

ORDINANCE 2026-###

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING TITLE 2, CHAPTER 2.28 OF THE SAN PABLO MUNICIPAL CODE PERTAINING TO THE PLANNING COMMISSION

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN PABLO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of the Municipal Code. Chapter 2.28 of the San Pablo Municipal Code is hereby stricken in its entirety and replaced with the following:

2.280.010. Establishment and purpose.

There is created and established a Planning Commission to institute and maintain standards and policies to ensure the orderly development of the community consistent with the City's adopted plans and in accordance with state and federal laws.

2.28.020. Composition and qualifications.

- A. The membership of the Planning Commission shall be comprised of five (5) commissioners.
- B. All commissioners shall be at least eighteen (18) years of age, reside within the City of San Pablo at the time of their appointment, and remain residents of the City during the term of their appointment.
- C. If a commissioner ceases to be a resident of the City of San Pablo by permanently moving from the City, the commissioner shall immediately report such move to the City Clerk and the commissioner's position shall become vacant effective on the date of the move. Such vacancy shall be filled in the same manner as the original appointment consistent with the requirements of this chapter.
- D. Notwithstanding subsection C. above, the City Council may permit a commissioner who temporarily relocates from the City during the commissioner's term to complete all or a portion of the term; provided that the commissioner has reported their temporary relocation to the City Clerk within thirty (30) days of their relocation.
- E. No councilmember, officer, or employee of the City of San Pablo may simultaneously serve on the Planning Commission.

2.28.030. Appointment of commissioners and term.

- A. The members of the Planning Commission shall be appointed by the Mayor with the approval of the City Council.
- B. Members of the Planning Commission shall serve staggered four (4) year terms. Three (3) commissioners shall have terms expiring on the last day of February in the same even-numbered year, and two (2) commissioners shall have terms expiring on the last day of February in the next even-numbered year, with such expirations alternating every two (2) years. Commissioners shall serve until the expiration of their terms and thereafter until their successors are appointed, qualified, and sworn in.
- C. Nothing in this section shall limit the City Council's ability to make appointments or reappointments for an adjusted term period to maintain a staggered term structure. In implementing this subsection, no incumbent commissioner's term shall be shortened or otherwise reduced solely for purposes of adjusting term expirations or reestablishing the staggered schedule.
- D. All commissioners shall serve without compensation, except that the Council may pay such expenses of the Planning Commission or its members as the Council deems necessary.
- E. Nothing in this section shall limit or restrict the City Council's authority to remove a commissioner as otherwise provided by this chapter.

2.28.040. Regular meetings.

The Planning Commission shall hold regular meetings on the fourth Tuesday of each month. Such regular meetings may be adjourned from time to time.

2.28.050. Special meetings.

The Planning Commission may hold special meetings at the request of City staff, or a majority of the Commission members, when determined to be in the best interests of the City.

2.28.060. Powers and duties.

The Planning Commission shall have the powers and duties prescribed by this Code and applicable provisions of the California Government Code, including, without limitation, Government Code Sections 65100 et seq.

2.28.070. Attendance standards and removal of commission members.

- A. The City Clerk shall maintain attendance records for the Planning Commission and shall periodically report such records to the City Council. Any commissioner who is absent from two (2) consecutive regular meetings without satisfactory excuse, or who is absent from more than twenty-five percent (25%) of the regular meetings held during any twelve (12) month period, may be subject to removal by the City Council. Nothing in this subsection limits the City Council's authority to remove a commissioner as otherwise provided in this section.
- B. All commissioners serve at the pleasure of the City Council. The City Council may remove any planning commissioner during the commissioner's appointive term for any reason whatsoever, including but not limited to subsection A above.

2.28.080. Scheduled recruitment.

- A. Biennially, in even-numbered years, the City Council, through the City Clerk, shall conduct recruitments for scheduled commissioner vacancies. Following each biennial recruitment, the City Council may create a list of eligible commissioner candidates. The list will be maintained by the City Clerk.
- B. For the purposes of this section, eligible commissioner candidates are those candidates that the City Council has determined to be qualified for appointment to a position on the Planning Commission at the time the candidate is added to the eligibility list. Criteria for such qualification may include, but are not limited to, expertise or in-depth knowledge in the subject matter of the Planning Commission; demonstrated leadership and commitment to public service; previous experience in serving on San Pablo boards and commissions including the candidate's commitment and attendance during the previous term; and prior experience serving on any commission or similar institution.

2.28.090. Unscheduled vacancies.

Any unscheduled vacancy on the Planning Commission may be filled by the City Council either from an established eligibility list pursuant to Section 2.28.080 above, or by open recruitment.

Section 2. Compliance with the California Environmental Quality Act (CEQA).

Approval of this Ordinance is not a "project" as defined by CEQA Guidelines Section 15378 because it is an administrative action that does not authorize any construction or other action; and, even if it is considered a project, it is exempt pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility that it will cause a significant effect on the environment.

Section 3. Severability.

If any sections, subsections, sentences, clauses, phrases or portions of this ordinance are for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause of this ordinance whether or not any one or more sections, subsections, phrases or clauses may be declared invalid or unconstitutional on their face or as applied.

Section 4. Effective Date and Publication.

This Ordinance shall become effective thirty (30) days following its adoption. The City Clerk’s Office shall publish and post the Ordinance in accordance with California Government Code section 36933.

* * * * *

First read at a regular meeting of the City Council of the City of San Pablo on May 4, 2026, 2026, and finally passed and adopted at a second meeting of the City Council held on _____, 2026, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor