

LANDMARK PRESERVATION COMMISSION  
RESOLUTION NO. 2018-03

A RESOLUTION APPROVING THE UPDATED PLANS FOR IMPROVEMENT  
FOR EACH PROPERTY SUBJECT TO A LANDMARK PRESERVATION (MILLS  
ACT) CONTRACT (CITY OF MODESTO)

WHEREAS, by Resolution 96-151 adopted on April 2, 1996, the City Council adopted a process for the administration of so called Mills Act Contracts ("Contract"); and,

WHEREAS, Section B.3.c of the City's standard Contract requires the property owner to allow periodic examinations of the interior and exterior of the premises to determine compliance with the Contract; and,

WHEREAS, Sections B.4.a and B.4.b of the City's Contract requires the property owner to furnish the City with any information requested by the City to determine compliance with the Contract and to preserve records necessary to determine the eligibility of the property and compliance with the Contract, including schedules of potential improvements; and,

WHEREAS, staff has requested updated improvement and maintenance information from those property owners whose properties are subject to a Contract in order to update and maintain the City's records and to determine compliance with the Contract; and,

WHEREAS, a public hearing was held by the Landmark Preservation Commission on June 18, 2018, at 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

NOW, THEREFORE, BE IT RESOLVED by the Landmark Preservation Commission that it finds and determines as follows:

1. Nine of twelve property owners affected by Contracts have responded by providing an updated Plan for Improvements form;
2. The nine updated Plans for Improvements reflect maintenance and improvement activities necessary to maintain distinguishing characteristics of significance and to preserve the property in good order; and
3. No action will be taken at this time regarding the three properties for which no updated Plan for Improvements has been received.

BE IT FURTHER RESOLVED by the Landmark Preservation Commission that staff perform an annual review of Contracts for two or three years before deciding whether to initiate the Contract non-renewal process for any properties that have not complied with the terms of the Contract.

The foregoing resolution was introduced at a regular meeting of the Landmark Preservation Commission held on June 18, 2018, by Commissioner Leamon , who moved its adoption, which motion was seconded by Commissioner Cahill, and carried by the following vote:

Ayes:	Cahill, Leamon, Roddick, Lippert
Noes:	None
Absent:	Esparza
Recused:	None

BY ORDER OF THE LANDMARK PRESERVATION COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD  
Patrick Kelly, Secretary