

RULES OF PROCEDURE, CONDUCT AND DECORUM FOR LUBBOCK COUNTY COMMISSIONERS COURT MEETINGS

The following guiding principles have been the foundation of the formation of these rules:

- The Commissioners Court must act as a body;
 - The Commissioners Court should proceed in the most efficient manner possible;
 - The Commissioners Court must act by majority;
 - Every member of the Commissioners Court must have an equal opportunity to participate in decision-making;
 - The Commissioners Court's Rules of Procedure must be followed consistently;
 - The Commissioners Court's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
 - The Commissioners Court's meetings are accomplished in the spirit of openness with the encouragement of public participation
- I. All Regular, Special, Emergency, and Executive Session Meetings of the Lubbock County Commissioners Court will be called and conducted in accordance with the provisions of the *Texas Open Meetings Act*, Texas Government Code, Chapter 551.
 - II. The Lubbock County Commissioners Court, in regards to parliamentary procedure of meetings, abides by the rules of parliamentary procedure contained in *Robert's Rules of Order, Newly Revised, 11th Edition*, and any subsequent editions or amendments thereto, if any, shall govern the Lubbock County Commissioners Court so long as *Robert's Rules of Order* are not inconsistent with the statutes of the State of Texas.
 - III. The Lubbock County Commissioners Court generally meets in Regular Session in the courtroom on the fifth floor of the Lubbock County Courthouse, located at 904 Broadway, in Lubbock, Texas, on the 2nd and 4th Mondays of every month, at 10:00 a.m., except on holidays or by order of the Commissioners Court or the County Judge. Each meeting notice will be approved and certified by the County Judge and posted at the Lubbock County Courthouse and on www.lubbockcounty.gov pursuant to the procedures listed in the *Texas Open Meetings Act*, Texas Government Code, Chapter 551. Every effort will be made by Lubbock County staff to ensure that the County's cable company televises and records every regularly scheduled Commissioners Court meeting.
 - IV. With the exception of Executive Session (i.e. "Closed Meetings"), all meetings of the Lubbock County Commissioners Court are open to the public and representatives of the

media. Executive Sessions of the Commissioners Court are not open to the public or media, and only individuals requested or ordered to attend are allowed.

- V. In order for a matter or issue to appear as an agenda item on the agenda of any Regular Meeting of the Commissioners Court, a request must be filed with the agenda clerk appointed by the Commissioners Court by 12:00 p.m. (noon) on the Tuesday immediately preceding the next Regular Meeting of the Commissioners Court. In addition, the agenda item request must be approved by at least one member of the Commissioners Court prior to be placed on the agenda.
- VI. The business of Lubbock County is conducted by and between the members of the Lubbock County Commissioners Court and by those members of the County staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and to participate. While the public is invited to attend all open meetings of the Commissioners Court, participation is limited to that of observer unless a member(s) of the public is requested to address the Commissioners Court on an issue(s) or unless a Public Participation Form has been completed and submitted to the County Clerk prior to Court. However, the Commissioners court may only discuss issues that are properly posted on the agenda. A sample of the Lubbock County Commissioners Court Public Participation Form is attached hereto as Exhibit A and is available on the Lubbock County website at www.lubbockcounty.gov.
- A. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of two (2) minutes to make his/her remarks. The designated representative of the Commissioners Court shall maintain time limitations for each speaker.
- B. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court, shall be limited to thirty (30) minutes.
- C. In matters of exceptional interest, the Commissioners Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public, and/or the amount of time allocated for all agenda items and/or a specific agenda item.
- D. While it is the intention of the Commissioners Court to provide open access to citizens of Lubbock County, the public is advised that the Commissioners Court is a Constitutional Court with both judicial and legislative powers, created under Article V, Section 1 and Section 18, of the Texas Constitution. As a Constitutional Court, the Lubbock County Commissioners Court possesses the power to issue a Contempt of Court Citation under Section 81.023 of the Texas Local Government Code. Any members of the public shall conduct themselves with proper respect and decorum in speaking before the Commissioners Court. Proper attire for men, women, and children is mandatory when appearing before the Court. Inappropriate attire includes, but is not limited to, items such as shorts,

cutoff pants, tank tops, suggestive or offensive t-shirts or other shirts and blouses. Any member of the public who is not appropriately attired and/or does not conduct themselves according to these guidelines may be ordered to leave the meeting until such time as they comply with the court's directive. Refusal to abide by the Court's Order and/or continued disruption of the meeting may result in a Contempt of Court Citation.

- E. It is not the intention of the Lubbock County Commissioners Court to provide a forum to publicly demean any individual or group. Neither is it the intention of the Commissioners Court to allow a member of the public to insult the honesty or integrity of the Commissioners Court or its members. Any profane, insulting, or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:
- i. Revocation and/or cancellation of a speaker's time;
 - ii. Removal from the Commissioners Courtroom;
 - iii. A contempt citation; and/or
 - iv. Other civil and/or criminal sanctions as may be authorized under the Constitution, statutes, and codes of the State of Texas.
- VII. The County Judge is the presiding officer of the Lubbock County Commissioners Court and is a fully participating member thereof. As presiding officer of the Commissioners Court, the County Judge is responsible for conducting all meetings. In the event of the absence of the County Judge, the Commissioners Court will designate a Presiding Officer of the Court at the beginning of Lubbock County's Fiscal Year.
- VIII. The Sheriff of Lubbock County, or a designated deputy of the Lubbock County Sheriff's Office, shall serve as the bailiff at all Regular, Special, and Emergency Meetings of the Commissioners Court when necessary. In the event of the absence of the deputy or a conflict of interest exists with the Sheriff's Office, the Commissioners Court shall appoint such other commissioned peace officer(s) to serve as bailiff as necessary.
- IX. Workshop/Work Session Meetings may be called to discuss items of special importance or complexity, which may require longer than usual staff presentation(s) and Commissioners Court questions. The purpose of a workshop meeting is to allow Lubbock County staff and others to make presentations, receive briefings on County operations and projects, and to allow questions by the Commissioners Court. An agenda of the business at the workshop meeting shall be prepared and made available to the public in accordance with provisions of the *Texas Open Meetings Act*, Texas Government Code, Chapter 551. Members of the public are welcome to attend the workshop(s), except those posted as close meetings.
- X. Any member of the Lubbock County Commissioners Court who announces they have a conflict of interest on a particular matter pursuant to Texas Local Government Code,

Chapter 171, and who cannot vote or otherwise participate in the proceedings related to that matter, shall nonetheless be deemed present for the purposes of constituting a quorum.

