

ORDINANCE NO. 2151

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING THE COMPOSITION AND ACTIONS OF THE ARCHITECTURAL REVIEW BOARD BY AMENDING THE CITY'S CODE OF ORDINANCES; CHAPTER 2, ARTICLE III, SECTION 2-48 ARCHITECTURAL REVIEW BOARD; INCORPORATING RECITALS; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Alamo Heights (the "City") has previously set composition rules and review procedures for the Architectural Review Board; and

WHEREAS, the City of Alamo Heights has determined there is a need to modify the procedures and composition to ensure timely decisions on applications are made and for the good governance of the City; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and welfare of its citizens to adopt the new regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS:

SECTION 1. AMENDMENT 1. That Chapter 2, Article III, Section 2-48 Architectural Review Board hereby amended to read as follows:

- (a) *Composition.* There is created an architectural review board consisting of seven (7) members who are residents and qualified voters of the city. Each member of the architectural review board shall be appointed by the mayor and confirmed by the city council, and shall serve for terms of two (2) years or until reappointed or replaced by action of the mayor and city council. All acts of the architectural review board shall require the affirmative vote of at least four (4) members/alternates, and a quorum for meetings shall be at least four (4) members/alternates. The architectural review board shall have the powers and duties specified in this article and shall comply with the procedures specified in this article. Two (2) alternate members may also be appointed by the City Council to serve when one or more regular members are absent or unable to fulfill their duties for a meeting or agenda item for consideration. Any such participating/voting alternate be designated by the Chair at the start of the meeting or agenda item. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

SECTION 2. AMENDMENT 2. That Chapter 2, Article III, Section 2-48 Architectural Review Board hereby amended to read as follows by adding subsection "e":

“(e) *Absences:* A regular member shall be automatically removed from the architectural review board, and a vacancy shall be created, upon the failure to attend four (4) regular convened meetings of the board, in any rolling twelve (12) month period. In the event a regular meeting is called, but a quorum is not convened: any member who fails to confirm availability to City Staff at least six (6) hours prior to meeting shall be deemed absent. Nothing in this section shall restrict the removal of any member as provided elsewhere in the code of ordinances. Nothing in this section shall limit a removed member from re-appointment.”

SECTION 3. The remainder of Code of Ordinances remains unchanged, and as amended, shall remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein.

SECTION 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 6. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 7. The Ordinance shall take effect immediately upon its passage.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THIS 27th DAY OF JANUARY 2020.


BOBBY ROSENTHAL, MAYOR

ATTEST:


JENNIFER REYNA, CITY SECRETARY

APPROVED AS TO FORM:


FRANK J. GARZA, CITY ATTORNEY