

# County of Yolo

John Bencomo  
DIRECTOR

## PLANNING AND PUBLIC WORKS DEPARTMENT

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### PLANNING COMMISSION STAFF REPORT

SEPTEMBER 10, 2009

Proposed new Bylaws for the General Plan Citizens Advisory Committees, and associated attachments to the Bylaws, including Mission Statement, Rosenberg Rules of Order, Brown Act Guidelines, CAC Comment Area Map, Procedures for Reviewing Discretionary Planning Applications, and Code of Ethics.

**APPLICANT:** Yolo County

**LOCATION:** The proposed Bylaws affect the eight existing General Plan Citizens Advisory Committees (Capay Valley, Clarksburg, Dunnigan, Esparto, Knights Landing, Madison, West Plainfield, and Yolo-Zamora CACs), and any newly established CACs in the future.

**SUPERVISOR:** Sup. Chamberlain (District 5) and Sup. McGowan (District 1)

**ZONING:** n/a

**GENERAL PLAN:** n/a

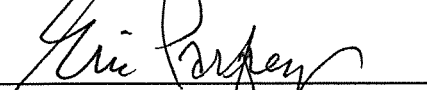
**FLOOD ZONE:** n/a

**SOILS:** n/a


**FIRE ZONE:** n/a

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption

**REPORT PREPARED BY:**

  
Eric Parfrey, Principal Planner

**REVIEWED BY:**

  
David Morrison, Assistant Director

### RECOMMENDED ACTION

That the Planning Commission recommends the Board of Supervisors take the following actions:

1. **HOLD** a public hearing and consider public comments regarding the proposed Bylaws for the General Plan Citizens Advisory Committees, and associated attachments to the Bylaws (**Attachment A**);
2. **ADOPT** the Categorical Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment B**); and
3. **ADOPT** the proposed Bylaws for the General Plan Citizens Advisory Committees and **ADOPT** an Ordinance amending the existing County Code relating to advisory boards, commission and committees (Article 36 of Chapter 2, Title 2) to remove inconsistencies with the new Bylaws.

4. **AMEND** Chapter 2 of the County Administrative Policies and Procedures Manual titled “Advisory Board, Commissions, Committees, and Councils” to ensure consistency with the new Bylaws.

### **REASONS FOR RECOMMENDED ACTION**

The Board of Supervisors established an ad hoc subcommittee of the Planning Commission to draft updated Bylaws and related materials for Yolo County’s General Plan Citizens Advisory Committees. The subcommittee met four times and prepared the attached Bylaws. The Bylaws should be adopted by the county for use as guidance for the committees.

### **BACKGROUND**

On December 18, 2008, the Planning Commission approved a letter sent to the Board of Supervisors requesting establishment of an ad hoc Citizens Advisory Committee (CAC) Procedures subcommittee of the Planning Commission to address the issues below. The Board of Supervisors approved the request on March 10, 2009 (Minute Order No. 09-58). The issues that were to be discussed by the CAC Procedures subcommittee included, but were not limited to, the following:

- Creation of uniform bylaws to be adopted by each advisory committee;
- Limiting the size of all advisory committees to no more than seven members;
- Conflict of interest guidelines to be followed by each advisory committee member;
- Mission statements indicating that the primary scope of advisory committee business is land use/planning applications and/or General Plan issues;
- Discussion of the extent to which these planning committees can, or should, also serve as community forums for issues not in the mission statement of the committee;
- Protocols regarding the method of communication between the advisory committees, staff, and the Planning Commission;
- Definition and adoption of separate and discrete areas within which advisory committees may comment on proposed applications, ordinances, and/or General Plan issues;
- Streamlining the review and development of recommendations by the advisory committees for discretionary development applications, and revisions to the applications;
- Clarification of the scope of development applications to be referred to the advisory committees for their review; and
- Discussion of how future design review of development applications should be implemented.

The subcommittee met on April 29, May 20, June 24, and July 15, 2009 to complete this work. The subcommittee was composed of one voting (and one non-voting alternate) representative from each of the seven active citizen advisory committees (Capay Valley, Clarksburg, Dunnigan, Esparto, Knights Landing, Madison, and Yolo-Zamora, excluding West Plainfield) and three Planning Commissioners. The Planning Division and County Counsel’s office staffed the ad hoc committee. The committee was chaired by Commissioner Leroy Bertolero. The following individuals attended at least one of the four meetings:

Planning Commissioner Leroy Bertolero (chair)  
Planning Commissioner, Jeb Burton  
Planning Commissioner, Jeff Merwin  
Capay CAC, Ellen Knolle  
Clarksburg CAC, Dominic DiMare  
Dunnigan CAC, Mel Smith  
Dunnigan CAC, Erich Linse  
Esparto CAC, John R. Hulsman Jr.

Esparto CAC, Patrick Scribner  
Knights Landing CAC, Gilbert Plubell  
Knights Landing CAC, Don Allen  
Madison CAC, Sherrie Barnett  
Madison CAC, Bonnie Stormont  
Yolo-Zamora CAC, John Davis  
Yolo-Zamora CAC, Roy Wilson

During the four meetings, members of the subcommittee concentrated on reviewing existing Bylaws and Standing Rules of the CACs, and then prepared a standard set of Bylaws for all CACs to follow. It was decided that each of the CACs would also be encouraged to adopt their own Standing Rules, which would include more detailed community-based rules as to how the individual CACs conduct their meetings (such as meeting time and place, etc.).

Summary Notes that detail the discussion and actions taken at each of the four subcommittee meetings are included as **Attachment C**. The subcommittee addressed all of the specific issues listed above, with the exception of a “discussion of how future design review of development applications should be implemented.”

The subcommittee took actions at their final meeting on July 15, 2009 to recommend approval of the proposed new Bylaws for the General Plan Citizens Advisory Committees, and five of the six attachments to the Bylaws, including the Mission Statement, Rosenberg Rules of Order, Brown Act Guidelines, Procedures for Reviewing Discretionary Planning Applications, and Code of Ethics. The subcommittee requested additional input from staff on the CAC Comment Area Map, to include areas located in close proximity to two different advisory committees and/or cities, where input from both committees/cities would be encouraged. A revised map, based on Yolo County’s fire district boundaries, was prepared by staff and sent out for review following the final July 15, 2009 meeting. In addition, a flow chart of the Development Review Process, referenced as an attachment to the Procedures for Reviewing Discretionary Planning Applications attachment was prepared and sent out for review to the CACs in August 2009.

Following action by the Planning Commission, the Bylaws will be forwarded to the Board of Supervisors, who will be asked to approve them in ordinance form. Staff will also prepare an ordinance to be adopted that will amend the existing County Code sections in Article 36 of Chapter 2, Title 2, to remove inconsistencies with the new Bylaws.

Staff will also prepare an amendment to Chapter 2 of the County Administrative Policies and Procedures Manual titled “Advisory Board, Commissions, Committees, and Councils,” to ensure consistency with the new Bylaws. The existing administrative policy on advisory boards, which was originally adopted in June, 1983 and has not been updated, does not specifically include General Plan Citizens Advisory Committees in the list of advisory boards that are covered by the policy. However, the administrative policy does include several relevant policies to CACs, including the following requirements: no person may hold a membership on more than one advisory board; the Board of Supervisors may dismiss a board member for three unexcused absences; members must be County residents and may not be County employees; and members may not serve more than two consecutive terms on an advisory committee without a break of at one year.

### **OTHER AGENCY INVOLVEMENT**

Staff sent out the final version of the Bylaws and all attachments, as recommended by the subcommittee, to each of the seven CACs by e-mail and land mail in early August, with directions that each CAC should review the materials if time permitted prior to the Planning Commission

hearing. All of the seven CACs reviewed the Bylaws and offered some final, mostly minor, comments, as noted below.

### Clarksburg CAC

The Clarksburg CAC reviewed the Bylaws and attachments as proposed, at their August 13, 2009 meeting and voted to recommend approval, with two changes:

- Bylaw #13: Add the following: "Written minutes of each committee meeting must be taken by the Secretary, or designated alternate,..."
- CAC Comment Area Map: The committee voted to expand the Clarksburg comment area to include all of the lands east of the Ship Channel to the Solano County line, and north to the Davis and City of West Sacramento comment boundaries.

Staff concurs with the proposed edit to Bylaw #13. Staff does not agree with the recommended map change. The proposed enlargement of the Clarksburg comment area would be a significant expansion, nearly doubling the size of the existing comment area. It is also unclear to staff how land use within the lower Yolo Bypass has a direct effect on issues within the Clarksburg comment area.

### Esparto CAC

The Esparto Citizens Advisory Committee (ECAC) reviewed the ordinance on August 18, 2009 and have submitted comments in a forthcoming letter to the Planning Commission. The committee voted to approve the Bylaws with the following changes:

- Bylaw #5: The committee recommends that the Bylaw be augmented to state if a CAC member is dismissed by the Board of Supervisors that the member is notified in advance of the action.
- Bylaw #7: Delete the following: "Interested parties who wish to become a member of a Citizen's Advisory Committee must be either a resident within the CAC comment area, ~~or a resident of Yolo County who owns either land or a business within the comment area.~~ Members must be at least 18 years of age. Only one member of the same household or business (as determined by mailing address) may serve as a member of the committee."
- Bylaw #17: Add the following: "The agenda for each Citizens Advisory Committee meeting shall be in a consistent format, as determined by the Department. The agenda shall include the County letterhead and the Department and CAC chair's contact information...."
- Attachment E: Procedures for Reviewing Discretionary Planning Applications: Under Step #2. (page 2), delete the following phrase from the third sentence: "After a formal development application is submitted, Planning staff shall send out a "Request for Comments" notice for a discretionary application to the chair of the CAC. The "Request for Comments" notice is mailed or e-mailed to various county and other public agencies, and generally sent as a courtesy to adjacent property owners within 300 feet, and CAC chairs. The "Request for Comments" notice usually includes some of the application materials, ~~but often does not include as much information as is needed for the committee to review the application.~~"

In addition, ECAC requests that ALL application materials be automatically sent to the CAC as part of the "Request for Comments" notification early in the process.

hearing. All of the seven CACs reviewed the Bylaws and offered some final, mostly minor, comments, as noted below.

### Clarksburg CAC

The Clarksburg CAC reviewed the Bylaws and attachments as proposed, at their August 13, 2009 meeting and voted to recommend approval, with two changes:

- Bylaw #13: Add the following: "Written minutes of each committee meeting must be taken by the Secretary, or designated alternate,..."
- CAC Comment Area Map: The committee voted to expand the Clarksburg comment area to include all of the lands east of the Ship Channel to the Solano County line, and north to the Davis and City of West Sacramento comment boundaries.

Staff concurs with the proposed edit to Bylaw #13. Staff does not agree with the recommended map change. The proposed enlargement of the Clarksburg comment area would be a significant expansion, nearly doubling the size of the existing comment area. It is also unclear to staff how land use within the lower Yolo Bypass has a direct effect on issues within the Clarksburg comment area.

### Esparto CAC

The Esparto Citizens Advisory Committee (ECAC) reviewed the ordinance on August 18, 2009 and have submitted comments in a September 2, 2009 letter to the Planning Commission (**Attachment D**). The committee voted to approve the Bylaws with the following changes:

- Bylaw #5: The committee recommends that the Bylaw be augmented to state that the dismissal of a CAC member requires the recommendation of the Supervisor of the district in which the CAC is located, plus a majority vote of the Board of Supervisors.
- Bylaw #7: Delete the following: "Interested parties who wish to become a member of a Citizen's Advisory Committee must be either a resident within the CAC comment area, ~~or a resident of Yolo County who owns either land or a business within the comment area.~~ Members must be at least 18 years of age. Only one member of the same household or business (as determined by mailing address) may serve as a member of the committee."
- Bylaw #13: Add the following: "Written minutes of each committee meeting must be taken by the Secretary, or designee..."
- Bylaw #15: Allow members of the public to serve on CAC subcommittees.
- Bylaw #16: If a CAC has not received complete materials for review of a discretionary application at least 72 hours in advance of the CAC meeting, the Planning Commission will postpone consideration of the application until the CAC can review it and make a recommendation.
- Bylaw #17: Add the following: "The agenda for each Citizens Advisory Committee meeting shall be in a consistent format, as determined by the Department. The agenda shall include the County letterhead and the Department and CAC chair's contact information...."
- Bylaw #23: Formal communication from each CAC should come from the chair. Exceptions and designations to this rule should be included in each CAC's standing rules.

