

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 2.191 OF THE SAN MARCOS CITY CODE RELATING TO THE COMPOSITION OF THE HISTORIC PRESERVATION COMMISSION; INCLUDING PROCEDURAL PROVISIONS; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 2.191 of the San Marcos City Code is hereby amended to read as set forth below. Added text is indicated by underlining and deleted text is indicated by strikethroughs.

Sec. 2.191. Composition; term.

(a) *Composition.* The historic preservation commission shall consist of seven members appointed by the city council from the following sources:

- (1) ~~Two members shall be residents of the city, or shall be employed in the city.~~ Members shall be residents of the city, or shall be employed in the city, and shall demonstrate an interest in the history of the City of San Marcos.
- (2) ~~Two members shall be citizens of the City with a demonstrated interest in the history of the City of San Marcos.~~ Three members shall be property owners or residents from one of the Historic Districts designated in the Development Code.
- (3) ~~Two members shall be property owners or residents from one of the Historic Districts designated in the Development Code, other than the downtown Historic District. The city council shall endeavor to rotate appointments evenly among the districts.~~ The city council shall endeavor to maintain a downtown representative and rotate appointments evenly among the districts.
- (4) The city council shall endeavor to appoint members from the disciplines of architecture, history, archaeology, or other disciplines related to historic preservation.
- ~~(4) One member shall be a property owner, business owner, or resident of the downtown Historic District.~~

~~(5) — If possible, at least two members shall be from the disciplines of architecture, history, archaeology, or other disciplines related to historic preservation.~~

(b) *Term of office.* The members of the Historic Preservation Commission shall serve three-year staggered terms. Three members shall be appointed in one year. Two members shall be appointed in the next year and two members shall be appointed in the third year. An appointment to fill a vacancy shall be for the unexpired term.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance shall be effective upon its adoption on second reading.

PASSED AND APPROVED on first reading on February 18, 2020.

PASSED, APPROVED AND ADOPTED on second reading on March 3, 2020.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney