



and Zoning Law and the Solano County Code.

Solano County Code, Chapter 28, Section 28.115 describes the duties of the Solano County Planning Commission as follows:

The Commission shall perform the duties and functions prescribed by State law and Solano County ordinances, including the following:

- 1) *The review and approval, conditional approval or denial of development projects under the jurisdiction of the Commission as provided for by this Chapter.*
- 2) *The making of recommendations to the Board for final decisions on General Plan Amendments, Development Agreements, Zoning Regulation Amendments, Specific Plans and Amendments, Zoning Map Amendments, environmental documents associated with the preceding project types, and other applicable policy or ordinance matters related to the County's planning process.*
- 3) *The Planning Commission may establish rules of procedure governing all hearings required by this Chapter and the laws of the State. Upon the adoption of rules of procedure by the Planning Commission, the same shall be filed in the office of the Zoning Administrator and copies of such rules of procedure shall be given to each person requesting the same.*

In accordance with the Planning Commission's duties and functions related to item 3 above, Department staff are presenting revised and updated definitions, clarifications, corrections and necessary updating to the Planning Commission Rules of Order and Procedure. Draft redline edits to Planning Commission Rules and Procedure text can be found in Attachment B. Key amendments are identified below.

## **Section 2. Duties of Officers and Staff**

2.06 **Clerk.** The Director of Resource Management shall designate a Clerk to the Planning Commission. The Clerk shall keep minutes of each meeting and shall record the official actions taken. On all official actions where a vote is taken, the Clerk shall take the vote by roll call.

## **Section 3. Meetings of the Commission**

3.01 **Regular Meetings.** All meetings of the Commission will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 et seq.

### **3.07 Official Action.**

b. When considering an application over which the Commission has original jurisdiction, the application is denied if it fails to receive the affirmative vote of the majority of the quorum present, unless otherwise provided by law. When considering an appeal to the Commission, the appeal is denied if it fails to receive the affirmative vote of a majority of the quorum present.

c. When considering adoption or amendment of the County's General Plan or any specific plan, the Commission shall by motion and resolution make a written recommendation to the Board of Supervisors as provided by law. Pursuant to Government Code Section 65354, an affirmative vote by a majority of the total membership of the Commission is required to recommend approval on the adoption or amendment. An affirmative vote by less than the majority of the Commission, but by a majority of the quorum present, shall constitute a split recommendation. A tie vote or "no" vote by a majority of the present quorum shall constitute a negative recommendation. The following table shows the possible voting outcomes (e.g., 5-0 means 5 "yes" votes and 0 "no" votes).

- Recommendation for approval: 5-0, 4-1, 3-2, 3-1, or 3-0
- Split recommendation: 2-1
- Recommendation for denial: 0-5, 1-4, 2-3, 1-2, 2-2

3.09 **Manner of Addressing the Commission.**

**c. Time Limits.** As a general matter, each speaker shall be limited to five (5) minutes. The time limit may be modified by the Chair or by a majority of the Commissioners in attendance. This provision applies to public comment on unscheduled items and all agendized items.

3.12 **Public Hearing Decisions.** Commissioners shall act in a fair and impartial manner and shall avoid reaching a final decision prior to the close of the public hearing. Commissioners may express tentative opinions and concerns prior to their final decision, as this facilitates robust exploration and discussion of issues with which the Commission is concerned.

**Section 6. Record of Proceedings; Minutes**

6.01 **Record of Proceedings.** The Clerk shall take an audio recording of all regular meetings of the Commission and shall maintain that recording for at least one year. Any person wishing to listen to or make a copy of the recording of the meeting may do so by contacting the Department. Nothing herein shall preclude the Commission or any interested person from using the service of a court reporter in any public hearing. The party desiring the services of a court reporter shall be responsible for making arrangements and for payment of such services.

6.02 **Minutes.** All official actions or decisions of the Commission shall be entered into the minutes of the Commission prepared by the Clerk.

**Section 7. Committees**

7.02 **Appointment.** The Chair shall appoint all standing and ad hoc committee members, and a chair of such committees.

**Section 8. Policies**

8.01 **Scheduling Agenda Items.** At any regular meeting, a Commissioner may add an item to a future meeting agenda with the consent of a majority of the present quorum, so long as the item is within the Commission's subject matter jurisdiction.

8.03 **Visitation of Sites.** Individual Commissioners may meet with interested parties and go on site visits prior to a public hearing, provided such "ex parte" contacts (i.e., "without all present") are disclosed at the public hearing and members of the public are able to respond to that information during the hearing. Commissioners must disclose any meetings or site visits, along with any material facts learned therefrom which is not in the staff report or public record, after the agenda item is announced and before opening of the public hearing on the item. Commissioners must abide by the provisions of the Ralph M. Brown Act in conducting site visits, and no more than two Commissioners may visit a site at the same time.

**ENVIRONMENTAL REVIEW:**

Under CEQA Guidelines Section 15378(b)(2) and (b)(5), amending the Rules of Order is not a "project" subject to the California Environmental Quality Act as an organizational or administrative activity that will not

result in direct or indirect physical changes to the environment.

**OTHER AGENCY INVOLVEMENT:**

County Counsel assisted in development of the updates to the Planning Commission Rules of Order and Procedure.

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt a resolution to update the Planning Commission Rules of Order and Procedure.

**Alternative for consideration:** For expedition of hearings and to be consistent with Board of Supervisor protocols, the Planning Commission may wish to consider reducing public speaking time limits from 5 minutes to 3 minutes as outlined above in **3.09 - Manner of Addressing the Commission. c. Time Limits.**

**SOLANO COUNTY PLANNING COMMISSION  
RESOLUTION NO. xxxx**

**A RESOLUTION AMENDING THE SOLANO COUNTY  
PLANNING COMMISSION RULES OF ORDER AND PROCEDURE**

**WHEREAS**, the Solano County Planning Commission’s Rules of Order and Procedure (Rules of Order) were last amended on June 16, 1994, by Solano County Planning Commission Resolution No. 4056; and

**WHEREAS**, the Rules of Order must be periodically reviewed and modified in order to maintain applicability and provide for the effective and expeditious conduct of Planning Commission meetings. This is contemplated and authorized by Rule 9.01 of the Rules of Order; and

**WHEREAS**, having reviewed the Rules of Order, the Commission desires to make amendments thereto; and

**WHEREAS**, under CEQA Guidelines Section 15378(b)(2) and (b)(5), amending the Rules of Order is not a “project” subject to the California Environmental Quality Act as an organizational or administrative activity that will not result in direct or indirect physical changes to the environment; and

**WHEREAS**, on February 15, 2024, the Commission held a duly noticed public meeting to consider proposed amendments to the Rules of Order, and has considered all public comments, the County staff report, and other relevant information.

**BE IT, THEREFORE, RESOLVED**, the Planning Commission of Solano County adopts the amended Planning Commission Rules of Order and Procedure, attached hereto as Exhibit A, for the conduct of its meetings.

\*\*\*\*\*

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on February 15, 2024, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

By: \_\_\_\_\_

Solano County Planning Commission

Attest:

By: \_\_\_\_\_  
James Bezek, Secretary

# EXHIBIT A

## PLANNING COMMISSION OF THE COUNTY OF SOLANO, CALIFORNIA

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### RULES OF ORDER and PROCEDURE

As amended [Insert Date] by  
Planning Commission Resolution No. XXXX

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**SOLANO COUNTY  
PLANNING COMMISSION**

**RULES OF ORDER AND PROCEDURE**

**SECTION 1**      **ELECTION AND TERMS OF OFFICE**

- 1.01      Organizational Meeting. At the first regular meeting of the Commission held in February of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chair and a Vice-Chair who shall serve for one year.
- 1.02      Vacancies. In case of a vacancy in any office, it shall be filled by an election, held in the first two (2) months subsequent, and such replacement shall be for duration of the unexpired term of such office.
- 1.03      Conduct of Elections. Elections shall be by nomination and roll call vote. The member receiving the highest number of votes shall be declared elected.

**SECTION 2.**      **DUTIES OF OFFICERS AND STAFF**

- 2.01      Chair. The Chair shall preside at all meetings of the Commission and perform all other duties necessary or incidental to the office. The Chair shall or with approval of the Commission, appoint all committees, members and a chair of such committees.
- 2.02      Vice-Chair. In the event of the absence of the Chair, or their inability to act, the Vice-Chair shall take the place and perform the duties of the Chair.
- 2.03      Presiding Officer. The Chair, or in their absence, the Vice-Chair, shall call the Commission to order. Upon the late arrival of the Chair, the Vice-Chair shall immediately relinquish the duties of the Chair at the conclusion of the item of business then before the Commission. In the absence of the Chair and Vice-Chair, the senior member of the Commission shall call the Commission to order, and act as temporary Presiding Officer. Upon the arrival of the Chair or Vice-Chair, the temporary Presiding Officer shall immediately relinquish the duties of the Chair at the conclusion of the item of business then before the Commission. The person holding the duties of the Chair in accordance with this rule is designated the Presiding Officer. With consent of the Commission, the Presiding Officer may make decisions concerning clerical and administrative matters, including extensions of time as requested.
- 2.04      Secretary. The Director of Resource Management or their designee shall serve as Secretary to the Commission. The Secretary shall certify each official document and resolution of the Commission, maintain records of operation, and perform such other

duties as the Commission assigns or prescribes.

- 2.05 Director of Resource Management. The Director of Resource Management or their designee (herein referred to as the Director) shall be the Administrative Officer of the Commission. They shall furnish professional and technical advice to the Commission and shall assist the Commission in the discharge of its duties and responsibilities.
- 2.06 Clerk. The Director of Resource Management shall designate a Clerk to the Planning Commission. The Clerk shall keep minutes of each meeting and shall record the official actions taken. On all official actions where a vote is taken, the Clerk shall take the vote by roll call.

### **SECTION 3. MEETINGS OF THE COMMISSION**

- 3.01 Regular Meetings. All meetings of the Commission will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 et seq. The Commission shall hold regular meetings on the first and third Thursday of each month at 7:00 p.m. in the Board of Supervisors' Chambers, 675 Texas Street, Fairfield, California, and such meetings shall be open to the public. No new agenda item will be considered after 10:00 p.m. unless otherwise approved after an affirmative vote of the majority of Commissioners present.
- 3.02 Change of Meeting Place. The majority of the Commission may change the location of a regular meeting to an alternative location, provided the same is within the territorial limits of the County of Solano. If the meeting place is changed, the agenda or meeting notice shall clearly so specify, listing the new location and its street address or other adequate description, as soon as reasonably possible.
- 3.03 Cancellation of Meetings. The Director, Chair, or majority vote of the Commission may cancel a regularly scheduled meeting if it is determined that there is insufficient business or other reason to transact. Written notice of cancellation shall be given at least 24 hours before a regularly scheduled meeting.
- 3.04 Special Meetings.
- a. The Chair of the Commission or a majority of the Commission may call for a special meeting at any time. Special meetings shall be open to the public and may be held at such times and places as the majority of the Commission determines acceptable.
  - b. Written notice of every special meeting shall be mailed to each member of the Commission, and to each local newspaper of general circulation, radio or television station requesting notice in writing, and posted to the County's internet website at least twenty-four (24) hours before the time of such

meeting as specified in the notice.

- c. The notice shall specify the business to be transacted at the special meeting. No other business shall be considered at such meeting by the Commission, and the agenda or meeting notice shall so state.

3.05 Adjournment of Meetings. The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum of the Commission may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary of the Commission may declare the meeting adjourned to a stated time and place, and they shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.04(b) for special meetings.

3.06 Quorum. A quorum for conducting business shall be a majority of the members then appointed to the Commission. No action of the Commission shall be taken unless a quorum is present.

3.07 a. Official Action. All actions shall consist of a motion and second, followed by a vote. Except as provided by general law, every official action taken by the Commission shall require an affirmative (“aye” or “yes”) vote by a majority of the quorum present..

b. When considering an application over which the Commission has original jurisdiction, the application is denied if it fails to receive the affirmative vote of the majority of the quorum present, unless otherwise provided by law. When considering an appeal to the Commission, the appeal is denied if it fails to receive the affirmative vote of a majority of the quorum present.

c. When considering adoption or amendment of the County’s General Plan or any specific plan, the Commission shall by motion and resolution make a written recommendation to the Board of Supervisors as provided by law. Pursuant to Government Code Section 65354, an affirmative vote by a majority of the *total* membership of the Commission is required to recommend approval on the adoption or amendment. An affirmative vote by less than the majority of the Commission, but by a majority of the quorum present, shall constitute a split recommendation. A tie vote or “no” vote by a majority of the present quorum shall constitute a negative recommendation. The following table shows the possible voting outcomes (e.g., 5-0 means 5 “yes” votes and 0 “no” votes).

- Recommendation for approval: 5-0, 4-1, 3-2, 3-1, or 3-0
- Split recommendation: 2-1
- Recommendation for denial: 0-5, 1-4, 2-3, 1-2, 2-2

3.08 Order of Business. At regular meetings, the order of business shall be as follows:

- a. Opening of the meeting by Presiding Officer.
- b. Salute to the flag.
- c. Roll call (the late arrival time of any absentee shall be entered into the minutes).
- d. Approval of minutes not previously approved.
- e. Public comment on unscheduled items.
- f. Hearings or other scheduled items.
- g. Announcements and reports (by Commissioners and then the Director).
- h. Future agenda items.
- i. Adjournment.

With the consent of the Commission, the above regular order of business may be suspended or varied at any time upon order of the Presiding Officer.

### 3.09 Manner of Addressing Commission

- a. Protocol. Each person addressing the Commission shall complete a speaker card and deliver it to the Clerk before the Commission considers the particular agenda item. Persons making comments shall give their name in an audible tone of voice for the record. All remarks shall be addressed to the Commission as a body and not to any member thereof. 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 questions shall be asked of the Commission or member of the staff except through the Presiding Officer. No person shall be allowed to speak twice until others desiring to do so have had the opportunity to speak.
- b. Spokesperson for Group of Persons. Whenever any group of persons wishes to address the Commission on the same subject matter, it shall be proper of the Presiding Officer to request that a spokesperson be chosen by the group to address the Commission and in case additional data or argument is to be presented at the time by any other member of said group to limit the number of persons so addressing the Commission and the scope of their remarks so as to avoid unnecessary repetition.
- c. Time Limits. As a general matter, each speaker shall be limited to five (5) minutes. The time limit may be modified by the Chair or by a majority of the Commissioners in attendance. This provision applies to public comment

on unscheduled items and all agendized items.

3.10 Decorum of Commission Members. While the Commission is in session, the members must preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission nor disturb any member, nor refuse to obey the orders of the Commission or the Presiding Officer.

3.11 Public Hearing Procedures. In the conduct of any public hearing, the procedure shall be as follows:

- a. Presiding Officer calls for agenda item.
- b. Director or their designee presents agenda item, communications, and makes any recommendations.
- c. Commission discusses the matter with staff.
- d. The Presiding Officer opens the public hearing;
- e. Applicant or their representative may make a presentation or comments relative to their application, limited to 15 minutes or as otherwise permitted by the Presiding Officer.
- f. Commission hears other members of the public present (limited to five (5) minutes or as modified by the Chair.

(The Presiding Officer is to canvass the audience in orderly sequence to determine the pros and cons of the public hearing matter. All speakers and Commissioners are to abide by the rules of the Commission which govern the "Manner of Addressing Commission" Section 3.09. Questions by Commissioners are allowed at all stages of the hearing.)

- g. The Presiding Officer closes the public hearing. (The public hearing shall not be reopened without the approval of a majority of the quorum present. The Commission may seek clarification of testimony from staff, the applicant, or any speaker without reopening the public hearing.)
- h. Commission discusses matter.
- i. Motion and vote of Commission by roll call.
- j. Presiding Officer calls for next agenda item.

3.12 Public Hearing Decisions. Commissioners shall act in a fair and impartial manner and shall avoid reaching a final decision prior to the close of the public hearing. Commissioners may express tentative opinions and concerns prior to their final decision, as this facilitates robust exploration and discussion of issues with which

the Commission is concerned.

## **SECTION 4. DUTIES AND PRIVILEGES OF COMMISSION MEMBERS**

### **4.01 Rules of Debate.**

- a. **Presiding Officer.** The Presiding Officer may debate and vote. The Presiding Officer shall not be deprived of any of the rights and privileges of a Commission by reasons of acting as the Presiding Officer. Prior to the Presiding Officer making a motion or resolution, the Presiding Officer shall relinquish the duties of the Chair to the Vice-Chair or the next senior member of the Commission present. Upon the completion of the vote on the motion, the Presiding Officer will automatically regain the gavel and continue to preside over the meeting.
- b. **Obtaining the Floor; Improper References to be Avoided.** Every Commissioner desiring to speak shall address the Presiding Officer, and upon recognition by Presiding Officer shall confine themselves to the question under debate, avoiding all indecorous language.
- c. **Interruptions.** A Commissioner, once recognized, shall not be interrupted when speaking unless it is to call the Commissioner to order. If a Commissioner is called to order while speaking, they shall cease speaking until the question of order be determined and, if in order, shall be permitted to proceed.
- d. **Restriction of Discussion.** Except for purposes of inquiry or furnishing information to the Commission, Commissioners shall speak to the subject, motion or resolution at hand and then only when recognized by the Presiding Officer.
- e. **Limitation of Debate.** No Commissioner shall speak more than once upon any one subject until every other Commissioner wishing to speak thereon has spoken.

### **4.02. Voting**

- a. **Quorum.** A quorum for voting shall be a majority of the members then appointed to the Commission.
- b. **Motions and Voting.** As provided in Section 3.07, all official actions shall consist of a motion and second, followed by a vote.
- c. **Abstention.** An abstention shall count as neither a “yes” or “no” vote. Each member shall state the reason for any abstention and shall abstain from voting on matters involving the consideration of their own official conduct, or in which their own personal or business interests are involved. A Commissioner

abstaining from voting has forfeited his/her right to vote and it shall not be counted for any purpose.

- d. Vote; Tie Vote. Voting shall be in the same manner as provided in Section 3.07 unless otherwise provided by law. Any matter requiring a decision on which the vote is tied, is lost and automatically referred to the Board of Supervisors pursuant to Ordinance No. 1217.
- e. Demand for Roll Call. Upon demand of any Commissioner, or by direction of the Presiding Officer expressed before the negative has been put, the roll shall be called for yeas and nays upon any motion before the Commission. A Commissioner shall not explain or comment on their vote during or after roll call, except upon consent of the Presiding Officer.
- f. Sequence of Voting. Whenever a roll is taken, Commission members shall be called for their vote. The order of voting may be variable, as determined by the Secretary or as otherwise directed by the Chair.

4.03 Personal Privilege. The right of a Commission member to address the Commission on a question of personal privilege shall be limited to cases in which the Commissioner's integrity, character or motives are assailed, questioned or impugned or as may otherwise be permitted by the Chair.

4.04 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.

4.05 Excusal During Meeting. A Commissioner shall leave the Chamber while the Commission is in session only with permission of the Presiding Officer.

## **SECTION 5. COMMISSION PROCEDURES**

5.01 Second Required. Commission procedure requires a second to any resolution or motion made by a Commissioner.

5.02 Precedence of Motions. When a question is before the Commission, no motion shall be entertained except:

- a. To adjourn.
- b. To fix an hour of adjournment.
- c. To lay on the table.

- d. To call the previous question.
- e. To postpone to a certain day.
- f. To refer.
- g. To amend.
- h. To substitute.
- i. To postpone indefinitely.

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

5.03 Motions to be stated by Chair. When a motion is made, it shall, upon the request of any Commissioner, be stated by the Presiding Officer before debate. Any Commissioner may demand that it be put in writing.

5.04 Motions Out of Order. The Commission, by majority vote of a quorum of members, may permit a member to introduce a motion out of the regular order of the agenda.

5.05 Motion to Adjourn - When not in Order - When Debatable.

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

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a member speaking.
- c. When the previous question has been ordered.
- d. While a vote is being taken, a motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

5.06 Motion to Lay on Table. A motion to lay on the table shall preclude any amendments or debate of the subject under consideration. Further consideration of the subject may be resumed only after an affirmative vote of the majority of the present quorum.

5.07 Motion to call the Previous Question. When a Commissioner makes a motion to call the previous question, the Presiding Officer shall allow no further debate and shall ask "Shall the main motion now be put?" If the motion carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main question to vote. If the question, "Shall the main question now be put?" is decided negatively, the main question and its amendments shall remain before the Commission.

- 5.07     Division of Question. If a question put before the Commission contains two or more separable propositions, the Presiding Officer may, and upon request of a Commissioner, shall divide the question.
- 5.09     Amendments. When a motion to amend a motion is made, the Presiding Officer shall first cause the question to be read as it stands, then the words proposed to be stricken and added and finally, the question as it would stand if so amended.
- 5.10     Amend an Amendment. When a motion to amend an amendment has been installed for debate, a motion to amend the same amendment further shall not be in order.
- 5.11     Motion to Postpone. A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.
- 5.12     Reconsideration. Any Commissioner who voted with the majority on a question may move to reconsider that question at the same meeting in which the decision was made. After a motion for reconsideration has been acted on, no other such motion on the same question shall be made without unanimous consent of the present Commissioners.
- 5.13     Procedure in Absence of Rule. In the absence of a rule to govern a point of procedure, "Robert's Rules of Order, Revised" shall be used to decide a point of procedure.

**SECTION 6.     RECORD OF PROCEEDINGS; MINUTES**

- 6.01     Record of Proceedings. The Clerk shall take an audio recording of all regular meetings of the Commission and shall maintain that recording for at least one year. Any person wishing to listen to or make a copy of the recording of the meeting may do so by contacting the Department. Nothing herein shall preclude the Commission or any interested person from using the service of a court reporter in any public hearing. The party desiring the services of a court reporter shall be responsible for making arrangements and for payment of such services.
- 6.02     Minutes. All official actions or decisions of the Commission shall be entered into the minutes of the Commission prepared by the Clerk.

**SECTION 7.     COMMITTEES**

- 7.01     Committees. When desirable, standing and ad hoc committees may be established when necessary for technical or advisory purposes or the conduct of the Commission's business. Committees may be composed of Commissioners, staff members and members of the public. The Ralph M. Brown Act applies to certain

standing committees, pursuant to Government Code section 54952(b).

- 7.02 Appointment. The Chair shall appoint all standing and ad hoc committee members, and a chair of such committees.
- 7.03 Tenure of Standing Committees. Members of standing committees shall serve for one (1) year and shall serve thereafter until their successors are appointed by the Commission.
- 7.04 Ad Hoc Committees. Ad hoc committees shall be discharged at the conclusion of their assignment.

## **SECTION 8. POLICIES**

- 8.01 Scheduling Agenda Items. The scheduling of items on the agenda shall be the responsibility of the Director of Resource Management. At any regular meeting, a Commissioner may add an item to a future meeting agenda with the consent of a majority of the present quorum, so long as the item is within the Commission's subject matter jurisdiction.
- 8.02 Publicity. The Chair, Director, or Secretary shall make public all official information regarding Commissioner actions.
- 8.03 Visitation of sites. Individual Commissioners may meet with interested parties and go on site visits prior to a public hearing, provided such "*ex parte*" contacts (i.e., "without all present") are disclosed at the public hearing and members of the public are able to respond to that information during the hearing. Commissioners must disclose any meetings or site visits, along with any material facts learned therefrom which is not in the staff report or public record, after the agenda item is announced and before opening of the public hearing on the item. Commissioners must abide by the provisions of the Ralph M. Brown Act in conducting site visits, and no more than two Commissioners may visit a site at the same time.
- 8.04 General Law Provisions. It shall be the policy of the Commission to comply with all applicable provisions of General Law, the Ralph M. Brown Act, the Political Reform Act of 1974 and the Conflict of Interest Code of the Planning Commission of Solano County.
- 8.05 Absenteeism. It shall be the policy of the Commission that members attend meetings on a regular basis. Members unable to attend a meeting should notify the Commission Secretary in advance of the meeting so that an excused absence may be recorded in the meeting minutes. In the event three (3) consecutive unexcused absences occur, the Planning Commission may forward a recommendation to the Board of Supervisors to consider replacement of the member.

**SECTION 9.**      **AMENDMENTS**

9.01      Notice of Amendment. These Rules of Order and Procedure may be amended by a majority of the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least ten (10) days prior to the meeting date.

# PLANNING COMMISSION OF THE COUNTY OF SOLANO, CALIFORNIA

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## RULES OF ORDER and PROCEDURE

### INDEX

As amended ~~through June 16, 1994~~[Insert Date] by  
Planning Commission Resolution No. XXXX

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**SOLANO COUNTY  
PLANNING COMMISSION ~~RESOLUTION NO. 3607~~**

~~amended by RESOLUTION NO. 3806~~

~~amended by RESOLUTION NO. 3847~~

~~amended by RESOLUTION NO. 3920~~

~~amended by RESOLUTION NO. 3999~~

~~amended by RESOLUTION NO. 4016~~

~~amended by RESOLUTION NO. 4056~~

**RULES OF ORDER AND PROCEDURE**

**SECTION 1 ELECTION AND TERMS OF OFFICE**

- 1.01 **Organizational Meeting.** At the first regular meeting of the Commission held in February of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chair and a Vice-Chair who shall serve for one year.
- 1.02 **Vacancies.** In case of a vacancy in any office, it shall be filled by an election, held in the first two ~~f~~(2) months subsequent, and such replacement shall be for duration of the unexpired term of such office.
- 1.03 **Conduct of Elections.** Elections shall be by nomination and roll call vote. The member receiving the highest number of votes shall be declared elected.

**SECTION 2. DUTIES OF OFFICERS AND STAFF**

- 2.01 **Chair.** The Chair shall preside at all meetings of the Commission and perform all other duties necessary or incidental to the office. The Chair shall or with approval of the Commission, appoint all committees, members and a chair of such committees.
- 2.02 **Vice-Chair.** In the event of the absence of the Chair, or ~~his~~ their inability to act, the Vice-Chair shall take the place and perform the duties of the Chair.
- 2.03 **Presiding Officer.** The Chair, or in ~~his or her~~ their absence, the Vice-Chair, shall call the Commission to order. Upon the late arrival of the Chair, the Vice-Chair shall immediately relinquish the duties of the Chair at the conclusion of the item of business then before the Commission. In the absence of the Chair and Vice-Chair, the senior member of the Commission shall call the Commission to order, and act as temporary Presiding Office. Upon the arrival of the Chair or Vice-Chair, the temporary Presiding Officer shall immediately relinquish the duties of the Chair at the conclusion of the item of business then before the Commission. The person holding the duties of the Chair in accordance with this rule is designated the

Presiding Officer. With consent of the Commission, the Presiding Officer may make decisions concerning clerical and administrative matters, including extensions of time as requested.

2.04 Secretary. The Director of Resource Management ~~Environmental Management~~ or ~~his~~ their designee shall serve as Secretary to the Commission. ~~The secretary shall keep minutes of each meeting and shall record the official actions taken. On all official actions where a vote is taken, the Secretary shall take the vote by roll call, in order of seniority, with the Chairman voting last, or in such other order that may be prescribed by the Commission.~~ The Secretary shall certify each official document and resolution of the Commission, maintain records of operation, and perform such other duties as the Commission assigns or prescribes.

2.05 Director of ~~Environmental~~ Resource Management. The Director of Resource ~~Environmental~~ Management or ~~his~~ their designee (herein referred to as the Director) shall be the Administrative Officer of the Commission. ~~He~~ They shall furnish professional and technical advice to the Commission and shall assist the Commission in the discharge of its duties and responsibilities.

~~2.06 Clerk. The Director of Resource Management shall designate a Clerk to the Planning Commission. The Clerk shall keep minutes of each meeting and shall record the official actions taken. On all official actions where a vote is taken, the Clerk shall take the vote by roll call.~~

2.06 Clerk. The Director of Resource Management shall designate a Clerk to the Planning Commission. The Clerk shall keep minutes of each meeting and shall record the official actions taken. On all official actions where a vote is taken, the Clerk shall take the vote by roll call.

### SECTION 3. MEETINGS OF THE COMMISSION

3.01 Regular Meetings. All meetings of the Commission will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 et seq. The ~~C~~ommission shall hold regular meetings on the first and third Thursday of each month at 7:00 p.m. in the Board of Supervisors' Chambers, 675 Texas Street ~~Courthouse~~, Fairfield, California, and such meetings shall be open to the public. No new agenda item will be considered after 10:00 p.m. unless otherwise approved after an affirmative vote of the majority of Commissioners present.

3.02 Change of Meeting Place. The majority of the Commission may change the location of a regular meeting to an alternative location, provided the same is within the territorial limits of the County of Solano. ~~Upon order of the Commission adopted at least five (5) days in advance, the place of the next succeeding regular meeting may be changed to another location, provided same is within the territorial limits of the County of Solano.~~ If the meeting place is changed, the agenda or meeting notice shall clearly so specify, listing the new location and its street address or other

adequate description, as soon as reasonably possible.

3.03 Cancellation of Meetings. The Director, Chair, or majority vote of the Commission may cancel a regularly scheduled meeting if it is determined that there is insufficient business or other reason to transact. Written notice of cancellation shall be given at least 24 hours before a regularly scheduled meeting. ~~A copy of the order or notice of cancellation shall be posted at least 24 hours before the regularly scheduled hearing date within the County courthouse conspicuous to the public.~~

3.04 Special Meetings.

- a. The Chair of the Commission or a majority of the Commission may call for a special meeting at any time. Special meetings shall be open to the public and may be held at such times and places as the majority of the Commission determines acceptable. ~~The Commission shall hold special meetings at such times and places as the Commission may determine, and such meetings shall be in sessions which are open to the public.~~
- b. Written notice of every special meeting shall be mailed to each member of the Commission, and to each local newspaper of general circulation, radio or television station requesting notice in writing, and posted to the County's internet website at least twenty-four (24) hours before the time of such meeting as specified in the notice.
- c. The notice shall specify the business to be transacted at the special meeting. No other business shall be considered at such meeting by the Commission, and the agenda or meeting notice shall so state.~~;~~

3.05 Adjournment of Meetings. The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum of the Commission may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary of the Commission may declare the meeting adjourned to a stated time and place, and ~~he~~ they shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.04~~2(-b)-~~ for special meetings.

3.06 Quorum. A quorum for conducting business shall be a majority of the members then appointed to the Commission. No action of the Commission shall be taken unless a quorum is present.

3.07 a. Official Action. All actions shall consist of a motion and second, followed by a vote Except as provided by general law, every official action taken by the Commission shall require an affirmative ("aye" or "yes") vote by a majority of the quorum present. ~~be by motion or resolution adopted by the affirmative vote of a majority of the quorum present of the Commission.~~

b. When considering an application over which the Commission has original jurisdiction, the application is denied if it fails to receive the affirmative vote of

the majority of the quorum present, unless otherwise provided by law. When considering an appeal to the Commission, the appeal is denied if it fails to receive the affirmative vote of a majority of the quorum present.

c. When considering adoption or amendment of the County's General Plan or any specific plan, the Commission shall by motion and resolution make a written recommendation to the Board of Supervisors as provided by law. Pursuant to Government Code Section 65354, an affirmative vote by a majority of the total membership of the Commission is required to recommend approval on the adoption or amendment. An affirmative vote by less than the majority of the Commission, but by a majority of the quorum present, shall constitute a split recommendation. A tie vote or "no" vote by a majority of the present quorum shall constitute a negative recommendation. The following table shows the possible voting outcomes (e.g., 5-0 means 5 "yes" votes and 0 "no" votes).

- Recommendation for approval: 5-0, 4-1, 3-2, 3-1, or 3-0
- Split recommendation: 2-1
- ~~• Recommendation for denial: 0-5, 1-4, 2-3, 1-2, 2-2~~
- 

3.08 Order of Business. At regular meetings, the order of business shall be as follows:

- a. Opening of the meeting by Presiding Officer.
- b. Salute to the flag.
- ~~b.c.~~ c. Roll call (The late arrival time of any absentee shall be entered into the minutes).
- d. Approval of minutes not previously approved.-
- e. Public comment on unscheduled items.
- ~~e.f.~~ f. Hearings or other scheduled items. ~~PUBLIC HEARING ON AGENDA ITEMS~~
- ~~d.~~ ~~UNSCHEDULED ITEMS~~
- g. Announcements and reports (by Commissioners and then the Director).
- ~~e-h.~~ h. Future agenda items.
- ~~f.~~ ~~APPROVAL OF MINUTES not previously approved~~
- ~~g-i.~~ i. Adjournment.

With the consent of the Commission, the above regular order of business may be

suspended or varied at any time upon order of the Presiding Officer.

3.09 Manner of Addressing Commission

- a. Protocol. Each person addressing the Commission shall complete a speaker card and deliver it to the Secretary-Clerk before the Commission considers the particular agenda item. ~~Persons making comments shall provided and give his or her their name and address~~ in an audible tone of voice for the record. All remarks shall be addressed to the Commission as a body and not to any member thereof. 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 questions shall be asked of the Commission or member of the staff except through the Presiding Officer. No person shall be allowed to speak twice until others desiring to do so have had the opportunity to speak.
- b. Spokesperson for Group of Persons. Whenever any group of persons wishes to address the Commission on the same subject matter, it shall be proper of the Presiding Officer to request that a spokesperson be chosen by the group to address the Commission and in case additional data or argument is to be presented at the time by any other member of said group to limit the number of persons so addressing the Commission and the scope of their remarks so as to avoid unnecessary repetition.
- c. Time Limits. As a general matter, each speaker shall be limited to five (5) minutes. The time limit may be modified by the Chair or by a majority of the Commissioners in attendance. This provision applies to public comment on unscheduled items and all agendized items. ~~As a general matter, each speaker shall be limited to five (5) minutes, unless the agenda notes a different time limit for an item or as otherwise permitted by the Presiding Officer. The An applicant's presentation shall be limited to fifteen (15) minutes and others 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 Presiding Officer.~~

3.10 Decorum of Commission Members. While the Commission is in session, the members must preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission nor disturb any member, nor refuse to obey the orders of the Commission or the Presiding Officer.

3.11 Public Hearing Procedures. In the conduct of any public hearing, the procedure shall be as follows:

- a. Presiding Officer calls for agenda item.;

b. Director or their his/her designee presents agenda item, communications, and makes any recommendations.;

c. Commission discusses the matter with staff.;

d. The Presiding Officer opens the public hearing;

e. Applicant or their representative may make a presentation or comments relative to their application, limited to 15 minutes or as otherwise permitted by the Presiding Officer.

~~Presiding Officer declares the public hearing open;~~

d. f. Commission hears ~~those~~ other members of the public present (limited to five (5) minutes or as modified by the Chair.;

~~(—The Chair Presiding Officer is to canvass the audience in orderly sequence to determine the pros and cons of the public hearing public hearing matter. All speakers and Commissioners are to abide by the rules of the Commission which govern the "Manner of Addressing Commission" (Section 3.0910). Questions by Commissioners are allowed at all stages of the hearing.)~~;

~~Questions by the Commissioners are allowed at all stages of the hearing;~~

e. g. The Presiding Officer closes the public hearing. (The public hearing shall not be reopened without the approval of a majority of the quorum present. The Commission ~~make~~ seek clarification of testimony from staff, the applicant, or any speaker without reopening the public hearing.);

h. Commission discusses matter.

i. Motion and vote of Commission by roll call. ~~and takes action acts by offer of resolution;~~

f. j. Presiding Officer calls for next agenda item.

~~Discussion of resolution and amendments, if any; and~~

~~Vote by roll call.~~

3.12 3.12 Public Hearing Decisions. Commissioners shall act in a fair and impartial manner and shall avoid reaching a final decision prior to the close of the public hearing. Commissioners may express tentative opinions and concerns prior to their final decision, as this facilitates robust exploration and discussion of issues with which the Commission is concerned.

## SECTION 4. DUTIES AND PRIVILEGES OF COMMISSION MEMBERS

### 4.01 Rules of Debate.

- a. Presiding Officer. The Presiding Officer may debate and vote. The Presiding Officer shall not be deprived of any of the rights and privileges of a Commission by reasons of acting as the ~~P~~presiding Officer. Prior to the Presiding Officer making a motion or resolution, the Presiding Officer shall relinquish the duties of the ~~C~~chair to the Vice-Chair or the next senior member of the Commission present. Upon the completion of the vote on the motion, the Presiding Officer will automatically regain the gavel and continue to preside over the meeting.
- b. Obtaining the Floor; Improper References to be Avoided. Every Commissioner desiring to speak shall address the ~~P~~presiding ~~O~~fficer, and upon recognition by ~~P~~presiding Officer shall confine ~~himself—or herself~~themselves to the question under debate, avoiding all indecorous language.
- c. Interruptions. A Commissioner, once recognized, shall not be interrupted when speaking unless it is to call the Commissioner to order. If a Commissioner is called to order while speaking, ~~he/she~~they shall cease speaking until the question of order be determined and, if in order, shall be permitted to proceed.
- d. Restriction of Discussion. Except for purposes of inquiry or furnishing information to the Commission, Commissioners shall speak to the subject, motion or resolution at hand and then only when recognized by the Presiding Officer.
- e. Limitation of Debate. No Commissioner shall speak more than once upon any one subject until every other Commissioner wishing to speak thereon has spoken.

### 4.02. Voting

- a. Quorum. A quorum for voting shall be a majority of the members then appointed to the Commission.
- b. Motions and Voting. ~~As provided in Section 3.07, a~~All official actions shall consist of a motion and second, followed by a vote. A quorum shall be present to effectuate a vote. An abstention shall count as neither an aye or a no vote. An appeal is denied if it fails to receive the affirmative vote of a majority of the members present. An application over which the Commission has original jurisdiction is denied if it fails to receive the affirmative vote of the majority of the members present.
- ~~b.c.~~ Abstention. ~~An abstention shall count as neither a “yes” or “no” vote.~~ Each

member shall state the reason for any abstention and shall abstain from voting on matters involving the consideration of ~~his/her~~their own official conduct, or in which ~~his/her~~their own personal or business interests are involved. A Commissioner abstaining from voting has forfeited his/her right to vote and it shall not be counted for any purpose.

~~e.d.~~ Vote: Tie Vote. Voting shall be in the same manner as provided in Section 3.07 unless otherwise provided by law. ~~Except as otherwise provided by these Rules of Order and Procedure or by general law, voting shall be in the same manner as provided in Section 3.07.~~ Any matter requiring a decision on which the vote is tied, is lost and automatically referred to the Board of Supervisors pursuant to Ordinance No. 1217.

~~d.e.~~ Demand for Roll Call. Upon demand of any Commissioner, or by direction of the Presiding Officer expressed before the negative has been put, the roll shall be called for yeas and nays upon any motion before the Commission. A Commissioner shall not explain or comment on ~~their~~~~his/her~~ vote during or after roll call, except upon consent of the Presiding Officer.

~~e.f.~~ Sequence of Voting. Whenever a roll is taken, ~~C~~ommission members shall be called for their vote. The order of voting may be variable, as determined by the Secretary or as otherwise directed by the Chair.

4.03 Personal Privilege. The right of a Commission member to address the Commission on a question of personal privilege shall be limited to cases in which the Commissioner's integrity, character or motives are assailed, questioned or impugned or as may otherwise be permitted by the Chair.

4.04 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.

4.05 Excusal During Meeting. A Commissioner shall leave the Chamber while the Commission is in session only with permission of the Presiding Officer.

## SECTION 5. COMMISSION PROCEDURES

5.01 Second Required. Commission procedure requires a second to any resolution or motion made by a Commissioner.

5.02 Precedence of Motions. When a question is before the ~~commission~~Commission, no motion shall be entertained except:

- a. To adjourn.
- b. To fix an hour of adjournment.
- c. To lay on the table.
- d. To call the previous question.
- e. To postpone to a certain day.
- f. To refer.
- g. To amend.
- h. To substitute.
- i. To postpone indefinitely.

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

5.03 Motions ~~and Resolutions~~ to be stated by Chair. When a motion ~~or resolution~~ is made, it shall, upon the request of any Commissioner, be stated by the Presiding Officer before debate. Any Commissioner may demand that it be put in writing.

