

**CITY OF NATIONAL CITY
PLANNING COMMISSION AND
HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE**

BYLAWS

ARTICLE I – THE COMMISSION

Section 1. Name of Commission

The Commission shall act in the capacity of the “Planning Commission” and the “Housing and Community Development Committee” and shall hereinafter be referred to as the “Commission”.

Section 2. Mission Statement

That the following shall be the Mission Statement of the Commission:

The Commission shall provide a forum to encourage communication from persons, organizations, and institutions in the City of National City about land use, housing, transportation, environmental quality, and safety throughout the City of National City.

When serving as the Planning Commission, the Commission shall perform the following functions in accordance with state law §65103 and the City’s Municipal Code Chapter 16.06:

1. Prepare, periodically review, and revise, as necessary, the general plan.
2. Implement the general plan through actions including, but not limited to the administration of specific plans, and zoning, and subdivision ordinances.
3. Annually review the capital improvement program for consistency with the general plan, pursuant to Article 7 (commencing with Section 65400).
4. Endeavor to promote public interest in, comment on, and understanding of the general plan and regulations relating to it.
5. Consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally concerning implementation of the general plan.
6. Promote the coordination of local plans and programs with the plans and programs of other public agencies.
7. Perform other functions as the legislative body provides, including conducting studies and preparing plans other than those required or authorized by this title.

When serving as the Housing and Community Development Committee, the Commission shall:

Encourage communication from persons, organizations and institutions in the City of National City, and to give advice and make recommendations to the housing authority or to the projects, programs and policies that seek to, for example: (1) pursue new housing options at all income levels; (2) ensure preservation of existing affordable housing; (3) streamline permitting and improve code compliance; and (4) enhance the city's role in reducing homelessness.

Section 3 Duties

The duties of the Commission shall be:

1. To receive and review proposals for the General Plan, including the preparation of zoning, land subdivision and other discretionary development applications and performs all duties specifically assigned by the Municipal Code.
2. To review proposed projects for potential environmental impacts and compliance with the California Environmental Quality Act.
3. To make recommendations to the City Council for specific land use entitlements requiring final decision by the City Council.
4. To make recommendations to the Community Development Commission on matters pertaining to Section 8 Housing Assistant Payment Programs and housing improvement, housing assistance and neighborhood improvement projects, programs, and policies in connection with federal and state laws relating to housing and neighborhood improvement.
5. To make decisions related to installation and/or removal of street trees and landscaping within the public rights of way.

Section 4. Membership

A. Composition

The Commission shall be comprised of seven (7) individuals, which are residents of National City, appointed by, and to serve at the pleasure of the City Council. The City Council shall appoint the members. These seven (7) individuals shall be Planning Commission members and also serve on the Housing and Community Development Committee. Two (2) additional individuals shall be appointed and serve only on the Housing and Community Development Committee. These two (2) additional individuals shall be appointed in the same manner as the Planning Commission members; shall be ex officio members, and shall have subject matter expertise in housing-related matters. Ex officio members are not required to be National City residents.. Said ex officio members shall sit with the seven members of the Planning Commission on such occasions as the commission is acting in the capacity and carrying out the functions of the committee.

B. Terms of Membership

The terms of the members shall be for four (4) years, subject to reappointment by the City Council. Each four-year term shall commence on the first day of April and shall expire on the thirty-first day of March four years thereafter. Upon expiration of term, a member shall serve until re-appointed or replaced.

C. Termination of Membership

Membership in the Commission shall automatically terminate in the event that:

1. The member's term has expired. If a term expires, the member shall continue until reappointment or replacement; or
2. The member shall have been absent from the number of Commission meetings specified in these bylaws.

D. Removal of Members

A member may be removed by a majority vote of the City Council.

E. Resignation

Any Commission member may resign at any time by giving written notice to the Chairperson. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

F. Filling of Vacancies

In the event a vacancy occurs on the Commission by reason of death, resignation, removal or termination, such vacancy shall be filled by the majority of the City Council, with new members so appointed having to meet the qualifications set forth in Article I, Section 4(a). Persons appointed to fill vacancies shall fill the unexpired terms of their predecessors.

ARTICLE II – OFFICERS

Section 1. Officers

The officers of the Commission shall consist of a Chairperson and a Vice Chairperson, and shall be elected in the manner set forth in this Article II.

Section 2. Chairperson

The Chairperson shall preside at all meetings of the Commission and shall submit such agenda recommendations and information at such meetings that are reasonable and proper for the conduct of the business affairs and policies of the Commission. The Chairperson shall sign all resolutions, approved minutes, and other legal documents of the Commission (if any).

Section 3. Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson.

Section 4. Staff

The Commission shall be served by a full-time professional staff within the Planning Division which shall include a secretary who will prepare an agenda for each regular or adjourned meeting. The agenda and supporting documentation shall be provided to the Commission at least four (4) calendar days prior to the date of the meeting at which such agenda is to be considered. The meeting shall be recorded and minutes prepared for approval by the Commission at the next regularly held meeting. The agendas and minutes shall be available to the public and retained at the City.

Section 5. Additional Duties

The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, the bylaws or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 6. Election

The Chairperson and Vice Chairperson shall annually be elected by a majority of the members of the Commission from among the members of the Commission. The terms of the Chairperson and Vice Chairperson shall be one year. The Chairperson and Vice Chairperson may serve consecutive and/or multiple terms.

Section 7. Vacancies

Should the offices of the Chairperson or Vice Chairperson become vacant, the Commission shall elect a successor from among the Commission members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III – MEETINGS

Section 1. Regular Meetings

The Commission shall hold at least two regular meetings in each month and shall annually adopt a schedule for such meetings, shall adopt rules for the transaction of business, and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. Any regular meeting may be dispensed with by a majority vote of the Planning Commission.

The Housing and Community Development Committee shall hold at least one meeting each quarter of each calendar year and shall annually adopt a schedule for such meetings, shall adopt rules for the transaction of business, and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. Any regular meeting may be dispensed with by a majority vote of the Committee.

The Commission shall conduct meetings for matters pertaining to the Planning Commission on the first and third Monday of the month for which a meeting has been called by the Chairperson at 6:00 p.m. in the Council Chambers of the National City Civic Center, 1243 National City Boulevard, 2nd Floor, National City, unless otherwise designated. The agenda for each regular

meeting shall be posted by City staff at City Hall and on the City's website at least 72 hours in advance consistent with the requirements of the Ralph M. Brown Act.

If there are no items scheduled for the Commission's consideration, the staff may advise the Chairperson there are no items for consideration and suggest cancellation of the meeting. Said cancellation of a meeting shall be posted by City staff at the City Hall and on the City's website. Staff shall announce that the regularly scheduled meeting of the Commission has been adjourned to the next regularly scheduled meeting.

All meetings shall be held and conducted in accordance with the provisions of the "Ralph M. Brown Act" (Section 54590 et seq., of the Government Code of the State of California. All meetings of the Commission are open to the general public.

Section 2. Special Meetings

Special meetings may be held upon call of the Chairperson, or of the majority of the membership of the Commission, for the purpose of transacting any business designated in the call, after notification of all members of the Commission by written notice personally delivered or by mail at least 24 hours before the time specified in the notice for a special meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Chairperson a written waiver of notice, and as to any member who is actually present at the time the meeting convenes.

City staff shall be responsible for the posting of the agenda of the special meeting at City Hall and on the City's website at least 24 hours prior to the time specified in the notice for the meeting. At such special meeting, no business other than that designated on the approved agenda shall be considered.

Section 3. Adjourned Meetings

Any meeting of the Commission may be adjourned to an adjourned meeting without the need for additional notice or agenda, provided that the adjournment indicates the date, time and place of the adjourned meeting, and provided that the adjourned meeting occurs at the regularly scheduled meeting after the meeting for which notice and agenda requirements were met. Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

Section 4. All Meetings to be Open and Public

All meetings of the Commission shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings, except as otherwise provided by law. Nothing contained in these bylaws shall be construed to prevent the Commission from holding closed sessions during a meeting concerning any matter permitted by law to be considered in closed session, provided the Commission complies with the conditions and procedures provided by law for closed sessions.

Section 5. Quorum

The powers of the Commission shall be vested in the members thereof in office from time to time. A majority of the members of the Commission qualified and eligible to vote shall constitute

a quorum for the purpose of conducting the Commission's business, exercising its powers and for all other purposes, but less than a majority of the members of the Commission may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members of the Commission qualified and eligible to vote shall be required for approval of any question brought before the Commission.

