

**RESOLUTION NO. 2020-08-XXX (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ITS POLICY AND PROCEDURES FOR PUBLIC COMMENTS, RULES OF DECORUM, AND PRESENTATIONS AT CITY COUNCIL MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of McKinney, Texas, conducts open meetings in accordance with the Texas Government Code, Chapter 551 Open Meetings; and

**WHEREAS**, Section 551.007 of the Texas Open Meetings Act allows members of the public who desire to address the City Council regarding meeting agenda items to do so, and it allows the City Council to adopt reasonable rules regarding the public's right to address the body; and

**WHEREAS**, Section 551.042 of the Texas Open Meetings Act provides for public comments and allowable responses to inquiries about a subject not on the meeting agenda; and

**WHEREAS**, the City Council of the City of McKinney, Texas, established its policy for public comments and presentations at open meetings of the City Council, on February 18, 2020; and

**WHEREAS**, the City Council of the City of McKinney, Texas, desires to amend its policy for public comments and presentations at open meetings of the City Council, to include information concerning decorum and updates related to the submission of digital public comments and the submission of speaker cards to speak during the public comment section(s).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AS FOLLOWS:**

Section 1. That the foregoing recitals are hereby found to be true and correct legislative findings of the City of McKinney, Texas, and are fully incorporated into the body of this resolution.

Section 2. That the City Council of the City of McKinney, Texas, does hereby adopt the City of McKinney Policy and Procedure for Public Comments and Rules of Decorum at City Council Meetings, a copy of which is attached hereto as Exhibit A.

Section 3. That the City of McKinney, Texas has developed a handout for reference regarding the City of McKinney Policy and Procedure for Public Comments, and Rules of Decorum at City Council Meetings, a copy of which is attached hereto as Exhibit B.

Section 4. That this Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 18TH DAY OF AUGUST 2020.**

**CITY OF MCKINNEY, TEXAS**

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GEORGE FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary

Approved as to Form:

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MARK S. HOUSER  
City Attorney

## EXHIBIT A

### CITY OF MCKINNEY POLICY AND PROCEDURE ON PUBLIC COMMENTS AND RULES OF DECORUM AT CITY COUNCIL MEETINGS (Amended August 18, 2020)

#### I. Overview

The City Council of McKinney, Texas, encourages public participation in open meetings. Members of the public who desire to address the City Council may speak on issues regarding meeting agenda items and issues not on the meeting agenda, including the use of presentations.

This policy provides guidelines for:

- a. a fair and consistent application of Chapter 551 of the Texas Government Code, (Texas Open Meetings Act), regarding Public Comments;
- b. conducting public meetings in an efficient and orderly manner;
- c. supporting the City Council Strategic Goals to:
  - increase community involvement and participation within local government / community; and
  - continuously provide a high level of customer service to our citizens.

#### II. Procedures for Speaking to the City Council

##### a. **Individuals in attendance at the meeting who wish to speak** shall:

- 1) Complete a Public Comment Card; and
- 2) Deliver it to the meeting clerk prior to the start of the meeting; and
- 3) Wait to be called to speak.

The Comment Card shall include:

- Speaker's contact information; and
- The posted agenda item number or the non-agenda topic of discussion.

##### b. **Individuals who plan to be in attendance at the meeting who wish to speak** shall also have the option to:

- 1) Complete a Public Comment Card online, available at [www.mckinneytexas.org/SpeakerRequest](http://www.mckinneytexas.org/SpeakerRequest); and
- 2) Submit it to the City Secretary, via e-mail to [contact-citysecretary@mckinneytexas.org](mailto:contact-citysecretary@mckinneytexas.org), or deliver it to the meeting clerk prior to the posted start time of the meeting; and
- 3) Wait to be called to speak.

The Comment Card shall include:

- Speaker's contact information; and
- The posted agenda item number or the non-agenda topic of discussion.

**c. Individuals in attendance at the meeting who do not wish to speak but want their comments to be entered into the meeting record shall:**

- 1) Complete a Public Comment Card; and
- 2) Deliver it to the meeting clerk prior to the start of the meeting.

The Comment Card shall include:

- Speaker's contact information; and
- Speaker's comment, which will be documented in the meeting record as written on the card.

**d. Public Comment Cards** will be available at each meeting. For convenience, cards will be available on the City of McKinney website at [www.mckinneytexas.org](http://www.mckinneytexas.org), to be printed and delivered in person. Public Comment Cards should generally be delivered in person, but may be emailed to the City Secretary (contact-citysecretary@mckinneytexas.org) if the Speaker anticipates he or she may be late arriving to the meeting.

Correspondence received otherwise (via email, mail, receptionist desk, etc.) will be delivered to the City Council in the normal course of business. Such correspondence will not be considered part of the meeting, nor will it be documented in the meeting record.

**e. Individuals who wish to submit comments digitally shall:**

- 1) Complete the 'Citizen Comment' form available at [www.mckinneytexas.org/citizencomments](http://www.mckinneytexas.org/citizencomments); and
- 2) Submit the 'Citizen Form' with all information required, after the posting of the meeting agenda for which the comment is being submitted, and before the posted start time of the meeting for which the comment is being submitted.

**f.** A Speaker segment will be held prior to the City Council's consideration of the Agenda Items for those Speakers who wish to address the City Council on one or more Agenda Item(s) only. An additional Speaker segment will be held after the Agenda Items are heard for those Speakers who wish to address the City Council on matters not listed on the Agenda. Statutory public hearings will allow for speakers to be heard on the subject matter of the public hearing at the time the public hearing is held separate from the Speaker segments. No digitally submitted comments or written comments submitted in person will be read aloud during either speaker segment. Digitally submitted comments and written comments submitted in person will be made available to the City Council and will be enrolled into the public record of the meeting.

**g. Time Allotted to Speak (with Translator)**

Non-English Speakers requiring a translator to address the City Council shall be allowed twice (2 x) the allotted amount of time for English speakers.

**h. Modification of Speaking Time**

The Mayor may reduce the speaker time limit uniformly for all speakers to accommodate the number of speakers or improve meeting efficiency.

### III. Procedure for Using Presentations/Materials/Handouts

- a. Individuals desiring to use Presentations/Materials/Handouts (collectively referred to as a "Presentation") of any kind shall satisfy the following:

#### **Prior to the Meeting**

- 1) Deliver the Presentation to the Office of the City Secretary no later than noon of the day before the meeting
- 2) Deliver the Presentation via email to [contact-citysecretary@mckinneytexas.org](mailto:contact-citysecretary@mckinneytexas.org) or in person at McKinney City Hall, 222 N. Tennessee Street, McKinney, Texas 75069

#### **At the Meeting**

- 1) Be prepared and able to setup and deliver the Presentation within the allotted speaking time
  - 2) Be prepared and able to setup and deliver the Presentation without the use of city resources
- b. For Presentations delivered via email, the City Secretary staff will issue a confirmation email. For Presentations delivered in person, the City Secretary Staff will issue a hardcopy confirmation receipt.
- c. The City Secretary will distribute an appropriate number of copies of the Presentation to the City Council, City Attorney, and City Staff.
- d. The City reserves the right to deny the use of any Presentation. Failure to follow the procedures for Presentation will result in denial of the use of the Presentation.
- e. Approved presentations will be documented in the meeting minutes for public record.
- f. Email Notifications – Members of the public can subscribe to the [Notify Me](#) service for free, automatic email notifications of agenda postings at:

<https://www.mckinneytexas.org/list.aspx>

### IV. Order of Speakers and Time Allotted to Speak

- a. Order of Speakers

**Agenda Items (Non-Public Hearing):** Individuals wishing to speak regarding meeting agenda items that are not Public Hearings will be called to speak at the beginning of the meeting.

**Public Hearing Items:** Individuals wishing to speak regarding Public Hearing items on the meeting agenda will be called during the discussion of the related Public Hearing.

**Non-Agenda Items:** Individuals wishing to speak on issues not listed on the agenda will be called after completion of the meeting agenda.

b. Time Allotted to Speak

**Agenda Items (Non-Public Hearing):** Speakers wishing to address the City Council regarding any non-public hearing agenda item(s) shall have a time limit of three (3) minutes per speaker, per agenda item.

**Public Hearing Items:** Speakers wishing to address the City Council regarding any public hearing agenda item shall have a time limit of three (3) minutes per speaker, per agenda item.

At the discretion of City Council, the speaker may be requested to stand for further discussion of an item.

**Non-Agenda Items:** Speakers wishing to address the City Council regarding any non-agenda item shall have a time limit of three (3) minutes per speaker.

c. Time Allotted to Speak (with Translator)

Non-English Speakers requiring a translator to address the City Council shall be allowed twice the allotted amount of time as English speakers.

d. Modification of Speaking Time

The Mayor may reduce the speaker time limit uniformly for all speakers to accommodate the number of speakers or improve meeting efficiency.

V. City Council Meeting Rules of Decorum

- a. Speakers have the right to criticize policies, procedures, programs, and services, but speakers must stick to public comment policy time limits and stay on topic.
- b. All individuals are expected to be respectful and courteous to Council, staff, other speakers, and others in attendance at the meeting.
- c. Behavior that fails to yield the floor when the speaker's time is concluded; is not relevant to the agenda item or city business; repeatedly interrupts a Council member; disturbs the order of the meeting; involves loud, threatening, hostile, abusive, vulgar or obscene language; and disrupts the Council meeting is prohibited.
- d. Any speaker or audience member that violates the Rules of Decorum or engages in disruptive behavior may be subject to removal from the meeting.
- e. No outside placards, banners, signs, pennants, or flags will be permitted in the Council Chambers or in any other room in which the City Council is meeting.
- f. Only city staff, consultants, or petitioners with scheduled agenda items can use visual aids during their scheduled presentations, unless otherwise allowed in accordance with Section III. of this policy.
- g. The Mayor or Presiding Officer will enforce these rules, and a person's failure or refusal to comply with an explicit request or order of the Mayor or Presiding Officer may violate the Texas Penal Code, Section 38.13.

# Speaking at a City Council Meeting

Rev. 08/13/2020 1:21PM



## Signing Up to Speak

- Anyone who desires to speak must sign up **before** the start of the meeting by filling out a speaker card and giving it to the City Secretary. Speaker cards are available:
  - In person at City Hall
  - Online at [www.McKinneyTexas.org/SpeakerRequest](http://www.McKinneyTexas.org/SpeakerRequest)
- All speaker cards must be filled out and hand delivered to the City Secretary or emailed to [contact-citysecretary@mckinneytexas.org](mailto:contact-citysecretary@mckinneytexas.org) before the posted start time of the meeting.
- Any speaker cards received after the meeting begins will be placed in the official meeting records; however, those persons will not be allowed to speak during either public comment segment.
- In lieu of speaking, written comments may be submitted to the City Secretary's Office before the start of the meeting. For more information, visit [www.McKinneyTexas.org/CouncilMeetings](http://www.McKinneyTexas.org/CouncilMeetings).



## Speaking to Council

- Be prepared to move quickly to the podium when your name is called. Do not approach the dais.
- Begin by stating your name and your address.
- You will be allowed up to three (3) minutes to address the Council. The Mayor or Presiding Officer, at his or her discretion, may reduce the time as deemed necessary to ensure meeting efficiency.
- Citizen comments at the beginning of the meeting are limited to the items on the posted agenda. Public comments regarding an item that is the subject of a public hearing will be heard when the public hearing is held. Those comments which are unrelated to posted agenda items will be heard at the end of the meeting.



## Helpful Tips

- Presentations that are short, but to the point, are more effective than long and repetitive presentations.
- If your point has been made by previous speakers, feel free to inform the Mayor or Presiding Officer that you do not need to speak because your point had been made by another speaker. You can make a simple statement from your seat, such as: *"I do not wish to speak. My point has been made."*
- Information you would like to provide to Council must be emailed to [contact-citysecretary@mckinneytexas.org](mailto:contact-citysecretary@mckinneytexas.org) or delivered to the City Secretary's Office **by noon of the day prior to the meeting**. Please provide 12 copies of materials to distribute to Council. City staff will not make copies or provide access to city equipment to display images or information.
- Address your remarks to the entire Council, rather than to a specific member. Do not address your remarks to the audience.
- Do not ask Council if anyone has questions. Council will ask you to stay at the podium if there is a question.
- A count-down clock will indicate how much time is remaining to speak. When the time has ended, a tone will sound, and your comments must be completed.



## Rules of Conduct

- Speakers have the right to criticize policies, procedures, programs, and services, but speakers must stick to the time limits and stay on topic.
- Be respectful and courteous to Council, staff, other speakers, and those in attendance at the meeting.
- Behavior that fails to yield the floor when the speaker's time is concluded; is not relevant to the agenda item or city business; repeatedly interrupts a Council member; disturbs the order of the meeting; involves loud, threatening, hostile, abusive, vulgar or obscene language; or disrupts the Council meeting is prohibited.
- Any speaker or audience member that violates these rules of conduct or engages in disruptive behavior may be subject to removal from the meeting.
- The Mayor or Presiding Officer will enforce these rules, and a person's failure or refusal to comply with an explicit request or order of the Mayor or Presiding Officer may violate the Texas Penal Code, Section 38.13.



## Signs in Chamber

- No outside placards, banners, signs, pennants, or flags shall be brought into the Council Chambers or in any other room in which the City Council is meeting.
- Only city staff, consultants, or agenda item applicants are allowed use of visual aids during their scheduled presentations.



[www.McKinneyTexas.org/CouncilMeetings](http://www.McKinneyTexas.org/CouncilMeetings)

