

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS REPLACING RESOLUTION NO. 2019-14 ON THE POLICY AND RULES OF DECORUM ON PUBLIC COMMENTS DURING CITY COUNCIL AND PUBLIC MEETINGS.

WHEREAS, the City of Deer Park ("City") has determined that it is necessary and in the best interest of the City and its residents to adopt the City's policy and rules related to public comments for items not on the agenda, as well as items on the agenda during City council meeting; and

WHEREAS, pursuant to House Bill No. 2840, Texas Government Code section 551.007 (a)-(e), the City is authorized to establish rules regarding the public's right to address the City Council on items on all public meeting agendas, including rules that limit the total amount of time that a public member may address the City Council on a given agenda item; and,

WHEREAS, the City passed Resolution 2019-14 on November 19, 2019, which sets the policy and rules of decorum which now will be replaced with this resolution; and,

WHEREAS, the City further finds this policy to be in the best interest of the City and its residents to maintain order and decorum during City Council and other posted meetings by replacing the policy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS THAT THE POLICY AND RULES OF DECORUM ARE AS FOLLOWS:

In order to participate in the "Comments from Audience" section during a public meeting, speakers must follow the following procedures and rules:

1. Speakers must register on the public comment sign-up form upon arrival to the meeting. Speakers must be registered to speak five minutes prior to the start of the meeting (i.e. meeting begins at 7:30 pm, speakers must be registered by 7:25 pm).
2. The Mayor/Presiding Officer reserves the right to limit the time afforded each speaker for both agenda item matters and non-agenda matters, as well as the total time that will be allocated to each speaker for public comments and as such speakers are instructed to address all agenda and non-agenda items in a single block of time not to exceed **three (3) minutes**. A speaker **may not** transfer his/her time to another individual.

Per H.B. 2840, any member of the public who addresses the body through a translator will be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the body. The same consideration will be given to those with special needs/disabilities.

The Mayor/Presiding Officer may limit the total amount of time for public comments and reserves the right to limit the number of speakers that will be heard on any matter during the course of a public meeting.

By law, the City Council may not comment publicly on issues raised that are not included on the current meeting agenda, but may direct the City Manager to resolve or request the matter to be placed on a future agenda. If staff or administrative assistance will be requested, speakers are asked to make the request during their address.

3. For posted public hearings, speakers will have three (3) minutes to speak on each item on the agenda, and total amount of time allowed for public comments will be determined on a case-by-case basis.

Per H.B. 2840, any member of the public who addresses the body through a translator will be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the body. The same consideration will be given to those with special needs/disabilities.

All persons are encouraged to attend City Council and other public meetings. However, the number admitted shall be limited to the fire safety capacity of the City Council chambers as determined by the Fire Marshal. The city does provide audio streaming option of meetings through their website at <https://deerparktx.gov> under Agenda and Minutes section.

The following will be displayed with the Public Comment sign-up sheet at public meetings and on the City's website:

The Comments from Audience section is to allow persons one opportunity to address the City Council/governing body on issues included on the meeting agenda or items not included on the agenda. Pursuant to House Bill No. 2840, Texas Government Code section 551.007 (a)-(e), the City allows persons to speak at the time the item appears on this agenda as the "Comments from Audience" section, before the governing body's consideration of any action items. Speakers should address their comments to the presiding officer. The speaker must avoid personal attacks and verbal abuse. Any disruptive behavior by the speaker or person in attendance at the council meeting or other public meetings may cause the individual to be removed from the meeting and charged with the crime of disrupting a lawful meeting.

While participating in the "Comments from Audience" section during a public meeting, speakers must abide by the following rules of decorum:

1. Speakers should address their comments to the presiding officer rather than any individual, city council member or staff. With any physical handouts, speakers should provide no fewer than 12 copies to the City Secretary for distribution to the Mayor, City Council and administration.
2. The City prohibits disruptive comments from the public regarding staff or members of the City Council/governing body. The speaker must avoid personal attacks and verbal abuse. Citizens are discouraged from making comments that are inappropriate, pornographic, malicious, offensive, threatening, profane, insulting or grossly inaccurate. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, disability, national origin or sexual orientation will not be permitted.
3. Persons in attendance shall not display signs, placards or other items in a manner that could block the view of those behind them or could be disruptive to the proceedings.
4. No person attending any public meeting shall delay the proceedings or refuse to obey the order of the presiding officer.
5. Any disruptive behavior by the speaker or a person in attendance at a City Council or other

public meeting may cause the individual to be removed from the meeting. The Mayor/presiding officer shall exercise control over persons who disrupt the meeting in the following ascending order of action:

- a. Call the person to order, advising that person of the infraction.
- b. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
- c. Order the person to leave the meeting.
- d. Order a Public Safety Officer to remove the person. Any person who resists removal by a Public Safety Officer shall be charged with violating Section 42.05 of the Texas Penal Code, a Class B misdemeanor.

This resolution shall take effect from and after its passage, and it is accordingly so resolved.

PASSED AND APPROVED, this _____ day of _____ 2024.

APPROVED:

Mayor, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney