

A RESOLUTION AMENDING COUNCIL POLICY #CP-20 TO REVISE THE PUBLIC COMMENT TIME ALLOCATION PER INDIVIDUAL

NO. 2026-062

WHEREAS, the City of Commerce City is authorized to adopt policies governing Council process and conduct; and

WHEREAS, City Council has determined there is a need to amend #CP-20 to update the rules regarding public comment to provide for more efficient meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendments. Council Policy #CP-20 is amended to read as follows:

Council Policy #CP-20
Adopted 10/10/11 by Resolution 2011-44
Revised 9/16/19 by Resolution 2019-103
Revised 4/19/21 by Resolution 2021-29
Revised 4/20/26 by Resolution 2026-062

SUBJECT: Public Comment During City Council Meetings (Also refer to #CP-2, Section I; #CP-16)

POLICY STATEMENT: The City Council desires to hear from members of the public on issues affecting City business. City Council recognizes the need to adopt a policy that sets forth a procedure that allows members of the public to express their comments and concerns regarding City business, while balancing the need to run orderly and efficient meetings. This policy is intended to establish such rules and regulations for providing the public with a reasonable opportunity to be heard as provided by Section 4.24 of the City Charter.

A. The public may comment only during the following periods: (1) "Public Comment" during regular City Council meetings; (2) on specific ordinances and resolutions during the time set aside for public comment on that item; and (3) public hearings at the appropriate time. No other unscheduled speakers will be permitted without the unanimous consent of the City Council. Public comment is not permitted during study sessions or special meetings, unless specifically stated on the special meeting agenda.

B. A Public Comment Roster shall be made available prior to each regular meeting of the City Council and any member of the public who wishes to address the City Council must complete the Public Comment Roster and submit it to the City Clerk with the printed name, signature and address of the person wishing to speak, along with a short description of the topic or subject that

will be addressed. Agendas and the Public Comment Roster shall clearly state that members of the public may not be heard on study session items. The requirement for signing the Public Comment Roster as to any specific item on the agenda may be waived by the Mayor or other Council member chairing the meeting if the number of members of the public wishing to speak with regard to specific items makes it impractical to require each of them to sign the Public Comment Roster.

C. Unless modified by Council during any meeting, public comment (except for any quasi-judicial public hearing governed by separate procedures) will be consolidated under the Public Comment part of the meeting. Advance registration to speak will be required; the meeting agenda will identify the registration and submission deadline and include instructions for registration to speak or submission of written comments. No other unscheduled speakers will be permitted without the unanimous consent of the City Council.

D. All speakers are encouraged to state their points as briefly and clearly as possible. Repetitious remarks shall be avoided and the Mayor reserves the right to terminate redundant comments. All remarks shall be addressed to the City Council and no member of the City Council or City staff shall be requested or expected to engage in discussions or debate with any speaker.

E. When the City Council is required to make a decision in a quasi-judicial proceeding, each member of the City Council is legally required to be impartial and in order that all quasi-judicial hearings will be conducted in a fair and impartial manner, no evidence outside a hearing may be considered by the City Council in arriving at its decision. Therefore, if any member of the public wishes to speak regarding an issue that is or may be set for a public hearing, or is an issue that may require a quasi-judicial hearing for determination by the City Council, the member of the public may be advised to defer his or her remarks until the quasi-judicial hearing is held by the City Council.

F. "Public Comment." The Public Comment process for City Council meeting shall following the following guidelines:

1. Comments should be restricted to issues affecting City business and items within the purview of City Council to act.
2. Each speaker shall be limited to **three (3) minutes**. The time limit shall be monitored by a timer.
3. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.
4. Each speaker may only approach the podium to speak once during the entirety of the "Public Comment" period.
5. City Council members will not attempt to reach a solution to any issue presented during "Public Comment," but questions may be asked of member of the public during "Public Comment" to aid in clarification and determining a proper course of action. Unless the agenda is amended, Council will wait until administrative council business to make motions in response to public comment. To avoid the risk of an inaccurate or inadequate response to a concern, City Council members shall refer questions raised during "Public Comment" only to the City Manager or the City Attorney for a timely response. Appropriate follow-up will be provided by way of

agenda items or reports given by the City Manager at an upcoming meeting of the City Council. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.

6. Each speaker may only approach the podium to speak once during the agenda item.

G. Public Comment during Public Hearings: Please see #CP-22 for rules regarding procedures for quasi-judicial public hearings and Resolution 2020-30, as amended, for rules regarding virtual quasi-judicial public hearings.

1. Public comments during hearings shall be limited to **three (3) minutes** per individual.
2. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.
3. Each speaker may only approach the podium to speak once during the entirety of the public hearing.
4. Council members shall not express an opinion on the merits of a case during a quasi-judicial hearing.

H. The chair of the meeting has the authority to order any person to terminate his or her remarks if the time allotted to such person has expired or if the speaker has violated any of the foregoing rules.

I. Rules of public conduct identified in #CP-16 apply to all public comment.

RESOLVED AND PASSED THIS 20TH DAY OF APRIL 2026.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Stephen J. Ruger, City Clerk