

## 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, 1st Floor, Houston, Texas 77002. Meetings may be held at another location as specified in the notice setting the meeting.
- B. The County Clerk, Commissioners Court Records Department, will post Regular and Special meeting notices in accordance with Tex. Gov't Code Ann. § 551.043. All meetings are posted in hard copy in the lobby of the Criminal Justice Center, 1201 Franklin, Houston, Texas 77002 and on the first floor in the lobby of the Administration Building, 1001 Preston, Houston, Texas 77002.
- C. 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 (OCA) and will be posted electronically on the County's website: <https://agenda.harriscountytexas.gov/>.
- D. The results of previous meetings will be maintained and made available to the public by the County Clerk, Commissioners Court Records Department.
- E. Any Special Meeting will be called by the County Judge or three County Commissioners in accordance with the Texas Local Government Code § 81.005(b).
- F. 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.

G. Commissioners Court may convene a meeting designated as a business court meeting that will be limited to matters requiring no discussion among Court members, such as:

- (1) Approval of vendor invoices and payment of audited claims as presented by the County Auditor, and/or any other county department;
- (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) Bids and proposals for advertised jobs that were opened as presented by Purchasing, the Flood Control District, or the Toll Road Authority;
- (7) Approval of contract: awards, amendments, change orders, service outlet locations, and authorizations to negotiate, as presented by Purchasing, Engineering, the Toll Road Authority, the Flood Control District, the County Attorney's Office, Court offices, and other departments or offices as appropriate;
- (8) Approval of routine litigation expenses and settlements;
- (9) Approval of grant: applications, awards, amendments, and renewals;
- (10) Acceptance of donations;
- (11) Acceptance of all Transmittals to the Court;
- (12) Approval of conduit bond items;
- (13) Approval of position reclassifications where required by the Harris County Position Management Policy;
- (14) Approval of investment memos as presented by the Office of Management and Budget;
- (15) Approval of authorized budget appropriation transfers as presented by the Office of Management and Budget;
- (16) Approval of real estate transactions such as sales and leases;
- (17) Appointments to boards and commissions where only one person has been nominated to fill a position; and
- (18) Approval of other time-sensitive items with permission from the Agenda Director.

Any business court item that a Court member desires to discuss will be placed on the agenda of the next regular meeting. At every business court meeting, after all votes are taken, each Court member will receive up to two (2) minutes to comment on any agenda item(s) that the member would like to amplify.

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, OCA, 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, but in no event later than the Friday the week before the meeting.
- B. All County Departments other than a Commissioners Court office preparing agenda items that have a fiscal impact will include a Completed Fiscal Review Request Form (FRRF). The Office of Management and Budget (OMB) will conduct a fiscal review to quantify the scope and nature of the fiscal impact; this review will include evaluation of the item using the Decision Analysis Matrix approved by Commissioners Court on December 10, 2024, as part of the Strategic Plan in Action.

For purposes of this fiscal review, fiscal impact is defined as:

- (1) A requested expenditure or commitment of any County funds that would require supplemental operating budget in the current or a future fiscal year for that agency, department, or office; or
- (2) Reduced or increased revenue not already accounted for in OMB's current or future fiscal year annual revenue estimates (excluding routine or pre-assigned financial transactions, e.g., FEMA reimbursements, donations, grant revenue).

The following will be considered in the fiscal review: costs, savings, revenue gain, or revenue loss that may result from implementation of the item.

As part of the fiscal review, OCA will complete a review of items with an anticipated and qualifying fiscal impact to assess the item's alignment with the Strategic Plan and assess its impact on departmental (individually or across departmental systems) performance (workload, efficiency, and Performance Measures), Strategic Plan Community Indicators, and Strategic Plan Measurable Results. OCA will make a recommendation

whether the Court should approve the item. The analysis and recommendation from OCA will be appended to the item when the item is included on a Commissioners Court agenda. If OCA does not recommend approval of the item, OCA will request that Commissioners Court take no action on the item.

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 review by OCA. This process also does not apply to grants unless an application for or acceptance of a grant involves a request for supplemental budget for matching funds.

OCA will not publish agenda items submitted by County Departments after the established deadlines<sup>1</sup> or that do not comply with the applicable process outlined above. In addition, OCA will not publish agenda items submitted by County Departments without a completed Fiscal and Personnel Summary table when completion of the table is necessary based on the nature of the Request for Court Action.

