CITY OF
AGOURA HILLS

PLANNING DEPARTMENT

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: DISCUSSION ITEM – PLANNING COMMISSION NORMS AMENDMENTS

DATE: OCTOBER 19, 2017

Staff is requesting that the Planning Commission review proposed amendments to the Planning Commission Norms and provide a recommendation to the City Council for adoption. This item was on the September 7, 2017 Planning Commission meeting agenda, and was continued without discussion so that all Planning Commissioners could attend.

BACKGROUND

The Planning Commission is charged with acting on all land use entitlement matters, is advisory to the City Council on legislative matters, and implements the City's General Plan to help ensure the orderly and physical growth of the City. It is the overall responsibility of the Planning Commission to: a) gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions. To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the City Council adopted in 2011 "Norms" of behavior and protocol for the Planning Commission. The Norms are intended to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City, and more specific to the City Council's expectations of all Planning Commissioners. The Norms consist of seven topics, including general procedures, the selection of Chair and Vice Chair, the Chair's role, Planning Commission preparation, public meetings, Planning Commission interaction and communication, and interaction and communication with staff.

As six years have passed since the norms were adopted, staff has reviewed them with the intent of identifying procedures that may need amending to further assist the Planning Commission in conducting successful meetings. The proposed amendments are also intended to ensure Planning Commissioners are given equal opportunities to be considered for serving as Chair and Vice Chair. The proposed amendments are discussed below and are highlighted in the attached Draft Planning Commission Norms.

DISCUSSION

Selection of Chair and Vice Chair

The Norms currently encourage the Planning Commission to consider re-appointing the Chair and Vice Chair to serve the length of their two-year appointment. However, the Norms and the Municipal Code also call for the Chair and Vice Chair selections to be considered annually. The Norms also state: "the rotation of the Chair and Vice Chair has traditionally been based on the time in which the Commissioners have served on the Planning Commission, with the Vice Chair customarily being next in line, if he/she desires, to rotate to the Chair position." For consistency, and to give each Planning Commissioner an opportunity to be considered for the Chair and Vice Chair positions, staff recommends the Norms be amended to state the Chair and Vice Chair are to serve one-year terms. This amendment would not preclude a Commissioner from serving consecutive terms as Chair or Vice Chair, but would continue to allow for annual selection by a majority vote of the Planning Commission.

The proposed amendment (shown underlined and as strike-through) on Page 3, No. 2 of the Norms is as follows:

> "In accordance with this rotation, the Chair and Vice Chair are nominated at the first Planning Commission meeting of each calendar year, and are selected by a majority vote of their peers on the Planning Commission. ~~Although they serve for a one-year term, the Planning Commission is encouraged to consider re-appointing the Chair and Vice Chair to serve the length of their two-year Planning Commission appointment.~~ The Chair and Vice Chair are to serve one-year terms."

Chair's Role

The Chair serves as a facilitator of the Planning Commission meetings. To assist the Chair in this role, staff recommends the Norms acknowledge that he/she may utilize procedures he/she finds appropriate for the orderly conduct of the meetings and hearings. While the Norms state the Chair provides an equal opportunity for each Planning Commissioner to be heard, staff recommends it be noted that the Chair's role is also to facilitate the order and length of discussion among the Planning Commissioners.

The proposed amendment (shown underlined) on Page 4, No. 5 of the Norms is as follows:

"The Chair is obliged to act as a facilitator during public meetings and may utilize procedures he/she finds appropriate for the orderly conduct of Planning Commission meetings and hearings. He/she ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. He/she provides an equal opportunity for each Planning Commissioner to be heard, while facilitating the order and length of discussion among the Planning Commissioners."

Public Meetings – Change in Procedure

The Norms allow a Planning Commissioner to suggest a change in procedure during the course of a meeting or hearing if he/she feels it will be helpful for the conduct of a particular meeting. Understanding the Chair runs the meeting, staff recommends the Norms further state that the Chair may accept or reject the change in procedure, unless the matter is put to a vote by the Planning Commission. While deference to the Chair is recommended for a proposed change in procedure during a meeting or hearing, the Planning Commission would retain the ability to consider a proposed change if a motion is made and seconded.

The proposed amendment (shown underlined) on Page 9, No. 9 of the Norms is as follows:

"A Planning Commissioner may suggest a change in procedure if he/she feels it will be helpful for the conduct of a particular meeting, understanding that the Chair runs the meeting and may accept or reject the change in procedure, unless the matter is put to a vote by the Commission."

Public Meetings – Motions

Any Planning Commissioner may propose by a motion to take action upon an order, resolution, ordinance, or any other action. However, each Planning Commissioner should be given an opportunity to first deliberate on the subject matter. Staff proposes the Norms be amended to clarify this point, and call for Planning Commissioners to consider the timing of their motion.

The proposed amendment (shown underlined) on Page 11, No. 24(a) of the Norms is as follows:

"Action upon an order, resolution, ordinance, or any other action of the Planning Commission may be proposed by any Planning Commissioner by a motion. Planning Commissioners shall consider the timing of their motion, allowing for the other Planning Commissioners to have also had an opportunity to deliberate on the subject matter. The Chair may make a motion only after all other Planning Commissioners

present have had an opportunity to make a motion on the question. Before a motion can be considered or debated, it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second and shall be so declared by the Chair."

Planning Commission Interaction and Communication

Each Planning Commissioner is expected to treat their fellow Commissioners with respect and courtesy. The Chair serves a unique role of serving as both a Planning Commissioner and a facilitator of the meeting or hearing. As such, staff recommends the Norms be amended to also acknowledge the Chair's facilitator role and call for his/her decisions to be respected and followed.

The proposed amendment (shown underlined) on Page 15, No. 1 of the Norms is as follows:

> "Planning Commissioners are expected to treat each other with the respect and courtesy that is their due as citizens and public officials. Decisions of the Chair are to be respected and followed."

The Norms clarify the City Council's expectations of all Planning Commissioners. It is understood that Planning Commissioners are appointed by the City Council and that the City Council can consider taking action should any Planning Commissioner habitually ignore the Norms. As such, staff recommends the Norms be amended to delete reference to the Planning Commissioners being called to task by his/her fellow Planning Commissioners and the public should the Norms be habitually ignored.

The proposed amendment (shown as strikethrough) on Page 16, No. 10 of the Norms is as follows:

> "A principal purpose of the Norms is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive, and civil interaction between Planning Commissioners. ~~Any Planning Commissioner who habitually ignores these Norms should expect to be called to task by his/her fellow Planning Commissioners, by the public, and ultimately by the City Council.~~"

RECOMMENDATION

Staff recommends that the Planning Commission review the Planning Commission Norms Amendments and provide a recommendation for the City Council's consideration of adoption.

ATTACHMENT

- Planning Commission Norms Amendments

DRAFT
CITY OF AGOURA HILLS
Planning Commission Norms

The Agoura Hills Planning Commission is charged with acting on all land use entitlement matters, is advisory to the City Council on legislative matters, and implements the City's General Plan to help ensure the orderly and physical growth of the City.

It is the overall responsibility of the Planning Commission to: a) gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the Agoura Hills City Council has adopted the following "Norms" of behavior and protocol for the Agoura Hills Planning Commission. Except for those Norms that are based on law, these norms are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City.

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GENERAL

1. The Planning Commission looks to the Planning Director, and City Attorney, for advice on policies and legislative matters relevant to duties of the Planning Commission.

2. The Planning Commission complies with all laws relating to open meetings, public records, and conflicts of interest.

3. The Planning Commission desires the public to be fully informed about the land use matters that impact them, and encourages public comment as land use matters are considered.

4. The Planning Commission is encouraged to participate in training and education relevant to their duties. Newly appointed Commissioners are expected to attend an orientation meeting with the Planning Director to familiarize themselves with their expected responsibilities and duties.

5. All Planning Commissioners may receive or review any documents shown or provided to any other Planning Commissioner.

6. Planning Commissioners are expected to attend all scheduled Planning Commission meetings and committee meetings, and inform the Planning Director and other Commissioners, as far in advance as possible, of when they will be out-of-town or otherwise unavailable to participate in a scheduled meeting. Commissioners are expected to arrange their personal and business schedules so as not to conflict with scheduled Planning Commission meetings. Exceptions to this policy include family emergencies, medical emergencies, and the like. Planning Commissioners with poor attendance records may be replaced at the discretion of the City Council.

7. Planning Commissioners are expected to dress in business attire for Planning Commission meetings, with ties being optional. Prohibited attire includes shorts, shirts or blouses with political or offensive sayings, or any attire that would draw unwarranted attention to a particular Planning Commissioner.

SELECTION OF THE CHAIR AND VICE CHAIR

1. The rotation of Chair and Vice Chair has traditionally been based on the time in which the Commissioners have served on the Planning Commission, with the Vice Chair customarily being next in line, if he/she desires, to rotate to the Chair position.

2. In accordance with this rotation, the Chair and Vice Chair are nominated at the first Planning Commission meeting of each calendar year, and are selected by a majority vote of their peers on the Planning Commission. ~~Although they serve for a one-year term, the Planning Commission is encouraged to consider re-appointing the Chair and Vice Chair to serve the length of their two-year Planning Commission appointment.~~ The Chair and Vice Chair are to serve one-year terms.

3. The Chair and Vice Chair are peers of, and serve at the pleasure of, the other Planning Commissioners.

4. The Chair assumes the center chair on the dais and oversees the seating location of the other Planning Commissioners.

CHAIR'S ROLE

1. The Chair represents the Planning Commission, is the official spokesperson, and presides over all Planning Commission meetings.

2. The Chair, as well as each Planning Commissioner, recognizes the unique role of representing the Planning Commission, and takes great care to ensure that this always takes precedence over representing oneself or one's own personal agenda.

3. At a public meeting, the Chair has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Planning Commission or the public.

4. In the absence of the Chair, the Vice Chair performs the duties of Chair.

5. The Chair is obliged to act as a facilitator during public meetings and may utilize procedures he/she finds appropriate for the orderly conduct of Planning Commission meetings and hearings. He/she ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. He/she provides an equal opportunity for each Planning Commissioner to be heard, while facilitating the order and length of discussion among the Planning Commissioners.

5. The Chair is expected to be an advocate for his/her views, just as other Planning Commissioners are, but he/she does not take advantage of his/her status on the dais to coerce or to advocate in excess of what is allowed to other Planning Commissioners. His/her role as facilitator should not be compromised by his/her role as an advocate.

6. If a Planning Commissioner served on a sub-committee that discussed an issue being considered by the Planning Commission, it is appropriate for the Chair to give that member, or committee member, the opportunity to speak first on that particular issue.

7. After issuing a warning, the Chair may order from the Chambers any person(s) who commits the following acts with respect to a meeting of the Planning Commission:

    a. Disorderly, contemptuous, or insolent behavior toward the Planning Commission or any Planning Commissioner which interrupts the due and orderly course of the meeting.

    b. A breach of the peace, boisterous conduct, or violent disturbance which interrupts the due and orderly course of the meeting.

CHAIR'S ROLE, continued …

c. Disobedience of any lawful order of the Chair, which shall include an order to be seated, or refrain from addressing the Planning Commission, or debating with other members of the public.

d. Any other interference with the due and orderly course of the meeting.

After issuing a warning to person(s) conducting such behavior, the Chair may inform the person(s) and audience that it will be necessary for the Commission to recess from the meeting. If the behavior continues, the Chair is expected to call for a recess until the disturbance has ended.

Where there is no provision of these rules of procedure applicable to the conduct of the meeting or hearing of the Planning Commission, the Chair shall devise appropriate rules and make final decisions on any points of order which may arise, with concurrence of the majority of the Planning Commission. If the Chair determines it necessary, he/she may direct staff to contact the Sheriff's Department for assistance.

8. The Chair is expected to meet with the Planning Director on a regular basis to discuss meeting agendas and other issues relevant to the Planning Commission meeting process.

PLANNING COMMISSION PREPARATION

1. Planning Commissioners avoid surprising their colleagues or staff. To the maximum extent possible, Planning Commissioners advise the Planning Director in advance of issues or questions they intend to bring up at the public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting minor questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.

2. Planning Commissioners are prepared for Planning Commission or sub-committee meetings, which includes having read all agendas and supporting documentation prior to the meeting, and being familiar with, and visiting, the subject properties that are being considered by the Planning Commission.

3. After first contacting the Planning Director, the Planning Commissioners can contact the City Attorney directly with regard to any concerns about potential conflicts of interest.

PUBLIC MEETINGS

1. Public hearings and discussion items at Planning Commission meetings proceed generally in the following order:

   a. If a Planning Commissioner is not eligible to participate in the consideration of an item due to a conflict of interest, said Planning Commissioner shall be considered recused from the voting, in which case the Planning Commissioner cannot be included in the quorum and must not be present in the Chambers during the Planning Commission's consideration of the item.

   b. City staff presents a report of the item under consideration.

   c. Planning Commissioners have an opportunity to ask questions of staff for clarification or gather additional information pertaining to staff's report.

   d. Planning Commissioners disclose any ex parte communications that they have had with applicants outside of the public hearing.

   e. Public testimony is taken, either formally opening a public hearing, or by receiving testimony from the affected parties or members of the public who wish to be heard. The Chair facilitates questions of the Planning Commissioners while avoiding unnecessary delays in taking all public testimony. The Chair shall determine whether Planning Commissioners' questions are relevant to the hearing. Questions of the Planning Commissioners that pertain to the agenda item request are directed to the applicant, rather than staff.

   f. At the close of the public testimony, the Chair allows staff to respond to any public testimony which staff wishes to supplement or regards as inaccurate, or in need of clarification.

   g. The Chair allows other Planning Commissioners to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item.

   h. The order of Planning Commission comments is at the discretion of the Chair, but any Planning Commissioner may request to speak first. If the item under consideration was studied first by a committee in which a Commissioner participated, the member(s) of the committee would be expected to lead off the discussion.

2. Any Planning Commissioner may request a continuance of an item on the agenda if that Planning Commissioner needs more time to become fully

informed and able to render a decision. However, a continuance need not be granted if a majority of the Planning Commission deems it necessary to render a decision at the agendized time. Planning Commissioners should not request a continuance without justifiable reason. Bear in mind that the public may attend, expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item.

3. If any Planning Commissioner becomes aware of an unexpected issue that may be brought up by a member of the public at a Planning Commission or committee meeting, that Planning Commissioner will, as a courtesy, inform the other Planning Commissioners, committee members, and the Planning Director.

4. Planning Commissioners are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Planning Commission's ultimate decision graciously and as final. Planning Commissioners should not place the Planning Director or staff in the position of having to deal with minority positions which contradict Planning Commission decisions.

5. A request from the public to speak on an agendized item must be submitted to the Planning Commission Secretary prior to the close of the public hearing or public comment period. No request forms will be accepted after that time and no additional speakers will be allowed to speak on the item being discussed.

   The Chair's instructions to the audience will generally follow these guidelines:

   a. Any person desiring to speak must first be recognized by the Chair.

   b. All participants must speak from the podium, unless the Chair approves an alternate location.

   c. All speakers are requested to first state their names and the names of any persons in whose behalf they are appearing (if any).

   d. All comments must be made clearly and audibly.

   e. The Chair requests speakers to direct their comments to the Chair and not to individual Planning Commissioners, staff, the audience, or to the television cameras.

PUBLIC MEETINGS, continued …

f. No person, other than members of the Planning Commission, staff, and the person having the floor, shall be permitted to enter into the discussion.

g. A time limit (usually three minutes) for speakers before the Planning Commission is enforced at the discretion of the Chair.

h. Except when necessary for immediate clarification of a particular point, no person shall be allowed to speak a second time until all others wishing to speak have had an opportunity to do so, and then only at the discretion of the Chair.

i. Persons who submit forms requesting to speak are prohibited from assigning or transferring their speaker time to another speaker.

6. The Chair controls the meeting, and discourages personal attacks of any kind from speakers by encouraging them, instead, to productively address the issues at hand.

7. The Planning Commission listens carefully to the speakers, however heated, and does not interrupt or engage in debate with the speakers in a tit-for-tat exchange that does not elicit useful information. The three-minute period belongs to the speaker. In no instance shall the Planning Commission be disrespectful, demeaning, or condescending toward the speakers.

8. Subject to applicable legal deadlines, the Chair or any Planning Commissioner may move to refer back to staff any agenda item that is deemed incomplete or unready for final decision.

9. A Planning Commissioner may suggest a change in procedure if he/she feels it will be helpful for the conduct of a particular meeting, understanding that the Chair runs the meeting and may accept or reject the change in procedure, unless the matter is put to a vote by the Commission.

10. While unanimity is not required or always possible, the Chair attempts to find consensus on discussion items.

11. The Planning Commissioners make the reasons for their votes clear to their colleagues and to the public. This is particularly important when the Planning Commission is divided on an issue.

12. The Chair and Planning Commissioners treat everyone with courtesy and respect, avoiding both excessive familiarity and unnecessary formality.

PUBLIC MEETINGS, continued ...

13. Planning Commissioners make their remarks succinct, to the point, and as brief as possible so as not to tire the audience or engage in lecturing that becomes tedious and repetitious.

14. Planning Commissioners avoid repeating remarks already made by others, and simply state agreement with those particular shared sentiments.

15. Every Planning Commission action should be:

    a. A reasoned decision that was arrived in a fair way.

    b. Not to the personal advantage of any Planning Commissioner.

    c. Free of favoritism.

    d. Based on information and opinions from a variety of sources, and particularly, from those who would be most affected.

16. Planning Commissioners do not have private communications, among themselves or members of the public, via cell phones or other electronic communication devices, from the dais during public meetings.

17. The Planning Commission does not encourage the receipt of information or evidence on a particular pending matter outside of hearings. If any Planning Commissioner receives information during a site visit or through any other means, which he/she feels is pertinent to a pending matter, he/she shall disclose the information or evidence so received during the hearing on the matter. The applicant shall have the opportunity to supplement or rebut the information or evidence so disclosed, and failure to do so shall be deemed a waiver of any objection regarding the information or evidence.

18. The Planning Commission is expected to make specific decisions and recommendations on the matters brought before them, and not merely pass them on to the City Council for final decision.

19. City Councilmembers do not dictate the decisions of Planning Commissioners.

20. The Planning Commission shall judge each case on its merits. Each Planning Commissioner shall give weight to the professional recommendations of City staff and consultants, and shall also consider testimony given by the applicant and the public, in reaching a vote that is

objective and based on facts, is free of strong personal bias, and is within the parameters of the zoning ordinance, General Plan, and the City's established procedures, including the Planning Commission Norms contained herein. Commissioners are expected to accept expert opinions and not contradict the experts based on a Commissioner's personal opinion.

21. Planning Commissioners are encouraged to discuss questions or concerns about any agendized items with the Planning Director, prior to Planning Commission meetings, in order to be prepared to take action at the public meeting.

22. The Chair, or any Planning Commissioner via the Chair, may request the Planning Director to request the City Attorney, or his/her assistant, to explain, either in writing or orally to staff or the Planning Commissioners, as appropriate, a legal opinion on a particular matter. The City Attorney or his/her assistant may further advise the Chair on matters of evidence and procedure which may arise, including, but not limited to, the desirability of closed sessions to discuss pending or potential litigation.

23. If the Planning Commission chooses to override or reject staff's recommendation, they clearly state for the record the specific reasons so that the City Council may have the benefit of their reasoning in the event of an appeal.

24. Motions of the Planning Commission shall follow these guidelines:

    a. Action upon an order, resolution, ordinance, or any other action of the Planning Commission may be proposed by any Planning Commissioner by a motion. Planning Commissioners shall consider the timing of their motion, allowing for the other Planning Commissioners to have also had an opportunity to deliberate on the subject matter. The Chair may make a motion only after all other Planning Commissioners present have had an opportunity to make a motion on the question. Before a motion can be considered or debated, it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second and shall be so declared by the Chair.

