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**RESOLUTION NO. 2021-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
ADOPTING AMENDMENTS TO THE PLANNING COMMISSION BYLAWS**

**WHEREAS**, the City Council at a regular meeting of May 7, 2019 did review and discuss the Planning Commission Bylaws (Exhibit A) and the potential of rescinding the 1997 Planning Commission Rules of Procedure; and

**WHEREAS**, the Planning Commission at a regular meeting on March 9, 2021 approved several amendments to the Planning Commission Bylaws; and

**WHEREAS**, the City Council at a regular meeting of April 20, 2021 did review and discuss the Planning Commission Bylaws and amended the Planning Commission Bylaws to make several changes.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Suisun City does adopt amendments to the Planning Commission Bylaws.

**PASSED AND ADOPTED** by a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 20th of April 2021, by the following vote:

<b>AYES:</b>	Council Members:	<u>Day, Hernandez, Hudson, Williams, Mayor Wilson</u>
<b>NOES:</b>	Council Members:	<u>None</u>
<b>ABSENT:</b>	Council Members:	<u>None</u>
<b>ABSTAIN:</b>	Council Members:	<u>None</u>

**WITNESS** my hand and the seal of said City this 20<sup>th</sup> day of April 2021.

  
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Anita Skinner  
City Clerk



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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 spirit of 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. This shall include consideration of the City's impacts on adjacent municipalities and unincorporated areas. 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. Communication with the press should be reported to staff.

#### 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 Development Services Director at the earliest possible opportunity and, in any event, prior to 5 p.m. on the date of the meeting. The Development Services 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 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 no more than two consecutive 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.

The Chair, with the approval of the Planning Commission, may appoint residents and staff of Suisun City 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 6:30 p.m. in the Council Chambers of the City Hall unless otherwise determined by the Planning

Commission or the Development Services 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 Development Services 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 Development Services 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. 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 matter
- 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

If a Planning Commissioner has had a meeting with an applicant at a project site, for example, the Commissioner is to publicly disclose the meeting. A disclosure is different from a conflict of interest and would not require recusal from an item so as long as the Commissioner complies with the Brown Act and does not express an opinion.

#### 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

Dissent shall mean to differ in sentiment or opinion from the majority. Any Commissioner shall have the right to dissent from any action of the Commission and have the reason therefor entered in the minutes. Such dissent may be made orally on the record, or 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. A Commissioner's dissent will follow their vote contrary to the majority.

Protest shall mean an objection or disapproval of all or part of an action. Any Commissioner shall have the right to protest a ruling of the Presiding Officer or discrete portions of an action by the Commission, and have the reason therefor entered in the minutes. A protest may be made irrespective of whether a vote occurs, or how the Commissioner votes.

## 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

- Conflicts of Interest
- Reports
- Consent Calendar

- Public Comment (Items not on the Agenda). Those who wish to speak on items not on the agenda shall be limited to three (3) minutes or as otherwise permitted by the Chair.
- Public Hearings
- General Business
- Reports (informational Items Only)
- 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 to 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 determines the matter or continues the matter to another date and time certain.
- The Commission may re-open the public hearing during its deliberations to ask clarifying questions of an applicant or prior speaker. If re-opened, the speaker would be limited to responding to the clarifying question and the public hearing portion of the item would then be closed again to ensure clarity of the process for meeting agendas.

#### 6.4 Rules of Testimony

- Persons presenting testimony to the Commission are requested to give their name and address for the record; although not required.

City of Suisun City Planning Commission Bylaws

Amended March 9, 2021

Amended April 13, 2021

- 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, the Chair may request them to select a spokesperson to speak for the entire group
- 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.