


MEMORANDUM

TO: Richarda Duffy Momsen
City Clerk

FROM: Mayor John F. Cook 

DATE: May 2, 2008

SUBJECT: Veto of Council Action

The purpose of this memorandum is to notify Council that I disagree with the action taken on the following item on the Agenda for the City Council meeting of April 29, 2008:

Regular Agenda – Item 12B.

Motion to uphold an appeal from property owners in the Austin Terrace Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) on March 17, 2008, to approve the construction of a new residence at 111 Pennsylvania.

CITY CLERK DEPT.
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I hereby veto the action of the City Council on this item. The reason for my veto is:

The City Code in Section 20.20.190 provides that the Council may uphold or overturn any ruling of the HLC made pursuant to that Chapter. The Code does not prohibit the exploration of alternatives and options prior to the Council making its decision. I believe the City should allow for the opportunity to see if an alternative or other compromise could be appropriate under the Code and applicable guidelines, because the homeowners affected, have testified that they will suffer an undue financial hardship despite attempting to comply with the City's Ordinances and having received a building permit and taken action in reliance on that fact.

cc: City Council