    b. A motion on the floor may be amended at any time before adoption or rejection. When an amendment is offered, the maker of the motion and the Planning Commissioner who seconded the motion will be given an opportunity by the Chair to accept the amendment. If the maker of the motion and the Planning Commissioner who seconded the motion agree to the amendment, the original motion as amended

will then be considered. If either the maker of the motion or the Planning Commissioner who seconded the motion does not accept the amendment, the Planning Commission will debate and take action on the amendment before acting on the original motion. If the amendment is not adopted, the original motion will then be considered. If the amendment is adopted, the original motion as amended will then be considered.

a. A motion may be withdrawn by the maker at any time before adoption or rejection, with consent of the second. A second to a motion may be withdrawn by the seconding Planning Commissioner at any time before adoption or rejection of the motion. The motion will then be lost for lack of a second and so declared by the Chair, unless seconded by another Planning Commissioner.

b. At any time after a motion has been seconded, any Planning Commission may move to table a motion. If the tabling motion is adopted, the original motion will remain on the floor but may not again be considered at the meeting at which it was made. The original motion will be considered and voted upon at a regular meeting of the Planning Commission, specified in the motion, unless again tabled at that time. If not considered at such meeting, it will be deemed lost. If the tabling motion is not adopted, consideration of the original motion will continue.

c. After a motion has been seconded, any member may discuss or comment on the subject of motion. The Chair will recognize Planning Commissioners with the desire to speak, beginning with the motion's maker, and will protect each speaker from disturbance or interference. When no Planning Commissioner wishes to discuss or comment further, the Chair will call for a vote on the motion. Any Planning Commissioner may, at any time, move to close the debate.

d. Motions for reconsideration of a matter may be made by any Planning Commissioner who voted with the prevailing majority on the matter to be reconsidered. Any Planning Commissioner may second a motion to reconsider. Motions to reconsider shall be made at the same meeting as the original motion or an adjourned meeting on the succeeding day. If the matter to be reconsidered was considered at a public hearing, the public hearing will be reopened before additional evidence is received.

e. On any matter for which State law or City ordinance requires the preparation of written findings, the staff report submitted on the matter will contain findings proposed for adoption by the Planning Commission. Any motion, directly or implied, rejecting the proposed findings should include a statement of alternative or modified findings, or a direction that the matter under consideration be continued for a reasonable period of time in order for staff to prepare a new set of proposed findings consistent with the evidence which has been presented and the decision which is anticipated.

f. Items that require little or no discussion by the Planning Commission may be considered as consent items. The Planning Commission will act on these items in one motion at the beginning of the meeting. Approval by the Planning Commission of consent items means that the staff recommendation was approved, along with the findings and conditions set forth in the staff report. Any Planning Commissioner may request that consent items be considered in the regular order on the agenda. Removal of an item from the consent calendar is subject to approval by a majority of the Planning Commissioners present.

25. Voting by the Planning Commission shall follow these guidelines:

a. Approval of any motion on a matter brought before the Planning Commission shall require the affirmative vote of a majority of the Planning Commissioners present. The Planning Commission shall make every attempt to reach a majority decision among the Planning Commissioners who are present at the meeting.

b. Any tie vote shall constitute a denial of the motion and may be reconsidered by a motion offered by any Planning Commissioner who voted on the matter. If there is no action by an affirmative vote, the result is denial. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-maker from which the appeal was taken.

c. Planning Commissioners are expected to vote on each agendized item. However, if a Planning Commissioner is eligible to participate in the consideration of an item and wishes not to vote in the negative or affirmative on the item, the Planning Commissioner may elect to abstain from the vote. Abstentions shall not count as votes for the purpose of determining whether there has been an

affirmative vote of a majority of Planning Commissioners present, but shall be counted for the purpose of determining whether a quorum is present.

d. A motion to adopt or approve staff recommendations, or simply to approve the action under consideration, shall, unless otherwise particularly specified, be deemed to include adoption of all proposed findings and execution of all actions recommended in both the written staff report on file on the matter and any oral staff report presented during the hearing.

e. A Planning Commissioner who is absent from any portion of a hearing conducted by the Planning Commission may vote on the matter at the time it is acted upon, provided that he/she had viewed the video recording of the entire portion of the hearing from which he/she was absent, and if he/she has examined all of the staff report presented during the portion of the hearing from which he/she was absent, and states for the record before voting that he/she deems himself or herself to be as familiar with the record and with the evidence presented at the hearing as he/she would have been had he/she personally attended the entire hearing.

