

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS**

**ORDINANCE NO. 23-063-00**

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING DIVISION 5 HISTORICAL PRESERVATION COMMISSION. SECTION 1.04.121 PERTAINING TO DUTIES OF THE BOARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS**

**WHEREAS**, it is the desire of the City Council of the City of Leander to have a Historical Preservation Commission and to provide for the duties;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS THAT:**

**SECTION 1.** The above and foregoing recital is hereby found to be true and correct and is incorporated herein as findings of fact.

**SECTION 2.** The Code of Ordinances of the City of Leander, Texas is hereby amended Division 5. Historical Preservation Commission, to Article 1.04, Boards, Commissions and Committees, Section 1.04.011 to read as set forth in Exhibit "A".

**SECTION 3.** If any section, article paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 4.** That all provisions of the Ordinances of the City of Leander, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.** This Ordinance shall become effective from and after its date of passage in accordance with law.

**PASSED AND APPROVED** on this 21 day of September, 2023.

**CITY OF LEANDER, TEXAS**

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Christine DeLisle, Mayor

**ATTEST:**

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Dara Crabtree, City Secretary

Historic Preservation Commission

## **EXHIBIT "A"**

### **Division 5. Historical Preservation Commission**

#### **Sec. 1.04.011. Historical Preservation Commission.**

(a) There is hereby created a commission to be known as the Leander Historical Preservation Commission, hereafter referred to as the "commission."

(b) The commission shall serve as an advisory body to the City Council and shall consist of seven members, appointed by the city council in accordance with the City Charter and the Code of Ordinances, who shall whenever possible meet one or more of the following qualifications:

- (1) A registered architect, planner or representative of a design profession,
- (2) A registered professional engineer in the State of Texas,
- (3) A member of a nonprofit historical organization of Williamson County,
- (4) A local licensed real estate broker or member of the financial community,
- (5) An owner of an historic landmark residential building,
- (6) An owner or tenant of a business property that is an historic landmark or in an historic district.
- (7) A resident of the extraterritorial jurisdiction.

(c) Commission members shall serve staggered terms of three years each.

(d) The chairman and vice-chairman of the commission shall be elected by and from the members of the commission.

(e) The duties of the commission, shall be to:

- (1) Assist in applying for preservation and rehabilitation grants and by making recommendations to the city government concerning the utilization of state, federal, or private funds to promote the preservation of historic landmarks and historic districts within the city.
- (2) Recommend the designation of resources as historic landmarks and historic districts.
- (3) Create committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of the historical preservation ordinance.

(4) Maintain written minutes that record all actions taken by the commission and the reasons for taking such actions.

(5) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.

(6) Maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located within the city.

(7) Recommend action to the city government regarding the donation of preservation easements and development rights as well as any other gift of value for the purpose of historical preservation, subject to the approval of the city council.

(8) Make recommendations on plans detailed design review addressing alterations of designated properties.

(f) Members of the commission shall serve without compensation.

(g) Vacancies on the commission shall be filled by the city council for the unexpired term of the vacancy.

(h) The commission shall meet at least monthly unless there is no commission business at hand. All meetings shall be held in conformance with the Texas Open Meetings Act (V.T.C.A., Government Code ch. 551).

(i) A quorum for the transaction of business shall consist of not less than a majority of the full voting membership. All issues shall be decided by a simple majority vote of the commission members present.

(j) The historical preservation officer shall be a non-voting, ex-officio member of the commission and shall attend all commission meetings.