



Legislation Details (With Text)

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**File created:** 7/2/2019      **In control:** Planning and Zoning Commission

**On agenda:** 7/8/2019      **Final action:**

**Title:** Discussion regarding Planning and Zoning Commission meeting procedures and participation.

**Sponsors:**

**Indexes:**

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**Attachments:** 1. City Council staff report (dated March 19, 2019) and adopted Ordinance 3563

Date	Ver.	Action By	Action	Result
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**Discussion regarding Planning and Zoning Commission meeting procedures and participation.**

BACKGROUND:

On April 2, 2019 with the adoption of Ordinance 3563, City Council restructured the Planning and Zoning Commission from eight regular appointed members, to seven regular members plus two alternates. The alternate positions were implemented to allow new members to become familiar with the roles and duties of the respective board/commission to which they were appointed, in preparation for potential appointment as a regular member. As a result of the Commission’s structure change, staff will review with the Commission the role of the alternate members and their participation. (See also Ordinance 3563, Section 1.B., attached.)

Consistent meeting participation is important while serving on the City’s boards and commissions, and this has been reemphasized by Council with the adoption of Ordinance 3563. The new ordinance provides for Council review of appointed members’ absences. (Refer to Ordinance 3563, Section 1.A., attached.) The City Secretary’s office has provided the following guidance for excused absences while serving on a board/commission:

(from the City’s Code of Ethics Ordinance for Mayor and City Council attendance)

The City Council generally finds that personal illness, family emergencies, military absences, family weddings, family graduation exercises, and bona fide business and vacation trips constitute good cause for nonattendance at council meetings. Whether good cause exists for any other absence shall be determined by vote of the entire City Council at the next regular meeting following the absence. The vote shall be taken after sufficient information is received explaining the reason for the councilmember’s absence.

Lastly, House Bill 2840 was recently adopted by the State of Texas providing for the right of the public to speak at meetings for quasi-judicial boards, including the Planning and Zoning Commission. The Commission has consistently allowed for public participation at its meetings regardless if an item is posted as a public hearing or not during their regular meeting.

Effective September 1, 2019, the new legislation provides the opportunity for interested persons to speak at study session meetings or regular meetings related to an item on the agenda. The legislation also allows for the Commission to adopt reasonable rules regarding the public's right to address the Commission, including rules that limit the total amount of time that a member of the public may address the Commission on a given item. Additionally, the Commission is not allowed to take action or discuss any subject that is not posted on the agenda, and may request for an item to be placed on a future agenda for discussion.

ACTIONS:

No action required.

ATTACHMENTS:

1. City Council staff report (dated March 19, 2019) and adopted Ordinance 3563