

**THE RULES OF CONDUCT FOR BUSINESS  
BEFORE THE CITY OF FOLSOM  
HISTORIC DISTRICT COMMISSION**

The City of Folsom Historic District Commission, hereinafter called "Commission" hereby adopts these Rules of Procedure for the conduct of its business

**Rule 1. MEETINGS.** Regular meetings of the Commission shall be held the first Wednesday of each month throughout the year commencing at 5:30p.m., except that if the regular meeting day is a holiday, no meeting shall be held. Regular meetings may also be held on other days and times, as the business of the Commission required upon approval of a majority of the Commission. Unless otherwise provided, meetings shall be held in the Council Chambers, City Hall, 50 Natoma Street, Folsom, California

**Rule 2. ELECTION OF OFFICERS.** The Commission shall elect a Chair and a Vice-Chair at the first regular meeting in February of each calendar year to serve until the first regular meeting in February of the next succeeding calendar year. If either position is vacated at any time, an election for the vacated position shall be held at the next regularly scheduled meeting.

**Rule 3. DUTIES OF CHAIR AND VICE CHAIR.** The Chair shall preside at all Commission meetings. The Chair shall preserve order and decorum and shall decide all questions of order not otherwise provided for in these rules in accordance with Roberts Rules of Order. The Chair shall be entitled to make or second any motion, discuss and present any matter as a member of the Commission without having to step down from the Chair. The Chair may appoint committees from time to time for any purpose he or she deems proper for the conduct of Commission business. The Vice-Chair shall assume and perform all duties of the Chair in the latter's absence from any meeting.

~~**Rule 4. RESOLUTIONS.** Resolutions of the Commission may be adopted conditionally and referred to the Community Development Department for drafting in the proper form. Resolutions shall be numbered consecutively and annually, and copies thereof shall be maintained by the Community Development Director (hereinafter "Director") and made available to the public. A copy of each resolution shall be delivered to each Commissioner.~~

**Rule 5. CITY ATTORNEY.** The City Attorney shall be legal counsel for the Commission. All questions of law shall be referred to the City Attorney for an opinion.

**Rule 6. AGENDA.** The agenda for each meeting of the Commission shall be prepared by the Director in consultation with the Historic District Commission Chair.

**Rule 7. RECORD OF PROCEEDINGS.** The Director shall take and maintain an audio record of the proceedings of the Commission to ensure that a record of the hearing and any continuance thereof shall be made and duly preserved. The audio record shall be the official record of the Commission. Any person wishing to listen to make a copy of the audio record of the hearing may do so by contacting the Community Development Department. Nothing herein shall preclude the Commission or any person interested in the hearing from

using the services of a court reporter in any public hearing. The party desiring the services of a court reporter shall be responsible for making arrangements and for payment for such services.

**Rule 8. QUORUM.** ~~NO~~ No action of the Commission shall be taken unless a quorum thereof is present. A majority of the entire membership of the Commission (4 of the 7) shall constitute a quorum.

**Rule 9. ORDER OF BUSINESS.** The regular order of business of the Commission shall be:

1. Roll Call
2. Approval of Minutes of Previous Meetings
3. Opportunity of Public to Address Commission
4. Public Hearings and Other Scheduled Matters
5. Director's Report
6. Commissioner Comments
7. Adjournment

No new item will begin after 10:30 p.m.. In the event that an item on the agenda is not begun by that time, the item will be continued to a future Commission Meeting.

**Rule 10. PUBLIC HEARINGS**

1. Re-ordering the agenda. The Chair, in his or her discretion, may rearrange the order of public hearings.
2. Continuance. The Chair shall, at the opening of the Commission meeting, entertain written or oral requests for continuances. If a continuance is requested by a proponent, it shall be honored only if the proponent consents in writing to an equal extension of time to process any required environmental documentation, tentative map or other documents with fixed processing periods. It is the Commission's policy to continue for a period of thirty (30) days any matter which the Director or his staff have not had adequate time to review or any matter which is amended, supplemented, revised or modified within three (3) business days of the meeting at which the matter is scheduled to be heard.

**Rule 11. CONDUCT OF THE HEARING.** It is the desire of the Commission to have a fair and impartial hearing on all matters. To do so requires the imposition of and compliance with the following rules of conduct:

1. Sequence of Hearings. The sequence of each hearing shall be:
  - a. Staff Report;
  - b. Applicant's Statement;
  - c. Open the public hearing;
  - d. Statements from the public;
  - e. Close the public hearing;
  - f. If determined by the Chair to be necessary, invite the applicant to address questions and/or issues raised during public hearing;
  - g. Commission discussion;
  - h. Commission action on the matter or continue the matter to another date or time certain or indefinitely.