XI. The agenda format for a Regular Commissioners Court meeting may follow the approximate form as set forth below:

- A. Call to Order;
- B. Invocation and Pledge(s) of Allegiance;
- C. Public Comments;
- D. Public Hearing(s);
- E. Approval of Minutes;
- F. Auditor's Matters;
- G. Consent Agenda;
- H. Presentations;
- I. Awards;
- J. General Business;
- K. Grant Matters;
- L. Departmental Reports;
- M. Executive Session;
- N. Adjourn.

XII. Consent Agenda

- The consent agenda includes non-controversial and routine items that the Commissioners Court may act on with on collective vote for the entire consent agenda.
- A consent agenda enables more efficient administrative meetings to be conducted. Lubbock County will follow these essential use rules:
 - a. All documentation associated with consent agenda items must be provided to the Commissioners Court in advance in order to make an informed vote on all consent agenda items.

- b. The County Judge or a Commissioner may pull any item from the consent agenda to allow the Commissioners Court to discuss and act upon said item individually as part of the regular agenda.
- c. All consent agenda items will be listed collectively in the agenda under the consent agenda heading. Regular agenda items will be listed individually under the regular agenda heading
- d. At the beginning of the consent agenda, the County Judge will ask the Commissioners Court if any of the consent agenda items should be moved to the regular agenda discussion items.
- e. All agenda items under the consent agenda are heard and acted upon collectively unless opposition is presented by a member of the Commissioners Court, in which case the contested item will be considered, discussed, and acted upon separately.
- f. If a member of the Commissioners Court requests a consent agenda item be removed, it must be removed from the consent agenda. Any reason is sufficient to remove an item. A member of the Court can remove an item to discuss the item, to query the item, or to vote against the item.
- g. Once the item has been removed from the consent agenda, the County Judge may decide to take up the matter immediately or move it to a discussion item.
- h. When there are no items to be removed from the consent agenda or if all requested items have been removed from the consent agenda, the County Judge may accept a motion to adopt the remaining consent agenda items on the consent agenda. It is not necessary to take an individual vote on each remaining consent agenda item. Items on the consent agenda may include, but are not limited to:
 1. Pre-approved financials per standard audit practice;
 2. Annual renewal contracts;
 3. Routine contracts, including contracts drafted with a County template;
 4. Change Orders;
 5. Out-of-state travel requests;
 6. Correspondence requiring Commissioners Court action;
 7. Program or committee reports(s);
 8. Board of Director and committee appointments;
 9. Utility applications.

- i. The County Clerk must retain with the meeting minutes the full text of all resolutions and reports that were approved as part of the consent agenda and provided to the County Clerk for retention.
- XIII. Members of the public and/or media may request documents provided to or utilized by the court for the agenda. Requests for such items must be submitted in writing, in accordance with Chapter 552 of the Texas Government Code, also known as the *Texas Open Records Act*. Subsequently, any responsive records for such requests will be handled in compliance with the parameters of the *Texas Public Information Act*. Written requests must be submitted to the agenda clerk for the Commissioners Courts. Forms for such requests will be available with the agenda clerk.
- XIV. Individuals with disabilities may request a reasonable accommodation necessary to fully and equally participate in a Commissioners Court meeting. A request for accommodation should be made as far in advance as practical. Accommodation requests are granted for any individual with a disability for whom such accommodation is reasonable and necessary under the *Americans with Disabilities Act of 1990* (“ADA”) as amended, and/or other similar local, state and federal laws. A request for accommodation will be granted unless:
 - a. The requested accommodation would create an undue financial or administrative burden;
 - b. The requested accommodation would fundamentally alter the nature of the meeting; or
 - c. Permitting the requestor to participate in the meeting with the requested accommodation would create a direct threat to the safety or well-being of the requestor or others.
- XV. At the discretion of the Lubbock County Commissioners Court, town meetings and public hearings may be conducted. These Rules of Procedure, Conduct and Decorum shall apply to such meetings. Supplemental rules may be adopted as necessary and appropriate to conduct such meetings in an orderly, efficient, and proper manner, while also accomplishing any statutory purposes or other legally required goals in conjunction with said town meetings and public hearings.
- XVI. These Rules of Procedure, Conduct and Decorum for Lubbock County Commissioners Court Meetings shall be effective immediately upon adoption by the Lubbock County Commissioners Court and shall remain in effect until amended or repealed by a majority vote of the Commissioners Court.

ADOPTED BY THE LUBBOCK COUNTY COMMISSIONERS COURT ON THIS _____
DAY OF _____, 2023.

Curtis Parrish
Lubbock County Judge

Terence Kovar
Commissioner, Pct. 1

Jason Corley
Commissioner, Pct. 2

Gilbert A. Flores
Commissioner, Pct. 3

Jordan Rackler
Commissioner, Pct. 4

ATTEST:

Kelly Pinion, County Clerk

APPROVED AS TO FORM:

R. Neal Burt, Civil CDA