

RULES OF PROCEDURES FOR THE CITY OF CEDAR PARK PLANNING AND ZONING COMMISSION

Rule 1.1 Regular Meetings. Regular meetings of the Planning and Zoning Commission (“Commission”) will generally be held on the third Tuesday of each month, beginning at 6:30 p.m. Public notice of all regular meetings of the Commission shall be given as required by the Texas Government Code Chapter 551, as amended (“Texas Open Meetings Act”).

Rule 1.2 Special Meetings. Special meetings of the Commission may be held on such dates and at such times as called by the Chair or, in their absence, the Vice Chair. Public notice of all special meetings of the Commission shall be given as required by the Texas Open Meetings Act.

Rule 1.3 Work Sessions. The Commission may hold work sessions as needed. The Commission work sessions may be held at such other times as may be necessary or beneficial. Public notice of all Commission work sessions shall be given as required by the Texas Open Meetings Act.

Rule 1.4 Joint Meetings. The Commission may hold joint meetings with the City Council or other boards, commissions or task forces in addition to their other meetings. Public notice of all joint meetings shall be given as required by the Texas Open Meetings Act.

Rule 1.5 Location of Meetings and Work Sessions. All regular meetings, special meetings, joint meetings and work sessions of the Commission shall be held at the Cedar Park City Council Chambers unless the Chair (a) determines that an irresolvable scheduling conflict exists in the use of the Cedar Park City Hall; and (b) promptly notifies the Commission.

Rule 1.6 Delivery of Minutes to City Secretary. The Commission shall promptly deliver to the City Secretary all minutes of regular meetings, special meetings, joint meetings, work sessions, and retreats upon approval thereof.

Rule 1.7 Commission Reports. The Chair of the Commission or their designee shall report to the City Council on the activities of the Commission at such time as may be directed by the City Council.

Rule 1.8 Policy Directives. The City Council is ultimately responsible for the establishment of City policies. The Commission is cognizant of the City Council’s primary responsibility to establish, approve, disapprove, or modify the City’s policies. The Commission shall ensure that any policy directive initiated by the Commission is reported to and approved by the City Council before issuance of any such policy directive.

Rule 1.9 Rules and Procedures. Upon an affirmative vote, these Rules and Procedures, and any amendments thereto, shall be forwarded to the City Council for their review and approval. Upon the City Council’s approval, the Rules and Procedures, or any amendments thereto, shall become effective. The Commission shall conduct all meetings in accordance with these Rules of Procedure except that, upon the request of any member, the most current form of Robert’s Rules of Order shall be followed for the designated item before the Board.

Rule 1.10 Attendance. A position on the Commission shall become vacant if a Commissioner fails to attend either: a) three (3) consecutive; or b) more than fifty percent (50%) of all Commission meetings during any twelve (12) month period from appointment or reappointment. Attendance shall be taken and noted by the Chair at the beginning of all meetings.

Chapter 2: Agenda

Rule 2.1 Preparation of the Agenda. The Chair or, in their absence, the Vice Chair is responsible for preparing or ensuring the preparation of the Agenda for each meetings, work session, retreat, or seminar.

Rule 2.2 Agenda Categories for Commission Meetings. For each Commission meeting, the Agenda may contain any of the following categories:

- a. Call to Order;
- b. Pledge of Allegiance;
- c. Comprehensive Plan Amendments;
- d. Zoning Public Hearings and Commission Recommendations;
- e. Subdivision (Action and Public Hearings);
- f. Conditional/Special Use Permits (Action and Public Hearings);
- g. Ordinance Amendments Public Hearings and Commission Recommendations;
- h. Discussion and Possible Action;
- i. Administrative Items;
- j. Adjournment

The categories listed above are demonstrative and are not meant or intended to be exclusive.

Rule 2.3 Consent Agenda. Any item on the Consent Agenda shall be removed at the request of a single Member. A request for removal from the Consent Agenda may be made (a) in writing directed to the Chair and distributed to the Commission; or (b) verbally during Commission's discussion and action on the Consent Agenda. Any item removed from the Consent Agenda shall be considered as a separate action item at the meeting on which such item appears on the Consent Agenda.

Rule 2.4. Placement of Agenda Items by Commissioners. Any Commissioner may request the placement of any item on the Agenda. Any Agenda item so requested shall bear the requesting Commissioner's name on each occasion at which the item appears on the Agenda. A Commissioner may request the placement of any item on the Agenda (a) during Commissioners Comments; or (b) in writing directed to the Chair and distributed to the Commission.

Rule 2.5 Public Availability of Agenda. The Commission Agenda and a copy of the packet distributed to the Commission shall be made available to the public on the City's website.

Rule 2.6 Description of Certain Agenda Items. For each Agenda item requiring consideration and/or action by the Commissioners, excluding items on the Executive Session Agenda, the Agenda and/or supporting materials shall (a) reflect a brief substantive description of the matter for consideration

and/or action, (b) identify the staff resource person(s) responsible for the item, and (c) if appropriate, provide a staff recommendation or proposal for action.

Chapter 3: Conduct of Meetings

Rule 3.1 Officers. The Officers of the Commission shall consist of a Chair, Vice Chair, and Secretary. The Officers of the Commission shall be elected on an annual basis by majority vote of the Commission at the regular scheduled meeting in August or the first meeting thereafter. Terms of office shall be one (1) year. An officer may be reelected for an additional one (1) year term but no individual shall serve for more than two (2) consecutive terms serving in the same office, unless such officer is a City employee, in which case the officer is not subject to term limits. All officers shall be subject to removal from office at any time by a vote of the majority of the entire Commission after such item has been properly requested to be placed on the agenda. A vacancy in the office of any officer shall be filled by a vote of a majority of the Commission.

