

**BY - LAWS**

**OF THE**

**PARKING, TRAFFIC AND CIRCULATION COMMITTEE**

**OF THE**

**CITY OF LAGUNA BEACH**

**Effective**  
**July 27, 2017**

**By-Laws**  
**Parking, Traffic and Circulation Committee**  
**City of Laguna Beach**

**Parking, Traffic and Circulation**

**By-Laws**

**July 27, 2017**

**PREAMBLE**

These By-Laws of the Parking, Traffic, and Circulation Committee of the City of Laguna Beach (By-Laws) have been adopted as a policy guideline on July 27, 2017, by the Parking, Traffic, and Circulation Committee.

**1.0 PTC COMMITTEE CREATION, TITLE AND AUTHORITY**

- 1.1 Title – This body shall officially be known as the “Laguna Beach Parking, Traffic, and Circulation Committee.” The terms “PTC Committee” and “Committee”, where used in these By-Laws, shall also refer to and mean the Laguna Beach Parking, Traffic, and Circulation Committee.
- 1.2 Powers and Duties – The powers and duties of the PTC Committee are established by the Laguna Beach City Council.
- 1.3 Members Performance – Members of the PTC Committee, respecting any activity related to their membership on the Committee, shall perform in accordance with these By-Laws and Chapter V, General Policy 5-15 of the City of Laguna Beach Administrative Policy Manual dated June 16, 2015 and known as “Guidelines for Bodies Appointed by the City Council”.

**2.0 MEMBERS, OFFICERS AND STAFF**

- 2.1 Members – The PTC Committee consists of seven members who are residents of the City of Laguna Beach and who are appointed by the Laguna Beach City Council (City Council).
- 2.2 Terms – Terms of the PTC Committee members shall be for two years, or as otherwise determined by the City Council.
- 2.3 Officers – Officers of the Committee shall consist of a Chair, Vice Chair, and Chair Pro Tem. The Chair and Vice Chair shall be elected by the Committee at the annual March meeting by plurality vote, providing that a quorum is present. The Chair Pro Tem shall be selected by a plurality vote of the remaining members in attendance, provided a quorum is present, should the Chair and Vice Chair be absent. Should the either the Chair or Vice Chair cease to be a member of the Committee prior to such elections, the remaining members shall elect a Chair or Vice Chair by a plurality vote of the members at the second regular meeting thereafter, provided a quorum is present. The officer so elected shall serve for the unexpired portion of the term of office.

Chair – The Chair shall preside at all meetings of the Committee, call special meetings in accordance with these By-Laws, appoint subcommittees and act as an

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

ex-officio voting member of all subcommittees so appointed, and sign documents in accordance with these By-Laws and as prescribed in City Code or State law.

The Chair or a designated Committee member shall represent the Committee before the City Council, Planning Commission, and other City commissions and committees. The representations so made shall only reflect the positions expressly taken by the PTC Committee, including vote counts.

Vice Chair – The Vice Chair shall perform all of the duties of the Chair in case of the Chair’s absence or disability and shall perform such other duties as may from time to time be assigned by the Chair or Committee.

Chair Pro Tem – The Chair Pro Tem shall perform all the duties of the Chair in the absence of the Chair and Vice Chair, and shall be selected by a plurality vote of the remaining members in attendance, provided a quorum is present.

#### 2.4 Staff

- a. Director of Public Works of the City of Laguna Beach (“Director of Public Works”) or their designee shall be an ex-officio, non-voting member of the Committee and, as such, shall attend all meetings, provide technical assistance, and act as secretary to the Committee in preparing agendas, staff reports, minutes and all other functions related to the work and operation of the Committee.
- b. City Manager and City Attorney shall be considered advisors to the Committee and may be called upon for specific matters upon the request of the Committee.
- c. Police Department Representative to the PTC Committee, shall serve as an ex-officio, non-voting member of the Committee, and as such, shall attend all meetings and provide advice and input respecting police enforcement and operations related to issues addressed by the Committee.

### **3.0 INITIATING AN AGENDA ITEM**

While the Committee has the authority on its own initiative to discuss and/or act on any matter within its authority as granted by the City Council, subject to the open public meeting requirements of state law, the normal procedure for initiating an item for Committee consideration is as follows:

- 3.1 Committee Request – Any PTC Committee member may initiate an item for Committee consideration by making such a request to the Public Works liaison by

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

no later than the deadline, set forth herein, for noticing and placing the matter on the agenda.

