

**Ordinance amending the Code of Ordinances regarding the Landmark  
Commission duties and membership.**

**Be it ordained by the City Council of the City of Corpus Christi, Texas:**

**Section 1.** That Part III, Chapter 2, Article IV, Division 18, Section 2-204 of the City Code of Ordinances regarding the establishment, composition, appointment, and terms of members of the Landmark Commission, is amended to read as follows:

Sec. 2-204. Establishment; composition; appointment and terms of members.

The city council shall be responsible for the appointment of members to the landmark commission from resumes on file in the city secretary's office. Such persons shall be nominated by individual city council members and appointed by a majority vote of the council. In so far as possible, the numerical composition of the commission shall correspond to the ethnic, gender, and economic distribution of the city according to the last federal census report.

All members shall have knowledge and experience in either the architectural, archaeological, cultural, social, economic, ethnic or political history of Corpus Christi. No one occupation or professional interest shall constitute a majority membership of the commission. Such membership shall be composed of ~~fifteen (15)~~ eleven (11) members. Of that total, a representation of the following competences shall be appointed as members to the commission:

Two (2) historians, ~~two (2)~~ one (1) licensed real estate salespersons, ~~two (2)~~ one (1) registered architects, one (1) structural or civil engineer, ~~two (2)~~ one (1) history teachers, one (1) person knowledgeable in title search and/or property surveyor, and five (5) ~~other~~ regular members, totaling ~~fifteen (15)~~ eleven (11) members.

Members shall serve a three-year term and a maximum of two (2) consecutive terms. Vacancies of an unexpired term shall be filled by an appointment received from the city council for the remainder of the term. In addition to the ~~fifteen (15)~~ eleven (11) members, the director of planning or his/her appointee shall serve as a non-voting, ex-officio member and provide staff services to the commission.

The chairperson, vice-chairperson and other offices as may be prescribed shall be elected by a majority vote of the commission members.

**Section 2.** That Part III, Chapter 2, Article IV, Division 18, Section 2-206 of the City Code of Ordinances regarding the quorum and voting guidelines of the Landmark Commission, is amended to read as follows:

Sec. 2-206. Quorum; voting guidelines.

The landmark commission shall meet at least once a month unless a quorum is not present. Additional meetings may be called by the chairperson or by petition with a

simple majority vote of the commission. ~~Nine (9)~~ Six (6) voting members shall be present to constitute a quorum. Any action taken on an item with the minimum quorum present shall be decided by an affirmative vote not less than five (5) members. Whenever more than ~~nine (9)~~ six (6) members are present, action on an item shall be decided by a majority vote. However, action on a request by the property owner(s) to demolish, exteriorly change, or remove property (see ~~zoning ordinance, sections 28A-8 and 28A-9~~ Unified Development Code, subsections 3.15 and 3.16) which is listed on the preservation plan shall only be granted by a favorable vote of three-fourths of all of the landmark commission members.

**Section 3.** That Part III, Chapter 2, Article IV, Division 18, Section 2-207 of the City Code of Ordinances regarding the meetings and public hearings of the Landmark Commission, is amended to read as follows:

Sec. 2-207. Meetings and public hearings.

Notice of commission meetings are governed by Article 6252-17, V.T.S. (Open Meeting Law). The commission may advertise its meetings and agenda as funds permit. However, a public hearing on an application for exterior changes (see ~~zoning ordinance, section 28A-8~~ Unified Development Code, subsections 3.15) and/or demolition/removal (see ~~zoning ordinance, section 28A-9~~ Unified Development Code, subsections 3.15) of a "HG" "-H" Historic Overlay designated property or a designated landmark on the preservation plan shall require a public notice be advertised once in the official local newspaper, seven (7) days prior to the hearing date. Such notice shall be prepared by the ex officio member, and shall include a summary of the subject application, the date, time and location of the public hearing. Additionally, notices on the subject item should be mailed by the ex officio member seven (7) days or earlier of the scheduled hearing to any property owners whose property has both "HG" "-H" Historic Overlay designation and is within two hundred (200) feet of subject property.

If a quorum is not present for an advertised public hearing, then members present, but not less than two (2), may reset such public hearing to a date not more than ten (10) days after the present hearing. Any rescheduled public hearing shall be advertised and adjacent owners notified as originally required.

**Section 4.** That Part III, Chapter 2, Article IV, Division 18, Section 2-208 of the City Code of Ordinances regarding absences of the Landmark Commission, is amended to read as follows:

Sec. 2-208. Absences

~~Commission members are allowed three (3) absences of regular scheduled meetings per year. A fourth absence shall constitute an automatic dismissal from the commission. A member shall be counted absent when attendance at a regular scheduled meeting is less than fifty (50) per cent of the scheduled agenda items.~~

Refer to § Part III, Chapter 2, Article IV, Division 1, 2-61 of the City Code of Ordinances.

**Section 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision of this ordinance be given full force and effect for its purpose.

**Section 6.** Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor