

City of Houston, Texas, Ordinance No. 2024-853

AN ORDINANCE AMENDING RULE 8, SECTION 2-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO APPEARANCES BY MEMBERS OF THE PUBLIC; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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WHEREAS, on October 30, 2024, Council Members Edward Pollard, Carolyn Evans-Shabazz, and Tiffany Thomas, and Mayor Pro Tem Martha Castex-Tatum, submitted a proposed item pursuant to Article VII, Section 3 of the City Charter, seeking to amend Rule 8 of Section 2-2 of the City of Houston, Code of Ordinances ("City Code"); and

WHEREAS, the proposed City Code amendment seeks to clarify that the personal contact information provided by a person who signs up to provide public comment at a City Council meeting is for internal, administrative use only and will not be publicly disclosed except as required by law, such as pursuant to a public information request under the Texas Public Information Act; and

WHEREAS, pursuant to Rule 23, Section 2-2 of the City Code, on November 1, 2024, the City of Houston Legal Department distributed a memorandum to the agenda director and sponsoring Council Members, determining the proposed agenda item is lawful with modified language; and

WHEREAS, Rule 23, Section 2-2 of the City Code directs that upon a determination that the proposed agenda item is lawful, the agenda director shall place a caption for the proposed item on the regular City Council agenda within the next two regular City Council meetings after the agenda director's receipt of the Legal Department determination; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Subsection a. of Rule 8 of Section 2-2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

- " a. Any citizen of the city shall have a reasonable opportunity to be heard at all regular and special meetings of the city council in regard to any

and all matters to be considered at such meetings that are germane and relevant to any subject matter of city affairs or business that is within the scope of the authority and legislative functions of the city council. Such appearances by members of the public shall be scheduled to begin at 2:00 p.m. at the Tuesday session of the regular meetings of city council. The mayor, mayor pro tem, or other presiding officer shall at all times be responsible for conducting the meeting and maintaining proper order and decorum. Any council member shall have the privilege of raising a point of order as to whether the subject matter to be heard and considered as presented by a citizen is germane and relevant to any subject matter of city affairs or business that is to be considered by city council.

Requests to appear shall be made to the office of the city secretary, and may be made in person or by mail, email, fax, or telephone, provided that the request is received before the scheduled time of commencement of the city council meeting session at which public appearances will be heard. Each speaker shall provide his or her name, street address, mailing address (if different), telephone number, and a brief description (not to exceed ten words) of the intended subject matter of the citizen's remarks. The speaker's street address, mailing address (if different), and telephone number is for internal, administrative use only by city council, the city secretary's office, and city departments, and shall not be disclosed publicly, except as required by law. Speakers who have not appeared at any of the four preceding regular city council meetings shall also state whether they wish to limit their remarks to one, two or three minutes.

Speakers will be heard in accordance with the following priority:

1. Speakers who have not appeared at any of the four previous weekly city council meetings and whose intended comments as stated in their request relate to an identifiable item of business that will be considered on that week's city council agenda will be heard in the order in which their requests were received with those requesting one minute being first, those requesting two minutes being second, and those requesting three minutes being third. Each speaker shall be limited to one, two or three minutes as specified in the request to appear. The city secretary shall where possible list together and call as a group, in the order of each individual request to appear, those speakers who indicate they are speaking on the same subject and for the same length of time.
2. Thence, speakers who have not appeared at any of the four previous weekly city council meetings and whose intended

comments as stated in their request do not relate to an identifiable item of business that will be considered on that week's city council agenda will be heard in the same manner as provided in item 1, above.

3. Thence, speakers who have appeared at any of the four previous weekly city council meetings will then be heard in the order in which their requests were received for no more than one minute.

Council members shall not ask speakers questions during their allotted presentation time, nor shall the council members respond to speakers during their presentations. The city council members may pose questions to any speaker about his or her presentation, either following that speaker's presentation or after all speakers have been heard. City council members having questions for a speaker shall request that the speaker remain and return for questions following presentations by all other speakers unless they believe that the questions of the speaker by all council members can be concluded in five minutes or less. In any instance in which the questioning of a speaker is commenced following the speaker's presentation and is not completed within five minutes, then the questioning shall be suspended and the speaker may be asked to return for the completion of the questioning following the presentations of the other speakers. If any speaker desires to present public charges of misconduct against a named police officer or other city employee, then the speaker shall be placed under oath. Following the presentations by all speakers the city council shall refer, where appropriate, the matters that have been raised."

Section 3. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining

portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

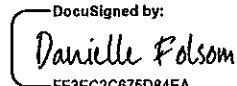
PASSED AND ADOPTED this 6th day of November, 2024.

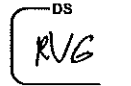
APPROVED this 6th day of November, 2024.


Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

DocuSigned by:

Senior Assistant City Attorney
Prepared by Legal Dept. DRF:kro 11/1/2024
Requested by Council Members Edward Pollard, Carolyn Evans-Shabazz, and Tiffany Thomas, and Mayor Pro Tem Martha Castex-Tatum pursuant to Article VII, Section 3 of the City Charter
L.D. File No. LD-GC-0000000439

DS


Meeting 11/06/2024

| Aye | No | |
|-----------------------------|---------|------------------------|
| ✓ | | Mayor Whitmire |
| | | Council Members |
| ✓ | | Peck |
| ✓ | | Jackson |
| ✓ | | Kamin |
| ✓ | | Evans-Shabazz |
| ✓ | | Flickinger |
| Absent on Personal Business | | Thomas |
| ✓ | | Huffman |
| ✓ | | Castillo |
| Absent on Personal Business | | Martinez |
| ✓ | | Pollard |
| ✓ | | Castex-Tatum |
| ✓ | | Ramirez |
| ✓ | | Davis |
| ✓ | | Carter |
| ✓ | | Plummer |
| ✓ | | Alcorn |
| Caption | Adopted | |

Captions Published in DAILY COURT REVIEW
Date: 11/12/2024