



GARLAND

NOTICE OF MEETING CITY OF GARLAND, TEXAS

Administrative Services Committee

**Work Session Room of City Hall
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
OCTOBER 24, 2023
5:00 p.m.**

A meeting of the Administrative Services Committee of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

NOTICE: The committee may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns attorney/client communication, including pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

AGENDA:

1. PUBLIC COMMENTS

Persons who desire to address the Committee on any item on the agenda are allowed three minutes to speak. Testimony may be held until the item is considered or given at the beginning of any committee meeting. Invited testimony may also occur at any time, subject to a request of the Member of the Committee and with the approval of the Committee Chairperson.

a. APPROVAL OF MINUTES

2. ITEMS FOR INDIVIDUAL CONSIDERATION

a. Discuss and review current policies for naming City owned property

The City Attorney's Office as well as City Manager's Office will provide recommendations to City Council Policy to include stakeholder feedback and public input on the naming of City owned property.

b. **Discuss and Review Policies for the sponsorship of non-profit events**

Special Event staff will review current planned non-profit special events and provide recommendations on policies, annual approvals of the event calendar and expenses.

c. **Discuss and review City Council Policy, Disruption of meetings and violations of rules of decorum**

3. **ADJOURN**

NOTICE: The committee may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns attorney/client communication, including pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

2023 Administrative Services Committee

1. 1. a.

Meeting Date: 10/24/2023

Subject

APPROVAL OF MINUTES

Attachments

Draft Minutes September 12

DRAFT



GARLAND

MINUTES

The Administrative Services Committee of the City of Garland convened in regular session at 4:30 p.m. on Tuesday, September 12, 2023, in regular session at 4:30pm in the Work Session Room, 217 North Fifth Street, Garland, Texas, with the following members:

Present: Deborah Morris, Chair
Margaret Lucht, Council Member

Absent: Dylan Hedrick, Council Member

Staff Present: Carma Potter, Council Assistant
Phillip Urrutia, Assistant City Manager
Robert Goodwin, Assistant to the City Manager
Scott Levine, First Assistant City Attorney

Attendees: Michael Landers, Speaker

AGENDA:

1. APPROVAL OF MINUTES

a. Approval of the minutes from the August 1, 2023, meeting.

The motion was made by Chair Morris to approve the minutes as presented, seconded by Council Member Lucht. The motion carried unanimously.

2. PUBLIC COMMENTS

Persons who desire to address the Committee on any item on the agenda are allowed three minutes to speak. Testimony may be held until the item is considered or given at the beginning of any committee meeting. Invited testimony may also occur at any time, subject to a request of the Member of the Committee and with the approval of the Committee Chairperson.

Citizen, Michael Landers, provided public comments on the policy for naming City owned property.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

a. Discuss and review current policies for naming City owned property

The City Attorney's Office as well as City Manager's Office will provide recommendations to City Council Policy to include stakeholder feedback and public input on the naming of City owned property.

Assistant City Manager (ACM), Phillip Urrutia, reviewed with the committee the draft policy for naming City owned property. ACM Urrutia stated there was a request by the committee to have more public input take place as it related to the naming of buildings early in the stakeholder process. ACM Urrutia stated that the process of naming a facility has been defined in the policy. A statement was added to the policy that City staff will gather the public's feedback related to the naming of a city facility during stakeholder or other public input sessions. The feedback from those meetings, including a list of candidate's names, shall be shared with the City Manager and the mayor. The City Manager or staff designee will then present a list of names to the city council for public discussion and debate. A candidate shall be approved upon a simple majority and affirmative vote of council. ACM Urrutia believes this change captures what the Committee was looking to add to the policy.

Council Member Lucht opined that if one of those facilities happens to be a park, it would be nice to include the Parks Board in the naming process.

Chair Morris agreed with CM Lucht and noted that this was done with the skate park.

Chair Morris asked if there would be an issue if proposed if there would be a problem if the language was inserted.

ACM Urrutia stated that inserting the language will not be an issue.

Chair Morris had questions regarding the language that reads the city may erect a dedication plaque or comparable marking upon naming approval in addition to the facility name, the dedication plaque shall identify....and then it's this long list. She asked if the intention is to say a dedication plaque has to include the general contractor, architect, mayor, city manager, members of the city council at the date of the groundbreaking and should contain a section available for the names.

ACM Urrutia responded that this was the recommendation from the Council when the policy was reviewed.

CM Lucht stated that her preference is to have the Parks Board names on the plaque, but she is fine if it does not include it.

Chair Morris stated language reads what the plaque should contain and asked if should and shall are legally required.

First Assistant City Attorney, Scott Levine, stated that shall is more determinative than should. "Should" is a strong lawyer's suggestion; "shall" is a requirement; and "may" is optional. This was not included when the policy was initially drafted, but it appears we started with, you need

to have this; you should have this; and you may include this; it teardrops down.

Chair Morris suggested that it should include a section available for the names of those who significantly contributed to the success of the project. This may include, but is not limited to members of the community, former council members, current and former staff, donors and members of boards and commissions relevant to the project. She would rather that the policy requires less, and leave "may" as an open door. She is also fine with having the general contractor, architect and mayor, city manager and members of the council listed.

ACM Urrutia noted that this was common to include the general contractor, architect and mayor, city manager and members of the council listed.

Chair Morris stated that she would prefer to have the policy read "may" and leave the rest to the discretion of staff at the time.

CM Lucht agreed. She stated that it was nice to be mentioned on the plaque for Audubon Recreation Center but doesn't think the plaque is there now.

Chair Morris and Council Member Lucht asked for staff's recommendation if this should be brought to Council.

ACM Urrutia mentioned this has been a touchy subject in the past with community members and previous city council members feeling as if they were left out, especially, as the bond program projects took place. He believes this is something on which the Council will have to give staff direction.

Chair Morris stated that the community members and formal council members fall under "may". She suggested to ACM Urrutia that a sentence be added to the policy that reads that the text of a plaque will be presented to counsel for approval; this way, Council would be accountable for the final decision not staff.

ACM Urrutia agreed. He stated that it gives staff the opportunity to move forward move from a gray zone. Any amenity or facility that has an advisory board will review the text before it goes to Council for approval.

First Assistant City Attorney Levine stated that if the Council wants to have the final to say there isn't anything inappropriate with this. Additionally, if the Council does not want this responsibility, they can say as much. He also noted that he thinks when writing the policy, the drafter tried to capture that "those who significantly contributed to the project", could be members of the community and former council members.

It was the consensus of the committee that be accountable for making the final decision on who should be included on the plaque to alleviate staff from taking the hit. Their recommendation was that the text of the plaque be brought to the Council for approval before it becomes final.

Chair Morris requested that ACM Urrutia bring back the final draft of the policy to the committee for review and, hopefully approval.

4. ADJOURN

There being no further business to come before the committee, Chair Morris adjourned the meeting at 4:24 p.m.

CITY OF GARLAND, TEXAS

/s/ Deborah Morris, Chair

/s/ Carma Potter, Council Assistant

2023 Administrative Services Committee

1. 2. a.

Meeting Date: 10/24/2023

Subject

Discuss and review current policies for naming City owned property

The City Attorney's Office as well as City Manager's Office will provide recommendations to City Council Policy to include stakeholder feedback and public input on the naming of City owned property.

Attachments

Naming City Owned Property

Division 5 CEREMONIAL AND HONORARY PROCEDURES

Section 1 Facility naming and dedication plaques

(A) This policy applies to all public buildings, spaces, objects, property, organizational units, and grounds (collectively, “facilities”) owned or controlled by the City. The naming of a city facility vests in the sole discretion of the City Council.

(B) Unless otherwise contractually or legally obligated, the following criteria shall apply:

- (1) Generally, for a person (or persons) to be considered eligible for the privilege of having a facility named after him or her, they must have made a significant contribution to the City, the field of government, or human betterment.
- (2) To preserve the integrity and reputation of the City, no facility may bear the name of an individual convicted of a felony, impeached, removed from office, or dismissed from city service.
- (3) Generally, facilities shall not be named for current City employees or those who currently hold public office.
- (4) Special consideration shall be given to:
 - a. The historical significance of the contribution of the person(s) to the facility, program, or City;
 - b. The association of the person(s) with the facility to be named;
 - c. Any financial contribution of the person(s) to the facility to be named; and
 - d. Regional, state, national, or international recognition of the person(s)’ contributions and achievements.
- (6) Naming rights shall be in effect for the duration of the effective and typical useful life of the facility, and not in perpetuity.
- (7) The Council reserves the right to remove a name associated with any facility at any time in the event the naming gift pledge is unfulfilled, it is in the best interest of the City or donor, as determined by Council in its sole discretion, or to protect the reputation of the City or the donor.

(C) In the event the City Council determines it is appropriate to name or rename a City facility after a qualified person(s), the Mayor shall request that the City Manager assemble a list of candidate names for the facility, and provide recommendations. The City Manager shall consider the opinions and nominations of relevant stakeholders, including members of the City Council,

City Staff, and any other or City advisory Bboards or Committee involved in the naming process associated with the facility, in compiling the list of candidates. City staff will also gather the public's feedback related to the naming or renaming of a facility during stakeholder or other public input sessions regarding the facility. The feedback from those meetings, along with the feedback from the relevant stakeholders, including a list of candidates' names, will be shared with the City Manager and Mayor. The City Manager, or staff designee, will then present a list of names to the Council for public discussion and debate. A candidate shall be approved upon a simple majority affirmative vote of Council.

(D) The City may erect a dedication plaque or comparable marking upon naming approval. In addition to the facility name, the dedication plaque shall identify the general contractor, architect, mayor, city manager, and members of the city council at the date of ground-breaking. Additionally, the plaque should contain a section available for the names of those who significantly contributed to the success of the project. This, which may include, but is not limited to: members of the community, former council members, current and former staff, donors, and members of boards and commissions relevant to the project. The plans for any dedication plaque or comparable marking, including any recommendations for names that may be added to the plaque or marking, shall be submitted to City Council for consideration and approval.

2023 Administrative Services Committee

1. 2. b.

Meeting Date: 10/24/2023

Subject

Discuss and Review Policies for the sponsorship of non-profit events

Special Event staff will review current planned non-profit special events and provide recommendations on policies, annual approvals of the event calendar and expenses.

Attachments

Sponsorship of Non-profits

Sponsorship of Non-profits

Council Rules and Procedures (Proposed Changes)
Section 3 Assistance to non-profit organizations

Section 3 Assistance to non-profit organizations for special events

(A) A non-profit organization that intends to sponsor a special event within the City may request in-kind (non-monetary) assistance from the City by submitting a written request to the **City Manager**.* A request for assistance must be made for each event - standing or continuing requests are not allowed. A request for assistance must specify what benefits will accrue to the City as a result of the event and must specify with reasonable particularity what City services are being requested. A request for assistance must include a completed Special Events Assistance Program Application (see attached form). The request and application must be filed not less than 45 days prior to the date of the event. A request for assistance does not constitute an application for a special events permit under Chapter 30 of the Code of Ordinances unless so determined by the Building Official.

***CHANGE: Replace City Manager with Special Events Department each time listed.**

(B) In order to be approved, a request for assistance must meet the following criteria:

- (1) The sponsoring organization must provide evidence that the organization is an established civic, cultural, educational, religious or service group that is nationally- or state-chartered and that its membership is open to all citizens of Garland;
- (2) The organization must provide proof of non-profit status under Section 501(c) of the Internal Revenue Code;
- (3) The event must be of economic benefit to the community or contribute to the quality of life in Garland;
- (4) An expense and revenue report for any previous year's event(s) must be included with the application;
- (5) If the applicant has not previously obtained City assistance for the event, a projected expense and revenue report must be included with the application; and
- (6) The event must be open for participation by the public.

(C) **The City Manager may approve a request that meets the criteria established in this policy up to the available budgeted funds***. Requests shall generally be considered on a first-come, first approved basis.

*** Change (C) to reflect a yearly approval process - The Special Events department may approve a request based on the Fiscal Year's budgeting process presented to the Council in December of each year.**

(D) The amount, if any, to be made available for assistance under this policy will be determined by the City Council on an annual basis as part of the annual operating budget.

(E) The **City Manager*** shall timely notify the City Council of any upcoming special events for which assistance under this policy has been approved.

Section 4 Use of certain City-owned equipment for special events

(A) Under this policy, certain equipment owned by the City and under the control of the **Parks, Recreation and Cultural Arts Department*** may be made available without remuneration to an organization that meets the requirements established in this policy. A request for equipment usage under this policy is secondary to and subject in all respects to the priority given to City-wide events, events sponsored by a City department, or an event co-sponsored by the City.

***CHANGE: Replace Parks, Recreation and Cultural Arts Department with Special Events Department each time listed.**

(B) A requesting party must make a formal written request to the City by submitting a Special Event Assistance Program Application. **An application may be submitted to the Parks and Recreation Administrative Offices, 634 Apollo Rd, Garland, TX 75044 (or MET@garlandtx.gov).*** Approval of a request is entirely dependent on the availability of equipment. A request must be submitted at least 45 days prior to the event. A person appointed for that purpose by the City Manager is authorized to consider and approve requests that meet the requirements of this policy. Only the City Council, however, may approve a request that does not fully meet the requirements of this policy.

***CHANGE: Replace address with 211 N. Fifth St. (or SpecialEvents@GarlandTX.gov)**

(C) A request for use of public equipment may not be approved except as follows:

- (1) The event must be held within the Garland city limits;
- (2) A requesting party may submit no more than two requests per calendar year
- (3) Unless the requestor represents a neighborhood association registered as such with the Office of Neighborhood Vitality, the requesting party must meet the eligibility requirements of the City's Special Event Assistance Program as provided in Article II, Division 4, Section 3 of these policies;
- (4) Except for a neighborhood association registered as such with the Office of Neighborhood Vitality, the event must be open to the public for participation;
- (5) If applicable to the event for which the equipment is requested, the requesting party must submit with its request a copy of the temporary activity permit issued by the Building Official under Section 30.210, *et seq.* of the Code of Ordinances; and
- (6) The requestor must complete, sign, and submit with its application a waiver of liability and indemnification agreement pertaining to the equipment and its use in a form approved by the City Attorney.***

***RECOMMENDATION: City assisted applicants already must provide proof of insurance, recommend eliminating (6)**

(D) The method of transporting the equipment and, if the equipment is to be kept overnight by the requestor, the proposed method of storing and securing the equipment, must be approved in advance by the City. Failure on the part of the requestor to properly transport, store, secure or care for the equipment will disqualify any future requests by that requestor.

(E) Equipment must be returned in good condition within three days of receiving the equipment. The person signing the application form on behalf of the requestor shall be responsible for reimbursing the City for lost, damaged or delayed equipment.

SECTION 3: Event Logistics

Listed below are logistical elements that may be a part of your event. “Services available through City” indicates what the City of Garland may be able to provide through the Special Event Assistance Program. The “Applicant’s Responsibilities” section refers to logistical elements which may be a part of your event, but that are typically provided by the event sponsor or producer. Please check all in both sections that apply to your event:

<u>Services available through City</u>	<u>Applicant’s Responsibility</u>
Police security	Concessions/health permits
Street closures	Portable restrooms
Barricades	Stage/grandstand
Traffic/crowd control	Tents
Trash/recycling containers	Amusement rides/bounce houses
Running water (if available at site)	Temporary fencing
Electrical power (if available at site)	Signs, banners (City signage ordinances apply)
Park use (approved by Parks Director)	Merchandising
Preparation of City-owned facility/property	Sound amplification
	Animals (contact Animal Services Dept.)
	Overnight security
	Open flames**
	Generators
	Off-site parking and transportation
	Event Insurance
	Clean up of facility or event area
	**Delete Open flames

ARTICLE XI. SPECIAL EVENTS (Proposed Changes to Ordinance)

Sec. 30.210 Definitions

In this article:

- (1) Applicant means a person who has filed a written application for a special event permit.
 - (2) Special event means a temporary event or gathering, including but not limited to parades, bike races, marathons, walk-a-thons, or other types of races and festivals, using either private or public property or both, and which involves one or more of the following activities:
 - (a) Closing a public street;
 - (b) Blocking or restriction of public property;
 - (c) Sale of merchandise, food or beverages on public property, or on private property where otherwise prohibited by ordinance;
 - (d) Erection of a tent on public property, or on private property where otherwise prohibited by ordinance;
 - (e) Installation of a stage, bandshell, trailer, van, portable building, grandstand or bleachers on public property, or private property where otherwise prohibited by ordinance;
 - (f) Placement of portable toilets on public property, or on private property where otherwise prohibited by ordinance; or
 - (g) Placement of temporary no-parking signs in a public right-of-way.
- *ADDITION: (h) Anticipated attendance or participation of 100 or more**
(i) Animals or wildlife on City property

- (3) Special event permit means written approval from the Building Official to hold a special event. (Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.211 General authority and duty of Building Official

- (A) The provisions of this article shall be administered and enforced by the Building Official.
- (B) The Building Official has authority to issue a special event permit that authorizes one or more of the activities described in [section 30.210](#)(2) when requirements of this article have been met.
- (C) Application for a special event permit authorizes appropriate City departments to issue permits for the activities described in [section 30.210](#)(2) in locations where the activity would otherwise be prohibited by ordinance.

(Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.212 Article cumulative

The provisions of this article are cumulative of all City ordinances. Tent permits, building permits, electrical permits, food establishment permits, temporary outdoor amusement permits, animal exhibit permits, and all other permits required by ordinance or other law for specific activities to be conducted in conjunction with or as part of the special event may be applied for in one application through the Building Official if, in the determination of the Building Official, a cumulative permit is appropriate for the special event. (Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.213 Exemptions

The provisions of this article do not apply to a special event:

- (1) Conducted entirely on:
 - (a) Park property (with the approval of the Parks and Recreation Board);
 - (b) The Garland Performing Arts Center premises; or
 - (c) Firewheel Golf Course premises.
- (2) Funeral processions.
- (3) Housemoving and construction activities.

(Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.214 Permit application; issuance

(A) A person desiring to hold a special event shall apply for a special event permit by filing with the **Building Official*** a written application upon a form provided for that purpose. **A nonrefundable fee**** as specified in [section 30.301](#) of this chapter must accompany each application. An application for a special event must be filed not less than forty-five (45) days before the special event is to begin. The Building Official may waive the 45-day filing requirement if the Building Official determines that the application can be processed in less than forty-five (45) days, taking into consideration the number and types of permits required to be issued in conjunction with the special event permit.

***ADDITION: or Special Events Department each time Building Official is listed.**

****COUNCIL DIRECTION: Non-profits have not been paying a non-refundable fee even though the ordinance states a non-refundable fee for all. We should consider updating this in the building officials policies or begin charging a \$25 non-refundable fee.**

(B) An application must contain the following information:

- (1) The name, address and telephone number of the applicant and any other organization they represent and of person(s) responsible for the conduct of the special event;
- (2) A description of the special event and requested dates and hours of operation for the special event;
- (3) The estimated number of persons to participate in the special event;
- (4) In addition to the foregoing, an application for a special event shall contain the following:
 - (a) A sketch showing the area or route to be used during the special event, along with proposed structures, tents, fences, barricades, signs, banners and restroom facilities;
 - (b) The time and location of street closings, if any, are requested;
 - (c) Details of the sale of merchandise or the sale or serving of food or beverages at the special event, designating the vendors involved; and
 - (d) Description of animals to be used in the special event, if any.