- Attachment E: Procedures for Reviewing Discretionary Planning Applications: ECAC again requests that non-discretionary applications such as Lot Line Adjustments be sent to the ECAC, even if the ECAC is not reviewing the application for approval.
- Attachment E: Procedures for Reviewing Discretionary Planning Applications: The ECAC requests to see all proposal items at the same time the “Request for Comments” is sent out. Under Step #2. (page 2), delete the following words: “After a formal development application is submitted, Planning staff shall send out a “Request for Comments” notice for a discretionary application to the chair of the CAC. The “Request for Comments” notice is mailed or e-mailed to various county and other public agencies, and generally sent as a courtesy to adjacent property owners within 300 feet, and CAC chairs. The “Request for Comments” notice usually includes some of the application materials, ~~but often does not include as much information as is needed for the committee to review the application.”~~”
- Attachment E: Procedures for Reviewing Discretionary Planning Applications: The ECAC should receive application materials for discretionary applications two weeks prior to the meeting. Under Step #5. (page 3), delete the following third sentence from the third paragraph: “During the review and discussion of individual development applications, CAC members should focus on whether the application is consistent with the adopted policies of the relevant community plan and the County General Plan. The CAC should also ensure that the project is consistent with the zoning regulations for the site and is consistent with any adopted design guidelines. ~~The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project.”~~”

The ECAC letter (**Attachment D**) states the justification for this, including: “Developing our communities with a community’s vision can’t be realized by merely applying standards in countywide documents. The ECAC should be free to make recommendations based on community vision, context fit, improvements in technology, and other “arbitrary standards” that might evolve over years.”

Staff’s response to each of the ECAC requests follows in order:

- Staff does not agree agree that Bylaw #5 should be clarified to require the recommendation of the Supervisor of the district in which the CAC is located, in order to dismiss a CAC member.
- By majority vote of the Planning Commission subcommittee on July 15, 2009, it was agreed that residents of Yolo County who own either land or a business within the CAC comment area could apply to join the CAC. Staff does not support the ECAC recommended change to Bylaw #7 that would restrict CAC membership to only residents (not a landowner or business owner) within the CAC comment area.
- Staff agree with the insertion of “or designated alternate” in Bylaw #13 as recommended by the Clarksburg CAC.
- Members of the public are already allowed to serve on subcommittees of the CACs, and no changes to Bylaw #15 are needed. The reference in Bylaw #15 only makes a distinction that when “Ad hoc subcommittees...that do not constitute a quorum of the Citizens Advisory

Committee, and do not include any members of the public, are not subject to the Brown Act..." If public members are included, the subcommittee is subject to the Brown Act.

- Staff does not agree that Bylaw #16 should be amended to require the Planning Commission to postpone consideration of an application if all the materials have not been distributed to the CAC more than 72 hours in advance for their meeting. Staff makes every effort to send all application materials to CACs at least one week in advance, the same as for the Planning Commission. Sometimes, last minute items become available to supplement the materials, which may be sent out less than one week prior to a CAC meeting to assist with the review.
- In Bylaw #17, staff does not object to including CAC chair contact information on the regular CAC agendas, if the committee or chair so requests.
- Staff does not agree that Bylaw #23 should be amended to delete: "The chair or other officer of the Citizens Advisory Committee shall communicate any formal recommendation." If the chair is unavailable, another officer should be allowed, as part of the Bylaws, to communicate the CAC recommendation.
- Staff does not agree that all non-discretionary applications such as Lot Line Adjustments should be sent to the ECAC.
- Staff does not agree with the ECAC request that ALL application materials for discretionary projects be automatically sent to the CAC as part of the "Request for Comments" notification early in the process and would oppose that change. The purpose of the "Request for Comments" notification is to ask for early feedback from other primarily-county agencies to determine if an application is complete, and what substantial issues may be raised by the application. Staff often uses discretion when deciding which application materials to send out for review, deleting portions of typical applications that are redundant with other pages, or do not add to the overall description or understanding of a project. Also, sometimes, original application materials are incomplete or contradictory with later submittals. For larger projects, the amount of technical studies and information can be voluminous, resulting in significant staff time and cost.
- Staff does not agree with the deletion of the sentence "The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project." ECAC members believe that this sentence would preclude them from applying any outside information or requirements (that are not adopted General Plan policy, Design Guidelines, or zoning regulations, or normal required Conditions of Approval) to their review of discretionary projects. Staff believes this direction must be given to CAC members to avoid use of inappropriate standards, conditions, or measures that are not adopted or normally applied by Yolo County to typical applications or are not directly related to project impacts.

#### Dunnigan CAC

The Dunnigan Citizens Advisory Committee reviewed the Bylaws on August 19, 2009 and has submitted comments in an August 27, 2009 letter (**Attachment D**). The committee voted to approve the Bylaws with the following changes:

- Bylaw #7: Language not acceptable. Every committee should require residency within the community. There is concern about a business owner's true motives if they do not live within

the community. If a landowner or business owner does not reside within the community, their only interest is personal, not to benefit the residents of the community.

- Comment Area Map (for Dunnigan/Zamora): Shaded Area marked No. 2 (see blown up CAC Comment Area Map in **Attachment C**) needs to continue straight across the overpass of County Road 95 at Interstate 5 and continue east to the heavy Knights Landing/Dunnigan Line. Both Advisory Committees need to be able to comment on these areas. The two overlaps are significant in the transportation/circulation planning for Dunnigan. There has been discussion by the applicant regarding a possible connector from Road 8 to Road 12A at Interstate 505. Overlap area No. 1 should be eliminated.

Staff's response to each of the DCAC requests follows in order:

- As noted above, by majority vote of the Planning Commission subcommittee on July 15, 2009, it was agreed that residents of Yolo County who own either land or a business within the CAC comment area could apply to join the CAC. Staff does not support the recommended change.
- Staff does not agree with the recommended map changes. The area where the possible connector would be located is within Joint Comment Area No. 2. Staff is not aware of any transportation/circulation issues that deal with the areas east of Interstate 505 and north or Road 14 related to the Dunnigan Specific Plan. Allowing Yolo-Zamora to comment on all lands south of the I-5/I-505 interchanges seems reasonable.

#### Knights Landing CAC

The Knights Landing CAC reviewed the ordinance at their August 24, 2009 meeting and voted to recommend approval with incorporation of some minor edits that were suggested by Commissioner Leroy Bertolero, who was in attendance:

- Bylaw #5: The committee recommends that the Bylaw be augmented to state: "Upon a majority vote, the Board of Supervisors may dismiss committee members at any time during their term. The Board of Supervisors may appoint replacements for members who do not complete their term, as needed, and the replacement will serve for the remaining portion of the term, and then can ask to be re-appointed to a new full term."
- Bylaw #16: The committee recommends that a clarifying phrase be added to the end of the last sentence, to read: "A committee has the option of tabling an action item and continuing to the next meeting, if materials have not been received in time by its committee members."
- The CAC recommends that the Bylaws state that members can serve on only one CAC at a time.

Staff concurs with all of the recommended edits. Regarding the last point, as noted above, Chapter 2 of the County Administrative Policies and Procedures Manual titled "Advisory Board, Commissions, Committees, and Councils," already limits board members to one advisory committee only.



### Yolo-Zamora CAC

The Yolo-Zamora Citizens Advisory Committee reviewed the ordinance at their August 24, 2009 meeting and voted to recommend approval with the following changes:

- Bylaw #7: The committee recommends that CAC membership be open to any resident who lives in the comment area, or to any property owner or business owner within the comment area who lives within the county.
- CAC Comment Area Map: The CAC requests that the Yolo-Zamora CAC joint comment area with Dunnigan be expanded significantly to the north, so that the shaded Joint Comment Area No. 1 extends north to County Road 7.

As noted already, by majority vote of the Planning Commission subcommittee on July 15, 2009, it was agreed that residents of Yolo County who own either land or a business within the CAC comment area could apply to join the CAC, consistent with the Yolo-Zamora CAC recommendation. Staff does not agree with the recommended map change. The area where the possible connector would be located is within Joint Comment Area No. 2. Allowing Yolo-Zamora to comment on all Dunnigan lands north all the way to County Road 7 is not a reasonable comment area, since it would overlap by more than one half of the Dunnigan area.

### Capay Valley CAC

The Capay Valley Area General Plan advisory committee reviewed the Bylaws on September 2, 2009. A memorandum discussing their last minute comments will be provided to the Planning Commission before the hearing on September 10, 2009.

### Madison CAC

The Madison CAC reviewed the Bylaws on September 3, 2009. A memorandum discussing their last minute comments will be provided to the Planning Commission before the hearing on September 10, 2009.

### Economic Development Office

In addition to comments received from the citizens advisory committees, staff also received detailed comments from Wes Ervin, the Yolo County economic development manager, related to the expansion of the CAC comment areas (**Attachment D**). Mr. Ervin argues that the comment areas for the county's CACs should not be expanded to the extent that are reflected in the attached map because, among other reasons:

- These engorged comment areas will become burdensome to applicants, and will add an extra step and more time, particularly to farm and farm processing projects.
- These expanded comment areas will clearly create a business un-friendly process that will hurt rather than help our farmers and other ag support and rural operations – the very folks we are trying to help thrive.
- There is already adequate public comment opportunity built into the existing process.
- There is not an identified problem to fix by expanding the comment areas.

- Expanded comment areas will dilute the focus of the existing committees, perhaps to the detriment of the town centers and downtown areas that should be their primary focus.
- There is no nexus of impacts to justify extending the jurisdiction of these committees.
- Projects in areas where members of two advisory committees claim jurisdiction should be assigned to one or the other – not both, and handled at a single joint meeting so applicants are not inappropriately burdened by dual community meetings.

Staff notes that a majority vote of the Planning Commission subcommittee on July 15, 2009, agreed that it was a good idea to expand comment areas so that most rural, unincorporated areas in the county would fall within a CAC comment area. The subcommittee also strongly supported the idea of overlapping comment areas to maximize the opportunity for public input.

Mary Jo Hoes and Charla Parker, Yolo-Zamora CAC

E-mail correspondence was also received by Mary Jo Hoes, of the Yolo-Zamora Citizens Advisory Committee, and Charla Parker, former chairperson of the Yolo-Zamora CAC. The e-mail addressed potential impacts of growth in the Dunnigan Specific Plan area and the ability of Zamora residents to comment. The staff response to the comments is included in **Attachment D**.

**ATTACHMENTS**

- A: Proposed Bylaws for the General Plan Citizens Advisory Committees, and associated attachments to the Bylaws
- B: Categorical Exemption
- C: Summary Notes for Planning Commission subcommittee meetings
- D: Letters and comments from individual CACs

## ATTACHMENT A

### By Laws for the Yolo County General Plan Citizens Advisory Committees

1. The purpose of the appointed General Plan Citizens Advisory Committees (“Citizens Advisory Committees”) is to provide local input and recommendations to the Planning and Public Works Department (“Department”) on implementation of the County General Plan, any local plans, and related land use matters. A Mission Statement (**Attachment A**) has been adopted to guide the committees.
2. All Citizens Advisory Committees shall abide by these By Laws. Each Citizens Advisory Committee may adopt their own Standing Rules, which may set detailed rules and procedures for their own local committees, so long as they remain consistent with the By Laws.
3. Standing Rules should be adopted by each Citizens Advisory Committee. The Standing Rules should include detailed rules and procedures for their own local committees, such as the time and location of meetings, time limits for speakers, adjournment time, and any other procedural items not already addressed by these By Laws. Standing Rules are adopted by a simple majority vote and may be amended by a two-thirds vote at a regularly scheduled meeting, for which public notice has been given in advance of the specific changes to the Standing Rules that are being proposed.
4. Members of the Citizens Advisory Committees are appointed by the Yolo County Board of Supervisors. People interested in becoming a member of a Citizens Advisory Committees must fill out an application at the end of the calendar year and submit it to the Clerk of the Board’s office by December 15. Applications are generally acted upon by the Board of Supervisors in January of each year. The term of membership on the Citizens Advisory Committees shall be two years. The terms of committee members shall be staggered. Members must re-apply to be appointed for consecutive terms.
5. Upon a majority vote, the Board of Supervisors may dismiss committee members at any time during their term. The Board of Supervisors may appoint replacements for members who do not complete their term, as needed.
6. Upon a majority vote of the members of the Citizens Advisory Committees, the committee may recommend that the Board of Supervisors dismiss or not re-appoint a member due to three consecutive absences or four absences within a one year period.

7. Interested parties who wish to become a member of a Citizen's Advisory Committee must be either a resident within the CAC comment area, or a resident of Yolo County who owns either land or a business within the comment area. Members must be at least 18 years of age. Only one member of the same household or business (as determined by mailing address) may serve as a member of the committee.
8. The size of the Citizens Advisory Committees shall be a minimum of five members and a maximum of 17 members. The size of Citizens Advisory Committees should be an odd number.
9. A chair of the Citizens Advisory Committees shall be nominated and elected by a majority vote of the committee annually, in February of each year or as soon thereafter as may be reasonably possible. Each committee shall also elect a vice chair and a secretary. The vice chair will assist the chair and run the meetings in the absence of the chair. The secretary shall take the minutes for each meeting.
10. A quorum for purposes of conducting business and adopting motions shall constitute a simple majority of the total number of appointed seats on a Citizens Advisory Committee. If a quorum is not present, a meeting can proceed but no action or motions may be adopted.
11. Roberts Rules of Order shall be used to conduct the meetings and adopt motions. The "Rosenberg Rules" (a summary of Roberts Rules of Order) shall be used to guide the committees in meeting procedures and is attached to these bylaws (**Attachment B**). Motions shall be approved by a majority of those attending. Proxy voting (voting by a committee member not present or by an alternate) is not allowed.
12. The Citizens Advisory Committees are subject to, and shall abide by, the requirements of the State of California Open Meeting law (the "Brown Act"). Meeting notices and agendas must be posted and made public at least 72 hours before a regular meeting, and at least 24 hours for a special meeting. In addition, meeting materials must be available to the public at the time they are distributed to members of the Citizens Advisory Committee. A summary of the Brown Act has been prepared by County Counsel and is attached to these bylaws (**Attachment C**).
13. Written minutes of each committee meeting must be taken by the Secretary of the committee or designated alternate, approved at a following meeting by a quorum of those in attendance of the meeting pertaining to the minutes in question, and made available to the public. The minutes should include details or a summary of the discussions, actions, and motions approved, at each meeting.
14. A member of the Department shall serve as the liaison to the Citizens Advisory Committee and shall attend all regular meetings. The Planning staff liaison will be appointed by the Planning Director and is subject to change without notice.

15. Subcommittees of the Citizens Advisory Committee may be appointed by the chair. The subcommittee must be chaired by a voting member of the committee. Ad hoc subcommittees (that meet for limited terms and purposes) that do not constitute a quorum of the Citizens Advisory Committee, and do not include any members of the public, are not subject to the Brown Act for purposes of advance meeting notice. Regular standing subcommittees (that are ongoing) are subject to the Brown Act. However, even where not required, every effort should be made to offer advance meeting notice of any subcommittee when practical and feasible.
16. Public notices, background materials, and minutes for a Citizens Advisory Committee meeting should be distributed to committee members at least 72 hours before a regular meeting, and at least 24 hours for a special meeting. Department staff will send out notices and materials one week before each meeting. Meeting agendas, notices, and materials will be sent by e-mail when possible, and by first class mail when e-mail is not available. A committee has the option of tabling an action item and continuing to the next meeting, if materials have not been received in time.
17. The agenda for each Citizens Advisory Committee meeting shall be in a consistent format, as determined by the Department. The agenda shall include the County letterhead and the Department contact information. For every meeting, the agenda shall include a time set for Public Comment or Public Requests; Information Items, or Correspondence and Announcements; and Action Items; including a brief description of each Action Item.
18. Citizens Advisory Committee meetings shall generally be scheduled on a monthly basis on the same day of the week each month. All committees shall meet on at least a quarterly basis (four meetings per year). Special meetings may be called as needed.
19. Mailing and most duplicating costs for the Citizens Advisory Committee are handled by Department staff.
20. The Yolo County Board of Supervisors shall approve a "planning area" and a "comment area" boundary for each Citizens Advisory Committee (**Attachment D**). The "planning area" is the land located within designated community growth boundaries. The "comment area" is a larger area that includes lands adjoining the community growth boundary and within which all discretionary planning applications are referred to the Citizens Advisory Committee. The planning and comment area boundaries for each Citizens Advisory Committee may overlap with the boundaries of an adjacent committee.
21. All discretionary planning applications received by the Department within a comment area shall be referred to the appropriate Citizens Advisory Committee for a recommendation. If an application is located outside an adopted Citizens Advisory Committee comment area, the Department may elect to refer it to the

committee that is the nearest geographically to the application location, at its discretion.

22. The review of discretionary planning applications by a Citizens Advisory Committee shall follow the process outlined in the attached "Procedures for Reviewing Discretionary Planning Applications by Citizens Advisory Committees" (**Attachment E**).
23. The chair or other officer of the Citizens Advisory Committee shall communicate any formal recommendation adopted in response to the review of a discretionary planning application to Department staff. The motion, second, and vote on the recommendation shall be recorded in the approved minutes.
24. A Citizens Advisory Committee may submit comments and recommendations to the Department on other planning, growth, and related issues, including proposed zoning ordinances, environmental impact reports, and non-County projects that may affect the committee planning area. The committee may also review and make recommendations for other projects that are referred to it from other County agencies. All recommendations from the Citizens Advisory Committees shall be submitted in writing to the Department, who shall forward them on to the agency or decision-making body, as appropriate.
25. Members of the Citizens Advisory Committee shall be bound by the "Code of Ethics," adopted by the County, and attached to these By Laws (**Attachment F**).

**ATTACHMENT A  
(of Attachment A Bylaws)**

**MISSION STATEMENT FOR THE  
GENERAL PLAN CITIZENS ADVISORY COMMITTEES**

The Yolo County Board of Supervisors has charged the General Plan Citizens Advisory Committees with the following mission:

These Citizens Advisory Committees are primarily devoted to General Plan, growth, land use, and other related issues and shall:

- Serve as the main liaison between the community and County agencies, and other interest groups, on issues related to planning and land use;
- Meet publicly, on a regular basis, to receive input from the community and provide a public forum for all local citizens concerned with improving the community, through outreach;
- Maintain the integrity and intent of the adopted Community General Plan and vision for the advisory committee area;
- Represent the interests of the defined citizens committee area or community to the Yolo County policy makers by:
  - fact finding,
  - sharing information
  - facilitating discussion
  - fostering collaborative decision making
  - and presenting policy recommendations
- Review applications for all discretionary permits (i.e., development applications that require Zoning Administrator, Planning Commission, or Board of Supervisors approval) within the defined area of the citizens committee, and make formal recommendations to the County boards.

ATTACHMENT B

*Rosenberg's Rules of Order:*  
Simple Parliamentary  
Procedures for the 21st Century





## MISSION:

*To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.*

## VISION:

*To be recognized and respected as the leading advocate for the common interests of California cities.*



### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

### About *Western City* Magazine

*Western City* is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit [www.westerncity.com](http://www.westerncity.com).

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

### About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

# Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

**T**he rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. **Rules should establish order.** The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.
3. **Rules should be user-friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

## The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

## The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

**First**, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

**Second**, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

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There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

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a staff person, or a committee chair charged with providing information about the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

**Fourth**, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

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Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

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**Ninth**, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

### Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."

2. Suggesting a motion to the members: "A motion would be in order that we give 10-days' notice in the future for all our meetings."
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

### The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**3. The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would “move a substitute motion.” A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

### When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

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The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

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Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**A motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

**A motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

### A motion to fix the time to adjourn.

This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**A motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**A motion to limit debate.** The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

**Motion to limit debate.** Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

### The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

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If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook.

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motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

### Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

### Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

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It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

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lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

**Order.** The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

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Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

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speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

### Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ■

# ATTACHMENT C

## (of Attachment A Bylaws)

### BROWN ACT GUIDELINES

#### Introduction

The Brown Act is a state law that governs open meetings of local government bodies. It seeks to ensure that actions and deliberations of local boards, commissions, and committees—all of which are subject to the Brown Act—occur openly and with public access and input. These Guidelines provide a summary of the key requirements of the Brown Act to help members of local boards, commissions, and committees comply in carrying out their official duties.

These Guidelines were developed by the Citizens' Advisory Committee Procedures Subcommittee during a series of meetings in mid-2009. While the County of Yolo has adopted these Guidelines, they are merely a summary of the law and are not a substitute for the Brown Act itself. They address only the situations that local board, commission, and committee members are likely to encounter. You are encouraged to contact the Office of the County Counsel if a situation arises where you believe that additional guidance is necessary or appropriate.

#### Guidelines

1. **The Brown Act applies to all “meetings.”** Any occasion where a majority of the members of a legislative body meet at the same time and place to *hear, discuss, or deliberate* on any matter within your subject matter jurisdiction is a *meeting* subject to the Brown Act.

##### *This means that:*

- The Brown Act applies whenever a majority of your board, commission, or committee meeting simply to discuss, deliberate, or acquire information that is within your subject matter jurisdiction—i.e., the specific area(s) of responsibility assigned for consideration by your board, commission or committee.
- This includes even informal gatherings, retreats, and any other occasion on which a majority of your board, commission or committee are present in the same location.
- It also includes telephone calls, *e-mail exchanges*, and other means by which information within your subject matter jurisdiction is exchanged between a majority of your members—often referred to as “serial meetings,” discussed further below.

##### *However:*

- The Brown Act does not prohibit or restrict a member of a legislative body (or more than one member, provided no quorum is present) from meeting at any time with interested

citizens. The Brown Act protects the constitutional rights of members of the public to contact their government representatives regarding issues of interest.

- Purely social occasions, or other occasions where no official business is discussed, are *not* meetings.
- *Open and public* meetings, conferences, or similar gatherings of other legislative bodies (e.g., the Planning Commission or Board of Supervisors) or other public or private groups (e.g., the Sierra Club) are *not* a “meeting” of your board, council, or commission, even if a majority of your members attend, *so long as* your members discuss matters within your jurisdiction *only as part of the scheduled program*.

**2. Subcommittees.** As noted in the Introduction, all local government bodies—including advisory boards, commissions, and committees—are subject to the Brown Act. The same is often true for any subcommittees, task forces, and similar subgroups created by a local government body. Like the government body that created them, subcommittees are subject to all of the requirements of the Brown Act.

There is a very limited exception for an advisory committee which *is comprised solely of less than a quorum of the government body that created it*, but only so long as it is *charged with accomplishing a specific task in a limited period of time*. Such committees are referred to as “ad hoc advisory committees.” Please note that if the committee includes members of the general public or another government body, or if it has continuing responsibility for a matter, it is not an “ad hoc advisory committee” within the meaning of this exemption.

**3. Notice and agenda requirements.** Any “meeting” of a local board, commission, or committee must be held in accord with certain notice and agenda requirements that appear in the Brown Act. Often, a single “notice and agenda” of a meeting will be posted, rather than two separate documents.

***How much notice of items to be considered is required?***

- At least 72 hours prior to a regular meeting (i.e., meetings held at regular intervals set by your bylaws or other adopted rules).
- At least 24 hours before a special meeting (any meeting other than a regular meeting).
- All agendas must be placed in a location accessible 24 hours a day.

