

RESOLUTION NO. 34, SERIES 2002

A RESOLUTION SETTING FORTH THE PURPOSES, TERMS, RESPONSIBILITIES, POWERS, DUTIES AND OTHER MATTERS CONCERNING THE HISTORIC PRESERVATION COMMISSION.

WHEREAS, pursuant to the Home Rule Charter, the City Council by Ordinance No.1401, Series 2002 established a Historic Preservation Commission for the City, which as an advisory commission to the City Council; and

WHEREAS, City Council by this Resolution desires to set forth the purposes, terms, responsibilities, powers, duties and other matters concerning the Historic Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

1. *Statement of purpose.* The purpose of this Resolution and of the Historic Preservation Commission is to promote the public health, safety, and welfare through:
 - (a) The protection and preservation of the city's historic and cultural heritage, as embodied in designated historic landmarks and districts, by appropriate regulations;
 - (b) The enhancement of property values, and the stabilization of historic neighborhoods;
 - (c) The increase of economic and financial benefits through the city's attractions to tourists and visitors; and
 - (d) The provision of educational opportunities to increase public appreciation of Louisville's unique heritage.

The intention of the City is creating the Historic Preservation Commission and enacting this Resolution is to create a method to draw a reasonable balance between private property rights and the public interest in preserving Louisville's unique historic character by ensuring that demolition of, moving, or alterations to properties of historic value shall be carefully considered for impact to the property's contribution to Louisville's heritage.

2. *Commission membership, appointments, terms and rules.* The members of the Historic Preservation Commission, hereinafter referred to as the "Commission," shall serve in an advisory capacity to City Council. The membership, appointments, terms and rules regarding the Commission and its members shall be as follows:
 - (a) *Membership.* The Commission shall consist of seven (7) members providing a balanced, community-wide representation and will meet

Certified Local Government (CLG) requirements as set by the State Historical Preservation Office (SHPO). All members will be residents of Louisville. Three (3) members shall be professionals or shall have extensive expertise in a preservation-related discipline including, but not limited to, history, architecture, planning, law, or archaeology. At least two (2) members shall be residents or property owners in the Old Town Overlay District. At least one (1) Commission member must attend a SHPO-approved educational session each year. The City Manager shall appoint a City staff member to provide assistance to the Commission.

- (b) *Appointments and terms of office.* Members of the Commission shall be appointed by the City Council and shall serve three-year staggered terms from the date of appointment. In order to stagger the initial terms of membership, the original membership shall serve as follows:

Two	(2)	appointees	shall	serve	one-year	terms;
Two	(2)	appointees	shall	serve	two-year	terms;
Three	(3)	appointees	shall	serve	three-year	terms.

Members may continue to serve until their successors have been appointed. Members may be appointed to serve successive terms without limitation. Appointments to fill vacancies on the Commission shall be made by the City Council. All members of the Commission shall serve without compensation except for such amounts determined appropriate by the City Council to offset expenses incurred in the performance of their duties.

- (c) *Removal from Commission.* Four members of the City Council may remove any Commission member for cause. Cause shall include but not be limited to:

1. Violation of city or state ethics laws;
2. Conviction of a felony; or
3. Missing four regular meetings in any twelve-month period.

- (d) *Quorum and voting.* A quorum for the Commission shall consist of a majority of the regular membership (excluding vacant seats). A quorum is necessary for the Commission to hold a public hearing or to take official action. A roll call vote shall be taken upon the request of any member. A tie vote shall be deemed denial of the motion or recommended action.

- (e) *Officers.* The Commission shall, by majority vote, elect one (1) of its members to serve as chairperson to preside over the Commission's meetings, one (1) member to serve as vice-chairperson and one (1) member to serve as secretary. A city staff member will record meeting

minutes for the Commission. The members so designated shall serve in these capacities for terms of one (1) year, and may serve successive terms.

(f) *Meetings.* The Commission shall hold at least one (1) regularly scheduled meeting a month. All Commission meetings must follow the provisions of the Colorado Open Meetings Law. Minutes shall be kept of all Commission proceedings, and a copy of the minutes of each meeting shall be sent to the SHPO at the time that those minutes are approved by the Commission members.

(g) *Annual Report.* An Annual Report of the Commission's activities shall be prepared at the end of each calendar year and submitted to the SHPO. These reports shall include at a minimum the number and types of cases reviewed and their dispositions, new designations made, progress on survey activities, educational activities, and credentials of new Commission members and staff (if any).

3. *Initial responsibilities.* The initial responsibilities of the Commission shall be as follows:

(a) Propose local legislation which provides a legal framework for a preservation program that achieves the purpose of designating and protecting historic buildings, sites, structures and districts of historic, architectural archaeological significance.

(b) Develop and maintain a system for the survey and inventory of historic properties.

(c) Develop a process to provide for adequate public participation in local historic preservation programs (including the process of recommending properties for nomination to the National Register).

4. *Certified Local Government (CLG) powers and duties.* The CLG, in this case the City of Louisville by and through the Commission, or in whatever other manner it deems appropriate, shall also have the following on-going powers and duties:

(a) Review resources nominated for designation as either an historic landmark or historic district and recommend that the City Council designate by ordinance those resources qualifying for such designation.

(b) Review and make recommendations on any application for alterations to a designated historic landmark or historic district.

(c) Review and make recommendations on any application for moving or demolishing an historic landmark.

- (d) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, including nomination to local, State and National Registers of Historic Places.
- (e) Develop and assist in public education programs including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures, and conferences.
- (f) Conduct surveys of historic areas for the purpose of defining those of historic significance, and prioritizing the importance of identified historic areas.
- (g) Advise the City Council on matters related to preserving the historic character of the City.
- (h) Actively pursue financial assistance for preservation-related programs.
- (i) Make recommendations to the City Council that will enable the City to be eligible for certification by the State Historical Preservation Office (SHPO) as a Colorado Certified Local Government (CLG).

5. *Authorization.* The Historic Preservation Commission is authorized to perform the tasks outlined in this Resolution and to adopt bylaws and rules of procedure for the conduct of its business, which shall not be inconsistent with this Resolution.

PASSED AND ADOPTED this 15th day of October, 2002.