

ARCHITECTURAL ADVISORY COMMITTEE  
RULES OF PROCEDURE

Approved April 2, 2018

PURPOSE, EFFECT, AND AUTHORITY

In the absence of a rule herein to govern a point or procedure or the making of a motion, Robert's Rules of Order, Newly Revised, shall be used as a guide. The purpose and intent of the Architectural Advisory Committee in adopting the within rules shall be to provide directory guidelines relating to the conduct of the public business by or on behalf of the Architectural Advisory Committee, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law. These rules are intended to be consistent with State law; however, in the event of any inconsistency with State law, State law shall prevail. In the event of any inconsistency between these rules and Robert's Rules of Order, these rules shall control. The scope and effect of these rules shall be determined by the Chair in conformity with Section 16.h hereof.

A. Election and Terms of Office

1. The Chair and the Vice-Chair shall be elected at the first regular meeting of the Committee held after June 30 of each year (PSMC 2.06.020), or at the subsequent meeting.
2. The Chair and Vice-Chair shall hold offices for one (1) year and thereafter until their successors are elected. In case of any vacancy in office, the vacancy shall be filled by an election held at the first regular meeting after the occurrence of such vacancy.

B. Duties of Officers and Staff

1. Chair: The Chair shall preside at all meetings of the Committee. The Chair shall appoint all committees and shall perform all other duties necessary, customary, or incidental to this office. The Chair may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Architectural Advisory Committee Members, and shall not be deprived of any rights and privileges of a Committee Member by reason of acting as Chair.
2. Vice-Chair: In the event of absence of the Chair or the Chair's inability to act, the Vice-Chair shall perform the duties of the Chair. In the event of the absence or of the inability to act of both the Chair and the Vice-Chair, the remaining members of the Committee shall appoint one (1) of their members to act as temporary Chair. The Vice-Chair shall serve as timer for public presentations.
3. Secretary: The Planning Director serving as the Secretary shall provide professional and technical advice to the Architectural Advisory Committee, shall sign approved final subdivision maps, shall assist said Committee in the discharge of its responsibilities, and shall maintain minutes of meetings and records of hearings and official actions.

C. Meetings

1. Regular Meetings of the Committee shall be open to the public and shall generally be held on the first and third Monday of each month at 3:00 pm in the City Council Chamber in City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, California. Absent direction from the City Manager otherwise, the Committee will not schedule meetings during the month of August. If the regular meeting day falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held on the next succeeding Tuesday.

The Secretary shall post an Architectural Advisory Committee meeting calendar at the beginning of each calendar year.

2. Adjourned Meetings: Any meeting may be adjourned to a time, place and date certain, but not beyond the next regular meeting. Once adjourned, the meeting cannot be reconvened.
3. Special Meetings of the Committee shall be open to the public and shall be held at such times as the Committee may determine, or they may be called by the Chair any time on 24 hours' notice, if an emergency situation warrants such a meeting.
4. Notice of Meetings: The Agenda for all regular, adjourned and special meetings shall be available to the general public and the Secretary shall cause a copy thereof to be posted at least 72 hours before a regular or adjourned meeting on the exterior bulletin board on the west wall of the City Council Chamber. No other notice of regular or adjourned meetings shall be required.
5. Quorum: The majority of the existing appointed Architectural Advisory Committee shall constitute a quorum. The majority vote of a quorum shall be sufficient to do business.

5.1 Legally Required Participation

If a majority of the Architectural Advisory Committee shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Committee shall select by lot or other means of random selection, or by such other impartial and equitable means as the Committee shall determine that number of its disqualified members which, when added to the Committee as eligible to vote, shall constitute a quorum.

6. Voting: Every official act taken by the Committee shall be by motion adopted by a majority vote.
  - a. Voting Procedure: On the passage of every motion, the vote shall be taken by voice or roll call and entered in full upon the record.
  - b. Roll Call Voting: A roll call vote shall be used for all public hearing matters. Any other question before the Committee shall not require a roll call vote unless requested by any member. Any member may change his vote before the next order of business.
  - c. Reconsideration: Any member who voted with the majority may move a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted on, no other motion for

reconsideration thereof shall be made without unanimous consent of the Committee.

- d. Conflict of Interest: Any Committee Member prevented from voting because of a conflict of interest, shall publicly disclose the nature and extent of such conflict and refrain from debate and voting. Such Committee Member shall leave the Council Chamber during debate and voting on the issue, but shall be free to address the Committee as a private citizen on the matter.
- e. Failure to Vote: Every Architectural Advisory Committee Member should vote unless disqualified for cause which has been publicly disclosed.
- f. Tie Votes: Tie votes shall be lost motions.

7. Order of Business at any regular meeting shall be as follows:

- Call to Order
- Roll Call
- Acceptance of Agenda
- Public Comments
- Consent Calendar
- Public Hearings
- Unfinished Business
- New Business
- Committee Member Reports
- Director Reports
- Adjournment

8. Notification of Agenda: The agenda shall be sent electronically to the Committee and be posted at least 72 hours before a regular or adjourned meeting or 24 hours before a special meeting on the exterior bulletin board on the (west wall of the City Council Chamber).

9. Roll Call: Before proceeding with the business of the Committee, the Secretary shall call the roll of the Committee and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Chair called last.

10. Public Comments: During the Public Comments portion of the meeting any person may address the Committee on any subject pertaining to Committee business, whether listed on the agenda or not, except at special meetings. A limitation of 3 minutes shall be imposed upon each person so desiring to

address the Committee during the Public Comments designation on the agenda. Speakers shall be informed of time limitation.

11. Consent Calendar: Items of a routine nature, and non-controversial, shall be placed on the Consent Calendar. All items may be approved by one blanket motion upon unanimous consent. Under "Approval of the Agenda" any Committee Member may request that any item be withdrawn from or added to the Consent Calendar for separate consideration. However, any Committee Member may abstain or vote "no" from voting on any Consent Calendar item without requesting its removal from the Consent Calendar, and the Secretary shall be instructed to record such abstentions in the minutes.

12. Agenda Items shall be conducted in the following order:

- Staff Report
- Initial Questions to Staff by the Committee
- Chair opens the matter:
  - Applicant (10-minute time limit)
  - Public Testimony (3-minute time limit)
  - Applicant Rebuttal (2-minute time limit)
- Chair closes the matter
- Questions and discussion by the Committee
- Action by the Committee

Questions or comments from the public shall be limited to the subject under consideration. Committee questions of the staff prior to the opening of the public hearing and of the public prior to the close of the public hearing should be factual and seek pertinent information; Committee questions and comments should not be argumentative and Committee should not get into debates with staff or those members of the public testifying at a public hearing.

Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Chair may, at the beginning of the matter, limit testimony, but in no event less than one minute per individual. Any person may speak for a longer period of time, upon approval of the Committee, when this is deemed necessary in such cases as when a person is speaking as a representative of a group, or has graphic or slide presentations requiring more time.

After the Chair closes the public testimony there shall be no further testimony from the public, unless the Chair takes formal action to re-open. The Chair may invite the applicant to respond to questions of the Committee or to

respond to proposed conditions of approval without the need to re-open the public testimony.

