

RULES OF PROCEDURE
CONDUCT, AND DECORUM
AT MEETINGS OF THE
SMITHVILLE CITY COUNCIL

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- I. All Regular, Special, Emergency and Executive Session Meetings of the City of Smithville City Council will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.

- II. Regular, Special and Emergency Meetings of the City of Smithville are open to the public and to representatives of the press and media. Executive Sessions of the City Council are not open to the public, the press or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.

- III. The City of Smithville City Council meets in Regular Session on the second Monday of each month. In order for a matter or an issue to appear as an agenda item on the Agenda of any Regular Meeting of the City Council, a request must be filed with the City Secretary by 12:00 p.m. (noon) on Wednesday immediately preceding the Regular Meeting of the City Council. Agenda items must receive approval of any two of the following persons before being placed on the agenda; the Mayor, the City Manager, and/or a Councilperson. (Example: two Councilpersons; a Councilperson and the Mayor; the City Manager and the Mayor, Councilperson and City Manager).

- IV. The business of the City of Smithville is conducted by and between the members of the City Council and by those members of the Smithville City staff, elected officials, department heads, consultants, experts, and members of the public requested to be present and participate. The public is invited to attend all meetings of the City Council (except Executive Session) and members of the public may address the City Council in accordance with Article 1.03.061 through 1.03.066, Code of Ordinance of the City of Smithville, Texas ("**Part II Citizen Comments**"), the Texas Open Meetings Act, and any other applicable statute, ordinance, rule or regulation as may be adopted or amended from time to time. Members of the public that desire to address the City Council must submit a Public Participation Form to the City Secretary. A sample of the Public Participation Form is attached hereto as Exhibit "A".
 - A. Each member of the public who appears before the City Council may address the City Council for only that period of time indicated below:
 1. If fewer than five speakers speak on an agenda item, then each speaker may speak on the agenda item for a period not to exceed 3 minutes.
 2. If more than five, but not more than ten, speakers speak on an agenda item, then each speaker may speak on the agenda item for a period not to exceed 2 minutes.

3. If more than ten speakers speak on an agenda item, then each speaker may speak on the agenda item for a period not to exceed one minute.

Time for each speaker shall be maintained by the Chief of Police or such other designated representative of the City Secretary or the Mayor.

- B. In matters of exceptional interests, the Council may, by the majority vote of the members of the Council 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.
- C. It is the intention of the Council to provide an open access to the citizens of Smithville to address the City Council and express themselves on issues of City Government. Members of the public are reminded that the Smithville City Council possesses the power to issue a citation under Section 42.05 (Class B) and Section 38.1:3 (Class A) of the Texas Penal Code. Accordingly, members of the public in attendance at any Regular, Special and/or Emergency Meeting of the Council shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Council in participating in public discussions before the Council; and in all actions in the presence of the Council. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in any orderly and appropriate manner will be ordered to leave the meeting. Refusal may result in a citation.
- D. It is not the intention of the City of Smithville to provide a public forum for the demeaning of any individual or group accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council'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:
 1. cancellation of a speaker's remaining time;
 2. removal from the City Council room;
 3. a citation; and/or
 4. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
- V. The Mayor is the presiding officer of the Smithville City Council and is a fully participating member thereof. In the event of the absence of the Mayor, the Mayor Pro-tem shall preside. However, nothing herein shall prevent the Mayor Pro-tem of this Council from delegating this duty to another member of the City Council.
- VI. The Mayor (or the designated Mayor Pro-term of the City Council), as presiding officer of the City Council, is responsible for conducting all meetings and members of the public who have properly completed a Public Participation

Form and submitted same to the City Secretary must wait to be recognized before they will be allowed to address the Council.

VII. Special Rules for the Press and Media:

- a. No media personnel or equipment, including lights, cameras or microphones will be located on the Council bench nor closer than five feet (5') in front of the Council bench.
- b. Reporters and media technicians are required to structure their movements, equipment set-up, and take-down and adjustments, etc. in such a manner as to not disrupt the City Council deliberations or the ability of the public to see, them, and participate in the proceedings.
- c. Interviews shall not be conducted inside the Council Chambers during the time the Council is in session.
- d. Media interviews that are conducted outside the Council Chambers should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceeding of any Regular, Special, Emergency, and/or Executive Session Meeting of the Council.

VIII. The Chief of Police of the City of Smithville, Texas, or his/her designated Officers shall serve as the Bailiff at all Regular, Special, and Emergency Meetings of the Council. However, in the event of the absence of the Chief, or in the event that there exists a conflict of interest between the Chief, any member of the Police Department, and the City Council, or in the event of an Executive Session of the Court in which the Chief is not an authorized participant, then in such event, the Council shall appoint such other commissioned peace officers to serve as Bailiff as may be necessary.

IX. From time to time, the City Council shall conduct public hearings. These rules of procedure, conduct, and decorum shall also apply to such public hearings; however, the City Council may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

X. These rules of Procedure, Conduct, and Decorum at Meetings of the Smithville City Council shall be effective immediately upon adoption by the Council and shall remain in full force and effect until amended or repealed by a majority vote of the City Council.

Updated by City Secretary following the last amendment from June 12, 2023 Council Meeting.

EXHIBIT "A"

Citizen Comment Form

Please print the following information:

Name _____ Today's Date: _____

Address: _____ Zip Code: _____

Phone: _____ Email: _____

Organization Represented (if any): _____

Agenda Item Number or Subject to be Addressed: _____

Select an applicable position on the item: Support Oppose NeutralResource Only

Signature: _____

Instructions and Rules of Procedure

1. This form must be submitted prior to the commencement of the meeting.
2. This form must be completed and submitted for all citizens who wish to address the City Council or register a formal position on an item being considered by the Council.
3. Please remember to step to the podium when you are recognized by the Mayor and state your name and address before beginning your presentation. If speaking on behalf of an organization or other group, identify the group represented.
4. Speakers have 3 minutes, which cannot be given to other speakers.
5. Time for certain topics may be set by the presiding officer, who may also limit the number of speakers or limit the time to speak on the topic to expedite the meeting in an efficient manner.
6. If you have written remarks or printed material you wish to present to the City Council, please furnish it to the City Secretary for inclusion in the file for the agenda item.

PLEASE RETURN THIS REQUEST TO THE CITY SECRETARY