

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: 1/27/09

Prepared by: JB

Reviewed by:

ITEM/ 6b

SUBJECT: **Election of Planning and Zoning Commission Officers**

RECOMMENDATION

Recommendation

Staff recommends that the Planning and Zoning Commission elect a chair and vice chair.

Background

Albany Municipal Code Chapter II (Administration), Section 2-18, states that the Commission shall select a chair and vice-chair at least thirty and not more than 45 days after the annual City council reorganization. The past practice has been for the new chair and vice-chair to take office at the following Commission meeting.

Commission of the City shall be kept and copies thereof shall be forwarded to the City Council. (Ord. #58-042, §8; 1958 Code §2.47)

2-18 PLANNING AND ZONING COMMISSION.*

2-18.1 Appointment and Duties. The Planning and Zoning Commission is appointed by the City Council to act in matters regarding the General Plan of the City, the physical development of the City and to exercise such functions with respect to land subdivision, planning and zoning as may be prescribed by this Code and existing ordinances, and the applicable provisions of State law, including the Government Code and the California Environmental Quality Act. (Ord. #97-04)

2-18.2 Composition; Residence Requirements. The Planning and Zoning Commission shall consist of five (5) members, appointed by the City Councilmembers as provided for in the Albany City Charter and ordinances acted thereunder. (Ord. #97-04)

2-18.3 Commission Organization and Rules of Operation.

a. *Officers.*

1. The Commission shall have a Chairperson and a Vice-Chairperson who shall be members of the Commission. The City Department charged by the City Council with support activities for the Commission shall provide for a Secretary to the Commission. Such person may perform other duties at the Planning and Zoning Commission meetings not inconsistent with providing the necessary recordation of Commission proceedings.

2. The Chairman and Vice-Chairman shall be elected at least thirty (30) days but not more than forty-five (45) days after the annual City Council reorganization. Such time period is established to allow incoming Councilmembers to have the opportunity to nominate Commissioners as provided in the City Charter.

3. Offices shall be filled from appointed members. The Chairperson and Vice-Chairperson shall hold office for a period of one (1) year. In case of a vacancy, the vacancy shall be filled by an election held at the first regular meeting after the occurrence of such vacancy.

(Ord. #97-04)

*Editor's Note: Prior ordinance history includes portions of Ordinance Nos. 62-012 and 84-04 and 1958 Code Sections 2.48 — 2.57.

2-18.4 Meetings, Generally.

a. *Regular Meetings.* The Planning and Zoning Commission shall establish by Commission resolution the time for regular meetings of the Commission. Such schedule shall ordinarily provide for a minimum of two (2) regular meetings per month to be held on the 2nd and 4th Tuesdays of each month. A meeting may be canceled for lack of quorum or other reasonable cause.

Any regular meeting may be adjourned to a date certain, which adjourned meeting shall be a regular meeting for all purposes. If the regular meeting date falls on a holiday, the Chairman shall fix another date as soon as possible.

b. *Special Meetings.* Rules for special meetings may be established by Commission resolution subject to the provisions of the Ralph M. Brown Act.

c. *Open Meetings.* Meetings of the Planning and Zoning Commission shall be open to the public except for closed sessions held in conformance with the Ralph M. Brown Act.

d. All meetings shall be governed by rules of parliamentary practice as set forth in Robert's Rules of Order as modified by Planning Commission resolution.

e. The Planning and Zoning Commission may establish by Commission resolution any necessary rules of operation not inconsistent with provisions of the City Charter, the Municipal Code or other such laws and regulations that govern the conduct of public meetings.

f. *Quorum.* Three (3) voting members shall constitute a quorum on all matters except proposed amendments to the Zoning Ordinance. Four (4) voting members shall constitute a quorum on all amendments to the Zoning Ordinance or for election of officers of the Commission.

(Ord. #97-04)

2-18.5 Attendance and Conflict of Interest Regulations.

a. *Attendance.* Any member who cannot attend a meeting shall notify the Secretary that the member will be absent.

b. *Conflict of Interest.* Any Planning Commissioner who has a conflict of interest in any matter before the Commission as defined by State law or regulation shall publicly disclose such conflict on the public record and shall not participate in any discussion on the matter or vote thereon.

(Ord. #97-04)