



Planning Commission Meeting

Supplemental Staff Report

Location:	Citywide
Assessor’s Parcel Number:	N/A
Proposal:	<p>“Bylaws and Rules of Procedure of the Planning Commission of the City of Oakland” intended to:</p> <ol style="list-style-type: none"> 1. Establish an updated framework for conducting business and decision-making by the Planning Commission; 2. Clarify roles and responsibilities of Commissioners and support staff; 3. Clarify processes and procedures for hosting hybrid meetings; and 4. Clarify processes and procedures for public comment and participation at Planning Commission meetings.
Applicant:	City of Oakland, PBD Technical Communications Specialist Aaron Lehmer
Phone Number:	(510) 238-6441
Owner:	City of Oakland
Case File Number:	ZA24001
Planning Permits Required:	None
General Plan:	N/A
Zoning:	N/A
Environmental Determination:	Not a project subject to CEQA (not an activity that may cause a direct or reasonably foreseeable indirect physical environmental change). In the alternative, exempt under the “common sense exemption,” CEQA Guidelines Section 15061(b)(3).
Historic Status:	N/A
City Council District:	N/A
Status:	Pending consideration and approval by the Planning Commission.
Staff Recommendation	Planning staff recommends consideration and approval of the proposed Bylaws.
Finality of Decision:	Planning Commission will receive public comment, discuss, and decide whether to adopt the revised Bylaws.
For further information:	Contact Planning Commission Secretary Catherine Payne at (510) 238-6168 or by email at cpayne@oaklandca.gov

SUMMARY:

This memorandum summarizes the revisions made to the proposed “Bylaws and Rules of Procedure of the Planning Commission of the City of Oakland” (referred to hereafter as the “Bylaws”) based on feedback and recommendations from the Planning Commission at its May 15, 2024 meeting. It also responds to issues raised by commissioners at that same meeting in relation to Bylaws implementation.

RESPONSES TO FEEDBACK FROM MAY 15, 2024 PLANNING COMMISSION MEETING:

Issue 1: Role of Commission Concerning Reports

Under ARTICLE 2. DUTIES OF THE COMMISSION of the draft Bylaws, Chair Shirazi requested that staff clarify the role of the Commission around reports as mentioned in the fourth listed duty on page 2.

To address this, staff has rephrased this duty as follows (changed text in underline):

“The Commission shall also provide recommendations to be included in staff reports on subjects as requested by the City Administrator and City Council.”

Issue 2: Clarifying When Planning Commission May Begin Hosting Hybrid Meetings

Commissioner Sandoval noted that the City Council has been hosting hybrid meetings in Council Chambers and requested clarification on why that is not yet an option for Planning Commission meetings. In the staff report we noted: “Once protocols are vetted, and technologies and resources are available, the Planning Commission and its Committees will begin to host hybrid meetings.”

To further clarify, staff offers the following points around expected readiness to host hybrid meetings.

The Commission may begin hosting hybrid meetings once all the following conditions have been met:

1. Appropriate technologies have been installed and configured at City Hall to allow for hybrid meetings (which has already occurred due to the recent work by KTOP staff);
2. New Planning Commission Bylaws have been adopted that codify the policies and procedures for conducting hybrid meetings (which could occur at today’s meeting); and
3. The City has allocated sufficient resources to fund the necessary support staff* to host hybrid meetings, particularly to ensure that remote attendees can participate *in an equal manner* as in-person participants in conformity with the requirements of state law.

* NOTE: Hybrid meeting support staff would need to be sufficiently trained to perform such duties and available during the course of regularly scheduled Planning Commission meetings, and to schedule and maintain Zoom (or comparable remote platform) to facilitate such meetings.

Issue 3: Ensuring Meeting Accessibility for Persons with Disabilities

Under ARTICLE 3. MEETINGS OF THE COMMISSION of the draft Bylaws, Chair Shirazi requested that we explicitly note the City’s commitment to accessibility. Given that this topic falls naturally under the second paragraph of Article 3, staff suggests adding the following text on page 3, paragraph 2:

“All regular and special meetings of the Planning Commission shall be open to the public, and will be accessible to all persons in accordance with local, state and federal law.”

Issue 4: Providing Commissioners with Process for Requesting Remote Participation

Commissioner Randolph requested information around the process that commissioners could take to request to participate remotely. Staff notes that once the Planning Commission begins hosting hybrid meetings, commissioners may check with the Secretary or support staff for further instruction. Staff will follow established procedures in conformity with state law.

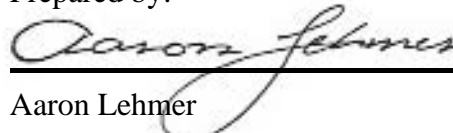
Further details on the conditions that must be met in order for commissioners to participate remotely may be found in the Oakland City Attorney's Office FAQ (see Attachment D) outlining its interpretation of [AB 2449](#) (recent state law concerning Brown Act bodies like the Planning Commission) and summarizing the requirements for conducting hybrid meetings in conformity with state law.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1.) Review revised Bylaws.
- 2.) Adopt Bylaws as revised.


Prepared by:



Aaron Lehmer

Technical Communications Specialist, Planning & Building

Reviewed by:



Catherine Payne (Dec 9, 2024 11:01 PST)

Catherine Payne

Development Planning Manager, Planning & Building

Approved for forwarding to the Planning Commission:



Edward Manasse (Dec 9, 2024 16:13 PST)

Ed Manasse

Deputy Director, Bureau of Planning, Planning & Building

ATTACHMENTS:

- A. Revised "Bylaws and Rules of Procedure of the Planning Commission of the City of Oakland" (
- B. Original Staff Report from Planning Commission meeting on May 15, 2024
- C. Rosenberg's Rules of Order
- D. "Frequently Asked Questions (FAQs) Regarding the City Council's (and Other Local Legislative Bodies') Return to In-Person Meetings and Their Members' Participation by Teleconference under the Ralph M. Brown Act, California's Open Meeting Law," issued on March 30, 2023 by Barbara Parker, Oakland City Attorney









Planning Commission Bylaws Supplemental Staff Report 12.18.2024

Final Audit Report

2024-12-09

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