

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING CHAPTER 16, UTILITIES, ARTICLE IV, WATER AND SEWER EXTENSIONS, OF THE LEWISVILLE CITY CODE BY ADDING SECTIONS 16-208 THROUGH 16-212 TO ESTABLISH A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE SEPARATE FROM THE PLANNING AND ZONING COMMISSION, AND PROVIDE FOR MEMBERSHIP, MEETINGS, OFFICERS, DUTIES, AND RESPONSIBILITIES OF THE COMMITTEE; AND PROVIDING FOR A SAVINGS CLAUSE, REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE.

WHEREAS, Senate Bill 1883, passed during the 2025 Texas Legislative Session, amended section 395.058 of the Texas Local Government Code, removing the provision allowing for the Planning and Zoning Commission to serve as the Capital Improvements Advisory Committee; and

WHEREAS, Senate Bill 1883 took effect on September 1, 2025; and

WHEREAS, the City of Lewisville has historically had the Planning and Zoning Commission serve as the Capital Improvements Advisory Committee and needs to amend its ordinances and practices to comply with Senate Bill 1883; and

WHEREAS, the City Council finds it in the best interest of the health, safety, and welfare of the citizens of Lewisville to establish a new Capital Improvements Advisory Committee consistent with state statutes that can perform the responsibilities and duties required by statute.

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

SECTION 1. FINDINGS. The findings contained in the recitals to this ordinance are determined to be true and correct and are adopted as part of this ordinance.

SECTION 2. ADDITION OF SECTIONS 16-208 THROUGH 16-212. Lewisville City Code Chapter 16, Utilities, Article IV, Water and Sewer Extensions, is hereby amended by adding Sections 16-208 through 16-212, previously “Reserved”, with the following language.

Sec. 16-208. – Capital Improvements Advisory Committee Established. A capital improvements advisory committee consisting of five members is hereby established.

Sec. 16-209. - Capital Improvements Advisory Committee Membership.

(a) Qualifications. Members shall be residents of the city. Not less than 50 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity.

(b) Terms. Members shall be appointed by a majority vote of the city council for two-year terms; provided, however, appointments shall be in accordance with the following provisions: even number positions appointed in 2025 shall serve a one-year term.

(c) Appointments. In each even year the city council shall appoint three members to the board, and in each odd year the city council shall appoint two members to the board.

(d) Successors. If a replacement has not been designated by the end of a member's term, then that member shall continue serving until a successor is appointed.

(e) Vacancies. In the event of a vacancy, the city council shall appoint a member to serve for the unexpired term. Any member may be removed by the city council at will.

Sec. 16-210. - Capital Improvements Advisory Committee Meetings.

(a) Regular meetings. The capital improvements advisory committee shall have regular meetings to complete semi-annual reports.

(b) Special meetings. The capital improvements advisory committee may meet for a special meeting if called by staff, the chairman, or the vice-chairman if the chairman is unavailable.

(c) Quorum. A majority of members, or three, shall constitute a quorum.

Sec. 16-211. - Capital Improvements Advisory Committee Officers.

(a) Election. Members of the capital improvements advisory committee shall elect, annually at the first meeting following June 30, the following officers:

(1) Chairman.

(2) Vice-chairman.

(b) Duties.

(1) Chairman. The chairman shall preside at all meetings and shall perform such other duties as usually pertain to his office or as may be instructed by the committee.

(2) Vice-chairman. It shall be the duty of the vice-chairman to perform the duties of the chairman in his absence.

Sec. 16-212. - Capital Improvements Advisory Committee Duties and Responsibilities. The capital improvements advisory committee acts in an advisory capacity to the city council and is established to:

- (a) advise and assist the political subdivision in adopting land use assumptions;
- (b) review the capital improvements plan and file written comments;
- (c) monitor and evaluate implementation of the capital improvements plan;
- (d) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee;
- (e) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee; and
- (f) other duties as assigned by the city council.

SECTION 3. SAVINGS CLAUSE. Nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 6. PENALTY. Any person, firm, or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the municipal court, shall be subject to a fine of not more than \$2,000.00 for each offense, and every day such offense is continued shall constitute a separate offense.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 26TH DAY OF JANUARY, 2026.

APPROVED:

TJ Gilmore, MAYOR

ATTEST:

Jennifer Malone-Ippolito, CITY SECRETARY

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APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY