

EXHIBIT A

ORDINANCE NO. 442

AN ORDINANCE OF THE CITY OF PORT HUENEME
AMENDING TITLE 1 OF THE PORT HUENEME
MUNICIPAL CODE BY ADDING CHAPTER 1.55
(HISTORICAL PRESERVATION)

The City Council of the City of Port Hueneme does
ordain as follows:

SECTION 1: Title 1 of the Port Hueneme Municipal
Code is hereby amended by adding Chapter 1.55 to read as follows:

CHAPTER 1.55

ESTABLISHING A CULTURAL HERITAGE BOARD AND
PROVIDING PROCEDURES FOR PRESERVING HISTORICAL
RESOURCES

Sections:

- 1.55.010 Short Title
- 1.55.020 Purpose
- 1.55.030 Applicability
- 1.55.040 Definitions
- 1.55.050 Cultural Heritage Board
- 1.55.060 Functions
- 1.55.070 Powers
- 1.55.080 Declaration of Landmarks
- 1.55.090 Standards
- 1.55.100 Acquisition of Landmarks
- 1.55.110 Funds
- 1.55.120 Cooperation
- 1.55.130 Environmental Review
- 1.55.010 SHORT TITLE. This Chapter shall be known as the
"Historic Preservation".
- 1.55.020 PURPOSE. The purpose of this Chapter is to promote
the economic and general welfare of the City of Port Hueneme
by preserving and protecting historical resources as defined
herein, be they of public or private ownership and having a
special historical or aesthetic character or interest; or
relocating or recreating an historic monument for the use.

education, and view of the general public; all of this in order to make the citizens of this community and visitors and tourists to this area mindful of the rich historic, cultural, and natural heritage of the City of Port Hueneme.

1.55.030 APPLICABILITY. This Chapter shall have force and effect only in the incorporated areas of the City of Port Hueneme. Any landmarks or monuments officially declared under provisions of Article 5 of Chapter 3, Division 1 of the Ventura County Ordinance Code existing within the City of Port Hueneme as of the effective date of this Chapter, shall retain their declared status and shall hereafter be governed by all applicable rules and regulations of this Chapter. At any time in the future, if the territory upon which an officially declared landmark or monument is situated is annexed to the City of Port Hueneme, it shall retain its declared status and shall thereafter be governed by all applicable rules and regulations of this Chapter.

1.55.040 DEFINITIONS. For purposes of this Chapter, the following definitions apply:

ADDITION means an extension or increase in the height, width or total square footage of an object, building, structure, site, area or place.

ALTERATION means any change, addition or modification in the physical configuration, occupancy or use of an object, building, structure, site, area or place.

DEFACEMENT means any change, disfiguration or distortion in the appearance of an object, building, structure, site area or place.

DEMOLITION means action resulting in the partial or total destruction of an object, building, structure, site, area or place.

HISTORIC DISTRICT means any geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites which are unified by past events or aesthetically by plan or physical development.

HISTORICAL LANDMARK means any historical resource which is officially recognized and designated as an historical landmark by the State of California under provisions contained in Section 5021 of the Public Resources Code of the State of California.

HISTORICAL RESOURCE means any historical, cultural, or natural feature which is or has been at one time contained within or situated on real property including, but not limited to any:

- (a) Building, structure, ruins or foundation;
- (b) Route or trail;
- (c) Site or place, e.g., cave, oakgrove, cemetery, burial ground, camp or village area, significant trees or other plant life;
- (d) Natural configuration, traditional landscape horizon, geographic or geological formation or feature;
- (e) Traditional, historic or legendary name of any of the above objects,

Which are of:

- (f) Particular historic, cultural, scenic or aesthetic significance to the City of Port Hueneme in which the broad cultural, political, economic or social history of the nation, state or community is reflected or exemplified;
- (g) Or which are identified with historic personages or with important events in the main currents of national, state or local history;
- (h) Or which show evidence of habitation, activity or the culture of prehistoric man;
- (i) Or which embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for a study of a period style or method of construction;
- (j) Or which presents a work of a master builder, designer, artist, or architect whose individual genius influenced his age;
- (k) Or which are imbued with traditional or legendary lore.

