

**Public Comment #37**  
**BOS RCVD 8/11/2025**

**From:** [Bob Williams](#)  
**To:** [BOS-Clerk of the Board; Planning Department](#)  
**Cc:** [Jefferson B. Billingsley; Karen L. Garner; George Turnboo](#)  
**Subject:** Public Comment BOS 8-12 #37 and PC 8-14 general  
**Date:** Sunday, August 10, 2025 2:18:49 PM  
**Attachments:** [Comment BOS item 37 Aug 12.pdf](#)

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Dear BOS Clerk of the Board and PC Clerk of the Commission,

Please include the attached public comment, respectively, to:

Board of Supervisors August 14 Agenda Item 37 comments

Planning Commission August 14, general comments

Thank you.

Bob Williams

CC

Planning Commission County Counsel - Jefferson Billingsley

Director of Planning and Building - Karen Garner

Chair, Board of Supervisors - George Turnboo

To the Clerk of the Board of Supervisors:

I write in response to the Board of Supervisors' August 12 meeting agenda item #37 from the Planning and Building Department regarding the Planning Commission by-laws and the role of the Commission. I am unable to attend in person. Please post the following as a public comment and distribute it to members of the Board and Planning Commission.

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To Honorable Members of the Board of Supervisors:

The current Planning Commission (PC) has demonstrated well-studied and unbiased deliberation of issues that reflect positively on the trust provided by the Board. Direction and guidance from the Board of Directors are increasingly important. Consider the unprecedented scope and number of the transformative proposals that will be coming before the PC and BOS in the coming months, including Specific Plans (Creekside SP, Lime Rock SP, Mable Valley SP, Gateway SP, Town & County Bass Lake SP amendment, Community for Health and Independence pre-app SP) and other major developments (Costco, Generations, etc.). The historical impacts are undeniable on the El Dorado County General Plan, transportation, population, infrastructure, and economics.

*By-Law Revision Background*

Over three months, the Planning Commission worked closely with the Planning staff and County Counsel on a revision to its By-laws that was last updated in 2019. After multiple public hearings, the Commission unanimously voted to forward the proposed revised By-Laws to the Board of Supervisors with a recommendation of adoption. Planning Director and staff publicly confirmed that the new By-laws addressed their concerns and indicated an intent to support the Resolution of Adoption.

Surprisingly, as opposed to presenting our jointly developed By-laws, the Planning staff requested an additional action calling for the Board to create an Ad Hoc committee to review the role of the Planning Commission. Planning staff enhanced or modified the Planning Commission findings without the benefit of discussion or public vetting.

The Board created an Ad Hoc Committee comprised of Supervisors Ferrero and Parlin. As Commission chair, I reached out to the Committee members to welcome their review and direction. The PC pledged full cooperation. Please let me underscore that the Planning Commission encourages direction from the Board of Supervisors.

The documentation before the Board today is represented by staff as the output from the Ad Hoc Committee, although the Committee itself offers no findings. Exhibit A is entitled "bylaws redlined." It is essential to look at Exhibit A in contrast to the PC revised By-laws as

developed by the PC, staff, and County Counsel. Exhibit A does not “redline” either the PC recommended revised By-laws or the existing 2019 version. Exhibit A provides text that is not present in either document.

To facilitate a side-by-side comparison, you will find two documents at the end of my comments: (1) a copy of the Planning Commission's full resolution and Revised By-laws, and (2) a copy of the same document containing Exhibit A's red-lined text, changes, deletions, additions, and omissions.

