

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ARTICLE III, “BOARDS AND COMMISSIONS,” OF CHAPTER 2, “ADMINISTRATION,” OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED, TO INVEST THE CITY SECRETARY’S OFFICE WITH CERTAIN POWERS AND OBLIGATIONS REGARDING RULES, RECORDKEEPING, REPORTING, AND TRAINING FOR CITY BOARDS AND COMMISSIONS; ADDING A NEW DIVISION 3 TO ENCOMPASS THE ENACTING PROVISIONS FOR IDENTIFIED BOARDS AND COMMISSIONS, WHICH ARE NOMINATED ON A BY-DISTRICT BASIS, AND TO PROVIDE FOR EACH SUCH BOARD AND COMMISSION TO HAVE ELEVEN MEMBERS TO CORRESPOND WITH THE NUMBER OF COUNCILMEMBERS; REDESIGNATING THE EXISTING DIVISION 3 AS DIVISION 4; PROVIDING A PROCESS AND CRITERIA REGARDING POSSIBLE DISCIPLINE OF MEMBERS OF BY-DISTRICT BOARDS AND COMMISSIONS; AND MAKING CONFORMING CHANGES TO IDENTIFIED PORTIONS OF THE CITY CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a number of boards and commissions have been established to advise the Fort Worth City Council or perform other designated functions; and

**WHEREAS**, several boards and commissions have members who are nominated and appointed on the basis of City Council district; and

**WHEREAS**, as a result of the 2016 City Charter election, the number of City Council Districts increased from eight to ten, with such increase becoming effective with the canvassing of the May 2023 general election for Mayor and City Councilmembers; and

**WHEREAS**, it is advisable to amend the Fort Worth Code of Ordinances to increase the number of members of each board and commission that is constituted on a by-district basis from nine to eleven; and

**WHEREAS**, in the course of reviewing the City Code to make these changes, staff identified other potential revisions that it believes would improve the process for nominating and

appointing board and commission members and to enhance the training and resources for both board/commission members and board/commission departmental staff liaisons; and

**WHEREAS**, requests were made to have a mechanism for the City Council to discipline a board or commission member for certain specified performance or similar issues in the event the City Councilmember who nominated the individual declines to address such issues, and staff has proposed such a mechanism; and

**WHEREAS**, the City Council finds this Ordinance to be reasonable and necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:**

### **SECTION 1.**

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to add a new Section 2-46, establishing the role of the City Secretary’s Office in the board and commission process, with such provision to be and read as follows:

#### **§ 2-46 ROLE OF THE CITY SECRETARY’S OFFICE**

(a) The City Secretary’s Office is charged with being a centralized resource for boards and commissions. In addition to other specific duties outlined below, the City Secretary’s Office shall serve as a neutral resource to liaise among each board and commission, its departmental staff liaison, and the city council and to facilitate communication and cooperation among them.

(b) *Training* The City Secretary’s Office shall, in conjunction with the City Attorney’s Office, coordinate initial and follow-up training for all board and commission members, presiding officers, and departmental staff liaisons. Each board and commission member should complete their initial training within 90 days of taking office. Training shall include, but not be limited to, the application of the Texas Open Meetings Act, Robert’s Rules of Order, the Public Information Act, state and local ethics requirements, and other pertinent laws such as this Article.

(c) *Attendance* The City Secretary’s Office shall coordinate attendance records and make reports in accordance with Section 2-81.

(d) *Rules of Decorum*

(1) The City Secretary’s Office shall develop and promulgate model rules of decorum, which shall address the conduct of board/commission members and of meeting attendees. The rules of decorum are intended to ensure efficient conduct

of city business at each public meeting as well as basic civility. In crafting the model rules, the City Secretary's Office shall consult and, to the extent appropriate, follow the City Council's Rules of Procedure regarding member and attendee conduct.

(2) Each board and commission is required to incorporate the model rules of decorum into the board/commission's rules of procedure; if a board or commission does not have rules of procedure, the board or commission is required to adopt and follow the rules of decorum as a freestanding policy.

## SECTION 2.

Chapter 2 "Administration," Article III "Boards and Commissions," of the Code of the City of Fort Worth is hereby amended to add a new Section 2-47, articulating the process for making appointments to by-district board and commissions, with such provision to be and read as follows:

### **§ 2-47 APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS THAT ARE STRUCTURED UTILIZING BY-DISTRICT REPRESENTATION**

(a) This section shall apply to the following boards and commissions, which are composed of one representative from each city council district and one representative nominated by the mayor:

- (1) the Aviation Advisory Board;
- (2) the Board of Adjustment;
- (3) the Building Standards Commission;
- (4) the Community Development Council;
- (5) the Historic and Cultural Landmarks Commission;
- (6) the Library Advisory Board;
- (7) the Park and Recreation Advisory Board;
- (8) the Plan Commission;
- (9) the Pedestrian and Bicycle Advisory Commission;
- (10) the Urban Design Commission; and
- (11) the Zoning Commission.

(b) The city councilmember representing a district is entitled to nominate a city resident to each such board or commission with preference given to those residing in the appointing councilmember's district. The mayor is entitled to nominate a resident of the city to each such board or commission. Nominations should be made known at a work session at least one week prior to the business meeting at which the council member or mayor intends to seek action on their nomination.

(c) Subject to subsection (b), action on board/commission nominations shall be taken by the entire city council following a motion and second being offered.

(d) If any board or commission that is subject to this section has alternate members, nominations for such alternate members shall be brought forward by the mayor based on recommendations from city staff. Nominations for alternate members should be made known at a work session at least one week prior to the business meeting at which action is intended to be taken on the nomination.

### **SECTION 3.**

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to add a new Division 3, “Composition and Role of By-District Boards and Commissions,” to consist of the enacting provisions for City boards and commissions that are appointed on a by-district basis, with such division to be and read as follows:

#### **DIVISION 3: COMPOSITION AND ROLE OF BY-DISTRICT BOARDS AND COMMISSIONS**

##### **§ 2-62 AVIATION ADVISORY BOARD—CREATED; COMPOSITION; APPOINTMENT; COMPENSATION.**

The city council shall appoint an aviation advisory board to be comprised of residents to act in an advisory capacity in conjunction with the aviation department, with the board having powers and functions as described in Chapter 3 of the City Code. The board shall consist of eleven members who shall serve in places numbered one through eleven. Members of the board serve without compensation.

##### **§ 2-63 BOARD OF ADJUSTMENT**

The board of adjustment is established and governed in accordance with § 2.101 of the Zoning Ordinance.

##### **§ 2-64 BUILDING STANDARDS COMMISSION.**

(a) There is hereby established a building standards commission.

(b) The commission shall consist of eleven members, each of whom shall be a resident of the city. Each member of the commission shall be appointed by the city council. It is the declared policy of the city that the city council shall consider for appointment to the commission only those persons who have demonstrated their civic interest, general knowledge of the community, independent and intelligent judgment, understanding of building standards, understanding of neighborhood integrity and availability to prepare

for and attend meetings, and who by reason of diversity of their occupations, constitute a commission which is broadly representative of the community.

(c) The building standards commission shall have powers and functions as described in Chapter 7 of the City Code.

(d) The members of the commission shall be identified by place numbers one through eleven.

(e) Except as provided in subsection (f) below, members of the commission shall be appointed for a two-year term, unless removed prior to the expiration of the term. Members of the commission shall be subject to removal at any time by the city council.

(f) Members of the commission in the odd-numbered places shall serve terms expiring September 30 of odd-numbered years. Members of the commission in the even-numbered places shall serve terms expiring September 30 of the even-numbered years.

(g) Any vacancy in the membership of the commission shall be filled by the city council for the unexpired term of the member whose place has, by removal or otherwise, become vacant. Vacancies shall be filled within 60 days after the city council removes the member or within 60 days after the city council receives notice of the member's resignation.

(h) In addition to the eleven members of the commission, the city's code compliance director, shall be an ex officio, non-voting member of the commission.

(1) An ex officio member will attend each commission meeting in person or through an authorized representative.

(2) Ex officio members will advise and consent with the commission in matters pertaining to enforcement of this article.

(i) The building standards commission shall follow all established procedures and standards on their effective date.

## **§ 2-65 COMMUNITY DEVELOPMENT COUNCIL.**

(a) A residents' advisory board to be known as the community development council is hereby established for the purposes of advising the city council on setting priorities for projects funded through the following federal grant programs:

(1) Community Development Block Grant program.

(2) Emergency Solutions Grant program.

(3) Housing Opportunities for Persons with AIDS Grant program.

(4) HOME Investment Partnerships Program.

(b) The community development council shall also assist in ensuring compliance with all requirements imposed by the United States government regarding the above listed grant programs.

(c) Subject to the provisions of Chapter 2 "Administration," Article III "Boards and Commissions," Division 4 of the Code of the City of Fort Worth, Texas (2015), as amended, the Community Development Council shall be comprised of eleven membership places.

(d) The mayor and other members of the city council shall each nominate one resident of the City of Fort Worth to serve in each place. Members appointed to odd-numbered places shall have terms which expire in odd-numbered years, and members appointed to even-numbered places shall have terms which expire in even-numbered years.

(e) Members shall serve two-year terms, and no member shall serve more than three consecutive two-year terms.

(f) Members shall serve without compensation and may be removed at any time by the City Council.

(g) The Community Development Council shall have powers and functions as described in Division 5 of this Article.

#### **§ 2-66 HISTORIC AND CULTURAL LANDMARKS COMMISSION**

The historic and cultural landmark commission is established and governed in accordance with § 2-103 of the Zoning Ordinance.

#### **§ 2-67 LIBRARY ADVISORY BOARD**

(a) *Appointment; members.* The city council shall appoint an advisory board to act in an advisory capacity to the city council and the city manager in conjunction with the library department. The board shall be composed of eleven residents, who shall each be appointed to places one through eleven. Members shall be appointed for two-year terms. No member shall serve more than three consecutive terms. Members shall serve without compensation and shall be subject to removal at any time by the city council.

(b) *Powers and Duties.* The library advisory board shall have powers and functions as described in Chapter 19 of the City Code.

#### **§ 2-68 PARK AND RECREATION ADVISORY BOARD**

(a) The city council shall appoint a park and recreation board to be comprised of residents to act in an advisory capacity in conjunction with the park and recreation department. The board shall consist of eleven members, who shall serve in places numbered one through eleven. Members shall serve two-year terms. No member shall serve more than three consecutive two-year terms, and the terms of current members of

the board shall be counted toward the limit of terms to be served for purposes of this section.

(b) The park and recreation advisory board shall have powers and functions as described in Chapter 24 of the City Code.

## **§ 2-69 PEDESTRIAN AND BICYCLE ADVISORY COMMISSION**

(a) The Pedestrian and Bicycle Advisory Commission shall consist of eleven residents of the City of Fort Worth appointed by the City Council.

(b) The purpose of the Commission shall be to provide recommendations to the City Manager, City Plan Commission, and the City Council on ~~pedestrian and bicycle~~ plans, policies, programs, and projects to improve the environment for non- motorized travelers, including, but not limited to, the following:

(1) Guide the preparation and updates of pedestrian, bicycle, and trail plans.

(2) Recommend policies and programs for the safe travel of all non-motorized traffic.

(3) Review and comment on the City' s annual operating budget and capital improvement program for pedestrian and bicycle improvements.

(4) Guide the design, location, and type of pedestrian and bicycle facilities in significant on- street and off- street programs.

(5) Encourage resident participation in identifying problems, assessing existing facilities, and planning for future facilities.

(6) Assist in updating the Walk Fort Worth and Bike Fort Worth Plans every five years.

