



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: July 12, 2006 REPORT NO. 06-092

ATTENTION: Council President and City Council
Docket of July 18, 2006

SUBJECT: Proposed Reduction in the Number of Members of the Historical
Resources Board

REQUESTED ACTION:

The City's Historical Resources Board (HRB) is a 15-member, mayoral-nominated, City Council appointed board. In a survey of other historical resources boards around the state, staff has determined that San Diego's HRB is significantly larger than average. Staff recommends a reduction in the number of members from 15 to 11.

STAFF RECOMMENDATION:

Reduce the number of board members from 15 to 11, with a reduction from 8 to 6 in the required number for a quorum, number of votes to designate a historical resource, and number of terms expiring per year.

SUMMARY:

BACKGROUND

The seats on the City of San Diego's HRB are mayoral appointments with confirmation by the City Council. The City of San Diego became a Certified Local Government (CLG) in 1985 pursuant to the National Historic Preservation Act (NHPA) section 101(c). The CLG program establishes specific roles for local governments in the national program for historic preservation and makes the CLG eligible for a share of the states' annual Historic Preservation Fund, among other things. The CLG program is a partnership among the city, state and national park service which integrates local governments in the national historic preservation program through activities that strengthen decision making regarding historical resources at the local level.

As a CLG, the City of San Diego must implement a local historical preservation program based on federal and state standards. Specifically, one of the five minimum criteria is that the CLG establish a qualified preservation review commission under local law. According to the CLG Application and Procedures manual, the review commission must be comprised of a minimum of five members "with all members having a demonstrated interest, competence or knowledge of historic

preservation. Additionally, two members are encouraged to be professionals who meet the qualifications for various disciplines outlined by the Secretary of the Interior.” (Cal. SOHP Appl. and Proc., p. 9). Those professional disciplines include “architecture, history, architectural history, planning, archeology, or other historic preservation-related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology...” (Cal. State Office of Historic Preservation (SOHP) Appl. and Proc., Appendix C). San Diego’s preservation review commission is the Historical Resources Board as established by the City’s Land Development Code (LDC) Section 111.0206. In conformance with the CLG program, the LDC section requires a certain number of seats on the HRB to be occupied by qualified professionals from the following disciplines: architecture, history, architectural history, archaeology, and landscape architecture. The LDC section states that “other members appointed may have experience or background in law, real estate, engineering, general contracting, finance, planning, or fine arts” and “should reflect diverse neighborhood representation and have demonstrated a special interest in historical preservation.” The LDC also limits the HRB membership to a maximum of three owners of designated historical resources.

DISCUSSION

The HRB has had 15 members since its inception in 1965. Over time, maintaining such a large board has become more difficult. Staff contacts all board members prior to each monthly meeting to make sure a quorum will be present to convene the meeting. Those seeking to become members of the HRB quickly discover the significant monthly workload associated with being a board member, including extensive report reading and field work. Administratively, preparing materials for 15 HRB members, managing meetings, and attending to the board-related needs of 15 members takes a significant amount of staff resources in a time where those resources are very limited.

In addition, with the increase of the number of appointed boards and commissions in the City of San Diego, the selection and appointment process for new members has taken significantly more time to complete.

Composition of Other Preservation Review Boards Within CLGs:

Staff surveyed other CLGs around the state to determine the composition of their boards. The results from the respondents are as follows:

Statewide Sample of CLG Board Member Numbers

CLGs Sampled 4/11/06	# with 5 Members	# with 7 Members	# with 9 Members	# with 11 Members
Statewide (n=30)	7 (23.3%)	16 (53.3%)	6 (20%)	1 (3%)
San Diego County (n=2: Escondido and San Diego County)	0	2 (100%)	0	0
Riverside, LA and Orange Counties (n=9)	2 (22%)	4 (44%)	2 (22%)	1 (11%)

All CLGs include a minimum of five board members (as required by the state) with at least two historic preservation professionals. The larger jurisdictions tend toward more board members (e.g., Santa Ana, Sacramento, San Francisco, and Pasadena all have nine members); but, by far,

the most common number is seven members. The only CLG with 11 members is Riverside which is in the process of reducing their membership to nine, as required by a recent voter initiative.

The SOHP CLG coordinator supports the reduction in the number of board members to come more in alignment with other state CLGs.

The LDC Changes Proposed:

The LDC amendment to permanently reduce the number of HRB members is requested in coordination with the current need to fill six existing HRB vacancies. Staff had previously considered reducing the number of seats, but was hesitant to propose displacement of sitting members. The primary action of the HRB is approving historical designations. The adopted LDC requires eight votes for designation. Letting time pass with a large number of ongoing vacancies is detrimental to the ability of the HRB to perform its City Council-directed duties. It is an opportune time to reduce the number of seats and amend the code, given the six current vacancies. After the reduction of four seats, two vacancies still remain to be filled.

In addition to reducing the number of seats from 15 to 11, the quorum requirement and number of votes required for designation of a historical resource would be reduced to six. Also, the number of members' terms that would expire in any one year would be reduced to six. These reductions parallel the overall reduction in seats.

Concerns from the HRB Policy Subcommittee:

On Monday May 8, 2006, the HRB Policy Subcommittee was presented with staff's proposal for the reduction in the number of HRB members from 15 to 11. Concerns were expressed about the ability to retain diversity on the HRB and to enable broad-based discussions of HRB items if the number of members is reduced.

In response to the first concern, it is the goal of the Mayor and City staff to continue to introduce diverse representation to an appointed board or commission. The HRB seats are structured to require diverse professional requirements and backgrounds. In addition, City of San Diego Charter Section 42 states: "The appointing authority in selecting appointees to commissions, boards, committees or panels shall take into consideration sex, race and geographical area so the membership of such commissions, boards, committees or panels shall reflect the entire community." This charter language charges the appointing authority to make appointments to assure diversity representative of the City of San Diego.

In response to the second concern, staff's observation is that this comment appreciated the current tenor of discussion at the HRB meeting. Staff notes that currently four seats on the HRB are vacant. Over the past year, at least two and up to four seats have been vacant at any one time, yet the HRB meeting discussions have been thoughtful and well-rounded, representing appropriate and diverse viewpoints that have led to well-reasoned conclusions and actions. Staff does not believe that the reduction in seats will detract from the level of discussion the HRB currently maintains.

ALTERNATIVE

Do not reduce the membership of the HRB. Continued vacancies on the HRB could affect the ability of the board to have a quorum on certain action items before it, depending on members in attendance or recusals due to conflict of interest.

CONCLUSION:

The proposal to reduce the number of seats on the HRB to facilitate maintenance of a fully-seated board better aligns the size of the HRB with other CLGs in the state of California. Staff believes that a membership of 11 will allow the maintenance of diverse viewpoints and the ability of the HRB to have thoughtful discussions with an amply composed membership.

FISCAL CONSIDERATIONS:

The difference between costs associated with staffing a 15-member board versus an 11-member board is minimal.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This item originated from staff and has been discussed at the HRB Policy Subcommittee (discussion summarized above) and at the HRB meeting of May 25, 2006, where the HRB voted to support the reduction in members by a vote of 6-3.

Respectfully submitted,

William Anderson, FAICP, Director
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[Attachment: Proposed amendment to LDC Section 111.0206\(b\) and \(c\)](#)