



**CITY OF DIXON
TRANSPORTATION ADVISORY
COMMISSION
PROCEDURAL GUIDELINES**

June 2005

PREFACE

The following is a single source reference document of the Dixon Transportation Advisory Commission Procedural Guidelines. The procedural guidelines included in this draft reference document have not yet been formally adopted by the Transportation Advisory Commission.

This document will be reviewed periodically and modified, as the Transportation Advisory Commission deems appropriate.

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**CITY OF DIXON
TRANSPORTATION ADVISORY COMMISSION
PROCEDURAL GUIDELINES**

I. TRANSPORTATION ADVISORY COMMISSION MEETINGS

1. **Regular Meetings** - Regular meetings of the Transportation Advisory Commission shall be held at 7:00 p.m. on the third Wednesday of each even numbered month.
 - a. **Other Locations** - The Transportation Advisory Commission may, from time to time, elect to meet at other locations within the City and upon such election shall give public notice of the change of location.
 - b. **Location During Local Emergency** - If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as may be designated by the Chair, or if the Chair does not so designate, by the Vice Chair or City Engineer.
 - c. **Holidays** - When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for that day shall automatically be held on the following day at the regular time and place unless canceled by the Transportation Advisory Commission.
2. **Special Meetings & Emergency Meetings** - Special meetings of the Transportation Advisory Commission may be called and held from time to time consistent with and pursuant to the procedures set forth in the Government Code.
3. **Adjourned Meetings** - The Transportation Advisory Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
4. **Closed Session** - The Transportation Advisory Commission may hold closed sessions during any regular or special meeting, or any time otherwise authorized by law, to consider or hear any matter which is authorized by State law to be heard in closed session. The general subject matter for consideration shall be expressed in open meeting before such session is held.
5. **Cancellation of Regular Meetings** - Any meeting of the Transportation Advisory Commission may be canceled in advance by a majority of the Transportation Advisory Commission.

6. **Quorum** - Four members of the Transportation Advisory Commission shall constitute a quorum, but a lesser number may adjourn from time to time.
7. **Chairman (Chair)** - The Chair shall preside over all Transportation Advisory Commission meetings. The Chair shall have authority to preserve order at all Transportation Advisory Commission meetings, to call for the removal of any person(s) from any meeting of the Transportation Advisory Commission for disorderly conduct, to see that all actions of the Commission are properly taken, to sign documents of the Commission, to interpret and enforce the procedural guidelines of the Transportation Advisory Commission and to determine the order of business under the guidelines of the Transportation Advisory Commission.
 - a. **Absence of Chair** - The Vice Chair shall act as Chair in the absence or disability of the Chair.
 - b. **Chair & Vice Chair Absence** - When the Chair and Vice Chair are absent from any meeting of the Transportation Advisory Commission, the members present may choose another member to act as Chair pro tem, and that person shall, during that meeting, have the duties of the Chair.
8. **Attendance by the Public** - Except as specifically provided by law for closed sessions, all meetings of the Transportation Advisory Commission shall be open to the public in accordance with the terms, provisions and exceptions consistent with State law.
9. **Action Minutes** - The City Clerk or his/her designee will maintain a written record and attest to the proceedings of the Transportation Advisory Commission in the form of expanded action minutes. Expanded action minutes will include final motions with votes of the Transportation Advisory Commission, reflect the names of public speakers and paraphrase Transportation Advisory Commissioners, staff discussion, and public comments.
10. **Recordings of Meetings** - Audio recordings of proceedings shall be made and shall be maintained by the City Engineer for a period of no less than three years.

II. ORDER OF BUSINESS

1. **General Order** - The business of the Transportation Advisory Commission at its meetings will generally be conducted in accordance with the following order of business unless otherwise specified. A closed session may be held at any time during a meeting consistent with applicable law.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRESPONDENCE**
5. **AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)**
6. **APPROVAL OF AGENDA**
7. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered by the Transportation Advisory Commission to be routine and will be acted upon in a single motion. There will not be separate discussion of these items unless a request is made prior to the time the Transportation Advisory Commission considers the motion to adopt. Agenda items requested for removal from the Consent Calendar by Transportation Advisory Commission members or staff will be considered immediately after the Consent Calendar action. Members of the public shall have the right to comment on Consent items prior to the Transportation Advisory Commission's consideration of the Consent Agenda. A Transportation Advisory Commission member may vote "no" on any Consent item without comment or discussion. Any substantive Transportation Advisory Commission comments, questions or discussion on an item will require removal of the item from the Consent Calendar.