***What are the required contents of a notice (agenda)?***

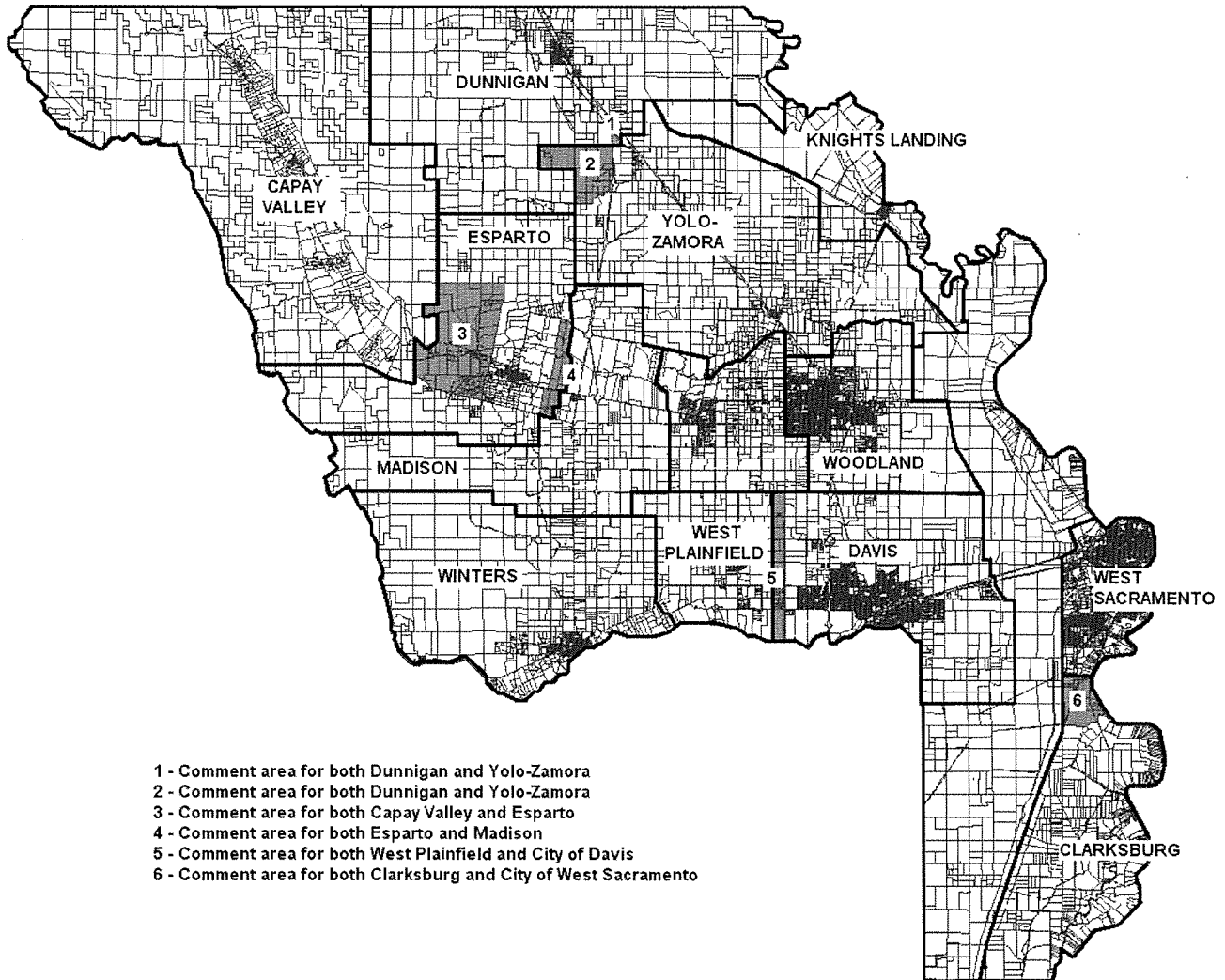
- “A brief, general description” of each item to be discussed.

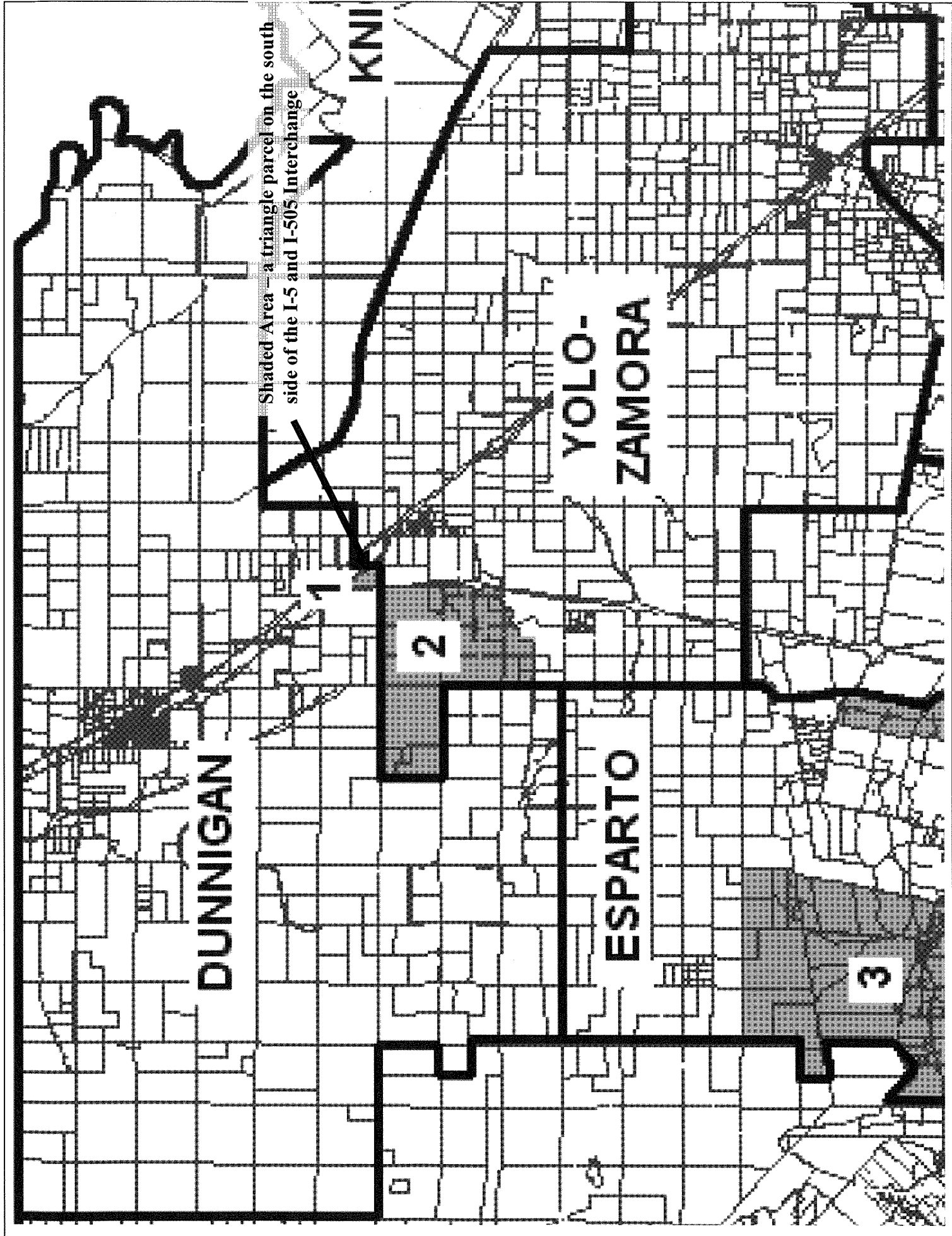
***Are there any exceptions to the notice and agenda requirement?***

- Brief responses to public comment on items not appearing on the agenda are permitted, as are questions asked for clarification and direction to staff in response to such comments.



# ATTACHMENT D





Shaded Area - a triangle parcel on the south side of the I-5 and I-505 Interchange

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## **ATTACHMENT E (of Attachment A Bylaws)**

### **Procedures for Reviewing Discretionary Land Use Applications by Citizens Advisory Committees**

According to the established Mission Statement that applies to all citizens advisory committees addressing General Plan and land use/planning issues in Yolo County, two of the committees' main purposes are:

- To maintain the integrity and intent of the adopted Community General Plan and vision for the advisory committee area;
- To review applications for all discretionary permits (i.e., development applications that require Zoning Administrator, Planning Commission, or Board of Supervisors approval) within the defined area of the citizens committee, and to make formal recommendations to the County boards.

This summary, and the attached flow chart, describe and illustrate the process by which the committees shall review and adopt formal recommendations for discretionary applications. The intent of these written guidelines is to streamline and make the review process more efficient, and to set forth the rules for both the applicant and the committee members.

#### Definitions:

A "discretionary" application involves a request that the County has the ability to deny. It also requires a public hearing before the Zoning Administrator, Planning Commission, and/or Board of Supervisors. Discretionary development applications include: Minor or Major Use Permits; Variances; Tentative Parcel or Subdivision Maps; Road Abandonments; Mining Permits; Rezonings (Zone Change); General Plan Amendments; County Code amendments and related ordinances; and others.

A "non-discretionary" or "ministerial" application is a request that the County is required to approve, so long as the application meets all minimum standards. A ministerial approval requires no public hearing and is issued directly by county staff, after review and approval by other permitting agencies such as Environmental Health and the fire district. Ministerial development applications include: Building Permits; Site Plan Review approvals; Certificates of Compliance; Lot Line Adjustments; Gas/Oil Well Permits; and others.

#### Step #1: "Pre-Application" or Early Informal Consultation

The County offers developers the option of submitting a "Pre-Application," if an applicant is uncertain whether to submit a formal application or if they just want to "test the waters" to

determine the staff and community response to an informal proposal. “Pre-applications” are treated by planning staff just as formal applications, and are referred to the appropriate citizens advisory committee (CAC). Individual applicants may also ask to discuss their development proposals at a CAC meeting prior to an official CAC referral and vote on the application, in order to receive informal advice as to how the community may respond to the type of use or new construction that is being considered. . However, early informal consultation with CACs prior to an official CAC referral and vote is not required—but is recommended, especially for large or complicated projects.

#### Step #2: Application Submitted and “Request for Comments” Notice Sent

After a formal development application is submitted, Planning staff shall send out a “Request for Comments” notice for a discretionary application to the chair of the CAC. The “Request for Comments” notice is mailed or e-mailed to various county and other public agencies, and generally sent as a courtesy to adjacent property owners within 300 feet, and CAC chairs. The “Request for Comments” notice usually includes some of the application materials, but often does not include as much information as is needed for the committee to review the application. It is not necessary for the chair or the CAC to respond to these “Request for Comments” notices; they are simply sent to alert the chair that the formal application has been filed and that planning staff is soliciting early agency comments to determine the completeness of the application, and to identify early issues and possible Conditions of Approval.

#### Step #3: Application is Reviewed by DRC and is Deemed “Complete”

Discretionary project applications are reviewed by the Development Review Committee (DRC). The DRC is composed of agencies that must review and approve the application, including Planning, Public Works, Building, Environmental Health, the appropriate fire district, etc. The DRC may identify any additional information that is required from the applicant to allow the planner to determine that the application is legally “complete” (ready for processing).

#### Step #4: Environmental Review and Draft Conditions of Approval are Completed

Discretionary permits are subject to the California Environmental Quality Act (CEQA). County planning staff must evaluate the proposal to determine whether or not it may have a significant adverse effect on the environment. Staff then prepares the appropriate environmental document, whether a Categorical Exemption, an Initial Study/Negative (or Mitigated Negative) Declaration; or an Environmental Impact Report (EIR). Once the CEQA analysis is completed, it is sent out to all relevant local, state, and federal agencies, to interested organizations, and to the chair of the appropriate CAC. “Neg Decs” are sent out for public review for either 20 or 30 days; EIRs must be reviewed for at least 45 days.

During this period, planning staff is identifying issues and collecting comments from various agencies and interested members of the public. The issues and comments are used to prepare the initial draft Conditions of Approval for the project. Any mitigation measures that are identified in the Neg Dec or EIR must be included as Conditions. The Neg Dec or EIR, plus the draft Conditions of Approval, are sent back to the DRC for a second review.

### Step #5: Application is Scheduled for CAC Review and Recommendation

At this point in the process, the discretionary application is usually set for review at the appropriate CAC. The agenda for the meeting is sent out and posted one week before the meeting, and the applicant or their representatives are asked to attend the CAC meeting. All of the relevant application materials are sent to each member of the CAC at least one week in advance along with the agenda. Application materials for large and complicated project should be sent out at least two weeks in advance. Staff will also attempt to schedule the applications on the Planning Commission agenda no less than two weeks from the CAC review date, to give the CAC enough time to prepare a letter for the Planning Commission hearing.

At the CAC meeting, the committee and members of the public have an opportunity to ask questions of the applicant and staff about all aspects of the proposed development project, including the environmental review and draft Conditions of Approval. The applicant is encouraged to bring large-scale site plans, subdivision maps, or building elevations, to help with the discussion.

During the review and discussion of individual development applications, CAC members should focus on whether the application is consistent with the adopted policies of the relevant community plan and the County General Plan. The CAC should also ensure that the project is consistent with the zoning regulations for the site and is consistent with any adopted design guidelines. The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project.

At the end of the discussion, the CAC generally takes a formal vote to recommend to the hearing body (the Zoning Administrator, Planning Commission, and/or Board of Supervisors) that the project application be approved; approved with revisions to the project design or to the Conditions of Approval; or denied. Members of the Planning Commission and/or Board of Supervisors are often very interested in receiving detailed minutes that describe the CACs discussion and thinking in determining whether or not to support a development application. Occasionally, the applicant may be requested by the CAC to make revisions to the site plan or to other aspects of the project, and return to the CAC for a second review (see below).