(C) Upon receipt of the completed application, the Building Official shall forward a copy of the application to the appropriate departments of the City. Each department shall review the application and return it, with any comments, to the Building Official within ten (10) working days of receipt.

(D) The applicant shall submit evidence that sufficient parking will be provided for the special event to accommodate the projected number of persons attending the special event with a ten percent (10%) surplus. If parking is to be provided on private property adjacent to the special event, the applicant shall submit written evidence that the applicant has a right of possession of the property through ownership, lease, license, or other permission. If the property is not an established parking area, the applicant shall submit a form describing how parking on the property will be achieved and

arranged, including a designation of the number of parking spaces to be provided on the property.

(E) The applicant for a special event shall also provide the Building Official with copies of all agreements or other arrangements regarding the provision of police and other emergency services, barricades and traffic control, and litter collection and trash removal.

(F) If the applicant intends to use City services to provide any of the services described in subsection (E), above, the City shall submit to the applicant an estimate of the cost of each service. Any significant change in the nature and/or scope of the event may result in additional charges for City services. The applicant shall pay to the City a **deposit of fifty percent (50%) not less than five (5) days prior to the special event and sign an agreement agreeing to pay the balance due within ten (10) days after the special event upon final accounting of the costs due.***

***RECOMMENDATION: Either delete since it is unlikely we will charge the non-profit or change of payment in full (5) five days prior is recommended with an addition of exceptions may include non-profit organization approved for special event assistance.**

(G) The departments and the Building Official shall designate the licenses and permits required by other City ordinances or applicable law, restrictions, regulations, costs for City services, safeguards and other conditions necessary for the safe and orderly conduct of a special event, to be incorporated into the permit before issuance.

(H) After reviewing the application and departmental comments, the Building Official shall issue the special event permit unless denied in accordance with [section 30.215](#). A special event permit may be issued for a period not to exceed fourteen (14) consecutive days for a special event. A separate permit is required for each 14-day period during which a special event will be conducted.

(Ordinance 4779, sec. 1, adopted 6/7/94; Ordinance 5628, sec. 17, adopted 2/19/02)

Sec. 30.215 Denial or revocation

(A) The Building Official shall deny an application for a special event permit if:

(1) **A special event permit has been previously granted for another special event at the same place and time;***

***SUGGESTED ADDITION: Existing events have first right of refusal based on a corresponding date calendar. Existing events are defined as in their third consecutive year and beyond.**

(2) The proposed special event will occupy any part of a freeway, expressway or tollway;

(3) The time, place or manner of the proposed special event or demonstration will unreasonably disrupt the orderly flow of traffic and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;

(4) The applicant fails to comply with, or the proposed special event will violate this article, another City ordinance, or other applicable law, unless the prohibited conduct or activity would be allowed under this article, or the applicant has failed to comply with the terms of a previous special use permit;

(5) The applicant makes a false statement of material fact on an application for a special event permit;

- (6) The applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by City ordinance or other applicable law for the conduct of all activities included as part of the special event; or
- (7) The applicant fails to pay any outstanding costs owed to the City for a past special event.
- (B) The Building Official shall revoke a special event permit if:
 - (1) The applicant fails to comply with or conducts the special event in violation of a condition or provision of the special event permit, an ordinance of the City or any other applicable law; or
 - (2) The permit holder made a false statement of material fact on an application for a special event permit.

(Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.216 Appeal from denial or revocation of a special event permit

If the Building Official denies the issuance of a permit or revokes a permit, the Building Official shall promptly send to the applicant or permit holder by certified mail, return receipt requested, written notice of the denial or revocation and of the right to an appeal. The applicant or permit holder may appeal the decision of the Building Official to the City Manager, who shall promptly make a ruling on the appeal. (Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.217 Temporary parking restrictions

The Director of Police may, as determined by a review of the proposed special event and the materials submitted by the applicant, prohibit or restrict, for temporary periods and only in conjunction with the special event, the parking of vehicles along a street or streets within and adjacent to the site of the special event. The City shall post signs to such effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation of such signs. (Ordinance 4779, sec. 1, adopted 6/7/94)

Sec. 30.218 Offenses

- (A) A person commits an offense if the person:
 - (1) Commences or conducts a special event or a demonstration without a special event permit; or
 - (2) Fails to comply with any requirement or provision of a special event permit or this article.
- (B) A culpable mental state is not required for the commission of an offense under this section.

(Ordinance 4779, sec. 1, adopted 6/7/94; Ordinance 5371, sec. 7, adopted 6/1/99)

2023 Administrative Services Committee

1. 2. c.

Meeting Date: 10/24/2023

Subject

Discuss and review City Council Policy, Disruption of meetings and violations of rules of decorum

Attachments

Rules of Decorum

Article 1, Section 14 Disruption of meetings and violations of rules of decorum

- A. The City Council recognizes and affirms the right of the public to attend and participate in public meetings by providing comment on items on the agenda, and on matters not on the agenda during the “Open Microphone” period of the Regular Meeting of City Council. No provision of these Rules of Order and Policies should be construed to unlawfully restrict the public’s right to attend and participate in public meetings.
- B. Although the public has a right to attend and participate in public meetings, the City Council reserves its right to adopt reasonable policies and procedures to address behavior that disrupts the ability of a public body to conduct its business effectively and productively. This right includes, but is not limited to, adopting regulations on public testimony that are enforced fairly and without regard to the viewpoint of the speaker. For the purpose of this Section 14, a meeting disruption shall be a violation of the Rules of Procedure and Policies that substantially interferes with the body’s ability to conduct business. The term does not include language used during a person’s three (3) minutes of public testimony that may be considered insulting, provocative, confrontational, or profane and is not otherwise a violation of law.
- C. In the event a person violates a provision of the Rules of Order and Policies that results in a meeting disruption, the presiding member shall warn the individual that he or she is in violation of the Rules of Order and advise the person that if their disruptive behavior continues that he or she will be asked to sit down and remain quiet for the remainder of the meeting. In the event the individual further continues to disrupt the meeting, the presiding officer may order the individual to leave the premises.
- D. If a presiding member of the Council, committee, board, or commission orders an individual to leave the premises pursuant to above subsection (C), the presiding member may prohibit that individual from attending future meetings of their respective body up to a period of 30 days. The individual may appeal that decision to the Administrative Services Committee upon submitting a written notice of appeal with the City Secretary. Upon receipt of the appeal, the City Secretary shall schedule a meeting of the Administrative Services Committee to meet within 7 business days. If members of the Administrative Services Committee are not available to meet with a quorum present during that time period, the Mayor may refer the matter to another council committee whose members are available to meet.
- E. In the event a person that has been ordered to leave the premises disrupts any future meeting, the presiding member shall follow the procedures set forth in above subsections (C) and (D) to address the disruption. If the person is ordered to leave the premises a second time, the presiding member may extend the attendance prohibition up to 90 days. Participating in disruptive behavior a third time, which results in being ordered to leave, may result in a 180-day attendance prohibition. For each disruptive event following the third, in which the person is ordered to leave the premises, the person may be prohibited from attending future meetings for a period up to 365 days. The prohibited person may appeal any attendance prohibition order in the same manner as described in above subsection (D).
- F. In the event a person is prohibited from attending future meetings, that person shall be given notice that he or she has been criminally trespassed from the premises in the presence of a peace officer for the applicable period of time. The criminal trespass notice shall either be

recorded on a body worn camera or be in writing with a copy being hand delivered to the prohibited person.