

**RESOLUTION NO. R.2025-06-0001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBA, TEXAS ADOPTING A PROCEDURES AND DECORUM POLICY FOR MEETINGS OF THE CITY COUNCIL.**

**WHEREAS**, the City Council of the City of Alba is a Type A general law city located in Wood County;

**WHEREAS**, on this date the City Council of the City of Alba, Texas reviewed the City of Alba's current policy for procedures and decorum at the Meetings of the City Council, as well as compliance with the requirements of the Texas Open Meetings Act, Chapter 551, of the Texas Government Code;

**WHEREAS**, the City Council of the City of Alba, Texas finds that it is necessary to adopt the following ordinance in order to promote efficient and equitable council meetings; and

**WHEREAS**, the City Council has determined reviewed the CITY COUNCIL MEETINGS: PROCEDURES AND DECORUM POLICY, attached to this Resolution and incorporated herein for all purposes.

**NOW THEREFORE IT IS RESOLVED BY THE CITY COUNCIL FOR THE CITY OF ALBA, TEXAS, AS FOLLOWS:**

**SECTION 1. FINDINGS OF FACT.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2. ENACTMENT.** The City of Alba Code of Ordinances Chapter 2, General Provisions, is hereby amended by the addition of Article 4. City Council Meetings: Procedures and Decorum Policy, so as to read in accordance with Exhibit "A", which is attached hereto and incorporated into this Resolution for all intents and purposes.

**SECTION 3. REPEALER.** All resolutions and/or ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated, herein.

**SECTION 4. SEVERABILITY.** In the event any section, paragraph, subdivision, clause, phrase, provision sentence, or part of the Resolution or the application of same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any

part or provision hereof other than the part declared to be invalid of unconstitutional; and the City, Council of the City of Alba, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SIGNED AND APPROVED ON THIS THE 7 DAY OF July 2025.



\_\_\_\_\_  
Paul Kelbe, Mayor

ATTEST:



\_\_\_\_\_  
Lindy McCarty, City Secretary

## EXHIBIT A

### CITY COUNCIL MEETINGS: PROCEDURES AND DECORUM POLICY

#### Types of Meetings

Meetings of the City Council will be called and conducted in accordance with the provision of the Texas Open Meetings Act, Chapter 551, Texas Government Code. All meetings of the City Council, including Regular, Special, Workshop/Work Session, and Emergency, except for Closed (Executive sessions) authorized by state law, shall be open to the public, and minutes of all proceedings of such open meetings shall be kept, to which any citizen may have access at all reasonable times.

*Regular Meetings:* The City of Alba regular City Council meetings are held on the first Monday of each month at such time as may be set by the City Council, unless the meeting is rescheduled or canceled. All regular meetings of the City Council will be held in City Hall Council Chamber at 145 S Broadway, Alba, Texas. Other locations and formats may be decided on by the City Council.

*Special Meetings:* Special meetings may be called by the Mayor on the Mayor's own motion and shall be called by the Mayor on the application by any three members of the Council. The call for a special meeting shall be filed with the City Secretary in written form, and the City Secretary shall cause the posting of notice of the meeting as governed by applicable law.

*Emergency Meeting:* In case of emergency or urgent public necessity, as defined by State law and confirmed by the City Attorney when practical, which shall be expressed in the notice of the meeting. An emergency meeting may be called by the Mayor or the Mayor's designee, and it shall be sufficient if the notice is posted at least two hours before the meeting is convened.

*Closed Meeting:* The City Council may meet in a closed meeting (Executive Session) but only under conditions allowed by applicable law. Details discussed in the closed meetings shall be considered confidential and shall not be discussed or disclosed outside the meeting. The City Council may expressly request individuals to be present during the Executive Session.

*Workshop/Work Session Meetings:* A work session is a meeting to discuss or explore matters of interest to the City, review and discuss agenda items, meet with City boards, commissions, or committee members, City Staff or other individuals specifically invited to the session by the Mayor, City Secretary, or the Council. These meetings are informational, and no formal action shall be taken unless the posted agenda indicates otherwise. The Citizen Comment section of Regular Meetings will not be on the agenda for Workshop/Work Session Meetings. The Work Session Meeting is an open meeting, and persons may attend the meeting to observe only.

#### Quorum

A quorum, as defined by the Local Government Code Section 22.039 is a majority of the number of aldermen established by Section 22.031 for the municipality constitutes a quorum.

## **Decorum of the Council**

During Council meetings, Council Members shall preserve order and decorum, shall not interrupt or delay proceedings, and shall obey the rules of the Council. Council Members shall demonstrate respect and courtesy to one another, to City Staff and to members of the public appearing before the Council. Council Members shall seek to phrase and communicate all writings, publications and speeches in a professional and constructive manner.

Members of the Council will not condone any unethical or illegal activity from any Council Members. All members of the Council agree to uphold the intent of this policy and to govern their action accordingly.

While a member of the Council or staff is speaking, other members shall not hold private discourse or in any manner interrupt the speaker.

In all discussions, disrespectful language and behavior shall be avoided.

A Council Member may not represent any third party before any City board or commission.

City Council members should refrain from using all personal communication devices during City Council meetings that are in session.

## **Agenda**

All requests for items to appear on the Agenda must be in conformity with the Rules and Regulations for Establishing the Agenda, appearing in Article 2 of this Code of Ordinances, and state law.

### **Public Comments Section on the Agenda**

The public is invited to attend all meetings of the Council except closed meetings. The public's participation therein is limited to that of observer only, unless a person wishes to make a public comment on a posted agenda item of the Council meeting in which the agenda item appears.

Persons wishing to make public comments on an agenda item must sign up with the City Secretary before the meeting begins. Once signed in, a person will be allowed to make a public comment regarding an agenda item that has been properly posted on the agenda during the Public Comments section of the agenda.

The Public Comment section of the agenda will adhere to the following rules and procedures:

- A. Public comments on agenda items will be limited to the Public Comment section of the agenda.
- B. The City Council shall allot a maximum of 15 minutes to the Public Comment section of a regular Council agenda regardless of the number of persons wishing to make comments.

- C. Council may only discuss items that are properly posted on the agenda.
- D. Council shall not discuss the public comments only listen.
- E. Public comments on items not on the agenda are prohibited.
- F. Persons whom have signed up with the City Secretary may make comments on agenda items. The sign in must include the name of the person wishing to make a comment, the agenda item and number to be addressed, and a brief statement the substance of the oral address.
- G. As per Section 551.07 of the Texas Government Code, the public does not have the right to make comments during any other portion of the meeting including during the deliberation of the agenda item.
- H. If a person that signed up to speak, misses the opportunity to speak on an agenda item during the designated public comment period at the beginning of an open meeting, they will NOT be allowed to address the Council. Section 551.07 of the Texas Government Code does not grant the right for them to speak and interrupt the meeting.
- I. If a person that signed up to speak, is in attendance during the designated public comment section at the beginning of an open meeting but chooses not to comment on an agenda item until later in the meeting during the Council's consideration of the item, the person will not be allowed to make comments.
- J. The Mayor will call the persons to make public comments in order in which they signed in with the City Secretary.
- K. The persons approved to address the Council will give their name before speaking when recognized by the Mayor.
- L. A person who appears before the Council to make comments on an agenda item is limited to a maximum of three (3) minutes to make comments. Time for each speaker shall be maintained by the City Secretary or such other designated representative of the City Council.
- M. Delegations of more than five persons shall be required to appoint one person to make comments on an agenda item.
- N. Public Comments will be equally divided by the Mayor prior to the meeting for those comments of varying viewpoints.

### **Decorum of Public**

Persons attending Council meetings shall remain seated during the meeting, shall not stand in the chamber during the meeting, and may come and go so long as it does not disrupt the meetings. Persons in attendance shall not carry signs, placards or other items which could block the view of those in attendance or the city's audio and video equipment or become disruptive to the

proceedings. No person attending any Council meeting shall delay proceedings or refuse to obey the orders of the presiding officer. Personal communication devices that disrupt the proceedings of the Council meeting shall be prohibited.

Persons attending Council meetings shall conduct themselves with proper respect and decorum while members of the Council are speaking and when addressing the City Council and City Staff both before and after the Council meeting. Proper clothing attire is required for all attendees of Council meetings.

Disturbances, transgressions of the rules or disorderly conduct in the Council chamber may cause the transgressors to be removed from the meeting. The Chair of the meeting, shall exercise control over persons who disrupt the meeting following ascending order of action:

- a. Call the person to order, advising that person of the infraction.
- b. Advise the person that the infraction must cease immediately, or the person will be ordered to leave the meeting.
- c. Order the person to leave the meeting.
- d. A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05.

### **Rules for the Press and Media at Council Meetings**

During an open meeting of the Council, members of the news media will be allowed to attend and occupy seats provided to the general public. No media personnel or equipment, including recording devices, lights, cameras or microphones will be located on the City Council's bench nor located at a distance in front of the bench that disrupts the meeting and/or deliberation of the Council. All media equipment referenced above are subject to pre-approval by the City Secretary.

Members of the news media are required to structure their movements, equipment, equipment set-up and take-down and adjustments in such a manner as to not disrupt the proceedings of the meeting or the ability of the public to see, hear and participate in the proceedings. If so, media equipment may be required to be removed from the chamber. Media equipment must not interfere or create interference with the City's audio and video equipment. If so, the media equipment may be required to be removed from the chamber and/or City Hall.

In order to preserve the decorum and professionalism of Council meetings, the media are requested to refrain from conversing privately with other people in the audience. Interviews shall not be conducted inside the chamber during the time a meeting is in session. Interviews shall not be conducted outside the chamber in City Hall during the time a meeting is in session.

### **Safety and Security**

Persons are encouraged to attend Council meetings. However, the number admitted shall be limited to the fire safety capacity of the Council chamber as determined by the Chief Building Official and enforced by the Fire Marshal or designee. The Certificate of Occupancy, identifying the

maximum capacity of the Council chamber, will be clearly posted on the wall of the chamber. Persons attending the meeting will be required to be seated in the provided chairs of the chamber. Once the maximum capacity of the chamber is surpassed, additional persons will be asked to stand in the foyer of City Hall, if there is adequate space not to exceed the fire safety capacity of City Hall.