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June 10, 2010

VIA HAND DELIVERY

Mr. Jim Owczarski
City Clerk's Office
City Hall – Room 200

Re: Historic Preservation Ordinance Amendment
Delegating COA Approval Authority. Council File No. 100110

Dear Mr. Owczarski:


You asked us to review and comment upon a draft Historic Preservation Commission (“HPC”) ordinance amendment (MCO § 320-21, repealing and recreating 320-21-11-b) that would allow a delegation of Certificate of Appropriation (“COA”) approval to “one or more persons to administratively approve. . .without Commission approval. . .”

Because we have a number of concerns regarding legality and enforceability, we are returning the file to you, unsigned.

To address our concerns, we will continue to work with your office and the Legislative Reference Bureau to come up with a workable solution.

Very truly yours,


GRANT F. LANGLEY
City Attorney


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Assistant City Attorney

GCH:mll/158681
Attachment

c: Jeff Osterman
Linda Elmer

OFFICE OF THE CITY ATTORNEY