LOS ANGELES CITY PLANNING COMMISSION RULES AND OPERATING PROCEDURES

Adopted 04/16/1992 Amended 08/10/2000 Amended _____

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PREAMBLE

These rules and operating procedures are adopted pursuant to the authority set forth in Charter Section 506 to assist the Commission in conducting City business consistent with law.

Meetings of the Commission are conducted according to these Rules and Operating Procedures and as modified by the Commission from time to time. To the extent possible, parliamentary formality and detail are avoided for the benefit of all concerned. However, Robert's Rules of Order Revised may be referred to and used for guidance, interpretation, or to supplement these Rules.

1.0 ELECTION OF OFFICERS

1.1 During its last regular meeting in July of each year, the City Planning Commission (Commission) shall elect a President and Vice President, who shall serve until the next last regular meeting date in July, or until a successor has been elected. The President shall be the presiding officer of the Commission and Chair the Meetings of the Commission. The Vice President of the Commission shall act as the presiding officer and Chair in the absence of the President of the Commission.

2.0 MEETING DAYS AND TIME

2.1 All meetings of the Commission are open to the public; the Commission meets regularly every second and fourth Thursday of the month.

Regular meetings are held at City Hall in Downtown Los Angeles on the second Thursday of the month at 8:30 a.m. and at City Hall in Van Nuys, on the fourth Thursday of each month at 8:30 a.m. As a convenience to the public, the Commission from time to time may hold special meetings in other locations of the City, depending upon the agenda item or items before it.

From time to time, the Commission Executive Assistant may notice a different location or start time as operational needs require, and without prior approval from the Commission.

2.2 The Commission meets regularly at 8:30 a.m. as indicated above, but may meet later upon giving proper notice to members of the public.

Meetings shall commence promptly at 8:30 a.m., depending upon the location, as soon as a quorum is achieved. In the absence of both the President and Vice President, the quorum present shall select a Member to act as Chair until the President or Vice President arrives.

2.3 With appropriate notice, the Commission may temporarily schedule meetings at another time and/or location.

3.0 QUORUM, MAJORITY AND ATTENDANCE

3.1 The presence of five Members of the Commission shall constitute a quorum of the Commission. Five votes shall constitute a majority of the Commission.

- 3.2 An Executive Assistant to the Commission shall attend all meetings of the Commission and shall keep a record of the proceedings and transactions, specifying the names of the Commission Members (Members) at all meetings and the ayes and noes upon all votes.
- 3.3 Members shall advise the President of the Commission, or the Executive Assistant, as early as possible in advance of expected absences, late arrivals and early departures from the meetings.

4.0 AGENDA AND ORDER OF BUSINESS

- 4.1 The Commission shall have the power to set its own agenda. However, agenda scheduling is delegated to the Commission Office Staff.
- 4.2 The Agenda shall contain, in addition to information pertinent to a specific meeting, sufficient information as the public may require to follow the proceedings of the meeting and other information regarding reconsideration, the policy for designated public hearings public comment, and continuations.
- 4.3 To the extent possible, the Agenda for all meetings of the Commission and reports on cases scheduled for decision are available on-line to those concerned or interested seven (7) days before each meeting. To ensure that the Commission has ample opportunity to review written materials, members of the public who wish to submit written materials on agendized items should comply with the following:
 - a. Regular submissions. All materials delivered in advance of the staff report becoming publicly available, must be submitted so that they are received ten (10) days prior to the Commission meeting. Materials must be delivered electronically to cpc@lacity.org and twelve (12) copies must be delivered or mailed to the Commission Executive Assistant at 200 North Spring Street, Room- 532, Los Angeles, 90012. The Commission Executive Assistant will send these submissions to the Commission together with the staff reports.
 - b. Rebuttal submissions. All materials delivered in response to a Recommendation Report or additional comments must be submitted no later than 48 hours before the commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages, must be submitted electronically to cpc@lacity.org and twelve (12) copies must be delivered to the Commission Executive Assistant at 200 North Spring Street, Room 532, Los Angeles, 90012.
 - c. **Day of hearing submissions**. All submissions within 48-hours of the meeting, including the day of the meeting, must be a hard copy

submission. Electronic only submissions will not be accepted within 48-hours up to and including the day of the meeting. Submissions may not be more than two (2) written pages, including exhibits and must include the case and agenda item number of the cover or first page. Photographs do not count toward the page limitation. Twenty (20) copies of the submission must be given to the Commission Executive Assistant prior to the start of the hearing who will distribute them to the Commission.

- d. Non-complying submissions. Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Noncomplying submissions will be placed into the official case file, but they will not be delivered to or considered by the CPC, and will not be included in the official administrative record for the item at issue.
- e. A limited exception to the electronic submission requirement will be granted to those individual members of the public who do not have access to a computer or e-mail.
- 4.4 The usual order of business shall be:
 - a. **Director's Report** The Director of Planning, or his/her designated representative, shall report to the Commission concerning the events since the last meeting and other matters of interest.

An Update from the City Attorney on various legal issues may also be included.

- b. Commission Business Generally, the Advance Calendar and minutes are reviewed, requests are made, commendations are presented, and correspondence is received and assigned by the Chair to Staff for response or scheduling for a future agenda.
- c. **Neighborhood Council Presentation** An authorized Neighborhood Council Representative may present the formal position of his/her Neighborhood Council pursuant to requirements set forth in the Los Angeles Administrative Code.
- d. **Public Comment** On non-agenda items of interest that are within the subject matter jurisdiction of the Commission.
- e. **Motions to Reconsider** Motions to reconsider a Commission Action on agenda items from a prior meeting pursuant to the Commission's Reconsideration provisions.

- f. Consent Calendar-Items that are considered non-controversial maybe be treated as one agenda item. The Consent Calendar will be enacted by one motion. There will be no separate discussion of these items unless the item is removed from the Consent Calendar, in which event the item will be considered as time allows on the regular agenda.
- g. Project Entitlement Items Legislative land use ordinances, conditional use permits and other similar quasi-judicial approvals, subdivision tract appeals, code amendments, etc., and other discretionary actions.
- Policy items Discussions which culminate in adoption of a position on which future Commission and Planning Department decisions will be based.

The Commission shall take up each item on the Agenda until all business is completed, unless a quorum is lost.

4.5 The Agenda for each regular meeting of the Commission shall be posted at least 72 hours before the meeting. It shall contain the meeting date, time and location, and a brief general description of each item of business to be transacted or discussed at the meeting. No other business may be considered except as otherwise provided by law.

Exceptions to the 72-hour agenda posting requirement when the Commission may take an action on item(s) of business not listed on the agenda are as follows:

- a. If it makes a determination that an emergency situation exists; and
- b. If it makes a determination that the need to take action arose subsequent to the Agenda being posted.

5.0 SPECIAL MEETINGS, EMERGENCY MEETINGS

5.1 A "special" meeting of the Commission may be called by the Commission President, or by a majority of the Commission, for a specific purpose. No other business may be discussed.

A 24-hour posting of written notice and delivery of the notice to Commission Members and news media (having requested notice of special meetings) is required. 5.2 An "emergency" meeting, as a result of a crippling disaster or work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the Commission, may be called.

No posting or notice shall be required, except that a one-hour prior notification the news media (having requested notice of special or emergency meetings) by telephone.

Following such emergency meeting, a list of persons attempted to be notified and the Minutes of such meeting shall be posted as soon after the meeting as possible, and shall remain posted for a minimum of ten days.

6.0 PUBLIC COMMENT

6.1 The Commission shall provide an opportunity in open meetings for the public to address it, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission. This requirement is in addition to any other hearing required or imposed by law. Persons wishing to speak during Public Comment must complete and submit a speaker's request form to the Executive Assistant prior to the commencement of the Public Comment period.

Individual testimony within the public comment period shall be limited up to five (5) minutes per person and up to ten (10) minutes per subject.

7.0 PUBLIC HEARINGS

7.1 At times, the Commission must necessarily limit the speaking times of those presenting testimony on either side of a subject that is designated as a public hearing agenda item. In all instances, however, equal time shall be allowed for presentation of pros and cons of agenda items to be acted upon.

Notwithstanding the above, the Chair may, at his/her discretion as allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

7.2 Every person wishing to address the Commission must complete a speaker's request form and submit it to the Commission Executive Assistant prior to addressing the Commission.

7.3 No person shall be permitted to interrupt Commission Members during a Commission meeting and no person or group of persons shall be allowed to disrupt a Commission meeting.

In the event that any meeting is willfully interrupted by a **person or a** group of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the Commission may order the meeting room cleared, continue in session, and otherwise conduct the meeting consistent with Government Code Section 54957.9.

- 7.4 Relative to legislative, quasi-judicial and other discretionary approvals, a required public hearing may be held by a Hearing Officer who is a Planning Department employee. With respect to agenda items on which prior required public hearings have been held, the public meeting of the Commission shall be for Commission decision-making, however, an opportunity for public comment shall be provided.
- 7.5 To the extent not already required by the Los Angeles Municipal Code, the Chair may at his/her discretion hold a single public hearing for multiple agenda items that are related to the same project.

8.0 COMMISSION ACTIONS, RECONSIDERATION, AND CONTINUATIONS

8.1 **Commission Action** - A Commission Action is a decision adopted by a majority of the Commission (five votes). After a motion is made and seconded, Members who are present shall vote at the call of the roll. In the event a Member who is present fails to vote either "yes" or "no," that Member shall be deemed to have voted "yes," and the Member's vote shall be so recorded.

A Commission Action or transmittal of a Commission Action shall be signed by the Commission Executive Assistant or Commission Office Manager and is an integral part of the minutes.

8.2 **Voting** – A Member is not qualified to participate in, or be present for, a vote on an agenda item unless the Member was present for the entire hearing before the Commission, or has listened to the audio recordings of the prior relevant proceedings prior to his or her participation in a vote.

If an agenda item is continued to, or scheduled for a motion to reconsider at, a future meeting, a Member who was absent from any portion of the Commission hearing on the agenda item when it was initially considered may participate in a subsequent vote provided he or she has listened to the audio recordings of the prior relevant proceedings. These voting provisions shall only apply to quasi-judicial approvals. 8.2 **Reconsideration** - The Commission may make a motion to reconsider a Commission Action on items listed on the agenda at the same meeting as the original Commission Action, or at the next regular meeting. If there is no Commission Action (five votes), these Reconsideration provisions do not apply.

A motion to reconsider shall be made by a Member who voted in support of the Commission Action.

If a Member wishes to make a motion to reconsider a Commission Action at the next regular meeting, the Commission may hear the motion to reconsider provided that the Commission has not lost jurisdiction to act.

If a majority of the Commission approves a motion to reconsider at the same meeting as the original Commission Action, the merits of the agenda item may be the next order of business. However, if the Commission approves a motion to reconsider at the next regular meeting, there shall be a separate agenda item for the purpose of addressing the merits of the original Commission Action.

A motion to reconsider may only be made once during the day on which the original Commission Action was taken or once during the next regular meeting.

A motion to reconsider must be heard and decided within the existing time to act. However, if a majority of the Commission timely approves a motion to reconsider, the Commission may come to a mutual agreement with the applicant to extend the Commission's time to act pursuant to applicable provisions in the Los Angeles Municipal Code, in order to separately agendize the item for the purpose of addressing the merits of the original Commission Action.

- 8.3. <u>Continuances</u> The Commission may continue an item for a stated purpose to another day, or may continue an item at the request of staff, or the Council office affected, if that date is within legal time limits and the Commission has not lost jurisdiction to act.
- 8.4 <u>Failure to Act</u> A Failure to Act is when a majority of the Commission (5 votes) fails to approve or reject an agenda item. In that event, the Commission may deliberate further and take a new vote at the same meeting. If the Commission has not, either by a provision in the Los Angeles Municipal Code or by the passage of time, lost the power to act on that item, the agenda item shall be continued to the next regular meeting unless a majority of the Commission votes to continue that item beyond the next regular meeting.

