

MEMO



Meeting

Date: February 28, 2019

To: Design and Historic Review Commission

From: Hillary Bueker
Sr. Planner

Request: Consideration and possible action regarding adoption of restated by-laws of the Design and Historic Review Commission

Background:

On October 2, 2018, City Council approved an Ordinance revising Chapter 2, Article 2.07 of the City Code of Ordinances to standardize provisions related to City Boards and Commissions, requiring these Board and Commissions revise their By-Laws to conform to these changes within six months of the passage of the Ordinance. These changes intended to standardize general requirements among all boards, committees and commissions, included but not limited to term limits, absences, officers duties, city staff roles, etc.

The revised By-Laws will regulate and provide legal authoritative guidelines by which the Design and Historic Review Commission can conduct its meetings and hear decisions. These By-Laws shall be read in conjunction with the relevant sections of Article 2.07.

DHRC Requested Action:

Recommend APPROVAL of adoption of restated by-laws of the Design and Historic Review Commission.

Attachments:

Proposed restated by-laws of the Design and Historic Review Commission
Relevant section of Article 2.07 Boards, Committees and Commissions

**BYLAWS
OF THE CITY OF SAN ANGELO, TEXAS
DESIGN AND HISTORIC REVIEW COMMISSION**

**ARTICLE ONE
GENERAL GOVERNING STATUTES, ORDINANCES AND RULES
GOVERNANCE AND PURPOSE**

These bylaws restate in their entirety and supersede the bylaws of the Commission in effect upon their adoption and approval by the City Council for the City of San Angelo.

The Design and Historic Review Commission shall be governed by the following statutes, ordinances and rules, as amended and supplemented from time to time and to the extent that such statutes, ordinances and rules remain in force and effect.

Chapter 211 "Municipal Zoning Authority", Section 211.003(b) of the Texas Local Government Code.

Article 2.07 "Boards, Committees, and Commissions, Division 1 and Division 5 of the Code of Ordinances, City of San Angelo, Texas

Bylaws of Design and Historic Review Commission

Chapter 551 in the State of Texas Government Code, Texas Open Meetings Act.

~~**Section 1.01. Governance of the Commission.** The Design and Historic Review Commission of the City of San Angelo, hereinafter referred to as the "Design and Historic Review Commission" or "Commission", shall be governed by these By-Laws, subject to ordinances establishing and governing the Commission now in effect or hereinafter adopted, and applicable state law.~~

~~**Section 1.02. Purpose of the Commission.** The Commission shall assume those duties imposed upon the Commission by City ordinances with the purpose to protect, enhance and perpetuate landmarks and districts of historical and cultural importance. The Commission shall function in an advisory capacity to the City Council in matters of design review and the application of Historic Overlay Zones for historic preservation within the City, including development along the Concho River.~~

**~~ARTICLE TWO
COMPOSITION OF THE COMMISSION~~**

~~**Section 2.01. Number and Composition**~~

~~(a) The Design and Historic Review Commission shall consist of seven members appointed by the City Council, having the following qualifications to the extent that such candidates for appointment are available among the residents of the City:~~

- ~~1. at least two (2) members shall be licensed or otherwise recognized as professional in architecture, landscape architecture, design, engineering, surveying, or related profession;~~
- ~~2. at least one (1) member shall be recognized as a historian or a member of a local historic preservation group;~~
- ~~3. at least one (1) member shall be an owner of real property within the River Corridor;~~
- ~~4. at least one (1) member shall own real property designated or recognized as a community landmark, or within a designated historic district; and,~~
- ~~5. at least one (1) member shall be a member of a downtown development organization under contract with the City of San Angelo.~~

~~A single candidate may be regarded as meeting more than one of the foregoing qualifications for the Commission.~~

~~(b) Commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge of historic preservation or a professional design field.~~

~~(c) The following City staff persons or their designated representatives shall sit on the Design and Historic Review Commission as ex officio, non-voting members, who shall assist the Commission in its functions:~~

- ~~Director of Planning;~~
- ~~Chief Building Official; and~~
- ~~Historic Preservation Officer.~~

~~**Section 2.02. Term.** Members of the Commission shall serve no more than two (2) full consecutive two (2) year terms.~~

~~**Section 2.03. Vacancies.**~~

~~(a) Vacancies for unexpired terms shall be filled by appointment of an interim member by the City Council for the remainder of the unexpired term of the member whose position is vacated; provided however, that a person serving such an interim appointment shall nevertheless be eligible to serve two (2) full, consecutive terms after completion of his or her interim appointment.~~

~~(b) In the event the Chairperson vacates his office, the Vice-Chairperson shall succeed and serve as Chairperson for the unexpired term. A new Vice-Chairperson shall be elected at the next regular meeting of the Commission.~~

~~Section 2.04. Removal from Office.~~ Members of the Design and Historic Review Commission shall serve at the pleasure of City Council, subject to removal by the City Council without cause.

ARTICLE THREE DUTIES

~~Section 3.01. Responsibilities of the Commission.~~ The Commission shall act in an advisory capacity to the City Council in matters of design review relating to historic preservation in the City and development along the Concho River. The responsibility of the Commission within the scope of its general duties and corresponding authority shall include:

- ~~1. Adopt bylaws, rules, and regulations to carry out the business of the Commission, subject to ratification by the City Council.~~
- ~~2. Adopt criteria for the designation of historic, architectural, and cultural landmarks and delineation of historic districts, subject to ratification by the City Council.~~
- ~~3. Prepare and present to the City Council, recommendations for policies and ordinances regarding development and all types of signage along the Concho River and other similar bodies of water as designated, subject to ratification by the City Council.~~
- ~~4. Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the City.~~
- ~~5. Recommend the designation of landmarks, historic districts, and other types of districts.~~
- ~~6. Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.~~
- ~~7. Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public educational programs.~~
- ~~8. Increase public awareness of the value of open spaces, public spaces, natural habitats, and wildlife along the Concho River and other similar bodies of water as designated by developing and participating in public educational programs.~~
- ~~9. Make recommendations to the City Council concerning the utilization of state, federal, or private funds to promote the preservation of open and public spaces along the Concho River and other similar bodies of water as designated.~~
- ~~10. Make recommendations to the City Council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the City.~~

~~11. — Approve or deny applications for Certificates of Appropriateness pursuant to provisions of the City of San Angelo Zoning Ordinance.~~

~~12. — Prepare specific design guidelines for the review of landmarks, districts, and construction & demolition of historic buildings.~~

~~13. — Recommend the acquisition of a landmark structure by the City of San Angelo where its preservation is essential to the purpose of this article and where private preservation is not feasible.~~

~~14. — Recommend the acquisition of land along the Concho River and other similar bodies of water as designated by the City of San Angelo where its proximity to the river is vital to the purpose of this article.~~

~~15. — Recommend to the City Council tax abatement and other economic development programs for the preservation of landmarks or historic districts.~~

~~16. — Recommend to the City Council tax abatement and other economic development programs for sustainable developments along the Concho River and other similar bodies of water as designated.~~

~~17. — Recommend to the City Council the acceptance of the donation of preservation easements and development rights as well as any other gifts of value for the purpose of historic and environmental preservation.~~

~~18. — Carry out other duties as specifically delegated to the Commission by the City Council.~~

ARTICLE FOUR OFFICERS

Section 42.01. ~~Chairperson.~~ Chairperson. The Design and Historic Review Commission shall elect a Chairperson from its members at its first meeting in January. ~~The Chairperson shall be elected for a term of one (1) year or until expiration of the member's term on the Commission. The Chairperson may be re-elected to serve as Chairperson for successive one-year terms.~~ The Chairperson shall:

1. Preside at all meetings of the Commission;
2. Call special meetings of the Commission in accordance with the adopted Bylaws;
3. Execute official documents of the Commission;
4. Ensure that actions required of the Commission are properly taken; and
5. Vote on all matters before the Commission.

