

**BYLAWS OF THE
EI SEGUNDO PLANNING COMMISSION
Effective December 8, 2022**

I AUTHORITY

- 1 Authority: Pursuant to El Segundo Municipal Code (“ESMC”) Section 2-1-8 and applicable law, the Planning Commission establishes these by-laws. The following Rules become effect upon the Planning Commission’s adoption and remain effective unless amended or superseded. These Rules are intended to comply with, the Ralph M. Brown Act (Government Code §§54950-54962). The Brown Act will supersede any conflicting provision of the Rules.
- 2 City Council Authority: Pursuant to Government Code § 61500 et seq., the City Council may require the Planning Commission’s recess or dissolution.
- 3 Appointment: Pursuant to Government Code § 40605 and ESCM § 2-1-2, the Mayor, with the approval of the City Council, will appoint all Planning Commissioners, subject to the terms of office requirements set forth in ESCM § 2-1-4.

 - a) All Planning Commissioners must live and reside within the City of El Segundo during the term of their appointment. City employees are not eligible to serve as Planning Commissioners.
 - b) Planning Commissioner candidates will be reviewed and recommended by the Planning Commission Chair and Vice Chair, and the subsequent interviews and appointments will be made by the City Council. Notwithstanding the foregoing, the City Council may otherwise appoint Planning Commissioners.
- 4 Staff Support: The Planning Commission staff liaison will confer with the Community Development Director to determine if a request for research by the Commission requires extra dedication and staff time that may not be available

II MEMBERS

A Officers and Staff

- 1 Chairperson: The Chairperson is elected by a majority vote of the Commission for a one-year term in December for the following calendar year. The Chairperson must be a Member of the Planning Commission and retains all the powers of a Commissioner. The Chairperson will preside over meetings of the Commission and will sign documents of the Commission.
- 2 Vice Chairperson: The Vice Chairperson is elected by a majority vote of the Commission for a one-year term in December for the following calendar year. The Vice Chairperson must be a Member of the Planning Commission and retains all

the powers of a Commissioner. The Vice Chairperson will preside over meetings of the Commission in the absence of the Chairperson and may sign documents of the Commission in the Chairperson's absence.

3 Secretary: The Director or a Deputy Secretary appointed by the Community Development Director ("Director") serves as the Secretary. The Secretary will attend all meetings of the Commission unless excused and will record, prepare, and maintain the Commission's official record and perform other related duties as prescribed by the Commission. The Secretary may make recommendations and has the right to take part in all discussions of the Commission, but cannot vote.

4 City Attorney: The City Attorney or designee ("City Attorney") will attend all meetings of the Commission. The City Attorney, upon request, may give opinions, either written or oral, on questions of law and act as the Commission's parliamentarian.

B Selection of Officers

1 Time of Election: The election of the Chairperson and Vice Chairperson will take place at the first regular meeting of the Planning Commission in December of each year. The term as Chairperson and Vice Chairperson will be for the following calendar year.

2 Requirements to Serve as Chairperson and Vice-Chairperson: To be considered for the office of Chairperson and Vice-Chairperson, a Commissioner must be a member of the Commission for at least six calendar months. Previous service does not disqualify a Commissioner from service as the Chairperson or Vice-Chairperson.

3 Procedure for Chairperson and Vice Chairperson Election: Any member of the Planning Commission may nominate any qualified member of the Planning Commission as Chairperson, including him or herself. The motion of nomination requires a second and must receive a vote of a majority of the Planning Commission to pass. Once a chairperson is elected, the election of the Vice Chairperson will follow in the same manner.

4 Vacancy of Office: The Vice-Chairperson succeeds the Chairperson if the Chairperson vacates office before his or her term is completed. The Vice-Chairperson will then serve the unexpired term of the Chairperson. The new Vice-Chairperson shall be elected at the next regular meeting following such a vacancy. If the Vice-Chairperson vacates office before his or her term of office is completed, the new Vice-Chairperson will be elected at the next regular meeting following such a resignation.

C Planning Commissioner Removal

1 All Planning Commissioners serve at the City Council's pleasure and may be removed at any time without cause, by a majority vote of the City Council.

- 2 A Planning Commissioner can be removed after three or more absences in a 12-month period.

III MEETINGS

- 1 Open to Public: All meetings (except closed sessions as provided by State law) of the Commission are open to the public.
- 2 Meeting Dates/Times: Regular meetings will be held on the second and fourth Thursdays of each month. All regular meetings will convene at 5:30 p.m. unless noticed at a different time by publishing a notice and/or posting a notice in at least three conspicuous places. Adjourned regular or special meetings may be called by the Chairperson or a majority of the Commission.
- 3 Amendment/Suspension: The Commission may amend or suspend these rules at any time upon majority vote of the Commission.
- 4 Joint Meeting with City Council: A joint meeting will be held annually in February or as soon thereafter may be conducted, between the Planning Commission and City Council.
- 5 Workplan: The Planning Commission Chair, Vice Chair or designee will provide the City Council with an updated on the Commission's workplan at a meeting chosen by the City Council.

