

ARTICLE VIII
BOARDS AND COMMISSIONS

§ 8.01. Boards and Commissions in General.

In addition to the boards and commissions established by this charter, the city council by ordinance may establish any boards and commissions it deems necessary for the conduct of city business and the management of municipal affairs. The functions, authority, and responsibilities of such boards and commissions shall be set out in the ordinances establishing them. All boards and commissions in existence at the time this charter is adopted shall continue according to the ordinances or other acts under which they were created, except as otherwise provided in this charter, until the city council abolishes, modifies, or alters the ordinances or acts under which they exist. Notwithstanding any other provision of this charter, the city council retains full authority over the budget, appropriation of funds, expenditures, purchase and sale of property, and accounting procedures for all boards and commission, consistent with this charter and the State constitution and laws.

§ 8.02. Membership Qualifications.

Except as otherwise provided in this charter, each candidate for appointment as a member of a board or commission shall be a registered voter of the city who has resided within the corporate city limits, or within territory annexed prior to the appointment, for at least twelve months preceding the appointment. Board or commission members shall serve without compensation and shall not be employed by or hold any other position in city government. In addition to any other requirements prescribed by the council, members shall maintain the qualifications established by this section while in office.

§ 8.03. Membership Disqualification.

No member of a board or commission shall remain in their position after being elected or appointed to city office. No councilmember or city employee shall serve as a voting member or as an officer of any Board or Commission created by this Charter or city ordinance. (November 2, 2021, measure E, G)

§ 8.04. Term Limits.

Members of a board or commission shall be limited to three consecutive full terms in office. A person who has served three consecutive full terms as a board or commission member may not again hold the same office until at least one term out of office has passed.

§ 8.05. Vacancies.

Board or commission members shall actively participate in the commission's activities, and any member who is absent for three consecutive meetings without valid excuse, as determined by the board or commission, shall automatically be dismissed from membership. The membership shall at once notify the council that a vacancy exists. Any vacancy on the board or commission, for any reason, shall be filled for the unexpired term by council appointment within thirty days of the vacancy.

§ 8.06. Officers.

Each board or commission must annually elect a chairman and a vice-chairman and may elect

a secretary.

§ 8.07. Texas Open Meetings Act.

The City of Pflugerville shall conduct all its meetings in accordance with the Texas Open Meetings Act.

§ 8.08. Planning and Zoning Commission.

- (a) Composition and term: The city council shall appoint a planning and zoning commission of seven members who shall be appointed to two-year terms and shall serve until their successors are appointed and qualified.
- (b) Rules of procedure: The commission shall establish its own rules of procedure, which shall require that a quorum consists of at least four members of the commission and that an affirmative vote of a majority of those present shall be necessary to act on pending questions. The chairman shall be permitted to vote on any question.
- (c) Powers and duties: The commission shall exercise the following powers:
 - 1. Make, amend, extend, and add to the comprehensive plan for the physical development of the city and recommend the comprehensive plan to the city council for approval.
 - 2. Make recommendations to the city council regarding zoning proposals.
 - 3. Approve or disapprove plats of proposed subdivisions submitted to the city. In considering plats, the commission shall require the proposed subdivision to meet, so far as is practicable, all the standards of layout and street and sidewalk construction applicable to comparable property within the city's corporate limits. Further, it shall require restriction on the use of the property consistent with the restrictions on comparable property within the city's corporate limits.
 - 4. Draft rules and regulations governing platting and subdividing of land that are consistent with the state constitution and laws and recommend them to the city council for adoption.
 - 5. Annually recommend an annexation plan to the city council.
 - 6. Annually submit a five-year capital improvements plan regarding parks, transportation and utilities to the city council, at least one hundred twenty days before the beginning of the budget year. The plan must list projects in order of preference with a recommendation for the year of construction for each project.
 - 7. Perform other duties and be vested with other powers as the city council shall from time to time prescribe.
- (d) Liaison with city council: The city manager or their representative shall attend planning and zoning commission meetings and shall serve as liaison between the commission and the city council.

