

**CITY OF MANSFIELD
PLANNING AND ZONING COMMISSION
RULES OF PROCEDURE**

Section 1.01 General Rules

- (a) Meetings to be Public: Every regular, special or called meeting of the Commission shall be open to the public; provided, meetings need not be open to the public under the conditions prescribed in V.T.C.A., Government Code, Chapter 551, Texas Open Meetings Acts.
- (b) Public Attendance at Meetings: The public is welcome to attend regular meetings, except for items excluded from Texas Open Meetings Acts requirements. The Commission may meet in closed meeting for consultation with the Commission's attorney as permitted by Section 551.071 of V.T.C.A., Government Code, Chapter 551.
- (c) Participation at Public Meetings: The public is not permitted to participate in or interrupt any discussion, unless invited by the Chair or presiding officer to participate.
- (d) Quorum: Four (4) members of the Commission shall constitute a quorum.
- (e) Attendance at Meetings: Each member of the Commission shall be expected to attend all official meetings unless excused by the Chair. Members who cannot attend the meeting shall contact the Chair or appropriate staff member concerning his or her absence prior to the meeting. Three consecutive unexcused absences or failure to attend a minimum of eighty (80) percent of all Commission meetings and workshops during any fiscal year will result in automatic removal from the Planning and Zoning Commission. Excused absences that have been approved by the Chair shall not be computed as an absence in calculating the percentage of attendance. A member shall be considered absent if not present for 2/3 of the meeting.
- (f) Conflict of Interest: Members of the Commission are governed by the Code of Ethics of the City of Mansfield, as well as Chapter 171 of the Texas Local Government Code.
- (g) Minutes of Meetings: Accurate minutes of all proceedings of the Commission shall be kept by the Planning and Zoning Secretary.
- (h) Questions to Contain One Subject: Any vote of the Commission shall pertain only to one subject.
- (i) Right of Floor: Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to the subject under consideration or to be considered. No member shall be allowed to speak more than once on any one subject until every member wishing to speak shall have been heard.

- (j) Director of Planning: The Director of Planning of the City of Mansfield, or his or her designee, shall be permitted to attend all meetings of the Commission and shall have the right to take part in all discussions of the Commission, subject to these rules, but shall have no vote.
- (k) City Attorney: The Commission may request the City Manager to arrange for the City Attorney to attend any meeting of the Commission for the purpose of providing advise on questions of law or litigation.
- (l) Rules of Order: These Rules of Procedure shall govern the proceedings of the Commission. On all questions of procedure and parliamentary law not covered by these rules, Robert's Rule of Order, latest revision shall govern.
- (m) Suspension of Rules: Any provisions of these rules not governed by other law may be temporarily suspended by a two-thirds vote of all members of the Commission.
- (n) Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Commission, provided that the proposed amendments or new rules shall been introduced in the record at a prior Commission meeting.

Section 1.02 Meetings

- (a) Regular Meetings: The Commission shall meet at the City of Mansfield Municipal Complex at 6:30 p.m. on the first and third Mondays unless otherwise officially established and noticed by the Commission. The Commission shall meet not less than once each month. Workshops may be scheduled in conjunction with the regular meeting or on the call of the Chair.
- (b) Special Meetings: Special meetings may be called by the Chair, or in the event of his absence, the Vice Chair.
- (c) Recessed Meetings: Any meeting of the Commission may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular meeting.
- (d) Notice of Meetings: The notice of all meetings shall be given in compliance with V.T.C.A., Government Code, Chapter 551.

Section 1.03 Chair and Duties

- (a) Election of Chair: The Chair shall be elected by a majority vote of Commission members present and voting. According to Section 10.01 of the City Charter, the Chair shall serve only two (2) consecutive years as Chair. The Director of Planning shall receive direction from the City Council on the election of the Chair and shall handle the proceedings for the election of Chair. The election of the Chair shall not occur prior to the Director of Planning receiving direction from the City Council.

- (b) Election of Vice Chair: The Vice-Chair shall be elected by a majority vote of Commission members present and voting.
- (c) Chair: The Chair, if present, shall preside at all meetings of the Commission. In his or her absence, the Vice Chair shall preside. In the event of the absence of both, the Commission shall elect its Chair for that meeting.
- (d) Call to Order: The meetings of the Commission shall be called to order by the presiding officer.
- (e) Preservation of Order: The Chair shall preserve order and decorum, prevent personalities or the impugning of members or staff motives, and confine discussions to the question before the Commission.
- (f) Points of Order: The Chair shall determine all points of order, subject to the right of any member to appeal to the Commission. If any appeal is taken, the question shall be: "Shall the decision of the Chair be sustained?"
- (g) Questions to be Stated: The Chair shall state all questions submitted for a vote and announce the result.
- (h) Limit Debate: The chair may limit the discussions and debates of the members of the Commission, when, in his or her opinion, the press of the business of the Commission requests same. The limits shall be placed at such time and in such manner that all Commission members shall be given an equal opportunity to be heard.