#### Concerns with Exhibit A Proposal

The Planning staff is recommending the adoption of Exhibit A, as opposed to the Revised By-Laws they jointly developed with the PC. As an individual Commissioner and apart from my role as Chair, I respectfully offer my opinion on the changes proposed in Exhibit A:

1. Several proposed Exhibit A changes appear to empower the staff and limit or restrict the Commission. These changes were not discussed by staff with the Commission and vetted at public hearings.
2. In Section 3 (b) the Commission found no reason to change the wording from the 2019 version. There is no objection to adding consistency with the Brown Act to the Revised By-laws version.
3. Section 5 of the Planning Commission revision was removed from Exhibit A without explanation. The PC recommended By-law's wording seeks (a) to clarify how the Planning Commission conducts business and (b) to provide a structure for research consistent with the Brown Act. This Section came about because of a request from a Supervisor to have the Commission conduct analysis and research. Another motivation was to allow for greater public participation. The staff, County Counsel, or the public concurred with the revised Section 5 during hearings. Accordingly, I urge the Board of Supervisors to approve the wording unanimously approved by the Planning Commission in the revised version of the By-laws.
4. In Exhibit A, the Commission's Section 5 is redeleted and replaced with a new Section 5 that restricts the Commission's ability to conduct research and studies *without the prior direction of the BOS*. In essence, Exhibit A's Section 5 adds a burden on the BOS to pre-approve how the Planning Commission conducts investigations, research, and deliberations *before a matter is even placed before the BOS*. A crystal ball would be required. The Exhibit A version of Section 5 defeats transparent governmental investigations. Accordingly, I urge the Board to reject this change.

5. Exhibit A Section 6 (f) is text that does not appear in either the Commission's proposed or the 2019 By-law provisions. The new language is then struck out without explanation. Exhibit A seems to have red-lined itself.
6. Exhibit A (c) is color-coded with a yellow highlight without explanation. The highlighted sentence provides a dissenting Commissioner with the ability to disclose the reasoning behind a given vote. The revised By-laws mirror the same procedure used by the Board of Supervisors to allow for dissenting comments in the records.
7. Exhibit A Section 6 (j) and (k) adds references to the new Exhibit A version of Section 5. These are unnecessary limitations.
8. Exhibit A Section 6 (k) is color-coded with a green highlight without explanation. This provision seeks to streamline the processing of an agenda item request.
9. The meaning of other color-coded red, yellow, and green highlighted text is not known.

Apart from the staff recommendation to approve Exhibit A, agenda item 37 includes additional provisions that deserve comment. First, the agenda seeks the BOS to "Direct staff to provide a final version of the approved bylaws to the Planning Commission (PC)." An action by the BOS involving the PC should not require specific delivery or interpretation. The relationship between the BOS and PC is established, and such a request by staff is unnecessary.

The staff also requests that the BOS "discuss and provide direction to the Ad Hoc Committee on review and potential revisions to the codified duties of the PC to further clarify the roles and responsibilities of the PC." By establishing itself as the intermediary between the BOS and its appointed Planning Commission, the staff suggestion is disrespectful. Further, until the By-laws are approved, the staff's proposed code changes are premature. Such code changes should also include input from the PC and the public. When codification is appropriate, it should consist of other relationships (as described in Zoning Code Section 130) between the Planning Director, Zoning Administrator, and Planning Commission. I fully endorse such an analysis by the Ad Hoc Committee with the involvement of the impacted parties.

As an added backdrop, *the revised By-laws seek to enhance communication and to provide a mechanism for greater clarity on PC findings, recommendations, and issues.* During public hearings, concerns were raised about the completeness and accuracy of staff representation about PC actions and the modification of PC findings through the addition of items that were not publicly vetted.

### Summary

In brief, I urge the Board to approve the revised By-laws as submitted by the Planning Commission. However, should the Board decide that significant changes are still warranted, please consider referring the matter back to the Planning Commission.

I also urge that the Board continue the work of an Ad Hoc committee to provide greater direction and communication with the Planning Commission. A periodic 2x2 conference could be considered. As previously done, joint sessions are an option at the discretion of the Board. The Planning staff should not be burdened with the responsibility of interpreting and defining the role of the Commission.

Let me conclude by underscoring my firm belief in the dedication and integrity of the Planning Commission and the Planning staff. Cooperation and mutual respect are the cornerstones of our service. We recognize that both groups serve at the discretion of the Board of Supervisors. Each member of the Commission has signed statements affirming that relationship and has sworn an oath to the office. We recognize the faith and responsibility shown by the Supervisor who appointed us and by the Board that unanimously approved our appointment.

Thank you for the opportunity to provide comments.

