

Mercedes Historic Preservation  
Commission Manual

Approved by Mercedes Historic Preservation Commission: November 8, 2010

Adopted by City Commission: December 7, 2010

Amended and Adopted by City Commission: June 5, 2018

SECTION 1  
MERCEDDES HISTORIC PRESERVATION COMMISSION

1. AUTHORITY: Created by Ordinance #2010-08, adopted by City Commission on May 18, 2010.
  
2. PURPOSE OF THE BOARD: Specific functions and responsibilities of the Mercedes Historic Preservation Commission are outlined in Section 2 of this manual. The overall purposes of the Commission are to:
  - a. Make recommendations for employment of staff and professional consultants as necessary to carry out the duties of the Commission.
  
  - b. Prepare rules and procedures as necessary to carry out the business of the Commission, which shall be ratified by the City Commission.
  
  - c. Adopt criteria for the designation of historic, architectural, and cultural landmarks and the delineation of historic districts, which shall be ratified by the City Commission.
  
  - d. Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city.
  
  - e. Recommend the designation of resources as landmarks and historic districts.
  
  - f. Create sub-committees from among its membership and delegate to these sub-committees responsibilities to carry out the purposes of this ordinance.
  
  - g. Maintain written minutes which record all actions taken by the Commission and the reasons for taking such actions.
  
  - h. Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
  
  - i. Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
  
  - j. Make recommendations to the City Commission concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.
  
  - k. Approve or disapprove of applications for certificates of appropriateness pursuant to this act.

- l. Prepare and submit annually to the City Commission a report summarizing the work completed during the previous year.
  - m. Prepare specific design guidelines for the review of landmarks and districts.
  - n. Recommend the acquisition of a landmark structure by the city where its preservation is essential to the purpose of this act and where private preservation is not feasible.
  - o. Propose programs to encourage private preservation of landmarks.
3. MEMBERSHIP COMPOSITION: The Commission shall consist of seven (7) members, to the extent available among the residents of the community, by the City Commission as follows:

At least one member shall be an architect, planner, or representative of a design profession;

At least one member shall be a historian;

At least one member shall be a licensed real estate broker;

At least one member shall be an attorney;

At least one shall be an owner of a landmark or of a property in a historic district;

At least one shall be an archeologist or from a related discipline;

The city Commission's determination of a member designated as a "representative of a design profession" or as an "historian" shall be determined by the City Commission in its discretion and such determination shall be final.

In addition to the seven members of the Commission, it is further hereby provided for the appointment of two alternate members of the Mercedes Historic Preservation Commission, who shall serve in the absence of one of more regular members when requested to do so by the Historic Preservation Officer (HPO) so that all cases to be heard by the Commission will always be heard by a minimum number of four members. These alternate members, when appointed, shall serve for the same period as the regular members, and any vacancy shall be filled in the same manner and shall be subject to removal as the regular members.

All Commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the city.

The Commission as a whole shall represent the ethnic makeup of the city.

Each member shall be at least eighteen (18) years of age, and of good moral character and standing in the community. The Mayor and City Commissioners shall be ex-officio members of the Commission. The Historic Preservation Officer and Secretary shall be staff members and also ex-officio members of the Commission.

- a. APPOINTMENT: Members shall be appointed by the Mayor and members of the City Commission,
  - b. TERM OF MEMBERS: Commission members shall serve for a term of two years, with the exception that the initial term of four of the members shall be three years and three of the members will be two years to provide for staggered term expirations. Subsequent membership terms shall be two (2) year terms
  - c. PRESIDING OFFICER: The Commission shall annually select, by majority vote of members present, a chairperson and a vice chairperson. The chairperson may be re-elected for not more than one additional consecutive year. The vice chairperson shall preside at meetings in the absence of the chair person.
4. MEMBERSHIP TERMINATION: Membership on the Commission may be terminated before expiration of the appointment under the following conditions:
- a. RESIGNATION: A member may submit in writing to the City Commission his or her resignation for any reason considered appropriate by the resigning member. A copy of the letter of resignation will be provided to the Commission chair person.
  - b. FORFEITURE: An appointee shall forfeit his membership if such appointee fails to attend three (3) consecutive meetings in a calendar year or misses more than 50% of the meetings in any twelve month period.
5. FILLING VACANCIES: Whenever a vacancy exists, the chairperson shall immediately call such situation to the attention of the Mayor and the City Commission.
6. MEETINGS:
- a. Quorum: Four (4) members present shall constitute a quorum for conducting official Commission business at a regular meeting. A majority vote of quorum or a majority vote of members present, shall determine all Commission recommendations and actions. The chairperson may vote as a member of the Commission. A tie vote constitutes no action.

- b. CITY STAFF: All meetings shall be attended by the Historic Preservation Officer (HPO) or designated representative(s). Staff members shall provide all information required by the Commission in the conduct of its official functions and within the scope of its responsibilities.

Neither the HPO nor any staff member shall have a vote on any question considered by the Commission.

- c. Robert's Rules of Order (newest version) shall be observed in the conduct of all Commission meetings.
- d. REGULAR MEETINGS: The Commission shall convene as needed, but not less than once a quarter. The date and times are established to be the second Tuesday of each month in which the Commission has business to conduct. From time to time, the date and location may be changed at the convenience of the membership or based on availability of facilities. Any permanent change in meeting date and time will be voted upon by a majority of the Commission membership.
- e. SPECIAL MEETINGS: The Commission may hold such special meetings as deemed necessary in the conduct of its business. Such special meetings may be called by the Chairperson or at the request of two or more Commission Members.
- f. PUBLIC NOTICE OF MEETINGS: All meetings of the Commission shall be open to the public. The HPO shall ensure that notice of all meetings—citing date, time, place, and subjects to be considered—is posted on the City Hall bulletin board not later than 72 hours prior to the meeting.

## SECTION 2 FUNCTIONS AND RESPONSIBILITIES

1. **GENERAL**: Generally, the Commission's function and responsibility is to protect, enhance, and perpetuate landmarks or districts of historical and cultural importance. They are expected to provide a link between the citizens of the community, elected officials of the City, and the professional staff of the Planning Department. The Commission shall act in a review and advisory capacity. The Historic Preservation Officer (HPO) shall consider all recommendations and within the scope of the City fiscal and management policies, carry out such recommendations within that context.
2. **THE COMMISSION'S ACTION INSTRUMENT**: The Commission shall express its consensus on various issues concerning its mission, operating policies, projects and programming,

and other significant propositions it deems proper by way of a formal recommendation to City Commission.

3. COMMUNITY LIASON:

- a. It shall be the responsibility of all members of the Commission to actively seek out the opinions, needs, and desires of the public regarding historic resources of community importance and to convey these opinions to the Commission and the HPO.
- b. To effectively carry out this responsibility it is necessary that all Commission members participate as fully as possible in all Commission meetings and outside functions.
- c. The Commission may, as it deems proper, from time to time, invite interested individuals and/or groups to attend Commission meetings and to present appropriate suggestions and/or recommendations.
- d. From these inputs the HPO shall, within the constraints of City fiscal and management policy, attempt to incorporate those suggestions and/or recommendations into the existing system or into future plans, providing that such suggestions or recommendations are, in the opinion of the Commission, feasible and acceptable.

4. PLAN OF WORK: The Commission recognizes that there will be many competing ideas and opportunities. Insomuch as the budget is limited it will be necessary for the Commission to prioritize its' programs and activities.

Each year, the Commission should review the Plan of Work to determine which projects have been completed or are no longer necessary and if other priorities have changed. This will assist the HPO in the preparation of the annual report required for the City Commission.

In its contacts with the public, the Commission members shall actively solicit ideas, suggestions, and recommendations regarding the type, scope, and locations of the various projects undertaken by the Mercedes Historic Preservation Committee and its participants.

### SECTION 3 ADMINISTRATIVE SUPPORT

1. General: The Planning Director or his/her representative shall serve as the HPO and provide such administrative support as may be required by the Commission to carry out its official functions. Meeting space in the offices of the city shall be made available as needed.

2. Preliminary Administrative Staff Work: The staff shall provide briefing displays, project summaries, resolutions and any written material that will be helpful to the Commission in its deliberations.
3. Reports:
  - a. The HPO shall prepare not less than once a year a report of the Commission's activities. This report will be distributed to all members of the Commission. He/she will also prepare upon request, such special reports as may be requested by the Commission from time to time.
4. Preparation of Agenda:
  - a. Prior to the regularly scheduled monthly meeting the HPO will prepare a preliminary Commission agenda. The secretary will contact the chairperson by phone to determine any other items that the Commission may wish to consider.
  - b. A formal agenda will then be prepared and mailed or delivered to individual members, along with the date, time and place of the regularly scheduled meeting. Any pertinent reports or summaries will be included in this package so as to ensure adequate member preparation for the meeting.
  - c. Members should make every effort to contact the secretary by phone not later than two (2) days prior to the meeting date if attendance is impossible.
  - d. Meetings that cannot meet a quorum may be held or cancelled at the discretion of the chairperson, but no official meeting may be held, nor any recommendation be made to the City Commission without a quorum acting upon it.
5. Minutes and Correspondence:
  - a. The secretary or other designee will take the minutes of all meetings and will prepare copies of same.
  - b. A copy of the minutes of each meeting shall be reviewed by the Commission at the next meeting and be approved and/or amended by vote of the Commission.
  - c. All correspondence required by the Commission will be prepared by the HPO or his designated representative.