### Step #6: Application is Revised and Returns to CAC

Some CACs become very involved in reviewing details of a discretionary development application, and encourage the applicant to consider changes or revisions to the project. Sometimes, the requested modifications to a site plan or building design may be relatively minor, and can be incorporated into final design drawings with little effort. Other times, the applicant has invested substantial time and money in the design of a discretionary project, and is hesitant to consider changes, especially if they are significant and will have ramifications to other parts of the project.

It is important for both private applicants and the CACs to understand that applicants are not required to attend multiple CAC meetings. In most cases, individual discretionary

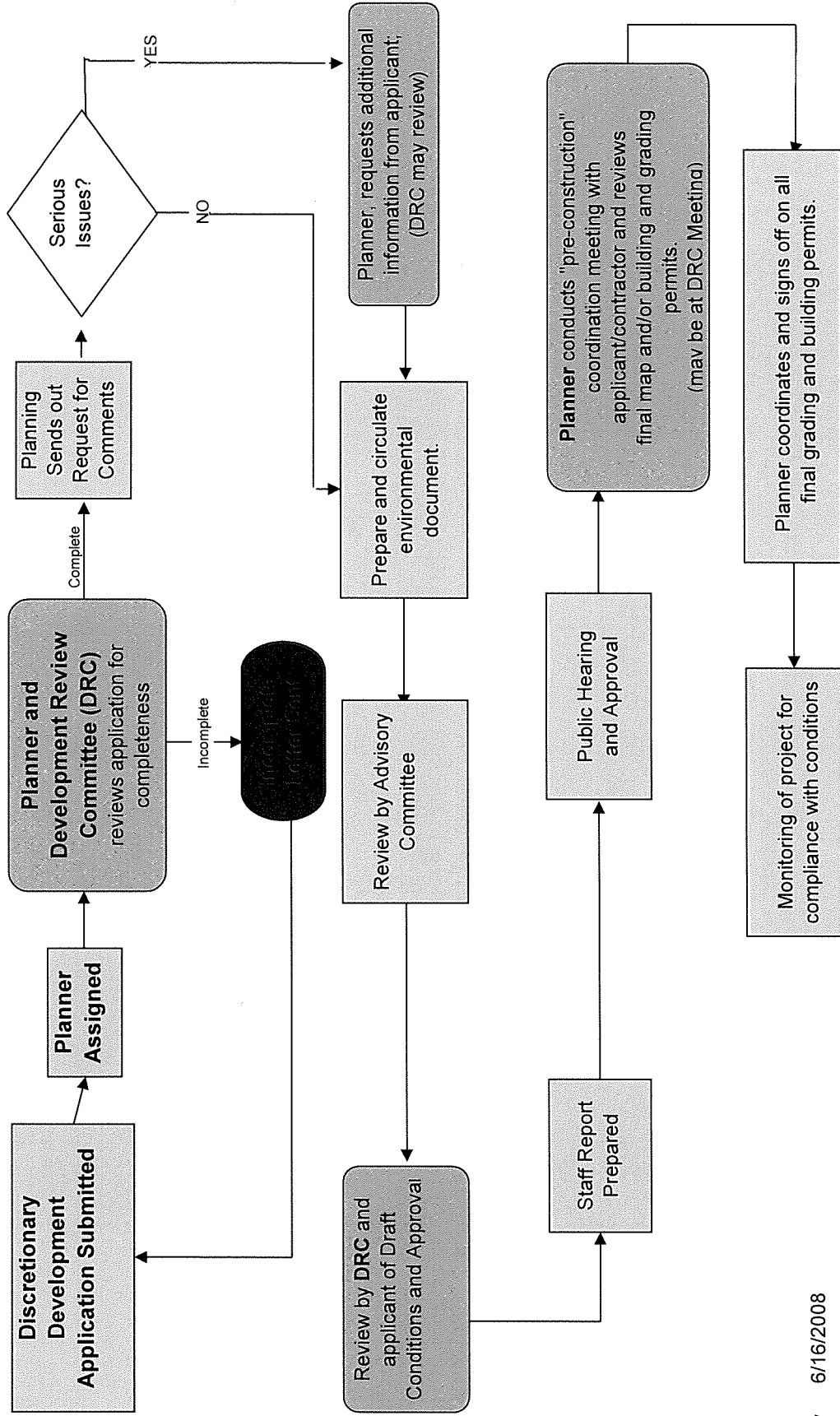
applications should be reviewed by the CAC and recommended for approval (or denial) at a single CAC meeting. If an application is very complicated or large, such as a tentative subdivision map, it may be possible for two reviews to occur during the long county review process. Some substantial applications have been reviewed by a CAC once at the beginning of the environmental review process, and again before the project is scheduled for public hearing. Under no circumstances should an applicant be expected or requested by a CAC to make multiple changes to a project design and then to return repeatedly until the CAC decides to take a formal vote. If the CAC has not voted on a recommendation after a second review of a discretionary application, the public hearing body will be advised by staff that the CAC has no recommendation.

#### Step #7: Public Hearing

Following the CAC vote, the application is then set for public hearing. Planning staff forwards their recommendation and the CAC recommendation, with attached Conditions of Approval and Findings, to the Zoning Administrator or Planning Commission. Staff may support the CAC recommendation, support with modifications, or may recommend against the CAC recommendation. Where staff and the CAC disagree about a recommendation, staff includes a presentation of the reasons and arguments made on behalf of the CAC, to ensure that the Zoning Administrator, Planning Commission, or Board of Supervisors have all of the relevant information available to them when they make their decision. Staff typically supports the CAC recommendation, and any differences between the staff and CAC recommendation are generally based on policy, legal issues, and/or prior Board of Supervisors direction.

Once a matter has been taken up by the Zoning Administrator, Planning Commission, or Board of Supervisors, it is not referred back to the CAC unless the decision making body specifically requests further CAC input.

# DEVELOPMENT REVIEW PROCESS



**ATTACHMENT F**  
**(Of Attachment A Bylaws)**

**CODE OF ETHICS AND VALUES**

**Preamble**

The proper operation of democratic government requires that those involved in making important decisions be independent, impartial, and accountable to the people they serve. For this purpose, the Citizens' Advisory Committee Procedures Subcommittee held a series of meetings in mid-2009 for the purpose of developing, among other things, a Code of Ethics and Values. The County of Yolo has adopted the Code of Ethics and Values developed by the Subcommittee to promote and maintain the highest standards of personal and professional conduct among those participating on all County advisory boards, commissions, and committees.

The Board of Supervisors is responsible for appointing the members of County advisory boards, commissions, and committees. All such members serve at the will of the Board. They are expected to abide by this Code, understand how it applies to their specific responsibilities and practice its eight core values in their work. Because the County requires public confidence in the recommendations of its boards, commissions, and committees, their decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this Code.

**Statement of Ethics and Values**

1. As a representative of the County of Yolo, I will be **ethical**.
  - I am trustworthy and act with the utmost integrity.
  - I am truthful, do what I say I will do, and am dependable.
  - I make impartial decisions, free of bribes, gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or actions. If I cannot make a decision in an impartial manner, I will recuse myself from all further consideration of the matter, and leave the room prior to any vote. I recognize that I may address the advisory board, commission, or committee regarding the matter prior to leaving the room as part of the public hearing or other opportunity for comment on the matter, provided I have first recused myself from participating in the matter as a member.
  - I am fair, distributing benefits and burdens according to consistent and equitable criteria.
  - I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without



- I use my title(s) only when conducting official County business on behalf of my board, commission, or committee, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.
2. As a representative of the County of Yolo, I will be **professional**.
- I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my board, commission, or committee position in a consistent, confident, competent, and productive manner.
  - I approach my position and related relationships with a positive attitude.
  - I keep my knowledge and skills current and growing relevant to my community service.
3. As a representative of the County of Yolo, I will be **service-oriented**.
- I provide receptive and courteous service to everyone.
  - I am attuned to, and care about, the needs and issues of citizens, public officials and county employees.
  - In my interactions with constituents, I am interested, engaged and responsive.
  - I exhibit a proactive, innovative approach to setting goals and conducting the County's business.
4. As a representative of the County of Yolo, I will be **fiscally responsible**.
- I make decisions after prudent consideration of their financial impact, taking into account the long-term financial stability and related needs of my community, as well as the County and other government entities.
  - I demonstrate concern for the proper use of assets (e.g., personnel, time, property, equipment, funds) of the County and other government entities, and follow established procedures.
  - I make good financial decisions that seek to preserve programs and services for County residents that are served by my board, commission, or committee.

5. As a representative of the County of Yolo, I will be **organized**.
- I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals and relevant timeframes.
  - I will not use procedural or other means for the purpose of delaying action by my board, commission, or committee on matters delegated for our consideration.
  - I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
  - I am respectful of established County processes and guidelines.
6. As a representative of the County of Yolo, I will be **communicative**.
- I convey the County's care for and commitment to its citizens.
  - I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.
  - I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.
7. As a representative of the County of Yolo, I will be **collaborative**.
- I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
  - I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing ideas when necessary.
  - I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.

**ATTACHMENT B**  
**Notice of Exemption**

To: Yolo County Clerk  
625 Court Street  
Woodland, CA 95695

Project Title: Yolo County General Plan Citizens Advisory Committee Bylaws

Applicant: Yolo County

Project Location: All properties in the unincorporated area of Yolo County.

Project Description: The “project” is the adoption by Yolo County of standard Bylaws that govern the administration and operation of the several General Plan Citizens Advisory Committees, appointed by the Board of Supervisors to review development applications and provide advice and recommendations to the Planning Commission and Board of Supervisors.

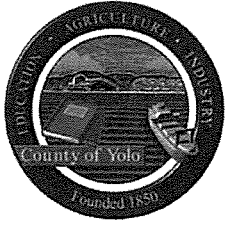
Exempt Status: Exemption based on Section 15061 (b)(3) of the California Environmental Quality Act Guidelines (CEQA), known as the “common sense” rule.

Reasons why project is exempt: Section 15061(b)(3) consists of activities covered by the “common sense” rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Lead Agency Contact Person:** Eric Parfrey, Principal Planner **Telephone Number:** (530) 666-8043

Signature (Public Agency): \_\_\_\_\_ Date:

# ATTACHMENT C



## County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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### Citizens Advisory Committee Procedures Subcommittee of the Yolo County Planning Commission

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#### SUMMARY NOTES

April 29, 2009

MEMBERS PRESENT: Planning Commissioner, Leroy Bertolero  
Planning Commissioner, Jeb Burton  
Planning Commissioner, Jeff Merwin  
Madison CAC, Sherrie Barnett  
Madison CAC, Bonnie Stormont  
Knights Landing CAC, Don Allen  
Knights Landing CAC, Gilbert Plubell  
Capay CAC, Ellen Knolle  
Esparto CAC, John R. Hulsman Jr.  
Dunnigan CAC, Mel Smith  
Dunnigan CAC, Erich Linse  
Clarksburg CAC, Dominic DiMare  
Yolo-Zamora CAC, John Davis

OTHERS: Esparto Fire District, Barry Burns

STAFF PRESENT: David Morrison, Assistant Director, Planning and Public Works  
Eric Parfrey, Principal Planner  
Aundrea Hardy, Office Support Specialist  
Stephanie Berg, Associate Planner  
Jeff Anderson, Associate Planner  
Philip Pogledich, Senior Deputy County Counsel  
Wes Ervin, Economic Development Manager

1. Chair Bertolero called the meeting to order at 9:00 a.m.
2. Members introduced themselves and a sign in sheet was passed around the table.

**Yolo County Planning and Public Works Department**

April 29, 2009

Page 2 of 5

3. Approval of agenda.

The agenda of the April 29, 2009 Planning Commission Subcommittee was unanimously approved.

4. Subcommittee protocol

- Mail or e-mail distribution

All mail and distribution of materials will be handled through Aundrea Hardy, Office Support Specialist.

- Voting

Chair Bertolero explained the voting process.

- Brown Act issues

Phil Pogledich, Senior Deputy County Counsel, provided the subcommittee with information on the Brown Act and answered questions. He advised attendees that if there were any question in the future about whether or not there would be a violation of the Brown Act, to call his office, or David Morrison to find the answer. Mr. Pogledich will provide a paragraph regarding the Brown Act, which will be integrated into the newly created bylaw document.

- schedule of meetings

The June meeting date was set for June 24, 2009 from 1:00 to 4:00 p.m.

5. Review of subcommittee's purpose

Eric Parfrey, Principal Planner, spoke of the purpose, protocol and goals of the committee. He explained that the timeline for completion of these goals would be six months, and that they hoped to complete a set of standardized committee bylaws for use by all committees.

David Morrison, Assistant Director of Planning, added that he foresees that staff and the advisory committees alike, will have a large amount of work in the future. He summarized the duties that will be before everyone in the next year or two, including finishing the Capay Specific Plan, some new community specific plans, and updating the zoning code after approval of the county General Plan, etc. He mentioned that everyone would have to work together.

\*\*\*

**BACKGROUND INFORMATION**

6. How the existing citizens advisory committees operate now.

7. Review and discuss existing County Code sections; existing citizens advisory committee bylaws, standing rules, and procedures.

Bylaws for individual advisory committees were distributed with the Ad Hoc Subcommittee packet one week prior to the meeting. There was a quick review and a comparison of different bylaws was discussed.

## Yolo County Planning and Public Works Department

April 29, 2009

Page 3 of 5

Mr. Parfrey provided his, and staff's perception, on how the advisory committees currently work. He said that the advisory committees review all discretionary applications (land use permits).

There was discussion on the length of terms for advisory committee members, the Conflict of Interest law (Political Reform Act), and the Code of Ethics. Mr. Pogledich will work with the planning department to create a condensed version of the Code of Ethics.

A discussion and review of the size and purpose of each advisory committee was considered.

\*\*\*

### ACTION ITEMS

8. Prioritize work program for the subcommittee.

The subcommittee discussed the list of potential work products and prioritized them as follows (with some items collapsed together):

1. Mission statements indicating that the primary scope of advisory committee business is land use/planning applications and/or General Plan issues. Discussion of the extent to which these planning committees can or should also serve as community forums for issues not in the mission statement of the committee.
2. Creation of uniform bylaws to be adopted by each advisory committee.
  - a. Setting the size range of all advisory committees
3. Creation of a packet outlining procedures and guidance for all advisory committee members.
  - a. Streamlining the review and development of recommendations by the advisory committees for discretionary development applications, and revisions to the applicant.
  - b. Clarification of the scope of development applications to be referred to the advisory committees for their review.
  - c. Discussion of how future design review of development applications should be implemented.
  - d. Protocols regarding the method of communication between the advisory committees, staff, and the Planning Commission.
4. Conflict of interest guidelines to be followed by each advisory committee member.  
Application of the Brown Act

After much discussion, a final decision on appropriate committee size was postponed to the next meeting.

Chair Bertolero and Mr. Parfrey will work together to create a template of bylaws that will apply to all advisory committees. Each advisory committee can vote to deviate from the template bylaws.

## Yolo County Planning and Public Works Department

April 29, 2009

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Bylaws will include the following issues:

- Mission Statement
- Scope of committees
- Number of members
- Define rules for absenteeism
- Member removal - ability to make a recommendation to the Board of Supervisors.
- Terms for members
- Percentage of vote required to amend committee bylaws, or to change a prior vote
- Quorums
- Procedures – timeline for application review.

Individual advisory committees will create their own standing rules. The standing rules may include information on conducting meetings along with;

- Number of members (if deviates from template bylaws)
- Meeting notice requirements - Posting procedures, and timelines
- Rules of conducting meeting. (e.g. Roberts Rules of Order)
- Eligibility - residency
- Election timeline –Due date for turning in applications and the application procedures.
- Boundaries - members are not allowed to serve on two advisory committees.

There was a request to have a voting spreadsheet created to enable easier and more accurate voting procedures.

\*\*\*

### DISCUSSION ITEMS

9. Should each advisory committee adopt a "mission statement"? Should the citizens' advisory committees serve as community forums for issues not in the mission statement of the committee? Should this vary from community to community, based on how many other groups are available as a forum?

Chair Bertolero and Mr. Parfrey will work on a Mission Statement and bring back to a future meeting for further work from Ad Hoc subcommittee members.

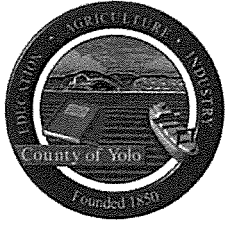
10. Other issues of concern to the advisory committees/discussion items for next meeting.
  - Protocol for communication of committees to outside agencies

### ADJOURNMENT

11. **Adjourn to next meeting:**

**May 20, 2009, 9 a.m. – 11:30 a.m.**

**Planning and Public Works Department**



# County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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## Citizens Advisory Committee Procedures Subcommittee of the Yolo County Planning Commission

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### SUMMARY NOTES

May 20, 2009

MEMBERS PRESENT: Planning Commissioner, Leroy Bertolero  
Planning Commissioner, Jeb Burton  
Planning Commissioner, Jeff Merwin  
Capay CAC, Ellen Knolle  
Dunnigan CAC, Mel Smith  
Esparto CAC, John R. Hulsman Jr.  
Knights Landing CAC, Gilbert Plubell  
Madison CAC, Sherrie Barnett  
Madison CAC, Bonnie Stormont  
Yolo-Zamora CAC, John Davis  
Esparto CAC, Patrick Scribner

OTHERS: None

STAFF PRESENT: Eric Parfrey, Principal Planner  
Philip Pogledich, Senior Deputy County Counsel  
Donald Rust, Principal Planner  
Stephanie Berg, Associate Planner  
Aundrea Hardy, Office Support Specialist

1. Chair Bertolero called the meeting to order at 9:00 a.m.
2. Introduction.
3. Approval of agenda.



Chair Bertolero called for approval agenda.

**Motion by:** John Davis; **Seconded by:** Jeb Burton  
**Vote: Yes 10; No 0; Abstain 0; Motion Carried.**

4. Acceptance of last meeting notes.

The meeting notes from the April 29, 2009 Planning Commission Subcommittee were unanimously approved.

**Motion by:** Bonnie Stormont; **Seconded by:** John R. Hulsman Jr  
**Vote: Yes 9; No 0; Abstain 1; Motion Carried.**

#### ACTION ITEMS:

5. Discuss and approve Mission Statement for all citizens committees.

The Planning Commission Subcommittee reviewed the draft mission statement prepared by Eric Parfrey, Principal Planner. After a good deal of discussion, members proposed several changes including:

- Modification to the first paragraph to read:

*The purposes and mission of the Yolo County citizens advisory committees primarily devoted to General Plan, growth, and other related issues are:*

- Relocate the following statement from bullet point two, to bullet point one:

*To serve as the main liaison between the community and County agencies, and other interest groups, on issues related to planning and land use;*

- The subcommittee would like some mention included in the mission statement regarding advisory committee communication with the community, and public outreach.

The updated version and further review will be continued at the next meeting.

6. Discussion and approval of the Draft Brown Act Guidelines and Conflict of Interest Statement.

Philip Pogledich, Senior Deputy County Counsel, facilitated a discussion and review of the Draft Brown Act Guidelines, and the Draft Code of Ethics and Values. The subcommittee members recommended modifications to the following:

#### DRAFT CODE OF ETHICS AND VALUES

- Possible inclusion of consequences of violating the Code of Ethics
- Page one, remove the term "moral courage."
- Number three, bullet one; remove the word "friendly."
- Number seven, bullet two; remove the language "towards consensus building," and merge

remainder of bullet two, into bullet one.

- Number eight, bullet two; remove the word “paradigms.”

Mr. Pogledich will take into account the recommended changes by the subcommittee, and return to the next meeting with a revised version of the Code of Ethics and Values.

#### DRAFT BROWN ACT GUIDELINES

- Incorporate the rights of the public to contact members of a committee without violating the Brown Act.
- Elaborate on the Brown Act requirements in regards to e-mail exchange.

Any further discussion or requests are to be directed to Eric Parfrey or Philip Pogledich prior to the next meeting.

7. Discussion and approval of the list of items for inclusion in the standardized Citizens Advisory Committee Bylaws and direct staff to prepare Bylaws for adoption at next meeting.

The Planning Commission Subcommittee examined the list of Bylaws compiled by Chair Bertolero. The selected bylaws are:

- Size of committees
- Election of Officers (which officers, when, how nominated, and when they take office, etc.)
- What constitutes a Quorum for a meeting to proceed.
- A *reference* to which parliamentary procedure rules would be best to conduct community meetings. (Rosenberg Rules of Order)
- A *reference* (appendix), of the Brown Act.
- Subcommittees can be appointed by the chair, but must be individually chaired by a voting member of the advisory committee. Information regarding this will be outlined in the Brown Act appendix.
- How to become a committee member, (relatives on committee, age requirements, procedure for appointment, and application timeline.)
- Absenteeism, and how to lose committee membership.
- Committee terms (in years)
- The percentage of votes needed to:
  - a. amend the committee standing rules
  - b. re-do a prior vote
- Meetings: proper noticing for committee meetings. (72 hours for regular and 24 hours for special).

- Define district boundaries to determine committee membership eligibility (district resident or a district landowner). *Who will define the boundaries?*
  - Make *reference* of the conflict of interest on committee and on project application votes; found in the Code of Ethics.
  - Meeting minutes must be taken and approved by the committee at a subsequent meeting.
  - Public comment on agendas, non agenda items
  - Include a *reference* to the mission statement for committees.
  - A member of the county planning department shall serve as a liaison from the county at advisory committee meetings.
  - Duties of elected officers.
  - Public comment period at all meetings.
  - Rules of conduct at meetings
  - Meeting minutes – should include detail of discussions and subsequent actions, votes, etc.
  - Encourage recruiting that achieves cultural, economic and ethnic diversity on the committee.
  - Background materials and minutes should be distributed to committee members at least 72 hours before a regular meeting and 24 hours before a special meeting. (some committees require 7-10 days)
  - Consistent agenda format.
  - Special meetings may be called as needed.
  - A formalized process of the reporting of actions to the county.
  - A definition of standing rules.
8. Discussion and approval of a list of items for inclusion in optional standing rules that may be adopted by individual committees.

The subcommittee concluded that the individual citizen advisory committees' standing rules should address the subsequent requirements:

- The need for a sign-in sheet to be circulated for all present to sign, including committee members.  
(Sign in sheets could be attached to the back of the official minutes of each meeting)
- Monthly meeting days, times and locations?

- Time limit of speakers, applicants can have more time.
- Regular meeting time (unless a member quorum present modifies ending time). *Verification: If there is not a quorum, the committee can continue to conduct the meeting, but may not take any actions.*
- Discussion format of committee and public (guidelines for open discussion)
- Decision to hold a meeting or not. (Lack of action items, holiday, etc.)
- Adjournment – predetermined time or not?
- Special meetings may be called as needed.

Chair Bertolero will revise the draft bylaws, and draft outline for citizen advisory committee standing rules for review at the next meeting.

9. Discussion and approval of Procedures for Reviewing Discretionary Applications.

Agenda Item 9 was postponed until the next regularly scheduled meeting of the Planning Commission Subcommittee.

10. Discussion and approval of a draft map, and descriptions of the Citizens Committee Referral Boundaries.

Agenda Item 10 was postponed until the next regularly scheduled meeting of the Planning Commission Subcommittee.

11. Other issues of concern to the advisory committees/discussion items for next meeting.

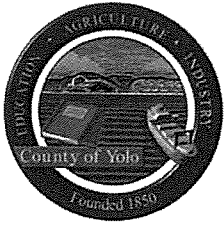
- Update the Board of Supervisors on progress of the subcommittee, for confirmation that their actions follow the direction given.
- Protocol for communication of committees to outside agencies

**ADJOURNMENT**

12. **Adjourn to next meeting:**

**June 24, 2009, 9 a.m. – 1:00 p.m.-4:00 p.m.**

**Planning and Public Works Department  
Cache Creek Room  
292 W. Beamer St., Woodland**



# County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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## Citizens Advisory Committee Procedures Subcommittee of the Yolo County Planning Commission

---

### SUMMARY NOTES

June 24, 2009

MEMBERS PRESENT: Planning Commissioner, Leroy Bertolero  
Capay CAC, Ellen Knolle  
Dunnigan CAC, Mel Smith  
Esparto CAC, John R. Hulsman Jr.  
Knights Landing CAC, Gilbert Plubell  
Madison CAC, Sherrie Barnett  
Madison CAC, Bonnie Stormont  
Yolo-Zamora CAC, John Davis  
Dunnigan CAC, Erich Linse  
Esparto CAC, Patrick Scribner

OTHERS: None

STAFF PRESENT: Eric Parfrey, Principal Planner  
Philip Pogledich, Senior Deputy County Counsel  
Aundrea Hardy, Office Support Specialist

1. Chair Bertolero called the meeting to order at 1:00 p.m.
2. Introduction.
3. Approval of agenda.

Chair Bertolero called for approval agenda.

