



**Harris County, Texas**

1001 Preston St., Suite 934  
Houston, Texas 77002

**Commissioners Court**

Request for Court Action

**File #:** 23-4620

**Agenda Date:** 8/8/2023

**Agenda #:** 299.

**Department:** County Judge

**Department Head/Elected Official:** Lina Hidalgo, County Judge

**Regular or Supplemental RCA:** Regular RCA

**Type of Request:** Policy

**Project ID (if applicable):** N/A

**Vendor/Entity Legal Name (if applicable):** N/A

**MWDBE Contracted Goal (if applicable):** N/A

**MWDBE Current Participation (if applicable):** N/A

**Justification for 0% MWDBE Participation Goal:** N/A - Goal not applicable to request

**Request Summary (Agenda Caption):**

Request for discussion and possible action related to proposed changes to the Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Harris County, Texas.

**Background and Discussion:**

N/A

**Expected Impact:**

N/A

**Alternative Options:**

N/A

**Alignment with Goal(s):**

- Justice and Safety
- Economic Opportunity
- Housing
- Public Health
- Transportation
- Flooding

Presented to Commissioners Court

August 8, 2023

Approve: **G/R** To approve the proposed changes to the Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Harris County, Texas.

- Environment
- Governance and Customer Service

**Prior Court Action** (if any):

Date	Agenda Item #	Action Taken
7/18/2023	326	No Action
6/6/2023	344	Passed
5/16/2023	375	No Action
3/14/2023	178	Passed
2/21/2021	406	No Action
1/31/2023	440	No Action
6/14/2022	160	No Action

**Location:**

Address (if applicable):

Precinct(s): Countywide

<b>Fiscal and Personnel Summary</b>			
Service Name			
	SFY 22	FY 23	Next 3 FYs
<b>Incremental Expenditures (do NOT write values in thousands or millions)</b>			
Labor Expenditures	\$	\$	\$
Non-Labor Expenditures	\$	\$	\$
<b>Total Incremental Expenditures</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Funding Sources (do NOT write values in thousands or millions)</b>			
Existing Budget			
	\$	\$	\$
	\$	\$	\$
Total Current Budget	\$	\$	\$
Additional Budget Requested			
	\$	\$	\$
	\$	\$	\$
Total Additional Budget Requested	\$	\$	\$
<b>Total Funding Sources</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Personnel</b> (Fill out section only if requesting new PCNs)			
Current Position Count for Service	-	-	-
Additional Positions Requested	-	-	-

<b>Total Personnel</b>	-	-	-
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**Anticipated Court Date:** 8/8/2023

**Anticipated Implementation Date (if different from Court date):** N/A

**Emergency/Disaster Recovery Note:** Not an emergency, disaster, or COVID-19 related item

**Contact(s) name, title, department:** Samantha Kealoha, Chief of Staff, County Judge's Office

**Attachments (if applicable):** Revised Court Rules

## Commissioners Court Harris County, Texas

### Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Harris County, Texas

#### I. Purpose:

These Rules of Procedure are adopted by the Harris County Commissioners Court expressly to promote the orderly conduct of the business of the County and to help those members of the public who have business before the Court or who wish to observe the meetings of the Court.

#### II. Meetings:

- A. The Commissioners Court of Harris County, Texas meets in the Commissioners Courtroom of the Harris County Administration Building, 1001 Preston, 9<sup>th</sup> Floor, Houston, Texas. Meetings may be held at another location as specified in the notice setting the meeting.
- B. All meetings are posted by the County Clerk, Commissioners Court Records Department, in the lobby of the Criminal Justice Center, 1201 Franklin. As a courtesy, notices are also posted on the first floor in the lobby of the Administration Building, 1001 Preston, and on the ninth-floor bulletin board and in the lobby of the Juvenile Justice Center, 1200 Congress Street in accordance with Tex. Gov't Code Ann. § 551.043.
- C. The County Clerk, Commissioners Court Records Department, will also post Regular and Special meeting notices as required by law. According to the Texas Local Government Code § 81.005(b), the County Judge or three County Commissioners may call a Special Meeting.
- D. A proposed schedule of regular meeting dates and a court agenda will be made available by the Agenda Director in the Office of County Administration and will be posted on the County's website: <https://agenda.harriscountytexas.gov/>. The results of previous meetings will be maintained and made available to the public by the County Clerk, Commissioners Court Records Department.
- E. All Regular, Special, Emergency, and Executive Session meetings of the Harris County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551.
- F. Commissioners Court may convene a meeting designate as a business court that will be limited to:

- (1) Approval of vendor invoices and payment of audited claims as presented by the County Auditor;
- (2) Approval of plats as presented by the County Engineer;
- (3) Approval of changes to attributes of certain vehicle control numbers for various departments and approval to destroy certain records that have met the retention period specified in the Harris County Records Control Schedule as presented by Universal Services;
- (4) Approval of changes to the list of regular Deputies as presented by the Constables;
- (5) Approval of tax refund payments presented by the Tax Assessor-Collector;
- (6) Transmittal of a project scheduled for advertisement and of bids and proposals for advertised jobs that were opened as presented by Purchasing;
- (7) Resolutions designated by their author for consideration by the business court that require no discussion and have no member of the public registered to speak; and
- (8) Approval of routine litigation expenses.

Any business court item that requires any discussion will be placed on the agenda of the next regular meeting.

### III. Open Meetings Attendance:

Regular, Special, and Emergency meetings of the 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 representatives of the media and only those individuals permitted by law may attend Executive Sessions of the Court.

### IV. Agenda:

- A. With the exception of funding requests as addressed in IV.B. below, any County Elected Official or County Department may place an item affecting their department or area of responsibility for discussion or consideration on the agenda. The request must be submitted electronically to the Agenda Director, Office of County Administration, via [CommissionersCourt@hctx.net](mailto:CommissionersCourt@hctx.net). The request shall be in a form approved by the Agenda Coordinator. Requests for placement of items received after the deadline may be posted as supplemental items at the discretion of the Agenda Coordinator.
- B. All agenda items presented by a County Department or Elected Official other than a County Commissioner or the County Judge will be reviewed by the Office of County Administration to determine whether the item has a fiscal impact. For items expected to have a fiscal impact, the items will be referred to the Office of Management and Budget for a fiscal review before the items may be placed on the agenda for Commissioners Court.

The Office of Management and Budget will complete fiscal reviews for an expenditure or commitment of any County funds in any fiscal year that would require supplemental budget for that agency, department, or office, or that results

in new ongoing costs for the County. The following will be considered in the fiscal review: costs, savings, revenue gain, or revenue loss that may result from implementation of the item. The fiscal review will be appended to the item when the item is included on a Commissioners Court agenda.

Along with the fiscal review, the Office of County Administration will complete a review of items with an anticipated and qualifying fiscal impact to determine whether the item aligns with the current County goals adopted by Commissioners Court and make a recommendation whether the Court should approve the item. The analysis and recommendation from the Office of County Administration will be appended to the item when the item is included on a Commissioners Court agenda.

This process does not apply to requests considered part of Harris County’s annual budget process—if an item with an anticipated fiscal impact has been previously considered and approved by Commissioners Court in the County’s budget process, then the item is exempted from this fiscal review and the review by the Office of County Administration.

[The Office of County Administration and the Office of Management and Budget develop the appropriate processes, define the formats for both the fiscal review and the OCA recommendation, delineate the timeframes for the OMB and OCA reviews, and commence executing on the requested reviews no later than October 1, 2023 (FY 2024).]

