

**An Ordinance of the City of Plano, Texas, amending Ordinance No. 91-2-9, codified as Chapter 2, Administration, Article XIII, Cultural Affairs Commission, of the Code of Ordinances of the City of Plano, Texas to revise the name of the Cultural Affairs Commission to the Cultural Arts Commission; amending Sections 2-251, 2-252, 2-254, and 2-256 of Article XIII, Chapter 2, Administration, of the Code of Ordinances of the City of Plano; and providing a repealer clause, a severability clause, a savings clause and an effective date.**

**WHEREAS**, the City Council of the City of Plano is authorized to name boards and commissions in the City of Plano; and

**WHEREAS**, on February 11, 1991, the City Council created the Cultural Affairs Commission by Ordinance No. 91-2-9; and

**WHEREAS**, the Cultural Affairs Commission has recommended that the commission be renamed the Cultural Arts Commission; and

**WHEREAS**, the Council Liaisons were consulted about this proposed change; and

**WHEREAS**, City staff has reviewed the proposed name change and found that Sections 2-251, 2-252, 2-254, and 2-256 of Article XIII, Chapter 2, Administration, of the Code of Ordinances of the City of Plano would need to be amended, subject to the renaming of the commission as provided herein; and

**WHEREAS**, the City Council deems it in the best interest of the City to revise the name of the Cultural Affairs Commission to Cultural Arts Commission, and to then amend Sections 2-251, 2-252, 2-254, and 2-256 of Article XIII, Chapter 2, Administration, of the Code of Ordinances of the City of Plano as provided herein.

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

**Section I.** Article XIII, Cultural Affairs Commission, Chapter 2, Administration, of the Code of Ordinances of the City of Plano is hereby renamed as follows:

“Article XIII. Cultural Arts Commission.”

**Section II.** Section 2-251, Created; purpose, of Article XIII, Cultural Arts Commission, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano is hereby amended in its entirety to read as follows:

”Sec. 2-251. - Created; purpose.

A cultural arts commission is herein created to be responsible for advising the city council on the distribution of city grants to various cultural arts organizations, agencies, or groups. The commission shall be advisory, evaluating and prioritizing the manner in which various cultural arts 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 III.** Section 2-252, Membership, of Article XIII, Cultural Arts Commission, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano is hereby amended in its entirety to read as follows:

"Sec. 2-252. - Membership.

The cultural arts commission shall consist of seven (7) members appointed by the city council. Terms of office are for a period of two (2) years, and shall expire on a staggered basis on October 31 of each year. Members currently serving on the commission shall continue serving on the commission until their present terms expire. The membership shall include a cross-section of the community interested in the various cultural arts available in the city. The city council will fill any and all vacancies on the commission."

**Section IV.** Section 2-254, Meetings; quorum, of Article XIII, Cultural Arts Commission, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano is hereby amended in its entirety to read as follows:

"Sec. 2-254. - Meetings; quorum.

Meetings for the cultural arts commission will be called as needed by the chairperson or vice chairperson of the commission. A majority of commission members shall constitute a quorum. A vote of the simple majority of the quorum shall be required for any action taken by the commission."

**Section V.** Section 2-256, Duties, of Article XIII, Cultural Arts Commission, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano is hereby amended in its entirety to read as follows:

"Sec. 2-256. - Duties.

The commission shall have the following duties:

- (1) Receive grants applications for area cultural arts.
- (2) Review grants applications and make recommendations to the city council as to the following:
  - a. Grants to be awarded.
  - b. A list of unfunded requests in priority order.
- (3) Perform other duties as assigned by the city council."

**Section VI.** All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section VII.** 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, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**Section VIII.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

**Section IX.** This Ordinance shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED** this the 23<sup>rd</sup> day of August, 2021.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY