

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE III “BOARDS AND COMMISSIONS” OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, BY ADDING DIVISION 4 “THE COMMUNITY DEVELOPMENT COUNCIL”; REPEALING ORDINANCES 11543 AND 16009 AND AMENDING AND RESTATING CONTENTS OF SAME AS SECTIONS 2-84 THROUGH 2-87 OF THE CITY CODE; ESTABLISHING THE COMMUNITY DEVELOPMENT COUNCIL FOR THE PURPOSE OF ADVISING THE FORT WORTH CITY COUNCIL ON PRIORITIES FUNDED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT, HOUSING OPPORTUNITIES FOR PERSONS WITH HIV/AIDS GRANT, AND THE HOME INVESTMENT PARTNERSHIPS PROGRAM GRANT; ESTABLISHING THE DUTIES AND MEMBERSHIP OF THE COMMUNITY DEVELOPMENT COUNCIL; PROVIDING FOR STAFFING FOR THE COMMUNITY DEVELOPMENT COUNCIL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fort Worth receives federal grant funds from the Department of Housing and Urban Development (“HUD”) for the purpose of assisting low to moderate income households and individuals meeting certain defined criteria; and

WHEREAS, in 1994, the City Council adopted Ordinance 11543, which restructured and refocused the Community Development Council (“CDC”) for the purpose of advising the City Council regarding funding recommendations related to the Community Development Block Grant (“CDBG”); and

WHEREAS, in 2004, the City Council adopted Ordinance 16009, amending Ordinance 11543 to include two additional grants, the Emergency Shelter Grant, renamed in 2012 to the Emergency Solutions Grant, (ESG) and the Housing Opportunities for Persons with HIV/AIDS (HOPWA) Grant, to the list of grants on which the CDC advises the City Council; and

WHEREAS, the City of Fort Worth also receives HOME Investment Partnerships Program (“HOME”) funds which can be used for affordable housing activities to benefit low-income households, including rental assistance and aid in building, buying, and rehabilitating affordable housing for rent or homeownership; and

WHEREAS, it is recommended that the City Council officially include the HOME grant as part of the advisory duties of the CDC; and

WHEREAS, staff proposes adoption of this ordinance to repeal and replace Ordinances 11543 and 16009, with their contents to be amended, restated, and codified for the purpose of describing the roles and responsibilities of the CDC and making such information more readily available to the public; and

WHEREAS, the City Council finds this Ordinance to be reasonable and necessary and finds it advisable to adopt staff's recommendations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

SECTION 1.

Chapter 2 "Administration," Article III "Boards and Commissions" of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby revised to add a new Division 4 to read as follows:

DIVISION 4: THE COMMUNITY DEVELOPMENT COUNCIL

§2-84 COMMUNITY DEVELOPMENT COUNCIL CREATED; PURPOSE.

(a) A citizens' advisory board to be known as the Community Development Council is hereby established for the purposes of advising the City Council on setting priorities for projects funded through the following federal grant programs:

- Community Development Block Grant program
- Emergency Solutions Grant program
- Housing Opportunities for Persons with AIDS Grant program
- HOME Investment Partnerships Program

(b) The Community Development Council shall also assist in ensuring compliance with all requirements imposed by the United States government regarding the above listed grant programs.

§ 2-85 COMPOSITION AND TERMS.

(a) Subject to the provisions of Chapter 2 "Administration," Article III "Boards and Commissions," Division 3 of the Code of the City of Fort Worth, Texas (2015), as amended, the Community Development Council shall be comprised of nine (9) membership places.

(b) The Mayor and other members of the City Council shall each appoint one citizen of the City of Fort Worth to serve in each place. Members appointed to odd-numbered places shall have terms which expire in odd-numbered years, and members appointed to even-numbered

places shall have terms which expire in even-numbered years.

(c) Members shall serve two-year terms, and no member shall serve more than three consecutive two-year terms.

(d) Members shall serve without compensation and may be removed at any time by the City Council.

§ 2-86 ADMINISTRATIVE SUPPORT.

Staff support of the Community Development Council will be as assigned by the City Manager.

§2-87 POWERS AND DUTIES.

(a) The Community Development Council shall review, hold public hearings on, and make recommendations to the City Council concerning proposals for funding with grant monies from the grant programs specified in Section 2-84.

(b) Funding recommendations made by the Community Development Council shall be advisory only and not be binding on the City Council.

SECTION 2.

Ordinances 11543 and 16009 are hereby repealed with their contents restated as amended in Section 1 herein.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas, (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Fort Worth, or any other ordinances of the City, that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

SECTION 6.

This ordinance shall take effect upon adoption, and it is so ordained.

**APPROVED AS TO FORM
AND LEGALITY:**

ATTEST:

Jo Ann Pate
Assistant City Attorney II

Mary J. Kayser
City Secretary

ADOPTED: _____
EFFECTIVE: _____