

**CITY OF MARYSVILLE**  
**Planning and Historic Preservation Commission**

**BYLAWS**

A. Regular Meetings

1. Time: Regular meetings of the Planning and Historic Preservation Commission (“Commission”) shall be held on the fourth Wednesday of each month at 6 p.m. In the event that a Wednesday falls on a legal holiday, the regular meeting which otherwise would have occurred on that day shall be held on the first business day thereafter at 6 p.m.
2. Place: All regular meetings of the Planning and Historic Preservation Commission shall be held in the Council Chambers, City Hall, Marysville, California.
3. Agenda: The Secretary shall prepare an agenda of the Commission proceedings and related staff reports and shall furnish each member of the Commission and local news agencies with a copy of the same prior to the Commission meeting and at least seventy-two (72) hours in advance of the meeting time. Matters not listed on the agenda shall not be presented to the Commission except those of an urgent nature or upon the majority consent of the Commission. No action may be taken on an item unless proper notification is given.

B. Duties of Officers

1. **Chairperson.** The Chairperson shall preside at all meetings of the Commission. He/she shall appoint all committees and shall perform all of the duties necessary or incidental to his/her office.
2. **Vice-Chairperson.** In the event of the Chairperson is absent or may not act, the Vice-Chairperson shall perform the duties of the Chairperson.
3. **Secretary.** The Secretary shall maintain minutes of meetings and record all hearings, transactions, findings, determinations and recommendations. By request of any Commission member, the Secretary shall, on all official actions upon which a vote is taken, take such vote by roll call; the Chairperson shall vote last.

If a Commission member is absent or fails to vote, the Secretary shall enter such fact into the minutes. The Secretary shall certify all official documents and resolutions of the Commission.

The Secretary shall report to the Commission on procedural matters pertaining to items before the Commission. He/she shall examine incoming mail for proper referral and answer correspondence as directed by the Commission. He/she shall maintain records of operations and shall perform such other duties as may be assigned by the Commission.

**C**     Special Meetings

The Chairperson or a majority of the members of the Commission may call special meetings of the Commission to order providing that the time, place and agenda is delivered to every Commissioner and local news agencies at least twenty-four (24) hours prior to any such special meeting.

**D**     Agenda

Copies of the agenda and staff report are normally mailed to the applicant and the Commission and shall be made available to the public at least 72 hours prior to a regular meeting. Agendas are also provided to the public at the meeting.

**E**     Elections

Annually at the first meeting in January, the Commission shall choose one of its members as Chairperson and one of its members as Vice-Chairperson.

**F**     Call to Order

The Chairperson shall take the Chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. In the absence of the Chairperson or Vice-Chairperson, the Secretary shall call the Commission to order, whereupon a temporary Chairperson shall be elected by the members of the Commission present. Upon the arrival of the Chairperson or Vice-Chairperson, the temporary Chairperson shall immediately relinquish the Chair upon the conclusion of the business immediately before the Commission.

**G**     Roll Call

Before proceeding with the business of the Commission, the Secretary or his/her deputy shall call the roll of the members, and the names of those present shall be entered in the Minutes.

**H**     Attendance

Each Commission member is expected to exercise his/her best efforts to attend each meeting of the Commission. It is understood that from time to time, circumstances beyond the control of the Commissioners will require and dictate

the absence of the Member from a Commission meeting. Members shall advise the Chairperson of the Commission in advance of the meeting of their anticipated absence and the reason therefore. The Chairperson shall reflect in the Minutes of the Commission meeting the Commissioner's absence, the reason therefore, his/her prior contact by the Commissioner advising him of the Commissioner's anticipated absence, and such shall then constitute an excused absence. All other absences by a Commissioner from the Commission meetings shall constitute un-excused absences. Pursuant to Section 2.40.40 of the Municipal Code, three (3) consecutive un-excused absences by a Commissioner or failure to attend at least 75 percent of all commission meetings during a six-month period are grounds for removal of said Commissioner from the Commission by appropriate Council action. The Secretary of the Commission shall advise the City Council whenever a Commissioner has three (3) consecutive un-excused absences or fails to attend at least 75 percent of all meetings during a six-month period.

I. Quorum

Four Commissioners shall constitute a quorum at any regular or special meeting of the Commission except as otherwise provided in state law or ordinances of the City. No action shall be taken without receiving the affirmative vote of at least four members of the Commission.

