

ORDINANCE NO. 2026-30

AN ORDINANCE OF THE CITY OF MIDLOTHIAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 1 TITLED "GENERAL PROVISIONS" BY AMENDING ARTICLE 1.03 TITLED "BOARDS, COMMISSIONS AND COMMITTEES" BY AMENDING DIVISION 4 "HISTORIC ADVISORY BOARD" BY AMENDING SECTION 1.03.095 TITLED "OFFICERS" BY CHANGING THE MONTH FOR OFFICER ELECTIONS AND BY AMENDING SECTION 1.03.099 TITLED "RULES AND REGULATIONS" BY UPDATING THE PROCESS FOR BYLAW AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordinances of the City of Midlothian, Texas, is hereby amended by amending Chapter 1 titled "General Provisions" by amending Article 1.03 titled "Boards, Commissions and Committees" by amending Division 4 "Historic Advisory Board" by amending Sections 1.03.095 and 1.03.099, to read as follows:

"CHAPTER 1

GENERAL PROVISIONS

...

ARTICLE 1.03 BOARDS, COMMISSIONS AND COMMITTEES

...

DIVISION 4. HISTORIC ADVISORY BOARD

§ 1.03.095 Officers.

The officers of the board shall be a chairperson and vice-chairperson. Officers shall be elected annually at the May meeting or the first meeting of the calendar year thereafter, or, as these offices may become vacant.

§ 1.03.099 Rules and regulations.

The board shall be governed internally through adopted bylaws which are attached to and incorporated herein as Exhibit A. The board's bylaws may be amended or repealed and replaced by a majority vote at any regular meeting, subject to City Council approval by resolution."

SECTION 2. That all provisions of the Ordinances of the City of Midlothian, Texas, in conflict with the provisions of this Ordinance be and the same are hereby, repealed, and that all

other provisions of the Ordinances of the City of Midlothian not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid.

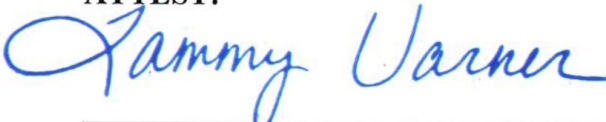
SECTION 4. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MIDLOTHIAN, TEXAS ON THIS THE 9TH DAY OF JUNE, 2026.

APPROVED:


Justin Coffman, Mayor

ATTEST:


Tammy Varner, City Secretary

APPROVED AS TO FORM:

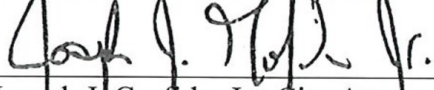

Joseph J. Gorfida, Jr., City Attorney



EXHIBIT A

Bylaws Historic Advisory Board City of Midlothian, TX

I. Authority

The following set of rules shall be in effect upon their adoption by the Board and until such time as they are amended or new rules adopted in the manner provided by these rules.

II. Membership Qualifications

City Council will consider for appointment to the Board as regular members only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, understanding of historic preservation, and availability to prepare for and attend meetings.

III. Organization

- A. The Board shall consist of seven (7) regular voting members appointed by the City Council and shall be organized under the laws of the City of Midlothian. Each member serves at the pleasure of and under the guidance of the City Council.
- B. Each member serves staggered two-year terms.
- C. Members shall live within the City limits of the City of Midlothian for a minimum of ten (10) years and have an extensive knowledge of city history.

IV. Officers

- A. A Chairman and Vice-Chairman shall be elected annually at the May meeting or the first meeting of the calendar year thereafter, or, as these offices may become vacant.
- B. In the absence of the Chairman, the Vice Chairman shall preside over the meeting. In the absence of both the Chairman and the Vice Chairman, the longest-serving Board Member present at the meeting shall be designated as Acting Chairman for that meeting.
- C. The Director of Planning, or the designated representative, shall serve the Board as Executive Secretary:

V. Duties

- A. The Chairman shall preside at all meetings and shall decide all points of order or procedure.
 - 1) The meetings of the Board shall be called to order by the Chairman
 - 2) Preservation of Order: The Chairman shall preserve order and decorum, prevent personalities or the impugning of members' motives, and confine members in debate to the question under discussion.
 - 3) The Chairman shall state all questions and motions submitted for a vote and announce the result.

- 4) The Chairman may appoint committees and committee members with the consent of the majority of the board.
- B. The Executive Secretary shall be custodian of the minutes and other official records and shall attend to the correspondence of the Board.

VI. Rules of Order

The latest revision of Robert's Rules of Order shall serve as the Board's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

VII. General Rules

- A. Every regular meeting of the Board, special or called, shall be open to the general public.
- B. The Board may enter into Executive Session on any agenda item when consulting with its attorney or dealing with issues related to personnel, real estate, or litigation as allowed by law. The Executive Session is not open to the general public.
- C. Four (4) voting members of the Board shall be present to constitute a quorum. A quorum is necessary for the Board to officially meet and discuss matters on the agenda.
- D. Attendance Policy: Members of the Board must be present in order to vote at any meeting. Regular attendance at the Board meetings is required of all members. The following number of absences shall constitute the basis for replacement of a member. Three (3) consecutive absences from meetings of the Board shall cause the position to be considered vacant. In addition, the position of any member who has four (4) absences in a twelve (12) month period shall also be considered vacant.
- E. Minutes of Meetings: Accurate minutes of all proceedings of the Board shall be kept by the Planning Director or their designated representative, as Executive Secretary to the Board, in books to be provided for that purpose. Board minutes for specified meeting date shall be motioned, seconded and voted upon. A simple majority from those members present shall be required.

VIII. Agenda & Types of Meetings

- A. An agenda shall be prepared by the Executive Secretary for each meeting of the Board and posted in compliance with State and local laws.
- 1) The agenda shall include matters scheduled for consideration by the Board.
 - 2) To have an item placed on the agenda, a request may be made by (i) the Chairman, (ii) any three (3) members of the Board, (iii) the Mayor, or (iv) any three (3) Councilmembers by delivering the same in writing to the Executive Secretary of the Board, no less than five (5) business days prior to the date of the Board meeting.

- B. The Board shall meet regularly every quarter, or as required or as called by the Chairman.
 - 1) The regular meeting of the Board shall be held at City Hall at 5:00 p.m. on the third Thursday of February, May, August, and November, or unless otherwise officially established by the Board.
- C. Special meetings may be called by the Chairman, or the request of three or more members and by giving written notice to all members, or as may be scheduled by a majority of the Board at any previous meeting with an agenda posted in compliance with State and local laws.

IX. Official Records

- A. Definition.
 - 1) The official records shall include these Rules of Procedure and the minutes of the Board, together with all findings, decisions and other official actions.
 - 2) Stenographic notes of the Recording Secretary and tape recordings of proceedings and discussions shall not constitute the official record of the Board.
- B. Recording of Votes.
 - 1) The Executive Secretary shall keep minutes of the Board's proceeding, which will show the vote of each member on each decision of the Board, or if absent or failing to vote, indicating that fact.
- C. File Retention.
 - 1) All matters coming before the Board shall be filed in the Planning Department in accordance with that department's general file system.
 - 2) Original papers of all matters shall be retained for not less than five (5) years after the date of the application. Thereafter, they shall be prepared for permanent retention in compliance with the State Record Retention Act. as adopted by the City of Midlothian, along with other special matter, as the Executive Secretary deems essential, for permanent record.
- D. Public Record.
 - 1) The official record and other matters presented to the Board in regular or special meetings shall be on file in the City Secretary Office and shall be open to public inspection during customary working hours.

X. Voting

- A. Final Decisions
 - 1) All decisions shall be filed by the Executive Secretary in the Planning Department on the day after the decision is made.
- B. Vote Required
 - 1) The concurring vote of a majority of the voting members present shall be necessary to take action on an agenda item that requires a vote.

- 2) Failure to secure a majority of the voting members present for approval shall be recorded in the minutes as a denial.
- 3) No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his personal or monetary interest are involved, or will be directly affected by the decision of the Board.
 - i) Additionally, a member shall excuse himself from voting whenever required by state statute or city ordinance.
 - ii) A member who knows he shall be abstaining from voting shall notify the Executive Secretary in advance of the meeting, and complete a conflict of interest form.

XI. Committees

Subcommittees may be appointed for completing regular business of the board or for special purposes by the chair and by special request from the planning director or governing authority. Subcommittees may only be formed with the consent of the majority of the board.

All subcommittees shall have a Historic Advisory Board member chairing the committee, assigned by the chair of the board. No more than three (3) board members shall serve on a subcommittee. Subcommittees are automatically dissolved upon completion of the activity/project.

XII Bylaws and Amendments

A. Amendment Procedure

- 1) These Bylaws may be altered, amended, or repealed, by an affirmative vote of a majority of Board members present at any regular meeting or at any special meeting; provided, however, no such alteration, amendment or repeal of these Bylaws, shall be effective until approved by a resolution of the City Council; and, provided further, the City Council may, in its discretion, later amend or repeal these Bylaws.

B. Certified Copy

- 1) A certified copy of these Bylaws and of any amendments thereto will be placed on record in the office of the City Secretary within ten days following their date of adoption.

C. Repealing Clause

- 1) All previously adopted Bylaws of the Board are hereby expressly repealed.

Adopted June 9, 2026 by Ordinance 2026-