

**Antonio Araujo**  
Mayor

**Leticia Miranda**  
Alderson Place 1

**David Cantu**  
Alderson Place 2



**Miguel Najera Jr.**  
Alderson Place 3

**Maria Covernali**  
Alderson Place 4

**George Almanzar**  
Alderson Place 5

**RESOLUTION NO. 1801R.07.01**

**A RESOLUTION BY THE CITY OF SAN ELIZARIO ENACTING A POLICY AND PROCEDURES FOR THE CREATION AND USE OF A LIMITED PUBLIC FORUM COMMUNITY BULLETIN BOARD AND POSTING OF REGISTERED BUSINESS AND OTHER COMMUNITY INFORMATION AT CITY HALL**

**RECITALS**

**WHEREAS**, the City Council of the City of San Elizario ("City") seeks to promote the and general welfare of City residents and the promotion of City businesses and economic development in the City; and

**WHEREAS**, the City Council has determined that enactment of a policy and procedure for the creation and use of a limited public forum community bulletin board and posting of registered business and other community information at City Hall is appropriate for these purposes and the purposes as stated within Section A, Policy and Purpose, of the Policy and Procedure; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City Council finds that it is necessary and proper for the good government and order of the City to establish this policy.


**NOW, THEREFORE, BE IT RESOLVED** by the City Council of San Elizario, Texas, that:

1. The foregoing Recitals are hereby adopted as facts and are incorporated fully herein.

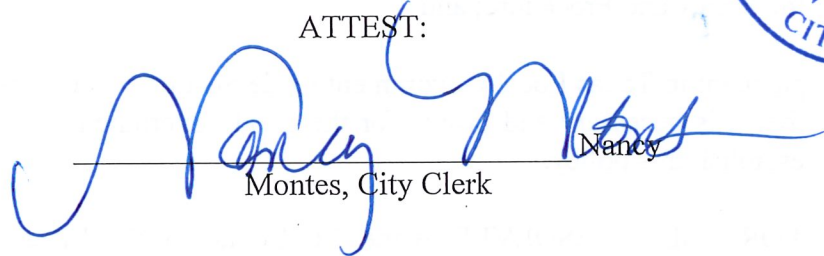
2. The City Council of the City of San Elizario hereby approves the *City of San Elizario Policy and Procedure for the Community Bulletin Board and Posting of Registered Business Information at City Hall*, attached hereto as "Exhibit A" and incorporated fully herein.
  
3. All resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, save for the City of San Elizario Subdivision Ordinance referenced herein, and the provisions of this Resolution shall be and remain controlling as to the matters regulated, herein.
  
4. Should any of the clauses, sentences, paragraphs, sections or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.
  
5. This Resolution shall be effective immediately upon passage and approval.

**PASSED AND APPROVED** this, the 9 day of October 2018, by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

**CITY OF SAN ELIZARIO, TEXAS**

  
\_\_\_\_\_  
Antonio Araujo, Mayor

ATTEST:

  
\_\_\_\_\_  
Nancy Montes, City Clerk



*EXHIBIT A*

**CITY OF SAN ELIZARIO POLICY AND PROCEDURE FOR THE  
COMMUNITY BULLETIN BOARD AND POSTING OF REGISTERED  
BUSINESS AND OTHER COMMUNITY INFORMATION AT CITY HALL**

# **CITY OF SAN ELIZARIO POLICY AND PROCEDURE FOR THE COMMUNITY BULLETIN BOARD AND POSTING OF REGISTERED BUSINESS INFORMATION AT CITY HALL**

## **A. Policy and Purpose**

1. The City of San Elizario desires to maintain a thriving and active community for the citizens of the City and to encourage the development and success of businesses located in San Elizario. Accordingly, the City Council of the City enacts this policy and procedure for the creation of a limited public forum community bulletin board at City Hall and a process for providing and posting a limited amount of information regarding businesses who have registered with the City pursuant to City Ordinance requirements.
2. The City Council of the City of San Elizario hereby declares and designates the community bulletin board placed at the San Elizario City Hall to be a designated limited public forum as those terms are used in the law. The City Administrator will create the bulletin board of sufficient size as to accommodate the anticipated uses of the bulletin board. The City Council declares that this bulletin board is established on a temporary basis and may be discontinued by the City at any time for any reason, and no person or entity shall have a right to demand the use of or the continuance of operation of the bulletin board.
3. This policy is created, and conditions and restrictions placed on the postings for the express purpose of imposing reasonable restrictions to preserve the civility and decorum necessary to further the purpose of making community event and activity information available to members of the public of all ages, including children. This policy further promotes good order and community access of this limited public forum by creating an orderly and fair process.
4. Postings on the community bulletin board shall be limited to non-regularly occurring events and activities occurring in the community and which are of interest to persons in the community and open to attendance or participation by persons in the community. For purposes of this policy, the community will include all areas within the boundaries of the City, the ETJ of the City (or otherwise within ½ mile of the city limits) and the San Elizario Independent School District.
5. In creating this policy and making the bulletin board available for postings as provided herein, the City guarantees neither the authenticity, accuracy, or appropriateness of anything posted on the bulletin board. All postings are the responsibility of the person or entity that submitted the item.
6. The City Council declares that this policy serves a municipal purpose of the City by making information available to the community, as opportunities for disseminating information and advertising community events is limited within the City. Further, making community businesses' information available to the public is appropriate pursuant to the purposes for

which the City requires the registration of businesses and for the promotion of businesses in the City and the generation of sales tax to the benefit of the City.

## **B. Community Bulletin Board Postings Process.**

1. All items shall be placed on and removed from the bulletin board by city staff. A request to post an item on the bulletin board shall be made at the City Clerk's office.
2. Process and requirements:
  - (a) Only documents, no larger than 11 x 17 inches may be posted.
  - (b) Upon submission to the City Clerk's office, each item will be date stamped.
  - (c) Items will be posted a maximum of 45 days. Items advertising an event with a date will be removed immediately after the event has taken place.
  - (d) Only one item may be posted regarding an event; no duplicate postings.
  - (e) The person or entity responsible for the item shall be identified on the item; no anonymous postings.
  - (f) Postings may not include profanity, obscenity, or abusive or hate speech; no item may promote, foster or perpetuate discrimination of any protected class or person.
  - (g) Items may not contain content (such as copyrighted information or photos) that violates a legal ownership interest of any other party.
3. The placement of posted items at a location on the bulletin board will be at the discretion of the City Administrator or his/her designee, and will, primarily, be done in such a fashion as to create an orderly presentation. No persons, other than City staff, may arrange or rearrange the postings. No persons, other than City staff, may remove any posting. Should any item be placed, moved or rearranged in violation of this policy, it is subject to being removed and/or rejected.

## **C. Registered Business Postings Process.**

1. Business cards:
  - (a) Any business that is registered with the City pursuant to City Ordinance may submit a 3 x 2 inch business card, or information about the business on 3 x 2 inch cardstock for posting on a designated bulletin board at City Hall.
  - (b) All cards shall be placed on and removed from the bulletin board by city staff. A request to post an item on the bulletin board shall be made at the City Clerk's office.
  - (c) Any business may submit a replacement card at any time. In the event that a business closes (as determined by the City Administrator or his/her designee) or the business fails to renew the required registration, the business' card will be removed.
  - (d) The placement of posted cards at a location on the bulletin board will be at the discretion of the City Administrator or his/her designee, and will, primarily, be done in such a fashion as to create an orderly presentation. No persons, other than City staff, may arrange or rearrange the cards. No persons, other than City staff, may remove any card. Should any card be placed, moved or rearranged in violation of this policy, it is subject to being removed and/or rejected for the remainder of the calendar year.

2. Informational business flyers:

(a) Any business that is registered with the City pursuant to City Ordinance may submit a business flyer or informational sheet regarding the business on one 8 ½ x 11 inch sheet of paper for placement in a 3 ring binder that will be made available to the public for their use and review.

(b) The person or entity responsible for the flyer shall be identified on the flyer; no anonymous postings. Flyers may not include profanity, obscenity, or abusive or hate speech; no item may promote, foster or perpetuate discrimination of any protected class or person. Flyers may not contain content (such as copyrighted information or photos) that violates a legal ownership interest of any other party.

(c) Any business may submit a replacement flyer at any time. In the event that a business closes (as determined by the City Administrator or his/her designee) or the business fails to renew the required registration, the business' flyer will be removed.

(d) The placement of business flyers within the binder will be at the discretion of the City Administrator or his/her designee, and will, primarily, be done in such a fashion as to create an orderly presentation. No persons, other than City staff, may arrange or rearrange the flyers. No persons, other than City staff, may remove any flyer. Should any flyer be placed, moved or rearranged in violation of this policy, it is subject to being removed and/or rejected for the remainder of the calendar year.

3. The City may, through the submission process or the business registration process, create a system of organizing businesses and their cards and information by various categories of business. If such a system is created, it shall be up to the business to designate the applicable category of business at the time the card or flyer is submitted to the City, or to designate or re-designate the category of business at the time that the renewal of the business' registration is made.

**D. Community organizations and community non-profit groups informational flyer policy and procedure.**

1. The City will allow all community organizations and community non-profit groups to submit an informational flyer consisting of one 8 ½ x 11 inch sheet of paper for placement in a 3 ring binder that will be made available to the public for their use and review.
2. The person or entity responsible for the flyer shall be identified on the flyer; no anonymous postings. Flyers may not include profanity, obscenity, or abusive or hate speech; no item may promote, foster or perpetuate discrimination of any protected class or person. Flyers may not contain content (such as copyrighted information or photos) that violates a legal ownership interest of any other party.
3. Any organization may submit a replacement flyer at any time. In the event that an organization ceases operation (as determined by the City Administrator or his/her designee), the flyer will be removed.
4. The placement of community organization flyers within the binder will be at the discretion of the City Administrator or his/her designee, and will, primarily, be done in such a fashion as to create an orderly presentation. No persons, other than City staff, may arrange or

rearrange the flyers. No persons, other than City staff, may remove any flyer. Should any flyer be placed, moved or rearranged in violation of this policy, it is subject to being removed and/or rejected for the remainder of the calendar year.

5. This portion of the binder shall include a page with the following disclaimer:

The City of San Elizario makes this information available for the secular purpose of making the information available as to the various community and non-profit organizations that may be of interest to the public and which may not otherwise be readily identified. The City does not endorse, promote or sponsor any activity or organization represented by the submitted flyers. Any messages expressed on these flyers are NOT those of the City or endorsed by the City.