Respectfully,

Bob Williams

District 2 Planning Commissioner and Chair of the Commission

THE FOLLOWING FIVE PAGES  
ARE THE PLANNING COMMISSION  
RESOLUTION AND REVISED BY-LAW



## **RESOLUTION NO. 25-01**

### **OF THE PLANNING COMMISSION OF THE COUNTY OF EL DORADO**

#### **A RESOLUTION AMENDING THE PLANNING COMMISSION BYLAWS**

**WHEREAS**, El Dorado County Code Section 2.20.650 requires the Planning Commission to adopt bylaws providing rules that may be necessary for the transaction of the business of the Commission; and

**WHEREAS**, Section 5.1. of the Planning Commission Bylaws provides that said bylaws may be repealed, amended, or added to by resolution; and

**WHEREAS**, the Planning Commission has determined that said Bylaws need to be amended to reflect changes in procedures and to further clarify the rules that apply to conducting the Planning Commission's business.

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Commission hereby amends its Bylaws as provided in Exhibit A attached hereto and said amendments shall become effective upon approval by the Board of Supervisors.

**PASSED AND ADOPTED** by the Planning Commission of the County of El Dorado at a regular meeting of said Commission, held the 24th day of April, 2025, by the following vote of said Commission:

AYES: Hansen, Spaur, Williams, Frega, Costello

NOES: None

ABSENT: None

ATTEST:

\_\_\_\_\_  
Clerk of the Planning Commission

\_\_\_\_\_  
Chair, Planning Commission

## EXHIBIT A - PLANNING COMMISSION BYLAWS



### PLANNING COMMISSION of the COUNTY OF EL DORADO **BYLAWS**

#### **1. AUTHORITY AND DEFINITIONS**

The following Bylaws of the Planning Commission of the County of El Dorado, hereinafter referred to as the Commission, are hereby adopted pursuant to Section 65102 of the Government Code of the State of California and Section 2.20.650 of the El Dorado County Code.

#### **2. OFFICE**

The principal office of the Commission shall be at the El Dorado County Government Center, 2850 Fairlane Court, Placerville, California.

#### **3. MEETINGS**

- a. Regular meetings of the Commission shall be held at the principal office of the Commission, starting at 9:00 a.m. on the second and the fourth Thursday of each month. When this falls on a legal holiday, the meeting shall be held at a date set at least 30 days in advance by a majority of the Commission unless cancelled.
- b. Special meetings of the Commission may be called by the Chair or any three members of the Commission by notifying the Executive Secretary, stating the purpose, time, and place of the meeting at least 96 hours before the time set forth. The Executive Secretary shall thereupon notify each member of the purpose, time, and place of the meeting at least 72 hours before the time of the meeting. An agenda of said meeting shall be posted at least 72 hours prior to the meeting, and notice of a special meeting shall also be given to the news media.



## EXHIBIT A - PLANNING COMMISSION BYLAWS

- c. Meetings may be adjourned to another time and place by the Chair with majority concurrence. The Chair shall give public notice of the time and place during the meeting so adjourned.

### 4. **OFFICERS**

- a. The officers of the Commission shall consist of a Chair, First Vice Chair, Second Vice Chair, and an Executive Secretary.
- b. The Chair, First Vice Chair, and Second Vice Chair shall be elected for a one-year term from and by the voting members of the Commission at the second regular meeting in January of each year and shall take office at the next regular meeting. Vacancies shall be filled in the same manner at the first meeting immediately following the time the vacancy occurs.
- c. The Chair shall act as the presiding officer at all meetings of the Commission.
- d. In the absence of the Chair, the First Vice Chair shall preside and exercise all the duties of the Chair. In the absence of both the Chair and First Vice Chair, the Second Vice Chair shall act as Chair until the return of the Chair or First Vice Chair.
- e. The Planning and Building Department Director shall be ex-officio Executive Secretary of the Commission. The Executive Secretary shall be responsible for the preparation and publication of an agenda and for the keeping of minutes, and shall deliver, correspondence, reports, and other matters on behalf of the Commission. The Executive Secretary will sign the claims for expenses of the Commission.

### 5. **SPECIAL ASSIGNMENTS AND COMMITTEES**

- a. The Commission may establish special research and review assignments or committees on an Ad Hoc or Standing basis.
- b. Assignments and committees shall not examine, research, or report on individual development projects or pending applications but items of general policy interest.
- c. Findings and reports of special research and review shall be filed with the Executive Secretary and Chair as a proposed future agenda item.

### 6. **PROCEDURES**

- a. Meetings shall be conducted in such manner as the Chair directs within the rules herein set forth and any regularly adopted agenda therefore.

## EXHIBIT A - PLANNING COMMISSION BYLAWS

- b. A majority of the Commission shall constitute a quorum for the transaction of business. Majority shall mean three or more members of the total Commission membership of five members. The only action which can be taken at a meeting attended by less than a quorum is to adjourn the meeting to a certain day and time or indefinitely.
- c. To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law.
- d. Members of the Commission who are unable to attend a meeting shall, if possible, to inform the Chair, Executive Secretary, or Clerk in advance of said meeting in order to determine a quorum in advance.
- e. Voting shall be by roll call. Except on hearing items, the Chair may elect to call for "all in favor" or "any opposed" verbal vote. All officers of the Commission, except for the Executive Secretary, shall be able to vote. Any Commissioner voting in the minority on an item may request that their rationale be included in the meeting minutes and conveyed to the Board of Supervisors.
- f. Any question of procedure not governed by the rules herein set forth, shall be decided in accordance with the latest revised edition of Rosenberg's Rules of Order.
- g. The Commission, by motion, may suspend or vary the application of these rules with regard to any proceedings or to any particular problem before the Commission.
- h. The agenda of all upcoming Planning Commission meetings, including cancellations, will be coordinated with the Chair prior to being published for the public.
- i. By majority vote of the Planning Commission, the Commission may agendize items through the Resolution of Intention process (used for hearing items, i.e., rezoning initiated by the Commission, ordinance amendments initiated by the Commission, etc.).
- j. By majority vote of the Planning Commission, items discussed during Public Forum may be agendized for further discussion and/or action. These items will be placed on the next available agenda.
- k. Any Commissioner may request of the Executive Secretary to place a proposed agenda item before the Commission for a majority vote on agendizing the proposed item for a future meeting.
- l. The Commission may repeal, amend, or add to these rules by resolution.

## EXHIBIT A - PLANNING COMMISSION BYLAWS

Adopted by the Planning Commission  
of the County of El Dorado on  
March 26, 1970

Amended on: March 1971  
December 28, 1976  
March 14, 1978  
March 31, 1981  
April 30, 1996  
October 11, 2016  
September 10, 2019

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Chair, Planning Commission

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Executive Secretary of the Commission

THE FOLLOWING PAGES  
CONTAIN THE RESOLUTION  
AND REVISED PC BY-LAWS  
INCLUDING THE ADDITIONS.  
OMISSIONS, DELECTIONS,  
STRICK-OUT TEXT, AND  
COLOR-CODED HIGHLIGHT  
REFLECTED IN EXHIBIT A



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Clerk of the Planning Commission

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- b. Special meetings of the Commission may be called ~~by the Chair or any three members of the Commission by notifying the Executive Secretary, stating the purpose, time, and place of the meeting at least 96 hours before the time set forth. The Executive Secretary shall thereupon notify each member of the purpose, time, and place of the meeting at least 72 hours before the time of the meeting. An agenda of said meeting shall be posted at least 72 hours prior to the meeting, and notice of a special meeting shall also be given to the news media.~~ **in accordance with the procedures of the Brown Act.**

## EXHIBIT A - PLANNING COMMISSION BYLAWS

- c. Meetings may be adjourned to another time and place by the Chair with majority concurrence. The Chair shall give public notice of the time and place during the meeting so adjourned. If no members of the Commission are present, the Executive Secretary or designee may adjourn the meeting. Meetings may be cancelled by the Executive Secretary if there are no items for Commission review by posting a notice Commission review by posting a notice of cancellation under the

### 4. OFFICERS

- d. Commission agendas shall not be published earlier than 13 calendar days prior to a regular meeting.
- a. The officers of the Commission shall consist of a Chair, First Vice Chair, Second Vice Chair, and an Executive Secretary.

- b. The Chair, First Vice Chair, and Second Vice Chair shall be elected for a one-year term from and by the voting members of the Commission at the second regular meeting in January of each year and shall take office at the next regular meeting. Vacancies shall be filled in the same manner at the first meeting immediately following the time the vacancy occurs.

- c. The Chair shall act as the presiding officer at all meetings of the Commission.
- d. In the absence of the Chair, the First Vice Chair shall preside and exercise all the duties of the Chair. In the absence of both the Chair and First Vice Chair, the Second Vice Chair shall act as Chair until the return of the Chair or First Vice Chair.
- e. The Planning and Building Department Director shall be ex-officio Executive Secretary of the Commission. The Executive Secretary shall be responsible for the preparation and publication of an agenda and for the keeping of minutes, and shall deliver, correspondence, reports, and other matters on behalf of the Commission. The Executive Secretary will sign the claims for expenses of the Commission.

## 5. RESEARCH ASSIGNMENTS AND STUDY SESSIONS

### 5. SPECIAL ASSIGNMENTS AND COMMITTEES

- a. ~~The Commission may establish special research and review assignments or committees on an Ad Hoc or Standing basis.~~
- b. ~~Assignments and committees shall not examine, research, or report on individual development projects or pending applications but items of general policy interest.~~
- c. ~~Findings and reports of special research and review shall be filed with the Executive Secretary and Chair as a proposed future agenda item.~~  
Research assignments, study sessions, or associated activities by the Commission, or an ad hoc or standing committee of the Commission, shall be undertaken solely at the direction of the Board of Supervisors.

### 6. PROCEDURES

- a. Meetings shall be conducted in such manner as the Chair directs within the rules herein set forth and any regularly adopted agenda therefore.

## EXHIBIT A - PLANNING COMMISSION BYLAWS

- b. A majority of the Commission shall constitute a quorum for the transaction of business. Majority shall mean three or more members of the total Commission membership of five members. The only action which can be taken at a meeting attended by less than a quorum is to adjourn the meeting to a certain day and time or indefinitely.
- c. To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law.
- d. Members of the Commission who are unable to attend a meeting shall, if possible, to inform the Chair, Executive Secretary, or Clerk in advance of said meeting in order to determine a quorum in advance.
- e. Voting shall be by roll call. Except on hearing items, the Chair may elect to call for "all in favor" or "any opposed" verbal vote. All officers of the Commission, except for the Executive Secretary, shall be able to vote. Any Commissioner voting in the minority on an item may request that their rationale be included in the meeting minutes and conveyed to the Board of Supervisors.
- f. Any question of procedure not governed by the rules herein set forth, shall be decided in accordance with the latest revised edition of Rosenberg's Rules of Order.
- g. The Commission, by motion, may suspend or vary the application of these rules with regard to any proceedings or to any particular problem before the Commission.
- h. The agenda of all upcoming Planning Commission meetings, including cancellations, will be ~~coordinated~~discussed with the Chair prior to being published for the public.
- i. By majority vote of the Planning Commission, the Commission may agendize items through the Resolution of Intention process (used for hearing items, i.e., rezoning initiated by the Commission, ordinance amendments initiated by the Commission, etc.).  
Subject to the restrictions in Section 5,
- j. By majority vote of the Planning Commission, items discussed during Public Forum may be agendized for further discussion and/or action. These items will be placed on the next available agenda.  
Subject to the restrictions in Section 5,
- k. Any Commissioner may request of the Executive Secretary to place a proposed agenda item before the Commission for a majority vote on agendizing the proposed item for a future meeting.
- l. The Commission may repeal, amend, or add to these rules by resolution.



