

RESOLUTION NO. 20180426-036

WHEREAS, on March 22, 2018 the City Council unanimously set two public hearings on the proposed Land Development Code and zoning map, commonly referred to as CodeNEXT, for Tuesday, May 29, 2018 and Saturday, June 2, 2018 both starting at 10:00 AM at City Hall; and

WHEREAS, as stated in the City Council existing adopted *Procedures for Austin City Council Meetings, Public Hearings, and Appeals* the City Council has found that: Useful public debate at its meetings is served by the fair and impartial administration of rules of order; Democracy is best served by participation of people in their government; Austin's exercise of representative democracy is well-served by the timely and substantial participation of its citizens; and the best government is that which is done in the open; and

WHEREAS, the existing adopted City Council procedures outlining standard guidelines for public hearings does not specifically address how to conduct a public hearing held over two non-consecutive calendar days and as a result the City Council acknowledges the need to adopt procedures that will foster a robust and useful public dialogue that is fair, impartial, and clearly communicated to residents in advance of the public hearing; and

WHEREAS, defining the process for public hearings does not prevent residents from providing feedback; and

WHEREAS, in addition to the public hearings, residents may offer input and comments on the proposed Land Development Code and zoning map to Council Members via a variety of platforms, including community meetings, emails, letters, and phone calls; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council adopts the following process and procedures for the public hearings on May 29th and June 2nd before City Council on the proposed comprehensive revision of the Land Development Code and zoning map:

I. SPEAKER REGISTRATION AND SPEAKING TIME

- (A) A person who intends to testify at a public hearing shall register on the electronic signup system; and
 - i. The person may register at any time starting 60 minutes before each public hearing and before the last person who has registered to testify for that public hearing has begun to testify; and
 - ii. A person may only register to testify at one of the public hearings before City Council.
- (B) All persons registered to testify will be allowed to speak for up to three minutes; and
- (C) A person may donate their speaking time at a public hearing to another speaker, for a total speaking time up to nine minutes, if the person donating the time is present when the speaker begins to address the body. Ideally, time donations are intended to allow groups of individuals and organizations to provide more unified and in-depth testimony; and
 - i. A person receiving a donation of time from another registered speaker may speak an additional three minutes for each donation of time received; and

- ii. A speaker may only use the time of no more than two other registered speakers for a total possible maximum speaking time of up to nine minutes.

II. PROCEDURES FOR PUBLIC HEARINGS

(A) Unless groups of speakers suggest organizing themselves into a particular sequence of no more than nine individuals (27 minutes total), the presiding officer shall call speakers in the order they are registered in the electronic signup system; and

- iii. The presiding officer may limit a speaker's time to address the body, as prescribed by Section 1-1-3 (Rules of Order) of the City Council adopted *Procedures for Austin City Council Meetings, Public Hearings, and Appeals* and the presiding officer may request that a speaker limit testimony to the matter posted for public hearing; and

- iv. Except as prescribed in this resolution, the body conducting the public hearing may not further limit the number of speakers or a speaker's time to address the body; and

(B) A member of the body conducting the public hearing is encouraged to hold all questions and comments until the end of each public hearing and until the member is recognized by the presiding officer; and

(C) The presiding officer should call each Council Meeting to order at 10:00 a.m. to begin each public hearing as soon as possible; and

(D) The presiding officer should adjourn the May 29th public hearing at 10:00 p.m. and the June 2nd public hearing at 6:00 p.m., unless there is a majority vote of the Council to continue the public hearing. However,

if Council is receiving an individual's public testimony at the designated adjournment time, the Council may proceed with the individual's public testimony without first voting to continue the meeting. Any individual signed up to speak on May 29th who does not speak before the public hearing is adjourned may speak at the June 2nd public hearing.

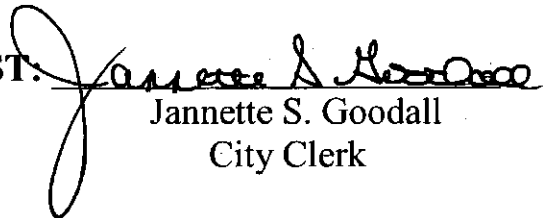
- i. Any individual signed up to speak on May 29th who does not speak before the public hearing is adjourned will be registered by the City Clerk to speak at the June 2nd public hearing.

BE IT FURTHER RESOLVED:

The City Manager is directed to include a summary of this Council adopted process for the public hearings on the proposed Land Development Code and zoning map before City Council on the CodeNEXT website as soon as possible.

ADOPTED: April 26, 2018

ATTEST:


Jannette S. Goodall
City Clerk