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Approved:	May 16, 2007
Updated:	April 20, 2011
Updated:	August 31, 2011
Updated:	January 21, 2015
Updated:	September 25, 2019
Updated:	August 29, 2022
Updated:	September 7, 2022
Updated:	October 11, 2023
Updated:	October 25, 2023
Updated:	November 15, 2023
Updated:	May 8, 2024
Updated:	July 17, 2024
Updated:	February 5, 2025
Updated:	February 26, 2025
Updated:	August 6, 2025

Authorized by Nueces County Commissioners Court

NUECES COUNTY COMMISSIONERS' COURT POLICY AND PROCEDURE GUIDELINES

PURPOSE

The purpose of this policy and procedure guidelines is to establish written guidelines which clearly and objectively outline Nueces County Commissioners Court's agenda development, conduct, and decorum of a Commissioners Court meeting.

It is the intent of Commissioners Court (the "Court") to conduct country business at a noticed meeting in an effective and efficient manner and to allow the public the opportunity to observe County Government.

PART 1: POLICY ON COMMISSIONERS COURT MEETINGS AND AGENDA DEVELOPMENT

I. IT IS THE POLICY OF THE COUNTY OF NUECES THAT:

A. Meetings of the Nueces County Commissioners Court shall comply with all requirements of law, including without limitation the Texas Open Meetings Act,

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Robert's Rules of Order, and any applicable federal and state laws.

B. The County Judge is the presiding officer of the Nueces County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the Judge Pro-Tem shall preside over the Court.

Judge Pro-Tem: At the beginning of each calendar year, a Judge Pro-Tem shall be appointed, based on seniority, for one calendar year. The following year, the next most senior Commissioner shall be appointed Judge Pro-Tem, and the rotation starts over after each member has served one year, and in the same order.

C. Agenda items requested by members of the Commissioners Court shall be placed on the Agenda. **Notwithstanding any section herein, pursuant to Texas law, so long as a member of the Court requests an item to be placed on the Agenda, the item must be placed on the Agenda.**

Before Commissioners submit agenda items that affect County Services located wholly within the precinct that elected another Commissioner, the submitting Commissioner shall notify the Commissioner representing the affected precinct of the item by email, in person meeting or phone call prior to the submission of the item to the Commissioners Court agenda. *See* Part 4 I C regarding funding of projects.

Those items requested by other Elected Officials or Department Heads may be placed on the Agenda if after review by the County Judge, they comply with this Commissioners Court Policy and the procedures promulgated under it.

The County Judge shall approve the final agenda as to form, in compliance with Section 1 C. of the Policy, by ensuring that all policies and procedures have been followed and all necessary information has been supplied for each agenda item.

See Part 2 for additional guidelines related to Agenda Item Development Procedure.

1. In order to make informed decisions, members of the Commissioners Court shall receive complete and timely information, analysis and recommendations for action prior to Commissioners Court Meetings.

2. Members of the public shall to the greatest extent possible be encouraged to provide input, consistent with the Commissioners Court Policy and applicable law.

3. This Commissioners Court Policy may be amended or rescinded only by action of the Nueces County Commissioners Court.

4. Members of the public who have signed up to comment may comment for a maximum of three (3) minutes. Those persons addressing the Court through

a translator are given twice the amount of time, or six (6) minutes. *See* Part 3: (IV)(C) for additional guidelines related to public comment.

a. It is the intention of the Court to provide an open access to the citizens of Nueces County to address the Commissioners Court and to express themselves on issues of Nueces County Government. All members of the public in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. To the extent allowed by law, there is no prohibition against public criticism of the Commissioners Court, including criticism of any act, omission, policy, procedure, program, or service.

5. Those attending a Commissioners Court meeting should be appropriately dressed as attending a court proceeding. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. **Members of the public are reminded that the Nueces County Commissioners Court is a Constitutional Court, with both judicial and legislative powers, created under Article V, Section I and Section 18 of the Texas Constitution. As a Constitutional Court, the Nueces County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code.**

   Refusal to abide by the Court's order and or continued disruption of the meeting may result in a Contempt of Court Citation.

6. Profane, insulting or threatening language directed toward the Court, or individual members of 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:
   a. cancellation of a speaker's remaining time;
   b. removal from the Commissioners Courtroom;
   c. a Contempt Citation; and/or

d. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

D. Regular meetings of the Nueces County Commissioners Court will start at 9:00 a.m. and end at 5:00 p.m. In the event that all items on an agenda cannot be completed in a single meeting, the Court shall vote no later than 5:00 p.m. to extend or not extend the meeting to the following business day in a manner consistent with the Texas Open Meetings Act.

E. As necessary the County Judge may recess any commissioner court meeting for a specified length of time.

PART 2: AGENDA ITEM DEVELOPMENT PROCEDURE

I. All Agenda items must be requested prior to posting notice of Commissioners Court Meeting.

A. All requests must be submitted electronically on the AgendaQuick system and approved by the County Judge by 5:00 p.m. on the 9th day prior to a meeting. Members of the Commissioners Court may submit agenda items up to 12:00 p.m. on the 7th day prior to a meeting. Any documents requiring legal review should be reviewed and approved by legal prior to being submitted. Any late requests shall be approved for inclusion in the agenda in accordance with Part 1: (I)(C) of the Policy at the request of any member of the Court and subject to the Texas Open Meetings Act. If not included, the late request shall be included for the next Commissioners Court Meeting.

1. Content of Written Request of Agenda Item
In order to provide sufficient information for members of the Commissioners Court to make informed decisions, any request to include an item for discussion and/or action by the Commissioners Court should contain adequate description of the requested action. Request for Agenda items, regardless of the requestor, should be presented to the County Judge and County Commissioners in an Agenda Item Summary (AIS) format which provides the following elements:

a. Recommendations for Actions (which will be used as the text of the Agenda item);

b. Background Section, which provides an overview of the issue and describe any relevant prior actions by the Commissioners Court or department;

c. Discussion Section, which provides necessary facts and analysis sufficient for the Commissioners Court to understand why the recommended action should be taken; and,

d. Fiscal Impact Section, which briefly states the effect of the recommended actions (s) on the County Budget (e.g. cost for facilities. personnel and/or equipment to implement the action within budget limitation, other sources of funding).

2. Backup material
   Any backup material which would help the Commissioners Court understand the issue and recommendation should also be submitted with the Agenda Item Summary. Examples include a copy of a proposed contract, a chart which illustrates a point made, or a table which summarizes expenditures discussed in the Agenda Item Summary.

3. Time
   a. Specific Time: The requestor should indicate in the Discussion Section if he or she requests that the Agenda item be specially set for a specific time because of a planned lengthy presentation or to accommodate a large group of expected public speakers.
   b. Reimbursement Presentations: Any contracts that require a presentation to the court shall be emailed to the County Judge and Budget Assistant for distribution to the court prior to the contract renewal agenda item. This shall suffice as the presentation requirement mandated by certain County contracts and agreements, and the vote shall proceed without said presentation being presented during Court.
   c. Time Limitation: Presentations, not including Resolutions, Proclamations or Orders, are limited to no more than 5 minutes from the presenter unless agreed to by the Commissioners Court and the number of presentations shall be limited subject to PART 1: (I)(D) above, to the extent allowed by law.

II. Schedule for submission of agenda item requests

(In order to meet the schedule, Agenda Item Summaries requesting placement on the Agenda for a particular meeting **must** *be submitted to* **AgendaQuick** *by 5:00 p.m. on the 9 days prior to the meeting.)*

All contracts/agreements need to be forwarded to the County Attorney's office for review as to legal sufficiency **prior** to submitting an agenda item. This will allow time for initial review by the County Judge and processing by the Agenda Coordinator. It also will, in most instances, provide the requestor with sufficient time to obtain additional information or to redraft the Agenda Item Summary if requested by the County Judge or County Commissioners. This schedule clearly requires some prior planning and preparation on part of requestor. If an item is not submitted on time, it will be held for a later meeting date.

All backup material should be ready and submitted at the designated deadline of submitting the agenda item on AgendaQuick.

III. The business of Nueces County is conducted by and between the members of the Commissioners Court, elected officials, department heads, consultants, experts and/or members of the county staff requested to be present and participate at a Commissioners Court Meeting. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein, pursuant to the Open Meetings Act, is limited to that of an observer unless a member (or members) of the public is addressing the Commissioners Court as part of an agenda item or unless the member (or members) of the public is requesting to speak on the Public Comments section of the Commissioners Court Meeting. All those members of the public who wish to address the court should sign in on the "Public Speaker Sign-In Sheet" prior to the meeting being started.

PART 3: MEETING GUIDELINES

I. All Regular, Special, Emergency and Executive Session Meetings of the Nueces County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act Chapter 551, Government Code.

II. Special meetings shall be limited to items of great urgency or necessity that require the Court to meet outside its regular term. If there is uncertainty on what constitutes the necessity of a special meeting -of the court, the County Judge shall consult with the County Attorney.

III. Regular, Special, and Emergency Meetings of the Nueces County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, or the press but only to those individuals expressly allowed as per the Texas Open Meetings Act.

IV. A Commissioners Court Meeting shall be divided into several segments including but not limited to : workshop, invocation, resolutions, general information reports, public comment, consent agenda, regular agenda, and executive session.

A. WORKSHOP

Items for discussion may be placed in a workshop agenda at the request of a Court member, elected official and/or a department head. These agenda items require extended discussion among the commissioners. No action will be taken during a workshop. Workshops will be conducted pursuant to the Open Meetings Act and shall be duly noticed. Workshops will be broadcast. There will not be a public open forum at workshop meetings.

B. INVOCATION

A different local minister will be invited by the County Judge to open each Commissioners Court meeting with a short nondenominational invocation. Any Commissioner may recommend a minister to the County Judge. If for any reason a minister is not available for a Commissioners Court meeting, the County Judge will ask someone present to give the invocation.

C. PUBLIC COMMENT

A member of the public wishing to address the Court on an Agenda Item, or an item that is within the Court's jurisdiction but is not on the agenda, must sign up on the Public Speakers Sign-In Sheet prior to the beginning of the Commissioners Court meeting and indicate the Agenda item on which he or she wishes to speak. Speakers may be allowed to speak at the Public Comments segment of the Meeting or at the agenda item segment of the regular agenda., but not both. All public comment's must be made in person.

1. On occasion, members of the public may have County matters to bring to the attention of the Commissioners Court. Although the County Judge and County Commissioners all remain available to listen to these concerns during regular office hours, setting aside a period at the beginning of the Commissioners Court meeting provides additional public access to members of the Court.

2. *Public comment's may include issues within jurisdiction of the commissioners court but are not on the current Agenda.* In order to maintain control of the meeting, the County Judge will limit each speaker to three (3) minutes (six (6) minutes if a translator is required) in which to express his or her opinion, or make a request. This time limit also applies to public comments for items on the Agenda.

3. A speaker may not yield any portion of their time allotment to any other Person.

4. All public Comment shall be addressed to the Commissioners Court as a whole, and not to the commissioners court members as individuals.

    a. Public Comment speakers must be residents of Nueces County. Non-Residents will be allowed 1 minute to speak. Time for each speaker shall be maintained by the Communications Specialist II or such other designated representative of the Commissioners Court. If the topic addressed by a speaker is NOT on the Agenda, no action may be taken by the Commissioners Court related to that issue. The court may refer the issue to the appropriate official or Department Head for appropriate action, if any.

    b. The maximum time allotted for public comment regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items) shall be limited to thirty (30) minutes. If more than 10 people sign-up to address the court in public comment the 30 minutes shall be divided equally between those who have signed up. These same time limits shall apply to those who sign up to speak when the agenda item is brought up by the court. Normally, public comment of an agenda item will follow any staff presentation and discussion by members of the Commissioners Court, unless the County Judge deems it appropriate for earlier comment.

D. CONSENT AGENDA

Many agenda items of a routine or administrative nature, are approved with little or no discussion. For that reason, the County Judge will identify those requested agenda items which are either routine or unlikely to be the sources of controversy, including reoccurring purchasing bid types (ie: asphalt, paper, etc.), personnel changes/unfreeze lists and place them as subparts of a proposed Consent Agenda Item.

E. REGULAR AGENDA ITEMS

Any discussion or action taken on county business shall be placed as an agenda item on the Regular Agenda. The Commissioners Court as a body shall discuss and/or take action regarding an agenda item.

F. EXECUTIVE SESSION

This is not open to the public. The Commissioners Court will discuss matters permitted by Chapter 551 of the Texas Open Meetings Act.

V. SPECIAL RULES FOR THE PRESS AND MEDIA

A. No media personnel or equipment, including lights, cameras or microphones will be located on the Commissioners Court bench nor closer than five (5') feet in front of the Commissioners Court bench.

1. 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 Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.

2. Interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of any regular, special, or emergency and/or executive session of the court.

B. The Sheriff of Nueces County, Texas, or his designated deputy, shall serve as the bailiff at all regular, special, and emergency meetings of the Court. However, in the event of the absence of the sheriff or in the event that a conflict of interest exists between the sheriff, any member of the Sheriff's Department, and the Commissioners Court, the Court shall appoint such other commissioned peace officers to serve as bailiff as may be necessary.

C. From time to time, Commissioners Court may conduct out of courthouse gatherings and public hearings. Any gathering that is deemed to be a "meeting" for purposes of the Open Meetings Act shall be noticed in accordance to the requirements of the Act. If a public hearing is held such hearing shall be conducted in accordance with any applicable state and federal laws. No Commissioners Court meeting shall be held outside of the courthouse unless in compliance with the Open Meetings Act.

VI. AWARDS & PRESENTATIONS

A. A County employee, volunteer, civic or charitable organization, or member of the public may be recognized by the County Judge or a County Commissioner. Prior arrangements for such presentations are to be made with the County Judge's office by a Commissioner or Department head to allow for scheduling. Such presentations allow the Commissioners Court to publicly recognize those who have made special contributions to our community and County Operations.

Examples of such presentation include:

1. Presentation of a Proclamation
2. Recognition of any employee of a County Department
3. Recognition of a volunteer for outstanding volunteer work as an appointee from the County to a Board or Commission
4. Recognition of schools or other reputable organizations that have

performed in an outstanding manner.

VII. ADJOURNMENT IN MEMORY

The motion to adjourn a Commissioners Court meeting may be made in memory of one or more recently deceased community leaders, County employees or other distinguished persons. At the end of each meeting, the County Judge will ask if any County Commissioner wishes the meeting adjourned in memory of such a person, and provide a brief description of that person's contribution to the County and/or Community.

Recommendations for an adjournment in Memory may be made through the County Judge or a County Commissioner. The member of the Commissioners Court making the motion may thereafter, if desired, send a letter to the family of the deceased informing them of the Commissioners Court action.

VIII. These Policies and Procedures at Meetings of the Nueces County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court.

Part 4: ADDITIONAL POLICIES REGARDING THE COMMISSIONERS COURT

I. Financial

A. **Funding Requests**: Individual members of the Commissioners Court who seek funding on behalf of the County shall disclose in writing to the funding entity whether or not they are requesting funding pursuant to an Order of the Commissioners Court.

B. **Release of Checks**: No checks shall be released unless approved by the Court. If an urgent need to release a check arises, the urgent need shall be submitted in writing to the County Judge for immediate review and approval, and the check shall be brought back to Commissioners Court for possible ratification. Notwithstanding the above, the Court previously approved a list of acceptable checks that can be released, and the list is subject to amendment by the Court.

C. **County and Precinct Project Funding:**

If a proposed project is a Precinct project, and another Commissioner is assigned to oversee the project by the Commissioners Court, the expenses should be covered by the County General Fund or another funding source.

If a proposed project is a County project, the assigned Commissioner will keep the Judge and Commissioners updated on the project and will be open to recommendations on the project.

D. Approval of Spending After Elections

Local Government Code 130.908 states that expenditures above an amount set by the court by an incumbent County Commissioner who is not reelected or renominated after the official canvass of the *primary* or *general election* returns are announced must be approved by the Commissioners Court. The Court hereby sets the amount at $1,000.00, and elects that approval of expenditures over that amount must be approved by a majority of the court.

E. County Property After Elections

Documents created in the course of Nueces County business are "governmental records" and may only be destroyed or removed as authorized pursuant to the retention schedules as promulgated by the Texas State Library and Archives Commission.

II. Committees

A. **Service on Selection Committees**: Members of the Commissioners Court shall not serve on any selection committees related to the Purchasing Department unless required by law.

B. **Creation of Committees:** County Committees not created by statute must be created by a majority vote of the Commissioners Court.

III. Approval of Leases and Professional Services Contracts

A. All agreements over $20,000 for any lease, professional service, or any other agreement must first be brought to the Commissioners Court for approval whether or not such agreement relates to, or is in connection with, an emergency. All emergency agreements made pursuant to Chapter 418 of the Government Code by the County Judge under $20,000 shall be ratified by the Commissioners Court.

B. Notwithstanding the above, to the extent that the County Judge must address an emergency pursuant Chapter 418 of the Government Code, that is over $20,000, and it is impossible to timely place the item on an Agenda to address the emergency, the County Judge has the discretion to enter into the agreement but shall immediately place the item on the next Commissioners Court for possible ratification.

IV. Board/Committee/Commission Appointments:

A. There shall be no board or commission appointments made by the Nueces County Commissioners Court 60 days prior to an election extending to the date on which the new commissioners' court takes office unless there are no new members coming onto the Commissioners court in January. There shall be no early appointments except all boards and vacancies that expire legally that come up in August will be available for appointment.

B. All Applicants for a Nueces County Board or Commission must be a resident of Nueces County. Applicants must swear or affirm residency in their application to

the Commissioners Court.

C. Applications to serve on any Nueces County Board, Commission, or outside board to which the Court recommends or appoints members will NOT be accepted if the applicant or the applicant's spouse is employed by the entity the board represents. Appointments made at any time in conflict with this policy may be vacated, where and as provided by law, rule, or regulation, and filled with qualified applicants in compliance with the Court's policies.

D. Appointment process for certain Boards. There will be a two-step process for certain board recommendations or appointments by the Commissioners Court: the Nueces County Hospital District Board of Managers, Port of Corpus Christi Authority, and the Regional Transportation Authority, and the Christus Spohn Board of Trustees.

1. After applications are submitted and received, the Commissioner Court members will receive and review the applications. Any Commissioner/County Judge may request a public interview of any applicant. If a candidate has been selected for interviews, the County Judge's Office will coordinate and set up interviews with the applicants. All applicants who apply, may still interview, even if not selected by members of the court.
2. Interviews will be conducted in open session at a scheduled Commissioners Court meeting.
3. The Commissioners Court may set a time limit on interviews.
4. After interviews are conducted, each Commissioner/County Judge may nominate one different candidate, who has not already nominated, and will place them on the whiteboard (up to 5 different candidates).
5. Each Commissioner/County Judge has two votes, but may choose to vote on only one individual, which will result in forfeiting their second vote allocation. The two votes must be for two different applicants. The applicant with the highest number of votes will receive the appointment. If multiple positions are open, the highest scoring applicants will fill the open positions.
6. If there is a tie between applicants for a position, then the applicants that tied will be subject to a new round of voting by the Commissioners Court. If such a runoff occurs, each member of the court has one vote.
7. An applicant must have at least three votes to receive an appointment (or recommendation where applicable).

IX. Miscellaneous:

A. **County Agenda Coordinator Communications with Court Members for Purposes of Setting Meeting:** Commissioners Agenda Coordinator may contact Court members regarding the scheduling of meetings, so long as the substance of the meetings or agenda items are not discussed or communicated with or between other members of the Court. Compliance with the Texas Open Meetings Act shall

be followed by all parties.

B. Members of the Court shall abstain from voting on agenda items relating to a campaign donor, PAC, foundation or direct family member of the person or item being voted on with contributions to the individual member of the Court in the aggregate amount more than $5,000 or more throughout their tenure on the Court (current term), and up to the same amount in the previous election cycle. If a member violates this their vote shall not count in the final tally.

C. Members of the Court and Court staff must fully disclose to the Commissioners Court and the public all travel taken by them related to county business and who paid for it (county travel budget or outside travel source in the county or outside of the county). This disclosure shall be made to the County Auditors Office for dissemination to the entire court and public.

D. No member of the Nueces County Commissioners Court shall serve on any board or commission that the Commissioners Courts appoints to or is asked to serve on unless as a matter of law someone must serve (Example Purchasing Board is statutory). This will ensure complete independence of that board and no member of the Commissioners Court having any more influence on that board than other member.

ADOPTED BY THE VOTE OF THE NUECES COUNTY COMMISSIONERS COURT on this the 6TH DAY OF AUGUST 2025.

Connie Scott
County Judge

Mike Pusley
Commissioner, Pct. 1

Absent
Joe Gonzalez
Commissioner, Pct. 2

John Marez
Commissioner, Pct. 3

Brent Chesney
Commissioner, Pct. 4

Attest: Kara Sands
Kara Sands
Nueces County Clerk

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