

ORDINANCE NO. 20111215-051

AN ORDINANCE ESTABLISHING INTERIM CITY COUNCIL MEETING PROCEDURES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Findings.

1. The Council desires to continue to foster opportunities for public participation in city council meetings but improve clarity in procedures that regulate council meetings and work sessions.
2. City Code Section 2-5-25 regulates the items the Council may adopt by consent collectively without a separate vote of the Council.
3. Under City Code Section 2-5-25(B), the Council may not adopt items by consent that are (1) subject to a public hearing, (2) posted on the agenda for a specific time, (3) on which two or more people have registered to testify, and (4) that a council member has requested to be pulled for discussion.
4. Under City Code Section 2-5-25(D), a person, other than a council member, may not participate in removing more than three items from the consent agenda for a single council meeting.
5. Discussion at Council has occurred recently regarding the manner in which an item is removed from the consent agenda on the basis of two or more people having registered to testify and the limitations on participating in removing the items from the consent agenda.
6. Council recognizes that it must balance the efficient running of a council meeting with the desire to encourage robust public debate on matters addressed at Council meetings.

PART 2. Council desires to establish interim procedures regarding the consent agenda. The procedures in this ordinance shall have control over the provisions in Chapter 2-5 to the extent of conflict.

PART 3. The following procedures shall apply to council meetings during the effective period of this ordinance.

1. The Council may not adopt an item by consent on which two or more people have registered to testify, subject to the following considerations:

- a. The persons participating in pulling the item from consent must be registered to testify 15 minutes prior to the scheduled start time of the council meeting. For example, at a regularly scheduled council meeting which convenes at 10:00 a.m., two persons must register to speak on an item before 9:45 a.m. to cause an item to be removed from the consent agenda.
 - b. If an individual is the only person registered to testify on an item on the consent agenda which has not been otherwise pulled for discussion, the item will remain part of the consent agenda. The person registered to testify will be allowed to speak one time, for up to three minutes on the consent agenda as a whole, regardless of the number of items for which the person has signed up to speak.
 - c. A person not wishing to speak but donating time shall be considered as registered to testify in determining if an item should be removed from the consent agenda. For example, if Person A registers to testify on an item on the consent agenda and Person B donates time to Person A, the item should be removed from the consent agenda.
 - d. A person, other than a council member, may not participate in removing more than three items from the consent agenda for a single council meeting.
 - (i) This limitation applies only to items that are removed from the consent agenda solely on the basis of the number of persons who have registered to testify or donated time.
 - (ii) The first three numerically-listed items for which a person has registered to testify or donated time shall be considered for purposes of this limitation.
 - (iii) A person who is registered to speak must be present in the council chambers when the item is pulled off the consent agenda.
2. The number of items pulled from consent on which a person may speak is not limited.

PART 4. The City Clerk should alter the speaker registration system in such a manner that eases confusion by limiting speaker registration to “wishing to speak” or “not wishing to speak”. Council Members may ask questions of any person related to an item on the agenda.

