

# RULES AND PROCEDURES

## ARTICLE I Application

Section 1. These rules shall apply to all meetings of the Sunol Citizens Advisory Council (Council).

## ARTICLE II Council Meetings

Section 1. Regular meetings of the Council shall be held on the third Wednesday of every month, commencing at the hour of 7:00 p.m., in the Cafeteria, Sunol Glen Elementary School, 11601 Main Street, Sunol, Ca., or at such other time and place as the Council may adopt and Alameda County staff note on the agenda. The regular meeting held on the third Wednesday shall address land use planning matters, public health, safety, public works and a forum for local Sunol issues and discussions. If any regular meeting day falls upon a holiday, the regular meeting of the Council shall be held at the same place, commencing at the same hour, on a date adopted by the Council on its annual schedule, or as otherwise decided by the Council. All hearings, applications, petitions, and other matters that would otherwise be before the Council on that date shall be rescheduled to said day and hour.

Section 2. Prior to the beginning of each calendar year, Council staff shall prepare a schedule of regular Council meetings for the upcoming calendar year. This schedule shall be approved, adopted and inserted into the Sunol Glen Elementary School Activity Calendar prior to the first regular meeting in the upcoming calendar year. After the Council adopts its annual schedule, Council staff shall publish the schedule and distribute it to all interested parties.

Section 3. Special meetings of the Council may be called by the Chair or a majority of the Council members with proper notification of all members and the public. The notice calling the special meeting shall specify the time, date, and place of the meeting and the business to be transacted at such meeting, and no other business shall be considered at that meeting.

Section 4. Council members shall be in their respective seats at the time set for each meeting. Any member unable to attend a meeting shall notify the Chair or Council staff prior to the meeting. Any member not present shall be designated in the minutes as entering late or excused, as appropriate.

## ARTICLE III Election, Powers, and Duties of Chair and Vice Chair

Section 1. Members of the Council are approved by the Alameda County Supervisor's that represent that un-incorporated area, known as the Town of Sunol. In the event that more than one Supervisor represents the Town of Sunol, appointments shall be made proportionally, by the population represented by each supervisor. The number of Council members appointed, shall not exceed five (5) individuals selected by the Alameda County Supervisors.

Section 2. The offices of the Council are Chair and Vice Chair. At the last meeting in June, or as otherwise called by the Chair or a majority of the Council, the Council shall hold elections to fill these offices for a one-year term. The officers shall be elected by a majority of the Commissioners, taken by written ballot or oral voting if there is more than one candidate for each office. The voting shall occur in open session. The officers shall assume office at the first regular or special meeting after their election.

Section 3. The Chair, when present, shall preside at all meetings of the Council and, except in the absence of a quorum, shall take the Chair at the hour appointed for every Council meeting, shall immediately call the meeting to order, and shall proceed with the business of the Council in the manner prescribed by these Rules and Procedures.

Section 4. In the absence of a quorum, the members present shall adjourn the meeting until the next meeting on the Council's published meeting schedule as provided in Article II, Section 2. If all members are absent, Council staff may adjourn the meeting to a stated time and place. All items on the agenda of the adjourned meeting shall be continued to the next meeting unless otherwise provided by the Chair or Council staff.

Section 5. The Chair shall preserve order and decorum, and if the occasion demands, may call upon a police officer to preserve order. The Chair shall decide all questions of order subject to the action of a majority of the Council.

Section 6. In the absence or the inability of the Chair to act, the Vice Chair shall take the Chair and have all the powers and duties of the Chair during the absence or inability of the Chair to act. In the absence of both the Chair and the Vice Chair the Council members present shall elect one of their members to preside over that meeting until the Chair or Vice Chair arrives. In the event the Chair resigns or is no longer a member of the Council for any reason, the Vice Chair shall assume the office of Chair, and the Council shall elect a new Vice Chair at the next meeting or as called by the Chair. In the event the Vice Chair resigns or is no longer a member of the Council for any reason, the Council shall elect a new Vice Chair at the next meeting or as called by the Chair.

Section 7. The Chair or a designated representative may appear before the Alameda County Board of Supervisors, the Planning Commission, the Planning Director, the Board of Zoning Adjustments, or any other body to present the Council's action or position on a matter that has been before the Council.

Section 8. The Chair shall make appointments to community committees as requested of the Council. The Chair may appoint ad hoc or standing committees consisting of Council members, community residents, County staff, or others as appropriate to address issues before the Council or community issues in general. The appointees shall make periodic reports back to the Council.

#### ARTICLE IV Order of Business

Section 1. The Agenda for each regular meeting of the Council shall include, generally in the following order of business: Call to Order/Roll Call; Approval of Minutes; Public Announcements; speakers and informational items; public hearings; Public Comment; Chair's Report; Staff Announcements, Comments and Reports; Committee Announcements, Comments, and Reports; Adjourn. Public hearings shall be generally in the following order: Continued items in order of original hearing date; non project items, such as guidelines, policy matters, general or specific plans, etc.; appeals; Conditional Use Permits; Variances; subdivisions, Site Development Reviews; re-zonings; other public hearing matters. Public Comment is provided for any member of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to 3 minutes unless otherwise permitted by the Chair. The above order of business may be suspended or changed at any time upon order of the Chair.

Section 2. The rules laid down in Robert's Rules of Parliamentary Procedures are hereby adopted for the government of the Council in all cases not otherwise provided for in these Rules or as otherwise agreed to by the Council.

ARTICLE V  
Conduct of Meetings

Section 1. Three Council members shall constitute a quorum for the transaction of Council business.

Section 2. All matters shall be decided by a majority vote of the Council members present, including the Chair or presiding officer. The Chair shall call for a roll call vote if a doubt exists concerning the approval or disapproval of the matter before the Council.

Section 3. For each matter before the Council, the Chair shall first call for a staff report, if any. The Chair shall then open the matter to public testimony, as provided below. After the Council has heard all public testimony, the Chair shall call for Council discussion of the matter. At the conclusion of the Council's discussion, the Chair shall call for a vote on the matter. If the vote results in a tie due to absence of a Council member(s), the Chair may, at its sole discretion, continue the matter to a subsequent meeting to allow the absent Council member(s) to vote on the matter, or direct Council staff to forward the matter to the appropriate decision making body with no recommendation and an explanation therefore. If the Chair continues the matter to a subsequent meeting, the Chair may, at its sole discretion, reopen the hearing to public testimony. If the Chair elects to do so, it may, at its sole discretion, limit testimony to responses to questions from the absent Council member(s).

Section 4. Persons desiring to address the Council shall speak in the order in which they are recognized by the Chair, after first having given their names and addresses and signed the speaker sign-in sheet for the purpose of the record. The Chair shall first give the applicant or proponent of the matter under discussion the opportunity to present the matter to the Council and to respond to questions from the Council. The Chair shall then open the matter to public testimony, if appropriate. All speakers shall address the Council unless otherwise requested or permitted by the Chair and shall restrict their comments to the matter at hand. Except as the Chair at its discretion may otherwise provide, no member of the public shall speak more than once on the same issue, nor more than three minutes. After all members of the public wishing to speak on an issue have had an opportunity to do so, the Chair, at its own discretion or at the request of a Council member, may allow a member of the public to speak a second time solely for the purpose of presenting new information. After closing public testimony, the Chair may give the applicant or proponent an opportunity to rebut testimony from the public or to respond to additional questions from the Council; however, no member of the public may speak. Notwithstanding the provisions of this Section, the Chair may, at its own discretion or the request of a Council member, request a member of the public to respond to a specific question at any time whether or not that member of the public has spoken on an issue. The Chair shall have the sole and final authority to recognize members of the public at any time for any purpose.

Section 5. Should the applicant or a designated representative fail to appear, Council staff shall send written notice to the applicant no later than three working days after the first hearing. The notice shall specify that the applicant or a designated representative is expected to appear at the next regularly scheduled meeting or as the matter may otherwise be rescheduled. Failure to appear at this subsequent hearing shall result in the Council making a recommendation based on public testimony and information provided in the staff report or the application proceeding to the appropriate decision making body without a recommendation.

Section 6. The Council may take an action on any matter on its agenda, but may not do so on a matter not on the agenda. The Chair, on its own motion or at the request of any Council member, may request Council staff to place a matter on a future agenda for Council action.

Section 7. Any member ineligible to vote on any matter under consideration by the Council, shall leave the Council meeting room before the matter is considered and refrain from participation in the action concerning the matter.

ARTICLE VI  
Other Provisions

Section 1. Council staff shall give notice of meetings; prepare Council agendas; maintain official records and files of Council meetings, hearings, and actions; and shall certify all official documents and resolutions of the Council. Council staff shall maintain the official office of the Council as provided by the Board of Supervisors.

Section 2. These Rules and Procedures may be amended at any time by a majority of the Council.