- 3.2 Other Requests – Any person, group, or firm having an interest may request PTC Committee consideration and action by providing a detailed description of the request in writing, with appropriately related material, to the Public Works Department, City of Laguna Beach, 505 Forest Avenue, Laguna Beach, CA 92651. The request, at a minimum, must provide an adequately detailed description of the action requested and the physical location involved to enable the Committee to consider the request and act accordingly. An Action Request Form will be available from the Public Works liaison in lieu of separate written request.
- 3.3 Limits on Same Requests - Requests concerning items on which the Committee has already taken action may not be brought back to the Committee for two years, except in the event of mitigating circumstances, in which case a majority vote of the members in attendance, providing a quorum is present, is required to place the request on the agenda for the following meeting. A request may be made to the Director of Public Works to bring an item back within the time limit period if there is a demonstrable change in conditions.
- 3.4 Deadlines - All requests must be submitted to the Department of Public Works in writing not less than two (2) weeks prior to the next meeting.
- 3.5 Consideration of Material Presented After Deadline - The PTC Committee shall not consider written material related to an agenda item if same has not been submitted to the Public Works liaison no later than 5 p.m. on the Thursday of the week preceding the Committee meeting. If the Public Works liaison decides that additional material should be reviewed in the Committee’s consideration of an agenda item, such material may be presented to Committee members during the period up to and including the time of consideration of the item by the Committee.

## **4.0 COMMITTEE MEETING PROCEDURE**

All regular meetings shall be conducted in the order set forth in the following paragraphs.

- 4.1 Call to Order - Meetings shall be called to order by the Chair or, in their absence, by the Vice Chair. If both are absent, the Committee shall select a Chair Pro Tem, who shall call the meeting to order.
- 4.2 Roll Call - The Director of Public Works, or their designee, shall call the names of Committee members to record their attendance.

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

- 4.3 Agenda Review - The Chair shall review the agenda and solicit any deletions or additions. Additions may be made so long as such additions do not require Committee action precluded under Section 6.3B of these By-Laws.

The Chair, or a majority of the Committee, may direct an agenda item to be taken out of order if it would serve the public to do so, under the following circumstances:

- a. A significant number of people present for the hearing of a particular item;
  - b. A significant interest in a particular item; or
  - c. The length of the hearing anticipated with respect to a particular item.
- 4.4 Public Comments - The Chair shall ask if any person wishes to speak to the Committee on any item not listed on the agenda. The Chair shall limit such comments to three (3) minutes per speaker.
- 4.5 Regular Calendar Items - Any agenda items relating to the functions of the Committee shall be heard in the following order:
- a. Read description of agenda item.
  - b. Receive Staff report. (Old Business only)
  - c. Committee questions directed to staff.
  - d. Receive public comment.
  - e. Committee questions.
  - f. Close public comment.
  - g. Solicit Committee members' comments
  - h. Applicant clarification/question period (for New Business items only)
  - i. Motion and Discuss motion. (Motions on New Business items are limited to rejection of the request or referral of the matter to Staff for evaluation and/or public hearing notification.)
  - j. Vote.
- 4.6 Items for Future Agendas - Any items requested to be presented or discussed by the Committee for future agendas.
- 4.7 Additional Business - Any items not fitting within the above categories, including subcommittee reports or comments by individual Committee members.
- 4.8 Adjournment - Chair solicits a motion to adjourn to the next meeting.

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

## **5.0 PRESENTATIONS BEFORE THE COMMITTEE**

### **5.1 Addressing the Committee**

- a. Securing right to address the Committee - Any person desiring to address the Committee shall first secure the permission of the presiding officer.
- b. Manner of addressing the Committee - Persons addressing the Committee shall limit their presentation to three (3) minutes, unless further time is granted by the presiding office or the Committee. All remarks shall be addressed to the Committee as a body and not to any member thereof or any member of the public. No person, other than a member of the Committee and the person having the floor shall be permitted to enter into any discussion without the permission of the presiding officer. The presiding officer may interrupt a person addressing the Committee to redirect his or her remarks or terminate his or her remarks when they are not relevant to the matter before the Committee.
- c. Applicant clarification and question period - After Committee discussion, the applicant for a New Business item shall have two (2) minutes to offer clarification, ask questions, or further discussion of their item based on the discussion by the Committee. Presiding officer may terminate applicant remarks when they are not relevant to the matter before the Committee.
- d. Addressing the Committee after the close of public comment - After public comment has been closed and before action is taken by the Committee, no person shall address the Committee without first securing the permission of the presiding officer.
- e. Addressing the Committee on Old Business Items – Items that have been publicly noticed and placed on the Agenda as Old Business shall have public comment period of no more than three (3) minutes per speaker.

## **6.0 PUBLIC NOTICING AND AGENDAS**

- 6.1 Posting of Notice and Agenda - For every regular or special meeting, the Director of Public Works or their designee, in cooperation with the City Clerk, shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all the items of business to be discussed at the meeting. The notice and agenda may be combined in a single document.

