City Council Agenda Memo

From: Paul Briseno, City Manager

Council Meeting: December 20, 2022

Subject: Public Comment Policy

Presenter: Paul Briseno, City Manager

Summary:
A City Council Public Comment Policy is presented for consideration. The Policy outlines how the public provides comments, and the City Council interacts during open forums and comments within the meeting.

Background:
Over the past few months, City Council has desired a process for responding to public comments. A public statement was crafted and policy for Council consideration. Requests from municipalities across the nation were made for policies that properly governed public comments. A group of Council Members Avery, Collins, and Tilton Byrne, as well as City staff, including the City Attorney, City Clerk, and City Manager, worked to provide the Brookings City Council with a Public Comment Policy.

Item Details:
The Public Comment Policy outlines how the public provides comments, and the Council interacts in public forums. All comments should be relevant to the board's jurisdiction and be civil/respectful. Speakers will remain in order, not express obscenities, threats, or inflammatory words or engage in disorderly conduct. The policy also provides meeting order managed by the Chair (Mayor) and/or Council Members. Policy specifics are summarized to include:

<u>Procedure for General Comment</u>
- A statement will be read and published that states: "All speakers are asked to present their comments in a respectful and courteous manner, and within the 3-minute time limit. If obscenities, threats or inflammatory words are expressed during this meeting, you will be asked immediately to stop commenting. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council."
- Each comment is limited to 3 minutes and will come from the podium.
- Speakers will provide their name and city of residence.
- Speakers cannot assign their time to others.
- Reasonable accommodations can be made if needed.
- Speakers may ask questions, but a response is not required.

- Chair has the right to interrupt the speaker to enforce decorum and rules.

Interruptions and Other Disturbances
- All are required to act with decorum and with respect.
- No one shall interrupt the proceedings or cause any form of disruption.
- No person may be physically aggressive, impertinent, threatening, or otherwise uncivil, uttering fighting words, speeches invasive of the privacy of individuals, unreasonably loud speech, and speeches so disruptive of the proceedings that the business of the City is substantially interrupted.

Violations
- The chair will give a warning, and if the subject continues, they may be removed (removal can be escalated based on situational needs).
- Prohibited conduct includes:
  o Violation of city, state, or federal law.
  o Interruption of speakers; name calling; boisterous remarks; yelling; excessive loud commentary as determined by the Chair.
  o Offensive use of abusive, obscene, profane, or threatening language or gestures.
  o Provoking a breach of the peace.
  o Intimidate, threaten, or harm persons, or damage or destroy property.

Response to Public Comments
- Once the Open Forum period is closed, no additional public comments pertaining to items will be heard, unless approved by the Council.
- City Council will generally listen rather than respond to comments.

Legal Consideration:
None.

Strategic Plan Consideration:
This proposed policy assists in the goal of Service and Innovation Excellence within the City Council's Strategic Plan.
Service and Innovation Excellence– performance management, governance, operations, intergovernmental relations, policy review

Financial Consideration:
None.

Options and Recommendation:
The City Council has the following options:
1. Approve as presented
2. Amend
3. Deny
4. Move the item to a Study Session
5. Discuss / take no action / table

Staff recommends approval of the policy as presented.

Supporting Documentation
Public Comment Policy