8.5 If a Commission meeting is canceled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond as long as the continuance is within the legal time limits of the case or cases.

9.0 RULES

- 9.1 These rules and procedures, one or more, may be suspended by a vote of the majority of the Commission, except for rules and procedures specified by the Los Angeles Municipal Code, the California Government Code, or other applicable legislation.
- 9.2 An affirmative vote of the majority of the Commission shall be necessary to amend these rules.
- 9.3 A copy of these Rules and Operating Procedures shall be available for public review at the Public Counters of the Planning Department and at the Commission Office.

10. SUB-COMMITTEES

10.1 The President shall appoint Members to subcommittees as required.

A Member of a subcommittee shall provide verbal status reports as deemed appropriate. The subcommittee shall report final findings and/or recommendations to the Commission at the conclusion of the assignment.

11. MINUTES

11.1 The Minutes for each Commission meeting shall be signed by the President of the Commission, and Executive Assistant, or by two Members of the Commission and the Executive Assistant, after approval of the Minutes by the Commission. Correction to the Minutes shall be as directed by a Commission Action.

Meetings are tape recorded to provide a record of the audio portion of all meetings. Copies are available upon request, and in accordance with Departmental procedures.

12. EX PARTE COMMUNICATIONS

- 12.1 Each member of the Commission shall accord to every person who has an interest in the quasi-judicial proceeding the full right to be heard according to the law.
- 12.2 No Member of the Commission shall initiate, permit, or consider private, ex parte communications concerning a pending quasi-judicial proceeding unless the Commissioner is recused from the proceeding.
- 12.3 Notwithstanding the foregoing, when circumstances require it, a Member of the Commission may permit or otherwise unauthorized ex parte communication for scheduling administrative, or emergency purposes, but only if the communication does not address substantive matters and no one will gain a procedural, substantive, or tactical advantage as a result of the communication.

CURRENT CPC RULES AND OPERATING PROCEDURES

LOS ANGELES CITY PLANNING COMMISSION RULES AND OPERATING PROCEDURES

Adopted April 16, 1992

(Amended August 10, 2000)

LOS ANGELES CITY PLANNING COMMISSION

RULES AND OPERATING PROCEDURES

Adopted April 16, 1992 (Amended August 10, 2000)

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PREAMBLE

These rules and operating procedures are adopted pursuant to the authority set forth in Charter Section 506 to assist the Commission in conducting City business consistent with law.

Meetings of the Commission are conducted according to these Rules and Operating Procedures and as modified by the Commission from time to time. To the extent possible, parliamentary formality and detail are avoided for the benefit of all concerned. However, Robert's Rules of Order Revised may be referred to and used for guidance, interpretation, or to supplement these Rules.

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ELECTION OF OFFICERS

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1. During its last regular meeting in July of each year, the City Planning Commission (Commission) shall elect a President and Vice President, who shall serve until the next last regular meeting date in July, or until a successor has been elected. The President shall be the presiding officer of the Commission and Chair the Meetings of the Commission. The Vice President of the Commission shall act as the presiding officer and Chair in the absence of the President of the Commission.

MEETING DAYS AND TIME

2. All meetings of the Commission are open to the public; the Commission meets regularly every second and fourth Thursday.

Meetings are held at a downtown location, 201 N. Figueroa Street, Room 900, on the second Thursday of the month at 9:30 a.m. and at a location in the San Fernando Valley, Airtel Plaza Hotel, 7277 Valjean Avenue, Van Nuys, on the fourth Thursday of each month at 8:30 a.m. As a convenience to the public, the Commission from time to time may hold special meetings in other locations of the City, depending upon the matter or matters before it.

3. The Commission meets regularly at 9:30 A.M. or 8:30 a.m., as indicated above, but may meet earlier upon giving proper notice to members of the public.

Meetings shall commence promptly at 9:30 A.M., or 8:30 a.m., depending upon the location, as soon as a quorum is achieved. In the absence of both the President and Vice President, the quorum present shall select a Member to act as Chair until the President or Vice President arrives.

4. With appropriate notice, the Commission may temporarily schedule meetings at another time and/or location.

QUORUM AND ATTENDANCE

- 5. The presence of five Members of the Commission shall constitute a quorum.
- An Executive Assistant to the Commission shall attend all meetings of the Commission and shall keep a record of the proceedings and transactions, specifying the names of the Commissioners at all meetings and the ayes and noes upon all votes.

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7. Commission Members shall advise the President of the Commission, or the Executive Assistant, as early as possible in advance of expected absences, late arrivals and early departures from the meetings.

AGENDA AND ORDER OF BUSINESS

- 8. The Commission shall have the power to set its own agenda. However, agenda scheduling is delegated to the Commission Office Staff.
- 9. The Agenda shall contain, in addition to information pertinent to a specific meeting, sufficient information as the public may require to follow the proceedings of the meeting and other information regarding reconsideration, the policy for designated public hearings and public comment, and continuations.
- 10. To the extent possible, the Agenda for all meetings of the Commission and reports on cases scheduled for decision are available to those concerned or interested one week before each meeting. To ensure that the Commission has ample opportunity to review written materials, members of the public who wish to submit written materials on agendized items should submit them at leave five days prior to the meeting at which the item is to be heard.
- 11. The usual order of business shall be:
 - a. Director's Report The Director of Planning, or his/her designated representative, shall report to the Commission concerning the events since the last meeting and other matters of interest.
 - b. Commission Business Generally, the Advance Calendar is reviewed, requests are made, commendations are presented, correspondence is received and assigned by the Chair to Staff for response or scheduling for a future agenda.
 - c. Consent items Routine and non-controversial items, including approval of the Minutes, to be acted upon by the Commission at one time without discussion.
 - d. Legislative land use ordinances, conditional use permits and other similar quasi-judicial approvals, subdivision tract appeals, code amendments, etc., and other discretionary actions.
 - e. Policy items Discussions which culminate in adoption of a position on which future Commission and Planning Department decisions will be based.

- f. Public Comment On items of interest that are within the subject matter jurisdiction of the Commission.
- The Commission shall take up each item on the Agenda until all business is completed, unless a quorum is lost.
- 12. The Agenda for each regular meeting of the Commission shall be posted at least 72 hours before the meeting. It shall contain the meeting date, time and location, and a brief general description of each item of business to be transacted or discussed at the meeting. No other business may be considered except as otherwise provided by law.

An exception to the 72-hour agenda posting requirement for the Commission meeting is:

The Commission may take an action on item(s) of business not listed on the Agenda if:

- a. It makes a determination that an emergency situation exists.
- b. It makes a determination that the need to take action arose subsequent to the Agenda being posted.

SPECIAL MEETINGS, EMERGENCY MEETINGS

 A "special" meeting of the Commission may be called by the Commission President, or by a majority of Commissioners, for a specific purpose. No other business may be discussed.

A 24-hour posting of written notice and delivery of the notice to Commissioners and news media (having requested notice of special meetings) is required

14. An "emergency" meeting, as a result of a crippling disaster or work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the Planning Commission, may be called.

No posting or notice shall be required, except that a one-hour prior notification to news media (having requested notice of special or emergency meetings) by telephone.

Following such emergency meeting, a list of persons attempted to be notified and the Minutes of such meeting shall be posted as soon after the meeting as possible, and

shall remain posted for a minimum of ten days.

PUBLIC COMMENT

15. The Commission shall provide an opportunity in open meetings for the public to address it, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission. This requirement is in addition to any other hearing required or imposed by law.

Individual testimony within the public comment period shall be limited up to five (5) minutes per person and up to ten (10) minutes per subject.

Every person wishing to address the Commission must complete a speaker's request form prior to speaking and submit it to the Commission Executive Assistant.

PUBLIC HEARINGS

16. At times, the Commission must necessarily limit the speaking times of those presenting testimony on either side of an issue that is designated as a public hearing item. In all instances, however, equal time shall be allowed for presentation of pros and cons of matters to be acted upon.

