

ORDINANCE NO. 2005-O-030

AMENDING CHAPTER 24, ARTICLE 1, SECTION 24.1.2.1 OF THE CODE OF ORDINANCES & LAND DEVELOPMENT CODE: HISTORIC DISTRICT / LANDMARK BOARD CREATED, COMPOSITION, APPOINTMENT, AND TERMS OF OFFICE OF MEMBERS; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE. (AS AMENDED)

WHEREAS, Chapter 24, Article I, Section 24.1.2.1, of the *Land Development Code Book* currently establishes the appointment process and terms of Historic District / Landmark Board members, and currently provides that the Mayor shall appoint 9 citizen members to the Historic District / Landmark Board; and

WHEREAS, allowing each councilmember and the mayor to nominate his or her own citizen member to the Historic District / Landmark Board seems a more appropriate mode of selection; and

WHEREAS, Chapter 24, Article I, Section 24.1.2.1, of the *Land Development Code Book* currently establishes the terms of office for Board members to be two year staggered terms; and

WHEREAS, in view of the mode of nomination proposed, the staggered terms will be provided by having each appointee serve a term of office concurrently with that of the mayor or councilman who nominated him or her; and

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended approval of the ordinance; and

WHEREAS, notice of the public hearing was advertised in the newspaper at least fifteen (15) days prior to the initial hearing held before the Laredo City Council; and

WHEREAS, the Laredo City Council has held a public hearing on Monday, January 24, 2005.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Chapter 24, Article 1, Section 24.1.2.1, of the Land Development Code be and is hereby amended to read as follows::

Section 24.1.2.1. Historic District/Landmark Board Created; Composition; Appointment; and Terms of Office of Members

- (1) The Historic District/Landmark Board is hereby established. The Historic District/ Landmark Board shall assume the duties and functions of the Urban Development Action Grant (U.D.A.G.) and the former San Agustin Architectural Board. Such Board shall consist of nine (9) citizen members appointed by ~~the Mayor and~~

subject to the approval of City Council by the City Council and Mayor for terms of four (4) years from among the qualified voters of the city. The Mayor shall present before City Council for their approval, nine persons who shall be The Mayor and council shall appoint one (1) member each who shall be:

- a. a resident of the City of Laredo; and
- b. a person with a demonstrated interest, competence, or knowledge of historic preservation; and
- c. a professional member of one of the following disciplines: architecture, history, architectural history, planning, archaeology, urban planning, American Studies, American civilization, cultural geography, cultural anthropology; or
- d. a professional member of other associated disciplines: real estate, construction, banking, or engineering, etc.

(2) Not less than one member of the Board shall attend annually an informational or educational meeting sponsored by the Texas Historical Commission.

(3) Terms of Office

The term of the Board members shall (be for two year staggered terms) run concurrently with the four year term of the appointing Councilman or the Mayor. A Board member may be reappointed; however, no person shall serve as a Board member for more than two four year terms of office, or eight (8) consecutive years. This provision does not preclude the reappointment of persons appointed to serve out an unexpired term.

~~Position #1 - #4 shall be appointed the first Tuesday in July on odd numbered years.~~

~~Position #5 - #9 shall be appointed the first Tuesday in July on even numbered years.~~

Board (M)members named to replace resigning members or members who have forfeited their office under the conditions enumerated in Subsection (4) of this section shall be appointed for the unexpired term of the resigned or forfeited member. If the Chairman resigns, the Board members shall elect a replacement from among their membership to fill the unexpired term.

(4) Forfeiture of Office. A member of the Board shall forfeit his office if:

- (a) said Board Member accepts any elected or paid City Office; or
- (b) no longer resides within the City limits of the City of Laredo; or
- (c) fails to attend three (3) consecutive scheduled meetings without being excused by vote of the majority of the members present (as amended 10/15/85)

(5) Transitional rule: In view of the change of the mode of selection of the Board members by this ordinance, the following transitional rule shall be used. Each of the current Board members will be unofficially assigned to a councilmember. Each councilmember may then decide to keep, nominate, and confirm the Board member assigned to him or her, or to nominate another Board member that may include an existing Board member assigned to another councilmember but not nominated or confirmed by that councilmember. The appointees' term shall be measured from the date of appointment after this ordinance amendment - any term of office prior to the amendment of this provision shall not be taken into account when measuring the eight year maximum term.


Section 2: This ordinance shall be published in the manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as of and from the publication specified in Section 2.

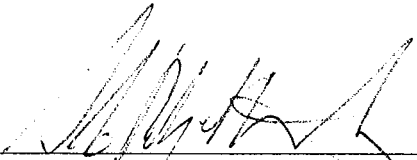
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
THE 7th DAY OF February, 2005.


ELIZABETH G. FLORES
MAYOR

ATTEST:


GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:
JAIME FLORES
CITY ATTORNEY

By: 
ANTHONY C. MCGETTRICK
ASSISTANT CITY ATTORNEY

COUNCIL COMMUNICATION

DATE: 02-07-2005	SUBJECT: FINAL READING OF ORDINANCE NUMBER 2005-O-030 AMENDING CHAPTER 24, ARTICLE 1, SECTION 24.1.2.1 OF THE CODE OF ORDINANCES & LAND DEVELOPMENT CODE: HISTORIC DISTRICT /LANDMARK BOARD CREATED, COMPOSITION, APPOINTMENT, AND TERMS OF OFFICE OF MEMBERS; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE. (AS AMENDED)
INITIATED BY: STAFF	STAFF SOURCE: KEITH SELMAN, PLANNING & ZONING DIRECTOR CYNTHIA COLLAZO, DEPUTY CITY MANAGER
PREVIOUS COUNCIL ACTION: This item was introduced by Gene Belmares at the City Council meeting of 01/24/05.	
BACKGROUND: <p>Chapter 24, Article I, Section 24.1.2.1, of the <i>Land Development Code Book</i> currently establishes the appointment process and terms of Historic District / Landmark Board members, and currently provides that the Mayor shall appoint 9 citizen members to the Historic District / Landmark Board. Allowing each councilmember and the mayor to nominate his or her own citizen member to the Historic District / Landmark Board seems a more appropriate mode of selection.</p> <p>Chapter 24, Article I, Section 24.1.2.1, of the <i>Land Development Code Book</i> currently establishes the terms of office for Board members to be two year staggered terms. In view of the mode of nomination proposed, the staggered terms will be provided by having each appointee serve a term of office concurrently with that of the mayor or councilman who nominated him or her.</p>	
FINANCIAL IMPACT: NONE	
COMMITTEE RECOMMENDATION: The Planning & Zoning Commission recommends that the ordinance be introduced.	STAFF RECOMMENDATION: Recommends that this ordinance be introduced following public hearing on the same.