**Motion by:** John Davis; **Seconded by:** Sherrie Barnett

**Vote: Yes 10; No 0; Abstain 0; Motion Carried.**

4. Acceptance of last meeting notes.

The Summary Notes of the May 20, 2009 Planning Commission Subcommittee were approved with the following corrections:

Under MEMBERS PRESENT: Include Patrick Scribner

Item 8, Remove bullet five that reads, "Duties of the elected officers. "

**Motion by:** Bonnie Stormont; **Seconded by:** John R. Hulsman Jr  
**Unanimous, Motion Carried.**

ACTION ITEMS:

5. Discuss and approve Procedures for Reviewing Discretionary Applications

The Planning Commission Subcommittee reviewed the draft Procedures for Reviewing Discretionary Applications prepared by Eric Parfrey, Principal Planner. Members proposed the following suggestions or modifications:

- Include reference to the Procedures for Reviewing Discretionary Applications in the Bylaws as an attachment or appendix.
- Step #1, mid-paragraph -Modify the following sentence to read, "Individual applicants, *who submit formal approval*, may also ask to discuss their development proposals at a CAC meeting to receive informal advice as to how the community may respond to the type of use or new construction that is being considered. However, early consultation with CACs is not required, *but is encouraged*."
- Step #5, third paragraph, the Esparto subcommittee members recommended striking the language, "~~The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that have not been formally approved or adopted by the county, or are otherwise unrelated to the impacts created by the project.~~"
- Step #6, second paragraph, the Esparto subcommittee members recommended removing the following changes. ~~Under no circumstances should an applicant be expected or requested by a CAC to make multiple changes to a project design and then to return repeatedly until the CAC decides to take a formal vote~~
- Step #6, last paragraph, last sentence. Modify the language to read. "public hearing body will *be* advised by staff that the CAC has no recommendation."

The subcommittee will vote on final approval of the document at the next scheduled meeting, when the final version is presented.

6. Discuss and approve draft map of Citizens Committee Referral Boundaries

The discussion of the General Plan Citizens Advisory Committee referral boundaries, presented no simple solution regarding where boundaries should be. It was recommended that each committee discuss the boundaries at their next meeting. In addition, there was a comment regarding the possible merger of the Madison, Esparto, and Capay Valley committees. Subcommittee members

will pose the recommendation to their individual advisory committees at their next meeting for feedback.

7. Approve final revised versions of Mission Statement, Brown Act Guidelines, and Ethics and Values Code

The Planning Commission Subcommittee reviewed the aforementioned documents and made the recommended modifications.

#### MISSION STATEMENT

- Include the language General Plan before Citizens Advisory Committee in the title of the document.
- Modify the following language to read, "These ~~Citizens Advisory~~ Committees that are primarily devoted to General Plan, growth, land use, and other related issues, *and shall:*"
- Bullet two, modify the last line to read, "community, through ~~an outreach program~~;

#### BROWN ACT GUIDELINE

There were no changes to the Draft Brown Act Guidelines.

#### CODE OF ETHICS AND VALUES

The subcommittee suggested the following modifications to the Draft Code of Ethics and Values.

- Item 1, Bullet one, "I am trustworthy, and *act* with the utmost integrity."
  - Item 1, Bullet three, "I will ~~publicly announce the reason I cannot do so~~, recuse myself from all further consideration of the matter,"
  - Item 3, Bullet three, "I keep my ~~professional~~ knowledge and skills *relevant to my service on the committee*, relevant and growing."
  - Item 4, Bullet one, "I make decisions after prudent consideration of their financial impact, taking into account the long-term financial stability and related needs of *my community*, the County *and* other government entities, ~~and my community~~."
  - Item 7, Bullet one, "I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding ~~and gaining value from diverse opinions~~."
  - Item 8 - Delete item and move bullets to other items.
8. Discussion and approval of the draft Citizens Advisory Committee Bylaws and Standing Rules Topics

The subcommittee discussed the order in which the Bylaws would be presented. Eric Parfrey and Chair Bertolero will organize and present at the next scheduled subcommittee meeting. In addition, they will propose where to insert and appropriately label the additional references to the attachments/appendix.

9. Identify any other issues of concern to the advisory committees/discussion items for next

meeting.

- Boundaries
- Modification of Bylaws
- Code of Ethics
- Procedures for Review of Discretionary Applications.

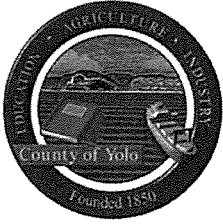
10. ADJOURNMENT

**Adjourn to next meeting:**

**July 15, 2009, 9 a.m.**

**Planning and Public Works Department  
Cache Creek Room  
292 W. Beamer St., Woodland**





# County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

*John Bencomo*  
DIRECTOR

292 West Beamer Street  
Woodland, CA 95695-2598  
(530) 666-8775 FAX (530) 666-8728  
[www.yolocounty.org](http://www.yolocounty.org)

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## Citizens Advisory Committee Procedures Subcommittee of the Yolo County Planning Commission

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### SUMMARY NOTES

July 15, 2009

MEMBERS PRESENT: Planning Commissioner, Leroy Bertolero  
Planning Commissioner, Jeb Burton  
Planning Commissioner, Jeff Merwin  
Dunnigan CAC, Mel Smith  
Esparto CAC, John R. Hulsman Jr.  
Madison CAC, Sherrie Barnett  
Yolo-Zamora CAC, John Davis  
Yolo-Zamora Roy Wilson

OTHERS: None

STAFF PRESENT: David Morrison, Assistant Director of Planning Services  
Aundrea Hardy, Office Support Specialist

1. Chair Bertolero called the meeting to order at 9:00 a.m.
2. Introduction.
3. Approval of agenda.

Chair Bertolero called for approval of the agenda.

Motion by: Davis; Seconded by: Barnett  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

4. Acceptance of last meeting notes.

The Summary Notes of the June 24, 2009 Planning Commission Subcommittee were approved with the following corrections:

Under MEMBERS PRESENT: Include Patrick Scribner

Under CODE OF ETHICS AND VALUES, Bullet 3, change the language to read, "I keep my professional knowledge and skills applicable to my service on the committee, relevant and growing."

Motion by: Davis; Seconded by: Hulsman  
Vote: Yes 5; No 0; Abstain 2; Motion Carried.

#### ACTION ITEMS:

5. Complete discussion and approve final Citizens' Advisory Committee Bylaws and Standing Rules Topics.

The Planning Commission Subcommittee reviewed Attachment A, Mission Statement for the General Plan Citizens' Advisory Committees.

Chair Bertolero called for approval of the Mission Statement.

Motion by: Burton; Seconded by: Smith  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

The Planning Commission Subcommittee reviewed Attachment C, Draft Brown Act Guidelines.

Chair Bertolero called for approval of the Mission Statement as written.

Motion by: Burton; Seconded by: Davis  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

The subcommittee reviewed Attachment E, Procedures for Reviewing Discretionary Land Use Applications by Citizens' Advisory Committees.

The following changes were voted on.

- Step #1, first sentence. – Modify the language as follows: "The County offers developers the option of submitting a pre-app. to determine staff and community response to an informal proposal."
- Step #1 Mid paragraph, modify the following sentence to read, "Individual applicants may also ask to discuss their development proposals at a CAC meeting prior to an official CAC referral and vote on the application, in order to receive informal advice as to how the community may respond to the type of use or new construction that is being considered."

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

- Step #2, first paragraph, first sentence, accept the word shall, and remove the word may.

Motion by: Burton; Seconded by: Davis  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

- Step #5, third paragraph, modify the language in sentence three to read, "The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project."

Motion by: Smith; Seconded by: Barnett  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

- Step #5, last paragraph. There was a motion to leave as written.

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

- Step #6, last paragraph, There was a motion to leave as written.

Motion by: Burton; Seconded by: Barnett  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

The Planning Commission Subcommittee reviewed Attachment F, Draft Code of Ethics and Values.

- Item #7, strike the final bullet that reads, "I consider the broader regional and state-wide implications of the County's decisions and issues."
- Remove all language that reads, "In practice, this value looks like:"

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

The subcommittee reviewed and discussed the By Laws for the Yolo County General Plan Citizen's Advisory Committee.

- Item #4, After much discussion, there was a motion to change the term of membership to two years.

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 6; No 1; Abstain 0; Motion Carried.

- Item #6, Revise language to read, "Upon a majority vote of the members of the Citizen's Advisory Committees, the committee may recommend that the Board of Supervisors dismiss or not re-appoint a member due to three consecutive ~~unexcused~~ absences or four absences within a one year period. "~~Unexcused absence" means that a member has not notified the committee chair prior to a meeting that he or she will not be able to attend for some excused reason.~~"

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

- Item #7, Based on straw votes regarding requirements to become a member of a citizen's advisory committee, the language will be revised to read, "Interested parties who wish to become a member of a Citizen's Advisory Committee must be either a resident, a landowner that resides in Yolo County, or a business owner that resides within Yolo County ~~or a business operator.~~"

Vote to require that a landowner must reside in Yolo County.  
Vote: Yes 5; No 2; Abstain 0; Motion Carried

Vote to require a business owner to reside in Yolo County.  
Vote: Yes 4; No 3; Abstain 0; Motion Carried

Vote to eliminate the eligibility of a business operator to become a member.  
Vote: Yes 7; No 0; Abstain 0; Motion Carried

Item #8, Remove the last two words of the paragraph "whenever possible."

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

Item #13, Include language explaining that meeting minutes must be approved by a quorum of those in attendance of the meeting pertaining to the minutes in question.

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

Item #17, Change last sentence to read, " For every meeting, the agenda shall include a time set for Public Comment or Public Requests; Information Items, or Correspondence and Announcements; and Action Items; including a brief description of each Action Item.

Vote to approve the language change.  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

Item #20, Modify the last sentence to read, "The planning and comment area boundaries for each Citizens Advisory Committee may overlap with the boundaries of an adjacent committee.

Vote to approve the language change.  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

6. Discuss and approve draft map of Citizens Advisory Committee planning and comment area boundaries.

There was a discussion regarding referral boundaries with a final motion to accept the fire district map boundaries, and expanding them to include overlapping community areas.

Motion by: Davis; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried

There was some discussion concerning the merger of the Madison, Esparto, and Capay Valley committees; however, the discussion did not lead to a final decision and no motion was made.

7. Identify any other issues of concern to the advisory committees/discussion items for next meeting.

Chair Bertolero explained that the next step in the process would be the presentation of the final documents to the Planning Commission for Action at the September 10, 2009.

8. ADJOURNMENT

Chair Bertolero called for a motion to adjourn and for dismissal of the Subcommittee of the Yolo County Planning Commission.

*July 15, 2009*  
*Citizens Advisory Committee Procedures Subcommittee*  
Page 5 of 5

Motion by: Burton; Seconded by: Merwin  
Vote: Yes 7; No 0; Abstain 0; Motion Carried.

## **ATTACHMENT D**

### **Letters and comments from CACs and others**

1. Letter from Dunnigan Advisory Committee, August 27, 2009
2. E-mail from Wes Ervin, Economic Development Manager
3. Letter from Esparto Citizens Advisory Committee, August 31, 2009 (forthcoming)
4. E-mail from Mary Joe Hoes and Charla Parker, Yolo- Zamora GPCAC

Dunnigan Advisory Committee  
Dunnigan, Ca 95937

August 27, 2009

Mr. Eric Parfrey  
Yolo County Planning and Public Works  
292 West Beamer Street  
Woodland, Ca 95695

Dear Mr. Parfrey:

The Dunnigan Advisory Committee reviewed the By Law document package at it's meeting on August 19, 2009. It was decided to approve the package with two exceptions, (1) By Law item No. 7, and (2) the Comment Area map pertaining to the Dunnigan/Zamora area.

The following reasons were identified as to why items (1) and (2) above were not approved.

**By Law Document, Item No.7:**

- Language not acceptable. Every committee should require residency within the community..
- Concern about business owner's true motives if they do not live within the community.
- If a landowner or business owner does not reside within the community, their only interest is personal, not to benefit the residents of the community.

**Comment Area Map Pertaining to Dunnigan/Zamora:**

- Overlapping areas in question, Map needs additional tweaking.
- Shaded Area marked No. 2 needs to continue strait across the overpass at I 5 and continue east to the heavy Knights Landing/Dunnigan Line. Both Advisory Committees need to be able to comment on these areas.
- The two overlaps are significant in the transportation/circulation planning for Dunnigan. Discussion being raised by staff for a connector Road to 12A at 505.
- Overlap area No. 1 should be eliminated.

By Law Response Cont.  
Page 2

It is hoped our concerns will be considered and that the Citizens Advisory Committee's will not be subject to rules that are different from other committee requirements within Yolo County. It appears the residency requirement is at issue here.

Respectfully,

Bill Weber, Chairman  
Dunnigan Advisory Committee

cc Don Rust  
Planning Commission:



**E-mail from Wes Ervin to David Morrison and Eric Parfrey, August 27, 2009:**

At the September 10 Planning Commission meeting I plan to speak against the expansion of the existing comment areas for citizen Advisory Committees, and also against dual areas. My reasons, all within the context of the county's adopted permit streamlining and economic development goals, are outlined below:

1. The draft map I reviewed shows expanded comment areas that are now so expansive they cover virtually the entire county (except Elkhorn & Monument Hills). Draft Advisory Committee bylaw #21 includes a new requirement for staff to submit any discretionary project in those enlarged areas for formal comment by the designated citizen committee. This will now mean all discretionary permits in those larger areas will be scheduled for 1 or 2 committee reviews somewhere. These engorged comment areas will become burdensome to applicants, and will add an extra step and more time, particularly to farm and farm processing projects;
2. These expanded comment areas will clearly create a business un-friendly process that will hurt rather than help our farmers and other ag support and rural operations – the very folks we are trying to help thrive. The county has been working to be more business-friendly, this moves in the opposite direction. Extra applicant time is an anathema to the goals we all share. Most applicants in will be Do-it-yourselfer mom-and pop farm owners -- they will not understand why and certainly not enjoy being asked to go into town some evening to justify their out-of-town project;
3. There is already adequate public comment opportunity built into the existing process. An extra layer of review will not improve an already transparent and ample public input process;
4. There is not an identified problem to fix by expanding the comment areas. The advisory committees have been created to represent our towns, where population concentrations exist and area general plans apply, as an aid to the work of the county, and as a means to get thoughtful citizen input directly from those communities. The Planning Department and Planning Commission have always been and are still quite capable of handling the discretionary projects outside of those areas. Has anybody living or working outside a comment area asked to be included in one?
5. Expanded comment areas will dilute the focus of the existing committees, perhaps to the detriment of the town centers and downtown areas that should be their primary focus;
6. There is no nexus of impacts to justify extending the jurisdiction of these committees. Communities that won't be feeling the direct traffic, employment, environmental or economic impacts of a project should not willy nilly be assigned to comment – they can always choose to comment at any time as a group or individually. For instance, there would be no impact to Esparto if the Stone Ranch or Westside Transplants sought to expand and needed a discretionary permit. Knights Landing will not be impacted by the new private hunt club several miles to the west. Zamora is not affected by traffic on Road 102 & 113, yet a new Heidrick Farms project would apparently be reviewed in Zamora;
7. Projects in areas where members of two advisory committees claim jurisdiction should be assigned to one or the other – not both, and handled at a single joint meeting so applicants are not inappropriately burdened by dual community meetings;
8. If the planning commission recommends adoption of the enlarged comment areas, the Commission should thus also recommend that all advisory committees as they now exist be disbanded, and then re-formed with broader residential requirements that match their larger comment areas. Residents in the larger areas would now be affected by the work of these committees, and should be eligible to sit on them so they may be fairly represented.

# ECAC

## ESPARTO CITIZENS ADVISORY COMMITTEE

C/O YOLO COUNTY PLANNING, RESOURCES AND PUBLIC WORKS DEPARTMENT  
292 West Beamer Street, Woodland, CA 95695-2598. (530) 666-8775 FAX (530) 666-8728

September 2, 2009

TO: Yolo County Planning Commission

CC: David Morrison, Assistant Director, Yolo County Planning & Public Works

FROM: Esparto Citizens Advisory Committee

SUBJECT: Proposed Citizens Advisory Committee (CAC) Bylaws

The Esparto Citizens Advisory Committee (ECAC) would like to thank the ad hoc CAC Bylaw Committee Members for their time, effort and knowledge that has gone into updating the bylaws used by community Advisory Committees. At our August 18, 2009 meeting we reviewed the CAC bylaw draft dated 7/1/09. Please consider our comments and concerns.

### COMMENT AREA MAP

- A map showing roads is requested

### MISSION STATEMENT

- No formal concerns

### BYLAWS

- Point 5: We have a concern that committee members can be voted off by a majority vote from the Board of Supervisors. We would like to see this changed to say that it requires the recommendation for removal by the Supervisor of the district in which the CAC member resides (assuming members must be a resident of the comment area) and with a majority vote of the BOS.
- Point 7: Committee members must be a resident of the comment area they wish to serve as an advisory committee member.
- Point 13: Insertion of "designee" to prepare meeting minutes to allow for an excused absence of the committee secretary.
- Point 15: Allow for members of the public to serve on subcommittees.
- Point 16: If the CAC responsible for a proposal up for review has not received complete materials at least 72 hours prior to the meeting, the Planning Commission will postpone consideration until CAC can review and make recommendation.
- Point 17: Include in the agenda each CAC's contact information for the CAC chair.
- Point 23: Formal communication from each CAC should come from the chair. Exceptions and designations to this should be in each CAC's standing rules.

### ATTACHMENT E: Procedures for Reviewing Discretionary Land Use Applications

- Again we ask that each CAC be notified of parcel splits or lot line adjustments – even if it is non-discretionary and we are not reviewing for approval, we need to be informed from a land use planning perspective.

- Step 2: A complete proposed development packet of information needs to be sent to the CACs. The word “generally” needs to be struck out. The word “notice” needs to be struck. We need to see all proposal items at the same time “request for comments” are sent to public agencies.
- Step 5: CAC committee members should receive application materials two weeks prior to any meeting that requires a recommendation for any given proposal. “The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project” should be struck. Developing our communities with a community's vision can't be realized by merely applying the standards in countywide documents. We should be free to make recommendations based on community vision, context fit, improvements in technology, and other “arbitrary standards” that might evolve over the years. We understand our role is “advisory” and the only standards and requirements that the developer must hold to are already in the General Plan including the Design Guidelines appendix. Beyond that, it is just our recommendation, but it would be unfair to deny us that freedom.

#### BROWN ACT

- No formal comment taken.

In summary, we feel that the more each advisory committee is included in the planning of “their” town, the more each community will continue to reflect the goals of the individuals who make up each community. We anticipate a continued working relationship with the Planning and Public Works Department to ensure the unincorporated areas of Yolo County do not become indistinguishable clones of Natomas, Elk Grove, Vacaville, etc. We thank you for your consideration of our concerns.

Sincerely,

Melissa D. Jordan, Chair  
Wayne Belshaw  
Colleen Fescenmeyer  
Pat Harrison  
John Hulsman  
Giacomo Moris  
Patrick Scribner

*The Esparto Citizens Advisory Committee is appointed by the Board of Supervisors to act as advisors to the Planning Commission concerning land use matters. The opinions expressed by this committee are not necessarily those shared by the Planning, Resources, and Public Works Department.*

**E-mail correspondence between Mary Jo Hoes, Charla Parker, and David Morrison**

Ms. Hoes,

The comment area map recommended by staff does not show comment areas overlapping within established communities. I believe that the buffer areas between communities should receive the benefit of broader public input of both advisory committees that may be affected.

However, having one advisory committee make a recommendation on land uses within another community creates a potential conflict in my view. There may be times when one community opposes economic development in an adjoining community, so that the first community can lure the business there instead. I believe that the people who live and work within a community should have the primary responsibility for recommending its design and future. Similarly, an extension of the Yolo-Zamora area all the way to County Road 85 would encompass much of the central portion of the county and would be a significant expansion. Clarksburg has also requested a large boundary expansion and I am not supporting their request on similar grounds.

Your e-mail will be forwarded to the Planning Commission for their consideration, when they make their recommendations on September 10, 2009. This issue will likely go to the Board of Supervisors for action in October.

I look forward to any further comments or questions you or other committee members may have. Thank you for your thoughts.

David Morrison

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From: Mary Jo Hoes  
Sent: Monday, August 31, 2009 6:40 PM  
To: David Morrison  
Cc: Charla\_Parker

Subject: RE: Position On Dunnigan Development from Earlier Yolo-Zamora Citizens Advisory Committee

David

Thank you for your reply to Charla's letter. She wrote at the request of the board to address the concern of the new comment area's and to remind the planning commission and the board of supervisors of our history of wanting to be involved in decision's that are made that effect our community. It appears that she may not have been clear about the area that we would like to comment on. Our board voted that they would like to comment on the area north of our fire district boundary to County Rd 7 and west to County Rd 85. A significant comment area has been given to Dunningan in our district (coming down to Co Rd 12A and west to Co Rd 85) and it is because of traffic flow concerns I understand. We are also concerned about the traffic flow that will be happening to the north and west that effects us as well as the flooding, and wildlife issues that will be caused due to development. Please increase our comment area.

Thank you for your attention to this matter.

Mary Jo Hoes

Yolo Zamora Advisory Chair

At 06:22 PM 8/31/2009, you wrote:

Ms. Parker,

Ms. Tschudin and I did receive the Committee's correspondence of October 22, 2007. The interest shown by you and the other committee members in the General Plan update is appreciated. We gave them careful thought, as we do all public comments submitted to us on this important issue. The Committee's comments were also forwarded on to both the Planning Commission and the Board of Supervisors for their review and consideration.

As you know, the eastern portion of the Dunnigan Specific Plan area (nearly half of the distance between County Road 99W and the Tehama Colusa Canal) has Road 9 as its southern boundary. This portion includes both the north and south banks of Bird Creek. Approximately 230 acres south of Road 9 is included in the western portion of the Dunnigan Specific Plan, extending down to the north bank of Bird Creek. This area is initially proposed for use as Open Space, Parks, and Low Density Residential development. The boundaries of the proposed Dunnigan Specific Plan were directed by the Board of Supervisors on September 18, 2007, after eight months of discussion and debate. The boundary has been the basis for development of the Draft General Plan, which has been available for public review and comment over the past year.

The site-specific environmental impacts of the Dunnigan Specific Plan will be addressed in the Specific Plan Environmental Impact Report (EIR), including potential effects on flooding, wildlife, traffic, and government services such as emergency response. Work on the Specific Plan EIR will begin soon. There will be a Notice of Preparation (NOP) and public scoping meeting to solicit comments about the types and extent of environmental impacts that should be evaluated in the Specific Plan EIR. I urge you to submit any comments you feel appropriate at that time. In the meanwhile, we will forward this e-mail letter to our EIR consultant for their information.

I understand that there are local residents with concerns regarding the Dunnigan Specific Plan. Those concerns have been heard and will continue to be deliberated throughout the General Plan and Specific Plan processes. However, when all is said and done, staff is responsible for carrying the direction of the Board of Supervisors.

Thank you for your participation in the process. I look forward to hearing from you regarding this matter in the future.

Respectfully,

David Morrison, Assistant Director  
Yolo County Planning and Public Works Department

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From: Charla Parker  
Sent: Monday, August 31, 2009 5:02 PM  
To: Mary Hoes  
Cc: Aundrea Hardy; Jeff Anderson

Subject: Position On Dunnigan Development from Earlier Yolo-Zamora Citizens Advisory Committee

On October 22, 2007, the Committee presented a letter of concern to John Bencomo, David Morrison and Heidi Tschudin regarding local citizens' concerns about the proposed Dunnigan Development.

I wish to bring those concerns forward again for consideration as The County moves forward with implementing its general plan:

"The southern boundary of the proposed development should stop at Road 9 and not encroach upon Bird Creek. This position is taken because of historical problems with flooding of the properties immediately south of there. We strongly encourage the County to look at drainage problems associated with the damming effect of the freeway which essentially negates the mapped, flood plan boundaries.

In addition, we request that the environmental impact studies look at the wildlife that occupy the areas near Bird Creek, specifically, Swainson Hawks, and make recommendations regarding mitigation solutions."

In addition to the concerns that were addressed in that letter, the local citizens also have continued concerns about the impact upon traffic especially on Road 99, 12 A and 91 B and upon increased demands for emergency response by the local Zamora Fire Department.

Please inform the planning staff that the local citizens have the same concerns that they did two years ago and are eager to know their concerns are being heard.

Respectfully submitted,

Charla Parker, M.P.A.  
Former Chairperson  
Yolo-Zamora Citizens Advisory Committee

Mary Jo Hoes