Section 6. Unexcused Absences

Membership in the Commission shall be considered removed if a member has three (3) consecutive unexcused absences from meetings, whether regular or special, or misses more than 25% of the Commission's meetings in a calendar year, whether excused or unexcused. An excused absence is only granted when absolutely necessary and pre-approved if at all possible. The pre-approval of excused absences will be by the Commission as a whole and documented in the meeting minutes. Excused absences are: illness of the Commission member, their family or their personal friend; business commitment of the Commission member that interferes with the attendance at a meeting; attendance of the Commission member at a funeral, religious service or ceremony, wedding or other similarly-significant event; or other reason for which the Commission member has given notice to the Chairperson or Secretary of their unavailability fifteen (15) days in advance, as long as the unavailability is not expected to last longer than 30 days.

The Secretary of the Commission will report the attendance to the Office of the City Clerk on a monthly basis. If the attendance or absences fall within the above guidelines, the Office of the City Clerk will prepare a report to the City Council for review and possible removal of the Commission member. Any Commission member may be removed from office at any time by a simple majority vote of the City Council at a regularly scheduled Council meeting with or without cause.

Section 7. Order of Business

The following shall be the order of business at regular meetings of the Commission:

- 1) Roll Call
- 2) Flag Allegiance
- 3) Approval of Minutes of previous meeting
- 4) Approval of Agenda
- 5) Public Comment
- 6) Continued Public Hearings
- 7) Public Hearing
- 8) Other Business
- 9) Staff Reports
- 10) Adjournment

Section 8. Minutes

Minutes of the Commission shall be in writing. Copies of the Minutes of each Commission meeting shall be made available to each member of the Commission. Minutes shall be made available to the public. Approved Minutes shall be filed in the official Book of Minutes of the Commission and published on the City's website.

Section 9. Rules of Order

Except as provided in these bylaws all business and matters before the Commission shall be transacted in conformance with Rosenberg's Rules of Order.

Section 10. Committee Reports

Oral and/or written reports of the Commission shall include a report of any findings and/or recommended action on matters for which the subcommittee was established.

ARTICLE IV – REPRESENTATION BEFORE PUBLIC BODIES

Any official representations on behalf of the Commission before the City Council or any other public body shall be made by the Chairperson, the Vice Chairperson in the Chairperson's absence, or a member of the Commission specifically so designated by the Commission pursuant to the Brown Act.

ARTICLE V – SUBCOMMITTEES

Section 1. Establishment

The Commission shall have the authority to, and may, establish subcommittees as necessary to accomplish the purposes set forth in Section 3 of Article I of these Bylaws.

Section 2. Membership

Each subcommittee shall be composed of at least one (1), but not more than three (3) members of the Commission.

Section 3. Appointment of Members

Members on a subcommittee shall be appointed by the Chairperson of the Commission with the approval of the Commission.

Section 4. Officers and Meetings

Subcommittee chairpersons shall be designated by the Chairperson of the Commission from among the Commission members appointed to the subcommittee. Each subcommittee shall elect a vice chairperson, and shall establish the date, time and place for meetings to conduct the subcommittee's business. In the event that any subcommittee meets on more than two (2) occasions, then all further meetings of the subcommittee shall comply with the meeting requirements set forth in Article III.

Section 5. Subcommittee Reports

From time to time, the subcommittee shall submit reports to the Commission, which reports summarize the subcommittee's activities, findings and/or recommendations on matters for which the subcommittee was established.

ARTICLE VI – AMENDMENTS

Section 1. Adoption of these Bylaws and any Subsequent Amendment

The bylaws are to be reviewed and amended as needed when new Commissioners are appointed. The bylaws of the Commission may be amended upon the affirmative vote of at least five (5) voting members of the Commission, but no such amendment shall be adopted unless at least seven (7) days' written notice thereof has previously been given to all members of the Commission. Notice of amendment shall identify the section or sections of the Bylaws proposed to be amended.

ARTICLE VII- ORDER OF PRECEDENCE

Section1. Conduct of Affairs

The Commission will observe all applicable requirements of state and local law, including the following, which have been summarized as follows:

1. The Ralph M. Brown Act (Gov. Code, § 549501 et seq., hereinafter “the Brown Act” or “the Act”)
2. From time to time, the Commission shall be required to attend or participate in specific training related to their position on the Commission.