



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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 Section 16-108. Heritage Commission - Functions of Article VI. Heritage Resource Preservation of Chapter 16 Planning and Development of the City of Plano Code of Ordinances to require abstention from discussion and voting for funding if a commission member serves on a nonprofit board seeking funding before the Heritage Commission; 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 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	

An Ordinance of the City of Plano, Texas amending Section 16-108. Heritage Commission - Functions of Article VI. Heritage Resource Preservation of Chapter 16 Planning and Development of the City of Plano Code of Ordinances to require abstention from discussion and voting for funding if a commission member serves on a nonprofit board seeking funding before the Heritage Commission; and providing a repealer clause, a severability clause, and an effective date.

WHEREAS, on October 8, 2007, by Ordinance No. 2007-10-23, the City Council adopted new and amended provisions for Heritage Resource Preservation for the City; and

WHEREAS, a portion of Ordinance No. 2007-10-23 was codified as Section 16-108. Heritage Commission – Functions of Article VI. Heritage Resource Preservation of Chapter 16 Planning and Development of the City of Plano Code of Ordinances; and

WHEREAS, the City Council hereby finds and determines that it is necessary to amend Section 16-108. Heritage Commission - Functions of Article VI. Heritage Resource Preservation of Chapter 16 Planning and Development of the City of Plano Code of Ordinances to reflect that members shall abstain from discussion and voting if the member serves on a nonprofit board that is seeking funding through the commission of the affected member.

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

Section I. Section 16-108. Heritage Commission - Functions of Article VI. Heritage Resource Preservation of Chapter 16 Planning and Development of the City of Plano Code of Ordinances is hereby amended to add the following subsection as follows:

“(i) 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 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