

ORDINANCE NO. 2013-0008

Adopted by the Sacramento City Council

April 9, 2013

AN ORDINANCE ADDING CHAPTER 2.58 TO TITLE 2 OF THE SACRAMENTO CITY CODE RELATING TO THE PRESERVATION COMMISSION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Chapter 2.58 is added to Title 2 of the Sacramento City Code to read as follows:

Chapter 2.58 Preservation Commission

2.58.010 Commission established.

The preservation commission is established.

2.58.020 Membership.

A. Members of the preservation commission are appointed by the mayor, with the concurrence of the city council. The general requirements set forth in Article XV of the City Charter and in Chapter 2.40 of this code governing the appointment of board and commission members apply to the preservation commission.

B. The preservation commission consists of seven members. Each member shall have demonstrated knowledge of the Secretary of the Interior's Standards for the Treatment of Historic Properties and the California Historical Building Code. In addition, the seven members of the preservation commission shall be qualified by reason of training or professional experience as follows:

1. Seat 1: an individual who is a licensed historical architect who meets the Secretary of the Interior's qualifications for historical architects, with a preference for an individual who is a city resident or the owner of a business located in the city.

2. Seat 2: an individual who is an architectural historian with training or experience in the architectural history of Sacramento, the Sacramento region, Northern California, or the West and who meets the Secretary of the Interior's qualifications for architectural historians, with a preference for an individual who is a city resident or the owner of a business located in the city.

3. Seat 3: an individual who is a registered structural engineer, with a preference for an individual who is a city resident or the owner of a business located in the city.

4. Seat 4: an individual who is a licensed contractor and who has training or experience in restoration of historic properties, with a preference for an individual who is a city resident or the owner of a business located in the city.

5. Seat 5: an individual who is a landscape architect, designer, or historian with training or experience in historical landscapes, with a preference for an individual who is a city resident or the owner of a business located in the city.

6. Seat 6: an at-large member who shall be a city resident or the owner of a business located in the city, with a preference for an individual with training or experience in historic preservation or urban planning.

7. Seat 7: an at-large member who shall be a city resident or the owner of a business located in the city, with a preference for an individual with training or experience in the history of Sacramento, the Sacramento region, Northern California, or the West and who meets the Secretary of the Interior's qualifications for historians.

2.58.030 Term of office.

A. Except as provided in this section for the length of the terms of the initial members, the term of office for each member of the preservation commission is three years and until the successor is confirmed by the city council. Terms are staggered. In selecting the initial members of the preservation commission, the mayor shall appoint two to each serve a term of two years, two to each serve a term of three years, and three to each serve a term of four years. Thereafter, members are appointed to serve three-year terms. If a vacancy occurs during the term of any member, the mayor shall appoint, with the approval of the city council, a successor to serve during the unexpired term. The successor shall possess the qualifications required for the seat being filled.

B. A preservation commission members appointed to Seat 6 or Seat 7 serves only as long as the member is resident of the city or the owner of a business located in the city. If, during the member's term, the member becomes neither a resident of the city nor the owner of a business located in the city, the member's seat shall become vacant automatically.

2.58.040 Conflict of interest – Statements of economic interests.

All preservation commission members are subject to Chapter 2.16 relating to conflicts of interest and are required to file statements disclosing financial interests pursuant to the city's conflict of interest code.

2.58.050 Compensation.

Each preservation commission member receives compensation as determined by the compensation commission under Section 29 of the City Charter.

2.58.060 Preservation commission—Organization and procedures.

At its first meeting, and annually thereafter, the preservation commission shall elect from among its membership a preservation commission chairperson and a vice chairperson, who shall each hold office at the pleasure of the preservation commission. When there is a vacancy in the office of chairperson or vice chairperson, the preservation commission shall fill that office from among its members. The commission shall adopt such rules and regulations as it shall deem necessary, and consistent with the provisions of this chapter, for the conduct of its business, including rules for the conduct of hearings, which shall address continuances, evidence, and ex part communications

2.58.070 Commission meetings.

The preservation commission shall establish a time and place for regular meetings to be held not less frequently than monthly. Each meeting is noticed and held in accordance with the Ralph M. Brown Act (Cal. Gov. Code section 54950 et seq.). The preservation commission chairperson has the authority to notice and hold special meetings in the manner specified in the Ralph M. Brown Act.