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September 10, 2019

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Chair, Planning Commission

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Executive Secretary of the Commission

**From:** [John Davey](#)  
**To:** [BOS-District I](#); [BOS-District II](#); [bosthree@edcgov.us](mailto:bosthree@edcgov.us); [BOS Four](#); [BOS-District V](#); [BOS-Clerk of the Board](#)  
**Subject:** August 12, 2025 BOS Meeting Agenda Item 37: Planning Commission Bylaws  
**Date:** Monday, August 11, 2025 2:33:17 PM  
**Attachments:** [El Dorado County Board of Supervisors- Aug 12 2025 Meeting Agenda Item 37.pdf](#)

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Hello,

I would like to submit the attached public comments in regards to the August 12 Board of Supervisors Meeting, agenda item 37.

Warm regards,  
John.

**John Davey**  
**Cell 916-752-8183**

El Dorado County Board of Supervisors

August 11, 2025

RE: Tuesday August 12, 2025 Board Of Supervisors meeting.

**Agenda Item 37**

**Concerns Regarding Proposed Amendments to Planning Commission Bylaws (Agenda Item: Planning and Building Department, Planning Division)**

Dear Supervisors,

I am writing to express my perspective as a long-time county resident and active participant in community development project reviews, regarding the proposed amendments to the Planning Commission's Bylaws, as presented in your current agenda. I recognize and respect the dedication of both the Planning Commission and the Planning Department staff, and it is with a commitment to transparent and effective local governance that I offer these comments.

I understand that the Planning Commission, in close collaboration with Planning staff and County Counsel, diligently worked over several months to revise its Bylaws. My understanding is that this collaborative effort resulted in a version that the Commission unanimously recommended for adoption, with public acknowledgment from staff that their concerns had been addressed.

However, I am concerned that the version now before you, particularly **Exhibit A**, appears to contain significant modifications and additions that were not part of the version jointly developed and publicly vetted. It seems this document introduces new language that was not previously discussed by the Planning Commission or presented during public hearings. The essence of good governance relies on transparent processes and opportunities for public input, and such unvetted changes raise questions about that transparency.

Specifically, some of the proposed changes in Exhibit A seem to **realign authority, potentially limiting the Planning Commission's established duties and empowering staff roles** without clear rationale or public discussion. For example, concerns have been raised about language that might restrict the Commission's ability to independently conduct research and deliberate on complex matters without prior direction from the Board. If the Planning Commission's capacity for independent investigation and thorough review is constrained, it could hinder their ability to provide comprehensive recommendations and effectively represent the community's interests. This could also inadvertently place additional burdens on the Board by requiring a Magic-8-Ball of understanding of future topics before they are fully explored, or considered by the Commission.

Additionally, the suggestion from staff to position themselves as an intermediary between the Board and its appointed Planning Commission, particularly regarding future codified duties, appears premature and potentially undermines the direct relationship that should exist. Any discussions about clarifying the Planning Commission's roles and responsibilities, or amending

codified duties, should directly involve the Commission itself, as well as relevant public input, and should follow the adoption of the foundational Bylaws.

Therefore, I respectfully urge the Board of Supervisors to adopt the revised Bylaws as unanimously submitted by the Planning Commission. This version represents a collaborative and publicly vetted effort.

Should the Board determine that further significant revisions are genuinely warranted, I strongly advocate for the matter to be referred back to the Planning Commission for their direct input and discussion. This would ensure that all proposed changes receive the proper public vetting and Commission consensus they deserve.

Finally, I would support the continued work of an Ad Hoc Committee to enhance communication and direction between the Board and the Planning Commission. However, this interaction should be direct, perhaps through additional periodic joint sessions or 2x2 conferences, rather than interpreted or mediated by staff. The Planning Commission, as an appointed body, is directly accountable to the Board, and therefore to County residents, and maintaining clear, direct lines of communication is paramount. Clearly this suggestion is not to facilitate specific project review or discussion, but to address the framework of how project review should be conducted, and what the direct expectations are of the Board of Supervisors, as well as the support that the the appointed Planning Commissioner require to provide thoughtful and considered advisory findings to the Board, as well as to elicit the concerns of residents as projects are reviewed.

Respectfully,

John Davey  
El Dorado Hills, CA.