Rule 3.2 Powers and Duties of the Chair. The Chair shall preside at all meetings of the Commission. The Chair shall have the power to sign and execute all appropriate documents as the Chair of the Commission. The Chair shall have general and active management of the business of the Commission and shall perform all the duties usually incident to the office of the Chair. If the Secretary is unable to attend any meeting, the Chair or Vice Chair may appoint an acting Secretary for purposes of such meeting.

Rule 3.3 Vice Chair. The Vice Chair shall have such powers and duties as may be prescribed by the Commission and shall exercise the powers of the Chair during that officer's absence or inability to act. Any action taken by the Vice Chair in the performance of the duties of the Chair shall be conclusive evidence of the absence or inability to act by the Chair at the time such actions was taken.

Rule 3.4 Secretary. The Secretary shall attest to the minutes of all meetings of the Commission if approved by the Commission, and cause such minutes to be maintained in books provided for that purpose. The Secretary may sign with the Chair, or Vice Chair, in the name of the Commission, all appropriate documents, and shall in general perform all the duties incident to the Office of Secretary. Copies of the executed minutes of the Commission shall be filed with the City Secretary. Official Records of the Commission, including agenda and minutes of all Commission meetings shall be maintained and on file with the Development Services Department. The Commission may appoint as Secretary any City employee.

Rule 3.5 Rules of Procedure. The Commission shall determine its own rules of procedure, voting, and order of business except that, upon request of any member, the most current form of Robert's Rules of Order shall be followed for the designated item before the Commission.

Rule 3.6 Parliamentarian. The City Attorney or any Assistant City Attorney shall serve as parliamentarian for the Commission, and shall construe all applicable procedural rules liberally.

Rule 3.7 Applicant Discussions. Individual Commissioners shall not meet with or discuss with any Applicant issues subject to the regulation or authority of the Commission except within the confines of properly posted and noticed meetings.

Rule 3.8 Applicant Presentation. With the exception of the Consent Agenda, Applicant, or their agent, shall make any presentation necessary for a public hearing or before consideration of a possible action item. Unless modified by the Commission, such presentation shall follow any presentation made by City staff.

Rules 3.9 Presentation by City Staff. With the exception of the Consent Agenda, City staff shall make any presentation necessary for a public hearing or before consideration of a possible action item.

Rule 3.10 Written Presentation by City Staff. For each request submitted to the Commission for consideration and action, the following material shall be provided to the Commission: applicant's documents, staff report, map and any written citizen communications received by staff.

Rule 3.11 Public Presentation. During any public hearing on any matter before the Commission, and after any presentation by the Applicant, or their agent, and City staff, any other member of the public who desires to address the Commission may do so, provided that (a) they limit such presentation to three (3) minutes, and (b) they fill out and present a registration card for each Agenda item prior to addressing the Commission. Once a public hearing is closed there shall be no further citizen communication on that item without the unanimous consent of the Commissioners present. In addition, a member of the public, upon the unanimous consent of the Commissioners present, may speak to any agenda item for three (3) minutes upon filling out a registration card.

Rule 3.12 Citizen Communications. Any member of the public who desires to address the Commission during Citizen Communications may do so, provided that (a) they limit such presentation to three (3) minutes, and (b) they register prior to addressing the Commission.

Rule 3.13 Registration. The registration referred to in Rules 3.11 and 3.12 shall include the following information: (a) full name; (b) business or residential address; (c) business or residential telephone number; (d) representation; (e) Agenda item or topic; and (f) brief statement of position [e.g. for or against an Agenda item or summary of communication].

Rule 3.14 Expansion of Time for Public Presentation and Citizen Communications. The Chair may expand the time limit set forth in Rules 3.11 and 3.12 for up to an additional one (1) minute if the presenter requests an extension unless a Commissioner objects. In the event of a Commissioner's objection to a request for extension, the Commission shall vote to approve or disapprove the request for extension. The giving or transferring of a person's three minutes to another is prohibited.

Rule 3.15 Time Keeper. The City Attorney and/or City Staff shall serve as time keeper for any citizen communication made to the Commission.

Rule 3.16 Repetitive Presentations. The Chair may deny any citizen the opportunity to address the Commission if the presentation made or offered is repetitive of a communication previously made.

Rule 3.17 Commission Vote. The Secretary or their assignee shall maintain, and the minutes shall reflect, the votes made by the Commission in open meeting.

- (a) Consent Agenda. The Commission shall vote on the Consent Agenda by voice vote or by a show of hands as directed by the Chair.
- (b) Separate Action Items. All votes shall be by voice vote or show of hands, unless a motion for a division of the assembly is approved by the Commission. In the event of a division of the assembly, the Commission Secretary or their assignee shall poll the Zoning Commission as directed by the Chair.
- (c) An affirmative vote of four (4) commissioners is required for a recommendation to City Council and for approval of items that the Commission is authorized to approve by law.

Rule 3.18 Executive Session; Certified Agenda. All executive sessions shall be recorded by certified agenda in conformity with the Texas Open Meetings Act.

CITY COUNCIL PASSED AND APPROVED this 26th day of July 2018.