5.04 Motions Out of Order. The Commission, by majority vote of a quorum of members, may permit a member to introduce a ~~resolution or~~ motion out of the regular order of the agenda.

5.05 Motion to Adjourn - When not in Order - When Debatable.

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

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a member speaking.
- c. When the previous question has been ordered.
- d. While a vote is being taken, a motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

5.06 Motion to Lay on Table. A motion to lay on the table shall preclude any amendments or debate of the subject under consideration. Further consideration of the subject may be resumed only after an affirmative vote of the majority of the present quorum. ~~at least six three (36) members of the Commission.~~

- 5.07 Motion to call the Previous Question. When a Commissioner makes a motion to call the previous question, the Presiding Officer shall allow no further debate and shall ask "Shall the main motion now be put?" If the motion carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main question to vote. If the question, "Shall the main question now be put?" is decided negatively, the main question and its amendments shall remain before the Commission.
- 5.07 Division of Question. If a question put before the Commission contains two or more separable propositions, the Presiding Officer may, and upon request of a Commissioner, shall divide the question.
- 5.09 Amendments. When a motion to amend a motion is made, the Presiding Officer shall first cause the question to be read as it stands, then the words proposed to be stricken and added and finally, the question as it would stand if so amended.
- 5.10 Amend an Amendment. When a motion to amend an amendment has been installed for debate, a motion to amend the same amendment further shall not be in order.
- 5.11 Motion to Postpone. A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.
- 5.12 Reconsideration. Any Commissioner who voted with the majority on a question may move to reconsider~~ation of~~ that question at the same meeting in which the decision was made. After a motion for reconsideration has been acted on, no other such motion on the same question shall be made without unanimous consent of the present Commissioners.
- 5.13 Procedure in Absence of Rule. In the absence of a rule to govern a point of procedure, "Robert's Rules of Order, Revised" shall be used to decide a point of procedure.

**SECTION 6.** **RECORD OF PROCEEDINGS; ~~RECORD OF PROCEEDINGS~~MINUTES**

- 6.01 Record of Proceedings. The Clerk shall take an audio recording of all regular meetings of the Commission and shall maintain that recording for at least one year. Any person wishing to listen to or make a copy of the recording of the meeting may do so by contacting the Department. Nothing herein shall preclude the Commission or any interested person from using the service of a court reporter in any public hearing. The party desiring the services of a court reporter shall be responsible ~~from~~ for making arrangements and for payment of such services. ~~Contents of Commission Record. The record of any matter brought before the Commission shall include such of the following as pertains to the case:~~

~~a.—— Item of business, including all information submitted therewith;~~

- ~~b. Report of the Director and other reports on the item as presented to the Commission at a meeting thereof;~~
- ~~c. All communications received concerning the item;~~
- ~~d. All significant facts and comments brought out at any meeting of the Commission; and~~
- ~~e. The record of all actions taken by the Commission on the item.~~

6.02 ~~6.02.~~ Minutes. All official actions or decisions of the Commission shall be entered into the minutes of the Commission prepared by the Clerk.

## **SECTION 7. COMMITTEES**

7.01 Committees. When desirable, standing and ~~special-ad hoc~~ committees may be established when necessary for technical or advisory purposes or the conduct of the Commission's business. Committees may be composed of Commissioners, staff members and members of the public. The Ralph M. Brown Act applies to certain standing committees, pursuant to Government Code section 54952(b).

7.02 Appointment. The Chair shall appoint all standing and ad hoc committee members, and a chair of such committees.

~~7.03 Tenure of Standing Committees. Members of sstanding committees shall serve for one (1) year and shall serve thereafter until their successors are appointed by the Commission.~~

7.03 Tenure of Standing Committees. Members of standing committees shall serve for one (1) year and shall serve thereafter until their successors are appointed by the Commission.

~~7.0304~~ Special Ad Hoc Committees. ~~Special Ad hoc~~ committees shall be discharged at the conclusion of their assignment.

## **SECTION 8. POLICIES**

8.01 Scheduling Agenda Items. The scheduling of items on the agenda shall be the responsibility of the Director of ~~Environmental Resource~~ Management. At any regular meeting, a Commissioner may add an item to a future meeting agenda with the consent of a majority of the present quorum, so long as the item is within the Commission's subject matter jurisdiction. ~~The Planning Commission may direct an item to be scheduled, change the order of agenda items or continue certain agenda~~

~~items:~~

- 8.02 Publicity. The Chair, Director, or Secretary shall make public all officials information regarding Commissioner actions.
- 8.03 Visitation of sites. Individual Commissioners may meet with interested parties and go on site visits prior to a public hearing, provided such “ex parte” contacts (i.e., “without all present”) are disclosed at the public hearing and members of the public are able to respond to that information during the hearing. Commissioners must disclose any meetings or site visits, along with any material facts learned therefrom which is not in the staff report or public record, after the agenda item is announced and before opening of the public hearing on the item. Commissioners must abide by the provisions of the Ralph M. Brown Act in conducting site visits, and no more than two Commissioners may visit a site at the same time. ~~It shall be the policy of the Commission to encourage site visits and report the observations resulting from any such visitations.~~
- 8.04 General Law Provisions. It shall be the policy of the Commission to comply with all applicable provisions of General Law, the Ralph M. Brown Act, the Political Reform Act of 1974 and the Conflict of Interest Code of the Planning Commission of Solano County.
- 8.05 Absenteeism. It shall be the policy of the Commission that members attend meetings on a regular basis. Members unable to attend a meeting should notify the Commission Secretary in advance of the meeting so that an excused absence may be recorded in the meeting minutes. In the event three (3) consecutive unexcused absences occur, the Planning Commission may forward a recommendation to the Board of Supervisors to consider replacement of the member.

## SECTION 9. AMENDMENTS

- 9.01 Notice of Amendment. These Rules of Order and Procedure may be amended by a majority of the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least ten (10) days prior to the meeting date.