2. Testimony. The Chair may limit public testimony to three (3) minutes per speaker in order to facilitate the business of the Commission. The Chair may grant the applicant additional time for testimony as required.
3. Speaker Forms. The Chair may ask that person intending to speak advise the Chair of their intent in advance by filling out a form. The Commission will provide forms in a convenient location for such notice.
4. Close of Public Testimony. The Chair shall close the hearing to public testimony before the Commission members discuss the matter. The matter shall not be reopened without the approval of a majority of the quorum of the Commission. Commissioners may seek clarification of testimony from staff or speakers without reopening the public hearing.
5. Spokesperson for Group. Whenever a group of persons wishes to address the Commission on the same subject matter, the Chair may request that a spokesperson be chosen by the group, with the spokesperson being allowed 5 minutes to address the Commission, and in case additional information and testimony is to be presented by any other member of said group, to limit the time of their remarks to (3) minutes per speaker in order to avoid unnecessary repetitions before the Commission.
6. Hearing on Appeal. The sequence of the hearing on matters appealed to the Commission shall be as follows:
  - a. Staff Report
  - b. Appellant's Presentation (Time limit – 10 minutes)
  - c. Open the public hearing
  - d. Statements from the public (Time limit – 3 minutes per speaker)
  - e. Close public hearing
  - f. Appellants make closing remarks to the Commission (Time limit – 5 minutes)
  - g. Appellant and City staff may respond to questions from Commissioners
  - h. Commission discussion
  - i. Commission action on the matter of continue the matter to another date or time certain

The sequence of the hearing on matters appealed to the Commission may be adjusted by the Chair upon recommendation from the City Attorney.

**Rule 12. DOCUMENTARY EVIDENCE.** Any documents, writings, pictures, exhibits or other forms of tangible expression once submitted to the Commission shall become the property of the Commission and part of the public record.

Persons desiring to submit documentary evidence are requested to contact the Community Development Department prior to the meeting to facilitate the introduction of such evidence. Failure to do so may cause the matter to be continued to the end of the agenda or to a later date.

Any documentary evidence offered by the project applicant or any other person at the hearing of the matter and which requires review and evaluation by City staff, may cause the matter to be continued to a later date.

**Rule 13. MEETING DECORUM.** The Commission desires to conduct its meetings in a manner that:

- a. Is open to all viewpoints
- b. Ensures that members of the public who attend meetings of the Commission can be heard in a fair and respectful manner
- c. Is supportive of civil, respectful, and courteous discourse and free from abusive, distracting, or intimidating behavior, and
- d. Allows the business of the City to be effectively accomplished

If any meeting is willfully interrupted by any person(s) so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by removal of such person(s), the Chair may order the meeting room cleared and continue in session.

Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media shall be allowed to attend such session, except for those representatives participating in the disturbance. The Chair may readmit any person(s) not responsible for the disturbance.

**Rule 14. FINDINGS.** The Commission shall make findings in support of its actions as required by law. All findings shall be based strictly upon evidence presented during the public hearing. The Commission shall not rely upon any communications, reports, staff memoranda, or other materials which are not presented during the public hearing. The Chair may seek the assistance of the City Attorney in preparing or approving the findings.

**Rule 15. MINUTES.** All official actions of decisions of the Commission shall be entered in the minutes of the Commission by the Director.

**Rule 16. APPLICATION, ADOPTION, AMENDMENT AND REPEAL OF RULES.** These rules shall be applicable to all business before the Commission. Any rule may be suspended by a majority vote of the Commissioners present and able to vote on the matter being heard. A new rule may be adopted, or an existing rule may be amended or repealed by affirmative vote of a majority of the Commission at any regularly scheduled meeting.

**Rule 17. ADJOURNMENT.** The Commission may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment shall be posted on or near the door of the place where the meeting was held within twenty-four (24) hours after the time of adjournment.

**Rule 18. EMERGENCY OR SPECIAL MEETINGS.** The Commission may call special meetings as permitted by California law.

- Rule 19. VOTING.** Commission voting shall be conducted as follows:
1. Calling the Roll. The roll shall be called in voting upon a motion.
  2. Majority. Except as may otherwise be required by state law, no action or recommendation of the Commission shall be valid unless a majority of a quorum of the Commission concurs therein.
  3. Abstaining Vote. A vote to abstain is not to be construed as a vote for or against a motion but shall be counted for purposes of establishing a quorum.

4. Tie Vote. In case of a tie vote on any motion, the motion fails.

**Rule 20.** REPRESENTATION OF COMMISSION VIEWS. Upon the vote of a majority of the entire Commission, the Commission may designate any of its members to represent its views with respect to a particular issue. Without such express authorization, no member of the Commission has the authority to represent the Commission.

**Rule 21.** CONFLICTS OF INTEREST. A Commission member who is unable to participate in an item due to a conflict of interest shall, when the item is called: 1) declare that a conflict of interest exists; 2) state what the conflict of interest is, and 3) shall remove himself or herself from the dais during the discussion. The Commission member's removal and reason therefore shall be noted on the record by the Chair, who shall also note the members return when the item is concluded.

**Rule 22.** NEW COMMISSIONER SWEAR-IN. New members of the Commission newly appointed by the City Council shall be sworn in by the Clerk of the Commission prior to assumption of office.