



# RESOLUTION No. 20-527

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION AMENDING RESOLUTION 69-102 UPDATING THE MISSION, DUTIES, AND FUNCTION OF THE NEVADA COUNTY HISTORICAL LANDMARKS COMMISSION ("NCHLC") PERTAINING TO THE DESIGNATION OF THE COUNTY'S LOCAL HISTORICAL LANDMARKS AND HISTORICAL RESOURCES, TO PROMOTE AND PRESERVE THEIR HISTORICAL SIGNIFICANCE, AND APPROVING AND RATIFYING THE RESTATED BYLAWS OF THE NCHLC

WHEREAS, Nevada County has a rich and varied history, beginning with its central roles in the California Gold Rush, the Transcontinental Railroad, and continuing into the twenty-first Century, resulting in many historic objects, sites, and prominent people who contributed to its history; and

WHEREAS, it is beneficial and important for Nevada County residents and others to understand, embrace and appreciate our local history, which is integral to making Nevada County a wonderful and exciting place to live; and

WHEREAS, the Nevada County Historical Landmarks Commission was established on April 29, 1969, via Resolution 69-102, for the purpose, duty and function to designate historical landmarks and to take whatever steps necessary for their preservation; and

WHEREAS, on February 6, 1996, the Board of Supervisors adopted Resolution 96-33, thereby amending Resolution 69-102 to further clarify the duties of the Commission, and noting its membership of ten (10) members, with two being appointed by each County Supervisor from the registrar of voters in his or her applicable supervisorial district, and rescinding Resolutions 71-293 and 92-363; and

WHEREAS, since 1969 the Historical Landmarks Commission's work and recommendations have resulted in the designation of over 60 historical landmarks throughout Nevada County; and

WHEREAS, the many accomplishments of the Historical Landmarks Commission have included the publication of *Exploring Nevada County: An Illustrated Guide to Local Landmarks and Historic Sites*, and launching and maintaining the Nevada County Interactive Map of Historical Landmarks where members of the public can view photographs and access detailed information including the location and description of every Nevada County Historical Landmark; and

WHEREAS, in practice the Nevada County Historical Landmarks Commission serves the mission to designate historical landmarks and to promote the preservation and legacy of such sites; and

WHEREAS, California Public Resource Code section 5020.1(j) states that “Historical Resource” includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, or cultural annals of California; and

WHEREAS, Resolution 69-102 does not adequately include the designation and preservation of local historical resources; and

WHEREAS, the Nevada County Historical Landmarks Commission approved the Restated Bylaws to incorporate the designation and preservation of historical resource and further provide specificity on its mission to promote the preservation of locally-designated historical landmarks and historical resources at its Special Meeting on December 3, 2020, which have been considered by the Board of Supervisors.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada, State of California, hereby amends Resolution 69-102, updating the mission, duty and function of the Nevada County Historical Landmarks Commission to allow the designation of the County’s local historical landmarks and historical resources, and to promote their preservation.

BE IT FURTHER RESOLVED that the Restated Bylaws of the Nevada County Historical Landmarks Commission, as attached hereto as Exhibit A, are hereby approved and ratified.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 15th day of December, 2020, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 



Heidi Hall, Chair

12/15/2020 cc: COB\*  
AC\*(hold)

2/22/2021 cc: COB\*  
AC\* (Release)

**RESTATED BYLAWS OF THE  
NEVADA COUNTY HISTORICAL LANDMARKS COMMISSION**

**I. COMMISSION NAME**

- A. The Commission is designated the Nevada County Historical Landmarks Commission.

