

ORDINANCE NO. 2019-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KARNES CITY, TEXAS ESTABLISHING RULES FOR PUBLIC COMMENT ON AGENDA ITEMS AT OPEN MEETINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2019 the Texas legislature approved House Bill 2840 amending Section 551 of the Government Code; and

WHEREAS, Government Code Section 551.007(a), now requires public comment on each item on the agenda before or during its consideration by a “governmental body” as defined by the code; and

WHEREAS, Government Code Section 551.007(c) now provides that a city may adopt reasonable rules regarding the public’s right to address the governmental body, including rules that limit the total amount of time that a member of the public may address the body on a given item; and

WHEREAS, the city council now wishes establish rules for the public’s comment to the city council and any of the city’s boards, committees, and commissions subject to the new law.

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

SECTION 1. RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 2. PUBLIC COMMENT. The City Council hereby adopts rules for public comment at city council meetings and any other city boards, committees, and commissions deemed a “governmental body” under Government Code Sections 551.001(3)(B)-(L):

A. Agenda Items

- a. All public members who desire to address an agenda item at an open meeting shall complete a Public Comment Form (as issued by City Secretary) and submit it to the city secretary or other designated city representative prior to the meeting.
- b. The speaker shall indicate on the form the particular agenda item on which they wish to comment.
- c. In accordance with the Texas Open Meetings Act, the city council (or other governing body) cannot deliberate or take action on items not listed on the meeting agenda.

B. Time Limit

- a. It is hereby found and determined that to preserve time and allow all public members the opportunity to speak at open meetings, while accomplishing agenda items, each public comment shall be limited to three (3) minutes per speaker.
- b. Public comment from persons requiring need of a translator (e.g., non-English speaker, sign language, etc.) will be limited to six (6) minutes.

C. Public Criticism.


- a. The City Council acknowledges the right of the public to comment and criticize any act, omission, policy, procedure, program or services by the City of Karnes City.
- b. Public criticism otherwise prohibited by law will not be tolerated and persons engaging in such speech will be subject to ejection from the meeting and/or applicable punishment or penalty under applicable law.

SECTION 3. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

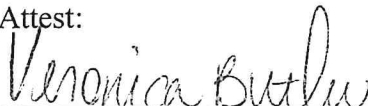
SECTION 4. SEVERABILITY. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 5. This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED this 22nd day of October, 2019.


Leroy T. Skloss, Mayor

Attest:


Veronica Butler, City Secretary