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

Location of Posting - The notice and agenda shall be posted at the Laguna Beach City Hall, 505 Forest Avenue, Laguna Beach, California.

Posting for Regular Meetings - For any regular meeting of the PTC Committee, the notice and agenda shall be posted no later than seventy-two (72) hours prior to the time set for the meeting.

Posting for Special Meetings - For any special meeting of the PTC Committee, the notice and agenda shall be posted no later than twenty-four (24) hours prior to the time set for the meeting.

Posting for Emergency Meetings - In case of an emergency as described in Section 8.7 of these By-Laws, the Committee may hold an emergency meeting without complying with the normal notice or posting requirements.

#### 6.2 Agenda Contents

- a. Description of Matters - All items of business to be discussed at a meeting of the PTC Committee shall be briefly described on the agenda. The description need not set out the specific action or alternatives which will be considered by the Committee, but should contain sufficient detail so that a person otherwise unaware could determine the general nature or subject matter of the item by reading the agenda.
- b. Staff Reports - Staff reports that are included with agenda packets provided to Committee members shall include a brief description of the items, appropriate discussion and analysis of the relevant issues, and a clear set of recommendations.
- c. Old Business – Items on the Agenda for consideration by the Committee under the heading captioned Old Business shall be those items (1) deferred by the Committee for specific consideration at the subject meeting or (2) previously determined to be of sufficient importance to the residents of Laguna Beach to warrant further consideration of the Committee including evaluation and preparation of a report by City Staff. Upon completion of the evaluation and report by Staff, the item shall be included in the Agenda as Old Business. As Old Business, the Committee, upon considering the matter in accordance with Paragraph 4.5 above, may vote to accept, reject, modify or defer the item.

For items to be placed on the Agenda as Old Business, residents and businesses within a minimum 300 foot radius of the location of the requested action shall be provided notice that the matter is on the Committee Agenda and will be addressed at the upcoming meeting. Notice shall be mailed and shall provide a brief description of the

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

proposed action and indicate the date, time and location of the PTC meeting at which the matter will be addressed. In addition, notice shall be mailed to the individual(s) who are known to have initiated, sponsored, opposed or otherwise specifically advised the Committee or Staff of an interest in the matter, provided that said individual has furnished Staff with his or her mailing address.

- d. New Business – Items to be incorporated on the Committee Agenda as New Business shall be those items, requests or recommendations raised to the Committee or Staff for the first time. The PTC, after introduction of the item by Staff, public comment, and discussion, evaluation and consideration by the Committee, the Committee shall vote on the limited issue of whether the matter has sufficient merit to warrant further evaluation and consideration or the matter does not warrant further Committee consideration. Staff shall undertake a study and evaluation of any proposal determined by the Committee to warrant further consideration and prepare a report for the Committee to be considered as Old Business at a subsequent meeting.

For items of New Business, only individuals who initiated or sponsored the proposed item shall receive notice of date, time and location of the meeting where the matter will be addressed as New Business. Said notice shall be provided by mail, electronic mail, or telephone.

- e. Staff Initiated Agenda Items – Items initiated by Staff or the Director of Public Works for consideration by the Committee shall be incorporated in the Agenda under New Business. If Staff has prepared an evaluation and report for consideration by the Committee, the Committee shall proceed with consideration of the matter under the procedures established for Old Business in Paragraph 6.2.C above provided written notice has been provided to residents and business in accordance with the requirements for Old Business.
- f. Limitation of Actions by Agenda - No action shall be taken by the PTC Committee on any item not appearing on a posted agenda, subject to the following exceptions:
  1. Upon determination by a majority vote of the-Committee that an emergency situation exists, as defined in Section 54956.5 of the California Government Code.
  2. Upon a determination by a two-thirds vote of the Committee or, if less than two-thirds of the members are present, a unanimous

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

vote of those members present, that the need to take action arose subsequent to the agenda being posted.

## **7.0 STANDING RULES**

7.1 Quorum - At any meeting of the PTC Committee, a quorum shall consist of four members. No action shall be taken in the absence of a quorum, except that those members present shall be entitled, by motion, to adjourn the meeting to another date.

7.2 Notice of Attendance - Committee members unable to attend any regularly scheduled or special meeting shall notify the Chair, Vice Chair or Director of Public Works or their designee in that order, of his/her inability to attend at least one hour prior to the scheduled time for the call to order. The attendance policy shall be per Administrative Policy Manual Chapter 5, General Policy 5-15 "Guidelines for Bodies Appointed by the City Council".

7.3 Voting

One Vote Per Member - The Chair, Vice Chair, Chair Pro Term and each Committee member shall be entitled to one vote.

Proxy Votes - No proxy votes are permitted.

