

memo

To: Emily Stadnicki, Mario Suarez
From: Ann Tomkins
CC: Historic Preservation Commissioners
Date: August 1, 2018
Re: Proposed Amendment to the Historic Preservation Commission By-laws regarding agenda preparation

The Pomona Municipal Code provides for the establishment of the Historic Preservation Commission and the general parameters under which it must operate. Following is a list of applicable sections of the Pomona Municipal Code pertaining to the adoption of rules of procedure of the Commission.

Section 2-614 Rules, regulations and records.

...

(b) Rules. The commission/city council may adopt rules for the transaction of business, but unless so adopted the procedures set forth in the current edition of Robert's Rules of Order shall prevail. The secretary shall keep an accurate record of all proceedings, decisions, findings and resolutions of the commission, which records shall be public and at all times available in the city hall.

Section 2-619. Rules of Procedure

The historic preservation commission shall adopt a set of rules of procedure. Such rules shall contain the following:

- (1) Required conduct of commission members;
- (2) The duties of officers and staff;
- (3) The manner in which commission meetings and business shall be conducted;
- (4) Agenda preparation; and
- (5) Recordkeeping procedures.

The historic preservation commission adopted rules of procedure/by-laws by Resolution No. 96-91 on August 7, 1996. Part C of the historic preservation commission rules of procedure/by-laws sets forth rules pertaining to agenda preparation, posting, and contents of the agenda. The following are excerpts

from the 1996 version of the By-laws. However, the last clause of Section C-1 is not included on the current version of the By-laws posted on the City website so it is unclear if the sentence was removed or if the version on the City website is out-dated.

C-1 AGENDA, PREPARATION OF

An agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by any Commissioner, the Economic Development Director or designee, the City Planner or designee, or the City Attorney or designee. The Secretary shall prepare the agenda. Whenever feasible each item on the agenda shall contain a staff report and recommendation and the specific action requested to be taken by the Commission. No matters other than those listed on the agenda shall be acted upon by the Commission unless the matter is permitted under the conditions prescribed in California Government Code section 54954.2.

Part K of the rules of procedure sets forth the process for amendment of the by-laws:

K. AMENDMENTS

These By-laws may be amended by a two-thirds (2/3) majority vote of the Historic Preservation Commission, provided the proposed amendment has been presented at one prior regular meeting before the action is taken. Failure of the Commission to follow the By-laws established herein shall not invalidate or otherwise affect any action of the Commission.

Based on the foregoing, I would like to propose the following amendment to the Rules of Procedure/By-laws be added to the Agenda for the September Historic Preservation Commission meeting:

Section C-1 Agenda, Preparation Of shall be modified by deleting the reference to the "Economic Development Director" in the second sentence and substituting the "Development Services Director" in its place, deleting the reference to the "City Planner" in the second sentence and substituting the "Development Services Manager" in its place and adding the following sentence as the third sentence in that section:

"A draft of the proposed agenda shall be distributed to all Commissioners two weeks prior to the meeting and shall be posted on the City website at least one week prior to the meeting."