

**BYLAWS  
HISTORIC PRESERVATION ADVISORY COMMITTEE  
CITY OF CARROLLTON, TEXAS**

The following rules of procedure have been adopted by the Historic Preservation Advisory Committee (hereafter referred to as "HPAC") and shall be in effect until such time as they are amended or new rules adopted as prescribed in Article VIII of this resolution.

**ARTICLE I  
HISTORIC PRESERVATION ADVISORY COMMITTEE**

Section 1: Powers and Duties

The powers, duties, objectives and purposes of HPAC are those set forth in Article V of the Carrollton Code of Ordinances, as established by Ordinance 1627 on May 1, 1990.

Section 2: Recommendation to Council

HPAC will formulate its recommendations to City Council using staff reports, field inspections and evidence presented.

Section 3: Attendance

At the beginning of each meeting the Chair shall announce for the record the names of any members absent.

Two (2) absences, or the absence from more than twenty-five percent (25%) of the posted meetings in any twelve (12) month period by a regular member shall cause HPAC to review their attendance record and make a recommendation to the City Council on the appointment.

Section 4: Sub-Committees and Their Functions

Special sub-committees, their membership and Chair, may be appointed by HPAC, and may be assigned any issue normally considered by HPAC. The term of all sub-committees shall be for one (1) calendar year, measured from the date of its appointment. Sub-committees shall be reviewed and re-appointed by HPAC annually.

The sub-committee Chair shall be a regular member of HPAC and shall preside over sub-committee meetings, vote upon all questions before the Sub-committee, and report the result of such meetings to HPAC.

Section 5: Appointment of Regular Members and Terms of Office

a. Eligibility

All qualified voters of the City of Carrollton, who: have been residents of the State of Texas for at least one (1) year; residents of the City for at least six (6) months; hold no other public office except that of notary public or member of the national guard or armed services, and; are not in arrears in the payment of any taxes or other liability due the City, may be appointed or re-appointed to HPAC, except as limited by Item "C, Term Limits."

All qualified candidates shall apply in writing to the City Council stating their qualifications for the appointment or re-appointment prior to the advertised deadline. The Secretary shall advise HPAC of the deadline for submittal of applications.

b. Terms

Regular members of HPAC serve at the pleasure of the City Council. Regular members shall be appointed for terms of two (2) years, or until a successor is appointed. Terms of office should be staggered so approximately one-half the membership at any time has experience. In the event a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new regular member to complete the unexpired term. Any regular member of HPAC may be re-appointed by the City Council upon completion of his or her term, except as limited by Item "C, Term Limits."

c. Term Limits

Effective July 2000, a person who has served as a regular member of HPAC for three (3) consecutive terms, shall not again be eligible for appointment to HPAC until at least one term approximating two (2) years has elapsed, but shall be eligible for appointment to any other board. A "term" as used in this paragraph is that period of time beginning with the taking of the oath of office and running through the oath of office following the next appointment for that position. (*reference City Council Resolution No. 2187*)

d. Forfeiture

A regular member of HPAC ceasing to reside in the City of Carrollton or filing for public office during their term shall immediately forfeit their membership.

## **ARTICLE II OFFICERS**

### Section 1: Duties of Chair

The Chair shall preside over all meetings of HPAC, have the duties normally conferred by parliamentary usage to such office, and have the privilege of discussing all matters before HPAC and voting thereon. The Chair shall appoint all sub-committees and may call special meetings of HPAC. The Chair shall be responsible for the efficient and orderly transaction of business, and shall sign all minutes.

### Section 2: Duties of Vice-Chair

The Vice-Chair shall perform the duties of the Chair in their absence or inability to act.

### Section 3: Duties of Secretary

The Director of Urban Development or his or her designee shall be the Secretary.

The Secretary shall keep the minutes and records, prepare agendas, provide proper and legal notice of meetings, attend to correspondence and such other duties as are normally carried out by a Secretary.

The Secretary shall submit to HPAC minutes of the previous meeting so that they may be corrected, if necessary, to reflect fairly and accurately the proceedings heard at the last meeting. Said minutes shall not be official until they are approved by HPAC.

### Section 4: Election of Officers

The Chair and Vice-Chair shall be elected for a term of one year by regular members of HPAC at a regular meeting. The date of the election shall be decided by HPAC.

### Section 5: Vacancies

If a vacancy of any elected office occurs, HPAC shall schedule an election to fill the vacancy in accordance with Article II, Section 4, Election of Officers.