**II. STATEMENT OF PURPOSE**

- A. The purpose of the Nevada County Historical Landmarks Commission (herein referenced as "NCHLC") shall be:
1. To promote the general welfare of Nevada County and its citizens through official recognition, recording, marking, preserving and promoting the Historical Landmarks, Historical Resources, and points of historical interest of Nevada County.
  2. To review and make recommendations to the Nevada County Board of Supervisors for official designations of Historical Landmarks and Historical Resources.
- B. The NCHLC has been authorized to operate in accordance with Resolutions 69-102 and 96-33, as adopted by the Board of Supervisors.
- C. County Staff available to the NCHLC, as necessary and applicable, shall be as follows:
1. Staff Analyst from the Board of Supervisors' Office.
  2. The Office of the County Executive Office.
  3. The Office of the County Counsel.

**III. DEFINITIONS**

The following words shall have the following definitions for the purpose of these Bylaws.

- A. "Board" is the Nevada County Board of Supervisors.
- B. "NCHLC" is the Nevada County Historical Landmarks Commission.
- C. "Historical Landmark" means any historical resource which is registered as a local historical landmark.
- D. "Historical Resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Nevada County and/or California.

**IV. SCOPE OF AUTHORITY**

**A. POWERS AND DUTIES**

1. The NCHLC shall provide recommendations to the Nevada County Board of Supervisors for the designation of historical landmarks and Historical Resources.
2. The NCHLC duties shall include but are not limited to:

- a. Preparing an application form for registration of all proposed Historical Landmarks and Historical Resources in Nevada County.
  - b. Establishing procedures for the submittal and verification of all proposed Historical Landmarks and Historical Resources.
  - c. Establishing criteria for the approval of Historical Landmarks and Historical Resources.
  - d. Administering the review, determination and approval process of Historical Landmarks and Historical Resources.
  - e. Presenting all proposed Historical Landmarks and Historical Resources to the Board of Supervisors for final approval and designation.
  - f. Reviewing applicable Nevada County Community Development Agency (CDA) department, including Public Works and Planning, Notices of Proposed Projects and providing feedback to applicable County departments on any impacts to Historical Landmarks and Historical Resources.
  - g. Promoting Nevada County history through, among other things, publications, media contacts and events, public appearances at meetings of civic groups and organizations, social media, and the interactive map of County Landmarks.
3. The NCHLC shall respond to all Board communications and orders as directed, as well as comply with all Federal, State and local regulations including but not limited to the Brown Act, California Fair Political Practices Commission regulations and all applicable noticing requirements related to the review and recommendations as outlined within its Scope of Authority.
  4. The NCHLC shall promote and encourage public participation and inclusion and shall solicit community input on matters being reviewed by the NCHLC, including but not limited to allowing and encouraging public comment at its regular and special meetings.
  5. The NCHLC may exercise any other powers as may be authorized by the Board and allowed by state law.

## V. ORGANIZATION

- A. Members of the Commission shall be charged with carrying out the general purpose of the Commission set forth above and shall serve at the pleasure of the appointing member of the Board of Supervisors.
- B. Officers of the NCHLC shall be chosen from and by the current members of the NCHLC and shall consist of the following:
  1. A Chair who shall be elected at the July meeting by a majority vote of the members of the NCHLC and who shall prepare agendas, preside at NCHLC meetings, represent the NCHLC and its position before County bodies, including the Board of Supervisors, and perform other tasks necessary for the conduct of NCHLC business. The Chair will also work cooperatively with applicable government agencies such as the California Department of Parks and Recreation, California Office of Historic Preservation, California State Historical Resources Commission, National Park Service, Bureau of Land Management and the United States Forest Service, with the purpose of preserving Historical Landmarks, and Historical Resources, within Nevada County which are deemed worthy of such preservation, and shall maintain cooperative liaison between the Commission and Federal, State and local organizations and associations. The Chair shall not serve more than two (2) consecutive term unless other members are unwilling to serve as Chair, in which case the current Chair may continue to serve on a year-to-year basis following the applicable July

meeting.

2. A Vice Chair who shall be elected at the July meeting by a majority vote of the members of the NCHLC and who shall assume the duties of the Chair in his or her absence and shall perform such other duties as the Chair or NCHLC may delegate. The Vice Chair shall not serve more than two (2) consecutive term unless other members are unwilling to serve as Vice Chair, in which case the current Vice Chair may continue to serve on a year-to-year basis following the applicable July meeting.
  3. A Secretary/Treasurer who shall be elected at the July meeting by a majority vote of the members of the NCHLC. The Secretary/Treasurer shall not serve more than two (2) consecutive term unless other members are unwilling to serve as Secretary/Treasurer, in which case the current Secretary/Treasurer may continue to serve on a year-to-year basis following the applicable July meeting. The duties of the Secretary-Treasurer shall be to keep accurate minutes of all meetings of the Commission, to forward copies of such minutes to all Commissioners for additions or corrections and to send one copy of the certified minutes to the Board of Supervisors, as well as keeping one or more copies on file; to keep a complete file of a correspondence between the Commission and other governmental agencies, societies, clubs, or individuals; to keep accurate records of all receipts and expenditures; and to disburse funds allotted to the Commission.
  4. A Promotion Director who shall be elected at the July meeting by a majority vote of the members of the NCHLC. The Promotion Director shall not serve more than two (2) consecutive term unless other members are unwilling to serve as Promotion Director, in which case the current Promotion Director may continue to serve on a year-to-year basis. The Promotion Director shall promote and coordinate all media publicity and public events; direct tourists and visitors to Historic Landmarks and areas of historical interest in Nevada County; assist the Commission Chair in supervising the production and installation or placement of Historical Markers on all County roads, city streets and private properties, in cooperation with the County and City officials, and applicable private property owners.
  5. A Social Media Director who shall be elected at the July meeting by a majority vote of the members of the NCHLC. The Social Media Director shall not serve more than two (2) consecutive term unless other members are unwilling to serve as Social Media Director, in which case the current Social Media Director may continue to serve on a year-to-year basis. The Social Media Director shall develop and maintain social media sites and ~~to~~ use those sites to promote the general purpose of the Commission set forth above, and shall coordinate with the Promotion Director on all applicable activities.
- C. The Officers shall serve from the day after elected for one calendar year or until the next election.

## **VI. MEMBERSHIP**

### **A. COMPOSITION OF NCHLC AND QUALIFICATIONS OF MEMBERS**

1. The NCHLC shall be comprised of ten (10) regular members, two (2) to be appointed by each County Supervisor from the register of voters in his or her District. Members of the Commission shall be charged with carrying out the general purpose of the Commission set forth above.
2. All members shall reside in the respective supervisorial district of their appointing Supervisor.



3. All members of the NCHLC shall be appointed by and shall serve at the will and pleasure of the Board of Supervisors.
4. Upon taking office as a newly elected District Supervisor, the Supervisor may, at his or her discretion, review the NCHLC membership and request the members of the NCHLC from his or her supervisorial district to reapply for appointment as a regular member of the NCHLC.
5. All members must be able to dedicate the time necessary to attend meetings and otherwise perform the duties as outlined in Section IV above and have sufficient capability with information technology to carry out the duties of the Commission.
6. All NCHLC members shall notify the Chair and Vice Chair within a reasonable period of time if they will be not be in attendance of a regular or special meeting to allow for the Chair to determine and approve the absence as an Excused Absence. Should a NCHLC Member fail to notify the Chair of their absence before a regular or special meeting within a reasonable period of time or the Chair determines and declines to approve the absence, then the absence shall be considered an Unexcused Absence and shall be notated within the meeting's records.
7. The NCHLC shall notify the Clerk of the Board of any changes to its membership, who shall maintain a current membership roster available for inspection by the public during its business hours.
8. All NCHLC members shall be required upon taking office, leaving office and annually every year in office, to submit a completed a signed Statement of Economic Interests - Form 700 either in hardcopy or electronically to the Nevada County Clerk of the Board, per State law.
9. All NCHLC members shall be required, per State law, to complete and submit a Proof of Participation Certificate of training that satisfies AB 1234 Ethics Education training every two (2) years.

#### B. REMOVAL OF MEMBERS

1. For the following reasons, the NCHLC may, by a majority vote at a properly noticed meeting, make a recommendation to the Board of Supervisors that a member be removed from the NCHLC:
  - a. Unexcused absences of two (2) consecutive meetings or more than half the meetings in any twelve (12) month period; or
  - b. Two Thirds (2/3) majority vote by the NCHLC members.
  - c. Failure to comply with the Conflict of Interest Provisions set forth in section VII.E below.
  - d. Conduct unbecoming a representative of the Commission, or interference with or obstruction of the goals and objectives of the Commission.
2. The Board of Supervisors may remove any NCHLC members at their sole discretion at any time.
3. District Supervisors may remove their district NCHLC appointees at their sole discretion at any time.
4. Upon resignation, NCHLC members shall provide written notification to the applicable district Supervisor, the Clerk of the Board and the NCHLC Chair informing of their resignation and its effective date.

## **VII. CONDUCT OF BUSINESS**

### **A. QUORUM**

1. A majority of the NCHLC members, or as necessary per State law, shall constitute a quorum, and the actions of this quorum shall stand as the action of the NCHLC.
2. No proxy votes are allowed.
3. In the absence of a quorum, the Chairperson shall have the discretion to adjourn and continue the meeting to another date.

### **B. MEETINGS**

1. The NCHLC shall convene a meeting at least monthly, or more often as deemed necessary by the NCHLC or the Board of Supervisors. The NCHLC may establish a time and place for regular meetings.
  - a. Regular meetings of the NCHLC shall be at 9 a.m. on the third Friday of the month, unless the Commission votes to move the meeting to a different date, time or location.
  - b. Regular meeting dates, times and locations of the NCHLC shall be decided upon either the first meeting of the calendar or first meeting of the July fiscal year by a majority vote of the NCHLC, or as scheduled at the conclusion of a regularly scheduled meeting.
2. Special meetings of the NCHLC may be called by the Chair. The Chair may establish the date, time and location for special meetings.
3. A special meeting may be called by the Chair or by a majority of the members of the NCHLC in accordance with Government Code section 54956.
4. Members of the NCHLC shall vote by voice vote on any vote that requires action by the NCHLC.
5. The NCHLC members shall conduct themselves in a professional manner during meetings, including but not limited to being prompt at meeting times, speaking when called upon by the Chair, not talking over one another, adhering to the Chair's requests, and being respectful to members of the public, NCHLC members, and County staff.
6. All NCHLC regular and special meetings shall provide an opportunity for members of the public to directly address the NCHLC on any item interest of the public as required by state law.
7. The rules contained in the current edition of either Robert's or Rosenberg's Rules of Order, shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and the rules, policies and regulations of the Nevada County Board of Supervisors.

### **C. HISTORICAL DESIGNATIONS, RECOMMENDATIONS, AND ACTIVITIES**

1. The NCHLC shall provide the Board of Supervisors, with a written submittal that outlines the NCHLC's recommendations concerning the designation of Historical Landmarks and Historical Resources, that includes a summary of any actions of the NCHLC, applications for designation, and any summary reports or summary findings to support such designation.

Such written submittals shall be submitted to the Clerk of the Board.

2. The Chair and/or designated member of the NCHLC may represent the NCHLC, and present its written recommendation and position before the Nevada County Board of Supervisors.
3. The Chair, with the approval of a majority vote of the NCHLC may appoint one or more persons as consultants to assist the Commission in carrying out its general purpose as set forth above, who shall serve at the pleasure of the Commission.
4. In order to encourage the widest possible participation by organizations in the marking and preservation of historic sites and structures, it shall be the policy of the Commission to invite any applicable organization(s) to finance the production and placement of such plaques or historical markers at sites or buildings in which they may have a special interest and to assist organizations in applications for grants and other support programs from State and Federal agencies and from private and corporate foundations. In recognition of such financing and participation, the organization involved in each such historic marking shall be given official recognition on the marker as its donor and sponsor, and the marker shall be listed on record as an official Nevada County Historical Designation.