- C. The County Judge may group certain items on the Court’s Agenda as “Consent Items”, which may be approved by the Court on a single motion (“Consent Motion”) and voted. Members of the Court will designate which items should be placed on the Consent Items portion of the agenda no later than 24 hours prior to the meeting using the procedures set out by the Agenda Director.
  - (1) Prior to the consideration of the Consent Items, a member of Commissioners Court may remove an item from the Consent Items and the item will be separately considered by the Court.
  - (2) Each agenda item may, after discussion, be designated as a Consent Item, if appropriate, and included in the Consent Motion during the meeting of Commissioners Court.
- D. The Office of County Administration shall maintain a list of scheduled invocations. Court offices seeking to alter the list for their presenter(s) shall inform the OCA no later than the close of business two business days before Court is scheduled to meet in regular session or business court. The senior (longest serving) member of the Court present shall announce the introducing office in accordance with Section V(E).
- E. The typical order of business for the meetings of the Court session shall be:

- (1) Call to Order
- (2) Opening Prayer, which shall be inclusive of the various religions in Harris County
- (3) United States Pledge of Allegiance
- (4) Pledge of Allegiance to the Texas State Flag
- (5) Resolutions and signing of resolutions
- (6) Photographs
- (7) Lunch Break (1 hour, beginning no later than 1 pm )
- (8) Public Comments
- (9) Corrections and clarifications
- (10) Consent Agenda
- (11) Items for discussion
- (12) Public hearings
- (13) Executive Session
- (14) Adjournment

F. The County Judge or Presiding Member of the Court has discretion to modify the order of business and routine procedural matters in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, unless overruled by a majority of Commissioners Court.

#### V. Court Procedure

A. To the extent not addressed by these Rules, the Court will follow Rosenberg's Rules of Order in all meetings with the following exceptions:

- (1) All motions, amendments or changes presented to the Court will only require a majority of members present to vote in favor for the item to be adopted.
- (2) To the extent Texas law conflicts with these rules, Texas law shall govern.

B. There is a 10-minute time limit on discussion of each item, which can be extended two times in 10-minute increments upon majority vote. A super majority is required for additional extensions, which will be of 10 minutes in length. This time limit applies to discussion/debate among the Members of the Court, and does not limit the length of presentations by department heads.

The Clerk of the Court shall keep time for discussion, and the Parliamentarian will notify the Clerk of the Court when to start and end the time for any qualifying discussion. The timer chime will report when time is expired.

#### VI. Public Participation:

A. Purpose of Meetings:

The business of Harris County is conducted by and between members of the Harris County Commissioners Court and 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. The public is invited to attend all meetings of the Commissioners Court (except Executive Sessions). Each member of Commissioners Court may allow verbal comments from up to 3 members of the public not present in the Courtroom with notice of at least 1 hour prior. This does not apply to Harris County employees, who are welcome to call in virtually.

B. Appearance Request Form:

- (1) A member of the public who wishes to address the Court must complete an “Appearance Request Form”, indicating which issue being considered by the Court he or she wishes to speak on, by completing the form online at <https://appearancerequest.harriscountytexas.gov/>, or delivering the completed form to the Harris County Office of County Administration, 1001 Preston, Suite 500, Houston, TX 77002.
- (2) Appearance Request Forms must be completed and submitted one hour before the commencement of a meeting. All persons speaking must indicate what items they are addressing. Speakers are not permitted to comment on issues not listed on the Appearance Request Form or on issues for which they have not registered to speak. Persons who fail to complete an Appearance Request Form will not be permitted to address the Court

C. Conduct of Meetings:

Members of the public who have properly submitted a completed Appearance Request Form may address the Court after being recognized by the Presiding Officer.

D. Order of Consideration of Public Comments:

The Court must consider public comments regarding a specific item on the agenda when recognized by the Presiding Officer or their designee, but prior to Commissioners Court voting on the specific item.

E. Time Limit:

Each member of the public who appears before the Court to speak about a topic is limited to one minute to make his or her remarks. A member of the public who requests to speak about a topic that does not address a specific Agenda item will speak after all agenda related speakers. Speakers can be given additional time to complete their remarks upon approval of a motion by the majority of the Court for an additional minute of time. Speakers are limited to a maximum of 3 extensions



of time. All members of the public are strongly encouraged to submit written statements to the Court as part of the official record. Submissions may be made in place of an oral presentation and can be made electronically to the Agenda Director, Office of County Administration, via [CommissionersCourt@hctx.net](mailto:CommissionersCourt@hctx.net). A member of the public who addresses the Court through a translator or who requires assistance shall only have the time during which the member of the public (rather than the interpreter) is speaking should be counted toward the member of the public's speaking time limit.

The Clerk of the Court or another person designated by the County Judge shall keep the time for speakers. The Bailiff is responsible for silencing the microphone at the speakers' podium upon the second reminder from the Clerk that a speaker's time has expired.

F. Proper Conduct Required:

It is the intention of the Commissioners Court of Harris County to provide open access to all members of the public of Harris County to express themselves on issues addressed by County Government. However, members of the general public are reminded that the Harris County Commissioners Court is a Constitutional Court, created by the state with judicial, administrative, and legislative powers. As such, the Harris County Commissioners Court possesses full power and authority to issue Contempt of Court citations. Accordingly, persons in attendance at any meeting of the Court shall conduct themselves with proper respect and decorum in addressing the Court, in participating in public discussions before the Court, and in all actions in the presence of the Court or while in the Commissioners Court Courtroom.

Profane, insulting or threatening language and racial, ethnic or gender slurs or epithets will not be tolerated. No person shall brandish, wave or display or cause to be brandished, waved, or displayed any sign, placard, poster, or banner within the Courtroom in such a manner as to impede the use of the aisles, interfere with the use of the seating area, obstruct the view of another or in any other way disturb or interfere with the orderly conduct of the meeting at any time during which Commissioners Court is conducting a meeting inside the Courtroom. These rules do not prohibit displays and visual aids used connection with a presentation to the Commissioners Court. No cellphone (except if used by the speaker solely for the purpose of reading prepared comments or translation/interpretation purposes), tape recorder, paper bag, plastic bag, handbag, briefcase, purse, satchel, box, envelope, or other containers of any sort, or other loose items not used for the purpose of the speaker's comments, may be brought to the speakers' podium. A drawer shall be provided near the speakers' podium where handbags, briefcases, and other small items may be placed during an appearance.

Unauthorized remarks from the audience, including applauding, booing, stamping of feet, whistles, yelling, or otherwise audibly expressed approval or disapproval of

the actions being taken at Court or from the public speakers' podium in a loud and raucous manner calculated to disturb the meeting shall not be permitted, except for public recognition initiated by the Court.

Those persons who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting at the request of the presiding officer or a majority of the Court, and recognition to speak may be refused at subsequent meetings of the Court. Refusal to abide by the Court's Order may result in a Contempt of Court Citation.

G. Media:

Subject to reasonable rules of the Commissioners Court, media members and any other individuals may audio or video record meetings of Commissioners Court.

Media (or other) personnel and/or equipment, including cameras, microphones, or lights, may not be located behind the Commissioners Court Bench without the express approval of the Court. Reporters and media technicians are required to structure their movements, equipment setup and takedown, and other activities in a manner so as not to disrupt the Commissioners Court's deliberations or the ability of the public to see, hear, and participate in the proceedings. Interviews shall not be conducted inside the Courtroom while the Court is in session and should be conducted in a manner to avoid disruption of the proceedings of the Court.

VII. Court Personnel

A. Presiding Officer:

The County Judge shall serve as presiding officer and is responsible for conducting all meetings. When the County Judge is not present, the senior (longest serving) member of the Court present shall serve as the presiding officer.

B. Bailiff:

Commissioners Court shall designate County law enforcement officer(s) to serve as Bailiff at all meetings of the Commissioners Court. Bailiffs are charged with maintaining order within the Courtroom and will remove any person from the Courtroom that has violated the decorum of the Court at the request of the Presiding Officer or a majority of the Court.

C. Parliamentarian:

The Harris County Attorney shall designate an attorney within the County Attorney's Office to serve as parliamentarian for each Regular, Special, and Emergency meeting. The parliamentarian's role is to advise the Commissioners on

the application of these Rules. The parliamentarian is not charged with enforcement of these Rules.

D. Clerk of the Court:

The Deputy County Clerk, or designee, shall serve as the Clerk of the Court for all Regular, Special, and Emergency meetings.

E. Agenda Director:

The County Administrator shall designate a County employee in the Office of County Administration to serve as the Agenda Director.

F. Agenda Coordinator:

The County Administrator shall designate a County employee in the Office of County Administration to serve as the Agenda Coordinator.