

**CITY OF PITTSBURG
HISTORIC RESOURCES COMMISSION BYLAWS
Adopted by City Council May 2, 2005**

Amended by City Council September 21, 2015

Article A. Purpose/Mission Statement

Section 1.Purpose.The Historic Resources Commission is the body appointed by the City Council to advise the Planning Commission and City Council on design review applications, the CIP program, and other activities, both public and private, upon referral, which may impact historic resources within the Community.

Section 2.Mission Statement.The mission of the Historic Resources Commission is to 1) provide guidance to the City Council, Planning Commission and City staff on development activities which have the potential to impact historic resources within the community, 2) promote the preservation of designated historic resources, when feasible and appropriate, and 3) promote modifications to the exterior of designated historic buildings, only when such modifications maintain the integrity of the historic structure.

Article B. Meetings

Section 1.Regular Meetings.The Commission shall meet no less than twice each year. All meetings shall be held in accordance with State law, the Brown Act, Government Code 54950 et. Seq.,. Regular meetings of the Commission shall be scheduled on a Tuesday, except as may conflict with City Council or other Commission meetings, and shall be held in the Council Chambers, City Hall, 65 Civic Avenue.

Section 2.Special Meetings.Special Meetings must be coordinated between the Chair and the Secretary by providing written notice twenty four (24) hours in advance of the proposed meeting time to each Commissioner, the local newspaper and posting of said notice at 65 Civic Avenue, Pittsburg.

Article C. Order of Business for Regular Meetings

The agenda shall be prepared by the Secretary with the order of business at regularly scheduled meetings to generally be conducted in the following order:

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Public Comments
5. Presentations
6. Consent Calendar
7. Consideration Items
8. Study Sessions
9. Staff Comments
10. Committee Reports

11. Adjournment

Article D. Procedures for the Conduct of Business

Section 1. Quorum. A quorum for the transaction of all Commission business shall consist of not less than five Commissioners present.

Section 2. Majority Vote. Decisions of the Commission shall be carried by a majority vote of the Commission members voting on a motion which has been seconded and received no less than three votes in the majority. Formal decisions of the Commission may be memorialized in prepared resolutions and/or as minute orders.

Section 3. Tie Vote. When a vote results in a tie vote, the decision shall be declared a denial of the question before the Commission and the Commission shall entertain a new motion.

Section 4. Making Motions. When a member of the Commission wishes to make a motion, they must go through the following steps:

1. The Commissioner must ask to be recognized by the Chair
2. After being recognized, the Commissioner must state the entire motion: *"I move that we ..."*
3. Another Commissioner must second the motion: *"I second the motion."*
4. The Chair must then restate the motion and ask for any discussion on the motion.
5. When the Chair determines that there has been enough discussion, the debate may be closed with: *"I call the question,"* or *"Is there any further discussion?"*
6. If no one asks for permission to speak, the Chair then puts the question to a vote. The Chair should restate the motion prior to the vote to ensure the motion is clearly understood by all. Any Commissioner may request a roll call vote on a motion.
7. After the vote, the Chair announces the decision: *"The motion carries unanimously,"* *"The motion carries four to three (list individually if requested),"* or *"The motion has failed."*

Section 5. Motion to Reconsider. Any Commissioner on the prevailing side may make a motion to reconsider a motion previously adopted. The motion to reconsider shall be brought up prior to the end of the meeting. Should a motion to reconsider be adopted, the effect of said motion is to stay the prior motion until another motion which reaffirms, amends or denies the original motion is adopted.

Section 6. Motion to Amend. A motion which has been seconded may be amended before the vote, in accordance with the following procedures:

1. A motion may be amended by a Commissioner stating; *"I move to amend the motion to read as follows: ..."*. The motion to amend the original motion must then be seconded by another Commissioner.

2. If another Commissioner seconds the amendment, the presiding officer shall then state; *"It has been moved and seconded to amend the motion to read as follows:"*. A vote shall then be taken on the motion to amend. If the motion carries, the Commission shall then take action on the amended motion.
3. Alternately, if the maker of the original motion and the Commissioner who seconded the original motion accept the proposed amendment, they can simply state *"I accept the amendment"*, in which case the motion as amended can be restated and then voted on directly.
4. The maker of the motion to amend has the right to modify or withdraw the motion at any time before the question is called and the presiding officer has stated the motion to the Commission.

Section 7. Other Rules of Order. Except as may be noted above to the contrary, the Commission will strive to follow Roberts Rules of Order in the conduct of all Commission business. Any lapse in adhering to Roberts Rules of Order shall not be void an action taken by the Commission.

Section 8. Role of Chairperson and Vice Chairperson. The Chairperson shall have the duty to preside at all meetings and make Commission committee assignments. The Vice Chairperson shall have the duty, in the absence of the Chairperson, or his/her inability to act, preside at all meetings. Refer to the Handbook for City Advisory Bodies (City Council Resolution No. 15-13052A), for more details on the responsibilities of the Chair.

Section 8. Minutes and Records of Actions Taken. Minutes of Commission meetings shall be prepared and submitted as "Action Minutes" (following City Council protocol) for review and approval of the Commission prior to becoming finalized.

Article E. Officers and How Selected

Section 1. Officers. The officers of this Commission shall be 1) a Chairperson whose duties shall be to preside at all meetings and make Commission committee assignments; and 2) a Vice Chairperson who shall, in the absence of the Chairperson, or his/her inability to act, preside at all meetings.

The City Planner (as defined in section 18.10.060 of the Pittsburgh Municipal Code) or his/her designated representative shall serve as the secretary to the Commission with the duty to staff all Commission meetings and sign all resolutions and minutes approved by the Commission, but shall not be a voting member of the Commission.

