

ORDINANCE NO. 2019-O-178

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING SECTION 2-5 OF THE CODE OF ORDINANCES "CITY COUNCIL MEETINGS" TO PROVIDE THE RULES GOVERNING PUBLIC COMMENTS AT CITY COUNCIL MEETINGS IN ACCORDANCE WITH HOUSE BILL 2840; TO ALLOW MEMBERS OF THE PUBLIC THREE (3) MINUTES TO ADDRESS THE CITY COUNCIL BEFORE THE CITY COUNCIL'S CONSIDERATION OF AN AGENDA ITEM OR UNDER THE AGENDA ITEM "CITIZEN COMMENTS" FOR NON-AGENDA ITEMS; TO DIRECT THE CITY SECRETARY OF THE CITY OF LAREDO OR DESIGNEE TO DEVELOP AN ONLINE REGISTRATION SYSTEM TO ALLOW MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL TO FILL OUT THE REQUIRED WITNESS REGISTRATION CARD ELECTRONICALLY; PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Texas Legislature adopted House Bill 2840 providing for the right of members of the public to address the governing body at an open meeting of the governing body; and

WHEREAS, the City Council desires to amend its rules governing public comments to implement the requirements of HB 2840.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS, THAT:

Section 1. The City of Laredo Code of Ordinances, Chapter 2, Article I, Section 2-5, City Council Meetings, is hereby amended to read as follows:

Sec. 2-5 City Council Meetings

(a) The city council shall hold at least one regular city council meeting per month in accordance with the City Charter.

(b) The regular city council meeting shall convene at 5:30 p.m. The regular order of business shall be adopted by resolution that outlines the agenda format for regular city council meetings.

Each regular city council meeting shall end by 10:30 p.m., with the option to extend the meeting by a maximum of two (2) extensions of fifteen (15) minutes each.

(c) The city council shall as a rule hold city council meetings at city hall in the council chamber; however, the city council may hold city council meetings or other meetings in individual city council districts as the council deems necessary and proper. The city council may hold these meetings that may be called by the city secretary upon the written request of the mayor or at least four (4) council members, and upon no less than seventy-two (72) hours notice. All meetings will be held in

accordance with the Texas Open Meetings Act.

(d) In the case of special city council meetings, the order of business shall be determined by the mayor. Each special city council meeting shall end at 10:30 p.m., with the option to extend the meeting by a maximum of two (2) extensions of fifteen (15) minutes each. This section shall apply to workshops and training sessions.

(e) Public Comments.

- (1) Members of the public appearing before the city council may make a presentation at the beginning of the meeting under the agenda item "Citizen Comments." A required witness card will be provided for those wishing to address the council. In addition, upon being recognized by the mayor, members of the public may make comments or statements regarding specific agenda items when such items are first called by the mayor, prior to the beginning of discussion and deliberation among the council members.
- (2) Members of the public wishing to read a letter from another member of the public will be allowed only three (3) minutes to read the letter and address their own comments. Once the period of public statements and comments on an agenda item has concluded and council discussion begins, members of the public shall not interrupt the discussion and deliberation of business by the council. The city council by majority vote, may reopen such agenda item for public comment and discussion.
- (3) Time limits for public comments. Except as waived or otherwise authorized by a vote of the city council, the following time limitations shall apply to public comments:
 - (a) Citizen Comments. Members of the public signing up to speak at the beginning of council meetings under the item "Citizen Comments" shall, upon being recognized by the mayor, have three (3) minutes of uninterrupted time to address the city council. No member of the public shall speak more than one time under the item "Citizen Comments," nor have more than three (3) minutes to address the council under the item "Citizen Comments." Comments under this item shall be limited to non-agenda items and shall not be used by citizens as an additional comment period for agenda items.
 - (b) Agenda Items. Members of the public shall, when recognized by the mayor, have three (3) minutes of uninterrupted time to address the city council regarding the subject of an agenda item then being considered by the city council. Following a request by a councilmember, the presiding officer may allow the speaker an additional period of time not to exceed three (3) minutes for each requesting councilmember to allow for questions and additional discussion.
 - (c) Members of the public addressing the council through a translator shall be allowed twice the amount of time allowed for a speaker under this section.

Section 2. The City Secretary of the City of Laredo or designee is hereby directed to develop an online registration system to allow members of the public wishing to address the council to fill out the required witness registration card electronically.


Section 3. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, including 2019-O-111, Attachment A, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 4. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.


Section 5. The publishers of the City Code of Laredo, Texas are authorized to amend said code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

Section 6. This Ordinance shall become effective immediately upon passage.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
21 DAY OF October 2019.


for:
PETE SAENZ
MAYOR


ATTESTED:


for:
JOSE A. VALDEZ, JR.
CITY SECRETARY



APPROVED AS TO FORM:

KRISTINA K. LAUREL HALE
CITY ATTORNEY

BY: 
CRISTIAN ROSAS-GRILLET
ASSISTANT CITY ATTORNEY

City Council-Regular

Meeting Date: 10/21/2019

Staff Source: Cristian Rosas-Grillet, Assistant City Attorney

SUBJECT

2019-O-178 An Ordinance of the City of Laredo, Texas, amending Section 2-5 of the Code of Ordinances "City Council Meetings" to provide the rules governing public comments at city council meetings in accordance with House Bill 2840; to allow members of the public three (3) minutes to address the city council before the city council's consideration of an agenda item or under the agenda item "citizen comments" for non-agenda items; to direct the City Secretary of the City of Laredo or designee to develop an online registration system to allow members of the public wishing to address the city council to fill out the required witness registration card electronically; providing a cumulative and repealer clause; providing a severability clause; and providing for related matters.

PREVIOUS COUNCIL ACTION

On September 16, 2019, the City Council directed staff to draft an ordinance allowing for public comments consistent with H.B. 2840.

BACKGROUND

The Texas Legislature adopted House Bill 2840 providing for the right of members of the public to address the governing body at an open meeting of the governing body. 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.

COMMITTEE RECOMMENDATION

N/A

STAFF RECOMMENDATION

City Council introduced this Ordinance on October 7, 2019.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

Final Reading Ordinance 2019-O-178