LANDMARK means any historical resource which receives official designation by the City Council of the City of Port Hueneme as provided in Section 1.55.080 or which has as of the effective date of this ordinance been so declared under provisions of Article 5 of Chapter 3, Division 1 of the Ventura County Ordinance Code.

MONUMENT is synonymous with "Landmark".

POINT OF HISTORICAL INTEREST means any historical resources which is officially recognized and designated as a point of historical interest by the State of California under provisions contained in Section 5021 of the Public Resources Code of the State of California.

REMOVAL means any change in the location or siting of an object, building, structure, site, area or place.

1.55.050 CULTURAL HERITAGE BOARD. There is hereby established in the City of Port Hueneme a Cultural Herigage Board, the membership and term of each member shall be as follows:

(a) City Council Appointees. One person qualified in historical and cultural traditions shall be selected by each of the five members of the City Council of the City of Port Hueneme.

(b) Cultural Heritage Board Appointtes. Two additional persons shall be selected by the five City Council appointed members. These two additional members shall be selected upon their knowledge and interest in historical traditions of the City of Port Hueneme.

(c) Term of Appointment. The term of the City Council appointees shall be for four years, corresponding to the established dates of regular City Council elections. Each City Council appointee shall serve a term concurrent with the regular term of the City Council member who nominated the appointee. The term of appointment of Cultural Heritage Board appointees shall be for four years, alternating in April of the odd numbered years.

In lieu of the foregoing method of appointment, and as a substitute procedure therefor, the City Council may designate the Ventura County Cultural Heritage Board to act as the Cultural Heritage Board for the City of Port Hueneme with all of the authority provided such Board by this Chapter.

1.55.060. FUNCTIONS. The functions of the Cultural heritage Board shall be to:

- (a) Inventory. Compile and maintain a current list of historical resources and designated landmarks and monuments which shall be made available to the City Council and the general public.
- (b) Evaluation. Inspect and investigate any historical resource in the City of Port Hueneme which it has reason to believe should be declared as a landmark or monument.
- (c) Recommendations. If the conclusion of the Cultural Heritage Board is that an historical resource does exist which meets the criteria as established in this Chapter and should be declared as a landmark or monument, they shall make their recommendation to the City Council. Such a recommendation shall include a brief description of the historical, cultural or natural significance of the proposed landmark or monument; a statement of the appropriateness or need for the City Council to make an official declaration; and a full legal description of the real property to be considered for such designation.
- (d) Markers. Determine which designated landmarks and monuments shall be marked with uniform and

aesthetic markers, where the City Council of the City of Port Hueneme has first approved such designation by a majority vote. For those designated landmarks or monuments which receive approval from the City Council for the placement of markers, the Cultural Heritage Board shall submit recommended wording for inscription on said markers to the City Council for their approval.

(e) Zoning. Recommend to the City Council, if indicated, that a specific landmark or monument be designated an historic or scenic landmark zone, or that an area be designated an historic district or scenic zone.

(f) State Registration. Recommend to the City Council that the City apply to the appropriate State agency for State registration of historical resources or designated landmarks which have historical significance, which meet State registration criteria, and where the registration would assist in preservation. The Cultural Heritage Board may find that an historical resource or designated landmark is significant for declaration as a State "point of historical interest," but does not warrant registration as a State "historical landmark". The Cultural Heritage Board shall determine the appropriate State registration and so advise the City Council.

(g) Rules and Regulations. Adopt such rules and regulations as are necessary to carry out the purpose and intent of this Chapter.

(h) Amendments. Recommend to the City Council amendments to this Chapter when circumstances indicate.

1.55.070 POWERS. The powers of the Cultural Heritage Board shall be to:

(a) Public Hearings. Hold public hearings for the purpose of considering potential landmarks and monuments for nomination and subsequent recommendation to the City Council for official designation. The property owners of potential landmarks shall be notified by registered mail of the Board's contemplated action not less than fifteen (15) days prior to the date said hearings are to be held. Notice of all such hearings shall be published once in a newspaper of general circulation in the County of Ventura and posted in a conspicuous place in City Hall not less than ten (10) days prior to the date of said hearings.

If the conclusion of the Cultural Heritage Board is that an historical resource does exist which meets the criteria established in this Chapter and should be declared as landmark or monument, they shall notify the property owner by registered mail of their determination not less than fifteen (15) days prior to the Board's submittal of their recommendation to the City Council. If the property owner objects to the designation of his property as a landmark or monument, such objection shall be filed with the City Clerk of the City of Port Hueneme not more than fifteen (15) days following the date the Cultural Heritage Board notifies the property owner of their determination. If such an objection is filed, the Cultural Heritage Board shall be immediately notified and shall be required to submit their recommendation to the City Council not more than ten (10) days following the date of such notification.

X From the time the Cultural Heritage Board makes its determination, submits their recommendation to the City Council, and the City Council makes a determination to declare or not declare the proposed landmark or monument, the time period involved not to exceed ninety (90) days, the property owner shall be prohibited from the defacement, demolition, alteration or removal of or addition to the proposed landmark or monument.

(b) Preservation of landmarks and monuments. Take steps necessary to preserve designated landmarks and monuments not in conflict with the public health, safety, and general welfare. Such steps may include the creation of civic and citizen committees; the establishment of a private fund for the acquisition or restoration of declared landmarks and monuments; and recommendation that such declared landmarks and monuments be acquired by a governmental agency where private acquisition is not feasible. All such actions shall be first submitted to and approved by the City Council, except as otherwise provided in this Chapter.

1.55.080 DECLARATION OF LANDMARKS. The authority to declare historic landmarks and monuments shall be vested solely in the City Council of the City of Port Hueneme. The City Council shall make a determination as to the declaration of proposed landmarks and monuments within either of the following time periods:

(a) Not less than ten (10) days nor more than thirty (30) days following the date of submittal of a recommendation by the Cultural Heritage Board to the City Council if an objection by the property owner of a proposed landmark or monument is not filed; or

(b) Not less than fifteen (15) days nor more than thirty (30) days following the date an objection is filed, as provided in Section 1.55.070, in which case the City Council shall consider the objection at a public hearing after which a determination shall be made to declare or not declare the proposed landmark or monument. Notice of such hearing shall be published once in a newspaper of general circulation in the County of Ventura and posted in a conspicuous place in City Hall not less than ten (10) days prior to the date of said hearing.

If the conclusion of the City Council is that a proposed landmark or monument should be officially declared, the property owner shall be prohibited from the defacement, demolition, alteration or removal of or addition to the landmark without having given notice to the Cultural Heritage Board no less than 180 days prior to the date such action is planned.

XX 1.55.090 STANDARDS. In recommending and declaring any historical, cultural or natural landmark or monument as worthy of protection

under this Chapter, the Cultural Heritage Board and the City Council of the City of Port Hueneme shall be subject to the following standards:

(a) The landmark designated shall have historic, aesthetic or special character or interest for the general public and not be limited in interest to a special group of persons.

(b) The designation of such landmark shall not require the expenditure by the City of Port Hueneme of any amount of money not commensurate with the value of the object to be preserved.

(c) The designation of such landmark shall not infringe upon the rights of a private owner thereof to make any and all reasonable uses of such landmark, which are not in conflict with the purposes of this Chapter.

1.55.100 ACQUISITION OF LANDMARKS. If the decision is made by the City Council that the historical significance of any declared landmark or monument justifies the expenditure of public funds, acquisition proceedings may be initiated. If the City Council finds a landmark or monument to be of historical significance and public funds are not available, private funds may be used for acquisition or other arrangements may be made that are satisfactory to the property owner.

1.55.110 FUNDS. The Cultural Heritage Board, or other interested persons, may petition the City Council or any other appropriate governmental authority possessing funds for such purpose, for funds necessary to carry out the purpose of this Chapter including, but not limited to, the following:

(a) Necessary and reasonable expenses incurred by the Cultural Heritage Board during its normal operation.

(b) Acquisition of fee title or such lesser ownership rights or rights of possession or negative easements as deemed necessary or expedient to carry out the purposes of this ordinance.

(c) Installation and maintenance of markers.

However, no petition shall first be presented to any other governmental authority until such petition has first been submitted to and approved by the City Council of the City of Port Hueneme. Furthermore, nothing in this Chapter shall be

construed to constitute an obligation on the part of the City Council of the City of Port Hueneme to appropriate, authorize or expend any funds for purposes set forth in this Chapter.

1.55.120 COOPERATION. All Boards, Commissions, Departments and Officers of the City of Port Hueneme shall cooperate with the Cultural Heritage Board in carrying out the spirit and intent of this Chapter and will notify the Cultural Heritage Board of the discovery of items of historical significance, such as burial grounds, prehistoric artifacts or historic foundations; and to inform this Board also of proposed alteration, demolition or relocation of designated landmarks or monuments; and proposed changes of all road and geographical name changes; and to inform this Board of all City records of historical significance which are to be disposed of or destroyed.

The Cultural Heritage Board shall cooperate with all departments and officers of the City of Port Hueneme when requested, and shall recommend for their consideration matters covered by this Chapter. The Cultural Heritage Board shall also cooperate with the Port Hueneme Historical Museum Commission and give due consideration to recommendations and requests made by the Commission.

X 1.55.130 ENVIRONMENTAL REVIEW. Any and all actions affecting or having a potential for affecting any historical resource or designated landmark or monument shall be referred to the Cultural Heritage Board for review and comment. When justified, the Cultural Heritage Board may request the City Council to require further study and an environmental document investigating alternatives or mitigation of impacts. Any and all environmental documents prepared for projects in the City of Port Hueneme pursuant to the California Environmental Quality Act of 1970 (Section 21000 et. seq. of the Public Resources Code of the State of California) or the National Environmental Policy Act of 1969 (Pub. L. 91-190, 42 U.S.C. 4321 et. seq.) shall be referred to the Cultural Heritage Board for review and comment.

SECTION 2: In all other respects Title 1 shall remain in effect as adopted and amended.

SECTION 3: This Ordinance shall be effective thirty (30) days after its adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in accordance with the law.

PASSED and ADOPTED this _____ day of _____, 197__.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT B

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME AMENDING CHAPTER 1.54 OF THE PORT HUENEME MUNICIPAL CODE (PORT HUENEME HISTORICAL MUSEUM COMMISSION) BY ADDING SECTION 1.54.060

The City Council of the City of Port Hueneme does ordain as follows:

SECTION 1: Section 1.54.060 is hereby added to read as follows:

"1.54.060 ADDITIONAL RESPONSIBILITIES. The Historical Museum Commission shall assist the Port Hueneme Cultural Heritage Board in the survey and inventory of local historical resources as defined in Section 1.55.050 of the Municipal Code of the City of Port Hueneme for the purpose of identifying significant historical, cultural and natural features worthy of recognition. The Historical Museum Commission shall act in an advisory capacity to the Cultural Heritage Board and shall, where deemed appropriate or necessary to carry out the purposes of Chapter 1.55 of Municipal Code of the City of Port Hueneme, recommend or request the Cultural Heritage Board to inspect and investigate any historical resource in the City which the Commission has reason to believe should be declared as a landmark or monument. The Historical Museum Commission shall adopt rules and regulations and establish times of meetings as are necessary to carry out the purpose and intent of this section."

SECTION 2: In all other respects Title 1 shall remain in effect as adopted and amended.

SECTION 3: This Ordinance shall be effective thirty (30) days after its adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in accordance with the law.

PASSED and ADOPTED this _____ day of _____, 197__.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT C

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME DESIGNATING THE VENTURA COUNTY CULTURAL HERITAGE BOARD TO ACT AS THE CULTURAL HERITAGE BOARD FOR THE CITY OF PORT HUENEME

WHEREAS, Section 1.55.050 of the Municipal Code of the City of Port Hueneme authorizes the establishment of a Cultural Heritage Board for the City of Port Hueneme; and

WHEREAS, the Ventura County Cultural Heritage Board has provided for the identification and protection of certain historical resources in the City of Port Hueneme pursuant to Article 5 of Chapter 3, Division 1 of the Ordinance Code of the County of Ventura;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Port Hueneme hereby designates the Ventura County Cultural Heritage Board to act as the Cultural Heritage Board for the City of Port Hueneme with all of the authority provided such Board by Chapter 1.55 of the Municipal Code of the City of Port Hueneme.

PASSED and ADOPTED this _____ day of _____, 197__.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 438

AN ORDINANCE OF THE CITY OF PORT HUENEME
AMENDING TITLE 1 OF THE PORT HUENEME
MUNICIPAL CODE BY ADDING CHAPTER 1.55
(HISTORICAL PRESERVATION)

The City Council of the City of Port Hueneme does
ordain as follows:

SECTION 1: Title 1 of the Port Hueneme Municipal
Code is hereby amended by adding Chapter 1.55 to read as follows:

CHAPTER 1.55

ESTABLISHING A CULTURAL HERITAGE BOARD
AND PROVIDING PROCEDURES FOR PRESERVING
HISTORICAL RESOURCES

Sections:

- 1.55.010 Short Title
- 1.55.020 Purpose
- 1.55.030 Applicability
- 1.55.040 Definitions
- 1.55.050 Cultural Heritage Board
- 1.55.060 Functions
- 1.55.070 Powers
- 1.55.080 Declaration of Landmarks
- 1.55.090 Standards
- 1.55.100 Acquisition of Landmarks
- 1.55.110 Funds
- 1.55.120 Cooperation
- 1.55.130 Environmental Review
- 1.55.101 SHORT TITLE. This Chapter shall be known as the
"Historical Preservation".

1.55.020 PURPOSE. The purpose of this Chapter is to promote
the economic and general welfare of the City of Port Hueneme
by preserving and protecting historical resources as defined
herein, be they of public or private ownership and having a
special historical or aesthetic character or interest; or
relocating or recreating an historic monument for the use

education, and view of the general public; all of this in order to make the citizens of this community and visitors and tourists to this area mindful of the rich historic, cultural, and natural heritage of the City of Port Hueneme.

1.55.030 APPLICABILITY. This Chapter shall have force and effect only in the incorporated areas of the City of Port Hueneme. Any landmarks or monuments officially declared under provisions of Article 5 of Chapter 3, Division 1 of the Ventura County Ordinance Code existing within the City of Port Hueneme as of the effective date of this Chapter, shall retain their declared status and shall hereafter be governed by all applicable rules and regulations of this Chapter. At any time in the future, if the territory upon which an officially declared landmark or monument is situated is annexed to the City of Port Hueneme, it shall retain its declared status and shall thereafter be governed by all applicable rules and regulations of this Chapter.

1.55.040 DEFINITIONS. For purposes of this Chapter, the following definitions apply:

ADDITION means an extension or increase in the height, width or total square footage of an object, building, structure, site, area or place.

ALTERATION means any change, addition or modification in the physical configuration, occupancy or use of an object, building, structure, site, area or place.

DEFACEMENT means any change, disfiguration or distortion in the appearance of an object, building, structure, site, area or place.

DEMOLITION means action resulting in the partial or total destruction of an object, building, structure, site, area or place.

HISTORIC DISTRICT means any geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites which are unified by past events or aesthetically by plan or physical development.

HISTORICAL LANDMARK means any historical resource which is officially recognized and designated as an historical landmark by the State of California under provisions contained in Section 5021 of the Public Resources Code of the State of California.

HISTORICAL RESOURCE means any historical, cultural, or natural feature which is or has been at one time contained within or situated on real property including, but not limited to any:

- (a) Building, structure, ruins or foundation;
- (b) Route or trail;
- (c) Site or place, e.g., cave, oakgrove, cemetery, burial ground, camp or village area, significant trees or other plant life;
- (d) Natural configuration, traditional landscape horizon, geographic or geological formation or feature;
- (e) Traditional, historic or legendary name of any of the above objects,

Which are of:

- (f) Particular historic, cultural, scenic or aesthetic significance to the City of Port Hueneme in which the broad cultural, political, economic or social history of the nation, state or community is reflected or exemplified;
- (g) Or which are identified with historic personages or with important events in the main currents of national, state or local history;
- (h) Or which show evidence of habitation, activity or the culture of prehistoric man;
- (i) Or which embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for a study of a period style or method of construction;
- (j) Or which presents a work of a master builder, designer, artist, or architect whose individual genius influenced his age;
- (k) Or which are imbued with traditional or legendary lore.

LANDMARK means any historical resource which receives official designation by the City Council of the City of Port Hueneme as provided in Section 1.55.080 or which has as of the effective date of this ordinance been so declared under provisions of Article 5 of Chapter 3, Division 1 of the Ventura County Ordinance Code.

MONUMENT is synonymous with "Landmark".

POINT OF HISTORICAL INTEREST means any historical resources which is officially recognized and designated as a point of historical interest by the State of California under provisions contained in Section 5021 of the Public Resources Code of the State of California.

REMOVAL means any change in the location or siting of an object, building, structure, site, area or place.

1.55.050 CULTURAL HERITAGE BOARD. There is hereby established in the City of Port Hueneme a Cultural Heritage Board, the membership and term of each member shall be as follows:

(a) City Council Appointees. One person qualified in historical and cultural traditions shall be selected by each of the five members of the City Council of the City of Port Hueneme.

(b) Cultural Heritage Board Appointees. Two additional persons shall be selected by the five City Council appointed members. These two additional members shall be selected upon their knowledge and interest in historical traditions of the City of Port Hueneme.

(c) Term of Appointment. The term of the City Council appointees shall be for four years, corresponding to the established dates of regular City Council elections. Each City Council appointee shall serve a term concurrent with the regular term of the City Council member who nominated the appointee. The term of appointment of Cultural Heritage Board appointees shall be for four years, alternating in April of the odd numbered years.

In lieu of the foregoing method of appointment, and as a substitute procedure therefor, the City Council may designate the Ventura County Cultural Heritage Board to act as the Cultural Heritage Board for the City of Port Hueneme with all of the authority provided such Board by this Chapter.

1.55.060 FUNCTIONS. The functions of the Cultural Heritage Board shall be to:

(a) Inventory. Compile and maintain a current list of historical resources and designated landmarks and monuments which shall be made available to the City Council and the general public.

(b) Evaluation. Inspect and investigate any historical resource in the City of Port Hueneme which it has reason to believe should be declared as a landmark or monument.

(c) Recommendations. If the conclusion of the Cultural Heritage Board is that an historical resource does exist which meets the criteria as established in this Chapter and should be declared as a landmark or monument, they shall make their recommendation to the City Council. Such a recommendation shall include a brief description of the historical, cultural or natural significance of the proposed landmark or monument; a statement of the appropriateness or need for the City Council to make an official declaration; and a full legal description of the real property to be considered for such designation.

(d) Markers. Determine which designated landmarks and monuments shall be marked with uniform and

aesthetic markers, where the City Council of the City of Port Hueneme has first approved such designation by a majority vote. For those designated landmarks or monuments which receive approval from the City Council for the placement of markers, the Cultural Heritage Board shall submit recommended wording for inscription on said markers to the City Council for their approval.

(e) Zoning. Recommend to the City Council, if indicated, that a specific landmark or monument be designated an historic or scenic landmark zone, or that an area be designated an historic district or scenic zone.

(f) State Registration. Recommend to the City Council that the City apply to the appropriate State agency for State registration of historical resources or designated landmarks which have historical significance, which meet State registration criteria, and where the registration would assist in preservation. The Cultural Heritage Board may find that an historical resource or designated landmark is significant for declaration as a State "point of historical interest," but does not warrant registration as a State "historical landmark". The Cultural Heritage Board shall determine the appropriate State registration and so advise the City Council.

(g) Rules and Regulations. Adopt such rules and regulations as are necessary to carry out the purpose and intent of this Chapter.

(h) Amendments. Recommend to the City Council amendments to this Chapter when circumstances indicate.

1.55.070 POWERS. The powers of the Cultural Heritage Board shall be to:

(a) Public Hearings. Hold public hearings for the purpose of considering potential landmarks and monuments for nomination and subsequent recommendation to the City Council for official designation. The property owners of potential landmarks shall be notified by registered mail of the Board's contemplated action not less than fifteen (15) days prior to the date said hearings are to be held. Notice of all such hearings shall be published once in a newspaper of general circulation in the County of Ventura and posted in a conspicuous place in City Hall not less than ten (10) days prior to the date of said hearings.

If the conclusion of the Cultural Heritage Board is that an historical resource does exist which meets the criteria established in this Chapter and should be declared as a landmark or monument, they shall notify the property owner by registered mail of their determination not less than fifteen (15) days prior to the Board's submittal of their recommendation to the City Council. If the property owner objects to the designation of his property as a landmark or monument, such objection shall be filed with the City Clerk of the City of Port Hueneme not more than fifteen (15) days following the date the Cultural Heritage Board notifies the property owner of their determination. If such an objection is filed, the Cultural Heritage Board shall be immediately notified and shall be required to submit their recommendation to the City Council not more than ten (10) days following the date of such notification.

From the time the Cultural Heritage Board makes its determination, submits their recommendation to the City Council, and the City Council makes a determination to declare or not declare the proposed landmark or monument, the time period involved not to exceed ninety (90) days, the property owner shall be prohibited from the defacement, demolition, alteration or removal of or addition to the proposed landmark or monument.

(b) Preservation of landmarks and monuments. Take steps necessary to preserve designated landmarks and monuments not in conflict with the public health, safety, and general welfare. Such steps may include the creation of civic and citizen committees; the establishment of a private fund for the acquisition or restoration of declared landmarks and monuments; and recommendation that such declared landmarks and monuments be acquired by a governmental agency where private acquisition is not feasible. All such actions shall be first submitted to and approved by the City Council, except as otherwise provided in this Chapter.

1.55.080 DECLARATION OF LANDMARKS. The authority to declare historic landmarks and monuments shall be vested solely in the City Council of the City of Port Hueneme. The City Council shall make a determination as to the declaration of proposed landmarks and monuments within either of the following time periods:

(a) Not less than ten (10) days nor more than thirty (30) days following the date of submittal of a recommendation by the Cultural Heritage Board to the City Council if an objection by the property owner of a proposed landmark or monument is not filed; or

(b) Not less than fifteen (15) days nor more than thirty (30) days following the date an objection is filed, as provided in Section 1.55.070, in which case the City Council shall consider the objection at a public hearing after which a determination shall be made to declare or not declare the proposed landmark or monument. Notice of such hearing shall be published once in a newspaper of general circulation in the County of Ventura and posted in a conspicuous place in City Hall not less than ten (10) days prior to the date of said hearing.

If the conclusion of the City Council is that a proposed landmark or monument should be officially declared, the property owner shall be prohibited from the defacement, demolition, alteration or removal of or addition to the landmark without having given notice to the Cultural Heritage Board no less than 180 days prior to the date such action is planned.

1.55.090 STANDARDS. In recommending and declaring any historical, cultural or natural landmark or monument as worthy of protection

under this Chapter, the Cultural Heritage Board and the City Council of the City of Port Hueneme shall be subject to the following standards:

(a) The landmark designated shall have historic, aesthetic or special character or interest for the general public and not be limited in interest to a special group of persons.

(b) The designation of such landmark shall not require the expenditure by the City of Port Hueneme of any amount of money not commensurate with the value of the object to be preserved.

(c) The designation of such landmark shall not infringe upon the rights of a private owner thereof to make any and all reasonable uses of such landmark, which are not in conflict with the purposes of this Chapter.

1.55.100 ACQUISITION OF LANDMARKS. If the decision is made by the City Council that the historical significance of any declared landmark or monument justifies the expenditure of public funds, acquisition proceedings may be initiated. If the City Council finds a landmark or monument to be of historical significance and public funds are not available, private funds may be used for acquisition or other arrangements may be made that are satisfactory to the property owner.

1.55.110 FUNDS. The Cultural Heritage Board, or other interested persons, may petition the City Council or any other appropriate governmental authority possessing funds for such purpose, for funds necessary to carry out the purpose of this Chapter including, but not limited to, the following:

(a) Necessary and reasonable expenses incurred by the Cultural Heritage Board during its normal operation.

(b) Acquisition of fee title or such lesser ownership rights or rights of possession or negative easements as deemed necessary or expedient to carry out the purposes of this ordinance.

(c) Installation and maintenance of markers.

However, no petition shall first be presented to any other governmental authority until such petition has first been submitted to and approved by the City Council of the City of Port Hueneme. Furthermore, nothing in this Chapter shall be

construed to constitute an obligation on the part of the City Council of the City of Port Hueneme to appropriate, authorize or expend any funds for purposes set forth in this Chapter.

1.55.120 COOPERATION. All Boards, Commissions, Departments and Officers of the City of Port Hueneme shall cooperate with the Cultural Heritage Board in carrying out the spirit and intent of this Chapter and will notify the Cultural Heritage Board of the discovery of items of historical significance, such as burial grounds, prehistoric artifacts or historic foundations; and to inform this Board also of proposed alteration, demolition or relocation of designated landmarks or monuments; and proposed changes of all road and geographical name changes; and to inform this Board of all City records of historical significance which are to be disposed of or destroyed.

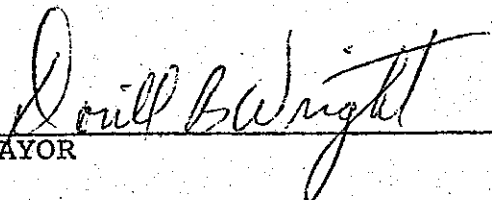
The Cultural Heritage Board shall cooperate with all departments and officers of the City of Port Hueneme when requested, and shall recommend for their consideration matters covered by this Chapter. The Cultural heritage Board shall also cooperate with the Port Hueneme Historical Museum Commission and give due consideration to recommendations and requests made by the Commission.

1.55.130 ENVIRONMENTAL REVIEW. Any and all actions affecting or having a potential for affecting any historical resource or designated landmark or monument shall be referred to the Cultural Heritage Board for review and comment. When justified, the Cultural Heritage Board may request the City Council to require further study and an environmental document investigating alternatives or mitigation of impacts. Any and all environmental documents prepared for projects in the City of Port Hueneme pursuant to the California Environmental Quality Act of 1970 (Section 21000 et. seq. of the Public Resources Code of the State of California) or the National Environmental Policy Act of 1969 (Pub. L. 91-190, 42 U.S.C. 4321 et. seq.) shall be referred to the Cultural Heritage Board for review and comment.

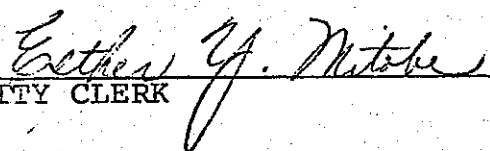
SECTION 2: In all other respects Title 1 shall remain in effect as adopted and amended.

SECTION 3: This Ordinance shall be effective thirty (30) days after its adoption. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in accordance with the law.

PASSED and ADOPTED this 19th. day of January,
1977.


MAYOR

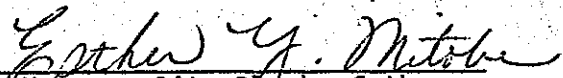
ATTEST:


DEPUTY CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF PORT HUENEME)

I, Sue T. Harmon, duly appointed and qualified City Clerk of the City of Port Hueneme, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 438 passed and adopted by the City Council of the City of Port Hueneme at the ADJOURNED REGULAR Meeting of the City Council of the City of Port Hueneme on the 19th. day of January, 1977.


Sue T. Harmon, City Clerk of the
City of Port Hueneme and ex-officio
Clerk of the Council

DATED: January 29, 1977