Section 2. Selection Process. The Chairperson shall be the Chairperson of the Planning Commission and the Vice Chairperson shall be elected by a majority vote of the Commission the first scheduled meeting after July 1st of each year:

Section 3. Acting Chairperson. In the event that the Chairperson and Vice Chairperson are both absent from a meeting, the next Commissioner in line for those duties who is present shall serve as acting Chairperson in their absence, and so on.

Article F. Committees

Section 1. Selection. Each July, the Chairperson, in consultation with the Secretary, shall determine what committees are warranted that year. The Secretary may request and the Chairperson may assign members to additional committees during the year, as needed. The Chairperson shall assign Commissioners to the various committees warranting Commission representation. The Chairperson may assign more than one Commissioner to a committee as well as an alternate. An attempt shall be made to evenly distribute committee assignments to all Commissioners, when feasible.

Section 2. Reports to the Commission. Commissioners assigned committee duties are expected to represent the Commission at the related committee meetings and provide follow-up verbal reports of committee actions to the full Commission at the next regularly scheduled Commission meeting.

Article G. Attendance Requirements of Commission Members

Section 1. Commissioners are expected to attend all scheduled meetings, barring unforeseen emergencies or other unavoidable reasons. Maintaining a quorum at scheduled meetings is imperative to conducting the business of the Commission and providing quality customer service to the community and residents alike.

Section 2. Any Commissioner who is absent more than three consecutive regular meetings, without approval by way of formal action of the City Council, shall be deemed to have resigned his/her position on the Planning Commission. Additionally, any member who misses twenty five percent (25%) or more of the regular meetings in any twelve month period, without approval of the City Council, shall be deemed to have resigned his/her position on the Planning Commission.

Section 3. Attending a meeting by video or teleconferencing shall be avoided unless there would otherwise be a lack of a quorum. It is preferable that Commissioners not schedule vacations, out of town trips or business meetings that would require the need for the additional noticing and electronic requirements of video or teleconferenced meetings.

Article H. Communication with the Public, City Staff, and City Council.

Section 1. All meetings with applicants or members of the public regarding pending applications shall be held at City Hall with a City planning staff member present during the meeting, and at a time convenient to both the Commission and city staff member. Commissioners shall not indicate whether they will vote to support or not support an application, prior to the item being discussed by the Commission at a scheduled Commission meeting.

Section 2. All communication with City planning staff related to pending applications shall be through the City Planner, except as otherwise directed by the City Planner.

Section 3. Formal communication from the Commission to the Planning Commission and City Council on matters affecting historic resources may be either in writing or made as an oral report at the next regularly scheduled Council/Planning Commission meeting by the Chairperson/Acting Chairperson or their designee. Resolutions and minutes shall bear the signature of the Secretary to the Commission. All other written correspondence shall bear the signature of the Chairperson, except as otherwise directed by the Commission, through a minute order.

Section 4. Members of the Commission may want to speak to the City Council/Council members and the general public on pending planning related matters outside the provisions in Section 3 above. In such instances, the Commissioner shall clearly indicate that they are not speaking as a Commissioner or for the Commission, but for themselves, as a resident of the City of Pittsburg.

Article I. Amendment of Bylaws.

Section 1. The City Council has the sole authority to modify these bylaws. Any amendments recommended to the bylaws by the Commission shall be presented to the Council for consideration. Any such recommendation shall be in the form of a resolution adopted in the affirmative and carried by the majority of the members who constitute the Commission. The bylaws shall not be amended more than once per year.

Section 2. These bylaws, and any amendments thereto, shall be consistent with State law, applicable Municipal Code provisions, and with the City Council Policy and Procedures manual and the Handbook for City Advisory Bodies. To the extent that they are not consistent, State law, applicable Municipal Code provisions, the City Council Policy and Procedures manual and the Handbook for City Advisory Bodies, as they may be amended from time to time, shall prevail.

Article J. Other Matters

Section 1. Annual Training Required. Commission members shall on an annual basis participate in training concerning: 1) the Open Meeting Laws under Ralph M. Brown Act, California Government Code Section 54950 et seq. and 2) Conflict of Interest Laws under the California Political Reform Act, Government Code Section 81000 et. Seq. Commission members shall also participate in AB 1234 and Ethics Training every two years.

Section 2. Special Reporting.

1. No less than once per year, the Commission shall provide the City Council with reports of activities (if applicable), annual accomplishments, goals, and attendance records of members.

Section 3. Inconsistencies. If any provision of these by laws is found to be inconsistent with applicable municipal code provisions, the Handbook for City Advisory Bodies and/or City Council Policy and Procedure Manual, the applicable municipal code

provisions and the provisions in the adopted Handbook for City Advisory Bodies and the City Council Policy Procedure Manual shall prevail.

Section 4. Development of Policies and Guidelines. The Commission may develop additional policies and guidelines as tools to conduct its business, provided they are not inconsistent with these by laws, Handbook for City Advisory Bodies (Council Resolution No. 15-13052A) or applicable provisions of the municipal code.

Section 5. Minutes/Official Records. The Secretary shall keep a record of all formal actions taken by the Commission during regular and special meetings. A copy of the minutes shall be posted to the City website after they have been adopted. Resolutions executed by the Commission shall include a resolution number, the name of the maker of the motion, the name of the Commissioner who seconded the motion, a record of the vote and the signature of the Secretary confirming the approval of the resolution. The Secretary is further empowered to sign certifications referring to actions of the Commission or agenda items in accordance with State law.