



AGENDA

VALLEJO PLANNING COMMISSION REGULAR MEETING – 7:00 P.M. VIA TELECONFERENCE

Diosdado “J.R.” Matulac, Chair
Kathleen Diohep, Vice-Chair
Peggy Cohen-Thompson
Randy Larson
Jamar Stamps
Charles Palmares

VIA TELECONFERENCE

www.cityofvallejo.net

November 16, 2020

IMPORTANT NOTICE

Until further notice, meetings of the Planning Commission are being conducted using teleconference and electronic means, consistent with State of California Executive Order N-29-30 regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television or online. Details may be found at www.cityofvallejo.net. In accordance with Executive Order N-29-30, the public may only view the meetings on television and/or online and not in the Council Chamber.

PUBLIC COMMENT: Members of the Public may provide public comments during the Planning Commission Meeting via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment

VIEW THE MEETING: There are three different ways you can view this public meeting:

- Watch Vallejo local channel 28
- Stream from the City website: www.cityofvallejo.net/Streaming
- Join the Zoom webinar: <https://zoomregular.cityofvallejo.net>

Want more City information? Members of the public can:

- Like us on Facebook (www.facebook.com/cityofvallejo)
- Sign up to receive City Communications via e-mail (www.cityofvallejo.net/living/connect)
- Sign up to receive City updates and get connected with your neighbors on Nextdoor (www.nextdoor.com)

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Planning Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Planning Commission will be available on the City of Vallejo website at www.cityofvallejo.net subject to staff's ability to post the documents prior to the meeting.

Disclosure Requirements: Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the Commission.

Appeal Rights: The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Planning Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.



The Council Chambers in City Hall is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

A. October 5, 2020

5. WRITTEN COMMUNICATIONS

6. REPORT OF THE SECRETARY

A. Upcoming Meetings:

December 7, 2020

1701 Broadway, Childcare Center – Use Permit (Tentative)

December 21, 2020

This meeting is proposed to be canceled

B. Verbal update:

a. New Zoning Code

b. Staff Changes

7. CITY ATTORNEY REPORT

8. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS

A. Report of the Presiding Officer and Members of the Planning Commission

B. Council Liaison to Planning Commission

9. COMMUNITY FORUM

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Community Forum may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

10. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Consent Calendar and Approval of the agenda may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 9140075 0676#

11. PUBLIC HEARING

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Public Hearing may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

A. None

12. ACTION CALENDAR

NOTICE: Members of the public wishing to address the Planning Commission on Action Calendar Items may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#. For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment.

A. None

13. OTHER

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Other item may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

A. Adopt Recommendation to City Council on Planning Commission Rules of Order and Procedure
This is an action item; Planning Commission action will be taken

B. Discussion of Future Agenda Items

14. ADJOURNMENT

I, Narcissa Wilson, Planning Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m. Thursday, November 12, 2020.

Dated November 12, 2020



Narcissa Wilson, Planning Executive Secretary

Minutes

**CITY OF VALLEJO PLANNING COMMISSION
REGULAR MEETING MINUTES
COUNCIL CHAMBERS
October 5, 2020**

1. CALL TO ORDER

The meeting was called to order by Chairman Matulac at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Larson, Palmares, Cohen-Thompson

Absent: None

Staff present: Planning and Development Services Director Hayes, Deputy City Attorney Brady, Associate Planner Orozco

4. APPROVAL OF MINUTES

A. September 21, 2020

On a motion of Commissioner Cohen-Thompson, the commission approve the minutes with the following vote:

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Larson, Palmares, Cohen-Thompson

NOES: None

ABSENT: None

ABSTAIN: None

5. WRITTEN COMMUNICATIONG – None

6. REPORT OF THE SECRETARY

A. Upcoming Meetings:

October 19, 2020 Zoning Code – Entire Code Study Session #1 (Tentative)

November 2, 2020 Zoning Code – Entire Code Study Session #2 (Tentative)

November 16, 2020 Zoning Code – Public Hearing (Tentative)

Planning and Development Services Director Hayes commented on item A.

7. CITY ATTORNEY REPORT – None

8. REPORT OF THE PRESIDING OFFICE AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS

- A. Report of the Presiding Office and Members of the Planning Commission
Chair Matulac commented on attending a Zoom meeting with Greater Vallejo Recreational District in regards to development Wilson Park. Chair Matulac reminded Commissioners of decorum and to respect each other and reminded the public about making public comments about any item on the agenda.
- B. Council Liaison to Planning Commission - None

9. COMMUNITY FORUM – Robert Schussel

10. CONSENT CALANDER AND APPROVAL OF THE AGENDA

Action: Moved by Vice-Chair Diohep, second by Commissioner Cohen-Thompson to approve the consent calendar and agenda.

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Larson, Palmares, Cohen-Thompson
NOES: None
ABSENT: None
ABSTAIN: None

11. PUBLIC HEARING

- A. 2176 Springs Road; Use Permit (UP) 20-0007

Planning and Development Services Director introduced Associate Planner Orozco.

Associate Planner Orozco presented the item.

Commissioners asked questions and staff responded.

Chair Matulac opened for public comments.

Public comments – None

Chair Matulac closed for public comments.

Commissioners commented on the project.

Action: Moved by Vice-Chair Diohep, second by Commissioner Cohen-Thompson to approve Use Permit (UP) 20-0007, based on the findings in Resolution No. PC20-09 and amend condition number four to read: A business license is required prior to beginning operations for the business owner and any independent contractors. Prior to issuing the initial business license, for each annual business license renewal, and for any change of business owner or operator under this use permit, the business owner and each employee or independent contractor, will conduct a clearance from the State of California Department of Justice and submit a copy for review and approval to the Police Department and the Planning Division.

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Larson,
Palmares, Cohen-Thompson
NOES: None
ABSENT: None
ABSTAIN: None

12. ACTION CALENDAR - None

13. OTHER

A. Discussion of Future Agenda Items

Commissioners commented on future agenda items.

Chair Matulac opened for public comments.

Public comments – None

Chair Matulac closed for public comments.

14. ADJOURNMENT

Chair Matulac adjourned the meeting at 7:47 p.m.

DIOSDADO "J.R." MATULAC, CHAIRPERSON

ATTEST:

CESAR OROZCO
ASSOCIATE PLANNER

Other



MEMORANDUM
PLANNING DIVISION

DATE: November 12, 2020
TO: Planning Commission
FROM: Christina Ratcliffe, Interim Planning and Development Services Director
SUBJECT: Proposed Changes to the Planning Commission Rules and Procedures

BACKGROUND

The Commission discussed this item on July 20, 2020, and voted on September 21, 2020. At the September meeting action was taken to recommend amended Rules and Procedures to the Council. At the September 21, 2020 hearing a previous version of the item was discussed which was not attached to the agenda for the public to view and comment. To cure any potential Brown Act violations this item is being brought back to vote. Since that time other potential clean-ups to the Rules and Procedures have been brought to Staff's attention.

The Chair, Vice-Chair, and Staff has reviewed the document and is proposing the amended clean version. Also attached is the version the Planning Commission last reviewed on September 21, 2020 and a red-lined version proposed by former Planning Commissioner Dr. Schussel.

RECOMMENDATION

The revised item is returning for a formal recommendation to the City Council to adopt the attached procedures.

ATTACHMENTS:

1. Revised Draft Rules and Procedures, dated 11-12-2020
2. Previous version Rules and Procedures, 09-21-2020
3. Dr. Schussel red-lined version Rules and Procedures



City of Vallejo

Planning Commission

Rules of Order and Procedure

June 1991

REVISED 11-12-2020

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**PLANNING COMMISSION
OF THE
CITY OF VALLEJO, CALIFORNIA**

RESOLUTION NO. XX-MR-XX

RULES OF ORDER AND PROCEDURE

BE IT RESOLVED by the Planning Commission of the City of Vallejo, California that the following Rules of Order and Procedures be adopted for the organization of the Commission and conduct of its meetings, and these rules shall supersede all previous rules for this purpose:

SECTION 1.0 PREAMBLE

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the Planning Commission. These rules are intended to assure the right of the majority of the Commission to decide matters and issues brought before the Commission; the right of the minority on any issue to be heard; and the right of absentee Commissioners to be protected. These rules also are intended to foster and promote the right of the citizens to have adequate notice of business scheduled for consideration by the Commission and a fair and reasonable opportunity to appear and be heard on the items of business presented to the Commission.

SECTION 2.0 GENERAL RULES

2.1 Meetings to be Public

All regular and special meetings of the Commission shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California

2.2 Attendance of Media at the Commission Meetings

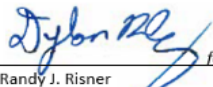
All the public meetings of the Planning Commission shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3 Quorum

A quorum shall be a majority of the commissioners appointed, but fewer adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure.

2.4 Rules of Procedure

Approved as to form:

By:  for
Randy J. Risner
Interim City Attorney

Rosenberg's Rules of Order shall be the rules of order and procedure for the transaction of business.

2.5 Journal of Proceedings

An account of all public proceedings of the Commission shall be kept by the Secretary of the Commission, and shall be entered in a permanent book or other permanent form constituting the official record of the Commission.

2.6 Secretary

The Planning and Development Services Director or their designee shall serve as the Secretary to the Commission. The Secretary may make recommendations to the Commission and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the Commission.

2.7 Committees

- A. The Commission may create committees in accordance with the rules and procedures contained herein to assist the Commission in carrying out its functions and responsibilities.
- B. Every committee created by the Commission shall be advisory only. Any committee may be directed to undertake steps and/or study matters which are within the authority of the Commission.
- C. Committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. Any committee composed shall be less than a quorum.
- D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the Commission on the progress or result of work/projects assigned to or undertaken by the committee.

2.8 Seniority of Commissioners

Seniority shall be determined by the length of time on the Commission. In the event two or more commissioners have been on the Commission for the same length of time, seniority shall be determined by lot.

Section 3.0 TYPES OF MEETINGS

3.1 Regular Meetings

Regular meetings of the Commission shall be held on the first and third Mondays of every month at seven (7) p.m. If the first or third Monday falls on a legal holiday, the meeting shall be held on the following Wednesday at the same hour. If at any regular meeting, business before the Commissions remains unfinished, the Commission may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause

a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

The Commission shall hold at least one regular meeting each month.

3.2 Cancellation of Regular Meetings

The Commission may cancel any of its forthcoming regular meetings by a majority vote of the quorum. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the Commission.

3.3 Special Meetings

Special meetings may be called by the Presiding Officer, Planning Commission Secretary, or a quorum of the Commission by, emailing or by mailing written notice to each Commissioner, staff, and to each local newspaper requesting such notice. Such notice must be delivered personally or by email, or mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission. The Secretary shall post as required by law at least twenty-four (24) hours prior to the special meeting.

3.4 Study Sessions

The Commissions shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the Commission may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the Commission in study sessions following the

same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

3.5 Closed Sessions

The Commission may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

Section 4.0 CHAMBER ATTENDANCE AND FACILITIES

4.1 Council Chamber or Other Facility Attendance

Council Chamber or other facility attendance shall be limited to the posted seating capacity thereof. Entrance to City Hall or the meeting facility will be appropriately regulated by the Secretary on occasions when the Council Chamber capacity is likely to be exceeded.

4.2 Facilities

Regular and special meetings of the Planning Commissions shall be held in the Council Chamber, City Hall, Vallejo, California. Whenever at a regular or special meeting of the Commission a matter is set for public hearing, the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the Commission. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The Commission shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

Section 5.0 DUTIES AND PRIVILEGES OF THE COMMISSION

5.1 Elections and Terms of Officers

At the first regular meeting of the Commission held in July of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. A commissioner may serve a maximum of two years as the Chair over an 8 year period. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

5.2 Seating Arrangement During Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, Commissioners shall select their seats in the order of relative seniorities on the Commission, and shall occupy selected seats until the next election of officers. However, two Commissioners may exchange seats at any time by mutual consent.

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the senior Commissioner shall preside.

Section 7.0

INTENTIONALLY OMITTED

Section 8.0

AGENDA CONTENT

8.1 Preparation and Posting

The Secretary shall prepare and furnish to each Commissioner and to the City Attorney, and to such other persons as the Commission shall designate a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than 10PM of the date scheduled for the meeting. The agenda shall be posted as required by law.

8.2 Items Included

- A. Any items of business for future meetings shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof at the request of the Planning Commission Secretary, or the City Attorney. The Commission may request an item be placed on the agenda through a majority vote of the Commission at a prior meeting.
- B. The Written agenda shall include the following information:
 - 1. Disclosure requirements for political contributions;
 - 2. Appeal rights;
 - 3. Name of the staff person responsible for each agenda item;
 - 4. Planning Division telephone number;
 - 5. Speaker time limits

8.3 Order of Business

The business of the Commission shall be taken up for consideration and disposition in the following order as set forth in the agenda published by

the Secretary, except that with the majority consent of the Commission, matters may be taken up out of order.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;
- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the Planning Commission;
- I. Report of the subcommittees
- J. Report of the City Council Liaison
- K. Community Forum;
- L. Consent Calendar and Approval of the Agenda;
- M. Public Hearings;
- N. Other Agenda Items;
 - a. Future Agenda Items
- O. Adjournment

8.4 Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. If the Presiding Officer is not the Chairperson or Vice-Chairperson, upon the arrival of the Chairperson or Vice-Chairperson, as the case may be, the person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the Commission.

8.5 Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the Commission and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

8.6 Roll Call

Before the Commission shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the Commissioners, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

8.7 Minutes

- A. The Secretary shall distribute copies of the draft minutes to each Commissioner along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the Commission meeting is requested by a member of the Commission, with consent of the

majority of the Commissioners, such minutes may be adopted without reading.

8.8 Written Communications

- A. Written communications from the public will be received and filed. Written communications regarding items on the agenda will be noted at the time the item is considered.

8.9 Report of the Secretary

The Secretary may, from time to time, report on items that may be of interest to the Commission and general public.

8.10 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

8.11 Report of the Presiding Officer and Commissioners

The Presiding Officer and any Commissioner may, from time to time, wish to make certain unagendized announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

8.12 Report of the City Council Liaison

The City Council Liaison, from time to time, may wish to make certain unagendized announcements, and report on items of activity that may be of interest to the Commission and the general public.

8.13 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission and not on the current agenda. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated up to three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. No action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum.

8.14 Consent Calendar and Approval of the Agenda

- A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the Commission. Any item placed on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action

to be taken by the Commission with respect to such item. Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.

- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

8.15 Public Hearings

- A. The commission may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.
- B. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways:
 - 1. Persons may submit a written request to the Secretary in advance of the meeting.
 - 2. If a virtual meeting, persons will be called on by the presiding officer within the platform procedures.
 - 3. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting.
 - 4. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time.
- C. Procedures for Public Hearings
 - 1. The Chair shall announce the public hearing and the Secretary shall note any correspondence received concerning the matter, if any.
 - 2. The report shall be presented by Staff.
 - 3. The Presiding Officer shall declare the public hearing open.

4. The Presiding Officer shall call on the applicant and/or appellant of the matter. The Presiding Officer may determine the amount of time for a presentation.
5. The Presiding Officer shall call on the Commissioners for any questions or clarifications that they may have.
6. After Commissioners have asked their questions the Presiding Officer will open Public Comment.
7. The Presiding Officer
 - a. Shall allow up to three minutes per person for public comment.;
 - b. May use the card system provided for in Section 11.4;
8. A Commissioner:
 - a. May question any speaker during the hearing;
 - b. Presiding officer Shall close the hearing
 - c. Will ask if a commissioner wishes to make a motion.
 - d. Commission may debate the motion and provide any comments they have.
9. The Presiding Officer will restate the motion or ask the originator to do so then request that the Secretary record the vote.
10. The Secretary announces the results

D. Continuance of Hearing

Any continuance of a hearing shall be in conformance with current law.

8.16 Other Agenda Items

The Secretary, City Attorney, or the Presiding Officer may place items on the agenda of interest to the Commission and the general public or for action by the Commission.

8.17 Adjournment

It shall be the policy of the Commission to adjourn its regular meeting by ten **(10) p.m.** of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the Commission can adhere to this adjournment policy.

Section 9.0 VOTING

9.1 Quorum

A majority of the commission appointed constitutes a quorum for the transaction of business.

9.2 Abstention

A Commissioner may abstain from any vote. An abstention is neither an “aye” or “nay” vote.

9.3 Tie Vote

The vote of at least a majority present shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any Commissioner may request the Secretary to carry over the item to the next regular meeting where a full Commission will be present.

9.4 Roll Call

The votes shall be cast and displayed on the electronic voting board so that each Commissioner’s vote may be recorded by the Secretary. In the event of a breakdown or malfunction of the electronic voting equipment, the Secretary shall call the roll in order of seniority beginning with the least senior members. If appointed on the same day, alphabetical order by last name will govern. In any event the Vice Chair and Chair respectively, will cast the last two votes, The Secretary at the conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

Section 10.0 Public Participation

10.1 Policy

It is the policy of the Planning Commission that members of the public shall be afforded the opportunity to speak on Consent Calendar and Action items on the agenda provided they are first recognized by the Presiding Officer.

10.2 Addressing the Commission

Any person desiring to address the Commission by oral communication shall first secure the permission of the Presiding Officer

10.3 Time Limits

Designated spokespersons for recognized groups or organizations will have up to three (3) minutes to address the Commission; provided, however, that they may request additional time and may be granted such by the Presiding Officer. Individuals will be given up to three (3) minutes to address the Commission.

11.4 Discussion Between Citizens and the Commission

No comment or question shall be asked of a Commissioner or a member of staff except through the Presiding Officer.

11.5 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the Commission.

11.6 Manner of Addressing the Commission

Prior to speaking, each member of the public is requested to state his or her name in a clear and audible tone of voice.

11.7 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

Section 12.0 AMENDMENTS TO THESE RULES AND PROCEDURES

12.1 Notice of Amendment

These rules of order and procedures may be amended by the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least three (3) days prior to the meeting date.

12.2 Submission for Council Approval

Any amendment adopted by the Commission shall be submitted to the City Council for approval at the earliest convenient time as required by Section 405 of the City Charter, and shall become effective only upon such approval being given.

RECOMMENDED TO COUNCIL as above at a regular meeting of the Planning Commission of the City of Vallejo held on November 16, 2020 by the following vote;

AYES:

NOES:

ABSENT:

Gillian Hayes, Secretary



City of Vallejo

Planning Commission

Rules of Order and Procedure

June 1991

Revised March 1992 MARK UP4

MAY 2 2020

DRAFT FOR JUNE 15 2020

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**PLANNING COMMISSION
OF THE
CITY OF VALLEJO, CALIFORNIA**

RESOLUTION NO. 91-MR-03

RULES OF ORDER AND PROCEDURE

BE IT RESOLVED by the Planning Commission of the City of Vallejo, California that the following Rules of Order and Procedures be adopted for the organization of the Commission and conduct of its meetings, and these rules shall supersede all previous rules for this purpose:

SECTION 1.0 PREAMBLE

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the Planning Commission. These rules are intended to assure the right of the majority of the Commission to decide matters and issues brought before the Commission; the right of the minority on any issue to be heard; and the right of absentee Commissioners to be protected. These rules also are intended to foster and promote the right of the citizens to have adequate notice of business scheduled for consideration by the Commission and a fair and reasonable opportunity to appear and be heard on the items of business presented to the Commission.

SECTION 2.0 GENERAL RULES

2.1 Meetings to be Public

All regular and special meetings of the Commission shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California

2.2 Attendance of Media at the Commission Meetings

All the public meetings of the Planning Commission shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3 Quorum

A quorum shall be **a majority of the commissioners appointed**, but fewer adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure. Changed to match 2.26.090

2.4 Rules of Procedure

Rosenberg's Rules of Order shall be the rules of order and procedure for the transaction of business. Added back in [Changed to match 2.26.110)

2.4 Journal of Proceedings

An account of all public proceedings of the Commission shall be kept by the Secretary of the Commission, and shall be entered in a permanent book or other permanent form constituting the official record of the Commission.

2.5 Secretary

The Planning Manager shall serve as the Secretary to the Commission. The Secretary may make recommendations to the Commission and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the Commission.

2.6 Committees

- A. The Commission may create committees in accordance with the rules and procedures contained herein to assist the Commission in carrying out its functions and responsibilities.
- B. Every committee created by the Commission shall be advisory only. Any committee may be directed to undertake steps and/or study matters which are within the authority of the Commission.
- C. Committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. A committee composed entirely of Commissioners shall consist of no more than three (3) Commissioners.
- D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the Commission on actions taken or the progress or result of work/projects assigned to or undertaken by the committee. If available a completed subcommittee report may be given

[Later it says the Chair can create committees – we should confirm as at one point we were told it needed to be a Commission action.]

2.7 Seniority of Commissioners

Seniority shall be determined by the length of time on the Commission. In the event two or more commissioners have been on the Commission for the same length of time, seniority shall be determined by lot.

Section 3.0 TYPES OF MEETINGS

3.1 Regular Meetings

Regular meetings of the Commission shall be held on the first and third Mondays of every month at seven (7) p.m. If the first or third Monday falls on a legal holiday, the meeting shall be held on the following Wednesday at the same hour. If at any regular meeting, business before the

Commissions remains unfinished, the Commission may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

The Commissioners may vote to to cancel a regular Commission meeting

Afshan: This requires PC to meet in person in order to cancel a meeting and does not allow staff to cancel a meeting via email or phone with consent of the chair if an agenda is changed or moved.

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE POST THE NOTICE ON THE CITY WEBSITE (INTERNET) and other media

3.2 Cancellation of Regular Meetings

The Commission may cancel any of its regular meetings by a majority vote of the Commission. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the Commission. QUESTION-DOES THIS ALSO REFER TO A CURRENT MEETING IN PROGRESS

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE TO POST THE NOTICE ON THE CITY WEBSITE and other media

3.3 Special Meetings

Special meetings maybe called by the Presiding Officer or at the request of four (4) Commissioners by delivering personally ,**emailing** or by mailing written notice to each Commissioner and to each **local** newspaper requesting such notice. Such notice must be delivered **personally or by email ,or** mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission. The Secretary shall post the call and notice on the bulletin board located immediately outside City Hall at least twenty-four (24) hours prior to the special meeting.

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE TO POST THE NOTICE ON THE CITY WEBSITE AND OTHER MEDIA

3.4

Study Sessions

The Commissions shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the Commission may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the Commission in study sessions following the same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

No action may be taken at a Study Session

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE TO POST THE NOTICE ON THE CITY WEBSITE AND OTHER MEDIA

3.5

Closed Sessions

The Commission may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

Section 4.0

CHAMBER ATTENDANCE AND FACILITIES

4.1

Council Chamber Attendance

Council Chamber attendance shall be limited to the posted seating capacity thereof. Entrance to City Hall will be appropriately regulated by the Secretary on occasions when the Council Chamber capacity is likely to be exceeded. While the Commission is in session, members of the public shall not remain standing in the Council Chamber except to address the Commission, and sitting in the floor shall not be permitted. During Commission meetings, no musical instruments, firearms (except in the possession of peace officers), toy firearms, placards or other items of potentially disruptive nature, shall be brought into the Council Chamber, nor shall any handbills or flyers be passed out in the Council Chamber. The Commission proceedings may be conveyed to those who have been unable to enter the Council Chamber.

4.2

Facilities

Regular and special meetings of the Planning Commissions shall be held in the Council Chamber, City Hall, Vallejo, California. Whenever at a regular or special meeting of the Commission a matter is set for public hearing, if it is anticipated that the attendance will be substantially greater than the capacity of the Council Chamber, the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the Commission. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The Commission shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

Section 5.0

DUTIES AND PRIVILEGES OF THE COMMISSION

5.1 Elections and Terms of Officers

At the first regular meeting of the Commission held in July of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. A commissioner may serve a maximum of two years as the Chair over an 8 year period. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

A commissioner can be removed based on the process identified in Vallejo Municipal Code Chapter 2.26

Afshan: Only Council can terminate, this implies the PC can take action to terminate. Only CC can terminate.

5.2 Seating Arrangement During Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, Commissioners shall select their seats in the order of relative seniorities on the Commission, and shall occupy selected seats until the next election of officers. However, two Commissioners may exchange seats at any time by mutual consent.

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the senior Commissioner shall preside. The Presiding Officer shall have the authority to appoint committees pursuant to Section 2.6

5.4 Preservation of Order

The Presiding Officer shall preserve order and decorum, prevent attacks on personalities or the impugning of Commissioners' motives, and confine Commissioners in debate to the question under discussion.

5.5 Points of Order

The Presiding Officer shall determine all points of order, subject to the right of any Commissioner to appeal the Commission. If an appeal is taken, the question shall be "Shall the decision of the Presiding Officer be sustained?"

5.6 Personal Privilege

The right of a Commissioner to address the Commission on a question of privilege shall be limited to cases in which that member's integrity, character, or motives are assailed, questioned or impugned.

5.7 Dissents and Protest

Any Commissioner shall have the right to dissent from any action of the Commission or ruling of the Presiding Officer, and shall have the reason thereof entered in the minutes. Such dissent shall be in writing, couched in respectful terms, and presented to the Commission not later than the next regular meeting.

5.8 Excusal During Meetings

A Commissioner shall leave the Council Chamber while the Commission is in session only with the permission of the Presiding Office. The Council Chamber for this purpose shall be defined as those rooms where the Commission meets, the Executive Conference Room, and its rest room facility.

Section 6.0 DECORUM

6.1 By the Presiding Officer

The Presiding Officer shall preserve order and decorum in the manner prescribed in Section 5.4.

6.2 By the Commissioners

While the Commission is in session the members must preserve order and decorum, and a Commissioner shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner, nor refuse to obey the orders of the Commission or the Presiding Officer, except as otherwise provided in these rules.

6.3 By Other Persons

No member of the public shall approach the Commission table while the Commission is in session, unless specifically requested to do so by the Presiding Officer. Any message to or contact with any Commissioner while the Commission is in session shall be through the Secretary. Unruly conduct, such as undue noise, hissing, profanity, insult or physical disturbance shall not be permitted. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission shall be forthwith barred by the Presiding Officer from further audience before the Commission at that meeting, unless permission to continue is granted by a majority vote of the Commission.

6.4 Disruption of Meeting

In the event that any meeting is willfully disrupted by a group or groups of persons so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by removal of individuals who are willfully disrupting the meeting, the Presiding Officer with the Commission's consent may, or upon motion of any Commissioner adopted by the Commission shall order the Council Chamber or other place of meeting cleared without awaiting completion of the item of business at hand and when the disruption has ceased, resume the meeting. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such sessions. As a matter of public policy, it is in the public interest to allow duly accredited representatives of the press or other news media who were not involved in the disturbance to attend the sessions from which members of the general public have been excluded by reason of a willful disturbance.

Section 7.0 AGENDA PREPERATION -- much of this seems supplanted by Section 2.26.130

7.1 Declaration of Policy

A. It is established as the policy of the Planning Commission that no resolution, motion or item of business shall be introduced before the Commission at a regular meeting without having prior thereto been placed upon the written agenda prepared and posted for that meeting. All Commission meetings shall follow the prepared agenda unless changed by the Presiding Officer with the Commission's consent or upon a majority vote of the Commission.

B. Notwithstanding subsection A of this section, the Planning Commission may take action on items of business not appearing on the posted agenda under any of the following conditions:

1. Upon a determination by a two-thirds vote of the Commission (at least five Commissioners) or, if less than two-thirds of the members

are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted as specified in Section 7.2.

2. The item was posted pursuant to Section 7.2 for a prior meeting of the commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which the action is being taken.

C. Nothing in this section shall be construed to prevent the Commission from discussing and referring to staff for appropriate study or placement on a subsequent agenda, items that are brought to the Commission's attention during community forum.

7.2 Preparation and Posting

The Secretary shall prepare and furnish to each Commissioner and to the City Attorney, and to such other persons as the Commission shall designate a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than **10PM.** of the date scheduled for the meeting. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, and shall so specify the time and location of the meeting. The agenda shall be posted on the bulletin board located immediately outside the front entry to City Hall or other location that is freely accessible to members of the public at least seventy-two (72) hours prior to the regular meeting. **WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE TO POST THE AGENDA AND ATTACHMENTS ON THE CITY WEBSITE and other media**

Except as provided in Section 7.1, no action shall be taken on any item not appearing on the posted agenda. Copies of the agenda, with all attachments, shall be available at the Planning Division and J.F. Kennedy Library for perusal by members of the public commencing at three (3) p.m. of **the Wednesday** before the Monday on which the meeting will be held. A copy of the Agenda, plus all attachments, shall be available to members of the public during the Commission meeting.

Afshan: This is not reasonable with staff capacity. We are following the legal 72 hour notification, same as Council, anything else is courtesy.

7.3 Items Included

- A. Any items of business shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof at the request of the Chairperson or any individual member of the commission, by the Secretary, or the City Attorney.
- B. The Written agenda shall include the following information:
 - 1. Disclosure requirements for political contributions;

2. Appeal rights;
3. Name of the staff person responsible for each agenda item;
4. Planning Division telephone number;
5. Speaker time limits

Section 8.0

AGENDA CONTENT

8.1 Order of Business

The business of the Commission shall be taken up for consideration and disposition in the following order as set forth in the agenda published by the Secretary, except that with the majority consent of the Commission, matters may be taken up out of order. Any item not on the agenda may be added and considered only in the manner prescribed by Section 7.1.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;
- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the Planning Commission;
- I. Report of the subcommittees**
- J. REPORT OF THE CITY COUNCIL LAISON**
- K. Community Forum;
- L. Consent Calendar and Approval of the Agenda;
- M. Public Hearings;
- N. Other Agenda Items;
 - a. FUTURE AGENDA ITEMS**
- O. Adjournment

8.2 Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. If the Presiding Officer is not the Chairperson or Vice-Chairperson, upon the arrival of the Chairperson or Vice-Chairperson, as the case may be, the person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the Commission.

8.3 Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the Commission and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

8.4 Roll Call

Before the Commission shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the Commissioners, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

8.5 Minutes

- A. The Secretary shall distribute copies of the unadopted minutes to each Commissioner along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the Commission meeting is requested by a member of the commission, with consent of the majority of the Commissioners, such minutes may be adopted without reading.

8.6 Written Communications

- A. Written communications from the public will be received and filed, **unless added to the agenda at the time the Commission has under consideration approval of the agenda and consent calendar.** If any Commissioner objects to the addition of a written communication to the agenda, then a majority vote of the Commission shall be required to place an item on the agenda. A written request to address the Commission on a subject not scheduled for discussion will be treated the same as and considered at the time "Written Communications" is before the Commission. The Commission will determine if it wishes to have such a matter discussed and, if so, will designate the meeting at which it will be discussed.

Afshan: the goal is a public meeting, and this obscures the public from sending emails or something in writing the day of.

- B. Anonymous or unsigned communications shall not be introduced to the Commission or placed under written communications.

8.7 Report of the Secretary

The Secretary may, from time to time, report on items that maybe of interest to the Commission and general public.

8.8 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

8.9 A Report of the Presiding Officer and Commissioners

A The Presiding Officer and any Commissioner may, from time to time, wish to make certain announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

B REPORT OF THE CITY COUNCIL LAISON

The City Council Liaison, from time to time, MAY wish to make certain announcements, and report on items of activity that may be of interest to the Commission and the general public.

8.10 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission **and not on the current agenda**. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. Except as provided in Section 7.1, no action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum without the Commission's consent.

8.11 Consent Calendar and Approval of the Agenda

A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the Commission. Any item placed on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action to be taken by the Commission with respect to such item. Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.

- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall be and constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

8.12 Public Hearings

- A. The commission may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.
- B. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways:
 - 1. Persons may submit a written request to the Secretary in advance of the meeting.
 - 2. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting.
 - 3. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time.
- C. Procedures for Public Hearings
 - 1. The Chair shall announce the public hearing and the secretary shall note any correspondence received concerning the matter, if any.
 - 2. The report shall be presented.
 - 3. The Presiding Officer shall declare the public hearing open.
 - 4. The Presiding Officer shall first call on the Staff applicant, proponent and/ appellant of the matter. **[Do we want to state a time for this?]** The Presiding Officer may limit the amount of time for a presentation
 - 5. The Presiding Officer shall call on each commissioner for any questions or clarifications that they have
 - 6. After commissioners have asked their questions the Presiding Officer will invite the Public to speak on the project.

7. The Commission shall hear those interested in the matter.
8. The Presiding Officer
 - a. May limit individual presentations and may limit the number of speakers with similar positions;
 - b. May order that no person speak more than once until all other persons wishing to speak have spoken once;
 - c. May use the card system provided for in Section 11.4;
9. A Commissioner:
 - a. May question any speaker during the hearing;
 - b. Shall not indicate his or her decision regarding the matter, nor introduce a motion or resolution to approve, modify or deny the matter being heard until the public hearing is closed by the Presiding Officer
 - c. Presiding officer Shall close the hearing
 - d. Commissioners will discuss the item and make any comments prior to the motion.
 - e. Presiding Officer will ask if a commissioner wishes to make a motion at the end of the Commission comments. A second is encouraged, but not required. The Presiding Officer will restate the motion or ask the originator to do so
 - f. Commissioners debate the motion and provide any comments they have.
10. The Presiding Officer will restate the motion or ask the originator to do so then request that the Clerk record the vote of each commissioner.
11. The Secretary takes the roll call on the motion and announces the result of the vote.
12. The chair announces the results

D. Continuance of Hearing

Any hearing being held, or noticed or ordered to be held, by the Commission at any meeting may by order or notice of continuance adopted by the Commission be continued or recontinued to any subsequent meeting in the same manner and to the same extent set forth in Section 3.1 for the adjournment of meetings; provided, however, if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted.

8.13 Other Agenda Items

Discussion of Future Agenda Items

The Secretary, City Attorney, Presiding Officer or Commissioner may place items on the agenda of interest to the Commission and the general public or the action by the Commission but must follow the procedural requirements for future agenda items as identified in Chapter 2.26 of Vallejo Municipal Code.

8.14 Adjournment

It shall be the policy of the Commission to adjourn its regular meeting by **ten (10) p.m.** of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the Commission can adhere to this adjournment policy. A public hearing in progress shall not be interrupted and continued to a subsequent meeting for the sole purpose of satisfying the adjournment deadline. Items of business that remain on the agenda at **10pm.** shall be carried over to the next regular meeting, unless the Commission by the majority vote agrees to continue in session or agrees to adjourn the meeting to a date sooner than the next regular meeting to dispose of the remaining agenda items.

Section 9.0 **RULES OF DEBATE**

9.1 Presiding Officer

The Presiding Office may debate and vote. The Presiding Officer shall not be deprived of any rights and privileges of a Commissioner by reason of acting as the Presiding Officer except as set forth in Section 9.2.

9.2 Motions and Resolutions by the Presiding Officer

Prior to making a motion or resolution, the Presiding Officer shall relinquish the chair to the Vice-Chairperson or the next senior member of the Commission. Upon completion of the vote on the motion or resolution, the Presiding Officer will automatically regain the gavel and continues to chair the meeting.

9.3 Obtaining the Floor

Commissioners desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all indecorous language.

9.4 Parliamentary inquiries

A Commissioner may, without obtaining the floor, make an inquiry of the Presiding Officer for information on a point of order, a matter of parliamentary procedure or the rules of Commission bearing on the business at hand. The Presiding Officer's reply to a parliamentary inquiry is not subject to an appeal or reconsideration. However, if a Commissioner acts contrary to the Presiding Officer's opinion and is ruled out of order, an appeal may be taken to the Commission. If an inquiry is made when another Commissioner has the floor and an immediate answer is not

necessary, the Presiding Officer can defer a reply until the floor has been yielded. The Presiding Officer is not obligated to answer hypothetical questions.

9.5 Points of Information

A Commissioner may make a request for information relevant to the business at hand but not related to parliamentary procedure. The request may be directed to the Presiding Officer or through the Presiding Officer to another Commissioner or an officer or employee of the City. The request must always be put in the form of a question. If directed to a Commissioner who has the floor, the Presiding Officer will ask consent of the speaker to the interruption.

9.6 Questions of Personal Privilege

A commissioner may, without obtaining the floor, raise a question of personal privilege. An inquiry shall be addressed to the Presiding Officer and may be made without waiting for recognition. When disposed of, the business shall be resumed at exactly the point at which it was interrupted. The Presiding Officer shall rule whether the question put is one of personal privilege, as defined in Section 5.6, and, if so; whether it is of sufficient urgency to warrant interrupting the business then in progress. A no debatable appeal to the Commission may be taken from the Presiding Officer's ruling.

9.7 Interruptions

A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer. When called to order while speaking, the Commissioner must cease speaking until the point of order be determined and, if in order, shall be permitted to proceed.

9.8 Restriction of Discussion

Commissioners shall confine their remarks and inquiries to the agenda item under consideration and speak only when recognized by the Presiding Officer, except as otherwise provided in these rules of order and procedure. A Commissioner shall not call for a showing of hands or other demonstration of those present in the audience, unless granted permission to do by the Presiding Officer.

9.9 Limitation of Debate

No Commissioner may speak for longer than ten (10) minutes at any time; unless additional time is granted upon a majority vote of the Commission.

9.10 Precedence of Motions

When a question is before the Commission, no motion shall be entertained except:

- A. To adjourn;
- B. To fix the hour of adjournment;
- C. To lay on the table;
- D. To call for a previous question;
- E. To postpone to a certain day;
- F. To refer;
- G. To amend;
- H. To substitute;
- I. To postpone indefinitely.

These motions shall have precedence in the descending order indicated. Any such motion, except a motion to adjourn, amend, or substitute, shall be put to a vote without debate.

9.11 Motions and Resolutions to be Stated by the Secretary

The Secretary shall read the title of any motion, resolution, or item of business before debate, following which the Presiding Officer may request a report from the Secretary or other designated staff member.

9.12 Discussion Allowed Prior to Formal Motion

It shall not be necessary to make a motion or resolution prior to inquiry or debates by Commissioners, or the public is allowed to speak.

9.13 Second Not Required

A second shall not be required in order to make a motion or resolution.

9.14 Motions Out of Order

The Presiding Officer or any Commissioner may introduce a resolution or motion out of the regular order of the agenda, only with the majority consent of the Commission.

9.15 Motions to Adjourn

A motion to adjourn shall be in order at any time, except as follows:

- A. When repeated without intervening business or discussion;
- B. When made as an interruption of a member speaking;
- C. When previous question has been ordered; or
- D. While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

9.16 Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, consideration of the

subject may be resumed at the meeting only upon motion of a member voting with the majority.

9.17 Withdrawal of Motions

A motion may be withdrawn at any time before vote by the maker, after first gaining recognition from the presiding officer.

9.18 Motion for Previous Question

When a motion for the previous question is made by a Commissioner, the Presiding Officer shall allow no further debate and shall ask "Shall the item now be voted on?" If the question carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main questions. If the question "Shall the main question now be voted on?" is decided negatively, the main question and its amendments remain before the Commission. The motion calling for the previous question must be decided upon by five-seventh vote in the affirmative.

9.19 Division of Question

If a question put before the Commission contains two or more separate propositions, the Presiding Office may, and upon request of a Commissioner, shall divide the question.

9.20 Motion to Amend an Amendment

After a motion to amend an amendment has been made and installed for debate, a motion to amend the same amendment further shall not be in order.

9.21 Motion to Postpone

A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.

9.22 Motion to Reconsider

A motion to reconsider any action taken by the Commission may be made at the meeting such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of that meeting. Such a motion may be made only by a Commissioner who voted with the prevailing side. After such a motion for reconsideration has been acted upon, no other such motion on the same question shall be made at that meeting.

9.23 Rehearing

After the Commission has taken action on a matter or question, a motion to reconsider the action taken on such matter or question, or on a matter or question having substantially the same content or purpose of the matter or question already acted upon, shall not be made at a subsequent meeting for a least one (1) year from the date of such action, except by a Commissioner who voted in the majority on such matter or question or upon the consent in writing of the majority of the Commissioners filed with the Secretary. Such matter or question may, however be reheard at a subsequent meeting after the one-year period has elapsed. The item before the Commission shall be whether the matter or question should be reheard; and, if the Commission approves the request, it shall be placed on a future agenda for consideration.

Section 10.0

VOTING

10.1 Quorum

A majority of the commission appointed constitutes a quorum for the transaction of business.
[changed to match ordinance]

10.2 Abstention

It shall be the duty of each Commissioner present at a meeting of the Planning Commission to cast a vote, "aye" or "nay", unless excused because:

- A. The Commissioner has a personal or pecuniary interest in the matter under consideration; or
- B. The law otherwise declares that Commissioner's participation is a conflict of interest; or
- C. The Commissioner is disqualified by reason of absence from the hearing of a matter, the decision on which under the law must be based upon findings supported by testimony or other competent evidence introduced in the proceeding.

If a conflict of interest does exist, the Commissioner shall declare this fact. The Commissioner is then excused from voting "aye" or "nay", and may cast an abstention vote. Other than to reflect the abstention, the vote shall not be counted for any purpose. Abstention for any reason other than those mentioned above shall constitute consent in the action proposes, and the Secretary shall announce at the meeting and enter in the Commission's minutes that the abstention was case as an "aye" vote pursuant to this rule.

Rosenberg says counting an abstention depends on the rules. Do we want to use the above rule?

Nothing in these rules of order and procedure is intended to abrogate the judicially declared "rule of necessity" adopted in the State of California pertaining to the duty of members of public legislative and administrative bodies to vote on matters which require their action.

Abstention is defined to include a Commissioner's refusal or failure to vote when present and capable of casting a vote, unless executed for the reasons set forth above.

10.3 Tie Vote

The affirmative vote of **at least a majority present** shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any Commissioner may request the Secretary to carry over the item to the next regular meeting where a full Commission will be present.

10.4 Roll Call

The votes shall be cast and displayed on the electronic voting board so that each Commissioner's vote may be recorded by the Secretary. In the event of a breakdown or malfunction of the electronic voting equipment, the Secretary shall call the roll in the descending order that names of the Commissioners appear on the electronic voting board. The Secretary at the conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

Section 11.0 Public Participation

11.1 Policy

It is the policy of the Planning Commission that members of the public shall be afforded the opportunity to speak on any agenda item providing they are first recognized by the Presiding Officer.

11.2 Addressing the Commission

Any person desiring to address the Commission by oral communication shall first secure the permission of the Presiding Officer by approaching the speaker's podium and waiting, silently, to be recognized by the Presiding Officer.

11.3 Spokespersons

Designated spokespersons for recognized groups or organization will be given priority over individuals who desire to address the Commission.

11.4 Card System

Cards will be available at the rear of the Council Chamber for persons who wish to address the Commission at a public hearing or on another item of agenda business. After filling out the information requested, the cards shall

be handed to the Secretary or designated staff member. The Presiding Officer will call on those wishing to speak in the order in which the cards are received, except as provided in Section 8.11. After such persons are heard, the Presiding Officer may then call for any additional speakers.

11.5 Time Limits

Designated spokespersons for recognized groups or organization will have **THREE (3)** minutes to address the Commission; provided, however, that they may request additional time and will be granted such only with the permission of the Presiding Officer and subject to the consent of the Commission. Individuals will be given three (3) minutes to address the Commission unless additional time is allowed as provided for spokespersons.

11.6 Discussion Between Citizens and the Commission

All remarks shall be addressed to the Commission as a body and not any Commissioner thereof. No person, other than the Presiding Officer, Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a Commissioner, without the permission of the Presiding Officer. No question shall be asked of a Commissioner or a member of staff except through the Presiding Officer.

=

11.7 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the Commission.

11.8 Manner of Addressing the Commission

Prior to speaking, each member of the public **shall** **is requested to** state his or her name and business or home address in a clear and audible tone of voice.

11.9 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

Section 12.0 AMENDMENTS

12.1 Notice of Amendment

These rules of order and procedures may be amended by the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have

been delivered to each Commissioner at least three (3) days prior to the meeting date.

12.2 Submission for Council Approval

Any amendment adopted by the Commission shall be submitted to the City Council for approval at the earliest convenient time as required by Section 405 of the City Charter, and shall become effective only upon such approval being given.

ADOPTED as above at a regular meeting of the Planning Commission of the City of Vallejo held on May 20, 1991 by the following vote;

AYES: Kerstad, McDowell, Muatiko, Capello, Servante, Johnson, Egklio

NOES: None

ABSENT: None

BRIAN MATTSON, Secretary

CITY COUNCIL APPROVAL

The foregoing Rules of Order and Procedure were approved by Resolution No. 91-359 N.C. adopted by the City Council on June 11, 1991 pursuant to Section 405 of the City Charter of the City of Vallejo.

The foregoing Rules of Order and Procedures were revised by Resolution No. 92- N.C. adopted by the City Council on March 24, 1992 pursuant to Section 405 of the City Charter of the City of Vallejo.

PCRULES 92



City of Vallejo

Planning Commission

Rules of Order and Procedure

June 1991

Revised March 1992 MARK UP4

MAY 2 2020

DRAFT FOR JUNE 15 2020

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**PLANNING COMMISSION
OF THE
CITY OF VALLEJO, CALIFORNIA**

RESOLUTION NO. 91-MR-03

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RULES OF ORDER AND PROCEDURE

BE IT RESOLVED by the Planning Commission of the City of Vallejo, California that the following Rules of Order and Procedures be adopted for the organization of the Commission and conduct of its meetings, and these rules shall supersede all previous rules for this purpose:

SECTION 1.0

PREAMBLE

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the Planning Commission. These rules are intended to assure the right of the majority of the Commission to decide matters and issues brought before the Commission; the right of the minority on any issue to be heard; and the right of absentee Commissioners to be protected. These rules also are intended to foster and promote the right of the citizens to have adequate notice of business scheduled for consideration by the Commission and a fair and reasonable opportunity to appear and be heard on the items of business presented to the Commission.

SECTION 2.0

GENERAL RULES

2.1

Meetings to be Public

All regular and special meetings of the Commission shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California

2.2

Attendance of Media at the Commission Meetings

All the public meetings of the Planning Commission shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3

Quorum

A quorum shall be ~~four (4) or more Commissioners~~ **a majority of the commissioners appointed**, but fewer adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure. Changed to match 2.26.090

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Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

2.4 Rules of Procedure

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Rosenberg's Rules of Order shall be the rules of order and procedure for the transaction of business. ~~of business~~ Added back in [Changed to match 2.26.110]

2.4 Journal of Proceedings

An account of all public proceedings of the Commission shall be kept by the Secretary of the Commission, and shall be entered in a permanent book or other permanent form constituting the official record of the Commission.

2.5 Secretary

The Planning Manager shall serve as the Secretary to the Commission. The Secretary may make recommendations to the Commission and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the Commission.

2.6 Committees

A. The Commission may create committees in accordance with the rules and procedures contained herein to assist the Commission in carrying out its functions and responsibilities.

B. Every committee created by the Commission shall be advisory only. Any committee may be directed to undertake steps and/or study matters which are within the authority of the Commission.

C. Committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. A committee composed entirely of Commissioners shall consist of no more than three (3) Commissioners.

D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the Commission on actions taken or the progress or result of work/projects assigned to or undertaken by the committee. If available a completed subcommittee report may be given

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~~D.~~ [Later it says the Chair can create committees – we should confirm as at one point we were told it needed to be a Commission action.]

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2.7 Seniority of Commissioners

Seniority shall be determined by the length of time on the Commission. In the event two or more commissioners have been on the Commission for the same length of time, seniority shall be determined by lot.

Section 3.0 TYPES OF MEETINGS

3.1 Regular Meetings

Regular meetings of the Commission shall be held on the first and third Mondays of every month at seven (7) p.m. If the first or third Monday falls on a legal holiday, the meeting shall be held on the following Wednesday

Commented [SE2]: Now that we telecommute a lot, I think we should ask again to start at 6, if not 6:30pm.

Commented [GH3R2]: Agreed. Let's ask the group about 6pm.

at the same hour. If at any regular meeting, business before the Commissions remains unfinished, the Commission may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

~~At every other Regular meeting the~~ The Commissioners may vote to allow Staff to cancel the forthcoming second consecutive a regular Commission meeting

Afshan: This requires PC to meet in person in order to cancel a meeting and does not allow staff to cancel a meeting via email or phone with consent of the chair if an agenda is changed or moved.

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE POST THE NOTICE ON THE CITY WEBSITE (INTERNET) and other media

3.2 Cancellation of Regular Meetings

The Commission may cancel any of its FORTHCOMING regular meetings by a majority vote of the Commission. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the Commission. QUESTION- DOES THIS ALSO REFER TO A CURRENT MEETING IN PROGRESS

WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE TO POST THE NOTICE ON THE CITY WEBSITE and other media

3.3 Special Meetings

Special meetings maybe called by the Presiding Officer or at the request of four (4) Commissioners by delivering personally, emailing or by mailing written notice to each Commissioner and to each local newspaper requesting such notice. Such notice must be delivered personally or by email, or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission. The Secretary shall post the call and notice on the bulletin board located immediately outside City Hall at least twenty-four (24) hours prior to the special meeting.

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Commented [AH4]: This requires the PC to meet in person in order to cancel the meeting. What if there are two back to back meetings that need to be canceled. Include language to allow staff to cancel meeting via a phone or email vote.

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Commented [SE5]: I agree too cumbersome, Secretary should be allowed to cancel in general, the rules should be silent.

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Commented [AH6]: ok

Commented [GH7]: This section is addressed below in cancellations not here.

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Commented [AH8]: Remove forthcoming

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Commented [AH9]: ok

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THE NOTICE ON THE CITY WEBSITE AND OTHER MEDIA

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Commented [AH11]: ok

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3.4

Study Sessions

The Commissions shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the Commission may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the Commission in study sessions following the same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

No action may be taken at a Study Session

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THE NOTICE ON THE CITY WEBSITE AND OTHER MEDIA

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Commented [AH13]: ok

Commented [GH14]: This comment is throughout the document. Shouldn't it just be in a meeting noticing section?

Commented [SE15R14]: Yes agree

3.5

Closed Sessions

The Commission may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

Section 4.0

CHAMBER ATTENDANCE AND FACILITIES

4.1

Council Chamber Attendance

Council Chamber attendance shall be limited to the posted seating capacity thereof. Entrance to City Hall will be appropriately regulated by the Secretary on occasions when the Council Chamber capacity is likely to be exceeded. While the Commission is in session, members of the public shall not remain standing in the Council Chamber except to address the Commission, and sitting in the floor shall not be permitted. During Commission meetings, no musical instruments, firearms (except in the possession of peace officers), toy firearms, placards or other items of potentially disruptive nature, shall be brought into the Council Chamber, nor shall any handbills or flyers be passed out in the Council Chamber. The

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Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

Commission proceedings may be conveyed to those who have been unable to enter the Council Chamber.

Commented [SE16]: I recommend that it refers back to the Decorum in Chapter 2.02

4.2 Facilities

Regular and special meetings of the Planning Commissions shall be held in the Council Chamber, City Hall, Vallejo, California. Whenever at a regular or special meeting of the Commission a matter is set for public hearing, if it is anticipated that the attendance will be substantially greater than the capacity of the Council Chamber, the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the Commission. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The Commission shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

Commented [GH17]: Do we also want to add Zoom or remote access facilities here? Or keep this option for under the Emergency order only?

Commented [SE18R17]: I think we should add Zoom/remote access information and can say "when applicable"

Section 5.0

DUTIES AND PRIVILEGES OF THE COMMISSION

5.1 Elections and Terms of Officers

At the first regular meeting of the Commission held in July of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. A commissioner may serve a maximum of two years as the Chair over an 8 year period. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

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Commented [SE19]: This is a Council decision

Commented [GH20R19]: Hat is Council direction on this?

Commented [SE21R19]: No.

~~A commissioner can be removed terminated based on the process identified in Vallejo Municipal Code Chapter 2.26 if they have more than three unexcused absence from July 1 to June 30 of a fiscal year.~~

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Commented [SE22]: All commissions should be treated the same.

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Afshan: Only Council can terminate, this implies the PC can take action to terminate. Only CC can terminate.

5.2 Seating Arrangement ~~During~~ Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, Commissioners shall select their seats in the order of relative seniorities on the Commission, and shall occupy selected seats until the next election of officers. However, two Commissioners may exchange seats at any time by mutual consent.

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the senior Commissioner shall preside. The Presiding Officer shall have the authority to appoint committees pursuant to Section 2.6

5.4 Preservation of Order

The Presiding Officer shall preserve order and decorum, prevent attacks on personalities or the impugning of Commissioners' motives, and confine Commissioners in debate to the question under discussion.

Commented [SE23]: I think they removed this because of the Decorum rules, I'm fine with reference to Decorum and Rosenberg's Rules of Order

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5.5 Points of Order

The Presiding Officer shall determine all points of order, subject to the right of any Commissioner to appeal the Commission. If an appeal is taken, the question shall be "Shall the decision of the Presiding Officer be sustained?"

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5.6 Personal Privilege

The right of a Commissioner to address the Commission on a question of privilege shall be limited to cases in which that member's integrity, character, or motives are assailed, questioned or impugned.

5.7 Dissents and Protest

Any Commissioner shall have the right to dissent from any action of the Commission or ruling of the Presiding Officer, and shall have the reason thereof entered in the minutes. Such dissent shall be in writing, couched in respectful terms, and presented to the Commission not later than the next regular meeting.

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5.8 Excusal During Meetings

A Commissioner shall leave the Council Chamber while the Commission is in session only with the permission of the Presiding Office. The Council Chamber for this purpose shall be defined as those rooms where the Commission meets, the Executive Conference Room, and its rest room facility.

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Section 6.0 DECORUM

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6.1 By the Presiding Officer

The Presiding Officer shall preserve order and decorum in the manner prescribed in Section 5.4.

6.2 By the Commissioners

While the Commission is in session the members must preserve order and decorum, and a Commissioner shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner, nor refuse to obey the orders of the Commission or the Presiding Officer, except as otherwise provided in these rules.

6.3 By Other Persons

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No member of the public shall approach the Commission table while the Commission is in session, unless specifically requested to do so by the Presiding Officer. Any message to or contact with any Commissioner while the Commission is in session shall be through the Secretary. Unruly conduct, such as undue noise, hissing, profanity, insult or physical disturbance shall not be permitted. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission shall be forthwith barred by the Presiding Officer from further audience before the Commission at that meeting, unless permission to continue is granted by a majority vote of the Commission.

6.4 Disruption of Meeting

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In the event that any meeting is willfully disrupted by a group or groups of persons so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by removal of individuals who are willfully disrupting the meeting, the Presiding Officer with the Commission's consent may, or upon motion of any Commissioner adopted by the Commission shall order the Council Chamber or other place of meeting cleared without awaiting completion of the item of business at hand and when the disruption has ceased, resume the meeting. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such sessions. As a matter of public policy, it is in the public interest to allow duly accredited representatives of the press or other news media who were not involved in the disturbance to attend the sessions from which members of the general public have been excluded by reason of a willful disturbance.

Section 7.0 **AGENDA PREPERATION** -- much of this seems supplanted by
Section 2.26.130

7.1 **Declaration of Policy**

A. It is established as the policy of the Planning Commission that no resolution, motion or item of business shall be introduced before the Commission at a regular meeting without having prior thereto been placed upon the written agenda prepared and posted for that meeting. All Commission meetings shall follow the prepared agenda unless changed by the Presiding Officer with the Commission's consent or upon a majority vote of the Commission.

B. Notwithstanding subsection A of this section, the Planning Commission may take action on items of business not appearing on the posted agenda under any of the following conditions:

- 1.** Upon a determination by a two-thirds vote of the Commission (at least five Commissioners) or, if less than two-thirds of the members are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted as specified in Section 7.2.
- 2.** The item was posted pursuant to Section 7.2 for a prior meeting of the commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which the action is being taken.

C. Nothing in this section shall be construed to prevent the Commission from discussing and referring to staff for appropriate study or placement on a subsequent agenda, items that are brought to the Commission's attention during community forum.

7.2 **Preparation and Posting**

The Secretary shall prepare and furnish to each Commissioner and to the City Attorney, and to such other persons as the Commission shall designate a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than ~~eleven (11) p.m.~~ **10PM**, of the date scheduled for the meeting. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, and shall so specify the time and location of the meeting. The agenda shall be posted on the bulletin board located immediately outside the front entry to City Hall or other location that is freely accessible to members of the public at least seventy-two (72) hours prior to the regular meeting. **WHERE POSSIBLE A GOOD FAITH EFFORT IS TO BE MADE**

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Commented [GH24]: Does this section need to remain?

Commented [SE25R24]: No, Red means deleted by the committee

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**TO POST THE AGENDA AND ATTACHMENTS ON THE CITY WEBSITE
and other media**

Except as provided in Section 7.1, no action shall be taken on any item not appearing on the posted agenda. Copies of the agenda, with all attachments, shall be available at the Planning Division and J.F. Kennedy Library for perusal by members of the public commencing at three (3) p.m. of ~~the Friday-Wednesday~~ before the Monday on which the meeting will be held. A copy of the Agenda, plus all attachments, shall be available to members of the public during the Commission meeting.

Afshan: This is not reasonable with staff capacity. We are following the legal 72 hour notification, same as Council, anything else is courtesy.

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Commented [SE26]: I agree, I think it should say follow all state law requirements and leave it at that.

Commented [GH27R26]: Agreed

7.3

Items Included

- A. Any items of business shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof at the request of the Chairperson or any individual member of the commission, by the Secretary, or the City Attorney.
- B. The Written agenda shall include the following information:
 - 1. Disclosure requirements for political contributions;
 - 2. Appeal rights;
 - 3. Name of the staff person responsible for each agenda item;
 - 4. Planning Division telephone number;
 - 5. Speaker time limits

Section 8.0

AGENDA CONTENT

8.1

Order of Business

The business of the Commission shall be taken up for consideration and disposition in the following order as set forth in the agenda published by the Secretary, except that with the majority consent of the Commission, matters may be taken up out of order. Any item not on the agenda may be added and considered only in the manner prescribed by Section 7.1.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the Planning Commission;
- I. Report of the subcommittees**
- H.J. REPORT OF THE CITY COUNCIL LAISON**
- I.K. Community Forum;
- J.L. Consent Calendar and Approval of the Agenda;
- K.M. Public Hearings;
- N. Other Agenda Items;
- L.a. FUTURE AGENDA ITEMS**
- M.O. Adjournment

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8.2 Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. If the Presiding Officer is not the Chairperson or Vice-Chairperson, upon the arrival of the Chairperson or Vice-Chairperson, as the case may be, the person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the Commission.

8.3 Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the Commission and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

8.4 Roll Call

Before the Commission shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the Commissioners, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

8.5 Minutes

- A. The Secretary shall distribute copies of the unadopted minutes to each Commissioner along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the Commission meeting is requested by a member of the commission, with consent of the majority of the Commissioners, such minutes may be adopted without reading. A published copy of the approved minutes is to be made available to the Public

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Commented [SE28]: Do we post these anyway as part of the packet? They're already madd public.

Commented [GH29R28]: Yes already in packets.

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8.6 Written Communications

- A. Written communications from the public will be received and filed, unless added to the agenda at the time the Commission has under

consideration approval of the agenda and consent calendar. If any Commissioner objects to the addition of a written communication to the agenda, then a majority vote of the Commission shall be required to place an item on the agenda. A written request to address the Commission on a subject not scheduled for discussion will be treated the same as and considered at the time "Written Communications" is before the Commission. The Commission will determine if it wishes to have such a matter discussed and, if so, will designate the meeting at which it will be discussed.

Documents received less than 24 hours prior to a meeting will not be part of the hearing record for that night

Afshan: the goal is a public meeting, and this obscures the public from sending emails or something in writing the day of.

B. Anonymous or unsigned communications shall not be introduced to the Commission or placed under written communications.

8.7 Report of the Secretary

The Secretary may, from time to time, report on items that maybe of interest to the Commission and general public.

8.8 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

8.9 A Report of the Presiding Officer and Commissioners

A The Presiding Officer and any Commissioner may, from time to time, wish to make certain announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

B REPORT OF THE CITY COUNCIL LAISON

The City Council Liaison, from time to time, MAY wish to make certain announcements, and report on items of activity that may be of interest to the Commission and the general public.

8.10 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission and not on the current agenda. Fifteen (15) minutes shall be set aside for the

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Commented [SE30]: No, anyone can submit comments for the record.

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community forum, and each speaker shall be allocated three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. Except as provided in Section 7.1, no action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum without the Commission's consent.

8.11 Consent Calendar and Approval of the Agenda

- A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the Commission. Any item placed on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action to be taken by the Commission with respect to such item. Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.
- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall be and constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

8.12 Public Hearings

- A. The commission may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.
- B. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways:
 - 1. Persons may submit a written request to the Secretary in advance of the meeting.

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

2. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting.
3. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time.

C. Procedures for Public Hearings

1. The Secretary-Chair shall announce the public hearing and the secretary shall note any correspondence received concerning the matter, if any.
2. The report shall be presented.
3. The Presiding Officer shall declare the public hearing open.
4. The Presiding Officer shall first call on the Staff applicant, proponent ~~or~~ and/ appellant of the matter. Do we want to state a time for this? The Presiding Officer may limit the amount of time for a presentation
5. The Presiding Officer shall call on each commissioner for any questions or clarifications that they have.
- 4.6. After commissioners have asked their questions the Presiding Officer will invite the Public to speak on the project.
- 5.7. The Commission shall hear those interested in the matter.
- 6.8. The Presiding Officer
 - a. May limit individual presentations and may limit the number of speakers with similar positions;
 - b. May order that no person speak more than once until all other persons wishing to speak have spoken once;
 - c. May use the card system provided for in Section 11.4;
9. A Commissioner:
 - a. May question any speaker during the hearing;
 - e-b. Shall not indicate his or her decision regarding the matter, nor introduce a motion or resolution to approve, modify or deny the matter being heard until the public hearing is closed by the Presiding Officer;
 - c. Presiding officer Shall close the hearing.
 - d. Commissioners will discuss the item and make any comments prior to the motion.
 - e. Presiding Officer. Wwill ask if a commissioner wishes to make a motion at the end of the Commission comments. A second is encouraged, but not required. The Presiding Officer will restate the motion or ask the originator to do so
 - f. Commissioners debate the motion and provide any comments they have.
 - d.

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Commented [GH31]: Is this necessary? CC doesn't question speakers during public comment.

Commented [SE32R31]: These recommendations follow Rosenberg's up to the Commission/good talking point for meeting

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7. A Commissioner:

a. May question any speaker during the hearing;

Shall not indicate his or her decision regarding the matter, nor introduce a motion or resolution to approve, modify or deny the matter being heard until the public hearing is closed by the Presiding Officer.

10. The Presiding Officer will restate the motion or ask the originator to do so then request that the Clerk record the vote of each commissioner.

11. The Secretary takes the roll call on the motion and announces the result of the vote.

12. The chair announces the results

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D. Continuance of Hearing

Any hearing being held, or noticed or ordered to be held, by the Commission at any meeting may by order or notice of continuance adopted by the Commission be continued or recontinued to any subsequent meeting in the same manner and to the same extent set forth in Section 3.1 for the adjournment of meetings; provided, however, if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted.

8.13 Other Agenda Items

Discussion of Future Agenda Items

The Secretary, City Attorney, or the Presiding Officer or Commissioner may place items on the agenda of interest to the Commission and the general public or the action by the Commission but must follow the procedural requirements for future agenda items as identified in Chapter 2.26 of Vallejo Municipal Code.

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Commented [SE33]: Have to follow this still (staff time and priority projects weigh into this)

8.14 Adjournment

It shall be the policy of the Commission to adjourn its regular meeting by eleven (11) ten (10) p.m. of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the Commission can adhere to this adjournment policy. A public hearing in progress shall not be interrupted and continued to a subsequent meeting for the sole purpose of satisfying the adjournment deadline. Items of business that remain on the agenda at eleven (11) p.m. 10pm. shall be carried over to the next regular meeting, unless the Commission by the majority vote agrees to continue in session or agrees to adjourn the meeting to a date sooner than the next regular meeting to dispose of the remaining agenda items.

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Section 9.0

RULES OF DEBATE

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Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

9.1 Presiding Officer

The Presiding Officer may debate and vote. The Presiding Officer shall not be deprived of any rights and privileges of a Commissioner by reason of acting as the Presiding Officer except as set forth in Section 9.2.

9.2 Motions and Resolutions by the Presiding Officer

Prior to making a motion or resolution, the Presiding Officer shall relinquish the chair to the Vice-Chairperson or the next senior member of the Commission. Upon completion of the vote on the motion or resolution, the Presiding Officer will automatically regain the gavel and continues to chair the meeting.

9.3 Obtaining the Floor

Commissioners desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all indecorous language.

9.4 Parliamentary inquiries

A Commissioner may, without obtaining the floor, make an inquiry of the Presiding Officer for information on a point of order, a matter of parliamentary procedure or the rules of Commission bearing on the business at hand. The Presiding Officer's reply to a parliamentary inquiry is not subject to an appeal or reconsideration. However, if a Commissioner acts contrary to the Presiding Officer's opinion and is ruled out of order, an appeal may be taken to the Commission. If an inquiry is made when another Commissioner has the floor and an immediate answer is not necessary, the Presiding Officer can defer a reply until the floor has been yielded. The Presiding Officer is not obligated to answer hypothetical questions.

9.5 Points of Information

A Commissioner may make a request for information relevant to the business at hand but not related to parliamentary procedure. The request may be directed to the Presiding Officer or through the Presiding Officer to another Commissioner or an officer or employee of the City. The request must always be put in the form of a question. If directed to a Commissioner who has the floor, the Presiding Officer will ask consent of the speaker to the interruption.

9.6 Questions of Personal Privilege

A commissioner may, without obtaining the floor, raise a question of personal privilege. An inquiry shall be addressed to the Presiding Officer and may be made without waiting for recognition. When disposed of, the business shall be resumed at exactly the point at which it was interrupted. The Presiding Officer shall rule whether the question put is one of personal

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

privilege, as defined in Section 5.6, and, if so; whether it is of sufficient urgency to warrant interrupting the business then in progress. A no debatable appeal to the Commission may be taken from the Presiding Officer's ruling.

9.7 Interruptions

A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer. When called to order while speaking, the Commissioner must cease speaking until the point of order be determined and, if in order, shall be permitted to proceed.

9.8 Restriction of Discussion

Commissioners shall confine their remarks and inquiries to the agenda item under consideration and speak only when recognized by the Presiding Officer, except as otherwise provided in these rules of order and procedure. A Commissioner shall not call for a showing of hands or other demonstration of those present in the audience, unless granted permission to do by the Presiding Officer.

9.9 Limitation of Debate

No Commissioner may speak for longer than ten (10) minutes at any time; unless additional time is granted upon a majority vote of the Commission.

9.10 Precedence of Motions

When a question is before the Commission, no motion shall be entertained except:

- A. To adjourn;
- B. To fix the hour of adjournment;
- C. To lay on the table;
- D. To call for a previous question;
- E. To postpone to a certain day;
- F. To refer;
- G. To amend;
- H. To substitute;
- I. To postpone indefinitely.

These motions shall have precedence in the descending order indicated. Any such motion, except a motion to adjourn, amend, or substitute, shall be put to a vote without debate.

9.11 Motions and Resolutions to be Stated by the Secretary

The Secretary shall read the title of any motion, resolution, or item of business before debate, following which the Presiding Officer may request a report from the Secretary or other designated staff member.

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

9.12 Discussion Allowed Prior to Formal Motion

It shall not be necessary to make a motion or resolution prior to inquiry or debates by Commissioners, or the public is allowed to speak.

9.13 Second Not Required

A second shall not be required in order to make a motion or resolution.

9.14 Motions Out of Order

The Presiding Officer or any Commissioner may introduce a resolution or motion out of the regular order of the agenda, only with the majority consent of the Commission.

9.15 Motions to Adjourn

A motion to adjourn shall be in order at any time, except as follows:

- A. When repeated without intervening business or discussion;
- B. When made as an interruption of a member speaking;
- C. When previous question has been ordered; or
- D. While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

9.16 Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, consideration of the subject may be resumed at the meeting only upon motion of a member voting with the majority.

9.17 Withdrawal of Motions

A motion may be withdrawn at any time before vote by the maker, after first gaining recognition from the presiding officer.

9.18 Motion for Previous Question

When a motion for the previous question is made by a Commissioner, the Presiding Officer shall allow no further debate and shall ask "Shall the item now be voted on?" If the question carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main questions. If the question "Shall the main question now be voted on?" is decided negatively, the main question and its amendments remain before the Commission. The motion calling for the previous question must be decided upon by five-seventh vote in the affirmative.

Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

9.19 Division of Question

If a question put before the Commission contains two or more separate propositions, the Presiding Office may, and upon request of a Commissioner, shall divide the question.

9.20 Motion to Amend an Amendment

After a motion to amend an amendment has been made and installed for debate, a motion to amend the same amendment further shall not be in order.

9.21 Motion to Postpone

A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.

9.22 Motion to Reconsider

A motion to reconsider any action taken by the Commission may be made at the meeting such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of that meeting. Such a motion may be made only by a Commissioner who voted with the prevailing side. After such a motion for reconsideration has been acted upon, no other such motion on the same question shall be made at that meeting.

9.23 Rehearing

After the Commission has taken action on a matter or question, a motion to reconsider the action taken on such matter or question, or on a matter or question having substantially the same content or purpose of the matter or question already acted upon, shall not be made at a subsequent meeting for a least one (1) year from the date of such action, except by a Commissioner who voted in the majority on such matter or question or upon the consent in writing of the majority of the Commissioners filed with the Secretary. Such matter or question may, however be reheard at a subsequent meeting after the one-year period has elapsed. The item before the Commission shall be whether the matter or question should be reheard; and, if the Commission approves the request, it shall be placed on a future agenda for consideration.

Section 10.0 VOTING

10.1 Quorum

A majority of the ~~commission appointed~~commission appointed constitutes a quorum for the transaction of business. A quorum shall be four (4) or more members of the Commission. [changed to match ordinance]

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Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

10.2 Abstention

It shall be the duty of each Commissioner present at a meeting of the Planning Commission to cast a vote, "aye" or "nay", unless excused because:

- A. The Commissioner has a personal or pecuniary interest in the matter under consideration; or
- B. The law otherwise declares that Commissioner's participation is a conflict of interest; or
- C. The Commissioner is disqualified by reason of absence from the hearing of a matter, the decision on which under the law must be based upon findings supported by testimony or other competent evidence introduced in the proceeding.

If a conflict of interest does exist, the Commissioner shall declare this fact. The Commissioner is then excused from voting "aye" or "nay", and may cast an abstention vote. Other than to reflect the abstention, the vote shall not be counted for any purpose. Abstention for any reason other than those mentioned above shall constitute consent in the action proposes, and the Secretary shall announce at the meeting and enter in the Commission's minutes that the abstention was case as an "aye" vote pursuant to this rule.

Rosenberg says counting an abstention depends on the rules. Do we want to use the above rule?

Nothing in these rules of order and procedure is intended to abrogate the judicially declared "rule of necessity" adopted in the State of California pertaining to the duty of members of public legislative and administrative bodies to vote on matters which require their action.

Abstention is defined to include a Commissioner's refusal or failure to vote when present and capable of casting a vote, unless executed for the reasons set forth above.

10.3 Tie Vote

The affirmative vote of at least a majority present. at least four (4) members shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any Commissioner may request the Secretary to carry over the item to the next regular meeting where a full Commission will be present.

10.4 Roll Call

The votes shall be cast and displayed on the electronic voting board so that each Commissioner's vote may be recorded by the Secretary. In the event of a breakdown or malfunction of the electronic voting equipment, the Secretary shall call the roll in the descending order that names of the Commissioners appear on the electronic voting board. The Secretary at the

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Commented [SE34]: Good question for the commission

Commented [GH35R34]: In SR an abstention was an aye vote if there was a tie.

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Attachment 3. Dr. Schussel's red-lines to Rules and Procedures

conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

Section 11.0 **Public Participation**

11.1 Policy

It is the policy of the Planning Commission that members of the public shall be afforded the opportunity to speak on any agenda item providing they are first recognized by the Presiding Officer.

11.2 Addressing the Commission

Any person desiring to address the Commission by oral communication shall first secure the permission of the Presiding Officer by approaching the speaker's podium and waiting, silently, to be recognized by the Presiding Officer.

11.3 Spokespersons

Designated spokespersons for recognized groups or organization will be given priority over individuals who desire to address the Commission.

11.4 Card System

Cards will be available at the rear of the Council Chamber for persons who wish to address the Commission at a public hearing or on another item of agenda business. After filling out the information requested, the cards shall be handed to the Secretary or designated staff member. The Presiding Officer will call on those wishing to speak in the order in which the cards are received, except as provided in Section 8.11. After such persons are heard, the Presiding Officer may then call for any additional speakers.

11.5 Time Limits

Designated spokespersons for recognized groups or organization will have ~~five (5)~~ **THREE (3)** minutes to address the Commission; provided, however, that they may request additional time and will be granted such only with the permission of the Presiding Officer and subject to the consent of the Commission. Individuals will be given three (3) minutes to address the Commission unless additional time is allowed as provided for spokespersons.

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11.6 Discussion Between Citizens and the Commission

All remarks shall be addressed to the Commission as a body and not any Commissioner thereof. No person, other than the Presiding Officer,

Commented [GH36]: How about when the Chair asks for less time due to heavy comment load?

Commented [SE37R36]: Yes we can make that more clear

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Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a Commissioner, without the permission of the Presiding Officer. No question shall be asked of a Commissioner or a member of staff except through the Presiding Officer.

~~Use of emails or texting during the meeting to communicate between Commissioners, or between a Commissioner and the Public and or the staff is NOT permitted.~~

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Commented [GH38]: This isn't necessary to put in these rules. Again I think consistency is key between PC and CC.

Commented [SE39R38]: Agreed, deleting.

11.7 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the Commission.

11.8 Manner of Addressing the Commission

Prior to speaking, each member of the public ~~shall~~ **is requested to** state his or her name and business or home address in a clear and audible tone of voice.

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11.9 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

Section 12.0 **AMENDMENTS**

12.1 Notice of Amendment

These rules of order and procedures may be amended by the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least three (3) days prior to the meeting date.

12.2 Submission for Council Approval

Any amendment adopted by the Commission shall be submitted to the City Council for approval at the earliest convenient time as required by Section 405 of the City Charter, and shall become effective only upon such approval being given.

ADOPTED **as above at a regular meeting of the Planning Commission of the City of Vallejo held on May 20, 1991 by the following vote:**

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AYES: **Kerstad, McDowell, Muatico, Capello, Servante, Johnson, Egklio**

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NOES: None

ABSENT: None

~~BRIAN MATTSON, Secretary~~

~~BRIAN MATTSON, Secretary~~

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CITY COUNCIL APPROVAL

The foregoing Rules of Order and Procedure were approved by Resolution No. 91-359 N.C. adopted by the City Council on June 11, 1991 pursuant to Section 405 of the City Charter of the City of Vallejo.

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The foregoing Rules of Order and Procedures were revised by Resolution No. 92- N.C. adopted by the City Council on March 24, 1992 pursuant to Section 405 of the City Charter of the City of Vallejo.

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