

Wilmington, Delaware
October 5, 2023

#0354

Sponsor:

**Council
Member
Darby**

WHEREAS, the 108th Session of the Wilmington City Council believes openness, transparency, and accountability are paramount; and

WHEREAS, as legislative representatives elected by the citizens of Wilmington, members of City Council have a duty to ensure constituents exercise their First Amendment rights as liberally; and

WHEREAS, limiting public comment to one round prior to Council's debating on legislative matters acts as a First Amendment deterrent; and

WHEREAS, it would benefit Council, and the community at large, to allow public comment to occur in real-time after debate occurs on legislative items.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Rule 2 of the City Council Rules is hereby amended by adding the underlined language and deleting the stricken language to read as follows.

RULE 2 - ORDER OF BUSINESS

I) Public Comment: Public comment shall be available only to City of Wilmington residents or taxpayers. The President may place additional reasonable limitations on public comment to permit Council to conduct its meetings and to maintain order, including limiting repetitious comments. Each member of the public is limited to a total of three (3) minutes of public comment ~~per meeting~~ during this portion of a Council meeting.

J) Legislative Business: This portion of the meeting shall begin no later than 7:30 p.m., unless leave is granted by a two-thirds vote of the members present to grant additional time for public comment. The Legislative Business portion of the meeting shall be for the consideration of resolutions with legislative effect and ordinances only. Each member, prior to the legislative business public comment period, is entitled to speak twice to any matter subject to debate for periods not to exceed ten (10) minutes total, including any time yielded to other members. No member shall exceed these limits except by leave granted by a two-thirds vote of the members present, without debate. No member shall speak twice to a matter until every other member choosing to speak has been recognized. The member on whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member has had an opportunity to speak for a second time.

After the close of the initial round of debate on each item of legislative business, but before a vote is started, there shall be an opportunity for public comment in increments of three (3) minutes solely pertaining to that item of legislative business. Each member of the public is limited to three (3) minutes of public comment during this portion of a Council meeting.

After the close of each public comment period on items of legislative business, each Council member is entitled to speak twice to any matter subject to debate for period not to exceed five (5) minutes each time, including any time yielded to other members. No member shall exceed these limits except by leave granted by a two-thirds vote of the members present, without debate. No member shall speak twice to a matter until every other member choosing to speak has been recognized. The member on

whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member has had an opportunity to speak for a second time.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution amends City Council Rule 2 to add the following to the Legislative Business Section of City Council meetings: (1) a public comment period after the close of the initial round of debate by members of City Council during which members of the public will be allowed to comment in increments of three (3) minutes on each legislative item that will be voted on by City Council; and (2) a second round of debate by Council members during which each Council member will be entitled to speak twice on the matter subject to debate for a period of five (5) minutes each time.