RESOLUTION NO. R-2018-

A RESOLUTION approving amendments to Bylaws of the Yakima Planning Commission

WHEREAS, the City of Yakima (City) has created a Planning Commission pursuant to authority granted by Chapter 35.63 RCW, and by ordinances establishing such commission as set forth in Chapter 1.42 of the Yakima Municipal Code; and

WHEREAS, the Planning Commission has adopted Bylaws governing the organization and procedures of the commission, which Bylaws have been approved pursuant to Resolution No. 2013-024 adopted by the City Council on February 19, 2013; and

WHEREAS, the Planning Commission has by motion on May 23, 2018 approved amendments to the bylaws to reflect the Council mandated four year term rather than 6 year term, correct the appropriate Department title, change the meeting time to 3:00 pm form 3:30 pm, provide flexibility in the scheduling of a special meeting or the continuation of a hearing, modify the regular business order to reflect the current agenda formatting, and include all applicable titles which the Planning Commission can consider; and

WHEREAS, the Planning Commission recommends that the City Council approve such amendment as set forth herein and below; and

WHEREAS, the City Council accepts the recommendation of the Planning Commission and finds that approval of such amendment to the Planning Commission Bylaws as set forth in Exhibit "A" attached hereto is in the best interests of residents of the City of Yakima and will promote the general health, safety and welfare; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

1. That the Planning Commission Bylaws are hereby amended to read as set forth in Exhibit "A" attached hereto and incorporated herein by this reference; and

2. Except as amended herein, the Bylaws of the Planning Commission shall remain unchanged and in full force and effect.

ADOPTED BY THE CITY COUNCIL this 5th day of June, 2018.

_____
Kathy Coffey, Mayor

ATTEST:

_____
Sonya Claar Tee, City Clerk

EXHIBIT "A"

The Bylaws of the Planning Commission are hereby amended to read as follows:

CITY OF YAKIMA
PLANNING COMMISSION
BYLAWS

(Adopted by the City of Yakima Planning Commission on May 23, 2018;
Amended by City Council, June 5, 2018)

SECTION I: GENERAL RULES AND PROCEDURES

These Bylaws establish the rules and procedures under which the City of Yakima Planning Commission (YPC or Commission) executes those duties and functions set forth in Chapter 1.42 of the Yakima Municipal Code.

I. COMPOSITION OF THE COMMISSION, TERMS, OFFICERS, AND STAFF

A. The City of Yakima Planning Commission shall consist of seven members appointed by the Mayor and confirmed by the City Council. The term of office for the initial members appointed to the Commission shall be designated from one to four years in such a manner as to provide that the fewest possible terms will expire in any one year. Thereafter the term of office for each appointive member shall be four years.

B. The members of the Commission shall be selected without respect to political affiliation.

C. No person shall serve more than two consecutive four-year terms, provided that a person who is appointed to fill an unexpired term of less than two years is eligible to serve two successive four-year terms; and provided further, a person who is ineligible to serve for having served two consecutive terms may again serve after two years have elapsed from the end of the second such term.

D. The Commission will, by majority vote, elect a Chair and Vice Chair at the first meeting of each year who will serve throughout that year. The Chair:

1. Decides all points of order and procedural matters subject to rules and bylaws.

2. May appoint committees as necessary to investigate and report on matters before the Commission.

In cases where the Chair is absent the Vice Chair will serve in their place and will have the same powers and duties.

E. Commission Staff assistance shall be provided by the Department of Community Development with additional assistance and information to be provided by other City departments and consultants as may be necessary to aid the Commission in carrying out its duties and responsibilities under this chapter.

F. The Commission members shall not receive any salary or other compensation for services rendered on the Commission, but necessary expenses actually incurred and within the budget as set by the annual budget ordinance shall be paid.

G. Vacancies occurring, other than through the expiration of terms, shall be filled for the unexpired terms. Members may be removed by the Mayor with the approval of the City Council for inefficiency, neglect of duty, or malfeasance in office. Other reasons for removal may include:

1. Absence from three consecutive regular meetings or six regular meetings in a twelve-month period which shall be regarded as constituting resignation from the Commission. This information will be forwarded to the Mayor and City Council by Staff. Reinstatement may be sought through a hearing by the Commission. Excused absences (sickness, death in the family, business trips or emergencies) will not affect the member's status, except in cases of an extended illness or absence the member shall be replaced. When a member is approaching the maximum number of absences they will be notified by Staff. Verification of attendance will be based exclusively on the minutes of each meeting.

