

BYLAWS FOR THE PLANNING COMMISSION
OF THE CITY OF GONZALES

ARTICLE 1

MEETINGS

Section 1. All meetings of the Commission shall be held in the City Council Chambers in the City of Gonzales, and shall be open to the public.

Section 2. Regular meetings of the Commission shall be held on the second Monday of each calendar month, if not a legal holiday, but if a legal holiday, then on the next secular day following at 6:00 p.m. Any person may request that a copy of the agenda of any meeting of the Commission be mailed to that person. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The Commission may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

Section 3. Special meetings of the Commission may be called at any time by the Chairperson, or at the written request of a majority of the members of the Commission delivered to the secretary. Written notice of such special meetings shall be given to each Commission member and to each local newspaper of general circulation and radio or television stations requesting notice in writing. The notice shall be delivered personally or by any other means and shall be received at least twenty-four (24) hours before the time of the meeting. The notice shall specify the time and place of the meeting and the business to be transacted; no other business shall be considered at said meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes, files with the secretary a written waiver of notice. The waiver may be given by telegram. Written notice also may be dispensed with as to any member who is present at the meeting at the time it convenes. The call and notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to the public.

Section 4. Any meeting, regular or special, whether or not a quorum is present, may be adjourned from time to time by the vote of a majority of the members present, but in the absence of a quorum no business may be transacted at any such meeting. The Chairperson is given the authority to cancel a regular meeting if there are no public hearings or business items scheduled to be conducted at the meeting. Written notice of cancellation shall be given to each Commission member and to each local newspaper of general circulation. The notice of cancellation shall be delivered personally or by any

other means and shall be received at least twenty-four hours before the scheduled meeting time. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. The resulting adjourned meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

Section 5.

(a) At least seventy-two (72) hours before a regular meeting the secretary of the Commission shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. No action shall be taken on any item not appearing on the posted agenda. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132). The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(b) Notwithstanding subdivision (a), action may be taken on items of business not appearing on the posted agenda under any of the following conditions. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

- (1) Upon a determination by a majority vote of the Commission that an emergency situation exists, as defined by Section 54956.5 of the Government code;
- (2) Upon a determination by a two-thirds vote of the Commission, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that the need to take action arose subsequent to the agenda being posted as above provided;
- (3) When the item was posted pursuant to the foregoing provisions of this section for a prior meeting of the Commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which the action is being taken.

Section 6. The presence of a majority of the total membership at any meeting of the Commission shall constitute a quorum for the transaction of business. Business may not

continue with less than a quorum. As provided by Section 9027 of the Government code a meeting is a gathering of a quorum.

Section 7. The abstention of a member from voting on an item at a meeting at which a quorum is present shall constitute consent on the part of the abstaining member(s) that the matter be determined by the vote of the other members present and not abstaining, subject to Section 6.

Section 8. The chairperson of the Commission, or in the absence of the chairperson, the chairperson pro tempore, shall call meetings to order and shall act as the presiding officer thereof. In the absence of both the chairperson and the chairperson pro tempore a chairperson elected by the members present shall call meetings to order and shall act as the presiding officer thereof.

Section 9. The Commission shall cause its secretary to keep full and complete minutes of all meetings, which shall be public documents and shall be available for inspection in the office of the secretary at all reasonable times during office hours.

ARTICLE II

OFFICERS

Section 1. The officers of the Commission shall be a chairperson, a chairperson pro tempore, and a secretary.

Section 2. The chairperson and the chairperson pro tempore shall be elected by majority vote of the members present at the regular meeting of the Commission held on the second Monday of January of each even-numbered year, commencing in 1998, and each shall hold office until he or she shall resign or shall be removed or otherwise disqualified to serve, or until his or her successor shall be elected or qualified. A vacancy in either of said offices because of death, resignation, removal or disqualification shall be filled by majority vote of the members present at the next-following regular meeting of the Commission.

Section 3. The City Clerk or Deputy City Clerk shall serve ex-officio as secretary of the Commission and shall keep minutes of all of its meetings. The minutes shall record the date and place of the meeting, whether it was regular or special, the notice (if required) that was given, the names of members present and members absent, and all proceedings taken at the meeting. The secretary shall give, or cause to be given, notice of all special meetings as required by these bylaws and other applicable laws and ordinances. The secretary shall have custody of all records of the Commission and shall perform such other duties as may be prescribed by law or authorized by these bylaws.

ARTICLE III

MISCELLANEOUS

Section 1. The Commission may by resolution adopt, and from time to time amend, rules and regulations for the conduct of its meetings. Pending the adoption of such rules and regulations, and to the extent that rules and regulations so adopted do not apply, all meetings shall be governed by Roberts Rules of Order, as the same from time to time may be revised.

Section 2. These bylaws and all records of the Commission and the minutes of the proceedings thereof shall be open to inspection by members of the public at all reasonable times during regular office hours. Such inspection may be made in person or by an agent or attorney and shall include the right to make extracts at the expense of the person requesting the same.

Demand for inspection other than at a Commission meeting shall be made in writing upon the secretary of the Commission.

Section 3. It is intended that these bylaws shall be consistent with state law and city ordinances. In the event of any such inconsistency, the state law and city ordinances shall be controlling.

ARTICLE IV

AMENDMENTS

Section 1. New bylaws may be adopted, or these bylaws may be amended or repealed, by resolution of the Commission.