

1 HISTORIC PRESERVATION ADVISORY COMMISSION
2 OF THE CITY OF OCEANSIDE

3 BYLAWS

4 As Adopted by Resolution No. 83-H01

5 ARTICLE I - THE COMMISSION

6 Section 1: NAME OF COMMISSION. The name of the Commission
7 shall be the "Oceanside Historic Preservation Advisory
8 Commission" (hereafter referred to as "OHPAC").

9 Section 2: PURPOSE: The OHPAC shall advise the Oceanside
10 Planning Commission and City Council and provide expertise and
11 recommendations relating to the identification, protection,
12 retention and preservation of historical areas and sites within
13 the City of Oceanside (the "City"). In order to accomplish the
14 purpose, the OHPAC shall:

15 1. Recommend to the City Council:

- 16 a. sites and areas to be considered for historic
17 designation;
- 18 b. criteria for guidelines to be used in a comprehensive
19 survey of properties within the City;
- 20 c. the hiring of staff or consultants to conduct a
21 comprehensive survey of properties within the boundaries
22 of the City to identify historical sites and areas;
- 23 d. adoption of standards to be used by the Commission in
24 reviewing applications for permits to construct, change,
25 alter, modify,, remodel, remove, or significantly affect
26 any historical area or site;
- 27 e. the approval or disapproval, in whole or in part, of
28 applications for permits pursuant to Ordinance 82-41 of
the City Council;
- f. the hiring of staff or consultants to conduct studies

1 that the Commission deems desirable or necessary;

2 g. the purchase of fee or less-than-fee interests in
property for purposes of historical preservation;

4 h. participation in and the promotion and dissemination of
5 public information, educational and interpretive programs
6 pertaining to historical areas and sites; and

7 i. cooperation with local, County, State and Federal
8 governments in the pursuit of the objectives of
9 historical preservation.

10 2. The Commission shall:

11 a. review and comment upon the conduct of land use, housing
12 and redevelopment, municipal improvement, and other types
13 of planning and programs undertaken by any agency of the
14 City, the County, or State, as they relate to the
15 historical preservation of the community;

16 b. publicize and periodically update survey results;

17 c. maintain a local register of historical areas and sites
18 within the City;

19 d. investigate and report to the City Council on the use of
20 various Federal, State, local or private funding sources
21 and mechanisms available to promote historical
22 preservation in the City;

23 e. render advice and guidance, upon the request of the
24 property owner or occupant, on the restoration,
25 alteration, decoration, landscaping or maintenance of any
26 historical area or site; and

27 f. perform any other functions that may be designated by the
28 City Council.

1 Section 3: MEMBERSHIP.

2 a. Composition - The OHPAC shall consist of seven (7)
3 members as established by Ordinance 82-41 of the City
4 Council.

5 b. Qualifications - Commission membership shall be comprised
6 to meet the specific qualifications established by
7 Ordinance 82-41 of the City Council.

8 Section 4: TERMS OF MEMBERSHIP. Oceanside Historic
9 Preservation Advisory Commission membership (each of whom were
10 selected for the fulfillment of the specific qualifications
11 called for by Ordinance 82-41) were initially appointed for
12 staggered time lengths: three (3) for (1) one year, two (2) for
13 two (2) years, and two (2) for three (3) years (drawn by lot),
14 all terms to expire on July 1.

15 The term for all subsequent appointments shall be for three
16 (3) years, and shall expire on July 1.

17 Section 5: TERMINATION OF MEMBERSHIP. Termination of
18 membership in the OHPAC shall be considered in the event that:

- 19 1. The member is absent, without having been excused by a
20 majority of the members present, from three (3) successive
21 meetings of the Commission which such member was required and
22 notified to attend.
- 23 2. The member no longer meets the qualifications of the position
24 for which they were selected.
- 25 3. The member shall have acted in violation of Article IV.

26 Section 6: REMOVAL OF MEMBERS.

- 27 1. A member shall be recommended to the City Council for removal
28 by at least a vote of two-thirds (2/3) of the total

1 membership of the OHPAC, at a regularly scheduled and noticed
2 meeting, if it is found and determined that any of the
3 grounds for termination specified in Section 5 of Article I
4 exists.

5 2. The provisions hereinabove notwithstanding a member may be
6 removed, at any time, with or without cause, by a majority
7 vote of the City Council.

8 Section 7: RESIGNATION. Any OHPAC member may resign at any
9 time by giving written notice to the Chairperson. Any such
10 resignation will take effect upon receipt or upon any date
11 specified therein. The acceptance of such resignation shall not
12 be necessary to make it effective.

13 Section 8: FILLING OF VACANCIES. In the event of a vacancy
14 occurring during the term of a member of the Commission, the
15 Mayor shall make an appointment to fill the unexpired term of
16 such member, and where such member is required to have special
17 qualifications, such vacancy shall be filled by interim
18 appointment, in the manner prescribed in Ordinance 82-41 with a
19 person having such qualifications.

20 It shall be the responsibility of the OHPAC secretary to
21 annually notify the Mayor of upcoming OHPAC vacancies and the
22 special qualifications needed for the position, if appropriate.

23 ARTICLE II - OFFICERS

24 Section 1: CHAIRPERSON. The Chairperson shall preside at
25 all meetings of the OHPAC, and shall submit such agenda,
26 recommendations, and information at such meetings that are
27 reasonable and proper for the conduct of the business affairs and
28 policies of the OHPAC.

1 Section 2: VICE CHAIRPERSON. The Vice Chairperson shall
2 perform the duties of the Chair in the absence or incapacity of
the Chairperson. In the event of the resignation, death, or
4 removal of the Chairperson, the Vice Chairperson shall assume the
5 Chair's duties until such time as the OHPAC shall elect a new
6 Chairperson.