#### D. OPEN MEETING LAW AND AGENDA

1. This NCHLC is subject to the California State statutes requiring open meetings (Brown Act), commencing at Government Code section 54950.
2. Notices and Agendas shall be published and distributed at least 72 hours before all regularly scheduled meetings.
3. Notices and Agendas shall be posted and distributed at least 24 hours before all special scheduled meetings.
4. All meetings shall allow for a public comment period to address the NCHLC on any items not on the Agenda. Individuals shall be allotted a three (3) minute time period and individuals representing an organization, entity or group of people shall be allotted five (5) minutes. For any item on the Agenda, public comment period shall be allotted at the same time periods identified above at the time the item is heard by the NCHLC. For any item that is not on the Agenda, public comment shall be scheduled as decided by the Chair and outlined in the Agenda for any given meeting.

#### E. CONFLICT OF INTEREST

1. In accordance with the Political Reform Act (Government Code section 81000, et seq.) and other County policies, NCHLC members shall disclose and recuse themselves from discussion and vote on any matter in which they have a vested personal or financial interest in the recommendation outcome.
2. Each Commission member shall file a Conflict of Interest Form 700 with the Clerk of the Board of Supervisors at time of appointment and on an annual basis.

#### F. COMPENSATION

1. All officers, members, and consultants of this NCHLC shall serve without compensation.



## VIII. AD HOC COMMITTEES

- A. Any ad hoc committee established by the NCHLC shall a) consist of at least two but limited to less a majority of NCHLC members, b) shall have a defined purpose and c) shall not have any authority to take any actions on behalf of the NCHLC.
- B. If constituted, ad hoc committees shall be advisory to the NCHLC and operate under the same provisions of the NCHLC under state law, unless otherwise noted.

## IX. AMENDMENTS

- A. NCHLC recommendations for amendments to these bylaws may be made as follows:
  - 1. The proponent shall send the text of any proposed amendment to the NCHLC Chair at least ten (10) days prior to any regularly scheduled meeting. The Chair may agendize the bylaws to the upcoming meeting or a future NCHLC meeting. The proponent shall have scheduled time to present arguments followed by discussion. This process is the "first reading." The NCHLC may, by majority vote, refer the amendment to a subcommittee or ad hoc committee of the NCHLC.
  - 2. The bylaw amendment shall again be agendized for the next meeting after the first reading at which time the NCHLC may, upon majority vote, tentatively accept, reject, or re-refer to subcommittee the amendment upon its "second reading." If the bylaw amendment is tentatively accepted, it shall be referred to County Counsel who may then review and provide comment. Once reviewed by County Counsel, the bylaws may then be submitted back to the NCHLC for a "third reading."
  - 3. The bylaws may again be agendized for the next meeting for a third reading at which time the NCHLC may accept, or re-refer to subcommittee the amendment for comment. The bylaws will then be submitted to the Board of Supervisors for approval and ratification.
  - 4. Once the bylaws have been approved and ratified by the Board of Supervisors, a copy of the executed bylaws shall be provided to the NCHLC members.
  - 5. Notwithstanding the above process and procedure, the bylaws may be amended by recommendation of County Counsel and approval and ratification by the Board of Supervisors.

## X. APPROVAL OF BYLAWS

- A. These bylaws may be approved or amended with the recommendation by County Counsel and shall be approved and ratification by the Board of Supervisors.
- B. Upon ratification of these Bylaws by the Board, an original and signed copy shall be filed with the Clerk of the Board of Supervisors of Nevada County.

## XI. APPROVAL AND RATIFICATION

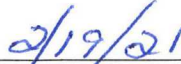
Nevada County Historical Landmark and Resource Commission (NCHLC)

  
Bernie Zimmerman, Chair

  
Date

**County Counsel**

  
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Kit Elliot, County Counsel

  
\_\_\_\_\_  
Date

**Nevada County Board of Supervisors**

  
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Chair, Board of Supervisors

  
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Date