



BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

Subject: Discussion and any necessary action regarding Resolution 2024-06 approving a public comment policy pursuant to Texas Government Code Section 551.007.

Department: Administration

Staff Contact: Jessica Sutter

Title: City Secretary

BACKGROUND INFORMATION:

The Open Meetings act was enacted in 1967 for the purpose of assuring that the public can be informed concerning the transaction of public business. Courts and the Attorney General interpreted the act to give the public the right to watch and attend open meetings, but not speak. This meant Governmental bodies were not required to allow public comment for most types of meetings, although most did. The main limitations were only that they do not discriminate against speech based on viewpoint, and they are reasonable considering the purpose served by the forum; Councils/Commissioners conducting city/county business.

In 2019 Texas Government Code 551.007 was enacted which:

- Specifies to whom the statute applies.
- Establishes the public's right to speak.
- Allows reasonable rules, including time limits.
- Time allowed when public testimony is translated.
- Governmental bodies must not prohibit criticism.

The City of Breckenridge last updated Resolution adopting rules of procedure, conduct, and decorum at its meeting was in 1995. That policy is outdated due to the enactment of Texas Government Code 551.007.

The Resolution presented to you will update our policy and create reasonable rules for Public Comment during open meetings that are in accordance with Section 551.007. The city currently allows 3 minutes per speaker during open meetings. This Resolution codifies that rule and creates a limit of 2 minutes per speaker if there are more than five individuals wishing to speak on any one matter. It also allows for a speaker's time to be doubled if they require the assistance of a translator.

FINANCIAL IMPACT:

N/A

STAFF RECOMMENDATION:

Consider approval of Resolution 2024-06 as presented.