

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO: 2019-145**

**AN ORDINANCE ESTABLISHING A POLICY FOR CITIZENS TO BE HEARD AND REPEALING ORDINANCE NO. 2016-54.**

**WHEREAS**, Texas Local Government Code §22.038(c) authorizes the City Council to establish rules to govern its proceedings; and

**WHEREAS**, the City Council adopted Ordinance No. 2016-54 providing for rules on public comment at meetings of the City Council; and

**WHEREAS**, the 86<sup>th</sup> Texas Legislature passed House Bill 2840 during its regular session relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body and takes effect September 1, 2019; and

**WHEREAS**, House Bill 2840 provides that a governmental body may adopt reasonable rules regarding the public's right to address the body, including rules that limit the total amount of time that a member of the public may address the body on a given item;

**WHEREAS**, the City Council desires to repeal Ordinance No. 2016-54 and adopt this ordinance to comply with the requirements of House Bill 2840;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:**

**SECTION 1. PERMANENT AGENDA ITEM ESTABLISHED.**

All meetings of the Sandy Oaks City Council called under the authority of Sandy Oaks Ordinance 2015-8 shall contain an agenda item entitled "Citizens to be Heard" to allow for public comment.

**SECTION 2. SIGNUP REQUIRED.**

(A) The City Clerk, or in his/her absence or vacancy, the Mayor or his/her designee, shall make available a signup sheet for citizens wishing to speak. The sheet shall ask for the speaker's name, whether or not they are a resident of the City, the agenda item(s) or other item(s) the speaker intends to speak on, whether they are "for" or "against" the item they wish to speak on, and whether they desire to address the Council during the designated "Citizens to Be Heard" portion of the meeting or at the time the item is considered by City Council. The sheet shall be collected fifteen (15) minutes before the start of the meeting.

(B) Persons/Groups must sign up in person by the specified deadline in order to be recognized to speak.

(C) Those signed up to speak will be called upon in the order that they have registered.

**SECTION 3. TIME ALLOTTED FOR PUBLIC COMMENT.**

The time allotted for public comment is thirty (30) minutes.

#### **SECTION 4. ADDRESSING THE COUNCIL.**

- (A) Each speaker shall be allowed three (3) minutes to speak. If ten (10) or more persons sign up to speak, each speaker shall be allowed two (2) minutes to speak, in order to allow more persons to address the Council.
- (B) Groups of citizens may have a spokesperson. Up to three (3) persons may register on behalf of the group in order for the spokesperson to be allotted up to nine (9) minutes to speak. Persons registered to speak must be present in order to give their time to another registered speaker. No time may be given to a person not registered to speak. No additional time may be given after the allotted nine (9) minutes.
- (C) In each instance in which a person or group is provided an opportunity to address the City Council, said person or group may submit written testimony in support of or in opposition to a particular agenda item or on a topic that could be discussed during "Citizens to be Heard" in lieu of presenting verbal testimony, provided that such written testimony is submitted by the deadlines and could otherwise be read into the record during the timeframes provided in this ordinance.
- (D) No personal attacks shall be allowed by any speaker. If this occurs, it may be necessary for the Mayor or Presiding Officer to cut them short.
- (E) The Mayor or presiding officer may, at any time and at his/her discretion, increase or reduce the time a person has to address the City Council. At any time during a presentation of the speaker, any member of the Council may request the presiding officer to extend the time limit of the speaker.
- (F) *Disturbances.* No person attending any Council meeting shall delay, interrupt or disrupt the proceedings or refuse to obey the orders of the Presiding Officer. Persons attending shall remain seated except the person addressing the Council as provided by this Ordinance with permission of the Presiding Officer. Persons in attendance shall not carry signs, placards or other items which block the view of those behind them.

#### **SECTION 5. COUNCIL ACTION PROHIBITED.**

No matter brought before the Council during "Citizens to be Heard" may be acted upon by the Council unless the specific matter appears on the posted agenda as provided by law.

#### **SECTION 6. OFFICIAL RECORD.**

The speaker signup sheet shall be incorporated into the official record of the meeting as an exhibit to the minutes.

#### **SECTION 7. AMENDMENT OR REPEAL.**

A two-thirds (2/3) vote of the City Council shall be required to amend, abolish or supersede this ordinance.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall take effect September 1, 2019.

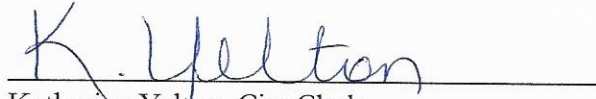
**PASSED, APPROVED AND ADOPTED THIS 22ND DAY OF AUGUST, 2019.**

CITY OF SANDY OAKS, TEXAS



Micki L. Ball, Mayor

ATTEST:



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Katherine Yelton, City Clerk