2.58.080 Quorum – Voting.

A quorum comprised of preservation commission members present and qualified to act is required for the preservation commission to conduct a meeting and take action. A quorum shall consist of a majority of members of the preservation commission then in office. The preservation commission shall act only by motion. An affirmative vote of four preservation commission members present and qualified to vote is necessary to pass any motion.

17.58.090 Requirements.

Unless specifically provided otherwise in this chapter, the requirements set forth in Article XV of the City Charter, and Chapter 2.40 of this code governing attendance at board and commission meetings (Article II), voting (Article III), and limitation on consecutive terms (Article IV) apply to the preservation commission. A member is subject to removal for good cause, neglect of duty, or misconduct as provided in City Charter Section 232.

2.58.100 Powers and duties.

Unless otherwise specified herein the powers and duties of the preservation commission are as follows:

- A. Exercise the authority set forth in this chapter and as otherwise provided in this code.
- B. Recommend to the city council policies and programs in support of historic preservation, including goals and policies for the general plan preservation element and other regulatory plans; periodic updates of the preservation program, including the standards, criteria, and procedures set forth in this chapter; and programs for historic preservation incentives.

C. Evaluate and submit comments and recommendations on proposed plans, public and private development projects, and environmental reviews that are not subject to review under this chapter but that may potentially affect the physical development and historic preservation of the city involving landmarks, contributing resources, historic districts, nominated resources, or the historical value of any other building, structure, or neighborhood, in coordination with review and action by the city council, planning and design commission, or other public agencies on the plan, project, or environmental review.

D. Review and make recommendation to the State Office of Historic Preservation regarding nominations of property located within the city to the National Register of Historic Places.

E. Assume duties assigned to the preservation commission by the city council pursuant to the certified local government provisions of the National Historic Preservation Act of 1966, or duties that may be assigned to the preservation commission through any agreement(s) approved by the city council. This shall include undertaking review and comment upon those projects on which the city, as a certified local government, has an obligation or opportunity to provide review and comment under the National Historic Preservation Act, including private and public projects undertaken within the Old Sacramento national historic landmark district.

F. Consult with, advise, and report to the city council on an annual basis about the exercise of the preservation commission's duties and functions.

G. Any other powers and duties conferred upon the preservation commission by the city council.

SECTION 2.

This ordinance is a non-substantive reorganization of the city code and is not intended to and does not affect the continuing existence and membership of the preservation commission as it exists on the effective date of this ordinance, nor any of the commission's decisions or enforcement actions. All such decisions and actions shall continue in effect, subject to the terms and conditions established by the preservation commission as they existed prior to the effective date of this ordinance.

SECTION 3.

This ordinance shall take effect on September 30, 2013.

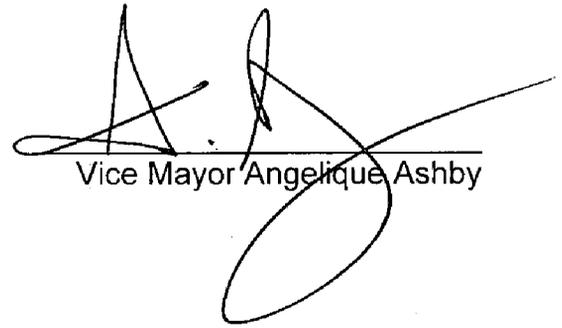
Adopted by the City of Sacramento City Council on April 9, 2013 the following vote:

Ayes: Councilmembers Cohn, Fong, Hansen, McCarty, Schenirer ,Warren and Mayor Johnson

Noes: Councilmember Ashby

Abstain: None

Absent: Councilmember Pannell



Vice Mayor Angelique Ashby

Attest:



Shirley Concolino
Shirley Concolino, City Clerk

Passed for Publication: March 26, 2013
Published: March 29, 2013
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