



**BY-LAWS  
OF THE  
CITY PLANNING COMMISSION  
CITY OF WATSONVILLE, CALIFORNIA**

AMENDED THE 6<sup>th</sup> DAY OF DECEMBER, 2004, UNDER AUTHORITY OF APPLICABLE STATUTES OF THE STATE OF CALIFORNIA, AND THE CITY CHARTER OF THE CITY OF WATSONVILLE, CALIFORNIA, FOR THE PURPOSE OF ESTABLISHING RULES AND REGULATIONS GOVERNING THE ORGANIZATION AND PROCEDURES OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE

ARTICLE I

NAME

1. The name of this Organization shall be the City Planning Commission of the City of Watsonville, California; hereinafter referred to as “the Planning Commission” or “the Commission.”

ARTICLE II

POWERS AND DUTIES

1. The Planning Commission shall have the power to and duty to:
  - a. Recommend to the Council after a public hearing thereon the adoption, amendment or repeal of a general plan or any part thereof or the adoption, amendment or repeal of a specific plan for the physical development of the City as such terms are defined by Chapter 3, Title 7, of the Government Code of the State of California as may be amended;
  - b. List and classify annually all proposed public improvements recommended by officers, departments, boards or commissions of the City and, no later than the first regular meeting of May each year, recommend to the Council and the City Manager a coordinated program of proposed public improvements for the ensuing five (5) year period according to a logical order of priority;
  - c. Exercise such functions with respect to land use including but not limited to planning, zoning, subdivisions, public buildings, recreation and parks, streets and housing as may be prescribed by ordinance not inconsistent with the provisions of the Charter.
  - d. Recommend to the Council for adoption and implementation plans for the clearance, rehabilitation, redevelopment or renewal of substandard areas within the City;

- e. Recommend to the Council for adoption and implementation such plans as are designed to promote the most beneficial and orderly growth and development of the City; and
- f. Perform such other duties as may be prescribed by the Council not inconsistent with the provisions of the Charter.

### ARTICLE III

#### MEMBERSHIP & TERM OF OFFICE

Membership, term of office and procedures for removal of members and the filling of vacancies shall be established by the City Charter of the City of Watsonville.

### ARTICLE IV

#### OFFICERS

1. At the regular meeting in March of each year, there shall be elected, from among the membership of the Commission, a Chair and a Vice-Chair.
2. The City Manager of the City of Watsonville shall delegate responsibility to the Community Development Director to act as or designate a City employee to act as Secretary to the Commission.
3. Should a vacancy occur for any reason in the office of the Chair or Vice-Chair prior to the next annual election of officers, a special election shall be held to fill that office for the duration of the unexpired term.

### ARTICLE V

#### ELECTION OF OFFICERS

1. For election of the Chair, the Secretary shall act as the Chair of the Commission. Once selected, the Secretary shall turn over the responsibility to the newly elected Chair.
2. Any member may nominate a candidate from the membership for the position of Chair or Vice-Chair; nominations need not be seconded.
3. Each member may vote for any eligible person whether nominated or not.
4. A member may withdraw his or her name if placed in nomination announcing that if elected he or she would not be able to serve, but he or she may not "withdraw in favor of another member."
5. Once the nominations are completed, any member may move that the nominations be closed; a second is required.
6. The Chair then declares that it has been moved and seconded that the nominations be closed, and the members proceed to the election.

7. The voting may be by ballot or by voice vote.
8. The candidate who receives a majority of the votes is then declared to be legally elected to fill the office of Chair.
9. The same procedure is followed for the election of Vice-Chair.
10. The new officers assume office immediately upon election.

## ARTICLE VI

### DUTIES OF OFFICERS

1. The Chair shall preside at all regular and special meetings and hearings.
2. The Chair shall decide on all points of order and procedure during the meetings, and his or her decisions shall be final unless overruled by a majority of the members present.
3. The Chair shall sign all official copies of minutes upon arrival of same.
4. The Vice-Chair shall assume all duties of the Chair in his or her absence or disability.
5. In case of the absence of both the Chair and Vice-Chair from any meeting, an acting Chair shall be elected from among the members present.
6. The Secretary shall receive and record all exhibits, petitions, documents or other materials presented to the Commission in support of or in opposition to any questions before the Commission.
7. The Secretary shall sign all notices prepared in connection with Commission business and shall attest to such records of actions, transmittals, and referrals as may be necessary or required by law.

## ARTICLE VII

### STAFF

1. The Staff of the City Community Development Department shall prepare such reports, studies and recommendations as may be necessary to assist the Commission in the conduct of its business.
2. The Community Development Director shall act as or designate a member of the Staff to act as recording secretary to the Commission; he or she shall be responsible for the maintenance of proper records and files having to do with Commission business.