2. Participation in a legally demonstrable case involving a conflict of interest.

H. No member of the Commission shall represent the Commission in its official actions except as specifically authorized by majority vote.

I. Commission members shall refrain from discussing or expressing opinions on matters on the Commission's agenda outside of Commission meetings except as authorized in (H) above, or on direction from the Chair.

J. To avoid any conflicts of interest, no Commission member shall vote on the determination of any application or determination in which they maintain an employer/employee relationship or where they or members of their immediate family have a financial interest.

K. Commission members shall not vote on any issues before the Commission unless they have been in attendance at previous deliberations on the subject or shall have the approval of the Chair contingent on the Chair's determination that the member has familiarized themselves with the subject and the minutes of any meetings where the subject was discussed.

II. PROCEDURES FOR CONDUCTING REGULAR MEETINGS

A. Pre-meeting

1. If there are agenda items, regular meetings will be held at 3:00 p.m. on the second and fourth Wednesdays of every month in the City Council chambers. The time and location of a particular meeting may be changed by majority vote of the Commission and shall be subject to the notice requirements for special meetings. If the date of a regular meeting of the Commission falls on a weekend or an official holiday, the meeting may be changed to a time and place as determined by the Commission at the preceding month's meeting. If such a change occurs, the regular meeting place will be posted advertising the time and location of the meeting.

2. If there are no agenda items, the Chair may cancel the regular meeting after giving all Commission members and the public 24 hours advance notice. However, if a majority of Commission members express the desire to hold the meeting, it shall convene as scheduled. If the meeting is canceled, a notice to that effect will be posted at the regular meeting place at the regular time.

3. Special meetings may be called by the Chair or by a majority of Commission members. Commission members will be given at least 48 hours advance notice of the time and place of such meetings.

4. All regular and special meetings will be open to the public and the date, place and agenda will be publicized in accordance with the Open Public Meetings Act (Chapter 42.30 RCW). The agenda for regularly scheduled meetings shall be posted and advertised 48 hours prior to the regularly scheduled meetings.

5. The order of agenda items will be determined by their order of receipt or as Commission Staff deems appropriate.

6. Staff shall be responsible for notifying principles in each matter as specified under the rules for review procedures.

B. Regular Order of Business for Meetings

1. Business will be conducted under Robert's Rules of Order except where this contradicts with the Bylaws or other special rules adopted by the Commission, which then take precedence. All issues will be decided by simple majority vote except amendments to the Bylaws, which require a vote of two-thirds of the membership.

2. Four members or 51 percent of the non-vacant membership of the Commission constitutes a quorum. Meetings without a quorum will be recessed to the earliest possible date.

3. Minutes will be taken during all Commission proceedings. Additionally, the meetings may be videotaped to further clarify the minutes.

4. The regular order of business shall be as follows:

    a. Call to order
    b. Roll call
    c. Staff Announcements
    d. Audience Participation
    e. Adoption of minutes
    f. New business
    g. Old business
    h. Other Business
    i. Adjournment

5. The regular order of business for consideration of preliminary subdivisions, YMC Title 14, 15, 16 or 17 text amendments, comprehensive plan amendments and rezones shall be as follows:

    a. The Commission Staff person shall offer a preliminary statement or Staff Report concerning the application.
    b. The applicant or the designated agent of the applicant presents statements in favor of the application including any relevant exhibits.
    c. Public comments.
    d. Rebuttal by all concerned parties.
    e. Deliberation by Commission.
    f. Motion for action.
    g. Vote.

    During the course of the meeting, the above procedure may be temporarily modified by the concurrence of all parties and the Commission.

6. The Commission shall act on each application at the meeting unless the Chair or a majority of the Commission decides to defer consideration to a later date. Requests for continuance may be granted if all parties agree. The continuance will be publicly announced by the Chair, and the matter is automatically set on the agenda for the next regularly scheduled meeting, or to a date certain as agreed by all parties. In such a case, no further notice is required for the principles in the case.

C. Post-meeting

1. Staff will be responsible for notifying participants as called for under rules for specific review procedures.

2. Staff will be responsible for forwarding materials to participants as called for under rules for specific review procedures.

3. Staff will be responsible for distributing the minutes of the meeting.