In the event the Chairperson vacates his~~the~~ office, the Vice-Chairperson shall succeed and serve as Chairperson for the unexpired term. A new Vice-Chairperson shall be elected at the next regular meeting of the Commission.

~~**Section 42.02. Vice. Vice Chairperson.** The Design and Historic Review Commission shall elect a Vice Chairperson from its members at its first meeting in January, ~~who shall serve as the Chairperson in the absence of the Chairperson. The Vice Chairperson shall be elected for a term of one (1) year or until earlier expiration of the member's term on the Commission. The Vice Chairperson may be re-elected to serve as Vice Chairperson for successive one year terms.~~~~

~~**Section 42.03. Secretary. Secretary.** ~~The Planning Manager for the City, or his or her designee, shall serve as Secretary to the Commission.~~ The Secretary shall keep the minutes of all meetings of the Commission, shall be the custodian of all books and records of the Commission, prepare and send or deliver such notices as directed by the Commission and in general perform all duties as may be required by the Commission. The Secretary, along with the Historic Preservation Officer, shall coordinate the preservation efforts of the Commission with applicable state and federal agencies and non-profit organizations.~~

ARTICLE ~~III~~FIVE **RULES OF PROCEDURE**

~~**Section 53.01. Rules of Order and Procedure.** The Design and Historic Review Commission shall adopt rules of order and procedure to regulate meetings of the Commission and other business of the Commission. The rules of order and procedures shall govern procedural matters, shall be kept on file with the Director of Planning, and shall be available for inspection by the public.~~

~~**Section 35.02. Voting. Voting.**~~

(a) Votes taken by the Commission shall be conducted in open meetings upon motion made and seconded, and by a show of hands or verbally. The results of each vote shall be announced by the Chairperson at the time the vote is taken.

(b) On any matter in which the Commission is to offer a recommendation to the City Council, and a tie vote is taken by the Commission, the tie vote shall be forwarded to the City Council without recommendation for approval or disapproval by the Commission.

(c) Unless excused or disqualified from voting, a Commission member shall cast a vote on each motion duly made and seconded. A failure to cast a vote on a duly -made and seconded motion by a Commission member who is otherwise required and eligible to vote, shall be deemed by the Chairperson to be a vote in the affirmative.

~~**Section 5.03. Conflict of Interest.**~~

~~(a) No member of the Commission shall participate in any matter in which he or she has a substantial interest in the business or property concerned, or has any other conflict of interest as defined by applicable law, except as may be otherwise permitted pursuant to Chapter 171 of the Texas Local Government Code, which shall govern. “Substantial interest” and “Business entity” are as defined in Chapter 171 of the Texas Government Code. To this end the conflicted Commission member shall execute an appropriate affidavit as required by statute, and shall leave the meeting room during discussion, deliberation and vote on the matter in which the Commission member has a conflict of interest.~~

~~(b) If a member of the Commission believes that he or she may have a perceived conflict of interest for a specific matter not covered by paragraph (a) of this section, from which he or she desires to be excused, then that Commission member may be excused upon motion made, seconded and adopted by a majority vote of the remaining Commission members. The excused Commission member shall leave the meeting room during discussion, deliberation and vote on the matter in which the Commission member has a perceived conflict of interest.~~

Section 5.04. Absences.

~~(a) Each member of the Commission who gains knowledge of the fact that he/she will not be able to attend a scheduled meeting of the Commission shall so notify the Planning Division as early as is reasonably possible prior to the meeting. The Planning Director shall notify the Chairperson in the event that the anticipated absence will result in the lack of a quorum. If, for any valid reason, a member is not able to attend a regular meeting and notifies the Chairperson or the Planning Division at least seventy-two (72) hours in advance of the scheduled time for a meeting, the member’s attendance shall be excused and the absence shall not count against the member’s attendance record (hereinafter “excused absence”).~~

~~(b) Each member of the Commission shall be required to attend at least ten (10) regularly scheduled meetings annually from the member’s date of appointment. Any member failing to comply with this requirement shall be deemed to have resigned from the Commission. A member’s excused absences shall be counted the same as if the member had attended the meeting from which he or she was excused for purposes of this requirement.~~

ARTICLE IVSIX PUBLIC MEETINGS

~~**Section 6.01. Regular Meetings and Open Meetings Act.**—All meetings of the Design and Historic Review Commission shall be held in compliance with the Open Meeting Act of the State of Texas. Regular meetings shall be scheduled at least once a month. Additional meetings may be held upon the call of the Chairperson or the Vice Chairperson, in the absence of the Chairperson, or upon petition of a simple majority of the Commission members, following at least seventy-two (72) hours notice to each member of the Commission and public notice of the meeting and meeting agenda.~~

~~Section 64.012. Historic Overlay Designations.~~ The Design and Historic Review Commission shall hold at least one public hearing on each proposed Historic Overlay Zone designation and on each application for Certificate of Appropriateness. However, no public hearing shall be scheduled until after the application for the Certificate of Appropriateness is completed and all applicable fees have been paid. The Commission may postpone or table a public hearing on an application for a Certificate of Appropriateness if the Commission finds that additional information relative to the pending application is necessary for its review of the application.

4.02. Regular and Special Meetings. Regular meetings of the commission shall be held on the third Thursday of each month, subject to availability of a quorum or if there is no business for consideration. Special meetings may be called by the chairperson with notice to commissioners as herein provided.

Section 46.033. Notice

(a) **Public Notice.** Notice of all meetings of the Design and Historic Review Commission shall be given in compliance with the requirements of the Texas Open Meetings Act. Notice of hearing to consider Historic Overlay zoning designation shall also comply with the code of ordinances, Chapter 12, Exhibit “A” Zoning Ordinance, Article 2 ~~Development Review~~, Section 211 ~~Historic Overlay Zone, of the Code of Ordinances of the City of San Angelo~~, and with ~~Chapter 12 Article 12.08 Planning and Development~~, “Article 12.800 Historic Preservation Tax Abatement, Section 12.803 Historic Project Tax Abatement, of the Code of Ordinances of the City of San Angelo,” when applicable. The Director of Planning of the City shall be responsible for compliance with the notice requirements.

(b) **Notice to Commissioners.** Notice of any meeting of the Commission, whether a regular or a special meeting, shall be given to the members of the Commission at least three (3) days in advance of the meeting, by written notice delivered personally, sent by mail, or electronic mail, ~~or facsimile~~ to each member. Such notice shall contain the time, date, place, and the agenda to be considered.

Section 6.04. Quorum.

~~(a) For purposes of convening a meeting, a quorum shall consist of Five (5) duly appointed regular, voting members of the Commission.— Except as stated at subparagraph (b) of this section, decisions of the Commission may be made only upon the affirmative vote of at least four (4) regular, voting members.~~

(b) When a property owner objects to property, being included in a Historic Overlay zone, whether an area, site, building(s), or other structure, fixture or object, of historical, architectural, or cultural significance, the affirmative vote of at least six (6) members of the

Commission shall be required for a recommendation by the Commission to the City Council that the property be included in a Historic Overlay Zone.

Section ~~64.054~~. **Agenda.** The Director of Planning shall prepare the agendas necessary for Commission meetings. Any member of the Commission may have an item placed on the agenda by timely notifying the Historic Preservation Officer or the Director of Planning pursuant to applicable procedures for preparation of the agenda and public notice.

Section ~~46.065~~. **Deadlines.** The deadline for submission of completed applications to the Design and Historic Review Commission is 5:00 p.m. on the last work day at least fifteen workdays prior to the scheduled Commission meeting.

Section ~~64.067~~. **Staff.** In addition to appointment of a Historic Preservation Officer as provided at Division 5 of Article 2.07 of the Code of Ordinances, City staff or persons serving the Commission shall include:

~~(a) Historic Preservation Officer.~~

~~The City Council or its designee shall appoint a qualified City official, staff person, or appropriate resident of the City to serve as Historic Preservation Officer (HPO). This Officer shall administer the Design and Historic Review Commission Ordinance, and on request of the Commission, advise the Commission on matters submitted to it.~~

~~The Historic Preservation Officer, in coordination with the Secretary to the Commission, is responsible for coordinating the City's preservation activities with those of state and federal agencies, and with local, state, and national nonprofit preservation organizations.~~

~~(b)~~(a) _____ Director of Planning and Chief Building Official.

The Director of Planning and the Chief Building Official or their designated representatives shall attend all meetings of the Commission and may provide information and make recommendations to the Commission regarding matters within the purview of the Commission.

~~(c)~~(b) _____ City Attorney

The City Attorney or designated Assistant City Attorney shall be the legal advisor to the Design and Historic Review Commission.

~~Section 64.078. Committees.~~ The Chairperson of the Design and Historic Review Commission may, with approval of a majority of the members of the Commission, appoint Special Study Committees and assign tasks to those committees.

~~Section 64.098. Presentation and Public Comment.~~

(a) Public comment to the Commission regarding an item on the agenda shall be limited to a ~~five-three (53)~~ minutes per person or presenter unless such person or presenter requests and receives an allowance of additional time from the presiding officer. The presiding officer may exercise reasonable and unbiased discretion in allowing or not allowing additional time for any person or presenter. The use of a single presenter or spokesperson to represent a group of people having like interests or positions on a matter before the Commission is encouraged.

(b) When there are a large number of persons present who wish to address the Commission on a matter, the presiding officer may reduce below ~~five-three (53)~~ minutes, the amount of time allowed each person on public comment to address the Commission. When, due to the number of people who wish to address the Commission or for other reasons, there is not time available to complete consideration of a matter or matters on the meeting agenda, the presiding officer may continue the meeting to a later date in a manner compliant with the requirements of the Open Meetings Act.

(c) The order of Consideration of Agenda Items shall be:

1. Staff presents report and recommendation.
2. The Commission may ask questions regarding the staff presentation and report.
3. Proponents of the agenda items are allowed to make public comment.
4. Any opponents are allowed to make public comment.
5. Final comments and discussion.
6. The Commission then takes a vote.

~~**Section 6.10. Minutes of Meetings.** The Design and Historic Review Commission shall keep minutes of its meetings. Minutes shall include a description of each motion and vote. The minutes of Commission meetings shall be filed with the Commission Secretary and made available for public inspection.~~

ARTICLE SEVEN
AMENDMENTS TO BYLAWS

~~5(a).01.~~ The bylaws of the Design and Historic Review Commission may be amended by affirmative vote of at least four voting members of the Commission and approval by the City Council.

~~(b)~~5.02. Members of the Design and Historic Review Commission shall be provided notice of any proposed amendment to the bylaws at least two (2) weeks prior to any Commission meeting at which consideration of the amendment to the bylaws is on the meeting agenda.

ARTICLE ~~EIGHT~~VI
PARAGRAPH HEADINGS AND TABLE OF CONTENTS

6.01. The table of contents and the paragraph headings contained herein are for convenience in reference to these bylaws and are not intended to define or to limit the scope of any provision herein.

DULY ADOPTED by the Design and Historic Review Commission,
SUBJECT TO APPROVAL of the City Council of the City of San Angelo, Texas,

this 28st day of February, 2019.

Stephen McLaughlin, Chairperson

Date: February 28, 2019

APPROVED AND ADOPTED BY the City Council for the City of San Angelo, Texas,

this 19th day of March, 2019.

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Jon Janes, Planning and Development Services Director Dan Saluri, Deputy City Attorney—

APPROVED AND RECOMMENDED to the City Council of the City of

San Angelo this _____ day of _____, 2012.

_____, Chairperson

Date: _____, 2012_

~~_____ RATIFIED AND ADOPTED by the City Council of the City of San Angelo~~
this _____ day of _____, 2012.