## ARTICLE VIII

### COMMITTEES

1. All standing or special committees of the Commission, which may be deemed necessary to carrying out the functions and purposes of the Commission, shall be established by vote of the majority.
2. The Chair shall serve as an ex-officio member of all committees.
3. Committee meetings shall be held upon call of the Chair of the Committee. If a committee meeting shall be attended by the majority of the Commissioners (four or more), an open meeting with notice shall be held as required by Government Code § 54950-54962 (The Brown Act).
4. A verbal or written report may be made at any meeting of the Commission by the Chair or member of a committee on any subject under consideration by such Committee; or such report may be requested by the Chair of the Planning Commission.

## ARTICLE IX

### MEETINGS - GENERAL

All regular, work session, special and adjourned meetings of the Commission shall be open meetings to which the public and the press shall be admitted.

1. Regular Meetings
  - a. Regular meetings of the Commission shall be held on the first ~~Monday~~ Tuesday of each calendar month and shall commence no earlier than 4:30 p.m. in the Council Chambers, City Hall, of the City of Watsonville, California.
  - b. The Secretary of the Commission shall give mailed notice of every regular meeting and any special meeting which is called in accordance with the timeframes established by the Charter or State Law to any person who has requested such notice in writing. The annual fee for sending the notices shall be determined annually by the Community Development Director. To the extent practicable, notices shall be mailed no less than seven (7) days prior to the meeting.
  - c. The agenda of the regular meeting, containing a brief description of each item of business to be transacted or discussed at the meeting, inclusive of items to be discussed in closed session, shall be posted at City Hall at least 72 hours before a regular meeting.
  - d. In the event that the scheduled date for a regular meeting falls on a holiday, such meeting shall be rescheduled and held on the following Monday.
  - e. If a majority of the membership deems it necessary or desirable, a scheduled regular meeting may be cancelled or rescheduled at the preceding regular meeting.
  - f. Any regular meeting may be adjourned or any item on the agenda may be continued to the next or any subsequent regular meeting of the Commission. If a meeting is adjourned or an item continued to a special or adjourned regular

meeting to be held on other than a regular meeting date, the time, place and date of such meeting shall be specified in the motion granting the continuance.

- g. Agendas of all meetings, and any other writings, when distributed to the majority (four or more) of the members of the Planning Commission in connection with a matter subject to discussion or consideration at a public meeting of the Planning Commission are discloseable public record. Discloseable public records will be made available upon request, without delay, and shall be available for public inspection at a public meeting if prepared by the local agency or a member of the Planning Commission or after the public meeting if the records were prepared by some other person.

## 2. Work Session Meetings

- a. Work session meetings of the Commission shall be held on the call of the Chair of the Commission or the majority of the membership at a time, place and date as specified in the call. No more than three (3) member of the Planning Commission shall attend a work session meeting of the Commission without adherence to public notice requirements for special meetings. If a majority of the members of the Planning Commission's (four or more) plan to or are required by the Chair to attend a work session meeting, notice shall be given as is required for a special meeting as set out particularly in Paragraph 3.
- b. If a majority of the membership deems it necessary or desirable, a scheduled work session meeting may be canceled or rescheduled at the preceding regular meeting.
- c. No final action shall be taken at a work session on any matter, which is required by law to be the subject of a public hearing or which is the subject of any application or appeal pending before the Commission.

## 3. Special Meetings

- a. A special meeting may called by the Chair of the Commission or by a majority of the membership at a time, place and date as specified in the call.
- b. Notice of special meeting shall be given by delivering personally or by mail, written notices to each member of the Planning Commission and to the local newspaper of general circulation, radio or television station requesting notice in writing. The notice shall be received at least 24 hours before the time of the meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be conducted at these meetings.
- c. The call and notice shall be posted at least 24 hours prior to the special meeting on the bulletin board facing the Main Street entrance to the City council Chambers.

## ARTICLE X

## QUORUM

1. A quorum shall consist of four (4) members of the Planning Commission for all matters.
2. In the absence of a quorum at any meeting, such meeting shall be adjourned to the next regular meeting date by any member present; or, if no member be present, by the Secretary of the Commission; or, if the Secretary be absent, by the Recording Secretary.
3. No meeting may be declared adjourned for lack of a quorum until a 15-minute period after the scheduled time of the meeting has elapsed.

