

By-Laws Cedar Falls Historic Preservation Commission

ARTICLE I. THE HISTORIC PRESERVATION COMMISSION (Commission) – IN GENERAL

A. Conduct of Commission Affairs

The Commission shall have the powers and duties provided by Cedar Falls City Ordinance No. 2731 adopted February 14, 2011 and other applicable sections of the Code of Ordinances of the City of Cedar Falls, Iowa.

B. Appointment of Historic Preservation Commission Members

The Commission members may recommend to the mayor potential candidates for the Commission. All members of the Commission shall be appointed by the mayor with the approval of the city council.

Minimum qualifications of commissioners shall be:

1. each commissioner must be a bonafide citizen and resident of the City of Cedar Falls; and
2. each commissioner must be age 18 or over; and
3. each commissioner shall demonstrate a positive interest in historic preservation; and
4. each commissioner shall possess interest or expertise in architecture, architectural history, historic preservation, city planning, building rehabilitation, local history, or conservation in general, or real estate.

C. Policies and Programs

1. Periodically the Commission shall review the policies and programs of the city relating to historic preservation and make such recommendations to the city council as are deemed appropriate.
2. Matters referred to the Commission by the city council, including requests for information or recommendations, shall be considered in a timely manner and a report thereon made to the city council.
3. When actions concerning the Commission's responsibilities are to be taken at city council meetings, the Commission Chair or other designated representative shall attend such council meetings. The Commission Chairperson shall receive the council agenda prior to each council meeting which involves Commission business.

D. Annual report

An annual report of the activities of the Commission shall be prepared by the Chairperson and Secretary, approved by the Commission and submitted to the city council as soon as possible in each new calendar year.

E. Liaisons with other organizations

When the Commission undertakes any business that is pertinent to the activities of any other City commission or board, the other City commission or board shall be notified and *may* send representatives to the next meeting of the Commission to serve as liaison.

When the Commission undertakes any business that is pertinent to the activities of the Cedar Falls Historical Society, Cedar Falls Community Main Street, or any of the City's local neighborhood associations, such organizations shall be notified and *may* send representatives to the next meeting of the Commission to serve as liaison.

F. Compensation

Commissioners shall not receive any compensation for their service as commissioners. Commissioners may be reimbursed required training expenses (i.e., registration and mileage), if grant funding has been obtained for such expenses. Approval for any training for which a commissioner requests to be reimbursed must be obtained in advance by vote of the Commission.

G. Commission Education

1. Orientation: each newly appointed commissioner shall become familiar with Cedar Falls City Ordinance No. 2731, the Commission's by-laws, and information contained in the commissioner handbook including, but not limited to, the Secretary of the Interior's Standards for Rehabilitation.

2. Commission Training: each new commission member shall attend one state-sponsored training session or approved historic preservation training session within the first year of his or her term of office. All commissioners shall attend a historic preservation training session at least once every two years. Historic preservation training includes, but is not limited to, the following:

- Recordation and research of properties (identification and survey)
- Evaluation of historic significance
- Preparation of nominations to the National Register of Historic Places
- Historic preservation planning, e. g., historic preservation component in comprehensive plan, plan
 - for survey, evaluation, and registration; plans for landmarks and districts
- Historic preservation zoning, e.g., creation and administration of landmarks, districts, historic zones, conservation districts, and historic building codes
- Economics of historic preservation, e.g., financial incentive programs, assessing the benefit of
 - preservation, and funding preservation projects
- Historic preservation law
- Historic preservation education, marketing, and promotion
- Historic preservation administration and development

H. Attendance at Meetings; Vacancies.

It shall be the duty of each member to attend all regular and special meetings of the Commission and to attend each subcommittee meeting to which a member is appointed. Attendance of all members shall be entered on the minutes. The position of any Commission member shall automatically become vacant if the member moves permanently from the City, or if the member is absent from three consecutive regular meetings of the Commission, except in the case of sickness or temporary absence from the City.

I. Removal: A commissioner may be removed from office by the Commission if

1. the commissioner becomes unable to perform the duties of the office; or
2. the commissioner is no longer a resident of the City of Cedar Falls; or
3. the commissioner attends fewer than 1/3 of the Commission's meetings held during one calendar year

J. Resignation

Resignations of commissioners shall be submitted in writing to the city council at least thirty (30) days prior to the effective date of the resignation.

ARTICLE II. OFFICERS

A. Officers: The Commission shall elect a Chairperson and Vice Chairperson from among its membership. City staff shall serve as Secretary to the Commission.

B. Elections and Term of Office: New officers shall be elected and take office at the first regular meeting of the calendar year. Each office's term of office shall be for two years, beginning at the first regular meeting of the calendar year. Officers may serve for more than one term.

C. Powers and Duties of Chairperson: The Chairperson shall

1. Preside at meetings
2. Communicate with the city council, State Historic Preservation Office, and others as necessary
3. Call special meetings as needed
4. Establish subcommittees, appoint members thereto and select chairpersons thereof
5. Sign minutes, resolutions and other official documents adopted or approved by the Commission
6. See that all actions of the Commission are properly taken and carried out

D. The Vice Chairperson shall

1. Act as survey manager, overseeing the Commission's work
2. Serve as the Commission's public representative in the community
3. Assist in the business affairs of the Commission as called upon by the Chairperson
4. In the absence of the Chairperson, the Vice Chairperson shall assume the duties of the Chairperson

E. The Secretary shall

1. Keep an accurate record of all business conducted at Commission meetings
2. Assist in preparation of the application to become a Certified Local Government
3. Assist in preparation of the annual Certified Local Government report
4. Write correspondence on the Commission's behalf
5. Maintain the Commission's inventory files

F. Vacancies: When the office of Chairperson or Vice Chairperson becomes vacant, the Commissioners shall elect a commissioner to fill the vacant office until the next election of officers.

ARTICLE III. COMMITTEES

A. The Commission may establish committees as deemed necessary. A commissioner shall serve as chairperson for any committees formed. The committees shall carry out such duties as are designated by the Commission. Regular reports regarding committee activities will be made to the Commission.

B. Committee Members: Committees shall consist of at least one commissioner and such others as may be appointed by the Commission. Any person living in or around Cedar Falls and/or possessing special knowledge in the area of historic preservation is eligible to serve on a committee.

ARTICLE IV. COMMISSION MEETINGS

A. Notice: Notice of all regular and special meetings of the Commission and of all committees of the Commission shall be given in compliance with Section 4 of the Iowa Open Meetings Law (Section 21.4, Code of Iowa). All such meetings shall be open to the public as required by the Iowa Open Meetings Law (Iowa Code, Chapter 21).

B. Regular Meetings: The Commission shall meet monthly on the second Tuesday at 5:30 p.m. at Cedar Falls City Hall, unless the Commission determines otherwise.

C. Special Meetings: Special meetings of the Commission may be called by the Commission Chairperson, or upon request of at least three (3) Commission members, or upon request by the city council. The Chairperson shall fix the date, place and time of the special meeting. Notice of any special meeting of the Commission shall be given to the Commission members at least seven days in advance of the meeting by

mail, by facsimile transmission or by electronic means. The notice shall include a description of the matters that will be considered at the special meeting.

D. Agenda: The Chairperson and Secretary shall prepare the agenda for all regular Commission meetings. Agenda items shall be submitted to the Chairperson or Secretary two weeks prior to a regularly scheduled meeting. Agendas shall be sent to commission members, city council and media at least three days prior to the regular meetings by the Secretary. The Secretary shall furnish the City clerk with a copy of the meeting agenda and notify the public in accordance with the Code of Iowa. The meeting agenda shall be posted in City Hall twenty-four hours prior to the meeting.

E. Order of Business & Parliamentary Procedure: Where not otherwise provided for by ordinance or by these By-laws, Roberts Rules of Order will govern Commission meetings.

F. Quorum: A majority of the entire Commission (including vacancies) shall constitute a quorum for transaction of business of the Commission.

G. Voting: A majority vote of a quorum of the Commission shall be necessary for any formal action by the Commission. The vote of each Commission member shall be recorded in the minutes. The Chairperson shall vote on each matter but shall always vote last.

H. Public Participation: All actions of the Commission shall comply with the Iowa Open Meetings Law (Iowa Code, Chapter 21). All citizen comments to the staff and/or Commission members, written or verbal, relating to formally referred agenda items, shall be presented to the Commission upon its consideration of such agenda item. The public shall be allowed to participate in the discussion of the agenda item by commenting at the appropriate time during the discussion.

I. Minutes: The minutes shall be approved at the next regular meeting by formal action of the Commission. The minutes shall then become part of the permanent records of the Commission. The unapproved minutes shall be prepared and distributed to the city council and the Commission members within ten (10) working days after any regular or special meeting by the Secretary.

J. Open Records. All letters, petitions, documents and other materials submitted to and/or generated by the Commission are public records open to public viewing at the Cedar Falls City Hall as provided in Iowa Code, Chapter 22. A charge may be levied for copies of such materials as provided by Iowa Code Chapter 22.

ARTICLE V. REPEAL OR AMENDMENT OF BYLAWS

By-laws may be repealed or amended by majority vote of the membership of the entire Commission (including vacancies), at any regular meeting of the Commission or at any special meeting called for such purpose, provided that the notice of the proposed repeal or amendment shall have been given to all Commission members at least fourteen (14) days prior to such meeting, and provided that the notice includes an explanation of the proposal to amend or repeal the by-laws.

ARTICLE VI. CONFLICT OF INTEREST

A member of the Commission who has a direct or indirect interest in any matter that is on the Commission agenda shall publicly state the nature of such interest, and shall excuse himself or herself from the table and shall not participate in the discussion on such matter nor vote on such matter as a Commission member. A conflict of interest shall be liberally construed as that which may advance the personal or private interests, whether financial or otherwise, of a commissioner, or his or her spouse, business associate, client or

customer, or any organization in which the commissioner is serving as officer, director, partner, member, trustee, or employee.

No member of the Commission, nor any corporation, partnership, limited liability company or any other business association in which the commissioner, or any member of his or her family, has a financial interest as officer, director, partner, member, trustee or employee, shall enter into any grant, sub-grant, contract, subcontract, agreement or permit with or involving the Commission.

ARTICLE VII. CONTROLLING PROVISION IN CASE OF CONFLICT.

In the event of any conflict or inconsistency between the provisions of these By-laws and the provisions of Cedar Falls City Ordinance No. 2731, the provisions of such ordinance shall control.

Amendment approved this 11th day of June, 2019 by majority vote of all the Commissioners of the Historic Preservation Commission.



Julie Etheredge, Chairperson