

RULES OF PROCEDURE

CITY COUNCIL
of the
CITY OF FORT WORTH

Originally Adopted
January 8, 1960

Second Printing, February 1964
Third Printing, March 1968
Fourth Printing July 1976
Fifth Printing January 1978
Sixth Printing, March 1980
Seventh Printing December 1980
Eighth Printing, June 1987
Ninth Printing, May 1991
Tenth Printing, January 2001
Eleventh Printing, September 2005
Twelfth Printing, May 2008
Thirteenth Printing, November 2008
Fourteenth Printing, August 2009
Fifteenth Printing, May 2011
Sixteenth Printing September 2012
Seventeenth Printing December 2012
Eighteenth Printing June 2015
Nineteenth Printing September 2016
Twentieth Printing November 2017

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RULES OF PROCEDURE

1. AUTHORITY

- 1.1 Charter: Chapter III, Section 5 of the Charter of the City of Fort Worth provides that the Council shall determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided for by these rules.

2. GENERAL RULES

- 2.1 Meetings to be Public: All official meetings of the Council and all sessions of a Committee of the Council shall be public. (Charter - Ch. III, Sec. 5)
- 2.2 Quorum: two-thirds of the Council shall constitute a quorum. (Charter - Ch. III, Sec. 5)
- 2.3 Compelling Attendance: The Council may compel the attendance of absent members. (Charter - Ch. III, Sec. 5)
- 2.4 Misconduct: The Council may punish its own members for misconduct. (Charter - Ch. III, Sec. 5)
- 2.5 Minutes of Meetings: An account of all proceedings of the Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the Council.
- 2.6 Questions to Contain One Subject: All questions submitted for a vote shall contain only one subject. If two or more points are involved, any member may require a division, if the question reasonably admits of a division. (Charter - Ch. XXV, Sec. 7)
- 2.7 Right of Floor: Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to the subject under consideration or to be considered. No member shall be allowed to speak more than once on any one subject until every member wishing to speak shall have spoken.
- 2.8 City Manager: The City Manager, or Acting City Manager, shall attend all meetings of the Council unless excused. He may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote. (Charter - Ch. V, Sec. 2(5))

- 2.9 City Attorney: The City Attorney, or Acting City Attorney, shall attend all meetings of the Council unless excused, and shall upon request give an opinion, either written or oral, on questions of law. The City Attorney shall act as the Council's parliamentarian. (Charter - Ch. VI, Sec. 1)
- 2.10 City Secretary: The City Secretary, or Acting City Secretary, shall attend all meetings of the Council unless excused, and shall keep the official minutes and perform such other duties as may be requested of him/her by the Council.
- 2.11 Officers and Employees: Any officer or employee of the City, when requested by the City Manager, shall attend any meeting of the Council. If requested to do so by the City Manager, they may present information relating to matters before the City Council.
- 2.12 Rules of Order: Roberts Rules of Order Revised shall govern the proceedings of the Council in all cases, unless they are in conflict with these rules.
- 2.13 Suspension of Rules: Any provision of these rules not governed by the City Charter or Code may be temporarily suspended by a two-thirds vote of all members of the Council. The vote on any such suspension shall be taken by ayes and noes and entered upon the record.
- 2.14 Amendment to Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior City Council Meeting.

3. TYPES OF MEETINGS

3.1 Definitions:

a. Regular Meeting: A regular meeting of the City Council shall mean a meeting of a quorum of the City Council at which the Council Members are briefed or vote on matters of interest to the city and shall include City Council Work Sessions and City Council Meetings. (Resolution 4684-09-2016, September 27, 2016)

b. Special Called Meeting: A special called meeting of the City Council shall mean a meeting of a quorum of the City Council called by the Mayor or any three Council Members at which the Council Members are briefed or vote on matters of interest to the city. (Resolution 4684-09-2016, September 27, 2016)

- 3.2 **City Council Work Sessions:** Unless otherwise officially changed by the City Council or City Manager, the Council shall meet in the City Council Conference Room at the City Hall on Tuesday of each week at 3:00 p.m. for the City Council Work Session in order to be briefed on matters of interest to the city and conduct other city business. (Resolution 4684-09-2016, September 27, 2016)
- 3.3 **City Council Meetings:** Unless otherwise officially changed by the City Council, the Council shall meet in the Council Chambers at the City Hall on Tuesday of each week at 7:00 p.m. for the City Council Meeting in order to consider and vote on agenda items and conduct other city business. (Resolution 4684-09-2016, September 27, 2016)
- 3.4 **Special Called Meetings:** Special Called Meetings shall be in writing and shall state the object of the meeting, and no business shall be transacted other than that specified in the call, in accordance with state law. (Charter - Ch. III, Sec. 5 and Resolution 4684-09-2016, September 27, 2016)
- 3.5 **Council Committee Meetings:** City Council Committee meetings will be held at such times as may be called by the City Manager. (Revised by Resolution No. 3242-08-2005, 8/16/05; Resolution 4684-09-2016, September 27, 2016))

3.6 Attendance at Meetings by Videoconference Call:

a. Definitions.

- i. *Designated Remote Meeting Location* means the meeting location where a meeting takes place and a Council Member or members of the public are present at the location other than the Physical Meeting Location and participate remotely in a meeting of the City Council by means of a videoconference call that meets the requirements of Texas Government Code §551.127.
- ii. *Governmental Body* means the Fort Worth City Council.
- iii. *Physical Meeting Location* means the meeting location where a meeting takes place in a physical space, the member of the Governmental Body presiding over the meeting is present at the physical space and the meeting meets the requirements of Texas Government Code §551.127.

b. Notice Requirements.

- i. The notice of a meeting to be held by videoconference call must specify the Physical Meeting Location and specify the intent to have the member of the Governmental Body presiding over the meeting at the Physical Meeting Location; and

- ii. If members of the public will be present at a Designated Remote Meeting Location via videoconference call, the notice must specify the remote location and be posted in compliance with the Texas Open Meetings Act and other applicable laws.
- c. Meetings by Videoconference Call:
- i. Videoconference Call by Individual Council Member(s): A Council Member may individually participate remotely in a meeting of the City Council by means of a videoconference call if:
 - (1) the video and audio feed of the Council Member's participation is broadcast live at the Physical Meeting Location and complies with the provisions of this section and state law;
 - (2) the Council Member, while speaking, is clearly visible and audible to each Council Member participating in the meeting at the Physical Meeting Location;
 - (3) the Council Member, while speaking, is clearly visible and audible to the members of the public in attendance at the Physical Meeting Location during the open portion of the meeting; and
 - (4) No members of the public are present at the Designated Remote Meeting Location.
 - ii. Designated Remote Meeting Location.: If a Council Member or members of the public are present at the Designated Remote Meeting Location, the Council Member or the members of the public may participate remotely in a meeting of the City Council by means of a videoconference call if:
 - (1) the video and audio feed of the Council Member or the members of the public participation is broadcast live at the Physical Meeting Location and complies with the provisions of this section and state law;
 - (2) the Council Member or the members of the public, while speaking, are clearly visible and audible to each Council Member participating in the meeting at the Physical Meeting Location;
 - (3) the Council Member or the members of the public, while speaking, are clearly visible and audible to the members of the public in attendance at the Physical Meeting Location during the open portion of the meeting;

- (4) the members of the public present at the remote meeting location are provided the opportunity to participate in the meeting in the same manner as a member of the public who is physically present at a meeting of the Governmental Body that is not conducted by videoconference call; and
- (5) the Designated Remote Meeting Location was posted in compliance with the Texas Open Meetings Act and other applicable laws.

d. Quorum:

i. Videoconference Call by Individual Council Member.

a. If a quorum of the City Council is present at the Physical Meeting Location, and one (1) or more of the Council Member(s) attending the meeting via videoconference call is no longer visible and audible to those in attendance at the Physical Meeting Location, the meeting at the Physical Meeting Location may continue in accordance with the Texas Open Meetings Act.

b. If a quorum of the City Council is not present at the Physical Meeting Location, and one (1) or more of the Council Member(s) attending the meeting via videoconference call is no longer visible and audible to those in attendance at the Physical Meeting Location, and that causes the loss of the quorum, the meeting at the Physical Meeting Location shall be recessed until the problem can be resolved. If the problem cannot be resolved in one (1) hour, the meeting shall be recessed to the following business day or reposted for a meeting at a later date in compliance with the Texas Open Meetings Act. If the quorum is not lost, the meeting may continue.

ii. Designated Remote Meeting Location.

a. If members of the public attending the meeting via videoconference call at a Designated Remote Meeting Location are no longer visible and audible to those in attendance at the Physical Meeting Location, the meeting at the Physical Meeting Location shall be recessed until the problem is resolved. If the problem cannot be resolved in one (1) hour, the meeting shall be recessed to the following business day or reposted for a meeting at a

later date in compliance with the Texas Open Meetings Act.

- b. If the Council Member attending the meeting via videoconference call at a Designated Remote Meeting Location is no longer visible and audible to those in attendance at the Physical Meeting Location, and that causes the loss of the quorum, the meeting at the Physical Meeting Location shall be recessed until the problem can be resolved. If the problem cannot be resolved in one (1) hour, the meeting shall be recessed to the following business day or reposted for a meeting at a later date in compliance with the Texas Open Meetings Act. If the quorum is not lost, the meeting may continue.

e. Executive / Closed Session:

- i. The City Council may conduct a closed meeting by videoconference call provided that the closed meeting complies with the provisions of this section and the Texas Open Meetings Act. A Council Member participating in a closed meeting via videoconference call must be in a closed room and must be alone to protect the confidentiality of the closed meeting and to preserve attorney client privilege.

f. General Provisions:

- i. Council Members shall notify the City Secretary of their intent to utilize videoconferencing, which includes members of the public participating at a Designated Remote Meeting Location, by 5:00 PM on the Tuesday one week prior to the regularly scheduled Council Meeting. All other requests to utilize videoconferencing should be submitted by the same deadline or as soon as practicable.
- ii. A Council Member participating in a videoconference call meeting shall be counted as present at the meeting for all purposes.
- iii. Requests to participate in a meeting via videoconference call will be taken on a first-come/first-served basis. There must be a sufficient number of video feeds to meet the requirements of the Texas Open Meetings Act.
- iv. Remote meetings by videoconference call with members of the public present will not be available for the budget-related hearings or meetings, unless sufficient notice is given to meet the notice requirements as set

forth in the City Charter, the Texas Local Government Code, and the Texas Property Tax Code.