## ARTICLE XI

### CONDUCT OF MEETINGS

1. At the time and place established for meeting, and with a quorum present, the Chair shall call the meeting to order.
2. The normal order of business shall be as follows:
  - a. Roll Call
  - b. Pledge of Allegiance
  - c. Consent Agenda (includes minutes of previous meeting)
  - d. Unfinished Business
  - e. New Business
  - f. Information items/Reports
  - g. Report of Secretary
  - h. Dinner Break
  - i. Petitions and Communications (includes communications from Commission and general public)
    1. Communications from Commission
    2. Communication from the Public

- k. Unfinished Business
  - l. New Public Hearings
  - m. Adjournment
3. Whenever a Commissioner has a conflict of interest in any matter or question placed before the Commission, including the presentation of any Resolution, such special interest or conflict of interest shall be disclosed in an open meeting and the Commissioner so concerned shall withdraw from the discussions held in consideration of such in accordance with State Law. A commissioner abstaining from a vote shall step down and join the audience for the duration of the hearing and/or discussion.
4. Order of presentation of applications and petitions shall be as follows:
- a. Presentation of applications by Staff, staff report, and preliminary recommendations.
  - b. Presentation by applicant.
  - c. Questions of Staff and applicant by Commission.
  - d. Statements of those supporting the request. Presentation is generally limited to three minutes for every speaker.
  - e. Statements of those protesting the application. Presentation is generally limited to three minutes for every speaker.
  - f. Hearing closed by Chair.
  - g. Response of Staff (optional - typically no more than five minutes).
  - h. Rebuttal by applicant (optional - typically no more than five minutes).
  - i. Questions and comments by members of the Commission without taking additional evidence.
  - j. Motions and voting.
5. In order to avoid repetitive comments or evidence from the public on any matter before the Commission, the Chair with the concurrence of the Commission may limit speakers to those presenting new or additional relevant comments or evidence on the matter before the Commission and to a specific limit of time (typically 3-5 minutes). The Chair shall then either ascertain how many members of the public present wish to speak but will not present new or additional comments or evidence but instead concur with a given speaker's position and so note that information for the record, or alternatively, allow all persons wishing to

Speak without presenting new or additional comments or evidence to state their name, address and concurrence with the comments or evidence of a specific previous speaker.

6. The order of business may be revised by the Chair with the concurrence of the Commission.

## ARTICLE XII

### MOTIONS

1. Upon conclusion of discussion on a matter, or at such time as any member may feel that all points have been sufficiently reviewed, a Commissioner or the Chair may call for a motion or one may be offered by a member.
2. The Chair shall receive all motions and shall call for a second to the motion if none has been made.
3. If, after a reasonable time, no second has been made, a motion shall be declared dead for lack of a second and this shall be so stated by the Chair.
4. After a motion has been made and seconded, further discussion shall be limited to that of the motion only.
5. Persons having made a motion shall accept amendments to it only after approval of the second. Should the second not approve a proposed amendment to a motion, he or she may withdraw his or her second, and the motion, as amended, shall be reinstated as a new motion. Should the second refuse to withdraw, the Chair shall call for a vote on the original motion.
6. When required, the reasons for moving the proposed action shall be stated as a part of the motion.
7. After a motion has been made and seconded, the Chair shall call for discussion on the question. At the close of the discussion the Chair shall put the matter to vote.
8. The Chair may, at his or her discretion, limit debate on any question; except that each member shall have the opportunity to speak at least twice on each question for a period of not more than five (5) minutes at a time.
9. Should a motion fail to pass, the Chair shall so state and call for a new motion in the matter.

## ARTICLE XIII



## VOTING

1. All questions shall be resolved by roll call vote, except that the Chair may at his or her discretion call for a voice vote on these matters not requiring a resolution. Should any member request a roll call vote either before or immediately after a voice vote, a roll call vote shall be taken without further discussion.
2. Upon acceptance of a motion and completion of discussion thereon, the Chair shall instruct the Secretary to read the motion and to poll the membership for the vote.
3. All votes shall be verbally stated by each member as "AYE" or "NO," and shall be so entered into the minutes. Should he or she so desire, a member shall be given an opportunity to state the reasons for his or her vote, which reasons shall also be entered into the minutes of the meeting.
4. Whenever a member of the Commission has stepped down due to a conflict of interest, a vote of abstention shall be recorded by the Secretary. In all other cases, whenever a member refuses to vote, the Secretary shall thereupon cast a vote of "Yes" for such member.

## **ARTICLE XIV**

### ATTENDANCE

1. Having accepted the considerable and significant responsibility of a Planning Commission position, all Commissioners shall make every effort to attend each regular meeting.
2. Procedure.
  - a. Anticipated absences should be reported directly to the Commission Chair and the Community Development Director at the earliest possible time. In the event the Chair cannot be reached, the Vice-Chair shall be contacted;
  - b. The Chair shall alert City Staff of any absences as early as practically possible, so that any necessary changes to the Agenda can be made;
  - c. Following the roll call of the missed meeting, the Chair will announce that he or she was notified, and the reason given for the absence;
  - d. A motion shall be made establishing whether the absence was excused or unexcused, with a roll call vote of the Commission;
  - e. Staff will report any resulting unexcused absences to the City Clerk immediately, and will also provide a quarterly report recording all attendance to the Clerk's office, as directed.

