

**ORDINANCE NO. 5481**

**AN ORDINANCE AMENDING ORDINANCE 4813 OF THE CITY OF MISSION AMENDING CHAPTER II – ADMINISTRATION; ARTICLE II - CITY COUNCIL SECTION 2-34 – PROCEDURE FOR PRESENTATIONS TO COUNCIL AND SEC. 2-36. – RULES OF DECORUM; REMOVAL OF PERSONS FROM MEETING, SECTION (C); PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE.**

WHEREAS, House Bill 2840 passed during the 86th Legislative Session in 2019 allows for a governmental body to adopt reasonable rules regarding the public's right to address the governmental body on a given agenda item.

WHEREAS, the City hereby acts to pass an ordinance enacting the right of a member of the public to address the governing body of the City at an open meeting regarding an agenda item either before or during the body's consideration of an item; and

WHEREAS, the City of Mission hereby adopts reasonable rules to ensure the orderly conduct of city business and incorporate any and all provisions and clarify other issues.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS THAT

Sec. 2-34. - Procedure for presentations to council, Section (a) is amended as follows:

- (a) Each person addressing the council during citizen participation must complete the appropriate form with the City Secretary prior to the scheduled meeting and will have one opportunity to speak. Citizens' participation will be limited to agenda items. When called to speak the citizen shall step up to the microphone provided for the use of the public and give his name and address in an audible tone of voice for the records, state agenda item(s) he wishes to discuss, state whom he is representing, if he represents an organization or other persons, and unless further time is granted by a majority vote of the council, shall limit his remarks to three minutes. The Mayor or Presiding Officer, at his or her discretion, may reduce the time as deemed necessary to ensure meeting efficiency regardless of the number of voting items (that are not the subject of a public hearing) they wish to address excluding the time when interrupted by a member of the council for questions or comments. All remarks shall be addressed to the council as a whole and not to any member thereof. No person other than members of the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question may be asked a councilmember or a member of the city staff without the permission of the presiding officer. Persons wishing to speak on an item that is set for a public hearing must speak at the public hearing section of the meeting. The city attorney or city secretary shall time any presentations and advise the council of the expiration of the time the presentation must halt unless a majority of the council authorizes the presentation to continue.

Sec. 2-36. – Rules of decorum; removal of persons from meeting, Section (c) is amended as follows:

- (c) Persons addressing the council. Any person who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the council be ordered barred from further audience before the council during that meeting. Speaker will follow rules of proper decorum which prohibits any direct or indirect personal attacks towards any member of the council or any city staff the comments made should pertain to city business and should not be threatening in nature. Everyone shall act with polite decorum. Behavior that fails to yield the floor when the speaker's time is concluded; is not relevant to the agenda item; repeatedly interrupts a Council member; disturbs the order of the meeting; involves loud, threatening, hostile, abusive, vulgar, or obscene language; or disrupts the Council or board 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(a) If rules are violated, the microphone will be turned off and the live feed will be stopped.

This ordinance shall take effect on April 22, 2024.

READ, CONSIDERED AND APPROVED this 22nd day of April, 2024.

ATTEST:

  
Anna Carrillo, City Secretary



  
Norie Gonzalez Garza, Mayor