

**CITY OF LAGO VISTA**

**ORDINANCE NO. 25-25-12-04-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 9.100 OF THE CODE OF ORDINANCES TO ESTABLISH QUALIFICATIONS FOR APPOINTMENT AND PROHIBITIONS ON CONCURRENT SERVICE ON MULTIPLE CITY BOARDS, COMMISSIONS, AND COMMITTEES; PROVIDING LIMITED EXCEPTIONS; ESTABLISHING AN IMPLEMENTATION AND TRANSITION SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.**

WHEREAS, the City Council of the City of Lago Vista recognizes the importance of maintaining independence, fairness, and impartiality among its various boards, commissions, and committees; and

WHEREAS, certain boards—such as the Planning & Zoning Commission, Building & Standards Commission, and Board of Adjustment—may hear or act upon related subject matter involving zoning, land use, permitting, or enforcement matters, where overlapping membership may create conflicts of interest or the appearance of bias; and

WHEREAS, under the Texas Open Meetings Act, concurrent service on multiple bodies considering related matters may increase the risk of inadvertent quorum or deliberation violations; and

WHEREAS, the City Council further finds that broad citizen participation in civic service is in the best interest of the community and reduces the concentration of authority among a limited number of appointees; and

WHEREAS, the City Council desires to amend Article 9.100 of the Code of Ordinances to prohibit concurrent service on multiple boards and commissions, while allowing narrow exceptions when applicant availability is insufficient; and

WHEREAS, the text of Resolution No. 25-2177, adopted in error as a resolution, is intended by the Council to have the force of ordinance and shall therefore be reenacted in proper form through this ordinance; and

WHEREAS, the City Charter requires that regulations establishing qualifications to serve on City boards and commissions be enacted by ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

**SECTION 1. Amendment to Article 9.100 – General Provisions.**

Article 9.100 of the Code of Ordinances is hereby amended to read as follows:

**Sec. 9.101 – Eligibility for Appointment; Limitation on Concurrent Service**

**(a) Prohibition on Concurrent Service on Certain Bodies.**

Under no circumstance shall any person concurrently serve on any two or more of the following:

1. Board of Adjustment (BOA);
2. Building & Standards Commission;
3. Planning & Zoning Commission.

**(b) Limited Exception.**

The City Council may authorize an exception to subsection (a) by supermajority vote upon a finding that:

1. no other qualified applicants are available to fill the vacancy; or
2. concurrent service is necessary to fulfill a short-term advisory purpose.

**(c) No concurrent service exception may be granted to service on the Board of Adjustment (BOA).** Section 9.102. Implementation and Transition.

**(a) Immediate Compliance for Board of Adjustment.**

Any individual currently serving concurrently on the Board of Adjustment and Building and Standards Commission and/or Planning and Zoning Commission shall resign from one of those positions prior to December 31, 2025. The City Council may appoint a replacement to serve any unexpired term to avoid disruption to the affected body.

**(b) Phased Compliance for Building and Standards Commission and Planning and Zoning Commission.**

Concurrent service on Building and Standards Commission and Planning and Zoning Commission may continue through the expiration of current terms but shall not be renewed or reappointed in a manner inconsistent with Section 9.101 after December 5, 2025.

**(c) New Appointments.**

Beginning December 5, 2025, all new appointments and reappointments shall comply fully with Section 9.101.

SECTION 3. Severability.

If any section, subsection, clause, or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions.

SECTION 4. Effective Date.

This ordinance shall take effect immediately upon passage and approval.

PASSED AND APPROVED on this 4<sup>th</sup> day of December 2025.

CITY OF LAGO VISTA, TEXAS



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Shane Saum, Mayor

ATTEST:



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Robin Smith, City Secretary



On a motion by Councilor Benefield, seconded by Councilor Chavarria, the above and foregoing ordinance was passed and approved.

