

BYLAWS OF THE
PLANNING COMMISSION OF THE
CITY OF TRACY, CALIFORNIA

WHEREAS, Pursuant to California Government Code sections 6500 et seq. (“Government Code”) and Chapter 10.04 of Title 10 of the Tracy Municipal Code (“Municipal Code”), a Planning Commission (“Commission”) of the City of Tracy, California, has been established; and

WHEREAS, The membership qualifications, terms of office, organization, required meetings of the Commission are set forth in the Municipal Code; and

WHEREAS, The powers and duties of the Commission are set forth in the Government Code and the Municipal Code; and

WHEREAS, The Commission may adopt, subject to City Council (“Council”) approval, bylaws for the transaction of its affairs and conduct of its meetings.

NOW, THEREFORE, these Bylaws govern the conduct of the meetings and the transaction of its affairs.

A. PURPOSE

The purpose of the Commission is to perform all of the functions of a city planning commission as described by California state planning and zoning law, as further described in Chapter 10.04 of Title 10 of the Municipal Code, except as otherwise provided by ordinance or resolution of the Council.

B. ROLE AND RESPONSIBILITIES

The role of the Commission is to perform all of the functions of a city planning commission as described by California state planning and zoning law, as further described in Chapter 10.04 of Title 10 of the Municipal Code, except as otherwise provided by ordinance or resolution of the Council. The responsibilities of the Commission include making recommendations to the Council regarding the general plan and amendments thereto, subdivision map applications in accordance with the California Subdivision Map Act and the Municipal Code, and holding hearings on planning and zoning matters.

C. MEMBERSHIP GUIDELINES

1. **Membership.** The Commission shall consist of five (5) members unless otherwise provided in the Municipal Code.
2. **Term.** Each member shall serve a four- year term. Terms for members appointed to fill unexpired terms shall be in accordance with the Municipal Code.
3. **Attendance.** Attendance requirements are set forth in Chapter 10.04 of the Municipal Code.
4. **Leave of Absence.** A Planning Commission member may submit a written request to the City Council, for a leave of absence of up to six-months, which may be approved in its discretion.
5. **AB 1234 Training and Form 700 Completion.** If a member of the Planning Commission who is required to complete AB 1234 training (State Mandated

Ethics Training) and/or is required to complete form 700 (Statement of Economic Interest), does not do so in a timely manner, the City Clerk's Office will send two written notices at least 10 days apart to the member. If the member does not complete the required training and/or form, and provide proof of compliance to the City Clerk's Office, within 30 days of receiving the second written notice, his or her appointment will automatically terminate.

D. QUORUM

A quorum of the Planning Commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the Planning Commission to hold a meeting.

E. OFFICERS AND DUTIES

1. The officers of the Planning Commission shall be:
 - a. The Chairperson and
 - b. The Vice-Chairperson.
2. The Chairperson shall:
 - a. Preside at all regular and special meetings.
 - b. Rule on all points of order and procedure during the meetings.
 - c. Sign all resolutions and minutes.
 - d. Provide recommendations to staff liaison regarding agenda items.
3. The Vice Chairperson shall assume all duties of the Chairperson in his or her absence or disability.
4. In case of the absence of both the Chairperson and Vice Chairperson from any meeting, an Acting Chairperson shall be elected from among the members present.

F. TERMS AND VACANCIES

The officers will be selected by the membership for a one year term. The annual election of officers shall take place at the last regular meeting in June of each year. The terms of officers shall commence as of July 1st following the election and shall continue through June 30th of the following year. In the first year of formation, the election of officers shall take place at the first regular meeting.

G. MEETINGS

1. Regular meetings of the Planning Commission shall be held on the Second and Fourth Wednesday of each month, except in November and December of each year when regular meetings shall be held on the First and Third Wednesday, and shall begin at 7:00 p.m. in the Tracy Council Chambers.
2. If the scheduled date of a regular meeting conflicts with a holiday period, staff shall reschedule that meeting to be conducted within that month.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Planning Commission by a

majority of the quorum. If a meeting is adjourned or an item is continued to a special meeting to be held on a date other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the motion for adjournment or continuance.

4. All meetings are subject to the Brown Act as set forth in Government Code sections 54950 and following. Accordingly, all meetings shall be noticed and agendas for all meetings shall be prepared and posted in accordance with the current Council meeting procedures.
6. All meetings shall be conducted in accordance with the current Council meeting procedures.
7. All agendas shall be prepared and distributed in accordance with Council meeting procedures and the Brown Act.

H. FUNDING

Any funding necessary for operation of the Commission shall be included in the City of Tracy budget, which shall be approved by the Council.

I. ADMINISTRATIVE PROCEDURES AND POLICIES

The Commission shall follow all applicable City fiscal administrative policies and procedures.

J. SUBCOMMITTEES

The Commission may form ad hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. A quorum of Commission members may not be appointed to serve on a single subcommittee. Before forming a subcommittee, the Commission shall establish a specific charge and term for the subcommittee.

K. STAFF LIAISON

The Commission shall have a staff liaison designated by the Development and Engineering Services Department. The staff liaison shall:

1. Receive and record all exhibits, petitions, documents, or other material presented to the Planning Commission in support of, or in opposition to, any question before the Planning Commission.
2. Sign all meetings minutes and resolutions upon approval.
3. Prepare and distribute agendas and agenda packets.

L. ADOPTION

This document, as adopted and amended by Council resolution, shall serve as the Bylaws for the Commission.

Commission: Recommended approval to Council on December 17, 2003, by motion action.

Council: Approved by Council on January 20, 2004, by Resolution No. 2004-016, and amended by Council on March 2, 2010, by Resolution No. 2010-022.

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