

**Old Metairie Commission (OMC)
Rules of Procedure
Jefferson Parish**

Adopted by the Old Metairie Commission on January 7, 2021

ARTICLE I. GENERAL

- (a) *Names.*
- (1) The Old Metairie Commission is referred to in these rules of procedure as the “Commission” or “OMC”;
 - (2) The Old Metairie Neighborhood Conservation District is referred to in these rules of procedure as the “OMNCD”;
 - (3) The Metairie Club Gardens Association is referred to in these rules of procedure as the “MCGA”;
 - (4) The Jefferson Parish Board of Zoning Adjustments is referred in these rules of procedure as the “BZA”; and
 - (5) The Jefferson Parish Council is referred to in these rules of procedure as the “Council”.
- (b) *Conflict of rules.* The rules of procedure set forth herein shall govern the conduct of the Commission, except that if any rule is construed to be in conflict with any State Act or Parish Ordinance, then the Act or Ordinance shall control.
- (c) *Validity.* The rules promulgated herein are meant to be directory and not mandatory. The failure of the OMC to strictly adhere to these rules shall not form a basis for declaring invalid any Commission decision.
- (d) *Parliamentary procedure.* Robert’s Rules of Order shall prevail in the absence of contrary provisions in these rules of procedure. If there is a conflict between Robert’s Rules of Order and these rules of procedure, these rules of procedure shall prevail.

ARTICLE II. ELECTION OF OFFICERS

- (a) The Chair and Vice-Chair shall be elected annually by voting members of the Commission through either regular or special elections:
- (1) *Regular elections.*
 - a. Regular elections shall take place at the last regular meeting of each calendar year.
 - b. New officers shall assume their position at the first regular meeting of each calendar year and hold their position until the next regular election.
 - c. Officers may serve consecutive terms, as long as the voting members of the Commission duly elect them.
 - (2) *Special elections.*
 - a. In cases where an officer resigns or no longer serves on the Commission, a special election shall be held immediately to fill the vacated position.
 1. The Chair shall announce the vacancy and upcoming special election for the open officer position(s) during other business in the agenda; and
 2. The special election shall be scheduled for the following regular meeting.
 - b. Newly elected officers shall assume their position at the meeting the following the special election and hold their position until the next regular election.
- (b) *Vote.* For each officer position up for a vote, the acting Chair shall:
- (1) Establish one (1) or more candidates for each officer position by calling for nominations from the floor, subject to the following rules:
 - a. A voting Commission member must be present to be considered for any officer position;
 - b. A voting Commission member can nominate himself or herself;
 - c. A voting Commission can decline nomination during the nomination process;
 - d. A voting Commission member may be nominated for both the Chair and Vice-Chair position, but shall only be elected to serve one (1) position; and
 - e. The presiding chair may continue to preside over the election, even if he or she is nominated for the officer position up for vote.
 - (2) Ask for a motion and roll call vote for each officer position; and

- (3) A concurring vote of three (3) voting Commission members is required for said motion to pass and the candidate appointed to the officer position.
- (c) *Notification.* The Planning Director shall notify Commission members of the upcoming election of officers no later than the regular meeting immediately prior to the meeting where the election shall take place.

ARTICLE III. MEMBER DUTIES

- (a) *All members.* All members shall:
 - (1) Attend Commission meetings;
 - (2) Review staff reports and graphics for each case;
 - (3) Participate in the discussion and vote; and
 - (4) Complete required trainings as provided for in Article V. of these rules of procedure.
- (b) *Chair.* The Chair shall:
 - (1) Call for special or emergency meetings of the Commission;
 - (2) Preside over all Commission meetings; and
 - (3) Call the question to vote on all items of business that require action by the Commission.
- (c) *Vice-Chair.* In the absence of the Chair, the Vice-Chair shall exercise the powers and duties of the Chair, including presiding over meetings. In the absence of both the Chair and Vice-Chair, the Commission shall elect a member to preside for that specific meeting.
- (d) *Planning Director.* The Planning Director shall be responsible for the maintenance of Commission records and shall fulfill the following duties:
 - (1) Notify applicants of Commission meetings;
 - (2) Provide staff reports and graphics to all Commission members;
 - (3) Keep and record minutes of all Commission meetings, which shall include, but not be limited to, the following:
 - a. The date, time, and location of the meeting;
 - b. Record of attendance of members of the Commission and Parish staff;
 - c. Summary of proceedings; and
 - d. Record of any vote taken;
 - (4) Maintain member and other Commission records, including, but not be limited to, the following:
 - a. Appointing resolutions for appointed members;
 - b. Appointment verification letters for the MCGA president, or designee; and
 - c. Documentation for required trainings for all members;
 - (5) Provide training certificates to the appropriate entity;
 - (6) Prepare proposed annual meeting calendar of regular Commission meetings in accordance with Article IV. of these rules of procedure;
 - (7) Ensure that all meeting records, member information, and other related documentation are kept on file; and
 - (8) Communicate, advise, and assist the Chair with matters related to the Commission.

ARTICLE IV. MEETINGS

- (a) *Purpose.*
 - (1) To provide applicants and interested parties an opportunity to be heard, present evidence relevant to their application, and rebut evidence provided by others; and
 - (2) Not intended to facilitate discussion on matters unrelated to proposed development in the OMNCD or the Commission.
 - a. General concerns pertaining to the OMNCD neighborhood shall be presented before the appropriate neighborhood association instead of the Commission.
 - b. If a resident of the OMNCD or member of the public would like to discuss a matter related to development within the OMNCD or the Commission, but unrelated to the specific cases on the agenda, then:

1. He or she shall contact the Planning Director, in their role as record-keeper of the Commission, with their concerns, at least two (2) weeks prior to the regular meeting at which they would like to formally address the Commission; and
 2. The Planning Director will formally put the specific matter on the agenda for that particular regular meeting.
- (b) *Regular meetings.*
- (1) *Time, place, location.* Regular meetings shall be held at 9:00 a.m. at the Yenni Building, 1221 Elmwood Park Blvd, 2nd floor Council Chambers, according to the annual meeting calendar adopted by the Commission.
 - (2) *Annual meeting calendar.*
 - a. The Planning Director shall prepare an annual calendar of regular Commission meetings, scheduling around meetings of the Planning Advisory Board (PAB) and the Council.
 - b. The Planning Director shall present a proposed draft yearly schedule of regular Commission meetings for the upcoming calendar year, no later than the last regular Commission meeting of each year.
 - c. A voice vote to approve the new calendar shall be held.
 - d. The annual meeting calendar will be formally adopted by the Commission, if there is an affirmative vote of three (3) voting Commission members.
 - e. Once adopted, the Planning Director will provide the Council Clerk a copy of the annual meeting calendar, pursuant to Sec. 2-518 of the Jefferson Parish Code of Ordinances, and make the calendar available to the public.
- (c) *Special and emergency meetings.* Special and emergency meetings of the Commission may be called by the Chair, or Vice-Chair in the absence of the Chair, of the Commission in conformance with the Jefferson Parish Code of Ordinances and Louisiana State Law.
- (d) *Cancellation and rescheduling of regular meetings.*
- (1) *Reasons.* The Commission may cancel regular meetings:
 - a. If there is no business scheduled to come before the Commission;
 - b. A quorum of three (3) voting members is not present or if a representative of the Planning Department is not present;
 - c. During time of great public crises, disaster, rioting, catastrophe, severe weather conditions or similar public emergency; or
 - d. Any other reason specified in the Jefferson Parish Code of Ordinances.
 - (2) *Notice of cancellation and rescheduling.* If a regular meeting is canceled, then the Planning Director shall provide notice of cancellation to the public by:
 - a. Physically posting the notice in a conspicuous location in the Yenni Building and General Governmental Building (GGB); and
 - b. Disseminating the notice of cancellation and rescheduling through any available public information service.
 - (3) *Rescheduled hearings.* The public hearing for all cases on the docket of a canceled Commission public hearing meeting shall be held at the next scheduled public hearing meeting of the Commission, unless the Commission calls a special or emergency meeting.
- (e) *Conduct of the meeting.*
- (1) *Public meetings.* All OMC meetings shall be open to the public and shall abide by the Louisiana Open Meetings Law.
 - a. *Communication.* The Commission meeting and public hearing is the primary place where applicants and members of the public are encouraged to present their opinions on specific developmental proposals affecting the OMNCD.
 1. *In-person communication.* In-person communication between Commission members and any applicants, representatives, residents of the OMNCD, or other members of the public regarding specific development proposals shall be limited and shall not circumvent the Open Meetings Law or any other State Law or Parish Ordinance.
 2. *Electronic communication.*
 - (i) *Information dissemination.* Commission member may utilize electronic communication to relay the opinion of a constituent to other members of the Commission, as long as the exchange of information does not:
 - A. Relay his/her opinion or the opinion of any other voting member;
 - B. Invite discussion of the matter outside of the public meeting;