J. Order of Business

All meetings shall be open to the public. Promptly at 6:00 p.m. on the day of each regular meeting, the members of the Commission, the Chairperson and the Secretary shall take their regular stations in the Council Chambers, and the business of the Commission shall be taken up in the order provided in the agenda. Matters may be taken up out of agenda order upon finding that the public interest would be served and on a majority vote of the Commission.

K. Conduct of Meetings

Public hearings and criteria for hearing items shall be in accordance with Exhibit A attached hereto and made a part thereof.

L. Minutes

Minutes of all Planning Commission meetings shall be composed in accordance with the *"City Clerks Association of California Guidelines for Preparing Minutes for Governmental Agencies."*

M. Committees

1. Special Committees: When desirable, the Chairperson with the approval

of the Commission may establish special committees consistent with the Brown Act. Special committees shall be discharged at the conclusion of their assignment.

- 2 Architectural Review Board: In accordance with the City's Design Review Manual, an Architectural Review Board (ARB) is established consisting of three members of the Commission as appointed by the City Council. The ARB reviews Major Modification Design Review applications for recommendation to the Planning Commission. The ARB also assists the Secretary in administering the review and determination of Minor Modification Design Review Applications. The Secretary shall prepare an agenda of the ARB proceedings and related staff reports and shall furnish each member of the ARB and local news agencies with a copy of the same prior to the ARB meeting and at least seventy-two (72) hours in advance of the meeting time.

N. Other Items

In any matter not covered by these regulations, Roberts Rules of Order will prevail.

**Exhibit A**  
**Conduct of Meeting**

1. The Chairperson shall identify the matter to be considered by announcing the public hearing on the next sequential agenda item number and the brief description of the subject contained in the agenda.
2. Any Commissioner who must or chooses to be excused from participation on the issue should make known immediately upon call of the agenda item their intent to abstain from discussion or vote, step down from the dais and leave the room while the item is being discussed.
3. The Chairperson will call for introduction of the person(s) representing the application.
4. The Chairperson should request the staff report be made on the subject. The staff report shall become part of the public record.
5. The Chairperson may then call upon members of the Commission to see if they have questions of Planning Staff.
6. The Secretary will then present any other communications received concerning the application.
7. The Chair shall open the public hearing, and advise those present of the requirement that each speaker must be recognized and approach the rostrum to identify themselves by name and address before addressing the Commission. The Chairperson may, at his/her discretion, limit an individual's comments to five (5) minutes. No discussions between proponents and opponents shall be permitted, and all questions and remarks must be made through the Commission. The Chairperson shall recognize persons wishing to testify further.
8. Each person addressing the Commission must first be recognized by the Chair. That person then shall step to the rostrum and shall give his or her name and address in an audible tone of voice for the record. All remarks shall be addressed to the Commission as a body and not to any member except through the Chair. Commissioners may ask questions of those offering testimony when recognized by the Chairperson.
9. Upon conclusion of the public testimony, the Chair shall close the public hearing and request discussion of the issues by the Commissioners. If the Commission finds that insufficient information has been presented, or if additional information is required, it may by majority vote, continue the public hearing to another date.
10. The Chairperson may call upon staff for summation.

11. The Chairperson shall then call for discussion among the Commission members.
12. Upon conclusion of the hearing, the Commission shall consider adequacy of the environmental assessment as required under the California Environmental Quality Act, if applicable, and take action as appropriate. If this action is denial, the environmental assessment need not be considered.
13. The Chairperson or the Secretary shall advise those present of the action of the Commission and the appeal procedures available if anyone is dissatisfied with the action of the Commission.
14. A written request for verbatim record of the public hearing may be made at least five days prior to any public hearing. Such request shall cause the Secretary to insure that a record of such hearing be made and duly preserved. A copy of the record shall be available at cost. The request for record shall be accompanied by a deposit to cover the estimated cost of providing the record and any difference in actual cost shall be refunded or collected with delivery of the copy of the record.
15. Unless the majority of the Commission votes to extend the meeting, no public hearing shall be initiated after 11:00 p.m., and any remaining unfinished items scheduled on the agenda will be continued to a special meeting or to the next regular meeting, at the discretion of the Commission.