

ORDINANCE NO. 846

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS AMENDING THE CITY OF EVERMAN CITY COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES RULES AND PROCEDURES TO PROVIDE PROCEDURES FOR PUBLIC COMMENT BY CITY COUNCIL MEMBERS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Everman Code of Ordinances section 2-22, the City Council has previously adopted The City of Everman City Council, Boards, Commissions, and Committees Rules and Procedures (the “City Council Rules and Procedures”); and

WHEREAS, the City desires to update those provisions to incorporate procedures to be used when a City Council member desires to engage in the public comment portion of a meeting; and

WHEREAS, the City Council of the City of Everman finds it to serve the health, safety and general welfare of the City to approve this ordinance amending the City Council Rules and Procedures;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS THAT:

SECTION 1. The City of Everman City Council, Boards, Commissions, and Committees Rules and Procedures, as adopted in 2022 by Ordinance No. 788 and as thereafter amended from time to time (the “City Council Rules and Procedures”) is hereby amended at Article 5 “Parliamentary Procedure,” Section 5.10 “Courtesy, Decorum and Order” by amending subsection 1 thereof to read in its entirety as follows:

“5.10 Courtesy, Decorum and Order

...

1. *Request to Speak.* Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Mayor.

(a) Public Comment By Council Member – A member of the City Council, including the Mayor, may sign up to speak as a member of the public during the Public Comment portion of a meeting by completing a Citizen Comment Request Form and submitting it to the City Secretary. Upon recognition of the Council member by the Mayor, that Council member must move from the Council table to the podium at which all members of the public stand for delivery of public comments and must provide his or her public comment at that podium. At the conclusion of the Council member’s public comment, the Council member shall not engage in further discussion but shall remain at the podium during the response, if any, from the Mayor or City staff (providing factual information or referring the matter to appropriate staff). At the conclusion of the Council member’s public comment and the response thereto, if any, the Council member shall return to his or her place at the Council table.

(b) Public Comment in General - Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. The speaker shall not speak beyond the reasonable time limit allowed by the Council. Public comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant, or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during the meeting must first complete a Citizen Comment Request Form and submit it to the City Secretary. The Mayor has the right to stop a speaker if the speaker's remarks become too personal, loud, crude, irrelevant, impertinent, redundant, or slanderous."

SECTION 2. All ordinances of the City of Everman, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, subdivision, clause, phrase, or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption and the publication of the caption as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Everman, Texas, on this the _____ day of January, 2026.

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney