



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 3

Agenda Date: December 13, 2022

In Control: Community Health, Environment, and Culture Committee

DEPARTMENT: Office of the City Clerk

DEPARTMENT HEAD: Debbie Racca-Sittre

COUNCIL DISTRICTS IMPACTED: City-wide

SUBJECT: Briefing on Update to Public Comment

SUMMARY:

This briefing will provide an overview of the new processes and services related to Public Comment Session including results of the Parking and Public Transportation Pilot Program.

BACKGROUND INFORMATION:

The [Texas Open Meetings Act](#) (TOMA), Section 551.007 (adopted September 1, 2019) of the Texas Government Code requires the City to provide members of the public with an opportunity to comment on an Item prior to the governing body acting on that Item. Action is typically taken in City Council A Session and Zoning Sessions. Council Committees do not constitute a quorum of the governing body; therefore, public comment at Council Committees is optional but customarily applied to all Council Committees except Governance. Since B Sessions are typically for briefing only, public comment is not held unless an action or vote is planned for the B Session. In that instance, public comment is listed on the agenda.

Members of the public must sign up to speak at City Council meetings (in-person or online at [SASpeakUp.com](#)) at least 15 minutes prior to the start of meetings.

Wednesday City Council Public Comment Sessions were established in 2011 through [Ordinance 2011-01-20-0046](#), and codified in the City Code, Section 2-35, to allow members of the public to address City Council on any topic related to City business. The City's separate Wednesday Public Comment Session was created before Section 551.007 of the TOMA. A separate session for public comment is not required by State Law. Because no specific Items are posted for the Public Comment Session, City Council may not respond, deliberate or take any action to maintain compliance with the Texas Open Meetings Act.

As a result of a Council Consideration Request by Councilmember Sandoval filed February 28, 2018 titled [Advancing City Public Participation](#), the Communications & Engagement Department created the [SA Speak Up program](#) and associated Administrative Directive, which expanded the City's methods for gathering extensive community engagement through surveys, public meetings and information on how to participate in all levels of City government through guidelines and workshops implemented by all City Departments in a coordinated effort. Residents now have numerous opportunities to participate and provide comment and feedback to staff and City Council ahead of policy discussions and decisions. A parking and public transit pilot was initiated to make Council meetings more accessible to those who sign up to speak at A Session, Z Session and Public Comment Session.

The final remaining recommendation from the 2018 CCR relates to tracking of follow-up from Public Comment Session. The Office of the City Clerk, City Manager's Office, Communications & Engagement Department, Office of the City Attorney and the Executive Director of the Local Government Corporation recommend initiating a pilot process for following up on Public Comment Session.

ISSUE:

Staff recommends the City continue the parking and public transit pilot. The Office of the City Clerk will manage parking validations and VIA Metropolitan Transit vouchers.

Finally, staff is initiating a pilot for a new process for follow-up from the Public Comment Session. This pilot requires the Executive Director of the Local Government Corporation to share information about the comments with the 311 Customer Service Department which then refers (internally or externally), enters cases into the 311 system, if applicable, and tracks follow-up using the case number or in a report made available to the Council Offices.

FISCAL IMPACT:

There is no fiscal impact associated with this Item.

ALTERNATIVES:

Do not implement the follow up process and continue with Council District Offices responding directly to persons who speak at the Public Comment Sessions or discontinue Public Comment Sessions altogether as the session was created before State Law required Public Comment to be allowed before Council acts on an Item and before the creation of an extensive public engagement process through SASpeakUp.

RECOMMENDATION:

The Office of the City Clerk, City Manager's Office, Communications & Engagement Department, Office of the City Attorney and the Executive Director of the Local Government Corporation recommend initiating a pilot process for following up on Public Comment Session.