

**AGENDA**  
**REGULAR MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., May 26, 2015**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC15-12*

**1. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Pal  
Commissioner Adeva  
Commissioner Holzwarth  
Commissioner Osborne  
Commissioner Ramos  
Commissioner Smith

Pledge of Allegiance  
Invocation

**2. ANNOUNCEMENTS:**

None

**3. MINUTES:**

Approval of Planning Commission minutes of April 14, 2015 and April 28, 2015.

**4. AUDIENCE COMMUNICATIONS:**

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

**5. PUBLIC HEARINGS:**

None

**6. GENERAL BUSINESS**

**A. Resolution No. PC15-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Adopting Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.**

**B. Planning Commission Training: General Overview and Rosenberg's Rules.**

**7. COMMUNICATION:**

- A. Staff**
- B. Commission**
- C. Agenda Forecast**

**8. ADJOURN.**

**MINUTES**  
**REGULAR MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., APRIL 14, 2015**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC15-07*

**1. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Pal  
Commissioner Adeva  
Commissioner Holzwarth  
Commissioner Osborne  
Commissioner Ramos  
Commissioner Smith

Pledge of Allegiance  
Invocation

**2. ANNOUNCEMENTS:**

None

**3. MINUTES:**

Vice-Chair Pal moved to approve of March 30, 2015, Planning Commission Minutes. Commissioner Adeva seconded the motion. Motion passed 7-0

**4. AUDIENCE COMMUNICATIONS:**

None

**CONFLICT OF INTEREST NOTIFICATION**

None

**5. PUBLIC HEARINGS:**

**A. A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit No. UP 14/5-002 for Establishment of a Senior Assisted Care Facility for up to 30 Clients at 405 Kings Way, APN 0037-231-030**

John Kearns presented the staff report. Mr. Kearns gave a brief background explaining in the mid 80's there was a state licensed elderly care facility that operated for approx. 20 years. The operation of that use ceased in 2007. A Conditional Use Permit application for a foster care home was submitted in 2008. The application was denied by the Planning Commission, appealed to the City Council in 2008 and the Council upheld the Commission's decision. In June, 2014 a Conditional Use Permit application was submitted for a mental health facility (up to 28 clients) and denied because of public safety concerns. The current application is to operate a senior assisted care facility for up to 30 clients in the 15-bedroom facility. It targets residents between the ages of 65-100 years old whom are non-violent, ambulatory and need assistance with daily living activities.

The applicants met with staff and the Police Department regarding the proposed use to ensure the Police Department would not be burdened by calls for service.

Chairperson Clemente opened the Public Hearing.

Eunice Terry, applicant, gave a brief description of the facility and how it is to operate. She explained that she did a outreach to the neighborhood and including holding an open house for the neighbors.

Commissioner Osborne asked about waste removal. Ms. Terry explained that the container would be locked and a special enclosure would be built.

Commissioners Ramos and Adeva asked about employee background checks and qualifications needed to care for the occupants. Ms. Terry stated that all employees would need to pass specific requirements and would be properly trained.

Commissioner Pal asked about the open house. Ms. Terry stated that more than a dozen people came and that she was able to get a lot of history about the original facility. She explained that the facility is designed for two occupants per room but could have just one.

Chairperson Clemente asked how far along the building was. Mantu Sandhu explained that everything was done and replacing the fence would be next.

Emily, a resident of Kings Way for 7 years spoke against the project because of increased traffic and security issues.

Judy Wiggins, 406 Avalon Way, stated she was thankful it will be a senior citizen facility. She also stated that she had attended the open house.

Jan Davenport, manager of Casa de Suisun and a member of the Senior Coalition stated that she was pleased to see the facility in our community.

Hearing no further comments Chairperson Clemente closed the Public Hearing.

Police Chief Tim Mattos stated that the department worked closely with applicants. He further stated that the applicants were taking all necessary precautions to create a safe environment for both the occupants and the surrounding neighborhood.

Commissioner Pal asked about the zoning designation. Mr. Kearns stated that it was zoned Residential Single Family but that this building had been constructed solely for a care facility.

Commissioner Adeva moved to adopt Resolution No. PC15-07. Commissioner Ramos seconded the motion. Motion passed 7-0 by a roll call vote.

## **B. Workshop on Downtown Waterfront Specific Plan Update “Vision” and “Land Use Alternatives”**

John Kearns presented the Commission with the following background:

- Specific Plan Update Timeline
- Existing Specific Plan
- Proposed specific plan area
- Vision goals

- Specific plan district map
- Land use and transportation mapping exercise which was conducted at the community workshop held on April 6, 2015 at the Harbor Theater

Mr. Kearns went through the results from the mapping exercise for each District highlighting the land use and transportation/pedestrian/bicycle outcomes.

Chairperson Clemente opened the Public Hearing.

Dr. Raymond Klein, 400 Morgan Street, commented that the downtown waterfront area is the face of Suisun that we need to put forward. He stated that he hoped the Commission would take into consideration the comments and all the hard work staff and the citizens put into this plan.

Gerry Raycraft, 300 California Street, stated that when planning the old crystal school site a park needed to be included in the development as there is no park on the west side of Main Street. He further stated that allowing some flexibility in the HR vs HRC districts to allow potential for commercial to go beyond the first block of Main Street.

Jan Davenport commented that she has been attending BCDC meetings and is concerned that their regulations are not being taken into consideration when planning future development along the waterfront.

Mr. Kearns reassured the Commission that staff has not lost sight of the BCDC regulations.

Hearing no further comments Chairperson Clemente closed the Public Hearing.

Staff and the Commission reviewed District Outcomes that were discussed at Community Workshop 2 which is attached as part of the minutes. The following comments are in addition to the consensus received at the Workshop.

#### District 1 – Western Marina and Highway 12

##### Land-use Outcomes

- Apartments
- Condos/Townhouses
- Senior Housing (open to 3 or 6 stories)
- Mixed use with retail and/or office (high end offices) on the bottom floors and residential on top
- Outdoor bistro dining
- Variety of food options
- Grocery Store: such as Whole Foods or Trader Joe's
- Movie Theatre\*\*
- City Urgent Care Facility

##### Transportation/Pedestrian/Bicycle Outcomes

- Walking paths in proposed neighborhoods to link to existing surrounding neighborhoods
- Pedestrian improvements along Lotz Way
- Railroad Ave connection for bicycles
- Walking paths for proposed residential developments to existing neighborhoods
- Extend Railroad Ave into Main St.

##### Commission comments

- Parking garage on vacant lot north side of Hwy 12 at the Main Street exit.

- Marketing for high-end grocery store
- Maximizing the current park n' ride but will need to keep the same number of parking spaces
- Possibility of re-opening Main Street/Union Ave. railroad crossing
- Fire Station zoning designation
- Removal or relocation of water tank
- 30 acre site - Commercial/Retail along Hwy 12 with possible live work/residential on interior parcels
- Condos with shops underneath
- Strong Wi-Fi component throughout the city especially in restaurants and public facilities
- Noise concerns of residential along railroad tracks
- Additional connection to Main Street

### District 2 – Fairfield-Suisun Train Station

#### Land-use Outcomes

- Structured/mixed use Parking Structure with office/business/residential uses on top of parking\*\*
- Outdoor dining to businesses that have the rear viewable to train riders
- Small businesses
- Artisan specialty shops and boutiques and/services; such as custom cabinetry, craft wine/beer, and art galleries\*\*\*
- Farmer's Market near Train Depot
- More fitness and wellness amenities such as a rocknadium or crossfit gym
- Family oriented mini park with amenities such as a rest area for bicyclists and a carousel

#### Transportation/Pedestrian/Bicycle Outcomes

- Pedestrian lighting needed on Pedestrian Bridge to Fairfield
- Improve pedestrian connection of Pedestrian Path from Fairfield to Marina Promenade
- Vehicle/Road connection from Main St in Suisun City to Union Ave in Fairfield

#### Commission comments

- Acquire Caltrans parking lot with potential to rezone but must meet existing parking requirements or greater in another area south of the train station
- Cross-fit – are there industrial buildings it could go into and is there areas zoned for that
- Land close to Hwy 12 commercial and residential further in
- Largely mixed use

### District 3 – Downtown Core

#### Land-use Outcomes

- Commercial condos on Main St near existing hotel
- Commercial condos near Train Depot (6 stories) with rooftop uses and a water view
- More outdoor dining
- Boutique Retail
- Staging area for water recreational activities such as Stand-up Paddleboarding (SUP); kayak rentals; sailing and rowing\*\*\*
- Floating Water Recreational Center to complement existing and proposed hotel areas.
- Covered art structure for outdoor family activities such as the Saturday Night Movies on the Waterfront event.
- Gathering space to include arts and culture to draw in tourism

- Dog Park west side of Main St.
- Waterfront Farmer's Market
- Rehab old buildings and take advantage of historic charm in architecture

Transportation/Pedestrian/Bicycle Outcomes

- School pedestrian connections
- Better lighting along Marina Promenade
- Pedestrian Bridge from district 3 to district 8
- Fitness course
- More seating for Main St. bus stops to accommodate families

Commission comments

- Commercial on first floor with apartment/condo on second floor along the west side of Main Street
- Certified farmers markets
- Showcase local artists
- Water oriented activities by the boat launch
- Extend promenade to boat launch

Matthew Gerken, PMC consultant, quickly reviewed the vision for allowable land uses from the workshop.

Chairperson Clemente recessed the meeting at 9:03 pm and reconvened the meeting at 9:15 pm.

District 4 – Historic Suisun

Land-use Outcomes

- Keep old Crystal Middle School site as residential
- Housing on old Crystal Middle School site should be single family to mimic Harbor Park subdivision

Transportation/Pedestrian/Bicycle Outcomes

- Cordelia St. should be developed as a grand entrance to the Downtown\*
- Landscaping should be attractive to traffic on Cordelia St.

Commission comments

- Old Crystal Middle School Site should be residential with its own park, similar to Harbor Park subdivision
- Entrance to subdivision off of Cordelia which would create better landscaping by developer
- Make Cordelia Road entrance more attractive and let people know it is a second entrance to Main Street and the waterfront

District 5 – Crystal Middle School Neighborhood

Land-use Outcomes

- Marina Blvd and Driftwood Dr. parcel keep as residential; one table suggested 4,000 to 5,000 square foot lots.

Transportation/Pedestrian/Bicycle Outcomes

- More bike connections on Marina Blvd.
- Grand entrance on Marina Blvd to downtown

Commission consensus

### District 6 – Cordelia Gateway

#### Land-use Outcomes

- Vacant parcel south of Cordelia St as single family housing similar to Harbor Park subdivision which would complement a proposed neighborhood in district 4 (across the street-old Crystal Middle School site)
- Vacant parcel south of Cordelia St. as a nice entry way into downtown
- Vacant parcel south of Cordelia St. as a public space for local artists, school children playground and/or promote railroad safety

#### Transportation/Pedestrian/Bicycle Outcomes

- More bike safety on Cordelia St.\*\*
- Improve pedestrian safety on Cordelia St.

#### Commission consensus

### District 7 – Southern Waterfront

#### Land-use Outcomes

- Seafood restaurant and or sandwich shop for boat users
- Improvements for water related uses\*\*\*
- Water Recreation Center near boat launch for sailing/rowing school or kayak or Stand-up Paddleboard (SUP) rentals

#### Transportation/Pedestrian/Bicycle Outcomes

- Extend Marina Promenade to Boat Launch Ramp

Mr. Kearns stated that some of the parking spaces at the boat launch will need to be maintained per the agreement the city has with Boating and Waterways.

#### Commission comments

- Expand promenade to boat launch
- Water related activities
- Set up permanent “gazeboes” that could be utilized by vendors seasonally

Mr. Gerken confirmed the Commission consensus for non-residential uses, extending the promenade and specialized recreational uses.

### District 8 – Civic Center Waterfront

#### Land-use Outcomes

- 3 story housing with water views
- Single family housing setback away from delta edge to allow for a public bike/walking path
- Small food markets
- Pop-up snack shop for fishing/boating users
- Staging area for water recreational activities such as Stand-up Paddleboarding (SUP); kayak rentals; sailing and rowing

#### Transportation/Pedestrian/Bicycle Outcomes

- Pedestrian walking path to lead east of the channel/delta
- Walking/Biking path for river views

#### Commission comments

- Destination tourism
- Alternative housing such as houseboats
- 3-story housing with view consideration

**6. GENERAL BUSINESS:** Action to be taken where appropriate.

**Discussion and direction: Draft Planning Commission Bylaws**

Mr. Kearns explained that over the past several months a sub-committee was formed with Commissioners Pal and Smith to work with staff to develop bylaws. He further explained that there were 1997 Rules and Procedures that were never adopted by resolution.

Paul Junker thanked Commissioners Pal & Smith for their assistance, guidance and direction. He briefly explained the difference between the bylaws and municipal code stating that the bylaws are a document to help the Commission function as a group at their meetings. He also stated that the bylaws shifted from Robert's Rules of Order to Rosenberg's Rules of Order.

The Commissioners individually thanked the subcommittee and staff for work well done in creating the bylaws.

Mr. Junker stated that staff would present draft bylaws at the next meeting for their consideration.

**7. COMMUNICATION:**

**A. Agenda Forecast**

There will be a meeting on Tuesday, April 28<sup>th</sup> at 7:00 pm.

**8. ADJOURN.**

There being no further business the meeting was adjourned at 9:58 pm.

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Anita Skinner, Commission Secretary

*a&m/150414.pca*

**MINUTES**  
**REGULAR MEETING OF THE CITY OF SUISUN CITY**  
**PLANNING COMMISSION**  
**7:00 P.M., APRIL 28, 2015**

COUNCIL CHAMBERS  
701 CIVIC CENTER BOULEVARD  
SUISUN CITY, CALIFORNIA 94585

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*Next Resolution No. PC15-08*

**1. ROLL CALL:**

Chairperson Clemente  
Vice-Chair Pal  
Commissioner Adeva  
Commissioner Holzwarth  
Commissioner Osborne  
Commissioner Ramos  
Commissioner Smith

Pledge of Allegiance  
Invocation

**2. ANNOUNCEMENTS:**

None

**3. AUDIENCE COMMUNICATIONS:**

None

**CONFLICT OF INTEREST NOTIFICATION**

None

**4. GENERAL BUSINESS:** Action to be taken where appropriate.

**A. Resolution No. PC15-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Approving Application No. AR 14/5-006 Regarding the Final Architecture and Floor Plans for the Jubilee Subdivision (formerly Zephyr Estates).**

Mr. Kearns presented the staff report. He explained that this project formerly referred to as "Zephyr Estates", was approved for 59 single family houses and 1.5 acres of commercial. The project has since sold, and the builder/applicant has proposed revisions to architecture and floor plans for the project to align with market demand. Staff has been working with the applicant regarding the proposed architecture.

The Commission discussed the commercial portion of the project, drought resistant plant materials, the lack of single story homes, lap siding, size of rear yards, and the height of the sound wall.

Mr. Kearns explained that Lot B is for storm water and would be maintained by city or an assessment district.

Commissioner Ramos moved to adopt Resolution No. PC15-08. Seconded by Vice-Chair Pal. Motion carried by a roll call vote of 7-0.

**B. Resolution No. PC15-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Adopting Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.**

Mr. Kearns stated that at the April 14, 2015 Commission meeting, the Commission discussed draft bylaws and provided staff direction to complete some administrative changes to the draft document (including formatting) and bring the bylaws back for formal adoption.

After a lengthy review of the draft minutes the Commission concurred that where fractions were used throughout the bylaws an actual number should be used. The Commission also concurred that with the absence of the consultant Paul Junker that they would postpone the adoption of the bylaws for one meeting.

Mr. Garben stated that the postponement would allow staff to set up a workshop for the Rosenberg's Rules and other items that Mr. Junker could bring to the Commission for educational information.

## **5. PUBLIC HEARINGS:**

### **A. A Resolution of the City of Suisun City Planning Commission Approving Conditional Use Permit No. UP 14/5-005 for Establishment of a Childcare Center at 1101 Anderson Drive, Suite 100, APN 0173-670-320.**

Mr. Kearns presented the staff report. He explained that in April, 2014 the Commission approved a Condition Use Permit for a preschool at 1101 Anderson Drive for 14 children but the applicant chose not to move forward with the use. Mr. Kearns further explained that the applicant, Latasha Wilson, was requesting consideration for a childcare center for up to 20 children.

Ms. Wilson stated that she has operated a childcare facility in her home for 10 years and was looking to expand. She answered questions by the Commission indicating that she would be installing a wooden fence rather than chain link, self-locking gates and security cameras.

Chairperson Clemente opened the Public Hearing. Hearing no comments he closed the Public Hearing.

Commissioner Smith moved to approve Resolution No. PC15-09. Commissioner Holzwarth seconded the motion. Motion passed by roll call 7-0.

### **B. 2015-2023 Housing Element Update**

Mr. Kearns presented the staff report and gave a brief background on the Housing Element Update to date. He explained that the purpose of the Housing Element is to establish a comprehensive plan to address housing needs in the City.

Jennifer Gastelum, consultant with PMC, briefly explained the Regional Housing Needs Allocations (RHNA), the Key Program updates, and sites to rezone. She stated that the next step would be City Council adoption on May 19, 2015 and then submittal to Housing and Community Development (HCD) for certification.

Chairperson Clemente opened the Public Hearing. Hearing no comments he closed the Public Hearing.

### **A. A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of the Initial Study/Negative Declaration for the 2015-2023 Housing Element Update.**

Commissioner Holzwarth moved to adopt Resolution No. PC15-10. Commissioner Osborne seconded the motion. Motion passed by roll call vote 7-0.

### **B. A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of the 2015-2013 Housing Element Update.**

Commissioner Adeva moved to adopt Resolution No. PC15-11. Commissioner Smith seconded the motion. Motion passed by roll call 7-0.

**6. COMMUNICATION:**

**A. Staff**

Mr. Kearns stated the Sacramento Bee had interviewed the City Manager and he printed a recent article about the Bay Water Trail that included Suisun City.

**B. Commissioners**

Commissioner Holzwarth asked how business licenses are issued for the city. Mr. Kearns explained that anyone doing business within the city must obtain a business license from the Finance Department. He further explained that in each district there are permitted and conditionally permitted uses. If it is a conditionally permitted use it must come before the Planning Commission.

Commissioner Pal asked if the Commission could receive a report on the number of business licenses issued each month.

**C. Agenda Forecast**

Mr. Kearns indicated there would be meetings on May 12 & May 26.

**7. ADJOURN.**

There being no further business the meeting was adjourned at 8:32 pm.

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Anita Skinner, Commission Secretary

*a&m/150428.pca*

## AGENDA TRANSMITTAL

**MEETING DATE:** May 26, 2015

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**PLANNING COMMISSION AGENDA ITEM:** Resolution No. PC15-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Adopting Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.

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**BACKGROUND:** At the January 13, 2015 Planning Commission meeting, the Commission asked staff to provide information regarding bylaws for the Planning Commission. Staff information relating to bylaws from other Commissions in California for reference.

At the February 10, 2015 Planning Commission meeting, staff provided information for the Commission to consider when considering establishing bylaws. The Commission asked staff to take a look at other Solano County jurisdictions had in the way of bylaws or rules of procedure.

At the February 24, 2015 Planning Commission meeting, the Commission reviewed bylaws from local jurisdictions and formed a sub-committee consisting of Commissioners Pal and Smith.

At the April 14, 2015 Planning Commission meeting, the Commission reviewed draft bylaws and staff to the make revisions to the draft document (including formatting) and bring the bylaws back for formal adoption.

At the April 28, 2015 Planning Commission meeting, the Commission discussed final issues, primarily related to quorum and voting procedures, and asked staff to return to its next meeting to address these questions and to bring the bylaws back for formal adoption.

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**STAFF REPORT:** Over the past two months, staff and the sub-committee worked closely in developing draft bylaws for the Commission and the Planning Commission was presented details on the draft bylaws and provided the opportunity to provide revisions and amendments.

While collaborating with the sub-committee on development of bylaws, staff discovered Rules of Procedure that were adopted by the Planning Commission on January 28, 1997. Content from the 1997 document was transferred as appropriate to the 2015 Bylaws. With adoption of the attached resolution, the Commission will adopt the 2015 Bylaws and will rescind 1997 Rules of Procedure. Moving forward, the bylaws may be amended by Commission resolution.

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**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission: Adopt Resolution No. PC15-\_\_\_: A Resolution of the City of Suisun City Planning Commission Adopting Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.

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**PREPARED BY:**

Paul Junker, Consulting Planner

**APPROVED BY:**

Jason Garben, Development Services Director

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**ATTACHMENTS:**

1. Resolution No. PC15-\_\_\_: A Resolution of the City of Suisun City Planning Commission Adopting Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.
  - a. Planning Commission Bylaws

**RESOLUTION NO. PC15-**

**A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION  
ADOPTING PLANNING COMMISSION BYLAWS AND RESCINDING THE 1997 PLANNING  
COMMISSION RULES OF PROCEDURE**

**WHEREAS**, the Planning Commission directed staff at their April 14, 2015 regular meeting to complete revisions to the draft Planning Commission Bylaws and prepare the document for Commission adoption; and

**WHEREAS**, the Planning Commission at a regular meeting on May 26, 2015 completed its review the Planning Commission Bylaws; and

**WHEREAS**, adoption of the Planning Commission bylaws (Exhibit A) would rescind the 1997 Planning Commission Rules of Procedure.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Commission of the City of Suisun City does hereby adopt Resolution PC15- ; A Resolution of the City of Suisun City Planning Commission Adopting Planning Commission Bylaws, and rescinding the 1997 Planning Commission Rules of Procedure.

The forgoing motion was made by Commissioner \_\_\_\_ and seconded by Commissioner \_\_\_\_ and carried by the following vote:

AYES:               Commissioners:  
NOES:               Commissioners:  
ABSENT:           Commissioners:  
ABSTAIN:           Commissioners:

**WITNESS** my hand and the seal of said City this 26<sup>th</sup> day of May 2015

\_\_\_\_\_  
Anita Skinner  
Commission Secretary

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# CITY OF SUISUN CITY PLANNING COMMISSION BYLAWS

## 1. Preface

Title 2, Administration and Personnel, of the Suisun City Municipal Code establishes the Planning Commission of Suisun City. The duties and authorities of the Planning Commission are those conferred upon it by the provisions of Title 7 of the Government Code of California, and any other laws of the state applicable thereto, and those identified in Title 18, Zoning, of the Suisun City Municipal Code. These Planning Commission Bylaws provide guidance to the Planning Commission, project applicants and members of the public on how the Planning Commission will execute its duties. If a conflict arises between these Bylaws and the Suisun City Municipal Code, the Code shall control.

## 2. Adoption and Amendment of Bylaws

These bylaws shall be adopted by and may be amended by resolution of a majority of the Commissioners present at any Suisun City Planning Commission meeting attended by no less than five members of the Commission.

Upon adoption or amendment by the Planning Commission, such bylaws shall be submitted to the City Council for review. The City Council may, at its sole discretion, overturn approval of these Bylaws and direct the Commission to incorporate amendments as determined appropriate.

## 3. Adoption of Parliamentary Procedure

The Suisun City Planning Commission shall conduct meetings consistent with the guidelines established under Rosenberg's Rules of Order, Revised 2011, and as amended. Where these Rules of Order are found to be inconsistent with State law or regulations adopted by the City Council of Suisun City, such State or local regulations shall prevail.

## 4. Duties and Powers of Commissioners

### 4.1 Responsibilities of Each Planning Commissioner

Commission members serve the City as a whole and represent no special group or interest

The Planning Commission shall have the power to recommend to the City Council, after a public hearing thereon, the adoption, amendment or repeal of the General Plan or any Specific Plan, or any part thereof, for the physical development of the City.

The Planning Commission shall exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by the Suisun City Code.

The Commission shall advise the City Council on those matters falling within its charged responsibilities in a manner reflecting concern for the overall development and environment of the City as a setting for human activities. All reports and recommendations of the Commission to the City Council shall be in writing and presented to the City Council by the Development Services Department on behalf of the Commission.

### 4.2 Commissioner Preparation

Each of the Commission members shall have the responsibility to keep himself or herself up to date on planning matters. In addition each member should attempt to take advantage of the various educational and training opportunities offered by such organizations as the League of California Cities, University and/or College classes, programs or seminars.

### 4.3 Addressing Commissioners and Members of the Public

The appropriate title should be used when acknowledging a meeting participant, such as "Mr.", "Ms.", "Commissioner", "Chair", "Vice-Chair", etc. This shows respect, professionalism and avoids the appearance of favoritism.

### 4.4 Communications with the Press

When speaking to the press, Commissioners should be very specific in stating that they are speaking for themselves only and not for the Commission as a whole.

### 4.5 Anticipated Absence

Any Commissioner who has knowledge of the fact that he will not be able to attend a scheduled meeting of the Planning Commission shall notify the Planning Director at the earliest possible opportunity and, in any event, prior to 5 p.m. on the date of the

meeting. The Planning Director shall notify the Chair of the Commission in the event that the projected absences will produce a lack of quorum.

If any commissioner is absent for three consecutive regular meetings of the Planning Commission without permission of the Commission expressed in its official minutes, he/she shall relinquish his/her seat on the Commission.

#### 4.6 Officers

##### Selection

The officers of the Planning Commission shall consist of Chairperson and Vice Chairperson, elected by the general membership of the Planning Commission.

The election of officers shall generally occur at the Planning Commission's second meeting in January or as otherwise determined necessary by the Planning Commission. A minimum of 5 ~~two-thirds~~ of the current membership must be present for the election to take place.

Nominations of members for an office shall be from the floor by a current member of the Planning Commission during the meeting when elections are held. Nominations must be seconded by another member of the Commission. Nominations and elections for Chairperson and Vice-Chairperson shall be completed separately, beginning with Chairperson.

Once nominations are complete, a roll call vote of the Commission for all nominated candidates will be called. A nominee must receive a majority of the votes from Commissioners present to be elected. If no candidate receives a majority vote, the nomination and voting process will be repeated until a candidate receives a majority vote of those Commissioners present.

All terms of office shall be for one year or until the time of the next election of officers.

A member of the Planning Commission may serve in the same office of the Planning Commission for any number of terms.

The Vice-Chair shall succeed the Chair if he/she vacates the office before the term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.

In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

#### 4.7 Duties and Responsibilities of the Chair

Preside at all meetings of the Commission.

Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.

Sign documents of the Commission

When so directed by the Commission, represent the Planning Commission at City Council, County Planning Commission and other meetings as the Planning Commission's representative.

#### 4.8 Duties and Responsibilities of the Vice-Chair

During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

#### 4.9 Subcommittees

When desirable or necessary, the Chair, with the approval of the Planning Commission, shall appoint standing committees and special committees.

Residents and staff of Suisun City may, at the discretion of the Chair, be appointed to serve on Planning Commission Subcommittees.

Each subcommittee of the Planning Commission shall include no more than three members of the Planning Commission.

Special committees shall be discharged at the end of their assignment.

## 5. Meetings

### 5.1 Public Meetings

All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these Rules of Procedure.

### 5.2 Regular Meetings

Regular meetings shall be held on the second and fourth Tuesday of the month, at 7:00 p.m. in the Council Chambers of the City Hall unless otherwise determined by the Planning Commission or the Planning Director in consultation with the Commission Chair.

Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion adopted by the Planning Commission or the Planning Director in consultation with the Commission Chair.

### 5.3 Adjourned Meetings

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

### 5.4 Special Meetings

Special meetings of the Planning Commission may be held at any time upon the call of the Chair, the Planning Director, or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission and to the press. The time and place of the special meeting shall be determined by the convening authority.

### 5.5 Study Sessions/Workshops

The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.

### 5.6 Establishing a Quorum

A quorum of at least four (4) members of the Planning Commission must be present for the Commission to conduct normal business. If the body has less than a quorum of members present, it cannot legally transact business. If the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The only action which may be taken at a meeting attended by less than a quorum is to open the meeting and adjourn the meeting to a time certain. In such event all items on the agenda, including action items and public hearings, shall be continued to the next scheduled meeting and agendas shall be posted as required subject to Gov't Code Section 54955.

### 5.7 Agendas

Agendas shall be prepared by the staff of the Suisun City Planning Department and shall be posted consistent with City policies and state law.

The agenda shall be approved at the beginning of each meeting. ~~when~~ The Planning Commission may choose to change the order of items to be heard in order to better serve the Community and the Commission.

The Planning Commission may add items to the agenda if , by an affirmative vote of at least five (5) members, the Commission determines that an emergency exists or that there is need to take action and that such need came to the attention of the City after the meeting agenda was posted.

Before the close of each meeting the Commission shall discuss future agenda items and may, by an affirmative vote of three members of the Commission, direct staff to include items on future meeting agendas of the Commission.

#### 5.8 Minutes and Record of the Meeting

At each meeting of the Commission, the minutes of the prior meeting shall be presented for approval. Commissioners shall identify any corrections or clarifications prior to approval of the minutes.

#### 5.9 Motions, Debates, and Voting

As noted above, the Commission has adopted Rosenberg’s Rules of Order that establishes the processes for conducting meetings, including but not limited to how motions are made and amended, how debate of items shall be conducted and how voting on items is accomplished.

#### 5.10 Conflicts of Interest

In situations where a Commissioner may have conflict of interest under the Political Reform Act, the Open Government Ordinance or other conflict laws, members of the Planning Commission are required to abstain from voting on the item and participating in the decision-making process. The following procedures should be followed:

- Declare the conflict of interest
- State the basis of the conflict of interest
- Do not discuss or vote on the mater
- Step down from the podium and leave the room until the item is completed or unless the Political Reform Act allows the member to remain in the room

#### 5.11 Voting

To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the voting members constituting a quorum. The abstention of voting by any member shall not break the quorum.

Newly appointed members may vote on items immediately after appointment provided they have reviewed the record, including tapes, minutes, reports and files on the item upon which they are voting.

## 5.12 Dissents and Protests

Any Commissioner shall have the right to dissent from any action of the Commission or ruling of the Presiding Officer and have the reason therefore 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 following the date of said action.

# 6. Conducting a Meeting

Meetings shall be conducted in such manner as the Chair directs, within the rules herein set forth, and any regularly adopted agenda therefore.

## 6.1 Order of Business within a Meeting

- Call to Order
- Pledge of Allegiance, Invocation & Roll Call
- Approval of Agenda
- Approval of Minutes
- Public Comment (Items not on the Agenda)
- Consent Calendar
- Continued Items
- Public Hearings
- Regular Agenda Items
- Reports By Staff And Planning Commission
- Communications & Petitions
- Agenda Forecast/Future Agenda Items
- Adjournment

## 6.2 Order for Presentation or Hearing of Proposals

- The Chair shall announce the subject of the public hearing, as advertised.
- If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a specific time and date. If no specific date and time is set, the continued public hearing shall be re-noticed.
- The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.

### 6.3 Order of Testimony

- Presentation of Applicant's statement – The applicant's presentation shall be limited to fifteen (15) minutes.
- Public Comments – Those who wish to speak on the matter, either for or against, shall be limited five (5) minutes or as otherwise permitted by the Chair.
- If necessary, a rebuttal from the applicant
- Public hearing closed
- The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.

### 6.4 Rules of Testimony

- Persons presenting testimony to the Commission are requested to give their name and address for the record.
- If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be selected to speak for the entire group. The spokesperson will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
- No person shall address the Commission without first securing the permission of the Chair to do so.
- All remarks shall be addressed to the Commission as a body and not to any member thereof.
- No questions shall be asked of the Commission or member of the staff except through the Presiding Officer.
- No person, other than the Commissioners and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer.
- No person shall be allowed to speak twice until others desiring to do so have had the opportunity to speak.



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## MEMORANDUM

**DATE:** May 21, 2015  
**TO:** Planning Commission  
**FROM:** John Kearns, Associate Planner  
**SUBJECT:** Planning Commission Training: General Overview and Rosenberg's Rules

Mr. Paul Junker will make a presentation to the Planning Commission titled "Planning Commission Training: General Overview and Rosenberg's Rules" on the agenda. Staff has also provided Rosenberg's Rules for the Commissions reference. Additionally, a PowerPoint presentation will be provided to the Commission the night of the meeting.



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion**. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

### Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

### Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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