## **ARTICLE III MEETING PROCEDURES**

### Section 1: Regular Meetings

Regular meetings shall be held monthly, on the second Wednesday of the month, at 7:00 p.m. in City Hall, or as otherwise directed by the Director of Urban Development or his or her designee. HPAC may reschedule the meeting dates and/or location, or cancel a meeting if there is no business to be conducted. (*reference City Council Resolution 2727*)

### Section 2: Special Meetings

Special meetings may be called at any time by the Director of Urban Development or his or her designee, provided the meeting is properly posted. All members shall be notified at least three (3) days in advance of any special meeting, and the notice shall specify the purpose of said meeting. (*reference City Council Resolution 2727*)

### Section 3: Quorum

Any five (5) regular members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of those attending any meeting at which there is a quorum shall be necessary to pass any motion, resolution or recommendation of HPAC. (*reference City Council Ordinance 2486*)

### Section 4: Order of Business

The order of business shall be as listed in the agenda. However, the order of business may be changed if a motion to revise the agenda is approved by a majority of regular members present.

### Section 5: Rules of Order

The rules of order shall be determined by the Chair.

### Section 6: Participation of the Public

Proponents and opponents of a particular issue shall be given full and adequate opportunity to present their views. If a large delegation is present to speak, the Chair may ask the delegation to appoint a speaker to represent them. The Chair may set a time limit for individual speakers. In the event the Chair establishes a time limit, he or she shall announce such limit when opening the agenda item for discussion.

### Section 7: Voting

The number of votes necessary to decide a question shall be a majority of those present. Voting shall be by a show of hands unless a roll call vote is requested by a regular member. The Chair shall state the names of those voting for and against a motion. Each regular member present shall vote unless he or she has a conflict of interest, either as defined by state law, or expressed by HPAC or member.

Any member having a conflict of interest in a case shall notify the Chair or Secretary of the conflict, and shall not vote on the case. The Chair or Secretary shall then bring said conflict of interest to the attention of HPAC when the case is opened for discussion.

If a member has a conflict of interest on a specific issue as defined by state law, he or she must also complete and sign a disclosure statement prior to the opening of the meeting. A member is not required to leave the room due to a conflict of interest.

Section 8: Minutes of Meeting

Accurate minutes of all proceedings of HPAC shall be prepared by the Secretary and approved by HPAC at the following regular meeting. The approved minutes of the proceedings shall be available to the public in the Urban Development Department.

**ARTICLE IV  
ADMINISTRATIVE PROCEDURES**

Section 1: Petitions

Any petitions submitted to HPAC shall include the signature and address of the property owners if they are to be recognized as a response to any item.

Section 2: Inspection of Property

Each member is encouraged to inspect subject property prior to the meeting to become fully acquainted with it and the surrounding area.

**ARTICLE V  
ETHICS**

Section 1: Conflict of Interest

All members must abide by Section 10.01 of the City Charter and the Texas Local Government Code in determining whether they have a conflict of interest that disqualifies them from voting or rendering a decision. If a member determines that they have a disqualifying conflict of interest, they must complete a disclosure statement and return the statement to the Planning Department prior to the meeting on the issue.

Section 2: Meetings with Applicants Prior to the Hearing

Members are discouraged from private meetings with applicants prior to a public meeting. Adherence to this policy will dispel any speculation that a decision was made prior to the public meeting where all of the information and testimony is presented.

**ARTICLE VI  
URBAN DEVELOPMENT DEPARTMENT**

The Director of Urban Development, or his or her designee, shall: attend all meetings of HPAC; advise HPAC on all matters affecting agenda items; present HPACs recommendations to the City Council, and; serve as a liaison between HPAC and the public.

The Director of Urban Development, or his or her designee, shall cooperate with and encourage other public and private agencies, and citizens, to promote understanding of the policies and plans of the City.

**ARTICLE VII  
AMENDMENT TO BYLAWS**

Section 1: Amendment Procedure

Any proposed change or amendment to these bylaws shall be introduced into the record by a regular member not less than two (2) weeks in advance of the regular meeting at which such change or amendment is to be considered for approval.

Any proposed change or amendment shall become effective upon the affirmative vote of two-thirds, but not less than six, of all appointed regular members.

Any adopted change or amendment shall be submitted to the City Council for their review.

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**ARTICLE VIII**  
**REVIEW BY COUNCIL**  
**AND EFFECTIVE DATE**

These bylaws shall take effect upon the affirmative vote of two-thirds of all appointed regular members.

Upon the adoption of these bylaws, a copy shall be certified by the Secretary and presented to the City Council for its review.

Approved by the Historic Preservation Advisory Committee on November 9, 2011.

I hereby certify that these Bylaws were duly approved by the Historic Preservation Advisory Committee on the 12<sup>th</sup> day of October, 2011 and ratified in accordance with Article VII, Section 1 of these by-laws on the 9th day of November, 2011.

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Loren Shapiro, AICP  
Secretary