

Proposed updates to 18.06 & 18.75

ORDINANCE NO. _____

AMENDING CHAPTER 18.06 PZHAC MEMBERSHIP, TERMS, ALTERNATE COMMISSIONERS, AND COMPENSATION

Section 18.06.020 – **Commission Membership – Appointment – Qualifications - Terms**

~~A. The planning, zoning and historical appropriateness commission shall consist of five members who shall be appointed by the mayor with the consent of the board of trustees. A member of the board of trustees may be appointed as ex officio, nonvoting member of the commission.~~ **The Planning, Zoning and Historical Appropriateness Commission shall consist of five (5) voting members appointed by the Mayor with consent of the Board of Trustees.**

B. Commission Make-Up

- **The Commission shall consist of five (5) members.**
- **The Commission shall additionally include one (1) Alternate Commissioner appointed by the Mayor with consent of the Board of Trustees. Alternate Commissioners shall meet the same qualifications required of regular Commissioners and shall be subject to the same training requirements, ethical standards, attendance requirements, and removal provisions.**
- **Alternate Commissioners may participate in discussions and deliberations at all meetings but shall only vote when formally seated in place of a regular Commissioner pursuant to Section 18.06.021**
- **When making appointments and reappointments, consideration should be given to maintaining expertise relevant to historic preservation, architecture, archaeology, planning, construction, real estate, landscape architecture, history, or related disciplines in order to support compliance with Certified Local Government requirements and best practices.**

C. The mayor with the advice and consent of the board of trustees shall appoint residents of the town of Mesilla to membership on the planning, zoning and historical appropriateness commission.

~~C. On the first planning, zoning and historical appropriateness commission, a majority of the members shall be appointed for one year terms and the balance of the members shall be appointed for two year terms. Each subsequent term of a member on the planning, zoning and historical appropriateness commission shall be for two years or less in order to maintain the original staggering of terms of membership. A vacancy in the membership of the planning, zoning and historical appropriateness commission shall be filled for the remainder of the unexpired term.~~ **Members of the Planning, Zoning and Historical Appropriateness Commission shall be appointed to two-year terms. Appointments may be made for a shorter term as necessary to maintain the staggered expiration of terms. Any vacancy shall be filled for the remainder of the unexpired term.**

D. Members may succeed themselves. [Ord. 2010-04 § 1; Ord. 2010-02 § 4; Ord. 2009-05 § 2]

Add: New Section 18.06.021 – Alternate Commissioners

A. Purpose. The purpose of Alternate Commissioners is to maintain quorum, ensure continuity of Commission operations, and provide for the timely consideration of applications, appeals, and historic preservation matters.

B. Number. The Commission shall include one (1) Alternate Commissioner.

C. Assignment. An Alternate Commissioner may be designated, by the chair, to serve as a voting member whenever a regular Commissioner:

- Is absent;
- Recuses themselves due to conflict of interest;
- Is disqualified from participation;
- Vacates their seat during a meeting; or
- Is otherwise unable to participate in a matter before the Commission.

D. Voting Authority. Once seated by the Chairperson, an Alternate Commissioner shall possess all rights, privileges, and voting authority of a regular Commissioner for the duration of the applicable agenda item or meeting.

E. Quorum. Alternate Commissioners shall not be counted toward quorum unless formally seated as voting members.

Section 18.06.030 – Terms of Office

Existing Language

Each person appointed to the planning, zoning and historical appropriateness commission shall be given notice of her/his appointment by a certificate stating that he/she was appointed as a member of the commission. The certificate shall be signed by the mayor, be attested by the town clerk-treasurer, and bear the municipal seal. [Ord. 2009-05 § 2]

- A. Commissioners & Alternates shall serve staggered terms of two (2) years.
- B. A Commissioner may be reappointed for up to three (3) consecutive full terms.
- C. Following completion of three (3) consecutive terms, a Commissioner may not be eligible for immediate reappointment as a regular voting Commissioner.
- D. A Commissioner completing three (3) consecutive terms may be appointed as an Alternate Commissioner without interruption of service, provided all qualifications continue to be met.
- E. Any individual serving three (3) consecutive terms as a regular Commissioner may be required to sit out one full regular Commissioner term before becoming eligible for appointment as a regular voting Commissioner again.
- F. Service as an Alternate Commissioner during the required waiting period shall satisfy the sit-out requirement.
- G. If no alternate is available to fill a vacancy upon the expiration of a commissioner's term, the commissioner whose term has expired shall continue to serve until a successor or alternate has been appointed and qualified, unless otherwise directed by the Governing Body.
- H. Commissioners and Alternate Commissioners are expected to attend all regularly scheduled meetings.
- I. Failure to attend three (3) consecutive regular meetings or five (5) meetings within a twelve-month period without good cause may constitute grounds for removal or non-reappointment.

Nothing herein shall prevent reappointment as an Alternate Commissioner during such period.

Add New Section 18.06.031 – Reappointment Criteria

Prior to consideration for reappointment, the Mayor, with assistance from the Economic & Community Development Director may evaluate:

- Meeting attendance
- Compliance with required training;
- Participation and preparedness;
- Adherence to Town ethics and conflict-of-interest requirements;
- Contributions to planning, zoning, historic preservation, and Certified Local Government (CLG) objectives;
- Conduct consistent with the duties of a quasi-judicial board.

With respect with section 18.06.020(d), reappointment shall not be automatic succession and shall require approval by the Board of Trustees by recommendation of the Mayor.

Add New Section 18.06.025 – Compensation

A. Meeting Stipend. Regular Commissioners shall receive the amount of One Hundred Dollars (\$100.00) and Alternate Commissioners shall receive the amount of Fifty Dollars (\$50.00) in compensation for attendance at each regular or special Planning, Zoning and Historical Appropriateness Commission meeting.

B. Alternate as Regular Member: In the event an alternate serves as a seated member, the compensation shall be that of a Regular Commissioner at One Hundred Dollars (\$100.00).

C. Attendance Requirement. Compensation shall only be paid for Town Meetings actually attended.

D. Alternate Commissioners. Alternate Commissioners shall be eligible for compensation regardless of whether they are seated as voting members, provided they attend the meeting.

E. Partial Attendance. The Commission Secretary shall verify attendance. Commissioners leaving prior to completion of the meeting without approval of the Chairperson may forfeit compensation for that meeting.

F. Work session's, Hearings, & Other Training. Work sessions, public hearings, training sessions, and other meetings held outside of regularly scheduled meetings shall not be eligible for a meeting stipend. When conducted as part of a regularly scheduled meeting, such activities shall be considered part of that meeting and shall not qualify for separate compensation.

G. Funding. Compensation shall be paid from funds appropriated by the Town for Commission operations and shall be subject to applicable budgetary limitations and reporting requirements.

Add New Section 18.75.015 – **Compensation**

A. Meeting Stipend. Regular Members of the Board of Adjustment shall receive compensation in the amount of One Hundred Dollars (\$100.00) per meeting for attendance at each special meeting of the Board of Adjustment.

B. Attendance Requirement. Compensation shall be paid only for meetings actually attended.

C. Partial Attendance. The Board Chair shall verify attendance. A Member who departs prior to the adjournment of a meeting without approval of the Chairperson may forfeit compensation for that meeting.

D. Funding. Compensation shall be paid from funds appropriated by the Town for Board of Adjustment operations and shall be subject to applicable budgetary limitations and reporting requirements.

E. Applicability. The compensation provided herein shall apply only to duly appointed Members of the Board of Adjustment serving in accordance with the provisions of the Mesilla Town Code.