Notwithstanding the above, the Chair may, as he/she sees fit, allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

- 17. Every person wishing to address the Commission must complete a speaker's request form and submit it prior to speaking to the Commission Executive Assistant.
- 18. No person shall be permitted to interrupt Commission members during a Commission meeting and no person or group of persons shall be allowed to disrupt a Commission meeting. In the event that any meeting is willfully interrupted by a group of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the Commission may order the meeting room cleared, continue in session, and otherwise conduct the meeting consistent with Government Code Section 54957.9.
- 19. Relative to legislative land use ordinances, conditional use permits and other similar quasi-judicial approvals and other discretionary approvals, a public hearing may be held by a Hearing Officer who is a City employee and appointed representative of the

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Commission. Facts and figures, evidence and opinions are presented at these public hearings.

Following the public hearing, the Hearing Officer prepares a written report which may include results of any field investigation, photographs and a summary of any facts and views presented at the public hearing(s), including relevant reports from City Planning and other municipal departments, and includes the Department's recommendations.

- 19. Initial public hearings and continuation of Hearing Officer's public hearings shall be conducted by the Commission as required by the Charter and Municipal Code, and as the Commission deems appropriate.
- 20. With respect to matters on which prior public hearings have been held, the regular public meeting of the Commission shall be for decision only, however, an opportunity for public comment shall be provided.

COMMISSION ACTIONS, RECONSIDERATION, AND CONTINUATIONS

21. Commission action (the decision of the Commission) shall be by majority vote of the members (five). After a motion is made and seconded, Members of the Commission who are present shall vote at the call of the roll. In the event a Member who is present fails to vote either "yes" or "no," that Member shall be deemed to have voted "yes," and the Member's vote shall be so recorded.

A Commission action or transmittal of a Commission action shall be signed by the Commission Executive Assistant, and is an integral part of the minutes.

22. The Commission may reconsider and amend its action on items listed on the agenda if that reconsideration takes place immediately following the original action, or at the <u>next regular meeting</u>. The Commission, on either of these two days may reconsider and continue an item to a future meeting for the purpose of amending its action, if the Commission has not lost jurisdiction, or exceeded legal time limits.

Any item reconsidered and continued to the next regular meeting for purposes of amending or altering an action shall be considered at the meeting.



A motion to reconsider shall be made by a Member who had previously voted on the \checkmark prevailing side.

A motion for reconsideration on a particular item may only be made once during the day on which the original action was taken or once during the next regular meeting.

- 23. The Commission may continue an item for a stated purpose to another day, or may continue an item at the request of staff, or the Council office affected, if that date is within legal time limits.
- 24. If an agenda item has been duly placed on the agenda for consideration by the Commission and the Commission fails to act by sufficient votes to approve or reject the item and the Commission has not, either by a provision in the Code or by passage of time, lost the power to act on that item, it shall be continued to the next regular meeting unless the Commission votes to continue that item beyond the next meeting.

In the case of a Commission meeting canceled due to lack of quorum, all items shall be continued to the next regular meeting.

When the Commission anticipates a loss of quorum (unfinished business), items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

RULES

- 25. These rules and procedures, one or more, may be suspended by a vote of the majority of the Members of the Commission, except for rules and procedures specified by the Municipal Code, the California Government Code, or other applicable legislation.
- 26. An affirmative vote of the majority of all Members of the Commission shall be necessary to amend these rules.

A copy of these Rules and Operating Procedures shall be available for public review at the Public Counters of the Planning Department and at the Commission Office.

SUBCOMMITTEES

27. The President shall appoint Members to subcommittees as required.

A Member of a subcommittee shall provide verbal status reports as deemed appropriate. The subcommittee shall report final findings and/or recommendations to the Commission at the conclusion of the assignment.

MINUTES

28. The Minutes (a brief summary of all discussions and Commission actions, including the vote) for each City Planning Commission meeting shall be signed by the President of the Commission and Executive Assistant, or by two Members of the Commission and the Executive Assistant, after approval of the Minutes by the Commission. Correction to the Minutes shall be as directed by a vote of the Commission.

Meetings are tape recorded to provide a record of the audio portion of all meetings. Copies are available upon request, and in accordance with Departmental procedures.