is on the board of a nonprofit organization shall discuss, deliberate or vote on the nonprofit organization’s application request for funding and shall abstain on all matters relating thereto.”

Section 2-253. Officers of Article XIII. – Cultural Affairs Commission of the Code of Ordinances of the City of Plano is hereby amended to read in its entirety as follows:

“A chairperson shall be appointed by the city council from the membership for a one-year term. The board shall also have a vice chairperson elected by its members for a one-year term.”

Section 2-257. Reports of Article XIII. – Cultural Affairs Commission of the Code of Ordinances of the City of Plano is hereby amended to read in its entirety as follows:

“A report shall be presented to the city council not later than August 1st of each year. This report shall describe each of the two (2) recommendations mentioned in Section 2-256(2). In addition, it shall describe the commission interaction, activities, and progress as related to its established purpose. Additional reports shall be submitted as requested by the City Council.”

Section II. All provisions of the ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this ordinance, shall remain in full force and effect.

Section III. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this ordinance shall not affect the validity or constitutionality of any other portion of this ordinance.

Section IV. This ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 25th day of June, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY