

CULTURAL HERITAGE BOARD
Riverside, California

RULES FOR THE TRANSACTION OF BUSINESS
AND THE CONDUCT OF HEARINGS

~~April 21, 2010~~TBD

The following Rules for the transaction of business and the conduct of hearings are hereby adopted by the Cultural Heritage Board ("Board") of the City of Riverside ("City"):

ARTICLE I
MEETINGS

Regular meetings of the Board shall be held on the third Wednesday of each month at 3:30 p.m. in a place so designated by the City; provided that if such day shall be a legal holiday and for the December meeting, such meeting shall be held at the convenience of the Board as agreed to by a quorum of the Board.

ARTICLE II
RULES

These Rules shall govern. Roberts Rules of Order, Revised, may be used as a guide in the proceedings of the Board, unless they are in conflict with these Rules, the City Charter, the City Council Rules of Procedure and Order of Business or the laws of the State of California.

ARTICLE III
SPECIAL MEETINGS

The Chair of the Board or a majority of the members of the Board may call a special meeting by providing written notice twenty-four (24) hours in advance of the meeting to the Chair, all members of the Board, to all media outlets, and to persons having requested notification pursuant to State law.

ARTICLE IV
ADJOURNMENT

The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the staff secretary of the Board may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Government Code Section 54956 for special meetings, unless such notice is waived as provided for special meetings.

ARTICLE V

QUORUM

Fifty percent (50%), rounded to the lower whole number where a fraction, plus one of the duly appointed Board Members shall constitute a quorum for the transaction of business. The minimum number is five (5).

ARTICLE VI OFFICERS

1. Positions and Terms

The Officers of the Board shall be a Chair and a Vice-Chair, each elected from the appointed Members of the Board at the meeting in March of every year. Officers shall hold office until their successors are elected and qualify.

A. Chair

The Chair shall preside at all meetings of the Board. The Chair is responsible for applying these Rules, including speaker time limits, fair and consistent opportunities for the public to speak pursuant to these Rules, and recognizing Members in the proper order to speak.

B. Vice-Chair

The Vice-Chair shall preside in the absence of the Chair.

C. Chair Pro Tem

In the event of the absence of the Chair and Vice-Chair the Members of the Board shall elect a Chair Pro Tem to preside over the meeting.

D. Staff Secretary

A staff secretary shall keep a record of the transactions, findings, and determinations of the Board in a permanent volume or volumes, shall deposit volumes not in current use with the City Clerk. The staff secretary shall send out notices of meetings as ordered.

2. Removal of Officers

The Member of the Board may remove any officer for cause subject to the following procedure:

- aA. New elections to replace one or more officers may be placed on a subsequent duly scheduled Board agenda by a majority of Members present and voting.

bB. Following discussion of the agenda item to remove one or more officers, a vote shall be taken and said officer(s) shall be designated as vacant upon affirmative vote of a majority of the Members present and voting.

cC. Immediately upon designating a vacancy in any office, a new officer(s) shall be elected to complete the term of office.

ARTICLE VII HEARING PROCEDURES

The following procedures shall govern hearings before the Board:

1. MINUTES

Minutes of all such hearings shall be made and duly preserved, a copy of which shall be available in accord with current City policy.

2. HEARING FORMAT FOR EACH CASE

Hearings shall be conducted in accordance with the following format:

aA. The Chair shall announce the hearing by identifying the item from the agenda.

bB. The staff report shall be presented.

cC. Following the staff presentation, the hearing is opened and the applicant or the applicant's representative shall be invited to present the proposal. The applicant's presentation is limited to a maximum of fifteen (15) minutes. By a majority vote of the Members present and voting, additional time may be granted. Significant changes to a project not addressed in the staff report are subject to continuance to allow time for adequate review by the Board.

dD. Following the applicant's presentation, the public is invited to comment. Those wishing to speak may do so as instructed by the Chair. Speakers shall be limited to a maximum of three (3) minutes each. Yielding of time to another speaker is not permitted.

eE. The applicant or the applicant's representative shall be permitted to make a rebuttal. The rebuttal is limited to a maximum of five (5) minutes.

fF. Following public comments, the Board may then ask questions of either the staff or applicant, or, at the discretion of the Chair, any speaker.

gG. The Board may continue the hearing to a time and place certain, continue the matter off calendar, or shall close the hearing. Before any vote to continue, the Chair should first ask the applicant to comment on the continuance.

hH. After the hearing (or public comment period for those items not subject to a formal public hearing) is closed, the Board may debate the issues, make comments, discuss the proposal or ask questions of staff. Public participation after the hearing or public comment period is closed shall be limited to direct response to questions asked by the Board, directed through and with the consent of the Chair.

- i. The Board shall take action to approve, conditionally approve or deny the proposal after closing the hearing. If it is a public hearing and the Board wishes to continue the item, it must first vote to reopen the public hearing.
- j. The Chair shall announce the rights of appeal to the City Council.

ARTICLE VIII ABSTENTIONS

All abstentions shall be recorded as present and not voting.

ARTICLE IX SUSPENSION OF RULES

Any provision of these Rules not governed by the City Charter or laws of the State of California may be temporarily suspended by a two-thirds vote of the Members present and voting. The vote on any suspension shall be taken and entered upon the record of the Board.

ARTICLE X RECONSIDERATION

A motion to reconsider any action of the Board can be made not later than the next succeeding official regular meeting of the Board. Such a motion can only be made by a member who voted on the prevailing side. It can be seconded by any member. A two-thirds vote of the members present and voting is necessary to adopt the motion. No question shall be twice reconsidered except by unanimous consent of the Board.

ARTICLE XI CONFLICT OF INTEREST

Any member abstaining from voting on any item due to a conflict of interest shall announce said conflict and the reason for the conflict preceding or immediately following the reading of the description of the item by the Chair and will be required to leave the dais until the completion of consideration of the item, including the vote.

ARTICLE XII ATTENDANCE GUIDELINES

In the event that any member of the Board is absent without excuse for three consecutive meetings, or absent, regardless of excuse, for more than 50% of the meetings in one 6-month period, the City Council shall review the Board Member's status.

ARTICLE XII REVISION AND ANNUAL REVIEW OF RULES

These Rules may be amended by a two-thirds vote of the membership of the Board present and voting. The amended Rules shall be filed with the staff secretary.

These Rules shall be reviewed and adjustments made as needed upon the election of officers each year.

ARTICLE XIV MEMBERS ADDRESSING CITY COUNCIL

As a general rule, Board Members are not to address the City Council on any issue over which the Board has or will exercise jurisdiction, unless specifically requested by the City Council. If a Board Member does intend to address the City Council on any other items, even if such testimony is given as a private citizen, that Board Member should notify the Chair.

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ARTICLE XV CODE OF ETHICS

Members shall be subject to all applicable local, State and federal laws and codes of ethics adopted by the City Council.