ATTEST: _____ Alvin New, Mayor

Alicia Ramirez, City Clerk

APPROVED AS TO CONTENT _____ APPROVED AS TO FORM

A. J. Fawver, Planning Manager _____ Dan T. Saluri, Sr. Assistant City Attorney

Exhibit A

ARTICLE 2.07 BOARDS, COMMITTEES AND COMMISSIONS

Division 1. Generally

Sec. 2.07.001 Organization and Procedure. Unless otherwise required by statute or this article, all boards and commissions shall be governed as follows:

(1) *Appointment.* Members shall be appointed by a vote of City Council. One member shall be nominated by the mayor. Each of the six remaining member seats shall be designated for a single member district one through six respectively, to be filled by nomination of the councilmember representing the designated single member district. Should any nominee not secure at least four affirmative votes of councilmembers, the mayor or single member district city council member having made the nomination shall schedule a new nomination for vote of the council.

(2) *Attendance.* Any member who fails to attend at least 2/3 of the meetings in a rolling one year period shall be deemed to have automatically resigned from office unless such absences are considered excused as set forth in the board or commission's bylaws.

(3) *Number of members.* Boards shall be composed of seven members.

(4) *Compensation.* All members shall serve without compensation.

(5) *Conflict of interest.*

(A) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of "substantial" interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in chapter 171 in the Texas Local Government Code, as amended.

(B) No member of the city council, or person related to a councilmember within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

(C) None of the following persons or entities shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

1)The member of the board;

2)A person related to a board member within the second degree by consanguinity or affinity;

3)A legal entity owned by or under the control of the board member or for which the board member serves as an officer, director or member;

4)A legal entity owned by or under the control of a person related to the board

member within the second degree by consanguinity or affinity or for which such person serves as an officer, director or member.

(D) No employee of the department associated with the board, or person related to an employee or supervisor of this department within the second degree by consanguinity or affinity, shall be eligible for assistance from the board during his/her employment or for six months thereafter.

(E) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.

(6) *Election of Officers.* Each board shall include in the adopted bylaws the manner in which officers and committees will be selected. Each board shall have at a minimum a chair, vice-chair, and secretary.

(7) *Meetings.* Each board shall hold regular monthly meetings on a day to be selected by the commission and on other such occasions as may be called by the chairman. Additional meetings may be called as needed. Meetings may be cancelled in months where there is no business to be transacted. All meetings shall be open to the public and held in accordance with the Texas Open Meetings Act. All meetings shall be held within the city limits.

(8) *Minutes.* Board liaisons shall keep a permanent record of all minutes.

(9) *Qualifications.* Members shall be at least 18 years of age and a resident of the City.

(10) *Quorum.* A quorum shall consist of a simple majority of the appointed members, excluding any ex-officio members.

(11) *Removal.* Members may be removed at any time by a 2/3 vote of the City Council without cause.

(12) *Rules, regulations and bylaws.* Each board shall have the power to make rules, regulations and bylaws for its own government and in conformity with the laws of the state and this article. All said rules, regulations, and bylaws shall be approved by the city council.

(13) *Term:* The term of office for each member of the boards shall be two years.

(14) *Term Limit.* No member may serve more than 3 consecutive terms, not including an unexpired term. Members who term out of a position are eligible for reappointment after one year. For the purposes of this Article, the current number of terms held as of the date of passage of this Article stands, with respect to established term limits.

(15) *Vacancies.* All vacancies shall be filled for unexpired terms in the same manner as original appointment. Vacancies for unexpired terms shall be filled for the remainder of the unexpired term.

Secs. 7.02.002 through 7.02.010 Reserved

Division 5. Design and Historic Review

Commission Sec. 2.07.061 Creation; members

(a) A design and historic review commission is hereby created and established within the city.

(b) *Qualifications.* Candidates shall have a known or demonstrated interest in, general knowledge of, and experience relevant to historic preservation or other professional design field within the city.

(c) To the extent that candidates are available among the residents of the community, appointments shall be made by the city council based upon the following qualifications:

- (1) At least two (2) members shall be licensed or otherwise recognized as professional in architecture, landscape architecture, design, engineering, surveying, or related profession;
- (2) At least one (1) member shall be recognized as a historian or a member of a local historic preservation group;
- (3) At least one (1) member shall be an owner of real property within the River Corridor;
- (4) At least one (1) member shall own real property designated or recognized as a community landmark, or within a designated historic district; and
- (5) At least one (1) member shall be a member of a downtown development organization under contract with the city.

Sec. 2.07.062 Ex-officio members. The planning manager and the building official of the city shall serve as nonvoting ex-officio members of the commission.

Sec. 2.07.063 Duties. The duties of the design and historic review commission shall include acting as an advisory commission to the city council in matters of design review relating to historic preservation in the city and development along the Concho River. The responsibility of the commission within the scope of its general authority shall include the authority to:

- (1) Adopt criteria for the designation of historic, architectural, and cultural landmarks and delineation of historic districts, which shall be ratified by the city council.
- (2) Prepare and present to the city council recommendations for policies and ordinances regarding development and all types of signage along the Concho River and other similar bodies of water as designated, which shall be ratified by the city council.
- (3) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city.
- (4) Recommend the designation of landmarks, historic districts, and other types of districts.
- (5) Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public educational programs.

- (7) Increase public awareness of the value of open spaces, public spaces, natural habitats, and wildlife along the Concho River and other similar bodies of water as designated by developing and participating in public educational programs.
- (8) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of open and public spaces along the Concho River and other similar bodies of water as designated.
- (9) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.
- (10) Approve or deny applications for certificates of appropriateness pursuant to provisions of the city zoning ordinance.
- (11) Prepare specific design guidelines for the review of landmarks, districts, and construction and demolition of historic buildings.
- (12) Recommend the acquisition of a landmark structure by the city where its preservation is essential to the purpose of this division and where private preservation is not feasible.
- (13) Recommend the acquisition of land along the Concho River and other similar bodies of water as designated by the city where its proximity to the river is vital to the purpose of this division.
- (14) Recommend to the city council tax abatement and other economic development programs for the preservation of landmarks or historic districts.
- (15) Recommend to the city council tax abatement and other economic development programs for sustainable developments along the Concho River and other similar bodies of water as designated.
- (16) Recommend to the city council the acceptance of the donation of preservation easements and development rights as well as any other gift of value for the purpose of historic and environmental preservation.
- (17) Carry out other duties as specifically delegated to the commission by the city council.

Sec. 2.07.064 Officers. The commission shall elect from the appointed members of the commission a chairperson and a vice-chairperson to serve in the absence of the chairperson. The chairperson and vice-chairperson shall serve in their respective capacities for one (1) year terms or until their term of appointment to the commission expires, whichever shall first occur. No chairperson or vice-chairperson shall serve in such capacity for more than three (3) consecutive years. The planning manager for the city, or the manager's designee, shall serve as secretary to the commission. The commission shall elect such other officers as the commission may establish in its bylaws.

Sec. 2.07.065 Historic preservation officer. The city council or its designee shall appoint a city official, city staff person, or resident of the city having a known or demonstrated interest in, general knowledge of and experience relevant to historic preservation or other professional design field to serve as the historic preservation officer (HPO) for the city, to facilitate the administration of this

division and serve as an advisor to the commission on request of the commission. The historic preservation officer, in coordination with the secretary for the commission and the planning manager or his/her designee, shall coordinate the preservation efforts of the commission with applicable state and federal agencies and nonprofit organizations.

Sec. 2.07.066 Quorum and voting. Five (5) duly appointed regular members of the commission shall constitute a quorum. The affirmative vote of four members is required to approve any item brought before the commission.

Sec. 2.07.067 Minutes. The commission shall keep minutes of its proceedings in a permanent record, and a certified copy of said minutes shall be filed with the secretary for the commission.

Secs. 2.07.068–2.07.080 Reserved