8. **UNFINISHED BUSINESS**
9. **NEW BUSINESS**
10. **ITEMS FROM THE TRANSPORTATION ADVISORY COMMISSION/ CITY ENGINEER**

These sections of the agenda provide the opportunity for brief comments on City business, operations, projects, and other items of general interest.

11. **CLOSED SESSION**
The City Transportation Advisory Commission may, by law, meet in executive (closed) session to discuss certain items of public business, most typically including pending or threatened litigation.

12. RECONVENE TO OPEN SESSION

The City Transportation Advisory Commission will reconvene to open session and then make any announcements relating to matters acted upon in closed session when such announcements are required by the Ralph M. Brown Act.

13. ADJOURNMENT TO NEXT REGULAR MEETING OF (Date)

2. **Action on Agenda Items** - In accordance with the Ralph M. Brown Act, the Transportation Advisory Commission may not take action on any item that did not appear on the posted Transportation Advisory Commission agenda 72 hours prior to the Transportation Advisory Commission meeting unless an exception is made as permitted by Government Code.
3. **Items Placed on Written Agenda** - Items of business shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof, at the request of the Transportation Advisory Commission or of any individual Transportation Advisory Commissioner, City Engineer, City Manager, or City Attorney.

III. GUIDELINES OF CONDUCT

1. **General Procedure** - It is the policy of the Transportation Advisory Commission not to become involved in the protracted discussion over "parliamentary procedure." Consistent with any City ordinance, statute or other legal requirement, any issue of procedure relating to the conduct of a meeting or hearing not otherwise provided for herein may be determined by the Chair, subject to appeal to the full Transportation Advisory Commission.
2. **Authority of the Chair** - Subject to appeal to the full Transportation Advisory Commission, the Chair shall have the authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the Transportation Advisory Commission by ruling any such matter out of order. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is acting in good faith.
3. **Chair to Facilitate Transportation Advisory Commission Meetings** - The Transportation Advisory Commission nominates and elects a Chair to facilitate Transportation Advisory Commission meetings. In the role as facilitator, the Chair will assist the Transportation Advisory Commission to focus on their agenda, discussions and deliberations.
4. **Transportation Advisory Commission Deliberation & Order of Speakers** - The Chair is delegated the responsibility to oversee the

debate and the order of speakers. Speakers will generally be called upon in the order they request to speak as recognized by the Chair.

5. **Limit Deliberations to Item at Hand** - Transportation Advisory Commissioners will limit their comments to the subject matter, item or motion being currently considered by the Transportation Advisory Commission.
6. **Length of Transportation Advisory Commission Comments** - Transportation Advisory Commissioners will govern themselves as to the length of their comments or presentations. The Transportation Advisory Commission delegates to the Chair the responsibility to assist the Transportation Advisory Commissioners by signaling if a Transportation Advisory Commissioner has been speaking for an excessive time period.
7. **Obtaining the Floor** - Any member of the Transportation Advisory Commission wishing to speak must first obtain the floor by being recognized by the Chair. The Chair must recognize any Transportation Advisory Commissioner who seeks the floor when appropriately entitled to do so.
8. **Motions** - Motions may be made by any member of the Transportation Advisory Commission, including the Chair, providing that before a motion is offered by the Chair, the opportunity for making a motion should be offered to other members of the Transportation Advisory Commission. Any member of the Transportation Advisory Commission, other than the person offering the motion, may second a motion.
 - a. **Commission Discussion** – Prior to calling for the motion, the Chair should encourage any Commissioners who may wish to express their viewpoints to the matter to do so, ask any questions which may be pertinent to the matter, and identify any findings/conditions which they think warrant clarification or inclusion.
9. **Procedure for Motion** - Before a motion can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the Chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Transportation Advisory Commissioner properly recognized by the Chair. Once the matter has been fully discussed and the vote is called for, no further discussion will be allowed, provided, however, the Transportation Advisory Commissioners may be allowed to explain their vote.

- a. **Process to Make and Second a Motion** – Transportation Advisory Commissioners wanting to make or second a motion do so through a verbal request to the Chair.
10. **Motion Amendments** - When a motion is on the floor, and an amendment is offered, the amendment should be acted upon prior to acting on the main motion.
11. **Voting** - Any Transportation Advisory Commissioner present at a meeting when a question comes up for a vote should vote for or against the measure unless he/she is disqualified from voting and abstains because of such disqualification. If the vote is a voice vote, the Chair shall declare the result. The Transportation Advisory Commission may, as permitted/required by these guidelines or law, also vote by roll call. Regardless of the manner of voting, the results reflecting all “ayes,” “noes,” and “abstentions” must be clearly set forth for the record.
12. **Abstention** – An abstention does not count as a vote for or against a matter. If a Transportation Advisory Commissioner abstains, he/she is counted as present for quorum purposes, but is not deemed to be “voting” for purposes of determining whether there has been a “majority vote or those members present and voting.”
 - a. **Conflict of Interest** – A Transportation Advisory Commissioner who has a financial interest in a decision before the Commission giving rise to a conflict of interest or potential conflict of interest shall, upon the announcement of the agenda item to be discussed or voted upon but before either the discussion or vote commences, do all of the following:
 - i. Verbally identify as part of the official public record each type of financial interest held by him or her giving rise to the conflict of interest, in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required;
 - ii. Recuse himself or herself from discussing and voting on the matter, at which time he or she shall not be counted toward achieving a quorum while the item is discussed; and
 - iii. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter is uncontested and remains on the Consent Calendar portion of the agenda. However, a Transportation Advisory Commissioner who is required to leave the room may remain or return to the room only to speak on the issue as a member

of the public, during the time for public comment on that issue, and from the same area as other members of the public.

13. **Tie Votes** - A tie vote results in a lost motion. In such an instance, any member of the Transportation Advisory Commission may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal, and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.
14. **Motions for Reconsideration** - Motions for reconsideration of a matter may only be made at the same meeting at which the Transportation Advisory Commission takes action on a matter. Such motion may only be made by a Transportation Advisory Commissioner who voted with the side that prevailed on the matter in question. With regard to a tie vote resulting in a lost motion, the prevailing side will be deemed to be those Transportation Advisory Commissioners who voted in the negative. Any member of the Transportation Advisory Commission may second a motion for reconsideration.
15. **Non-Observance of Guidelines** - Guidelines adopted to expedite and facilitate the transaction of the business of the Transportation Advisory Commission in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such guidelines shall not affect the jurisdiction of, or invalidate any action taken by the Transportation Advisory Commission.
16. **Non-Exclusive Guidelines** - The guidelines set forth are not exclusive and do not limit the inherent power and general legal authority of the Transportation Advisory Commission, or of its presiding officer, to govern the conduct of Transportation Advisory Commission meetings as may be considered appropriate from time to time or in particular circumstances for purposes of orderly and effective conduct of the affairs of the City.
17. **Robert's Rules of Order** - In matters of parliamentary procedure not specifically referred to in these guidelines, Robert's Rules of Order shall be deemed to apply. Further, however, when local ordinance or State or Federal laws are established governing parliamentary procedures in certain matters, then those laws shall take precedence over these guidelines and Robert's Rules of Order.

IV. PUBLIC HEARINGS

1. **General Procedure** - The Transportation Advisory Commission will rarely, if ever, conduct a public hearing. Should a public hearing of the Commission be required, the procedure is generally as follows:

- a. The staff presents its report. (Transportation Advisory Commissioners may ask questions of staff if they so desire).
 - b. The applicant or appellant then has the opportunity to present his/her/its comments, testimony, or argument.
 - c. Members of the public are provided with the opportunity to present their comments, testimony or argument.
 - d. The applicant or appellant is given an opportunity for rebuttal or closing argument.
 - e. The public hearing (opportunity for public input portion thereof) is closed and Transportation Advisory Commission discussion and consideration occurs. In this discussion, there may be further questions of or comments by staff or questions by the Transportation Advisory Commission or others as deemed necessary or appropriate.
 - f. Transportation Advisory Commission decision occurs.
 - g. The Chair will announce the final decision of the Transportation Advisory Commission.
2. **Time for Consideration** - Matters noticed to be heard by the Transportation Advisory Commission will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will continue until the matter has been completed or until other disposition of the matter has been made.
3. **Continuance of Hearings** - Any hearing being held, noticed, or ordered to be held by the Transportation Advisory Commission at any meeting of the Transportation Advisory Commission may, by order, notice, or continuance, be continued or re-continued to any subsequent meeting.
4. **Public Discussion at Hearings** - When a matter for public hearing comes before the Transportation Advisory Commission, the Chair will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Chair shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter.
- a. **Public Member Request to Speak** - Any person desiring to speak or present evidence shall make his/her presence known to the Chair and upon being recognized by the Chair, the person may

Speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Chair.