- C. The County Judge or presiding officer shall 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 final posting of the meeting using the procedures set out by the Agenda Director.

A member of the Court may add an item to the discussion list or remove an item to the consent agenda that was previously placed on the discussion list once a meeting has commenced, by asking the Judge or presiding officer for additional items to be placed for discussion or removed to the consent agenda. If a member does not request additional items, the Judge or presiding officer shall proceed with the discussion list and consent agenda as presented.

- D. OCA 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 order of business for the regular or special meetings of the Court session shall be:

- (1) Call to Order

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<sup>1</sup> Departments should refer to the "Agenda Deadlines" link on the Harris County Agenda Intranet (<https://agenda.intra.hctx.net/>) for the most up-to-date agenda deadlines.

- (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) Public Comments (shall be noticed on the agenda)
- (6) Public Hearings
- (7) Lunch Break (1 hour, generally prior to 1 pm)
- (8) Corrections and clarifications
- (9) Consent Agenda
- (10) Items for discussion
- (11) Executive Session
- (12) 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, upon approval by a majority of Commissioners Court.

- (1) Each member of the Court can request items to be taken out of order. The Presiding officer will call for a vote from the Court prior to moving all items, with a majority of the members present required to support moving items.
- (2) To assist the public in following the discussion and actions being taken by Commissioners Court, the County Judge should read the agenda item number and agenda title before beginning discussion of any agenda item.
- (3) The Clerk will record the vote of a member on any item voted on in the member's absence if, at the same meeting, the member moves to record their vote as for or against and Commissioners Court approves the motion. A recorded vote cannot, by itself, change the result of Court's vote on an item. In the event that a recorded vote, if counted, would change the result of Court's vote on an item, the Clerk will make an announcement to the Court and the Presiding Member will entertain a motion to reconsider the item.
- (4) To provide appropriate medical accommodations, if a Court member steps away from a meeting for medical reasons and returns during the same session, they may verbally record their vote as for, against, or abstain on all items considered during their absence without needing to make a formal motion. Upon return to the meeting, the officer presiding during the Court member's absence will ask the Court member if they wish to record their votes, and the Court member may state their votes individually or as a group. A recorded vote cannot, by itself, change the result of Court's vote on an item. In the event that a recorded vote would change the result of Court's vote on an item, the Clerk will make an

announcement to the Court and the Presiding Member will entertain a motion to reconsider the item.

- G. Court members may place resolutions on a regular court agenda but may only discuss and/or make presentations on resolutions if such resolutions pertain to a policy position of the Court or operational matter. Court members may not discuss and/or make presentations on resolutions that are of an honorary, observance or memorial nature during a regular court.

Court may discuss and make presentations on any resolution during a business court after all matters on the business court agenda have been voted on.

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 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.

- C. Any County Elected Official or county employee 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.

A member of Court may be censured for, failure to acknowledge points of order, failure to conduct themselves with proper respect and decorum in the Commissioners Court Courtroom by a majority of Court. A censure shall be a formal declaration of condemnation of the Court member's behavior, to be placed in the minutes of Court.

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. For business court or special meetings, speakers may only sign up to address topics that pertain to posted Agenda items. 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.
- (3) Members of the public who wish to address the Court who require translation services should make every effort to submit their Appearance Request Form as early as possible before the meeting to ensure the services can be provided.

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. Written Comments:

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 Commissioners [Court@hctx.net](mailto:Court@hctx.net).

F. 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 at a regular meeting will speak after all agenda related speakers.

The translator's/interpreter's time translating public comments will not be counted against the speaker's 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.

Speakers invited by Court members to address the Court on a resolution or other item on the agenda may be given additional time to complete their remarks by an individual Court member.

G. 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.

Unauthorized remarks from the audience, including applauding, booing, stamping of feet, whistles, yelling, finger snapping, or otherwise audibly expressing 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.

H. 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. 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 of Procedure, Conduct and Decorum, including proactive guidance to Court to ensure discussion follows the provisions of the Rules and the Texas Open Meetings Act. 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<sup>2</sup> shall designate a County employee in OCA to serve as the Agenda Director.

F. Agenda Coordinator:

The County Administrator<sup>3</sup> shall designate a County employee in OCA to serve as the Agenda Coordinator.

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<sup>2</sup> Or Interim County Administrator, as applicable.

<sup>3</sup> *Id.*