- v. This Section 3.1.1 shall only apply to meetings of the City Council and shall not apply to meetings of City Council Committees, Citizen Boards, Commissions, Committees, Task Forces, or any other citizen advisory groups or boards.
(Section 3.1.1 added by Resolution 4457-05-2015)

3.7 Recessed Meetings: Any meeting of the Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular meeting. If a meeting is recessed to a date other than the following calendar day, notice of the meeting shall be posted in accordance with the Texas Open Meetings Act.

4. CHAIR AND DUTIES

4.1 Chair: The Mayor, if present, shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro tem shall preside. In the absence of both the Mayor and the Mayor Pro tem, the remaining Council members shall elect one member to serve as the presiding officer for the meeting. (Charter - Ch. III, Sec. 6)
(Revised by Resolution No. 3978-03-2011, 3/22/11)

4.1.1 Election of Mayor Pro Tem. The City Council shall elect from its members one person to serve as Mayor Pro Tem on an annual basis during the month of September to be effective October 1st.

4.2 Call to Order: The meetings of the Council shall be called to order by the Mayor, or in his absence, by the Mayor Pro tem. In the absence of both the Mayor and the Mayor Pro tem, the meeting shall be called to order by the City Secretary.

4.3 Preservation of Order: The Chair shall preserve order and decorum, prevent personal attacks and the impugning of members' motives, and confine members in debate to the question under discussion. (Revised by Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

4.4 Points of Order: The Chair shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chair be sustained?"

4.5 Questions to be Stated: The Chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

- 4.6 Substitution for Chair: The Chair may call any other member to take his place in the chair, such substitution not to continue beyond adjournment.

5. ORDER OF BUSINESS

- 5.1 Agenda: The order of business of each meeting shall be as contained in the Agenda prepared by the City Manager. The Agenda shall be a listing by topic of subjects to be considered by the Council, and delivered to members of the Council each Friday preceding the Tuesday meeting to which it pertains.

- 5.1.1 Zoning Hearing: The Zoning Hearing shall be scheduled for the first Tuesday night City Council Meeting of each month. The Zoning Hearing shall be placed in a prominent location on the agenda to follow closely both consideration of the Consent Agenda and the agenda item for Presentations and/or Communications from Boards, Commissions and/or City Council Committees. The Zoning Hearing will be conducted in accordance with the City Zoning Ordinance. (Revised by Resolution No. 3978-03-2011, 3/22/11)

- 5.2 Presentations by Members of Council: The Agenda shall provide a time when the Mayor or any Council Member may bring before the Council any business that he/she believes should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent City Council Meeting. Immediate action may be taken upon a vote of two-thirds of all members of the Council, provided that the requirements of the Texas Open Meetings Act have been met.

- 5.2.1 Council Proposals: The "Council Proposal" (C.P.) form shall be the primary communication vehicle for those proposals and policy matters initiated by Council members and submitted to a vote of the City Council. The form should be used for all Council-initiated agenda items with the exception of routine matters such as changes in membership of boards and commissions, approval of ceremonial travel, and general announcements. In order to be listed on the City Council agenda, the Council Proposal form must be signed by two (2) Council members. The sponsoring Council members shall be responsible for initiating the C.P. and for providing direction to staff on their intent and wording. The City Manager's Office and City Attorney's Office are responsible for drafting the text of the C.P. C.P.s are subject to prior review and comment by the City Manager's Office, the City Attorney's Office, and Financial Management Services, and their respective comments shall be noted in the C.P. Upon providing written comments to the C.P., the City Manager and the City Attorney or their designee shall sign the C.P. before it is placed on the agenda. The City Manager shall place C.P.s on the City Council Work Session agenda and in the "Presentations by the City Council" portion of the City Council's

meeting agenda for discussion. The sponsoring Council member shall introduce the C.P. at the City Council Work Session and the City Council Meeting. No C.P. shall be acted upon at the City Council meeting in which it is introduced, save and except a Reconsideration Council Proposal as described in Section 6.10, which must be introduced and acted upon as specified in Section 6.10. (Revised by Resolution No. 3242-08-2005, 8/16/05)

- 5.2.2 Council Requests for Staff Reports: City Council Members may request staff reports and other staff work through the City Manager or City Attorney. If the request involves a significant use of staff resources (generally defined as approximately four hours or more of staff time), the City Manager or City Attorney shall have the discretion to ask the Council member to bring the request forward during the “City Council Requests for Future Agenda Items and/or Reports” portion of the City Council’s Work Session agenda and the request must receive a consensus from the City Council.
- 5.3 Agenda Deadline: Any person or group desiring to present a subject for the Council’s consideration or to make a ‘Special Presentation’ to the Council shall advise the City Manager’s Office of that fact not later than 5:00 p.m. on the Wednesday preceding the City Council Meeting at which he wishes the subject to be considered. The City Manager shall have discretion to edit the title of any presentation to be listed on the Council agenda.
- 5.4 Presentations by Persons Attending City Council Meetings: (Revised by Resolution No. 3978-03-2011, 3/22/11)
- 5.4.1 Registering to Speak at a City Council Meeting: Speakers may address the City Council at a City Council meeting on any posted agenda item when the item is called or may speak on any matter related to City business or affairs that is in the scope of the authority and legislative functions of the City Council during the Citizens Presentations portion of the meeting.