PLANNING COMMISSION INTERACTION AND COMMUNICATION

1. Planning Commissioners are expected to treat each other with the respect and courtesy that is their due as citizens and public officials. Decisions of the Chair are to be respected and followed.

2. The Planning Commission maintains a respectful decorum, and avoids personal attacks during public meetings, in the press, or at any other time. Planning Commissioners start with the assumption that the other Planning Commissioners have the best interest of the City at heart, even if they disagree with their positions.

3. Planning Commission meetings may be informal, but are not casual. Planning Commissioners should be sensitive to the negative impact that inappropriate conduct has on the public perception of the City. Planning Commissioners should be mindful of the fact that they are representatives of the City in all their public activities.

4. Planning Commissioners are flexible and cooperative in filling in for one another at meetings or important functions.

5. Planning Commissioners do not engage in private discussion in violation of the Brown Act. A Planning Commissioner who feels that a conversation is potentially a violation should express his/her concern and immediately withdraw from the conversation. Planning Commissioners are expected to honor such concerns and immediately cease the conversation even if they do not agree that the Brown Act applies in that particular instance.

6. The privacy of non-public conversations between Planning Commissioners, or between Planning Commissioners and staff, should be respected. This is particularly true if the conversation, involves matters of personal health, personalities, working relationships, job performance, or other sensitive issues. Divulging the content of the personal communications publicly can have a chilling effect on the working relationships between Planning Commissioners.

7. If a Planning Commissioner feels that information from a private conversation must be made public, he/she should first consult the person who confided that information, explain his/her reasoning, and to the extent possible, allow that person to make his/her own public disclosure.

PLANNING COMMISSION INTERACTION AND COMMUNICATION, continued …

8. The "Norms" do not, by themselves, carry the weight of law. Planning Commissioners are expected to abide by them out of a desire to have a well-run City that treats its citizens respectfully and with dignity. A Planning Commission that strives to be fair, informed, honest, diligent, dignified, efficient, and respectful of others will win the respect and trust of the citizens it serves.

9. If any Planning Commissioner feels that a Norm is being violated, it is appropriate for that Planning Commissioner to discuss it individually with the errant Planning Commissioner. If the Planning Director or staff is involved, it is appropriate to discuss it with the City Manager. People may often see events differently, but if they are well-intentioned, they should be able to work out the matter and become better "teammates" for having had such a discussion. If this does not resolve the situation, it is appropriate, as a last resort, to bring the matter within the comment period of a public meeting and ask for the issue to be put on a future agenda.

10. A principal purpose of the Norms is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive, and civil interaction between Planning Commissioners. ~~Any Planning Commissioner who habitually ignores these Norms should expect to be called to task by his/her fellow Planning Commissioners, by the public, and ultimately by the City Council.~~

PLANNING COMMISSION INTERACTION AND COMMUNICATION WITH STAFF

1. The Planning Commission, Planning Director, and staff work together as a decision-making team.

2. Planning Commissioners are free to communicate with the Planning Director about any Planning Commission issues.

3. Complaints or concerns about any City departments or staff are first taken up with the Planning Director.

4. The Planning Commission should expect to be fully and promptly informed by the Planning Director or his/her designee regarding any information of concern to the Planning Commission.

5. Planning Commissioners keep a friendly, professional relationship with staff members, but avoid getting involved with personal and operational matters.

6. It is staff's role to provide factual, objective, and unbiased information to the Planning Commission and members of the public in its reports. Planning Commissioners do not interfere or attempt to unduly influence the content of reports being prepared by staff. If a Planning Commissioner disagrees with a staff recommendation, he/she is not obligated to vote for it and is likewise free to attempt to convince his/her colleagues on the Planning Commission of his/her position.

7. Planning Commissioners are expected to serve on committees requested by the City Council. Planning Commissioners who serve on committees serve the entire Planning Commission.

8. Committee members keep the rest of the Planning Commission generally informed of their work. Such communication is made in public meetings.