RULES COMMITTEE: 2-15-12

ITEM: H.3



RECHIVED San Jose City Clark

Memorandum

TO: RULES AND OPEN

GOVERNMENT COMMITTEE

FROM: Councilmembers

Liccardo, Oliverio &

Rocha

SUBJECT:

FIRE STATION ONE HISTORIC

LANDMARK NOMINATION

DATE:

February 3, 2012

Approved

Date

BRLVIGI

RECOMMENDATION

Agendize for City Council consideration the historic landmark nomination of Fire Station One, as referred by the Historic Landmarks Commission on May 7th, 2008.

ANALYSIS

At its most recent meeting, the Historic Landmarks Commission discussed the future of Fire Station One. During the course of discussion, one of the commissioners asked whether the City could designate the property as a historic landmark. The response was that the Landmarks Commission had nominated the property as a landmark several years ago, but the nomination had never been considered by the Council.

Upon reviewing the history of this issue, we've discovered that the Commission did indeed nominate Fire Station One on May 7th, 2008. Consistent with our landmarking process, the nomination was agendized for Council consideration at the April 7, 2009 meeting; however, it was dropped from the agenda. The Rules Committee subsequently postponed Council consideration of the issue pending revisions to the City's historic landmark designation process. The process revisions were adopted by the Council at its September 29th, 2009 meeting, but the Fire Station One nomination never made it back on an agenda.

We believe that it's time to correct this oversight. Section 13.48.110I of the San Jose Municipal Code, which sets out the process for designating landmarks, reads in part:

After receiving a nomination and/or recommendation from the Historic Landmarks Commission, the City Council shall hold a public hearing at the earliest next regular meeting, consistent with the agenda preparation procedure.

It's generally our opinion that the Council should follow the public processes laid out in the Municipal Code. There may be a variety of opinions as to whether Fire Station One should be a landmark, but we think everyone can agree that the Council should be guided by City ordinance and hold a hearing on the issue.