

Procedures for Conducting a Public Hearing: Aug. 25, 2005

1. Staff role is to consult with applicant over proper procedure, factual content of application, completeness of application. Staff should be main contact with applicant prior to a Commission decision, not Commission members. Staff should emphasize that they do not make the decisions, the Commission makes the first decision, and the final decision on a landmark is made by the City Council.
2. Staff acts a liaison between the Commission, the applicant and the public.
3. Staff prepares a factual staff report for the Commission which refers to the Ordinance and the Standards of Appropriateness in the case of a COA application.
The report should include a list of issues and if there is more than one options, all should be in the report.
4. Staff will be present to answer questions as they arise during the hearing.
City Attorney will act as legal advisor in the event of any legal questions. If there are serious legal problems, the decision will be deferred until City Attorney can be consulted.
5. Rules of procedures for public hearing should be in writing and posted publicly.
Suggestion: print them on the back of the agenda since that also needs to be posted and available to the public.
6. Remind Commissioners that decisions should be based solely on the facts of the application, the provisions of the Historic Preservation Ordinance and the Standards of Appropriateness. If application is not clear, ask for additional information to be presented at the next meeting and defer the decision.
7. Chairperson will use Robert's Rules of Order to maintain control of the hearing.
8. To start the public hearing, the Chairperson will announce that the public hearing is now open. First is the staff report, then the Chairperson will ask for the presentation by the applicant, giving them 10-15 minutes to present.
9. The public is then asked "is anyone speaking in favor of the nomination?" If yes: ask the person/s to state their name/s, and give their testimony. If no one comes forward, then announce "hearing none, is there is anyone to speak against the nomination?" If yes: ask them to step forward and state their name and give their testimony. If not, say "hearing none, I declare this public hearing closed" and ask the Commission for a motion, for a second, and then if there is further discussion or questions for the presenters. If no other discussion, or after the discussion, Chairperson calls for the vote. Chairperson should note for the record who made the motion, the second, state the motion, then state the result of the vote as all our proceedings are recorded.
10. Members can only question the applicant on the testimony. Commission members should not give opinions or use this time to testify for or against the application.
11. Chairperson should thank the applicant, the supporters, and other guests, ask them to stay for the rest of the meeting if they wish, otherwise they are free to go. If there is time, the Commission could take a 5 minute break at this time.
The rest of the meeting proceeds as any regular meeting.