(November 2, 2021, measure E)

§ 8.09. Board of Adjustment.

- (a) Composition and term: The city council shall appoint a board of adjustment consisting of five regular members and two alternate members to serve two-year terms. Alternate members may participate in meetings and vote on matters in the absence of regular members when requested to do so by the city manager. The city council may remove a member for cause set out in a written charge and as determined by the council after a public hearing on the charges[.]
- (b) Rules of procedure: The presiding officer shall call meetings at least quarterly and may administer oaths to witnesses and compel attendance of witnesses. Cases shall be heard in open meeting by at least four members and not more than five members. The minutes of meetings shall be public records of the board's examinations, official actions, and other proceedings and shall reflect each member's vote, absence, or failure to vote on each question.
- (c) Powers: The board of adjustment shall exercise the following authority:
 - 1. Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in enforcing zoning laws or ordinances.
 - 2. Hear and decide special exceptions to terms of zoning ordinances when the ordinance so requires, provided that exceptions granted shall be consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.
 - 3. In specific cases, authorize a variance from the terms of a zoning ordinance, provided that the variance is not contrary to the public interest and that, due to special conditions, literal enforcement of the ordinance would result in unnecessary hardship. In authorizing variances, the board shall ensure that the spirit of the ordinance is observed and substantial justice is done.
 - 4. Hear and decide other matters authorized by city zoning ordinances.
- (d) Appeals procedure: Appeals to the board of adjustment shall be conducted in accordance with the requirements of § 211.010, Local Government Code.
- (e) Board determination: The board may reverse or affirm, wholly or in part, or may modify the order or decision that is the subject of an appeal under subsection (c)(1). The concurring vote of at least four members is necessary to: reverse an order, requirement, decision, or determination of an administrative official; decide in favor of an applicant on a matter which the board is required to pass under the zoning ordinance; or authorize a variation from the term of the zoning ordinance.
- (f) Judicial review: Any person dissatisfied with the board of adjustment's decision on an appeal may petition a court of record for further action in accordance with the requirements of § 211.011, Local Government Code.

§ 8.10. Parks and Recreation Advisory Board.

- (a) Composition and term: The city council shall appoint a parks and recreation advisory board consisting of seven members as needed to facilitate specific parks development projects or activities. The length of term in which members serve will be determined on the time necessary to complete the specific project and will not be continuous. Should city council consist of five city council members and the mayor then each councilmember will be responsible for appointing one member and the mayor shall appoint two members to the board. Should city council consist of six city council members and the mayor, then each council member and the mayor shall be responsible for appointing one member.
- (b) Powers and duties: The board shall exercise the following powers:
1. The board shall be responsible for making recommendations to the City Manager specific to the project in which they were appointed.
 2. Any other matters designated by the city council.

§ 8.11. Library Board.

- (a) Composition and term: The city council shall appoint a library board consisting of seven regular members, to serve two-year terms, and one alternate member, to serve a one-year term. The alternate member may vote if a regular member is absent. Liaisons to the board will include the President of the Friends of the Pflugerville Community Library, the Director of the Library and a student from a high school in the Pflugerville Independent School District. Liaisons may advise the board but may not vote on any matter.
- (b) Rules of procedure: The commission shall establish rules of procedure consistent with city ordinances, resolutions, and regulations. The commission shall meet at least monthly, and absence from three consecutive meetings without valid excuse, as determined by the commission, shall result in automatic removal from office.
- (c) Powers and duties: The commission shall exercise the following powers:
1. By January 31st of each year, review, update and submit a five-year comprehensive library plan to the city council and city manager. The plan must list projects in order of preference with a recommendation for the year of construction for each project.
 2. Make recommendations periodically to the city council and city manager concerning matters of library procedure and policy.
 3. Make recommendations to the city council and city manager concerning promotion of the library's programs and services in the greater Pflugerville community.
 4. Make recommendations to the city council and city manager concerning grants and fund-raising activities.
 5. Any other matters designated by city ordinance.