- C. Circumvent the purposes of the Open Meetings Law; or
 - D. Include the disclosure of how any member intends to vote.
- (ii) *Public record.* All electronic communication involving Commission business by Commission members, including emails or text messages, is considered public record.
- b. *Site visits.* As part of the detailed review of active cases, all voting Commission members are encouraged to visit the location of proposed developments on the docket for public hearing before the Commission, but shall not trespass on private property.
- (2) *Order of business.* The Commission's business shall be placed on the agenda according to the order of business listed below. However, if there is an affirmative vote of at least three (3) voting Commission members, items may be considered out of order.
- a. Roll call and introductions
 - b. Call meeting to order
 - c. Overview of public hearing and meeting procedures
 - d. Cases
 - 1. Deferred cases
 - 2. *New cases.* New cases will be presented in ascending docket order, however if there are similar cases on the agenda, like cases may be grouped together.
 - e. *Approval of minutes from the previous meeting(s).* If there are minutes from multiple meetings up for approval, the minutes from the older meetings shall be called to vote before the more recent.
 - f. Other business items
 - 1. Update on ministerial approvals
 - 2. Adjournment
- (f) *Cases.*
- (1) *Hearing procedure.* The normal order of each case on the docket shall be as follows:
- a. The Planning Department shall read the notice of public hearing and report its technical findings for the case.
 - b. Public comment will be solicited. The Chair may extend the allowed time for public comment at his/her discretion. If the Chair chooses to extend the time allotted for speakers, he/she shall state the extension prior to the opening of the public hearing. Each speaker must sign the speaker sheet, state his /her name, and address for the record. All speakers shall address the Commission directly with concerns. No speaker shall directly address an applicant, Parish staff or other members of the audience, and shall conduct himself or herself in a respectful and courteous manner. Public comment will be solicited in the following order:
 - 1. Chair invites applicant or a representative of the applicant to speak (total of five (5) minutes).
 - 2. Floor is open to any proponents of the development proposal (three (3) minutes per speaker, total of fifteen (15) minutes for all speakers).
 - 3. Floor is open to any opponents of the development proposal (three (3) minutes per speaker, total of fifteen (15) minutes for all speakers).
 - 4. If there is opposition, the proponents will have an opportunity for rebuttal (total of five (5) minutes).
 - c. Following the rebuttal, the public hearing is closed and discussion is then limited to members of the Commission, at this time, Commission members may ask questions of any party present. No member shall participate in any discussion, debate, or vote on matters before the Commission in which he/she has a personal economic interest or in which his/her immediate family member, business affiliate or employee has a personal economic interest.
 - d. The Chair will ask voting members of Commission if there is a motion (to approve, deny, or defer).
 - e. Once a motion is made and seconded, the Chair will invite further discussion, if any, and then call for a roll call vote of voting Commission members. The roll call vote shall be duly recorded by the Planning Department.
- (g) *Recommendations.* After discussion, the Commission shall take one of the following actions:
- (1) For proposals without requested variances:
- a. Recommend approval as requested to the Council;

- b. Recommend denial to the Council;
 - c. Make a conditional recommendation for approval with stipulations imposed by the Commission; or
 - d. Defer the case for reasons stated in a motion for decision at a later date.
- (2) For proposals with requested BZA variances and/or OMC exceptions, the Chair shall call a roll call vote for every requested BZA variance and/or OMC exception, as referenced in the Planning Department's report and graphics, and take the following actions:
- a. Recommend approval for any BZA variance to the BZA;
 - b. Recommend approval for any OMC exception to the Council;
 - c. Recommend denial for any BZA variance to the BZA;
 - d. Recommend denial for any OMC exception to the Council;
 - e. Make a conditional recommendation for approval, for any BZA variances requested with stipulations imposed by the Commission to the BZA;
 - f. Make a conditional recommendation for approval, for any OMC exception requested with stipulations imposed by the Commission to the Council; or
 - g. Defer the case for reasons stated in a motion for decision at a later date.
- (3) For proposals for major subdivisions, zoning changes and text amendments:
- a. Recommend approval to the PAB;
 - b. Recommend denial to the PAB;
 - c. Make a conditional recommendation for approval with stipulations imposed by the Commission; or
 - d. Defer the case for reasons stated in a motion for decision at a later date.
- (h) *Decision motions and voting.*
- (1) *Motions.*
- a. *Second required.* Before any motion shall be put to a vote, it must have a second; without a second, said motion shall die on the floor.
 - b. All motions and seconds shall only be accepted by voting members of the Commission members.
 - c. The Commission member presenting the motion shall have the right to either amend or withdraw said motion, but this shall be done before a vote is called for on the motion.
 - 1. A motion for amendment shall also require a second.
 - 2. A motion to withdraw will not require a second.
 - d. *Roll call vote.* For a motion to pass, it requires the concurring vote of at least three (3) voting Commission members.
 - e. Every case on the docket must be acted upon. Action can take the following forms:
 - 1. Recommendation of approval as requested to the Council;
 - 2. Recommendation of denial to the Council;
 - 3. Conditional recommendation for approval with stipulations imposed by the Commission; or
 - 4. Deferral of the case for reasons stated in a motion for decision at a later date.
- (2) *Voting.* Any voting Commission member may abstain and recuse themselves from voting if there is a potential conflict of interest, or if their participation in the deliberation and voting on a particular matter would result in a violation of this rules of procedure, Jefferson Parish Code of Ordinances or and State of Louisiana Code of Governmental Ethics. If a voting Commission member intends to not vote, he/she shall notify the Chair prior to the motion for the roll call vote.
- (i) *Other agenda items.*
- (1) *Discussion and adoption of minutes.* The Planning Director shall introduce the draft minutes from previous meetings' for approval and sign off from the Commission. The Commission reviews the draft, and if no changes are necessary, a motion to adopt the minutes is made and seconded.
- (2) *Update on ministerial approvals.*
- a. *Purpose.*
 - 1. To inform the Commission of development proposals approved ministerially by the Planning Director; and

2. Not intended to solicit debate and/or deliberation on matters not under the purview of the Commission.
 - b. The Planning Department shall provide a brief summary of all development proposals in the OMNCD approved ministerially.
- (3) *Adjournment.*
- a. The Chair will ask if there is any additional business to be brought before the Commission.
 - b. If there is no further business, a motion for adjourning the meeting will be called and seconded (with time of closing noted).

ARTICLE V. ETHICS AND TRAININGS

All Commission members shall adhere to the ethical standards provided for in these rules of procedure, the Jefferson Parish Code of Ordinances and the Louisiana Code of Governmental Ethics for Public Servants. Commission members, are required to complete at least one (1) hour of ethics education/training and sexual harassment training by December 31st during each year of public service.

- (a) The ethics-training requirement may be met by completing an on-line training module offered by the Louisiana Board of Ethics Administration or by attending a live session offered by a certified ethics trainer.
- (b) The sexual harassment training may be met by completing an on-line training module or by attending a live session offered by Jefferson Parish Government.

ARTICLE VI. AMENDMENTS AND ADOPTION

- (a) These rules may be amended or modified by an affirmative vote of three (3) of the voting Commission members, provided that such an amendment be presented to the Commission in writing at the regular meeting immediately prior to regular meeting, for which, action taken on proposed amendments is scheduled.
- (b) Submissions to amend these rules of procedure may only be proposed by the current Commission members or Parish staff.