

## CITY OF KELSO PLANNING COMMISSION RULES OF THE COMMISSION

### **SECTION I: AUTHORITY**

1.1 Title 2.60.010 of the Kelso Municipal Code and 35A.64.020 RCW authorize the creation of a "Planning Agency" to be known as the Kelso Planning Commission. Said agency serves in an advisory capacity to city officials and to the city council. The commission consists of seven regular members.

1.2 The seven regular members shall be appointed by the mayor subject to confirmation by the city council.

1.3 Terms of the members shall be as follows:  
a. Positions 1, 2, and 3 shall have their terms expire in November of the same year.  
b. Positions 4, 5, 6 and 7 shall have their terms expire in November of the same year two years hence.

1.4 Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term. Members may be removed, after a public hearing, by the appointing official, with the approval of the city council for inefficiency, neglect of duty or malfeasance in office.

1.5 At least five (5) members of the Planning Commission shall be residents of the city. Up to two (2) members need not be residents of the city but shall reside within the city's urban growth area. In the event a planning commission member is serving, who is not a resident of the city, such person shall not be authorized to serve as planning commission chairman. In the further event that a duly appointed member shall move from within the city to outside the city, that person may remain on the commission with the consent of the mayor and approval of the council for the duration of the unexpired term.

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1.6 The planning commission shall have all the powers and perform each and all of the duties specified by Chapter 35A.63 RCW, together with any duties or authority which may be conferred upon them by statute or ordinance. The performance of such duties and the exercise of such authority shall be subject to each and all of the limitations expressed in such legislative enactment or enactments.

1.7 The position of a member shall be forfeited and become vacant for failure to attend three regular consecutive meetings of the commission, unless such absence is excused by a majority of the members of the commission.

### **SECTION II: OFFICERS**

2.1 The Officers of the Commission shall consist of a Chair and Vice-Chair elected from the members of the Commission, and such other officers the Commission may, by majority vote, approve and appoint. The Director of the Community Development Department or designee shall serve ex-officio without vote as the Secretary.

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2.2 The election of officers shall take place once a year on the occasion of the first meeting in January of each calendar year. The term of office of each officer shall run until the subsequent election, provided however, any officer may be removed at any time by vote of the Commission entered on record. If for any reason Planning Commission officers are not elected at the first January meeting, the existing officers shall continue to serve until an election is held.

2.3 The vacancy of an office caused by the resignation or removal of any officer of the Commission during the term of office shall be filled from the remaining membership for the remaining term of office by the vote of a majority of the Planning Commission.

**SECTION III: CHAIR**

3.1 The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident to the office retaining, however, as a member of the Commission, the full right to have a vote recorded in all deliberations of the Commission

3.2 The Chair shall have full power to create temporary committees of one or more members. Temporary committees may be charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without the approval of the Commission. No committee shall constitute a quorum of the Commission.

3.3 The Vice-Chair shall, in the absence of the Chair, perform all the duties incumbent upon the Chair.

3.4 In the absence of both the Chair and Vice-Chair, the members present shall choose a temporary Chair for the meeting.

**SECTION IV: SECRETARY**

4.1 The Secretary shall keep a record of all meetings of the Commission and, when requested to do so of its committees, these records shall be retained in the office of the City of Kelso Community Development Department.

4.2 When the Chair of the Planning Commission is not available, the Secretary is authorized to sign minutes, recommendations, findings of fact and other Planning Commission documents for the Planning Commission subsequent to action on these matters by the Commission.

**SECTION V: MEETINGS**

5.1 All regular meetings will be held in the City of Kelso Council Chambers, Kelso, Washington, unless otherwise scheduled and noticed in advance and shall be open to the public.

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5.2 All regular meetings shall be held the second Tuesday of each month and will begin at 7:00 p.m., or as soon thereafter as practical.

5.3 When it appears to the Secretary that the amount of business to be transacted at an upcoming regular meeting is in excess of that which could be completed prior to 10:00 p.m., the Secretary may arrange for a scheduled time, place and date for a continuation of the meeting. If a continuation is scheduled in advance, the Secretary shall prepare a joint agenda which clearly indicates the time, place and date of the continued meeting and which enumerates the items of business to be held each day. No item of business set for the continued meeting date shall be heard previously. Prior to the start of the regular meeting, a copy of the agenda shall be conspicuously posted near the entrance to the meeting place. Any regular meeting scheduled for continuance by the Secretary under this section shall be automatically continued to the date, time and place so scheduled.

5.4 When a regular meeting day falls on a legal holiday, the Commission shall convene on the next regular business day. Provided, however that the regular meeting shall be scheduled in the week prior to or immediately following the Thanksgiving and Christmas/New Year holidays.

5.5 The Commission may adjourn any meeting over to the next regular meeting by a majority vote of the quorum or may designate a specific day, time and place, but such order shall apply only to the date and time named in the order.

5.6 Special meetings shall be at the call of the Chair, by the Secretary in consultation with the Chair or at the written request of at least four appointive members of the Commission; provided that written notice of such special meeting so called shall be delivered personally, by facsimile, e-mail or by the U.S. Postal Service at least twenty-four hours before the time of such meeting as specified in the notice to each member and to each local newspaper of general circulation which has on file with the governing body a written request to be notified of such special meeting or of all special meetings. Each local radio or television station that has on file with the governing body a written request to be notified of such special meeting or of any special meetings shall also be notified. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Such written notice may be dispensed to any member who has on file with the Secretary a written waiver of notice of all special meetings or who, prior to or at the time of any special meeting, files a written notice may also be dispensed with as to any member who is actually in attendance at any special meeting.