7 Section 3: SECRETARY. The Secretary shall record the
8 records of the OHPAC, shall act as secretary of the meetings of
9 the OHPAC, shall record all votes, and a record of the
10 meetings. The City Manager shall designate an employee who shall
11 serve as the secretary of the Commission.

12 Section 4: RECORDS.

- 13 1. The Commission shall keep a record of its proceedings, which
14 shall be open for inspection by any member of the public.
15 2. The City Clerk shall be responsible for the maintenance of
16 all the Commission's records.

17 Section 5: ADDITIONAL DUTIES. The officers of the OHPAC
18 shall perform such other duties and function as may from time to
19 time be required by the OHPAC, the bylaws, Ordinance 82-41, or
20 other rules and regulations, or which duties and functions are
21 incidental to the office held by such officers.

22 Section 6: ELECTIONS. The Chairperson and the Vice
23 Chairperson shall be elected by the OHPAC at its annual July
24 meeting by members of the OHPAC. Such officers of the OHPAC
25 shall hold office for one year or until their successor's are
26 elected. Such officers shall not be prohibited from succeeding
27 themselves.

1 Section 5: MEETING PLACE. The OHPAC shall hold its
2 meetings at the Oceanside City Hall, 321 North Nevada Street,
Oceanside California, unless noticed otherwise.

4 Section 6: ALL MEETINGS TO BE OPEN AND PUBLIC. All
5 meetings of the OHPAC and its subcommittees as established in
6 Article VI, shall be open and public to the extent required by
7 law. All persons shall be permitted to attend any such meetings,
8 except as otherwise provided by law. Nothing contained in these
9 Bylaws shall be construed to prevent the OHPAC from holding
10 executive sessions during a meeting concerning any matter
11 regarding City and/or Agency personnel designated by the City
12 Council to aid the OHPAC, any matter pertaining to present,
13 future, or potential litigation, and any other matter permitted
14 by law to be considered in executive session.

15 Section 7: QUORUM. The powers of the OHPAC shall be vested
16 in the members thereof in office from time to time. A majority
17 of the OHPAC membership shall constitute a quorum for the purpose
18 of conducting the OHPAC's business, exercising its powers and for
19 all other purposes. An affirmative vote by a majority of the
20 members of the OHPAC shall be required for approval of any
21 question brought before the OHPAC.

22 In the event that during any period of time in which there
23 are vacancies on the OHPAC, a majority of the members in the
24 filled positions shall constitute a quorum. An affirmative vote
25 by a majority of the members in the filled positions shall be
26 required for approval of any question brought before the OHPAC.

27 Section 8: MINUTES. Minutes of the OHPAC shall be in
28 writing. Copies of the minutes of each OHPAC meeting shall be

1 made available to each member of the OHPAC. Approved minutes
2 shall be filed with the City Clerk.

3 Section 9: RULES OF ORDER. Except as provided in the
4 Bylaws, all business and matters before the OHPAC shall be
5 transacted in conformance with Robert's Rules of Order (Newly
6 Revised).

7 ARTICLE IV - DISCLOSURES AND CONFLICTS OF INTEREST

8 The members of the OHPAC shall make written disclosures to
9 City Council, and the OHPAC of the facts and location, but not
10 the amount, of all direct or indirect interests in projects under
11 their review. Disclosure should be made as soon as possible or
12 within 30 days of the date of project initiation. Failure to
13 make such written disclosure within such time limits shall be
14 grounds for termination of membership and/or removal from the
15 OHPAC.

16 Any recommendation made by the OHPAC to the City Council, or
17 any department, board or commission of the City, shall set forth
18 the name and interest of the OHPAC members who have a direct or
19 indirect interest in the matter involved in the recommendation.

20 No member of the OHPAC shall participate or vote on any
21 matter which involves the sale, purchase, lease, development,
22 rehabilitation, or use of a particular parcel of property in
23 which the member has a direct or indirect interest. Any such
24 participation by the member shall constitute grounds for
25 termination of membership and/or removal from the OHPAC.

26 For the purpose of this Article IV, the term "direct or
27 indirect interest" shall be defined to include, but not limited
28 to, any monetary interest in property, or benefit arising from

1 the sale, lease, mortgage, or disposition of property owned by,
2 in trust for, or subject to inheritance by a member of the OHPAC,
3 his or her spouse, his or her children, and his or her parents.

4 ARTICLE V - REPRESENTATION BEFORE PUBLIC BODIES

5 Any official representations on the behalf of the OHPAC
6 before the City Council, or any other public body shall be made
7 by the Chairperson, the Vice Chairperson in the Chairperson's
8 absence, or a member of the OHPAC specifically so designated by
9 the OHPAC.

10 ARTICLE VI - SUBCOMMITTEES

11 Section 1: ESTABLISHMENT. The OHPAC shall have the
12 authority to, and may, establish subcommittees as necessary to
13 accomplish the purposes set forth in Section 2 of Article I of
14 these Bylaws.

15 Section 2: MEMBERSHIP. Each subcommittee shall be composed
16 of at least one (1), but not more than three (3), members of the
17 OHPAC, and may include persons from the community.

18 Section 3: APPOINTMENT OF MEMBERS. Members on a
19 subcommittee (including persons from the community) shall be
20 appointed by the Chairperson of the OHPAC with the approval of
21 the OHPAC.

22 Section 4: OFFICERS AND MEETINGS. Subcommittee
23 Chairpersons shall be designated by the Chairperson of the OHPAC;
24 however, the Chairperson is not required to be an OHPAC member.
25 Each subcommittee shall elect a Vice Chairperson and such
26 officers as necessary, and shall establish the date, time, and
27 place for meetings to conduct the subcommittee's business.

