

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF JULY 20, 2011

BOARD MEMBERS IN ATTENDANCE: Sara Werbelow, Alex Natt, Puggy Holmgren, Judy McKie, Dave McFawn, Katherine Matsumoto-Gray

EX OFFICIO: Kayla Sintz, Polly Samuels McLean, Patricia Abdullah

Board Member Werbelow presided over the meeting as the Chair Pro Tem until a Chair was elected later in the meeting. The meeting was called to order at 5:02 p.m.

Chair Pro Tem Werbelow welcomed the new Board members and asked each one to provide a brief introduction.

Alex Natt stated that he was happy to be part of the Board. As a new member he would be learning at the beginning, but he intended to be a significant contributor.

Puggy Holmgren stated that she was a returning member. She loves the Historic Preservation Board and was happy to be back.

Katherine Matsumoto-Gray stated that she was a new member to the HPB. She lives at 823 Norfolk Avenue and was excited to contribute to Old Town.

WORK SESSION

Note: The annual Open and Public Meetings Act training scheduled for work session was moved to the end of the regular session.

Presentation of High West Building for the Historic Preservation Award.

Chair Pro Tem Werbelow updated the new members on the awards program that was instituted by the HPB. She understood that the City Council was being asked to consider a resolution to adopt this awards program at their meeting the next evening.

Chair Pro Tem Werbelow explained that the HPB created a subcommittee a year ago comprised of her, Roger Durst, and David White, to devise an awards program from the HPB in tandem with the Historic Society that would highlight residential or commercial projects in town for a variety of different elements. Those elements were highlighted in the minutes from the last meeting. It would be an annual award determined from a list of categories that highlight different aspects of historic preservation in town that are important to the HPB.

Chair Pro Tem Werbelow stated that the High West Distillery project was the first recipient chosen by the HPB, and the theme was exemplary adaptive reuse. On August 18th the Historic Society was having a fundraiser at the Museum and all the Board members were invited. Sandra Morrison would allow the committee to say a few words about the awards program and to present the art piece that was commissioned and the plaque. Chair Pro Tem Werbelow noted that the plaque says "Historic Preservation

Board and Council". She understood that it was envisioned to be a Historic Preservation Award from the HPB.

Planner Kayla Sintz reiterated that the resolution to adopt the awards program was scheduled as the third item on the agenda for the City Council meeting. She invited all the Board members, as well as former members Roger Durst and Ken Martz, to attend. Planner Sintz had copies of the resolution and her report to the City Council available if anyone was interested. She explained that the Staff report contained draft language for the plaque. Once the City Council approves the resolution, the actual language could be fine-tuned before it goes on the plaque.

Chair Pro Tem Werbelow introduced Sid Ostergaard, the artist who was commissioned to do the artwork for the award presented to High West Distillery.

Mr. Ostergaard stated that it was an honor to be the selected artist to do the painting. He has been working in Park City and Summit County for the last 15 years. Professionally he is a land planner/landscape architect and has done a number of illustrations, including the St. Regis. Mr. Ostergaard presented a number of iterations to show the progress he has made, as well as the view, angle and setting that was chosen. The setting was more of a night/winter to show off how warm and inviting the building is today.

Chair Pro Tem Werbelow remarked that in the early stages of discussion, the intent was to show the connection between the two structures because it highlights the adaptive reuse concept. She was pleased with what Mr. Ostergaard had done so far. Board Member Matsumoto Gray agreed.

Chair Pro Tem Werbelow read the six award categories; adaptive reuse, infill development, excellence in restoration, sustainable preservation, embodiment of historical context, and connectivity of site. She felt it was important for the public to understand what the HPB was trying to recognize through these awards. Planner Sintz remarked that the actual resolution leaves it loose and summarizes the process that the subcommittee and the HPB went through in analyzing what might be an applicable award recipient. Therefore, the draft resolution recognizes the importance of an awards program.

Chair Pro Tem Werbelow suggested that the Board members begin thinking of forming a new subcommittee to find a candidate for the award next year.

Roger Durst reported that he had ordered the plaques. One would be placed on the High West Distillery and the second would be mounted on the illustration. He also suggested that the architect for the High West Distillery project be invited to the reception.

Chair Pro Tem Werbelow expressed regret for not being able to attend the City Council meeting. Board members McKie and McFawn would try to attend. It was noted that Roger Durst was very instrumental in bringing the awards program to fruition. Mr. Durst stated that he would attend the City Council meeting the next evening.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

ROLL CALL

All Board Members were present except for David White, who was excused.

ADOPTION OF MINUTES – JUNE 15, 2011

Alex Natt referred to a typo in the motion on page 6 of the minutes and corrected the word POSTIVE to correctly read **POSITIVE**.

MOTION: Board Member McFawn moved to APPROVE the minutes of June 15, 2011 as corrected. Board Member Natt seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

James Tyler, an architect from Los Angeles, stated that he teaches Architecture and Planning at the University of Southern California. He grew up in Utah and he comes to Park City every summer. Mr. Tyler commented on a number of things that bothered him last year. One was a platform on the street. He was informed that platforms were only temporary, but when he returned this summer, he found two or three more. He was then told that the platforms remain all summer but they are removed during the winter, which makes them temporary. Mr. Tyler pointed out that platforms take up a lot of space on the street. As an architect and planner he was bothered by the fact that the platforms take away the dignity and heritage of Old Town.

Mr. Tyler stated that he went to the Planning Department and they told him to talk to the City Council. Unfortunately he could not attend the Council meeting the next night due to a prior commitment.

Mr. Tyler commented on other reasons why the platforms should not be allowed. They are visually intrusive, they are not handicap assessable, and they increase square footage, which raises the question of parking requirements. He understood that the merchants like the platforms and they generate revenue, but he cares more about the artistic and aesthetics aspects, as well as the heritage and tradition. Mr. Tyler stated that he had come to appeal to the people who care about the same aspects that he does and who protect the heritage and traditions of the community. He asked the HPB to give this matter some consideration and thanked them for all they do.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Election of Chair

MOTION: Board Member McFawn nominated Sara Werbelow as the Chair of the Historic Preservation Board.

Chair Pro Tem Werbelow noted that David White had sent an email nominating Dave McFawn. She had spoken with Board Member McFawn and he would be happy with the Co-Chair position. Planner Sintz noted that the HPB does not have a Co-Chair position. She read from the LMC, “the HPB shall elect one member to serve as Chair for a term of one year, at its first meeting following the expiration of terms and appointment of new members. The Chair may be elected to serve for one consecutive additional term, but not for more than two successive terms. If the Chair is absent from any meeting where a

quorum may otherwise exist, the members may appoint a Chair Pro Tem to act as the Chair solely for that meeting”.

Board Member McFawn restated his motion.

MOTION: Board Member McFawn nominated Sara Werbelow as Chair of the HPB. Judy McKie seconded the motion.

VOTE: The motion passed unanimously.

Liaison selection for the Design Review Team

Chair Werbelow noted that she was the current liaison to the Design Review Team. At the last meeting City Council Member, Liza Simpson, had suggested that she write a report summarizing her thoughts from the standpoint of the liaison. Chair Werbelow handed out copies of her report to the Board members. Since it was lengthy, she summarized the contents prior to the Board selecting a new liaison. She wanted to talk about the process to see if another Board member was interested in being the liaison.

Chair Werbelow stated that the DRT is a weekly meeting and she has been attending since January. She had not attended every meeting. Each meeting is 1-3 hours. It is an incredible opportunity and she wholeheartedly recommended that someone consider the position. Chair Werbelow also acknowledged Roger Durst. It has been a long process and it was very important to Mr. Durst that the HPB have some type of representation on the DRT. Chair Werbelow explained that HPB representation is complex because the HPB is an appeal body. Therefore, many applicants who have gone through Design Review could come back to the HPB on an appeal. The idea of rotating Board members through the DRT meetings is problematic because if an application comes before the HPB, that Board member would need to recuse himself if he were involved in the Design Review. Rotating members creates an issue because they would need to go back and determine which member or members participated. Chair Werbelow remarked that the HPB still has the opportunity to have a liaison on the DRT and she felt they were fortunate to have the ability to participate.

Chair Werbelow commented on the DRT process and its benefits. She noted that page 20 of the Design Guidelines booklet outlines a detailed breakdown of the process for an applicant. As the liaison she saw a very diverse range of applications from major additions to landmark commercial structures on Main Street, and landmark or significant residential structures to small scale types of improvements. The purpose of the Design Review Team is to facilitate and provide direction to the applicant while using the LMC and the Design Review Guidelines to analyze how to adjust the applications.

