



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Legal

CM/ DCM/ ACM: Aaron Leal, City Attorney

DATE: December 12, 2017

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas to adopt a Citizen Comment Pilot Program for Section 3.B. ("Receive Scheduled Citizen Reports from Members of the Public") items of the City Council's Regular Meeting Agenda; providing for a severability clause; providing for an effective date; and providing for a sunset date.

BACKGROUND

On October 10, 2017, the City Attorney gave a presentation regarding why the Council could not deliberate and take action on Section 3.B. ("Public Comment") items of the Council's Regular Meeting Agenda. Specifically, Section 3.B. items do not contain the necessary language that is used for all regular meeting agenda action items, which action items consistently use the words "consider" in connection with "adoption" or "approval". During the presentation, a question was asked as to whether the Council could ask questions of the speaker and engage in Council discussion. The City Attorney advised that the Council could if they amended Section 2-29 ("Council Rules of Procedure") and the Regular Meeting Agenda so as to provide the general public advance notice that questions and/or discussion may be had. At the end of the presentation, a consensus of the Council desired to proceed in this manner on a temporary trial basis. The Council directed the City Attorney to bring back a temporary trial ordinance that included the following items:

1. Allow the City Council to discuss Section 3.B. items;
2. Allow the City Council to ask questions of each citizen speaker;
3. Allow the City Council to request that a Section 3.B. item be further researched and presented by City Staff at a later City Council meeting; and
4. Modify the total time allotted for a Section 3.B. item to five (5) minutes, with three (3) of those minutes allotted to the citizen speaker's presentation and two (2) of those minutes allotted to City Council questions and discussion.

Attached to this AIS as **Exhibit 2** is a draft ordinance that proposes to enact a Citizen Comment Pilot Program that incorporates each of the above items. This Citizen Comment Pilot Program would supersede and prevail over any contrary provisions within Section 2-29 of the City Code for the duration of the pilot program. It will be effective for ninety (90) days to commence on January 1, 2018. At the end of the ninety (90) days, the ordinance will automatically expire without further Council action. If the Council wishes to continue the pilot program on a permanent basis, another ordinance will be necessary to make the changes permanent.

Since this ordinance amends Section 2-29 of the City Code, albeit for a temporary basis, Section 2-29(b)(14) requires that any proposed amendments or new rules shall first be introduced at a City Council meeting and then adopted at a subsequent City Council meeting. This is why there is not an action item on the Council's Regular Meeting connected to this Work Session item. This allows City Council to make any revisions to the draft ordinance before adopting it on December 12, 2017.

Apart from the draft ordinance, there is also included as **Exhibit 3** a draft revision to the script of the video that is aired at the beginning of the Public Comment Section of the City Council's Regular Meeting Agenda. It has been revised to incorporate the changes related to the Citizen Comment Pilot Program. Finally, also included as **Exhibit 4** is a draft revision to Section 3.B. of your Regular Meeting Agenda. It too has been revised to incorporate the changes related to the pilot program.

December 12, 2017 City Council Work Session

The City Attorney presented the draft Citizen Comment Pilot Program Ordinance to City Council, along with proposed revised drafts to the video script aired at the beginning of Public Comment Section of the City Council's Regular Meeting Agenda and to Section 3.B. of the City Council's Regular Meeting Agenda. During the presentation, the City Attorney advised the Council of a Council Member's suggested changes to the video script. Council was agreeable to the changes to the video script, which script, as revised at the Work Session, is attached as **Exhibit 4**. Finally, City Council directed the City Attorney to place the Citizen Comment Pilot Program Ordinance on its December 12, 2017 meeting agenda for adoption.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Organizational Excellence

EXHIBITS

1. Draft Citizen Comment Pilot Program Ordinance
2. Revised Council Citizen Comment video script
3. Revised Section 3.B. of the Regular Meeting Agenda
4. Presentation

Respectfully submitted:
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