13. Limitation of Debate: As a matter of preferred protocol and courtesy to fellow members of the Committee, no Committee Member normally should speak more than once upon any one subject until every other Committee Member choosing to speak thereon has spoken and no Committee Member should speak for an excessive length of time each time he has the floor, without the approval of the Committee.
14. Dissents and Protests: Any Committee Member shall have the right to express dissent from or protest to any action of the Committee and have the reason entered in the minutes. If such dissent or protest is desired to be entered in the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following reasons..."
15. Parliamentary Procedure: The rules of parliamentary practice as set forth in Robert's Rules of Order shall govern all meetings of the Committee, except as otherwise herein provided.
16. Rules, Decorum and Order:
  - a. Points of Order: The Chair shall determine all Points of Order subject to the right of any Committee Member to appeal to the Committee. If any appeal is taken, the question shall be, "Shall the decision of the Chair be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.
  - b. Decorum and Order - Committee Members:
    - i) Every Committee Member desiring to speak shall address the Chair and upon recognition by the Chair, shall confine themselves to the question under debate.
    - ii) A Committee Member desiring to question the Staff shall address their question to the Planning Director, who shall be entitled either to answer the inquiry, or to designate some member of staff for that purpose.
    - iii) A Committee Member, once recognized, shall not be interrupted while speaking unless called to order by the Chair; unless a Point of Order is raised by another

Committee Member or unless the speaker chooses to yield questions from another Committee Member.

- iv) If a Committee Member is called to order while they are speaking, they shall cease speaking immediately until the question of order is determined. If ruled to be in order, they shall be permitted to proceed. If ruled to be not in order, they shall remain silent or shall alter their remarks so as to comply with rules of the Committee.
  - v) Committee Members shall accord the utmost courtesy to each other, to City Employees and to the public appearing before the Committee and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
  - vi) Any Committee Member may move to require the Chair to enforce the rules and the affirmative vote of a majority of the Committee shall require them to so act.
  - vii) Members of the Committee shall not leave their seats during a meeting without the consent of the Chair, except as may be necessary to view exhibits provided by staff or by applicants.
- c. Decorum and Order - Employees: Members of the Planning Staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Committee. Any staff member desiring to address the Committee or members of the public shall first be recognized by the Chair. All remarks shall be addressed to the Chair and not to any one individual Committee Member or member of the public.
- d. Decorum and Order - Public: Members of the public attending Architectural Advisory Committee meetings shall observe the same rules of order and decorum applicable to the Committee. Any person, wishing to address the Architectural Advisory Committee shall, before speaking, announce their actual name, address and city of residence, but such address need not be disclosed publicly if to do so would violate the privacy interests of the speaker. Any person while addressing the Committee making obscene, slanderous, impertinent, profane, or similarly offensive and disruptive remarks, or who engages in loud, boisterous, or other disorderly conduct, which disrupts, disturbs, or otherwise impedes the orderly conduct of the public

meeting, and any person, while attending the Committee meeting, making unauthorized remarks from the audience, or stamping their feet, whistling, yelling, or making similar demonstrations which disrupts, disturbs, or otherwise impedes the orderly conduct of the public meeting, shall, at the discretion of the Chair, or a majority of the Committee, be barred from further audience before the Committee Members during that meeting and/or be physically removed from the room by the sergeant-of-arms. Aggravated cases shall be prosecuted on an appropriate complaint signed by the Chair.

- e. Enforcement of Decorum: The Chief of Police shall be ex-officio sergeant-of-arms of the Committee. The Chief of Police shall carry out all orders and instructions given by the Chair for the purpose of maintaining order and decorum. Any person disrupting Committee proceedings may be deemed guilty of a misdemeanor, and upon conviction thereof, may be punished by fine or imprisonment or both. Upon instructions from the Chair, it shall be the duty of the Chief of Police or the Chief's representative to eject any person from the Council Chamber or place them under arrest or both.
- f. Persons Authorized to be within platform: No person except City officials shall be permitted within the platform area in front of the Council table without the verbal invitation or consent of the Chair.
- g. Maintenance of Order: The Chair is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chair. All questions and remarks shall be addressed to the Chair.
- h. Rules of Chair Final: In presiding over Architectural Advisory Committee meetings, the Chair shall decide all questions of interpretation of these rules or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Committee Members present and voting shall be binding and legally effective (even if clearly erroneous) for purpose of the matter under consideration.

17. Motions:

- a. Processing of Motions: When a motion is made and seconded, it shall be stated by the Chair before debate. A motion so stated shall not be withdrawn by the mover without the consent of person seconding it.



- b. Division of Question: If the question contains two or more divisible propositions, the Chair may, and upon request of a Committee Member shall (unless appealed) divide the same.
- c. Precedence of Motions: When a motion is before the Committee, no motion shall be entertained except the following which shall have precedence in the following order:
1. Adjourn
  2. Fix Hour of Adjournment
  3. Table
  4. Amend
  5. Postpone
- d. Motion to Adjourn: (not debatable) A motion to adjourn shall be in order at any time, except as follows:
1. When repeated without intervening business or discussion
  2. When made as an interruption of Committee Member while speaking.
  3. When the previous questions has been ordered, and
  4. While a vote is being taken.
- A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.
- e. Motion to Fix Hour of Adjournment: Such a motion shall be set a definite time at which to adjourn and shall be undebatable and unamendable except as to time set.
- f. Motion to Table: A motion to table shall be used to temporarily bypass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the meeting. If not taken from the table the matter shall be placed on a future agenda as a new matter.
- g. Motion for Previous Question: Such a motion shall be used to close debate on the main motion and shall be undebatable. If the

motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

- h. Motion to Amend: A motion to amend shall be debatable only as to amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.
- i. Motion to Continue: Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set. If desired, the maker of the motion to continue may also move to reopen the hearing to receive further testimony.

D. Policies

- 1. Publicity: The Secretary shall release no official information or "stories" to the press unless otherwise instructed by the Chair. No Committee Member shall speak for the Committee as a whole without specific permission of the Chair.
- 2. Attendance: Each Committee Member shall attend every regular or special meeting unless unavailable for valid reasons. A Committee Member may be excused if prior notice is given to the Secretary, and if the reason for the absence is stated. In the minutes and in the attendance record the Secretary shall indicate members present and excused.
- 3. Any member who is absent without advance notification to the Secretary for 3 consecutive regular meetings, or is absent for 25% of the fiscal year, the Chair shall file a certification with the City Clerk that such absences have occurred and the Committee member's office shall thereupon automatically become vacant.

E. Architectural Advisory Committee Subcommittees

- 1. Use and Formation of Subcommittees: The Committee may utilize subcommittees from time-to-time as may be appropriate to assist in efficiently conducting the business of the Committee. The Chair may form subcommittees on an as-needed basis.

2. Subcommittee Purpose: Architectural Advisory Committee subcommittees may be formed to serve the following non-exclusive purposes:
  - a. Compliance Review – Adopted Criteria. Subcommittees may be formed to review applications in detail for conformance to adopted architectural review criteria or to suggest conditions of approval.
  - b. Compliance Review – Conditions of Approval. Subcommittees may be formed to review amended plans for approved applications to confirm compliance to conditions of approval imposed by the Committee or the Planning Commission.
3. Composition of Subcommittees: No more than three Committee members shall serve on a subcommittee. A Planning staff member will serve as Secretary for the subcommittee. Members of the general public shall not be appointed to subcommittees, but may attend subcommittee meetings and offer public comment.
4. Notice of Meetings. Agendas for Architectural Advisory Committee subcommittee meetings shall be made available to the general public and shall be posted at least 24 hours in advance of the subcommittee meeting in accordance with the posting procedures identified herein.
5. Subcommittee Action and Reports: Subcommittees are prohibited from taking action on any items discussed in the subcommittee meetings; action on items may only be taken by a quorum of the Committee members as part of a regularly scheduled and noticed Architectural Advisory Committee meeting. Reports of subcommittee meetings shall be provided verbally or in writing at an Architectural Advisory Committee meeting.

F. Amendments

1. These Rules and Regulations may be amended by the Committee at any regular meeting by a majority vote, or at any special meeting, provided that the proposed amendment is included in a written notice of such meeting and if the change is one within the authority of the Committee.