The deadline for registering to address the City Council at a City Council meeting is 5:00 p.m. on the day of the City Council meeting. Persons may register by calling the City Secretary’s Office, registering in person at the City Secretary’s Office or by registering on the City’s website. The process to register will be prescribed by the City Secretary and shall be prominently displayed on the City’s website and in the City Secretary’s Office.

No person shall be permitted to speak on an item that is specifically posted on the City Council meeting agenda or address the City Council during Citizen Presentations unless they previously registered to speak and are recognized by the Chair. A person registered to speak must be present in order to give his or her time to another

registered speaker. No time may be given to a person that is not registered to speak.

Persons or representatives may submit written comments in support or opposition to a particular agenda item or on a topic that could be discussed during Citizens Presentations in lieu of presenting verbal testimony, provided such written testimony is submitted by the registration deadline outlined in this Section.

No persons shall be allowed to address the City Council at the Work Session unless they are presenting on an agenda item or called upon to speak by the Chair or the City Manager.

All members of the public attending and/or speaking at a City Council meeting are required to abide by the Council Rules of Procedure. (Revised by Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

5.4.2 Speaker's Use of Electronic Media: Any person wishing to make a presentation that includes video or another form of electronic media must provide that information in digital format to the City Secretary's Office no later than three o'clock (3:00 p.m.) the day of a City Council Meeting starting at 7:00 p.m. or by five o'clock (5:00 p.m.) the day before a City Council Meeting starting at 10:00 a.m. for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics or pictures that are offensive or reflect personal attacks on other individuals, the City Council members or City staff. The digital format must be compatible with the City's technology equipment. The presentation will be tested prior to the City Council Meeting to ensure that it is compatible with the City's equipment. (Revised by Resolution No. 3978-03-2011, 3/22/11 and Resolution 4684-09-2016, 9/27/2016)

5.4.3 Individual Presentations on Posted Agenda Items: Chair When a posted agenda item is taken up for consideration by the City Council, the Chair shall recognize each individual that has registered to speak on that item by calling the person's name. Upon being recognized, the person shall advance to the center podium (or the back podium, if needed) and shall state his or her name and city of residence in an audible tone for the record and shall limit his or her remarks to the topic under discussion.

A person desiring to speak shall address the Chair and the Council Members, not the audience or the City staff. Each speaker shall be limited to three (3) minutes. At the discretion of the Chair, the Chair may extend the time allotted to a speaker or may reduce the time allotted to each speaker to two (2) minutes for such reasons as the time allocated for the meeting, the number and complexity of agenda items, or the number of persons wishing to address the City Council.

No persons other than a Council Member or the person having the floor shall be permitted to enter into the discussion directly with a member of the City Council without the permission of the Chair. All questions to the Council shall be directed to the Chair. (Revised by Resolution 3978-03-2011 3/22/2011 and Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

5.4.4 Group Presentations on Posted Agenda Items: Presentation by a representative of an organized group consisting of a minimum of (10) ten persons, Chair shall be limited to six (6) minutes. The names of the ten persons must be provided at the time the representative registers to speak and those ten (10) persons must be present in the Council Chamber when the matter is called. The ten (10) persons shall stand and be recognized by the Chair before the representative is allowed to address the City Council. A person counted as one of the ten individuals represented shall not be permitted to speak on the same subject.

If the representative fails to list the names of ten (10) persons when he or she registers to speak or the ten (10) persons are not present in the Council Chamber when their names are called by the Chair, the representative's time to speak shall be limited to three (3) minutes. At the discretion of the Chair, the Chair may extend the time allotted to a speaker or may reduce the time allotted to each speaker to two (2) minutes for such reasons as the time allocated for the meeting, the number and complexity of agenda items, or the number of persons wishing to address the City Council.

The representative speaker shall follow the same procedure set out in Section 5.4.3 Individual Presentations on Agenda Items. (Revised by Resolution 3978-03-2011, 3/22/2011 and Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)
Chair

5.4.5 Recognition of Speakers: (Revised by Resolution 3978-03-2011, 3/22/2011 and Deleted by Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

5.4.6 Citizen Presentations:

Persons wishing to address the City Council about an item that is not otherwise posted on the City Council Meeting agenda and who have registered as required by Section 5.4.1 will be permitted to speak under the agenda item entitled "Citizen Presentations." The Chair shall have the discretion to call for all or a portion of the citizen presentations to be made under that agenda item earlier or later in the meeting. Responses to a citizen's presentation by the City Council and staff shall be in accordance with Texas Open Meetings Act requirements. If a citizen or City Council member raises a subject that has not been included in the public notice for the City Council Meeting, a response

may consist only of a statement of specific factual information or a recitation of existing policy. The City Council shall not discuss or take action relative to any public comments made during the citizen presentation portion of the City Council meeting.