5.7 Whenever any Commission agenda item is continued to the next regular meeting or to a special meeting, a notice of such continuance shall be conspicuously posted on the next business day immediately after the time of continuance on or near the door of the place where the meeting was held.

5.8 If no matters over which the Commission has jurisdiction are pending upon its calendar, a regular meeting may be canceled at the call of the Chair or Secretary.

5.9 Should there not be a quorum of the Commission present, the members present shall adjourn to the next regular meeting, unless a special meeting is called as provided in these rules. In the case that no members are present, the Secretary shall adjourn to the next regular meeting unless a special meeting is scheduled as provided in these rules.

5.10 All meetings of the Commission shall be recorded. The Secretary shall cause minutes of the meetings to be prepared in a timely manner.

5.11 Except as modified by these Rules of the Commission, Robert's Rules of Order shall govern the conduct of meetings.

**SECTION VI: AGENDA**

6.1 An agenda shall be prepared by the Secretary for each meeting, which shall substantially conform to the following outline for the order of business:

- I. Call to Order
  - a. Roll call
  - b. Approval of minutes
  - c. Explanation of rules of procedures (for hearings)
- II. Old Business:
- III. New Business:
- IV. Communications
  - a. Reports of committees
  - b. Status report of cases before the city council
  - c. Secretary's report
  - d. Date of next regular or special meeting
- V. Adjournment or continuance to a date, place and time certain

**SECTION VII: QUORUM**

7.1 A simple majority of the currently appointed members shall constitute a quorum for the transaction of business, except as provided in section 7.2 below. The Commission can receive reports or petitions whenever a quorum is present.

7.2 If there is a desire of any Commission member to abstain from voting because of a potential conflict of interest, this view should be expressed as soon as the potential conflict becomes apparent and before any discussion is held on the business before the Commission. The members shall then step down and leave the hearing room. When a member has stepped down because of a possible conflict of interest, the member shall not be counted as present for the purposes of establishing a quorum during consideration undertaken while the member is not sitting with the Commission.

**SECTION VIII: ABSENCE OF MEMBERS**

8.1 Upon request of a member, or of the Secretary on behalf of the member, the Commission may excuse the absence from any meeting for reasonable cause.

8.2 In the event of a member incurring three unexcused absences in any six-month period, the member's record shall be forwarded by the Secretary to City Council for consideration.

**SECTION IX: VOTING**

9.1 All Commission members present, including the presiding officer, shall vote when any action is taken.

9.2 A majority vote of the quorum shall decide questions, provided, that any recommendation to the City Council of any official control or Comprehensive Plan or any amendments thereto shall be by the affirmative vote of not less than a majority of the total members of the Commission.

9.3 The decision on any question may be reconsidered if, before such action is transmitted to the City Council, any member who voted with the majority moves for a reconsideration and such motion is approved by the Commissioners. Such motion for reconsideration shall take precedence over all other motions, except a motion to adjourn. If such reconsideration involves an official control or comprehensive plan or amendment thereto, and the decision to make reconsideration is made after the close of regular consideration of that item, then such reconsideration shall be processed in accordance with the procedural requirements of Kelso Municipal Code. No question shall be reconsidered more than once.

**SECTION X: PUBLIC MEETING RULES OF PROCEDURE**

10.1 All persons speaking to the Planning Commission shall stand, approach the microphone, if provided, and identify themselves by name, address and whom they represent.

10.2 All comments shall be directed to the Chair.

10.3 Testimony shall be kept factual and on the subject. The Chair is charged with the responsibility of discouraging and stopping irrelevant, unnecessarily long, repetitive, or abusive testimony. At the onset of any item of business, the Chairman may limit the length of testimony. Time permitted, additional opportunity will be provided for additional public comments after everyone who so desires has had an opportunity to speak.

10.4 The audience shall not interrupt testimony.

10.5 Speakers shall not question one another, instead a question shall be addressed to the Chair. Upon request of a consensus of the members, the Chair may allow direct questioning of an expert witness who has previously testified on behalf of an opponent or proponent, or other business before the Commission.

10.6 If written statements are made, a copy shall be presented to the Commission and the Secretary.

**SECTION XI: AMENDMENT OR SUSPENSION OF RULES**

11.1 These rules may be amended at any regular meeting of the Commission by a majority vote of the entire Commission membership if the proposed amendment is presented in writing at the immediately preceding regular meeting.

11.2 No rule shall be suspended without the concurrence of two-thirds of the members present.

11.3 No rule that reflects a requirement of state law may be suspended.

11.4 We, the members constituting a quorum of the Planning Commission of The City of Kelso, State of Washington, created by a Resolution of the City Council, do this date hereby adopt, publish and declare the following as the Planning Commission Rules of Procedure and further rescind all rules previously adopted by this Commission.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
JIM KODAMA, CHAIRMAN

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TIM SPARKS, VICE-CHAIRMAN

\_\_\_\_\_  
MARK KIRKLAND

\_\_\_\_\_  
LARRY PETERSON

\_\_\_\_\_  
RAY SMITH

\_\_\_\_\_  
SARITA WINES

\_\_\_\_\_  
RICHARD A. GUSHMAN

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Attest:

BY: \_\_\_\_\_  
MICHAEL P. KERINS, Secretary