

RESOLUTION NO. 24 – 01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

ADOPTING AMENDMENTS TO THE RULES FOR CONDUCTING PLANNING COMMISSION MEETINGS

WHEREAS, the Dublin Municipal Code Section 2.12 requires the Planning Commission to adopt rules for the transaction of its business; and

WHEREAS, the Planning Commission wishes to update the Rules for Conducting Planning Commission Meetings for consistency with recent changes to the Rules for Conducting City Council Meetings.

NOW, THEREFORE, BE IT RESOLVED that the Rules for Conducting Planning Commission Meetings for the transaction of business of the Planning Commission are amended to read as follows in their entirety:

1. These Planning Commission rules for the transaction of its business are adopted in accordance with DMC Section 2.12.040.C.
2. Regular Meetings
 - a. Time - Regular meetings of the Planning Commission shall be held on the second and fourth Tuesday of each month at the hour of 7:00 p.m.
 - b. Place - All regular meetings of the Planning Commission shall be held at the Civic Center, except as necessary, meetings may be held at an alternative location from time to time with proper notice of the alternative meeting location.
 - c. Public - All meetings of the Planning Commission shall be open to the public.
3. Agenda
 - a. The Secretary to the Planning Commission shall cause to be arranged an agenda of matters according to the order of business and furnish each member ("member" or "Planning Commissioner") and alternate member ("alternate" or "Alternate Planning Commissioner") of the Planning Commission with a copy of the agenda packet prior to the Planning Commission meeting at least 72 hours in advance of a regular meeting, and 24 hours in advance of a special meeting, as time for preparation will permit.
 - b. The agenda shall, at a minimum, include:
 - i. The date of the meeting.
 - ii. The time of the meeting.
 - iii. The location of the meeting.
 - iv. A brief general description of each item of business to be transacted or discussed at the meeting.

- v. Specified period of time for members of the public to address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission, including a statement that no person may speak longer than three (3) minutes.
- vi. A specified section under which Planning Commissioners, Alternate Planning Commissioners, and Staff may present informational only reports.
- c. At least seventy-two (72) hours before each regular meeting, the Secretary shall cause to be posted a copy of the agenda in the Kiosk in front of the Civic Center located at 100 Civic Plaza.
- d. The Secretary to the Planning Commission shall so mark or denote "Consent Calendar" items on the agenda to identify those items on the agenda which can reasonably be expected to generate no discussion by members of the Planning Commission, City Staff, or interested persons in the audience. The Planning Commission shall consider all of the items on the Consent Calendar portion of the Agenda at one time by a vote after a motion has been duly made and seconded. If any member of the Planning Commission, City Staff or interested person in the audience requests that a Consent item be removed from the list, such items shall be taken up for consideration and disposition in the order listed on the agenda. An Alternate Planning Commissioner may request to remove an item for discussion only when eligible to vote.
- e. No new public hearing item will begin after 10:30 p.m., and the meeting will be adjourned by 11:00 p.m., except under unusual circumstances where the Planning Commission votes to hear the item or to extend the meeting for 30-minute increments.

4. Presiding Officer

- a. The Planning Commission Chairperson (as determined by DMC Section 2.12) shall preside at all Planning Commission meetings and perform such other duties consistent with his/her office as may be imposed by the City Council or Planning Commission. In the event of the absence of the Chairperson or his/her inability to act, the Vice Chairperson shall preside.
- b. The Chairperson shall preserve strict order and decorum at all regular and special meetings of the Planning Commission. The Chairperson shall state every question coming before the Planning Commission, call for the vote, announce the decision of the Planning Commission on all subjects and decide all questions of order, subject however, to an appeal of the Planning Commission, in which event a majority vote of the Planning Commission shall govern and conclusively determine such question of order.

5. Alternates

- a. Alternates shall participate in all Planning Commission matters except that alternates shall vote only in the event of an absence of a member or of a vacancy on the Commission as determined by DMC Section 2.12. For the purpose of these rules, any reference to voting members shall include an alternate that participates as a voting member due to an absence or vacancy.

6. Call to Order

- a. The Chairperson, or in his/her absence, the Vice Chairperson, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Planning Commission to order. In the absence of the Chairperson or Vice Chairperson, the Secretary to the Planning Commission shall call the Planning Commission to order, whereupon a temporary Chairperson shall be elected by the voting members of the Planning Commission present. Upon the arrival of the Chairperson or Vice Chairperson, the temporary Chairperson shall immediately relinquish the chair upon the conclusion of the business immediately before the Planning Commission.

7. Attendance

- a. Before proceeding with the business of the Planning Commission, the Secretary shall cause to be entered into the minutes, the names of the members and alternates present or absent. No formal roll call need be taken.

8. Quorum

- a. A majority of the voting members of the Planning Commission shall constitute a quorum for the transaction of business in accordance with Dublin Municipal Code Section 2.12.040.D.
- b. The Planning Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If all members and alternates are absent from any regular or adjourned regular meeting, the Secretary to the Planning Commission may declare the meeting adjourned to a stated time and place. If the Secretary does, the Secretary shall cause written notice of the adjournment to be given in the same manner as provided for special meetings. A copy of the order or notice of adjournment shall be posted in the Civic Center Kiosk within twenty-four (24) hours after the time of adjournment. Whenever a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjournment meeting shall be held, it shall be held at the hour specified for regular meetings.

9. Order of Business

- a. Promptly at the hour set on the day of each regular meeting, the members and alternates of the Planning Commission and the Secretary to the Planning Commission, shall take their regular stations in the City Council Chambers and the business of the Planning Commission shall be taken up for consideration and disposition in the following order except that, with the unanimous consent of the voting members of the Planning Commission, matters may be taken up out of order:
 - Call to Order
 - Pledge of Allegiance
 - Presentations
 - Public Comment
 - Consent Calendar
 - Public Hearings
 - Unfinished Business

- New Business
- Staff and Commission Reports (Planning Commission/Staff Informational Only Reports/Matters Too Late for the Agenda)
- Adjournment

10. Matters Too Late for the Agenda

- a. No action or discussion shall take place on any item not appearing on the agenda for a regular meeting as posted, unless one of the three items below, occurs:
 - i. The voting members determine by majority vote that an emergency situation exists, as defined in Government Code Section 54956.5; or
 - ii. The voting members determine by a two-thirds vote (i.e. four votes if five voting members are present and three votes if four voting members are present), or by a unanimous vote of the voting members if only 3 voting members are present, that there is a need to take immediate action and that the need for action came to the Planning Commission's attention after the agenda was posted; or
 - iii. The item was included in a posted agenda for a prior meeting held not more than five (5) calendar days prior to the meeting at which the item is acted upon and at the prior meeting the item was continued to the meeting at which the action is being taken.
- b. When an item not on the agenda is raised by a member of the public, the Planning Commission may briefly respond, ask questions for clarification, or provide a reference to Staff or other resources.

11. Reading of Minutes

- a. Unless the reading of the minutes of the Planning Commission meeting is requested by a majority vote of the Planning Commission, such minutes may be approved without reading if the Planning Commission has previously furnished each member with a copy thereof.

12. Rules of Debate

- a. Presiding Officer may debate - The Chairperson or such other member of the Planning Commission as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed upon all members. He/she shall not be deprived of any of the rights and privileges of a Planning Commissioner by reason of his/her acting as the Presiding Officer.
- b. Getting the floor - Every member and alternate desiring to speak shall address the Chairperson, and upon recognition by the Chairperson, shall confine himself/herself to the question under debate.
- c. Interruptions - A member or alternate, once recognized, shall not be interrupted when speaking unless it be to call him/her to order, or as herein otherwise provided. If a member or alternate, while speaking, be called to order, he/she shall cease speaking until the question of order is determined, and if in order, he/she shall be permitted to proceed.

- d. Privilege of closing debate - The Planning Commissioner moving the adoption of a Resolution shall have the privilege of closing the debate.
- e. Rules of Order - Except as otherwise provided in these rules, the current edition of "Rosenburg's Rules of Order" shall govern the conduct of the meetings of the Planning Commission.

13. Addressing the Planning Commission

- a. Any person desiring to address the Planning Commission at a meeting shall first secure the permission of the Chairperson to do so; provided, however, that under the following headings of business, members of the public shall have the right to address the Planning Commission upon obtaining recognition by the Chairperson.
 - i. Addressing the Planning Commission in Writing - Interested persons or their authorized representative may request to address the Planning Commission by written communication on any matters that are within the subject matter jurisdiction of the Planning Commission. Such written communication shall be provided to the Secretary to the Planning Commission.
 - ii. Public Comment on Agenda Items - The Planning Commission shall provide members of the public an opportunity to address the Planning Commission before or during its consideration of the item. Although members of the public may submit comments in writing, the Planning Commission is not required to read written comments into the record. Such written communications shall be provided to the Secretary to the Planning Commission.
 - iii. Public Comment – Items Not on the Agenda - The Planning Commission shall provide members of the public an opportunity during the "Public Comment" portion of the agenda to address the Planning Commission on any item of interest to the public that is within the subject matter jurisdiction of the Planning Commission. Although members of the public may submit comments in writing, the Planning Commission is not required to read written comments into the record. Such written communications shall be provided to the Secretary to the Planning Commission.

14. Manner of Addressing the Planning Commission

- a. Planning Commission meetings are business meetings, and persons addressing the Planning Commission are expected to conduct themselves accordingly. Each person addressing the Planning Commission shall stand at the podium, unless attending the meeting remotely if a remote attendance option is provided to the public, and should give, in an audible tone of voice for the record, his/her name and address, although providing one's name and address is not required. Persons desiring to address the Planning Commission shall submit a speaker slip, the purpose of which is to allow the Chairperson to manage the meeting and to be reflected in the minutes. The Planning Commission expects that remarks will be addressed to the Planning Commission as a body and not to individuals or the public. No person, other than the Planning Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Planning Commission, without the permission of the Chairperson. No question shall be asked of a Planning Commission member except through the Chairperson.

- b. Each member of the public shall be given 3 minutes to address the Planning Commission during the public comment period, and the time limits shall be reasonably and uniformly applied to all speakers, so far as is possible, with the exception of formal applicants for approvals from the City who will be allotted additional time.

15. Voting

- a. Voting shall be by a “voice vote” on all Resolutions and other matters, unless a roll call vote is required by law or is requested by a voting member. Silence shall be recorded as an affirmative vote. The Chairperson shall announce the result of the vote. As required by Government Code section 54953(c)(2), the Secretary to the Planning Commission shall cause to be recorded in the minutes the vote or abstention of each Planning Commission member present for the action.
- b. A Planning Commissioner or Alternate Planning Commissioner who has a conflict of interest regarding any matter being considered by the Planning Commission shall declare the conflict and excuse himself/herself from participating in the Planning Commission’s deliberations and decisions regarding that matter.

16. Order and Decorum

- a. By Planning Commission Members and Alternates - While the Planning Commission is in session, the members and alternates must preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Planning Commission nor disturb any member or alternate while speaking or refuse to obey the orders of the Planning Commission or Chairperson, except as otherwise herein provided.
- b. By Persons - Any person making remarks or engaging in conduct which actually disrupts, disturbs, or impedes the proceedings or the peace of the Planning Commission or disturbs any member or alternate while speaking or refuses to obey the orders of the Planning Commission or the Chairperson shall be forthwith, by the Chairperson, barred from further audience before the Planning Commission, unless permission to continue is granted by a majority vote of the Planning Commission. In order to maintain the appropriate level of civility in the Planning Commission’s business meetings, persons are expected to refrain from making personal, impertinent, or slanderous remarks and from becoming boisterous.
- c. Enforcement of Order and Decorum - At the request of the Secretary to the Planning Commission, a law enforcement officer may periodically attend Planning Commission meetings. Said law enforcement officer shall be designated as Sergeant-at-Arms of the Planning Commission meetings when requested to do so by the Chairperson. He/she shall carry out all law abiding orders and instructions given at the Planning Commission meeting. Upon instruction of the Chairperson, it shall be the duty of the Sergeant-at-Arms to remove and bar such person from the Planning Commission meeting who violates the order and decorum of the meeting. Violation of the order and decorum of a Planning Commission meeting is a misdemeanor.

- 17. Prohibition on Political Activities - Members and alternates shall not engage in political activities related to local, state, or federal elections during Planning Commission meetings. For the purposes of this section, the term “political activity” shall mean an activity directed

toward the success or failure of a political party, a candidate for elected office, a ballot measure, or a political group.

18. Adjournment - A motion to adjourn by a voting member shall always be in order and decided without debate.

19. Rules Available for Public Review - A copy of these Rules shall be available at all meetings of the Planning Commission for review by the public.

BE IT FURTHER RESOLVED that these Rules supersede and replace all previously adopted Planning Commission Rules.

PASSED, APPROVED AND ADOPTED this 13th day of February 2024, by the following vote:

AYES: Aini, Grier, Thalblum, Tyler, Wright

NOES:

ABSENT:

ABSTAIN:

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Planning Commission Chair

ATTEST:
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Interim Assistant Community Development Director