Chair Werbelow remarked that the DRT meeting is a preliminary stage in the applicant's pursuit of their project and to get general feedback on their plans. Chair Werbelow stated that because she is not an architect, she did not feel there was an appropriate opportunity for her to contribute. Her presence was more of an observation role. She was unsure whether or not the Staff would like more input from the HPB liaison moving forward.

Planner Sintz recalled from a previous discussion that the HPB liaison on the DRT should be more of an observation role based on the appeal authority of the Board.

Assistant City Attorney McLean concurred that the intent was to give the HPB a better sense of how and why the approvals occurred and for the liaison to periodically update the entire Board. She noted that there was an initial fear of disconnect because the HPB would only see Historic District Design Reviews as the appellate in a quasi-judicial manner. There were a number of applications that the HPB was unaware of and the liaison position was a way to keep them informed.

Chair Werbelow referred to the last paragraphs in her report where she indicated that a case study report would be very effective. She understood that it could not be done for every application. However, it would be helpful for the liaison to follow one application and provide a general report to the Board that addresses the specific Codes and Guidelines and follows an application from start to finish. It could possibly be a spreadsheet. Following a project from start to finish would help the Board understand how the guidelines are specifically implemented in a particular project or project type.

Board Member McFawn liked the idea of a case study and following a project from start to finish, but he thought the “finish” should be determined as pulling a building permit. He would want the project to be considered complete without the concern of an appeal that could come before the HPB. Outside of the appeal concern, he could see the merit of a case study.

Assistant City Attorney McLean stated that the Board had two options. An HPB member could find a project and they could wait for it to pull a building permit, or if they preferred, the Staff could put together a presentation of an application that has gone through the process and is already built. The Staff could walk the HPB through how it looked when it first came in, the feedback that was provided, and what occurred throughout the application process. It would allow the Board members to follow the project to approval and how it looked when it was built.

Planner Kayla Sintz noted that 1059 Park Avenue was the only project under construction under the new guidelines. Assistant Attorney McLean pointed out that it would not have to be a complete building. They could also look at minor projects because the HDDR encompasses applications from a new building to new decking.

Board Member Natt felt that Assistant Attorney McLean had talked about a case study that would be educational for everyone. Based on the explanation of the liaison, it appeared that the person who accepts the liaison role on the DRT would be disqualified from participating in an appeal. He questioned whether that was the best use of the time and talent of one of the members. He suggested that a better approach might be to put together an educational module where they could all understand how the process works in broad terms. With that approach they would not have to rely on one person to convey the information with the potential of being disqualified from a particular issue. Board Member Natt was concerned that the liaison report process could contaminate the Board before they hear the matter as an Appeals Board.

Assistant City Attorney McLean explained that the Board made the decision to have a liaison role to the Design Review Team based on their desire to better understand the Historic District Design Review process. She clarified that the Legal Department has always been concerned that having a liaison would disqualify that member. The HPB was also advised that any information that was reported back to the Board must be

general in nature and not specific to a particular house or location, to avoid tainting the Board members.

Chair Werbelow remarked that Roger Durst was passionate about having HPB representation on the DRT. The decision resulted from well-thought discussion and consideration. However, because the HPB has new members, it was worth another discussion to figure out if the liaison is an effective use of the current Board members. Chair Werbelow stated that process is only part of the issue. Another component is that the meetings are Code based. When an application comes in the Land Management Code and Design Guidelines are the only mechanisms used to analyze and approve the projects. There is no aesthetic, peer review dialogue. Chair Werbelow recalled that the reason for having an HPB liaison was to move beyond the Code enforcement and to participate in an analytical, aesthetic type review of these applications.

Planner Sintz remarked that the guidelines talk about being compatible with the whole Historic District, which does speak to aesthetics. She commented on a number of applications that were reviewed when Chair Werbelow was present, and instances when the review was not completed because additional information was required or the proposed project did not meet the criteria. Planner Sintz stated that the DRT looks at criteria first and then discusses aesthetics.

Chair Werbelow felt it was important for the liaison role to go beyond process. The original intent was to get a sense of the bigger picture and context, and she would hate to lose that opportunity. However, if the Board did not believe it made sense for now, it could be revisited in the future.

