



PLANNING COMMISSION AGENDA REPORT

VI.1

MEETING DATE: MAY 26, 2009

ITEM NUMBER:

SUBJECT: PLANNING COMMISSION BYLAWS AMENDMENT REGARDING THE MEETING TIME

DATE: MAY 16, 2009

**FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT, ACTING DEVELOPMENT
SERVICES DIRECTOR
(714) 754-5604**

DESCRIPTION

An amendment to the Planning Commission Bylaws to change the start time of meetings from 6:30 pm to 6:00 pm, effective July 1, 2009.

RECOMMENDATION

Adopt attached resolution.

KIMBERLY BRANDT, AICP
Acting Development Services Director

KHANH NGUYEN
Acting Asst. Dev. Svs. Director

BACKGROUND/ANALYSIS

Staff is recommending that future Planning Commission meetings begin at 6 p.m. instead of 6:30 p.m., effective July 1, 2009. This start time will be consistent with City Council meetings and will incrementally reduce staff overtime. In order to accomplish this change, it is necessary to amend the Planning Commission Bylaws by adoption of the attached resolution.

If adopted, staff will begin publicizing the new time and contacting affected project applicants.

Attachment: 1. Planning Commission Resolution

Distribution: Acting Assistant Dev. Svs. Director
 Deputy City Attorney
 Public Services Director
 City Engineer
 Video Production Coordinator
 Staff (4)
 File (2)

File: 052609PCByLaws	Date: 051409	Time: 1:30 p.m.
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RESOLUTION NO. PC-09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN AMENDMENT TO THE PLANNING COMMISSION BYLAWS RELATED TO ARTICLE III, SECTION 1. MEETINGS.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the Planning Commission adopted Bylaws pursuant to the provisions of Section 13-10(h) of the Costa Mesa Municipal Code; and

WHEREAS, the Planning Commission wishes to amend its Bylaws to establish an earlier start time for its meetings to be consistent with the Costa Mesa City Council; and

WHEREAS, the proposed amendment was considered by the Planning Commission in accordance with the provisions of Article VII (Change in Rules) of said Bylaws.

BE IT RESOLVED that the Costa Mesa Planning Commission does hereby adopt the proposed amendment to the Planning Commission Bylaws as set forth in Exhibit "A", which is attached to this resolution, to be effective July 1, 2009.

PASSED AND ADOPTED this 26th day of May, 2009.

Chair James Righeimer
Costa Mesa Planning Commission

EXHIBIT A

BYLAWS COSTA MESA PLANNING COMMISSION

ARTICLE I

AUTHORITY AND TITLE

SECTION 1. AUTHORITY:

This Commission is established in accordance with Title 13, Section 13-10, of the Costa Mesa Municipal Code.

SECTION 2. TITLE:

The official title of this Commission shall be "The Costa Mesa Planning Commission."

ARTICLE II

OFFICERS, ELECTIONS, AND VACANCIES

SECTION 1. OFFICERS:

The officers of this Commission shall be as follows:

1. A Chairperson whose duties shall be to preside at all meetings, to call any special meetings, to appoint special study committees as deemed necessary by a majority of the Commission.
2. A Vice Chairperson who shall assume the duties and responsibilities of the Chairperson:
 - (a) in the absence of the Chairperson;
 - (b) in the inability of the Chairperson to act;
 - (c) at the request of the Chairperson, which is so noted in the official minutes;
 - (d) when a vacancy occurs in the office of the Chairperson
3. A Secretary who shall perform the following duties:
 - (a) Keep official records of the Commission meetings, both temporary and permanent.
 - (b) Keep a written record of all business transacted by the Planning Commission.

ARTICLE II. SECTION 1. (continued)

- (c) Notify all members of regular meetings and any special meeting called by the Chairperson.
 - (d) Sign all official documents and communications requested by a majority of the Commission.
4. Two Assistant Secretaries who shall be designated by the Secretary and either of whom may perform these duties when the Secretary is absent.

SECTION 2. ELECTION/APPOINTMENT OF OFFICERS:

- 1. A Chairperson shall be elected by the members of the Planning Commission, and shall be a member of that body.
- 2. A Vice Chairperson shall be elected by the members of the Planning Commission, and shall be a member of that body.
- 3. The Secretary shall be the Assistant Development Services Director. In the absence of the Secretary, an Acting Secretary may be appointed by the Secretary.
- 4. Assistant Secretaries shall be appointed by the Secretary, and will be staff members.
- 5. A Chairperson Pro Tem may be appointed by the Commission in the absence of both the Chairperson and the Vice Chairperson.

SECTION 3. ELECTION AND VACANCIES:

- 1. The Commission shall hold the election of officers at the first regular meeting in February of each odd-numbered year, or as soon as possible thereafter. (Amended - Planning Commission Resolution #07-14)
- 2. The Election shall be held after the Roll Call. The Election of the Chairperson shall be conducted by the Secretary of the Commission. The Election of the Vice Chairperson shall be conducted by the Chairperson.
- 3. All vacancies occurring in the offices of the Commission, for any cause, shall be filled by election of a majority vote of the Commission. Said election shall be held at the next regular meeting following the vacation of office. The officer or officers so elected shall serve until the next regular election of officers of the Commission.

ARTICLE III

MEETINGS AND PROCEDURES

SECTION 1. MEETINGS:

1. Regular meetings of the Commission shall be held at 6:00 ~~6:30~~ p.m. on the second and fourth Mondays of each calendar month except December, in the Council chambers. In December, only one meeting shall be held on the second Monday of the month. (Amended – Planning Commission Resolution #09-____).
2. Regular Study Sessions shall be held in Conference Room 1A at 5:30 p.m. before each regular meeting, for the purpose of receiving and reviewing last-minute additions to the Staff Reports on items on the agenda for that evening's meeting.
3. Special meetings and study sessions may be called by the Chairperson or by majority vote of the Commission at a regular meeting. Each member shall be notified of such Special Meeting or Study Session by the Secretary at least twenty-four (24) hours prior to the time set for same by the Chairperson. The Notice for any Special Meeting or Study Session shall specify the Agenda items to be considered, and no matter shall be considered which is not specified in the notice. Study sessions may be scheduled to provide staff with policy direction or to address City- or area-wide issues affecting more than one parcel or application.
4. Any regular meeting falling on a legal City holiday shall take place the following day unless otherwise scheduled by a majority vote at a regular or special meeting.
5. All meetings and study sessions shall be open to the public.
6. No actions shall be taken at any study sessions.

SECTION 2. MEETING PROCEDURES:

All meetings shall be conducted under the order of Parliamentary Procedure as specified in the last revised edition of Roberts Rules of Order to the extent that such rules are not in conflict with these bylaws. All Commissioners shall address all questions and comments through the Chairperson. All persons attending meetings of the Commission shall identify themselves and address Commissioners or other persons present through the Chairperson. All maps, letters, reports, and documents considered by the Commission at any hearing shall become a part of the records of the Commission.

The Chairperson shall decide all questions of order, subject to appeal by the Commission, and all appeals shall be decided by a majority of the members present.

SECTION 3. QUORUM AND VOTING PROCEDURE:

At any meeting of the Planning Commission, a majority of said Commission shall constitute a quorum for the transaction of business. A majority vote of the quorum shall decide all matters. A Commissioner may be disqualified from voting on a particular matter by reason of a conflict of interest, in accordance with State or local laws.

Every member present shall vote on all questions brought to a vote. Every member present who has not been properly disqualified and who shall fail to record a vote on any question shall have said vote recorded as an affirmative or aye vote.

ARTICLE IV

ATTENDANCE

Regular attendance at meetings of the Commission is required of all members to enable the Commission to discharge the duties imposed upon it by law. Any member absent from three successive regular meetings, without securing the consent of the Chairperson, and without justifiable cause, shall be deemed to have resigned from the Commission. Upon order of the Commission, the Secretary shall notify the City Council of such resignation and request appointment of a new member of fill the unexpired term of the member resigning.

ARTICLE V

ORDER OF BUSINESS

The order of business of regular meetings shall be as follows (subject to change by Chairperson):

1. Pledge of Allegiance
2. Roll Call
3. Minutes of Regular Meeting
4. Public Comments
5. Planning Commission Comments and Suggestions
6. Consent Calendar
7. Public Hearings
8. Report of the Development Services Department
9. Report of the City Attorney's Office
10. Adjournment

ARTICLE VI

SIGNATURE ON OFFICIAL PAPERS

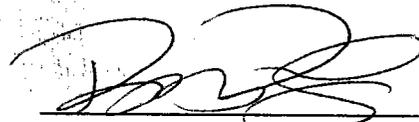
All official papers involving the authority of the Commission shall bear the signature of the Chairperson or Vice Chairperson and of the Secretary, Acting Secretary, or Assistant Secretary. It shall be mandatory upon the Chairperson and Secretary to sign such papers when the Commission has, by vote as provided herein, taken the action set forth in said papers.

ARTICLE VII

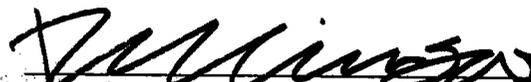
CHANGE IN RULES

The rules may be changed or added to by the affirmative vote of not less than three members. No change or addition to these rules shall be made unless notice, either verbal or in writing, shall be given to the Secretary not less than five (5) working days prior to the meeting at which the motion to change is to be made. The notice shall state explicitly what change is to be proposed.

These Bylaws, as revised, were adopted by the Costa Mesa City Council at its regular meeting on May 3, 2005.



BILL PERKINS, Chairman
Costa Mesa Planning Commission



R. MICHAEL ROBINSON, Secretary
Costa Mesa Planning Commission