



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: O-1

Date: June 19, 2007

Subject: Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 10 to revise the Historical Preservation Board membership requirements to include the Executive Director of the Heart of Tyler Main Street Program.

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Item Reference: Tyler City Code Chapter 10, Article II.

HISTORICAL PRESERVATION BOARD MEMBERSHIP

Tyler City Code Section 10-21 currently establishes certain membership requirements for the Tyler Historical Preservation Board, and contains specific categories of professions from which a portion of the total Board membership must come. During the current ongoing review of the substandard structure/demolition processes in both Chapter 7 and Chapter 10, the Historical Preservation Board indicated that it is of vital importance for the Board to have input and advice from the Executive Director of the Heart of Tyler Main Street Program on preservation issues.

The attached ordinance amends City Code Section 10-21 to include the Executive Director of the Heart of Tyler Main Street Program or successor organization, or such person's designee, as a member of the Tyler Historical Preservation Board. This change is similar to the ordinance amendment made several years ago to include the Executive Director of Historic Tyler, Incorporated, as a member of the Historical Preservation Board.

This recommended change reflects the consensus of the Board, and this change to the membership requirements is now being presented for the City Council's review. Specific ordinance revisions relating to the Historical Preservation Board's role in the substandard building/rehabilitation/demolition process shall be presented to the City Council at a later date.

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending Tyler City Code Chapter 10 to revise the Tyler Historical Preservation Board requirements to include the Executive Director of the Heart of Tyler Main Street Program.

Drafted/Recommended By:
Department Leader Gary C. Landers, City Attorney

Edited/Submitted By:
City Manager

ORDINANCE NO. O-2007-72

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING TYLER CITY CODE CHAPTER 10, "PLANNING AND ZONING", ARTICLE II, "HISTORICAL PRESERVATION", BY AMENDING THE TYLER HISTORICAL PRESERVATION BOARD MEMBERSHIP REQUIREMENTS TO INCLUDE THE EXECUTIVE DIRECTOR OF THE HEART OF TYLER MAIN STREET PROGRAM; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Tyler City Code Section 10-21 currently establishes the membership requirements for the Tyler Historical Preservation Board; and

WHEREAS, it is important to include as a member of the Tyler Historical Preservation Board the Executive Director of the Heart of Tyler Main Street Program or successor organization, or designee;

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

PART 1. That Tyler City Code Chapter 10. "Planning and Zoning", Article II., "Historical Preservation", is hereby amended by amending subsection a. of Section 10-21 to read as follows:

Sec. 10-21. Tyler Historical Preservation Board-Created; composition; appointment of members; terms

a. There is hereby created in and for the City a board to be known as the "Tyler Historical Preservation Board," which shall be composed of nine (9) members who shall serve without compensation and who shall be appointed by the City Council. Members shall serve for terms as set forth in Section 2-1. Board membership shall include 1) an architect, planner, or design professional; 2) a historian, archeologist, or related profession; 3) a real estate professional; 4) an attorney; 5) an owner of historic landmark or property in historic district; 6) the Executive Director of Historic Tyler, Inc. or successor organization, or designee; and 7) the Executive Director of the Heart of Tyler Main Street Program or successor organization, or designee. Such membership requirements may also be met if a Board member falls into more than one of the listed classifications. All members shall have a demonstrated interest, competence or knowledge in historic preservation within the City. If the City Council does not appoint an architect to the Board pursuant to this subsection, the Board is hereby authorized to appoint an architect as an unpaid, Ex Officio, non-voting member of the Board. Said appointee shall serve in an advisory capacity only to the Board. (Ord. 0-2001-38, 8/22/01) (0-2005-61; 8/17/05) (Ord. No. 0-2007-72; 6/19/07)

b. No changes...

c. No changes...

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: This ordinance shall be in full force and effect immediately upon its adoption by the City Council.

PASSED AND APPROVED this 19th day of June, A. D., 2007

JOSEPH O. SEEBER, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

CASSANDRA BRAGER, CITY CLERK

APPROVED:

CITY ATTORNEY