

CITY OF STARBASE, TEXAS

RESOLUTION NO. 2025-05-29 - F02-RE

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS ADOPTING RULES OF PROCEDURE FOR CITY COMMISSION MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the “City”), is a Type C general law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, the City Commission of the City of Starbase, Texas (the “City Commission”) is the governing body for the City; and

WHEREAS, Section 551.007 of the Texas Government Code provides that a governing body must allow members of the public to address the governing body “regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body’s consideration of the item”; and

WHEREAS, Section 551.007 of the Texas Government Code authorizes the City Commission to “adopt reasonable rules regarding the public’s right to address the body under this section, including rules that limit the total amount of time that a member of the public may address the body on a given item.”; and

WHEREAS, the City Commission seeks to allow the public to address the City Commission and Board of Adjustment regarding any agenda item to be discussed by the respective body at the meeting in which the comment is made, and the Commission seeks to adopt rules of procedure for public comment to facilitate orderly meetings; and

WHEREAS, the City Commission recognizes the First Amendment right to speak and the City Commission seeks to adopt rules of procedure that facilitate the expression of protected speech at open meetings conducted by the City; and

WHEREAS, pursuant to section 551.007 of the Texas Government Code, the City Commission wishes to adopt Rules of Procedure to promote orderly, efficient, and productive public meetings.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

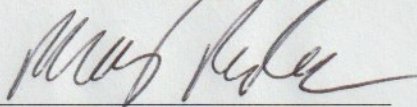
SECTION 1. Recitals. The City Commission finds all the above recitals to be true and correct and incorporates the same in this Resolution as findings of fact.

SECTION 2. The “Rules of Procedure”, attached as Exhibit A, are hereby adopted as the rules to govern meetings of the City Commission and Board of Adjustment.

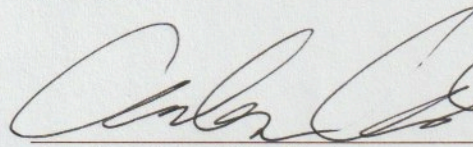
SECTION 3. This Resolution shall take effect immediately upon passage.

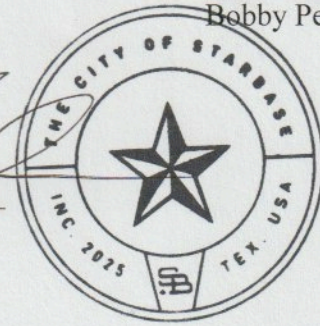
PASSED AND APPROVED this 29th day of May 2025.

CITY OF STARBASE, TEXAS


Bobby Peden, Mayor

ATTEST:


Caroline Cole, City Clerk



APPROVED AS TO FORM:

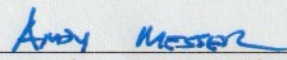

Wm. Andrew Messer, City Attorney

Exhibit "A"

**RULES OF PROCEDURE FOR
CITY OF STARBASE PUBLIC MEETINGS**

1. **Applicability**: These rules of procedure apply to all City of Starbase public meetings held by the City Commission and any City board or commission subject to the Texas Open Meetings Act ("TOMA"). Any references herein to "Mayor" shall also apply equally to the presiding officer of any City board or commission subject to TOMA and the Mayor Pro Tem acting on behalf of the Mayor. Any references herein to "City Commission" shall also apply equally to any City board or commission subject to TOMA.
2. **Purpose**. These rules of procedure have dual goals of conducting City business in an orderly and efficient manner and providing the public with the opportunity to voice their opinions on matters listed on the City's public meeting agendas. These rules are meant to promote an atmosphere of courtesy and decorum appropriate for the productive discussion of City business and allow the public a fair and adequate opportunity to be heard.

It is the responsibility of the Mayor and the members of the City Commission to maintain that atmosphere of courtesy and decorum. To ensure the orderly and efficient conduct of public meetings, the Mayor should ensure that discussion focuses on the agenda item in question and not on extraneous and off topic conversation. To ensure meetings are conducted in a professional and courteous manner which enables the conduct of business, all persons in attendance or who participate in such meetings shall conduct themselves in a manner that does not interfere with the ability of others to observe and to participate without disruption or fear of intimidation, threats or hostility. To assist in the creation and maintenance of that atmosphere these rules of procedure shall govern all City of Starbase public meetings.

3. **Speaker Registration**. Any member of the public wishing to speak during Public Comment or Public Hearing must first complete a speaker card and submit it to the City Clerk fifteen minutes before the beginning of the meeting. The speaker must write their name, city and state of residence, and identify the agenda item(s) on which they wish to speak. The City Clerk shall prepare the speaker card and may periodically revise the speaker card as necessary.
4. **Rules for Public Participation**. The following rules shall apply to members of the public wishing to address the City Commission:
 - a. Speakers shall speak from the designated speaker podium and only after being recognized by the Mayor to begin speaking.
 - b. Before speaking, the speaker will be asked to state their name and city and state of residence.
 - c. Speakers are to address their comments to the Mayor and Commission.
 - d. The person speaking shall limit their commentary to agenda items only. To the extent possible, speakers shall refrain from repeating testimony which has already been given.

- e. The Mayor has the right to silence a speaker if the discussion is not on an agenda item or if speech otherwise violates these rules of procedure.
 - f. Time limits:
 - i. Public Comment: During “Public Comment” sessions, speakers shall be limited two (2) minutes per public comment session, regardless of the number of agenda items they wish to address. However, if ten (10) or more speakers sign up to speak, the Mayor may reduce the time allotted to each speaker to no less than one minute per speaker. These time limits do not apply to Commissioners, City staff, or guests invited by the Commission to provide input on an agenda item.
 - ii. Public Hearing: During public hearings, speakers shall be limited to three (3) minutes per public hearing. However, if ten (10) or more speakers sign up to speak per public hearing, the Mayor may reduce the time allotted to each speaker to no less than one minute per speaker. The time limits set forth in this section do not apply to Commissioners, City staff, or guests invited by the Commission to provide input on an agenda item.
5. **Order**. While the Commission is in session, all Commissioners must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor.
6. **Decorum**. Each person and Commissioner attending a City meeting will observe decorum. A person or Commissioner may not:
- a. speak out of turn or interrupt another person speaking;
 - b. speak beyond the allocated time limit or refuse to yield the floor;
 - c. make threats of violence against another person;
 - d. use profanity or crude language;
 - e. disrupt the meeting by causing delay or preventing others from speaking;
 - f. speak above a reasonable volume or make loud noises;
 - g. defame another person;
 - h. incite lawless action or provoke another person to fight;
 - i. block or obstruct ingress and egress of the meeting room or any aisle or seat in the meeting room;
 - j. block or obstruct the view of any person attending the meeting; or
 - k. engage in any other actions that disturb or are calculated to disturb the meeting.
7. **Enforcement of Rules and Procedures**. The following provisions may be used to enforce the good order and decorum of the meeting. The action may be taken by the Mayor under his or her own action, or upon a motion to enforce by any Commissioner.

- a. Warning. The Mayor may order any person (Commissioner, staff member or audience member) in violation of these rules to be silent, or if speaking during Public Comment or a Public Hearing, to limit commentary to agenda items only. If after warning, the speaker continues to speak off topic, exceed their time limit or to otherwise violate these rules, the Mayor may request to mute the speaker's microphone.
 - b. Removal or Recess. If, after receiving a warning from the Mayor, the person continues to disrupt and breach the good order of the meeting, the Mayor may recess the meeting or order the person to leave the meeting. If the person does not leave the room after an order from the Mayor, the Mayor may order the sergeant-at-arms to remove the person.
 - c. Sergeant-at-Arms. The sergeant-at-arms shall be the highest-ranking licensed peace officer in attendance at the Commission meeting, or such other licensed peace officer designated for that purpose. Upon instruction of the Mayor, it shall be the duty of the sergeant-at-arms to remove from the meeting any person who intentionally disturbs the proceedings of the City Commission. A violation of these rules may be deemed an attempt to disrupt, obstruct, and/or interfere with a lawful meeting. Any person who obstructs or interferes with the meeting by physical action or verbal utterance, with the intent to prevent or disrupt the meeting, may be subject to prosecution under state law for disrupting a meeting if their acts substantially impair the ordinary conduct of a meeting. (Section 42.05, Texas Penal Code)
 - d. Motion to Enforce. Any Commissioner may move to require the Mayor to enforce these rules and the affirmative vote of a simple majority of the Commission shall require the Mayor to do so. A motion to enforce is an allowable interruption and is not debatable.
8. Translator. Members of the public requiring the use of a translator to address the Commission shall be given at least twice the amount of time to speak than speakers who do not require the assistance of a translator. *See* Texas Government Code, section 551.007(d).
 9. Recording Devices. A person in attendance may record all or any part of a public meeting by means of a recorder, video camera, or other means of aural or visual reproduction. *See* Texas Government Code, section 551.023(a). However, all recording devices other than a cell phone shall be restricted to the back of the meeting space in an area clearly marked "media" by City staff. Those using cell phones to record must remain seated and refrain from blocking other audience members' view or shall be ordered to move to the "media" area.
 10. Signs. Signs are allowed in Commission chambers provided the sign is of a reasonable size and does not otherwise block other audience members' view, impede ingress and egress, or otherwise disrupt the public meeting. Signs containing speech unrelated to an item on the agenda shall not be allowed.