Assistant City Attorney reiterated that the Board has the ability to make that decision. She reiterated the legal concern that a Board member who could provide valuable feedback during the appeal process may need to be recused. However, that was balanced with the value of having the HPB represented during the DRT review. Ms. McLean suggested that the Staff bring a range of projects to the Board that have already pulled permits so they could see how applications go through the process.

Planner Sintz stated that she had spoken with Dina Blaes, the City Preservation Consultant, about doing some training to update the new members. Planner Sintz noted that the Staff had prepared a recommendation to the City Council and the Planning Commission for the HPB to review all reconstructions and possibly panelizations. The intent was for the Staff to do training for the HPB on reconstructions and panelizations, as well as training overview on the new guidelines. Part of that would include different case sites and how the guidelines would apply. Planner Sintz pointed out that David White and Roger Durst have personally gone through several HDDRs on a professional level. Board Member White had encouraged other Board members to take the opportunity to understand how the process works.

Board Member McKie asked Chair Werbelow if she ever had to recuse herself while being the liaison to the DRT. Chair Werbelow answered no. Board Member McKie thought it would be an interesting learning experience, particularly as a new Board member.

MOTION: Board Member Natt made a motion for Judy McKie to be the new HPB liaison to the Design Review Team. Board Member Werbelow seconded the motion.

VOTE: The motion passed unanimously.

Selection of Liaison to the Planning Commission

Chair Werbelow requested discussion on a liaison to the Planning Commission. It was noted that Ken Martz was the previous liaison from the HPB.

Assistant City Attorney clarified that the liaison role was an effort for the HPB to have a bigger presence. She pointed out that the Planning Commission meets the 2nd and 4th Wednesday of each month, and the liaison should look at the agenda to see if matters concerning the Historic District are scheduled. The liaison could then determine whether or not it was important to attend. Ms. McLean pointed out that the intent of appointing a liaison was to have a representative from the HPB present to provide input or clarification if necessary, and to report back to the Board on the discussion and/or decisions made by the Planning Commission.

Board Member McFawn expressed an interest in being the liaison to the Planning Commission.

MOTION: Board Member Werbelow made a motion for David McFawn to be the HPB liaison to the Planning Commission. Board Member Matsumoto-Gray seconded the motion.

VOTE: The motion passed unanimously.

City Tour 2011 and Leadership

Planner Sintz reported on the City Tour 2011. She noted that the Planning Department had the ability to send two HPB members on City Tour. The Planning Department would cover travel and lodging costs. The members attending would be asked to cover the cost of food and drinks. The 2011 tour would be to Fort Collins and Estes Park. Planner Sintz noted that City Tour is typically a requirement for the related Leadership class for the same year.

Chair Werbelow and Board Member Matsumoto-Gray had attended the City Tour in previous years and thought it was an amazing experience. Board Member Matsumoto-Gray remarked that meetings are scheduled with city leadership and business leadership from the cities visited. It is a great way to learn about other cities that are comparable to Park City and what they have accomplished.

Planner Sintz requested that interested members contact the Planning Department.

TZO in effect

Planner Sintz reported that the next evening at 6:00 p.m. the City Council and Planning Commission would meet in joint session to look at re-development and to discuss plat amendments and lot combinations that directly affect Old Town. She believed the discussion would be applicable to the HPB. Planner Sintz noted that the Planning Commission discussed the TZO on July 13th and that discussion was continued to August 24th.

Treasure Hill Update

Planner Sintz reported that a public update on Treasure Hill was scheduled for July 26th at the High School. The same presentation would be given to the Planning Commission on July 27th. Assistant City Attorney noted that the HPB members could attend on either date; however, she preferred that they attend the presentation at the Planning Commission meeting since that would be a more formal setting and was less likely to cross the line of an outside meeting.

Noticing Signs

Planner Sintz noted that Patricia Abdullah had done fantastic work on the new noticing signs that were spearheaded by the HPB. Patricia stated that 50 signs were ordered, which would provide a good base for when signs need to be left posted through the entire process, including the building permit process for reconstructions. The format allows the signs to be tailored to individual projects.

To update the new Board members, Planner Sintz and Patricia Abdullah explained the benefits of the new signs compared to the old signs. Board Member McFawn remarked that the intent of the new signs was to better notify the public on a reconstruction when they see a building being torn down. Having more information on the sign would hopefully reduce public anxiety, as well as the time Staff spends on explanations.