Votes - All votes shall be recorded in the minutes of the proceedings of the Committee, showing ayes, nays and abstentions.

Disqualification from Voting - In the event that any Committee member present shall have a conflicting personal interest of any kind in a matter then before the Committee, he or she shall announce that he or she has a conflict and disqualify himself or herself from voting upon the matter. The minutes shall reflect the conflict was disclosed and that no vote was cast by said member.

Majority Vote - A majority vote of the members present shall be necessary for the adoption of any proposed action, resolution or other voting matter except where otherwise set forth in these By-Laws or controlling law.

Tie Votes - Tie votes shall be recorded as a failure of motion to pass. A tie vote on a motion defeats the motion.

Silence/Refusal to Vote Constitutes Affirmative Vote - Unless a member of the Committee has been permitted to and abstains from voting pursuant to paragraph (D) above, such member's silence or refusal to vote shall be recorded as an affirmative vote.

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

- 7.4 Signature - Plans, letters or papers that have been approved by the Committee, as duly recorded in the minutes, shall be signed by the Chair.
- 7.5 Personal Opinion – Inappropriate personal opinions or positions of any individual Committee member, any member of the public, or any organization other than the Committee shall not be discussed at the same time or during the same recognized discourse in which Committee business or recommendations are presented to the City Council, Planning Commission or any other interested individuals, groups or agencies. Failure to abide by this subsection could result in a possible recommendation to the City Council for dismissal from the Committee.
- 7.6 Parliamentary Procedure
- a. Motion to Reconsider - A motion to reconsider or modify any action taken by the Committee may be made only on the day such action was taken. Such motion must be made by a Committee member on the prevailing side of the vote, but may be seconded by any member of the Committee and may be made at any time and have precedence over all other motions. It shall be debatable. Nothing herein shall be construed to prevent any member of the Committee from making or remaking the same or other motion at a subsequent meeting of the Committee.
  - b. When Synopsis of Debate Entered in Minutes - The Director of Public Works or his designee, may be directed by the presiding officer at the meeting, with the consent of the Committee, to enter in the minutes a synopsis of the discussion on any subject under consideration by the Committee.
  - c. Rules of Order - Except as otherwise provided in this chapter, “Robert’s Rules of Order, Newly Revised” shall govern the conduct of the meetings of the Committee. However, no resolution, proceeding or other action of the Committee shall be invalidated, or the legality thereof otherwise affected, by the failure or omission to observe or follow said rules.

## **8.0 MEETINGS**

- 8.1 Regular Meetings - Regular meetings of the PTC Committee shall be held in at the location and time as shown on the Agenda on the first Thursday of December and fourth Thursday of all other months except August and November. At such meetings, all matters properly on the Agenda shall be considered, as set forth in Section 4.0 of these By-Laws.
- 8.2 Adjourned Meetings - Any regular meeting may be adjourned to a designated time and place and when so adjourned shall be considered as a regular meeting.

## **Parking, Traffic and Circulation**

### **By-Laws**

**July 27, 2017**

- 8.3 Special Meetings - A special meeting may be called at any time by the Chair of the Committee or by a majority of the Committee members, by delivering in person or by mail or electronic mail, written notice to each member of the Committee and to each local newspaper of general circulation, radio or television station requesting notice in writing. The notice shall be delivered in person or by mail or electronic mail and shall be received at least twenty-four (24) hours before the time of the meeting as specified in the notice.
- 8.4 Annual Meeting - The annual meeting of the PTC Committee shall be the regular meeting following the appointment/reappointment of members by the City Council. The annual meeting shall commence with the election of a Chair and Vice Chair for the ensuing year, and such other business as shall be scheduled by the Committee.
- 8.5 Meetings on Holidays - When a regular meeting falls on a holiday, the meeting shall be canceled or held on a day to which the previous meeting was adjourned.
- 8.6 Cancellation of Meetings - Whenever reasons exist, lack of a quorum, no business for Committee consideration, or other good and valid reason, a meeting may be canceled by the Chair. Such cancellation may be made at any time prior to the meeting but must be in writing and submitted to the Director of Public Works or his/her designee, at least twenty-four (24) hours prior to the scheduled meeting, and shall state the reason for said cancellation.
- 8.7 Adjourned Meetings - The PTC Committee may adjourn any regular or adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum shall adjourn. If all members are absent from any regular or adjourned regular meeting, the Director of Public Works or their designee may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be delivered personally to each Committee member at least three (3) hours before the adjourned meeting. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held, within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned regular meeting shall be a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

### 9.0 **EFFECTIVE DATE**

These By-Laws shall become effective upon the approval of the PTC. (ADOPTED UNANIMOUSLY BY THE PTC COMMITTEE ON June 22, 2017).