3. Types of absences. The Planning Commission is responsible for determining that absences are “excused” or “unexcused,” as established by motion and majority vote. There are countless situations that could result in a Commissioner’s absence from a regular meeting, and it would be impossible to anticipate every factor or circumstance that might result in non-attendance. Accordingly, the following guidelines are outlined to aid the Commission in its determination of whether an absence should be considered excused:
  - a. Planned non-attendance that is announced at the regular meeting prior (i.e. a full month in advance), provides ample time for City staff to make necessary adjustments to the Agenda or meeting date;
  - b. The Chair should notified directly as early as reasonably possible, ideally no later than 12:00 noon the day of the missed meeting;
  - c. Unavoidable, personal and professional emergencies should be individually evaluated.
  
4. Commission vacancies due to unexcused absences. Under its protocols, the City Council retains the right to declare a vacancy as a result of unexcused absences. The Planning Commission may forward a resolution requesting the City Council declare a vacancy, as a result of two, consecutive, unexcused absences.

**RESOLUTION NO. \_\_\_\_\_ (PC)**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
WATSONVILLE, CALIFORNIA, AMENDING ITS BY-LAWS TO  
DEFINE TYPES OF ABSENCES, HOW TO REPORT, AND  
CONSEQUENCES**

**WHEREAS**, Section 904 of the Charter of the City of Watsonville sets forth that each Board or Commission shall hold regular meetings, as provided by resolution of the City Council; and

**WHEREAS**, the Planning Commission of Watsonville adopted Resolution 18-01 (PC), adopting complete By-Laws and rescinding previous By-Laws; and

**WHEREAS**, the Planning Commission wishes to minimize extra costs, confusion, and inconvenience to the public, by establishing a protocol to report absences, as well as to define “excused” and “unexcused” absences, and establish a maximum number of absences allowed; and

**WHEREAS**, the Planning Commission has considered and discussed the matter at a regular meeting.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION  
OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

Good cause appearing, therefore, the Planning Commission of the City of Watsonville does hereby amend its bylaws attached hereto and marked as “Exhibit A.”

**I HEREBY CERTIFY** that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California held on the 6<sup>th</sup> day of December 2004, by Commissioner \_\_\_\_\_, who moved its adoption, which



motion being duly seconded by Commissioner \_\_\_\_\_, was upon roll call, carried  
and the Resolution adopted by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

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John T. Doughty, Secretary  
Planning Commission

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Daniel Dodge, Chairperson  
Planning Commission



**RESOLUTION NO. 40-04 (PC)**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
WATSONVILLE, CALIFORNIA, RECOMMENDING TO THE CITY  
COUNCIL THE ADOPTION OF A NEW, REGULAR PLANNING  
COMMISSION MEETING DAY**

**WHEREAS**, Section 904 of the Charter of the City of Watsonville sets forth that each Board or Commission shall hold regular meetings, as provided by resolution of the City Council; and

**WHEREAS**, the City Council of Watsonville adopted Resolution 65-01 (CM), establishing the frequency, meeting dates, and times of regular Planning Commission meetings; and

**WHEREAS**, the Planning Commission has expressed a desire to move the day of regular meetings, because Mondays often conflict with Commissioners' personal and professional schedules, as well as observed City holidays; and

**WHEREAS**, the Planning Commission has discussed alternative days to accommodate personal and professional schedules of the Commissioners, as well as provide the public with more predictable meeting dates.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1) The Planning Commission recommends that the City Council adopt a resolution establishing that, as of January 2005, regular meetings of the Planning Commission shall be held on the first Tuesday of each month, no earlier than 4.30pm. Whenever the Planning Commission regular meeting day should fall upon a day designated by the Council as a legal or national holiday, such meeting shall be held at

the same hour on the next succeeding day not a holiday. The Planning Commission may cancel a regular meeting, or defer it until a specified date and time by majority vote; provided, however, the Planning Commission shall hold a regular meeting at least once per calendar month; and

2) Staff will make appropriate modifications to the Planning Commission By-Laws, reflecting the change in meeting date, once the City Council has approved said change.

**I HEREBY CERTIFY** that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California held on the 6<sup>th</sup> day of December 2004, by Commissioner Garcia who moved its adoption, which motion being duly seconded by Commissioner Bobeda, was upon roll call, carried and the Resolution adopted by the following vote:

Ayes: Commissioners: Bobeda, Garcia, Parker Stoll

Noes: Commissioners: None

Absent: Commissioners: None

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John T. Doughty, Secretary  
Planning Commission

\_\_\_\_\_  
Daniel Dodge, Chairperson  
Planning Commission