New Planning Staff

Planner Sintz introduce Matt Evans, a new planner in the Planning Department. Mr. Evans started on July 5th. He came to Park City from the Anaheim area.

Meeting Schedule

Planner Sintz noted that the HPB typically meets on the 1st Wednesday of the month, although the last few months they have met on the 3rd Wednesday. Since the next regular meeting date would be August 3rd, the Staff recommended that the HPB consider keeping the 3rd Wednesday date through August and September. The meetings would be August 17th, and September 21st. Beginning in October, they would return to the 1st Wednesday of each month.

Board Member Matsumoto-Gray noted that she would be out of town on August 17th. Assistant City Attorney McLean suggested that Patricia Abdullah send the Board Members the scheduled dates for the HPB meetings through the end of 2011.

Visioning

Chair Werbelow asked about visioning. Planner Sintz replied that once a year the Staff schedules a visioning session with the HPB once the new members are on the Board. She asked if the Board members had a preference for September or October. The visioning is usually held at a restaurant and anyone can come and listen or participate. Visioning is a loose agenda that allows everyone to get better acquainted, brainstorm ideas, and set goals.

The Board discussed potential visioning dates. They decided on the 3rd weekend in September. If that date does not work, they could move the visioning to October.

Board Member McFawn suggested another joint meeting with the City Council after their visioning session. Assistant City Attorney McLean would inform Director Eddington that they were interested in another joint meeting and ask him to report back to the HPB.

Informational Update of Historic Preservation Approvals

Planner Sintz reported that the matrix in the Staff report was an update of the information the HPB received in April. Any changes were identified in bold. She noted that 525/522 Park Avenue had been pulled by the applicant, 919 Woodside Avenue was denied in regards to the appeal heard by the HPB, and 1144 Woodside Avenue was approved.

Board Member McFawn referred to 64 Chambers and noted that it was a landmark structure that was approved for removal of stairs. Planner Sintz clarified that the stairs were not landmark. The structure had a series of steps that came off the right side and the left side. The proposal was to remove the stairs on the right and rebuild the stairs in a more historic form. Rock work and landscaping was also proposed. The intent was to return the structure to some of the historic tax photos. The railing would be replicated where the stairs were located on the far right side.

Chair Werbelow wanted to know the process when an application expires. Planner Sintz replied that the application would need to be resubmitted and the process would start over. The application would then be subject to whatever codes and guidelines were in place at the time the application was re-submitted. She noted that an HDDR is valid for one year. Board Member McFawn understood that 271 Daly Avenue, which was shown as expired on the matrix, would be subject to the 2009 Guidelines if resubmitted. Planner Sintz replied that it would be subject to the 2009 Guidelines, as well as any Code modifications that have occurred since 2009.

Patricia Abdullah explained that applications shown in blue indicate that the project was approved under the old guidelines but had not yet been completed. White indicates that the application is pending or has been approved under the new guidelines. She explained the timing process for initial applications. Assistant City Attorney McLean stated that people often manipulate the system. For example, if a steep slope CUP is attached to the application it is required to go through the HDDR and the Steep Slope CUP process. A building permit must be pulled within one year of the Steep Slope CUP approval and the HDDR also has an expiration date. She noted that sometimes an applicant will submit for a building permit and then request an extension if construction has not started and the permit is set to expire. For that reason, some applications are quite old. Ms. McLean stated that the new Chief Building Official, Chad Root, is attempting to clean up that process.

WORK SESSION - Continued

Annual Open and Public Meetings Act Training

Assistant City Attorney McLean distributed a handout and provided a brief overview of the Open and Public Meetings Act.

Assistant City Attorney McLean noted that she attends all the HPB meetings and tries to be very responsive. She offered to provide additional legal training or input if requested at either the HPB meetings or on an individual basis. In addition, the City Attorney, Mark Harrington, is well-versed in Land Use and he is a great resource if they have questions. Ms. McLean encouraged the Board members to take advantage of the Legal Department because asking for advice provides them legal protection, even if the advice is wrong.

Assistant City Attorney McLean remarked that State law requires an annual training. She distributed a handout and provided a brief overview of the Open and Public Meetings Act. She noted that the purpose statement talks about conducting the People's business and that it should be done in an open forum. Ms. McLean pointed out that the Open and Public Meetings Act does not always require that the public be allowed to participate, but they should have the ability to observe the process and the deliberations as to how decisions were made. The intent is to provide transparency and instill confidence in the system.

