



PLAN COMMISSION

RULES OF

PROCEDURE

FORT WORTH, TEXAS

Adopted: January 17, 1986
(Revised: 6/91, 12/91, 3/01, 11/01& 10/04)

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Development Department

November 27, 1985

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PLAN COMMISSION
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I. ORGANIZATION AND OFFICERS

101. Officers

A Chairman and Vice Chairman shall be elected annually from among the Commission's membership at the first meeting in November and at such other times as these offices may become vacant. In the absence of both the Chairman and the Vice Chairman, the Commission shall elect an Acting Chairman. The Development Director, or their designated representative, shall serve the Commission as Executive Secretary.

102. Duties

- A. The Commission shall diligently advise the City Council on those matters falling within its charged responsibilities in a manner reflecting its concern for the overall development and environment of the City as a setting for human activities.
- B. The Chairperson, or in their absence the Vice Chairperson, or in their absence the Acting Chairperson, shall preside at all meetings, shall decide all points of order or procedure, and shall sign all letters of transmittal from the Commission to the City Council. They shall sign all approved subdivision plats on behalf of the City to indicate the Commission's approval of such plats for recording.
- C. The Executive Secretary shall have full care, custody and control of the minutes and official records and shall attend to the correspondence of the Commission, and shall cause to be given such notices as are required and in the manner prescribed by statute, ordinance, these rules or vote of the Commission.
- D. A Recording Secretary, designated by the Development Director, shall perform such duties as are necessary to prepare accurate and complete minutes of the Commission's action under the supervision of the Executive Secretary.

103. Rules of Order

Robert's Rules of Order, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules and Regulations.

II. MEETINGS

201. Quorum

A quorum shall consist of six (6) members.

202. Agenda

An agenda shall be prepared by the Executive Secretary for each meeting of the Commission. The agenda for regular meetings shall include platting, replatting and vacating subdivisions, requests affecting public rights-of-way, annexation requests, citizens' requests and such other matters as may be within the jurisdiction of the Commission. The agenda for special meetings shall be primarily those studies and plans dealing with the long-range development of the City but shall also include such other matters as the Commission may direct. There shall be attached to each agenda a report of matters pending further action by the Commission.

203. Regular Meetings

Regular meetings shall be held on the fourth Wednesday of each month at 1:30 P.M. in the City Council Chambers of the City Hall, or at such other time and place as the Commission may direct.

204. Special Meetings

Special meetings for any purpose may be held on the call of the Chairperson, or on request of two or more members, and by giving written notice to all members deposited in the mail at least 48 hours before the meeting, or as may be scheduled by a majority of the Commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.

205. Public Meetings

Meetings on all matters on which a decision of the Commission is required by law shall be open to the public except in those instances permitted by Art. 6252-17, Tex. Rev. Civ. Stat. Any party in interest may appear in their own behalf or be represented by counsel or agent. The applicant or their representative shall be fully prepared to present their case at the Commission hearing thereon.

In the event the applicant is not present or represented at the public hearing, the Commission shall have the power to postpone or dismiss either at the call of the case or after hearing, and such dismissal shall constitute a denial by the Commission.

206. Order of Business

The Chairperson shall call the Commission to order, and the Executive Secretary shall record the members present and absent. The public shall be advised of the procedures to be followed in the meeting. The Executive Secretary shall publicly advise the Commission of any communications received pertaining to any matter before the Commission.

The Commission shall then hear and act upon those proposals scheduled for public hearing, together with any other matters of business, and report as the Commission or Executive Secretary finds to require Commission consideration.

207. Commission's Question

Any Commission member may direct questions to the applicant or any other person, either at the hearing or at the voting session, in order to bring out all relevant facts, circumstances and conditions affecting the proposal. The Chairperson may also call for questions from the staff before closing the public presentation on each item.

208. Vote

The Commission shall vote on each case after it is presented and before the public hearing on the next case. During the public hearing on the case, any member of the Commission may call upon the applicant, City staff or any other person present at the hearing for further questioning relevant to the case. During the voting session, no further testimony shall be permitted. However, the Commission may direct questions to the City staff in order to review or clarify any testimony or evidence presented at the public hearing.

209. Motions

- A. A motion may be made by any member other than the presiding officer.
- B. A motion to recommend approval of a request shall require five favorable votes of the members present. When all motions in favor of a given application fail to receive five affirmative votes, the Executive Secretary shall record that fact and shall enter in the minutes an entry stating that the Commission has denied the application.

210. Procedure for Hearing of Proposals

- A. The Chairperson shall call, or cause to be called by the Executive Secretary, each proposal in such order as to be in accord with the hearing time specified in the notice of public hearing.
- B. The Chairperson shall next call on persons present who wish to speak relative to the proposal and shall direct that they speak in the following order:

1. Those persons in support;
2. Those persons in opposition.

A total of seven minutes shall be given to each side for testimony unless extended for due cause by the Chairperson. This time period does not include questions from the Commission and responses to those questions.

- C. The Chairperson shall afford the staff an opportunity to call to the attention of the Commission any additional pertinent information.
- D. The Chairperson shall then call for rebuttal testimony from each side in the following order:
 1. Those persons in support;
 2. Those persons in opposition.

A total of three minutes shall be given to each side for rebuttal testimony unless extended for due cause by the Chairperson.

211. Reconsideration: Filing of Request

Any proposal which has received final action may be reconsidered by the Commission under the conditions listed below. A request to reconsider may be initiated by the applicant or by any person directly affected by the Commission's decision. Such request shall be filed in writing with the Executive Secretary within ten (10) days after the date of the Commission's decision.

212. Reconsideration: Staff Procedure

Upon receipt of a properly filed request to reconsider, the Executive Secretary shall give notice to each member of the Commission, and copies of the request shall be distributed to the Commission at the next regularly scheduled meeting.

213. Reconsideration: Commission Procedure

Five votes shall be necessary to initiate reconsideration of a previous decision. If reconsideration is refused, the Commission shall enter on the minutes of its meeting the basis of the request, the reasons why it was refused and the vote of the members thereon.

214. Decision

The Commission shall vote on each case after it is presented and before the public hearing on the next case. During its review the Commission may call in the applicant or any other person for further questioning.

III. OFFICIAL RECORDS

301. Definition: Official Records

The official records shall be these rules and regulations and the minutes of the Commission together with all findings, decisions and other official actions. Stenographic notes of the Recording Secretary and the tape recordings of proceedings and discussions shall not constitute any part of the official record of the Commission.

302. Recording of Vote

The minutes of the Commission's proceedings shall show the vote of each member, or if absent or failing to vote, shall indicate that fact.

303. Files: Retention

All matters coming before the Commission shall be filed in the Development Department in accordance with that department's general file system. Original papers of all right-of-way requests, subdivision proposals and annexation matters shall be retained for not less than five years after the date of submittal; other studies shall be retained for not less than two years. Thereafter, they may be microfilmed for retention as permanent records along with other special matters as the Executive Secretary deems essential or as the Commission may direct.

304. Public Record

The official records, proposed subdivision plans and plats, right-of-way requests, annexation requests and other citizen requests filed for Commission action in regular or special meetings shall be on file in the Development Department and shall be open to public inspection during customary working hours.

IV. AMENDMENTS: MISCELLANEOUS

401. Amendments

Amendments to these Rules of Procedure may be adopted by the Commission at any meeting upon the affirmative vote of five members, provided that such amendment is proposed at a preceding meeting and spread on the minutes of such meeting. By unanimous consent of the Commission, amendments may be adopted at the meeting at which introduced but shall not become effective until the next regular meeting.

402. Certified Copy

A certified copy of these Rules of Procedure and of any amendments thereto shall be filed in the office of the City Secretary within ten (10) days following their date of adoption.

403. Repealing Clause

All previously adopted Rules of Procedure of the Commission shall be and the same are hereby expressly repealed.

ADOPTED:

Chairperson

ATTESTED:

Executive Secretary

* * * * *

Filed in the office of the City Secretary, Fort Worth, Texas, this

_____ day of _____ 2004

City Secretary