- b. **Transportation Advisory Commission Questions of Speakers** - Members of the Transportation Advisory Commission who wish to ask questions of the speaker or each other during the public hearing portion may do so but only after first being recognized by the Chair.
 - c. **Due Process** - The Chair shall conduct the meeting in such a manner as to afford due process.
 - d. **Public Oral Presentations** - All Transportation Advisory Commission guidelines pertaining to oral presentation by members of the public apply during public hearings.
 - e. **Materials for Public Record** - All persons interested in the matter being heard by the Transportation Advisory Commission shall be entitled to submit written evidence or remarks, as well as other graphic evidence.
 - f. **Germane Comments** - No person will be permitted during the meeting to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Chair, but may be appealed to the full Transportation Advisory Commission.
5. **Communications and Petitions** - Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Chair. A reading in full shall take place if requested by any member of the Transportation Advisory Commission.

V. ADDRESSING THE CITY TRANSPORTATION ADVISORY COMMISSION

- 1. **Oral Presentations by Members of the Public** - Oral presentations by members of the public at Transportation Advisory Commission meetings are as follows:
 - a. When called upon, the person is requested to come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.
 - b. All remarks should be addressed to the Transportation Advisory Commission as a whole, not to individual members thereof.

- c. Questions, if any, should be directed to the Chair who will determine whether, or in what manner, an answer will be provided.
2. **Audience/Public Comment** - Audience/Public Comment is the period set aside at Transportation Advisory Commission meetings for members of the public to address the Transportation Advisory Commission on items of business other than scheduled agenda items. The Audience/Public Comment portion of the Transportation Advisory Commission meeting is the opportunity for members of the public to address the City Transportation Advisory Commission in compliance with Government Code.
- a. **Timing** - Audience/Public Comment is generally accommodated as specified on the Transportation Advisory Commission agenda and is limited to thirty (30) minutes total for all speakers. The Chair shall poll the audience to determine the number of persons wishing to speak and shall apportion the time appropriately with each speaker to limit their comments as directed by the Chair. At the Chair's discretion, the audience/public comment time may be extended as necessary.
 - b. **City Matters** - Presentations under Audience/Public Comment are limited to items within the subject matter jurisdiction of the Transportation Advisory Commission.
3. **Agenda Item Oral Presentation** - Any member of the public wishing to address the Transportation Advisory Commission orally on matters appearing on the Transportation Advisory Commission agenda may do so when that item is taken up by the Transportation Advisory Commission, or as otherwise specified by the Transportation Advisory Commission or its presiding officer.
- a. **Time Limit** – The Chairman is authorized to facilitate oral presentations to provide that all persons who wish, have an opportunity to speak, insuring however, that the flow of the meeting is maintained.
 - b. **Presentations Submitted in Writing** - Persons who anticipate lengthy oral presentations are encouraged to submit comments in writing, in advance, care of the City Engineer, for prior distribution to the Transportation Advisory Commission and other interested parties. Submission of comments in writing is encouraged in lieu of possible lengthy oral presentations which may not be permitted.
4. **Comments in Writing Encouraged** - Members of the public may submit, and are encouraged to submit, comments in writing to the Transportation

Advisory Commission relating to any items of business, whether on the Transportation Advisory Commission agenda or otherwise. Such written comments will be distributed to members of the Transportation Advisory Commission and considered and acted upon, or not acted upon, as the Transportation Advisory Commission in its judgment may deem appropriate.

5. **Repetitious Comments Prohibited** - Speakers shall not present the same or substantially same items or arguments to the Transportation Advisory Commission repeatedly or be repetitious in presenting their oral comments. If a matter has been presented orally before the Transportation Advisory Commission, whether the Transportation Advisory Commission has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further. Nothing in the foregoing precludes submission of comments to the Transportation Advisory Commission in writing for such action or non-action as the Transportation Advisory Commission, in its discretion, may deem appropriate.
6. **Speaker Time Limits for An Agenda Item** - In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Transportation Advisory Commission on the same subject matter, the Chair may request that a spokesperson be chosen by the group, and in case additional matters are to be presented by any other member of the group, that there be a limit on the number of such persons addressing the Transportation Advisory Commission. A specific time limit may also be set for the total presentation.
7. **Waiver of Guidelines** - Any of the foregoing guidelines may be waived by majority vote of the Transportation Advisory Commissioners present when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.
8. **Decorum** - Unruly conduct such as undue noise, hissing, profanity, insults or physical disturbance shall not be permitted. Any person making personal, impertinent, or derogatory remarks or who shall become boisterous while addressing the Transportation Advisory Commission, shall be barred from further audience before the Transportation Advisory Commission at said meeting by the Chair unless permission to continue is granted by a majority of the Transportation Advisory Commission.

VI. TRANSPORTATION ADVISORY COMMISSION ADMINISTRATIVE RULES

1. **Requests for Research or Information** - Transportation Advisory Commissioners may request information or research from the City Engineer. Requests for new information or policy direction will be brought

to the full Transportation Advisory Commission for consideration at a regular meeting. All written products will be copied to the full Transportation Advisory Commission.

2. **Inappropriate Actions** - The Transportation Advisory Commission delegates to the Chairman the responsibility to discuss, on behalf of the full Transportation Advisory Commission, any perceived or inappropriate action by a Transportation Advisory Commissioner. The Chairman will discuss with the Transportation Advisory Commissioner the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the City Engineer will report the concern to the full Transportation Advisory Commission.
3. **Agenda Materials Delivery** - Delivery of the agenda materials to the Transportation Advisory Commissioners shall be on or before the evening of the Wednesday preceding the regular meeting. As necessary, supplemental materials may be delivered subsequent to the initial delivery of agenda materials.
4. **Procedural Guidelines** – These Guidelines may be amended at any meeting of the Transportation Advisory Commission by a majority of a quorum of the Commission, provided that notice of said proposed amendments is given to each member in writing prior to said meeting.
5. **Distribution** – Each member of the Commission, including new members as they are appointed, shall be provided a copy of the Procedural Guidelines by the City Engineer.
6. **Vacancy Caused By Absence** – If a member of the Transportation Advisory Commission is absent without cause for more than two successive regular meetings of the Transportation Advisory Commission, or is absent from more than four regular meetings in a fiscal year, the office becomes vacant automatically. The Transportation Advisory Commission shall immediately notify the City Council of the vacancy. A member is not absent without cause if his/her absence is:
 - 1) due to illness or,
 - 2) unavoidable and the member gives the Secretary of the Commission notice before the date of the meeting from which he/she will be absent and giving the reason for the absence.
7. **Officers-Election** – The Commission at its July meeting of each calendar year, or as soon thereafter as possible, shall elect a Chairman and a Vice-Chairman.

8. **Adjournment Time** – The Chairman shall poll the Commission at 10:00 p.m. to determine if the members desire to continue their deliberations past 10:30 p.m., the target adjournment time. No new agenda items shall be taken up after 11:00 p.m.
9. **Attendance** – Each member of the Transportation Advisory Commission who has knowledge of the fact that he/she will not be able to attend a scheduled meeting of the Transportation Advisory Commission shall notify the Secretary of the Commission at the earliest possible opportunity and, in any event, prior to 5:00 p.m. on the date of the meeting. The Secretary shall notify the Chairman of the Commission in the event that the projected absences will result in the lack of a quorum.
10. **Subcommittees** – The Transportation Advisory Commission may from time to time, at the recommendation of staff, the request of City Council, or of its own volition, determine that a subcommittee should be formed to perform some function on behalf of the Commission. Such subcommittee assignments usually involve some degree of research/ analysis with a report back to the full Commission for consideration of the subcommittee's recommendation(s). Formation of any such subcommittee will require consideration by the Commission as a regular agenda item wherein the Commission will discuss and define the roles and responsibilities of the subcommittee and by consensus name Commission representative to any such subcommittee.