Assistant City Attorney remarked that a meeting is a quorum, which is at least four members for the HPB, and no official business can be conducted without a quorum. She stressed the importance of having Board members notify the Planning Department if they cannot attend a meeting to make sure there would be enough members present for a quorum. She cautioned the Board members to be careful about their conversations if they are congregated with other Board members at a community or social event. Talking about matters related to the HPB could be perceived as conducting business outside of a public meeting. Ms. McLean recommended that the Board members only use email for basic, logistical type matters. Under the Open Public Meetings Act, any discussion via email could be considered a violation of the Act because they would be having private deliberations on actions. Another reason to avoid email was the Government Records Act requirements. Most City business and City communication is open for public review and they would have to pull private emails if someone suspected that HPB business occurred and asked to see all emails involving those discussions.

Assistant City Attorney McLean reported that a new State law specifically allows transmitting electronic messages to other members of the Public Body when the Public Body is not convened in an open meeting. While State Code allows text messaging, Ms. McLean advised against it.

Assistant City Attorney McLean noted that Under the Open and Public Meetings Act all deliberations must be done in public and recorded. A regularly scheduled meeting can only be held at the regular location unless the entire meeting is located elsewhere for a specific reason. Ms. McLean pointed out that the noticing requirement under the Open and Public Meetings Act is 24 hours. Park City has its own requirements within the Code for noticing. Items for Historic District Review are posted ten days in advance. On a basic level, if a Board member would like a discussion with the Board that was not scheduled on the agenda and does not involve administrative matters, they should notify the Planning Department so it can be added to the agenda at least 24 hours prior to the meeting. Regarding public input, Ms. McLean stated that people have the right to speak under the public hearing law, but they do not have the right to take up all the time or to be abusive. It is appropriate to limit the length of individual comments so everyone has the opportunity to speak. Meetings are required to be recorded and written minutes

must be taken. Ms. McLean noted that the minutes reflect the official record of the meeting. She encouraged the Board members to carefully read the minutes and make corrections if necessary.

Assistant City Attorney McLean stated that violating the Open and Public Meeting Law knowingly or intentionally could be a Class B Misdemeanor. Ms. McLean pointed out that the HPB decides three different types of issues. One is legislative, and the restrictions on legislative decision-making is very broad. The second level is administrative, which is much more restrictive and includes matters such as grants and determinations of significance. Any communication outside of a meeting should be stopped and the person who approached the Board Member should be encouraged to attend a meeting and make their comments for the benefit of everyone. The Board members should also disclose that conversation at the next meeting. Ms. McLean stated that once a decision is made through a motion and vote, it would be acceptable to talk about it; however, they should be cautious about doing that in the event the item may be appealed.

Assistant City Attorney McLean remarked that the third level of decision-making is Appeals, where the HPB acts as judges in a quasi-judicial process. This is the most restrictive level in terms of outside communication.

In response to a question regarding the appropriate way to handle emails, Ms. McLean requested that the Board Members forward the emails to Patricia so they can be included in the record as public comment.

Assistant City Attorney McLean reviewed general ethics standards that the City and State have imposed on public servants and employees. The standards included conflicts of interest, improper use of an official position, rules against representing a private interest before the City, and disclosure and recusal. Ms. McLean noted that the standards indicate that leaving the room when recused is a preferred method, but it is not required. However, from a legal perspective, Park City requests that the recused person leave the room to allow the Board to act without the conflicted member being present. Assistant City Attorney McLean clarified that disclosure requires that a Board member publicly disclose any conflicts of interest before it is discussed in an official proceeding, including conflicts with the City Council or the City in general. She noted that each Board member was given a disclosure form when they were sworn in to be filled out and filed with the City. The Board members have the responsibility to update the disclosure form if changes occur. The Board members could also ask for a written opinion from the Legal Department if they have questions regarding a conflict. She reiterated that asking for legal advice and following that advice affords them protection under the Governmental Immunity Act.

Assistant City Attorney McLean noted that Chapter 3 of the Municipal Code and Chapter 10-3.1301 speaks to the Ethics Code. Ms. McLean also suggested that the Board Members review the HPB Chapter of the LMC, which lists all of their jurisdiction and responsibilities.

The meeting adjourned at 6:54 p.m.

Approved by _____
Sara Werbelow, Chair
Historic Preservation Board