A Agendas

- 1 Agenda Preparation: The Agenda will be prepared in accordance with the procedure directed by the Director. The Agenda should be delivered to the Chairperson and Commissioners by 5:00 p.m. on the Friday before the Commission's regular meeting. In the event of a Special Meeting, Agendas should be delivered as promptly as is practicable.
- 2 Consent Calendar: Items listed under the Consent Calendar are those items the Director believes will not require Commission discussion and are routine in content. Items may be pulled for separate discussion or clarification at any Commissioner's request, or upon receipt of a written request for public comment on the item.
- 3 Document Preparation: Unless otherwise directed by the Commission or Director, all draft resolutions must be approved as to form and legality by the City Attorney prior to being placed on an agenda.

B Rules of Order

- 1 Conduct of Meetings: Planning Commission proceedings should be governed by common sense and good taste. Pursuant to applicable laws, including the El Segundo Municipal Code, any issue of procedure relating to the conduct of a

meeting or hearing not otherwise provided for in these bylaws may be determined by the Chairperson, subject to a vote of the entire Commission. Planning Commission meetings will be conducted based upon the latest edition of Robert's Rules of Order (or similar rules of parliamentary procedure, e.g. Rosenberg's Rules of Order). Where there is a conflict between the parliamentary guidelines and these Bylaws, the Bylaws should have precedence. Failure to strictly follow parliamentary guidelines will not invalidate an action of the Planning Commission. In addition, the Planning Commission may, upon majority vote, alter or modify any provision of this Policy when appropriate or desirable.

2 Presiding Officer: The Chairperson, if present, will preside at all meetings. In the Chairperson's absence, the Vice Chairperson will preside.

3 Call to Order: The Presiding Officer will bring the meeting to order at the time noticed in accordance with applicable law. In the absence of both, the meeting will be called to order by the Secretary and a Presiding Officer will be selected by the Commissioners present.

4 Quorum: Three members of the Commission constitute a quorum. Should less than a quorum be in attendance, the Secretary will list the attendees in the minutes, and they will adjourn the meeting to a later set time. In the event no members of the Commission are present the Secretary will adjourn the meeting to a later set time pursuant to Government Code Section 54955.

5 Right of Floor: Commissioners wishing to speak must first be recognized by the Presiding Officer and limit any remarks to the agenda matter being considered.

7 Point of Order: The Chairperson will determine all points of order, subject to the right of any Commissioner to appeal to a vote of a majority of the quorum.

8 Addressing the Commission: Any person may address the Commission under the following portions of the Agenda:

- Public Comments
- Public Hearings
- With the consent of a majority of the quorum of the Commission

C Public Participation

1 Subject Matter: Members of the public may address the Commission only on items within the subject-matter jurisdiction of the Commission. A determination of whether an item is appropriate for discussion will be made by the Chairperson with the Commission's consent and upon advice by the City Attorney.

2 Speaker Protocol: Each person addressing the Commission should step to the podium and give their name and address for the record. Each speaker is limited to five minutes on Public Comment and all remarks must be directed to Commission as a body and not to any particular Commissioner. No question may be asked of

Commissioners or City staff except through the Presiding Officer. No person, other than Commissioners and the person having the floor, are permitted to participate in the discussion except as otherwise requested by the Chairperson.

- 3 Large groups: When any identifiable group of persons, as distinguished from the general public, seeks to address the Commission on the same agenda item, the Presiding Officer has the discretion to ask that the group select a spokesperson to address the Commission. If additional issues are to be presented at the hearing by any other member of such group, the Presiding Officer may limit the number of persons to address the Commission to avoid unnecessary repetition of information presented to the Commission.
- 4 Disrupting legal meetings: Any member of the public making disruptive remarks or who becomes disruptive while attending the Commission meeting so as to impede the orderly conduct of the meeting will be removed and barred from further audience before the Commission at that meeting unless permission to continue is granted by a majority vote of the Commission.

D Public Hearings

- 1 Opening the Public Hearing: The Presiding Officer announces the subject of the Public Hearing, confirms with the Secretary that the hearing was correctly noticed, and declares the hearing open. Conflicts, if any, are declared and ex parte contacts, if any, are disclosed at this time.
- 2 Actions Limited to Posted Agenda: The Planning Commission cannot take action on any item not appearing on the posted agenda except under the conditions permitted by Government Code Section 54954.2. Any Commissioner may make a motion to place an item on a future agenda. The motion is non-debatable and requires a majority vote. The Director has discretion as to when the item will be placed on the agenda, unless otherwise directed by the Planning Commission.
- 3 Staff Presentation: Staff summary report and other written material included in the agenda packet is received and filed. Written comments (e.g. protest, etc.) are noted for the record and Staff responds to Commissioners' questions.
- 4 Public Testimony: The purpose of public testimony is to provide an opportunity to interested persons wishing to support or oppose the matter being considered. The applicant or the applicant's representative will normally speak first and will have an opportunity for rebuttal after all other speakers are finished. At the conclusion of the public testimony the Presiding Officer may close the public hearing.
- 5 Commission Deliberation: After the Presiding Officer closes the public hearing, the Planning Commission may deliberate and make motions. The Commission may ask questions of speakers for clarification without reopening the public hearing, however, the Presiding Officer may also reopen the public hearing at any time prior to the Commission taking a final vote on an item.

6 Motions: A motion may be debated by the Commission after it is made. If a second is not forthcoming, the motion dies for lack of a second. If the motion is seconded, the debate may continue.

7 Precedence of Motions: When a motion to approve, deny or continue an action is made by a Member, no other motion may be considered except:

- Motion to Amend—(debatable only as it relates to the amendment). Amendments are voted on first, the main motion vote is last. A motion may be amended more than once with each amendment being voted on separately. There shall only be one amending motion on the floor at any one time.
- Motion to Postpone—(a motion to postpone indefinitely is debatable). If such a motion is adopted, the principal question is lost.
- Motion to Table—(undebatable and not subject to amendment). The purpose of a motion to table is to temporarily bypass the item. If a motion to table is adopted, the item may be taken from the table at any time before the adjournment of the next regular meeting. If the item is not taken from the table in the time specified, the business of the item is lost.
- Motion for Previous Question—a motion for previous question closes debate on the main motion and is non-debatable. If motion fails, debate is reopened; if motion passes, then vote must be taken on the main motion.

8 Commission Action: The Commission may, at this time:

- Close the public hearing and vote on the motion at hand.
- If a motion to amend is made, additional public comment may be warranted. Significant amendments will require a new public hearing to be scheduled.
- Continue the open Public Hearing. This should be done if any additional information is requested. Continuing a Public Hearing to a specific date does not require additional notice. Anyone may request a continuance of an item and the Commission, by majority vote, may grant a continuance.
- Close the Public Hearing and continue the matter to a later date for a decision (note that no additional reports or testimony may be received if the Public Hearing is closed).

9 Silence: During a collective vote (Ayes and Nays), silence of any Commissioner denotes an affirmative vote.

10 Failure to Vote: Every Commissioner should vote unless disqualified by reason of a Conflict of Interest. Members who abstains because of a legal conflict of interest are not counted as part of the quorum and are not deemed to be voting. If members abstain for reasons other than a legal conflict of interest, they will be counted in establishing a quorum. Such an abstention will be counted with the majority vote of the quorum unless there is no majority, in which case it will not be counted as a vote.

11 Lost Motions: A lost motion is one that fails to receive the necessary number of votes to carry. To revive a lost motion at the same meeting, the proper action is a motion to reconsider.

12 Tie Votes: If a tie vote occurs when a Member of the Commission is absent, the item will be automatically continued once to the next regular meeting of the Commission. Except in the event of an appeal to the Commission, if a tie vote occurs as a result of the abstention of a Commissioner, the motion is lost. If a tie vote on an appeal occurs as a result of the abstention of a Commissioner, the appeal is deemed denied.

13 Changing the Vote: Commissioners may change their vote only if the change is made immediately following the announcement of the vote by the Presiding Officer and before the next agenda item is announced.

14 Abstention: Commissioners who publicly announce that they are abstaining from voting on a particular matter will not subsequently be allowed to withdraw the abstention.

15 Motion to Reconsider: A motion to reconsider any action taken by the Commission may be made in accordance with the following:

- The motion must be made by a Commissioner of the majority vote, or, in the case of a lost motion, by any Commissioner and may be seconded by any Commissioner.
- The motion must be made before the adjournment of the meeting at which the original action was taken.
- The motion is debatable and has precedence over a pending motion.
- Except as otherwise provided, if the action to be reconsidered is a Public Hearing item, it must be re-noticed in the event the motion to reconsider passes. Where it is clearly established that all interested members of the public are still present, the item may be reconsidered without further notice.

E Minutes

1 Minutes of Proceedings: The Secretary will record an account of all public proceedings of the Planning Commission into the Commission's official minutes. These minutes will become public record after Commission approval. Unless requested by a majority of the quorum, minutes may be approved without reading.