

DURHAM



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NORTH CAROLINA



Date: September 19, 2011

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, City-County Planning Director 

Subject: Historic Preservation Commission Interlocal Cooperation Agreement Revision

Summary. The Interlocal Cooperation Agreement between the City and County of Durham that created the Durham Historic Preservation Commission (HPC) states that the Joint City-County Planning Committee will make recommendations on appointments to the Historic Preservation Commission to the governing bodies. However, in certain situations this process exceeds the allowable timeline set for reappointments by the Certified Local Government program.

Recommendation. Staff recommends approval of the revised Interlocal Cooperation Agreement. The Historic Preservation Commission voted 7-0 on August 2, 2011 to recommend approval of the revised Agreement.

Background. In 1992 the City and County approved an Interlocal Cooperation Agreement creating the Durham Historic Preservation Commission. The Agreement became effective on July 1, 1992. Both the City of Durham and Durham County have maintained Certified Local Government (CLG) status since 1989. This status allows the City and County access to technical assistance from the State Historic Preservation Office, access to federal funding in the form of matching grants, and allows the Historic Preservation Commission review of any National Register nominations within the City or County jurisdiction. Associated with this status, and the benefits that accompany it, are certain responsibilities for the local jurisdiction, including: maintaining an active Historic Preservation Commission, enforcing local historic preservation ordinances, maintaining a historic resources inventory, engaging the public on historic preservation issues, and participating in historic preservation related training for staff and Commission members.

Issues. The current timeline established for the reappointment of vacant seats on boards and commissions appointed by the governing bodies includes advertising the openings by the City or County clerk's office, forwarding received applications to the JCCPC for their recommendation, and then scheduling for the governing body meeting to make the appointment. This process can be timed to ensure no lapse in filling Commission seats. However, if the clerk's office does not receive any applications in the first advertisement or if a reappointment is necessary due to a resignation on the Commission, the established process exceeds the allowable time between a vacancy and appointment as set by the Certified Local Government program. The proposed revision to the Interlocal Cooperation Agreement allows

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the reappointment process to bypass a recommendation by the JCCPC only if JCCPC consideration would result in violating the timeframe established by the CLG requirements for filling vacant Commission seats.

Alternatives. The Durham City Council could elect to modify or not approve the revised Agreement.

Staff Contact. Lisa Miller, Senior Planner, 560-4137 ext. 28270, lisa.miller@durhamnc.gov

Attachments.

Attachment A, Revised Interlocal Cooperation Agreement for the Historic Preservation Commission