Section 1.04 Order of Business

- (a) Agenda: The order of business of each meeting shall be as contained in the agenda prepared by the Director of Planning or his or her designee.
- (b) Comments by Citizens: Citizen comments on public hearing items will be received during the public hearings. Citizens wishing to comment on regular agenda items and items not on the agenda may present statements during the "Citizen Comments" portion of the agenda. Any citizen wishing to comment must fill out a card at the entrance to the City Council Chamber and will be allowed up to five (5) minutes per person.
- (c) Comments by Members of Commission or Staff: A comment session will be provided towards the end of the agenda. These items will be titled Commission Comments and Staff Comments.
- (d) There will be no deliberation of any subject during any comment session except for a decision on whether it should be placed on a future meeting agenda. The consent of at least three (3) Commission members is required for any item to be scheduled on a future meeting agenda.

Section 1.05 Voting Procedures

- (a) Majority Vote Required: Approval of all matters and motions before the Commission shall require the affirmative vote of a majority of all members of the Commission present and voting
- (b) Recording of Votes: Votes shall be entered into the official record of the Commission.
- (c) Tie Vote: In the event of a tie in votes on any motion, the motion shall be considered denied. On matters where the Commission is required to issue a recommendation to the City Council, an affirmative vote of the majority of the Commission members present and voting is necessary for approval of said item.
- (d) Voting required: Every member of the Commission shall be required to vote except on matters involving the consideration of his or her own official conduct, or where his participation is prohibited by state or local regulations. The Chair may vote on any matter except those involving the consideration of his official conduct, or where his participation is prohibited by state or local regulations, but in no event shall he or she be required to vote.
- (e) Order of Precedence of Motions: See Exhibit A for the order of precedence of motions.
- (f) Withdrawal of Motions: A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been stated by the Chair. If the mover modifies his motion, the seconded may withdraw his second. After the question has been stated, the mover shall neither withdraw nor modify it without the consent of the Commission.
- (g) Amendments to Motions: No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment. A motion to amend shall be in order, but one to amend an amendment shall not be in order.

Section 1.06 Creation of Committees

- (a) Commission Committees: The Commission may, as the need arises, authorize the appointment of “ad hoc” Commission committees. The Chair shall appoint the members of such committees, subject to the approval of the Commission. Any committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Commission.

Section 1.07 Time Limits on Public Hearings

- (a) Public Hearing Time Limits: Anyone wishing to speak for or against proposed zoning changes must fill out a card at the entrance to the Council Chambers. The proponent will be allowed fifteen (15) minutes for presentation; all other speakers for or against will be allowed five (5) minutes each. The proponent is allowed five (5) minutes for rebuttal.

During the rebuttal portion of the hearing, no new testimony shall be introduced except in direct response to questions by the Commission.

Originally adopted on May 18, 1998

Revised on July 7, 2003

EXHIBIT A

To Do This:¹	You Say This:	May you Interrupt Speaker?	Must be Seconded?	Is the Motion Debatable?	Is the Motion Amendable?	What Vote is Required?
Adjourn the meeting	I move that we adjourn.	No	Yes	No	No	Majority vote
Recess the meeting	I move that we recess until...	No	Yes	No	Yes	Majority vote
Complain about noise, condition of room	Point of privilege	Yes only if emergency	No	No	No	No vote required, chair rules
Suspend further consideration of something	I move we table it ²	No	Yes	No	No	Majority vote
End debate	I move the previous question	No	Yes	No	No	2/3 vote
Postpone consideration of something	I move we postpone this matter until...	No	Yes	Yes	Yes	Majority vote
Have something studied further	I move we refer this matter to a committee	No	Yes	Yes	Yes	Majority vote
Amend a motion	I move that this motion be amended by...	No	Yes	Yes	Yes	Majority vote
Introduce business (a main motion)	I move that...	No	Yes	Yes	Yes	Majority vote
Object to procedure or to a personal affront	Point of order	Yes	No	No	No	No vote required, Chair rules
Request Information	Point of Information about...	Yes only if urgent	No	No	No	No vote required
Ask for a vote by actual count to verify a voice vote. ²	I move that we have a counted vote	No	Yes	No	No	Majority vote
Object to considering something undiplomatic or improper matter	I object to consideration of this question	Yes	No	No	No	2/3 vote
Take up a matter previously tabled	I move we take from the table...	No	Yes	No	No	Majority vote
Reconsider something already disposed of	I move we now (or later) reconsider our action relative to ...	No	Yes	Yes only if original motion is debatable	No	Majority vote
Consider something out of its scheduled order	I move we suspend the rules and consider...	No	Yes	No	No	2/3 vote
Vote on a ruling by the Chair	I appeal the Chair's decision	Yes	Yes	Yes	No	Majority vote

¹ The motions, points and proposals listed below have no established order of precedence. Any of them may be introduced at any time-except when considering a motion to adjourn, motion to recess or point of privilege.

² May be called before another motion is started.