Presentations by individuals shall be limited to three (3) minutes. At the discretion of the Chair, the Chair may extend the time for a speaker to address the City Council or may reduce the time allotted to each speaker to two (2) minutes for such reasons as the time allocated for the meeting, the number and complexity of agenda items, or the number of persons wishing to address the City Council.

Presentation by a representative of an organized group consisting of a minimum of ten (10) persons shall be limited to six (6) minutes. The names of the ten persons shall be provided at the time the representative registers to speak and those ten (10) persons must be present in the Council Chamber when the matter is called. The ten (10) persons shall stand and be recognized by the Chair before the representative is allowed to address the City Council. A person counted as one of the ten (10) individuals represented shall not be permitted to speak on the same subject.

If the representative fails to list the names of ten (10) persons when he or she registers to speak or the ten (10) persons are not present in the Council Chamber when their names are called by the Chair, the representative's time to speak shall be limited to three (3) minutes. At the discretion of the Chair, the Chair may reduce the three (3) minutes allotted to the speaker to two (2) minutes for such reasons as the time allocated for the meeting, the number and complexity of agenda items, or the number of persons wishing to address the City Council.

The representative speaker shall follow the same procedure set out in Section 5.4.3, Individual Presentations on Agenda Items. (Revised by Resolution No. 3242-08-2005, 8/16/05 and Revised by Resolution No. 3978-03-2011, 3/22/11 and Revised by Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

5.4.7 Rules of Conduct: City Council Meetings are conducted for the official business of the City Council. Members of the public attending City Council meetings shall observe the same rules of civility, decorum and respectful conduct applicable to members of the City Council. To ensure meetings are conducted in a professional and courteous manner which enables the order 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, when allowed, to participate without disruption or fear of intimidation, threats or hostility.

Members of the public desiring to address the City Council shall be recognized by the Chair and shall state his or her name and city of residence in an audible tone for the record and shall limit his or her remarks to the topic under discussion.

The public has the right to criticize policies, procedure, programs or services of the City or of the actions or omission of the City Council or City staff. A member of the public addressing the City Council shall not engage in any disorderly conduct which disrupts the orderly conduct of any City Council meeting. The Chair may rule a public speaker out of order and in violation of the Council Rules if: (a) the speaker is speaking beyond the allocated time limit and refuses to yield the floor; (b) the speaker's remarks are not relevant to the agenda item or City business or affairs; (c) the speaker repeatedly interrupts a Council Member; (d) the speaker's remarks are disruptive so as to disturb the peace and good order of the meeting, through use of, without limitation, loud, threatening, hostile, abusive, vulgar or obscene language or any other actions that disturb or are calculated to disturb the meeting; (e) the speaker engages in any conduct with the intent to break up the meeting of the City Council or urges other to commit acts or engage in conduct to break up the meeting, including unreasonably loud and prolonged yelling, screaming, clapping or noise-creating acts which render it impossible or difficult for the City Council to conduct or continue with the meeting; or (f) the speaker willfully refuses or fails to comply with any Council Rule of Procedure or with any reasonable order of the Chair.

Demonstrations, the carrying of signs or placards, or other activities which disturb the peace and good order of the meeting shall not be permitted in the Council Chambers.

The Chair shall have the authority to preserve order at all City Council meetings and enforce the Council Rules of Procedure, including the authority to revoke the permission granted to any individual to speak if such individual is disruptive or does not adhere to Council Rule of Procedure, to remove or cause the removal of any person from any meeting of the City Council for disorderly conduct, and to exclude a person from returning to that same meeting from which the individual was removed.

If the Chair determines that the Council Rules of Procedure are not being followed, one warning will be given to the individual(s). If the Council Rules of Procedure continue to be violated after one warning, the Chair may revoke the individual's speaking privileges and may remove, or cause to be removed by security personnel, the individual from the Council Chamber. Any individual ordered to be removed from a meeting shall be excluded from returning to that meeting from which the individual was removed and shall be barred from further audience before the City Council during that session of the City Council. (Revised by Resolution 4845-09-2017, 9/19/2017 effective 11/30/2017)

- 5.5 Communications to Mayor and Council: The City Manager shall provide the Council with an analysis of items to be acted upon by the Council at its City Council Meetings in the form of a "Mayor and Council Communication." These communications shall be delivered to Council members each Friday preceding the Tuesday City Council

Meetings at which they will be discussed, unless an emergency condition makes it necessary to deliver the communications on a subsequent day.

5.6 Oral Presentations by City Manager: Matters requiring the Council's attention or action which may have developed since the deadline for delivery of the written communication to the Council may, upon approval of the Council, be presented orally by the City Manager. If formal Council action on a subject is required, such action shall be delayed until the next succeeding City Council Meeting, except the immediate action may be taken if approved by a two-thirds majority of all members of the Council and providing that the requirements of the Texas Open Meetings Act have been met.

5.7 Competitive Bids; Drawing to be Held in Presence of City Council: When it is determined, after competitive bids have been received for the provision of goods or services to the City of Fort Worth, that identical low bids have been received from more than one bidder, and only one of the bidders submitting identical bids is a resident of the City of Fort Worth, the City shall select that bidder in accordance with Section 271.901 of the Texas Local Government Code. Otherwise, in the case of identical bids, a drawing shall be held to determine which bid will be accepted. Such bidders shall be notified in writing of the date of the drawing, which shall be held during the City Council Meeting when the award of the subject contract is being considered. Notification of bidders shall be the responsibility of the Purchasing Division of the Finance Department, except for construction contracts for the Water Department and Transportation/Public Works Department, who will notify bidders for their respective contracts.

At the time of the drawing, the City Secretary shall provide a receptacle containing slips of paper equal in number to the number of low bidders. One of the slips shall be marked with an "X". A representative of each low bidder shall draw from the receptacle a slip of paper. The bid of the bidder who draws the slip of paper marked with an "X" shall be accepted.

This section does not prohibit the City Council from rejecting all bids.

6. CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS

6.1 Printed on Typewritten Form: All ordinances and resolutions shall be presented to the Council only in printed or typewritten form.

6.2 City Attorney to Approve: City Attorney shall approve or file written legal objections to every ordinance before it is acted upon by Council. (Charter-Ch. VI, Sec. 1)

- 6.3 Action on Ordinances: Ordinances may be acted upon by the City Council during the City Council Meeting at which they are introduced, subject to provisions of the City Charter and state law.
- 6.4 Distribution of Ordinances: The City Manager shall prepare copies of all proposed ordinances for distribution to all members of the Council at the City Council Meeting at which the ordinance is introduced, or at such earlier time as is expedient.
- 6.5 Recording of Votes: The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council. (Charter - Ch. III, Sec. 5)
- 6.6 Majority Vote Required: Approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority of all members of the Council, except as specified in Section 8 of these Rules. (Charter - Ch. III, Sec. 5)
- 6.7 Tie Vote: In the event of a tie in votes on any motion, the motion shall be considered lost.
- 6.8 Voting Required: No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved, or unless excused by the Council for other valid reasons by majority vote. (Charter - Ch. III, Sec. 5)

6.9 Order of Precedence of Motions: The following motions shall have priority in the order indicated:

| | | |
|------------|----------------------------------------------------------|------------|
| Undeatable | 1. Adjourn (when privileged) <u>1/</u> & <u>2/</u> | Privileged |
| | 2. Take a recess (when privileged) <u>1/</u> & <u>3/</u> | |
| | 3. Raise a question of privilege | |
| Debatable | 4. Lay on the table | Subsidiary |
| | 5. Previous question (2/3 vote required) | |
| | 6. Limit or extend limits of debate (2/3 vote required) | |
| | 7. Postpone to a certain time <u>3/</u> | |
| Debatable | 8. Commit or refer <u>3/</u> | Subsidiary |
| | 9. Amend <u>3/</u> & <u>4/</u> | |
| | 10. Postpone indefinitely | |
| | 11. Main motion <u>3/</u> | |

1/ The first two motions are not always privileged. To adjourn shall lose its privileged character and be a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.

2/ A motion to adjourn is not in order:

- 1) When repeated without intervening business or discussion
- 2) When made as an interruption of a member while speaking
- 3) While a vote is being taken

3/ Can be amended - others cannot be amended

4/ A motion to amend shall be undeatable when the question to be amended is undeatable.

6.10 Reconsideration. In order for an action to be reconsidered, a Reconsideration Council Proposal prepared in accordance with Section 5.2.1 of these rules shall be submitted to the City Manager’s Office no later than 4:00 p.m. on the first Friday after the City Council Meeting in which a vote was taken on the item. A Reconsideration Council Proposal can only be sponsored by a Council Member who voted with the prevailing side. A motion on the Reconsideration Council Proposal to reconsider any action of the Council can be made not later than the next succeeding official City Council Meeting following its submission to the City Manager’s Office. Such motion can only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of the Council.

Notwithstanding the provisions above, a Reconsideration Council Proposal relating to any contract may be submitted to the City Manager's Office before the final execution thereof. In order for a contract to be reconsidered, a Reconsideration Council Proposal prepared in accordance with Section 5.2.1 of these rules shall be submitted to the City Manager's Office in sufficient time to allow for posting as required by law. A Reconsideration Council Proposal relating to a contract shall be placed on the first City Council Meeting agenda following 72 hours after submission to the City Manager's Office. A motion on the Reconsideration Council Proposal relating to a contract can only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of the Council. (Revised by Resolution No. 3242-08-2005, 8/16/05)

- 6.11 The Previous Question: When the previous question is moved and seconded, it shall be put as follows:

“Shall the main question be now put?” There shall then be no further amendment or debate; but pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, the main question remains before the Council. An affirmative vote of two-thirds of the Council shall be required to move the previous question.

- 6.12 Withdrawal of Motions: A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been stated by the Chair. If the mover modifies his motion, the seconder may withdraw his second. After the question has been stated, the mover shall neither withdraw it nor modify it without the consent of the Council.

- 6.13 Amendments to Motions: No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.

- 6.14 Actions Involving Appropriation or Expending of Money: As required by the City Charter, an action seeking to appropriate or expend funds must be preceded or accompanied by a certification of the Director of Finance that money for the action is in the Treasury and not appropriated for any other purposes. In the case of a Mayor and Council Communication, the Fiscal Certification portion of the document may serve as the Director's certification. (Charter - Ch. X, Sec. 8)

- 6.15 Transfer of Appropriations: Upon the written recommendation of the City Manager, the Council may by ordinance transfer an unencumbered balance of an appropriation made for the use of one department, division, or section to any other department, division, or section; but no transfer shall be made of revenues or earnings of any non-tax supported public utility to any other purpose. (Charter - Ch. X, Sec. 3)

7. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS

- 7.1. Standing Council Committees: There shall be four standing City Council Committees: Legislative and Intergovernmental Affairs; Housing and Neighborhood Services; Infrastructure and Transportation; and Audit. The membership and chairs of the standing committees shall be appointed by the Mayor. All matters discussed by the Committees shall either (a) be referred to the appropriate committee by the Mayor after presentation to the City Council at a City Council Work Session or City Council Meeting, if a more in-depth review and discussion by a smaller group would be beneficial, or (b) be placed on a committee agenda in accordance with this provision prior to taking the matter to the full Council. The agenda for each committee meeting shall be prepared by an appointed official and his or her staff, as designated by the City Council. It shall be the responsibility of the Committee to provide thorough review of the matters brought before it and to provide feedback to the City Manager, or the full City Council, through either a consensus or a formal committee recommendation. All council committee meetings shall be open meetings posted in accordance with the Texas Open Meetings Act requirements. All final policy decisions shall be made by the City Council in open City Council meetings posted in accordance with the Texas Open Meetings Act requirements. (Revised by Resolution No. 3242-08-2005, 8/16/05; Revised by Resolution No. 3619-05-2008, 05/27/08; Revised by Resolution No. 3674-11-2008, 11/11/08; Revised by Resolution No. 3978-03-2011, 3/22/11; Revised by Resolution 4156-12-2012, 12/11/12; Revised by Resolution 4463-06-2015)

- 7.2 Ad Hoc Council Committees: The Council may, as the need arises, authorize the appointment of "Ad Hoc" Council committees. Except where otherwise specifically provided by the Charter, the Mayor shall appoint the members of the Ad Hoc Council committees, subject to the approval of the Council. Any Ad Hoc committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the Council. (Revised by Resolution No. 3242-08-2005, 8/16/05)

- 7.3 Citizen Boards, Commissions, and Committees: The Council may create other Committees, Boards, and Commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Charter or Code. Memberships and selection of members shall be as provided by the Council if not specified by the City Charter or Code. Any

Committees, Boards, or Commissions so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the Charter or Code.

7.4 Council Appointments to Boards, Commissions, and Committees: Council members desiring to make appointments shall use best efforts to distribute candidate information to other Council members at least one week in advance of the City Council Meeting at which the motion to appoint the candidate is to be made.

7.5 Audit and Finance Advisory Committee - (Repealed by Resolution 4156-12-2012, 12/11/12)

8. VOTES REQUIRED. Approval of every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of all members of the Council, except that the Charter, and certain State statutes impose other voting requirements on various questions. In addition, these rules set forth certain instances in which the number of votes required is greater than a majority of all members. As a matter of convenience, questions on which the voting requirement is varied by the Charter, state statutes, and these rules are listed below.

8.1 Charter and State Statutory Requirements:

8.1.1 Changing Paving Assessment – Change in plans for paving assessment requires a two-thirds vote of the Council. (Art. 1105b, Sec. 10, Revised Civil Statutes)

8.1.2 Use of Streets – Ordinances granting privileged use of streets, which use does not involve the digging up of same, must be approved by two-thirds of the members of the Council. (Charter – Ch. XXVI, Sec. 4)

8.1.3 Changing of Zoning Ordinance –: Changes in zoning classifications, when a hearing is held by the Council and such change is protested by owners of twenty percent or more of the area within 200 feet of the affected property must have the approval of three-fourths of all members of the Council. (Texas Local Government Code, Sec. 211.006(d))

8.2 Council Rules Requirement:

8.2.1 Suspending Rules –: Council rules may be suspended by an affirmative vote of three-fourths of all members of the Council. (Council Rules, 2.13)

8.2.2 Limit or Extend Limits of Debate –: An affirmative vote of two-thirds of all members of the Council is required to limit or extend the limits of debate in Council meetings. (Council Rules, 6.9)

8.2.3 The Previous Question – An affirmative vote of two-thirds of all members of the Council is required to move the previous question. (Council Rules, 6.11)

History of Adoption and Amendments:

Approved by the City Council the 8th day of January, 1960 and amended as follows:

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| Revised calendar for processing M&Cs and Council agenda (M & C G-180) | January 12, 1961 |
| Changed distribution of M&Cs to Council from Thursday to Wednesday; changed M&C calendar. (M&C G-285) | August 13, 1962 |
| Meeting time changed. (Ordinance No. 4770) | November 26, 1962 |
| Agenda deadline changed (Pre-Council conference) | July 7, 1967 |
| Citizen presentations transferred from end of agenda to Special Items; limit discussion to five minutes unless citizen contacts Council or City staff. | January 22, 1968 |
| Amended Rules 5.4 and 8.2 by deleting Section 8.2.4. (City Council meeting of March 22, 1976) | March 22, 1976 |
| Meeting time was amended. (Ord. No. 7647 & repeals Ord. No. 4770) | October 20, 1977 |
| Amended Rules 5.2, 5.4, 5.6, 6.10 and Sections 8.2.3; and 8.2.4. (M&C 4379) | November 29, 1979 |
| Amended Rules 3.1, 3.5, 3.6. and 5.3; and Section 5.4.4. (Res. No. 745) | November 18, 1980 (Effective November 25, 1980) |
| Amended Rules 3.1; 3.5; and Section 5.4.4. (M&C 6576 Revised & Ord. No. 9574) | February 25, 1986 |
| Revised Rules 3.2; 5.4; and Section 5.4.3; added Rule 5.7; revised Rules 6.2; 6.3; 6.4; 6.15; Sections 8.1.1; 8.1.2; 8.1.4; 8.1.5; 8.1.6; 8.2.2; 8.2.3; 8.2.4 and 8.2.5. (M&C G-6978) | March 4, 1987 |
| Amended Rule 2.6; deleted Rule 3.3 and renumbered Rules 3.4 through 3.6; amended Rule 4.3; Section 8.1.3; and deleted Section 8.1.4 (OCS-277) | May 7, 1991 |

City of Fort Worth, Texas
City Council
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| Amended Rule 4.3 and Section 5.4.2. (Council Proposal 168 <i>presented for consideration.</i>) | November 19, 1991 |
| Amended Rule 4.3 and Section 5.4.2. (Council Proposal 168 <i>adopted.</i>) | December 3, 1991 |
| Amended Rules 3.1 and 3.4. (Council Proposal 197 <i>presented for consideration</i>) | October 22, 1996 |
| Amended Rules 3.1 and 3.4 (Council Proposal 197 (revised) <i>adopted.</i>) | Effective January 1997 |
| Amended Rules 3.3, 5.2, 5.6, and 5.7 to conform to state law, Rules 3.4, 3.5, and 5.3 to conform to current procedures, and added new Sections 5.2.1, 5.2.2 and Rule 7.3 (Resolution No. 2696) | January 9, 2001 |
| Amended Rule 3.5, Sections 5.2.1, Section 5.4.4, Rules 6.10, 7.1, and added Rule 7.2. (Resolution No. 3242-08-2005) | August 16, 2005 |
| Amended Rule 7.1 (Resolution No. 3619-05-2008) | May 27, 2008 |
| Amended Rule 7.1 (Resolution No. 3674-11-2008) | November 11, 2008 |
| Amended Rule 7.5 (Resolution No. 3775-08-2009) (Repealed by Resolution No. 4157-12-2012) | August 11, 2009 |
| Corrected all City Charter Chapter and Sections numbering references; Revised Rules 3.4; 4.1 and added new Section 5.1.1; Revised Rule 5.4; and added new Sections 5.4.1 and 5.4.2; Revised Sections 5.4.3; 5.4.4; 5.4.5; 5.4.6; Revised Rule 7.1; Deleted Section 8.2.2; and Renumbered Sections 8.2.3 and 8.2.4 (Resolution No. 3978-03-2011) | March 22, 2011 (Effective May 1, 2011) |
| Added new Section 4.1.1 (Resolution 4129-09-2012) | September 18, 2012 |

Revised Section 7.1 adding the Audit Committee to the Standing Council Committees; repealed Section 7.5 (Resolution 4156-12-2012) December 11, 2012

Amended Section 3.1 to reflect that the Council will meet in the Council Chamber each Tuesday at 7:00 pm unless otherwise changed; added section 3.1.1 to establish the procedures for the attendance of City Council member at City Council Meetings by videoconference call (Resolution 4457-05-2015) May 19, 2015

Revised Section 7.1 deleting the Housing and Economic Development Committee and adding the Housing and Neighborhood Services committee as a new standing committee (Resolution 4463-06-2015) June 6, 2015

Revised rules to reflect changes made as a result of the May 7, 2016, Charter Amendment election, to conform the rules to current City procedures, to clarify the definition of a regular meeting (Sections 3.1-3.5) and to consistently reference City Council Meeting and City Council Work Session. (Resolution 4684-09-2016) September 27, 2016

Revised Sections 4.3, 5.4.1, 5.4.3, 5.4.4, 5.4.6; added Section 5.4.7; deleted Section 5.4.5 to add rules of conduct for citizen presentation and to limit public comments during citizen presentations to three (3) minutes. November 30, 2017

Mary J. Kayser, City Secretary