

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE CITY OF SEALY, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES; PROVIDING RULES AND REGULATIONS FOR CITY COUNCIL MEETINGS; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Sealy, Texas, ("City") finds that updating the rules and regulations for city council meetings is for the good of the government and provides for efficient government operations while protecting First Amendment rights;

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

Section 1. The facts and recitations contained in the preamble to this ordinance are true and correct and incorporated herein for all purposes.

Section 2. Section 2-32 of Article II of Chapter 2 of the City of Sealy, Texas code of ordinances is amended to read as follows:

"CHAPTER 2 – ADMINISTRATION

* * * *

ARTICLE II. – CITY COUNCIL

* * * *

Sec. 2-32. Regular meetings.

Regular meetings of the city council shall be held on the first and third Tuesday of each month, at 6:00 p.m., unless the Monday before the regular meeting is a city holiday, in which case the city council meeting shall be held on the next Wednesday in the council chambers of the city hall (municipal building), in the W.E. Community Center, or any other properly noticed location."

Section 3. Subsection 2-33(a) of Section 2-33 of Article II of Chapter 2 of the City of Sealy, Texas code of ordinances is amended to read as follows:

"CHAPTER 2 – ADMINISTRATION

* * * *

ARTICLE II. – CITY COUNCIL

* * * *

Sec. 2-33. Order of business at regular meetings.

- (a) The proceedings at all regular meetings of the city council shall conform generally to the following order of business:
- (1) Call to order.
 - (2) Invocation and pledges of allegiance.
 - (3) Roll call; certification of a quorum.
 - (4) Petitions or public comments.
 - (5) Adoption of agenda or reorder.
 - (6) Proclamations and special recognitions.
 - (7) Consent Agenda (approval of minutes and other routine items).
 - (8) Presentations.
 - (9) Public Hearings.
 - (10) Discussion or action items.
 - (11) Reports or requests from city manager.
 - (12) Reports, announcements, or requests from councilmembers.
 - (13) Adjournment.”

Section 4. Subsection 2-35(2) of Section 2-35 of Article II of Chapter 2 of the City of Sealy, Texas code of ordinances is amended to read as follows:

“CHAPTER 2 – ADMINISTRATION

* * * *

ARTICLE II. – CITY COUNCIL

* * * *

Sec. 2-35. Rules of procedure.

* * * *

- (2) *Citizen participation.*

- a. Citizens who are not on the agenda for regular city council meetings and who desire to address the council will be given an opportunity to do so at the beginning of each meeting under the agenda category entitled "Petitions or public comments." In order to be heard, the appropriate registration form must be completed and given to the city secretary prior to the start of the meeting. The registration form shall include the name of the person speaking and the topic. Registration forms shall be maintained by the city. Citizens following this procedure for appearing before the city council will be allowed three minutes to address the city council. If a large volume of people desire to speak during public comments, the city council may limit speaker time.
- b. In presenting a request to the city council or expressing their position on an issue, citizens will not be allowed to individually poll the city councilmembers as to their opinions regarding the subject they are addressing as it will be necessary for the city council to ultimately vote on the issue. In addition, the intent of citizen participation is to give input on the opinions and desires of individual citizens; therefore, citizens addressing the city council will not be allowed to poll the desires of the audience in any manner. Citizens may express their concerns in writing.
- c. Due to the nature of public meetings and the desire to make sure that everyone has an opportunity to address the city council, citizens who refuse to be cooperative or are loud, abusive, disruptive, or threaten violence may be required to leave the city council meeting. The chief of police or his designee is appointed standing sergeant-at-arms for this purpose.
- d. A councilmember may request of the mayor to recognize a member of the public to speak on a specific agenda item."

Section 5. Subsection 2-36(5)(k) of Section 2-36 of Article II of Chapter 2 of the City of Sealy, Texas code of ordinances is amended to read as follows:

"CHAPTER 2 – ADMINISTRATION

* * * *

ARTICLE II. – CITY COUNCIL

* * * *

Sec. 2-36. Council governance policy and additional rules of procedure.

* * * *

(5) Meetings.

* * * *

k. *Speakers.*

1. A person wishing to address the city council must first complete a request form and register it with the city secretary. The following information must be provided on the form: name, residence address, daytime telephone number, the subject matter to be addressed.
2. Speakers must address their comments to the presiding officer rather than to individual councilmembers or staff.
3. Speakers must keep their remarks specific to the item being considered by the city council. If the speaker is addressing the city council under the "petitions and public comments" section, the speaker may address any item not slated for discussion on the agenda.
4. A person who registers to speak on an item listed on the agenda will be called on after the chair gains agreement to do so by the council. A person who registers to speak on a public hearing item or during the "petitions and public comments" section will be called on at that time. The chair may determine the order in which speakers are called.
5. All speakers will have a maximum of three minutes to address the council. A majority vote of the council will be required to extend the time limit. The chair may impose more restrictive time limits if a large number of persons register to speak.
6. For called public hearings, the applicant will be allowed a maximum of five minutes to make a presentation.
7. In accordance with the Texas Open Meetings Act, the city council will not discuss or consider any item addressed during the "petitions and public comments" section. Councilmembers will not interact with the public during the

time allotted to speakers unless a nondebatable motion approved by the city council allots a specific amount of time.

8. Whenever it is necessary for a speaker to use an interpreter to translate comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council."

Section 6. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 7. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Sealy, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 8. Effective Date. This ordinance shall become effective immediately upon second reading.

PASSED AND APPROVED at this first reading on the 6th day of February 2024.

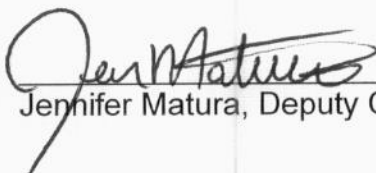
PASSED, APPROVED AND ADOPTED at this second reading on the 21st day of February 2024.





Carolyn Bilski, Mayor

ATTEST:



Jennifer Matura, Deputy City Secretary