(c) Commission members shall serve two- year terms. Members appointed in odd-numbered places will serve terms that expire October 1 of odd-numbered years. Members appointed to even-numbered places will serve terms that expire on October 1 of even-numbered years

(d) The Commission shall meet at least quarterly in a calendar year.

(e) A quorum of the Commission shall consist of 6 members. The presence of a quorum of the Commission shall be required prior to deliberation or action by the Commission. Approval of all items before the Commission shall require a majority vote of those appointed.

(f) The Commission shall establish procedures, as necessary and appropriate, for the conduct of its business and for receiving of public comment on pedestrian and bicycle issues.

(g) The Commission shall report annually to the City Council on the activities of the Commission. The Commission shall include in its annual report the status of projects, initiatives and goals established by the Commission and by City Council.

## **§ 2-70 PLAN COMMISSION**

(a) The city plan commission is created to assist Fort Worth in becoming and maintaining the stature as the most livable city in Texas. The mission is to serve the public and advise the city in the orderly growth and development of the community. This mission is accomplished through the formulation and maintenance of a comprehensive plan and its appendices, recommendations of proposals for annexations, the processing of plats, plans and other tasks as defined by city council and applicable law.

(b) Incorporated within the duties of the plan commission are the responsibilities for the following:

(1) Study and recommend on all proposals for voluntary annexation or limited purpose annexation that are inconsistent with the comprehensive plan;

(2) Exercise all the powers of a commission as to the approval or disapproval of plans, plats or replats and vacations of plans, plats or replats as set out in Tex. Local Government Code Chapter 212;

(3) Keep informed with reference to the progress of city planning in Fort Worth and other cities and counties and recommend improvements to the adopted plans of the city; and

(4) Study and recommend on the planning, design, location, vacation, closing or termination of public rights-of-way, bridges, public buildings, parks and other capital improvement projects, considering the design of streets and blocks that promote viable, safe and sustainable neighborhoods with regard for traffic control and safety, convenient access, and traffic and pedestrian circulation and internal sub-neighborhood area connection and circulation both within the subdivision and between adjacent subdivisions, without the need for utilizing the perimeter arterial streets system for such purpose.

(c) The city plan commission shall be composed of residents of the city. The city council shall consider for appointment to the commission only those persons who have demonstrated their civic interest; general knowledge of the community; independent judgment; understanding of zoning and planning; availability to prepare for and attend



meetings; and who, by reason of diversity of their occupations, constitute a commission which is broadly representative of the community.

(d) The city council shall appoint the city plan commission, which shall consist of eleven members, who shall serve in places numbered one through eleven, and five alternate members to serve in the absence of one or more regular members. Preference will be given, where feasible, to prior plan commission members as appointees to serve as alternate members to the commission. After the expiration of the initial members' terms, members shall serve two-year terms. No regular member shall serve more than three consecutive two-year terms and the terms of current members of the commission shall be counted toward the limit of terms to be served, for purposes of this section. At the expiration of three consecutive two-year terms of service as a regular member, the member may be appointed to serve as an alternate member at the discretion of the city council.

#### **§ 2-71 URBAN DESIGN COMMISSION**

The Urban Design Commission is established and governed in accordance with § 2.102 of the Zoning Ordinance.

#### **§ 2-72 ZONING COMMISSION**

The zoning commission is established and governed in accordance with § 2.100 of the Zoning Ordinance.

#### **2-73—2-79 RESERVED.**

### **SECTION 4.**

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to renumber Division 3, “Rules and Procedures for Certain Boards,” as Division 4.

### **SECTION 5.**

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to renumber Section 2-81, “Sunset Provisions,” as Section 2-80.

### **SECTION 6.**

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to renumber Section 2-82, “Absence Rule,” as Section 2-81 and to make certain revisions to the text thereof so that such provision shall hereafter read as follows:

**§ 2-82 § 2-81 ABSENCE RULE.**

(a) *Definition.* As used in this section, the term **CITY BOARD** shall mean any board, commission, committee or other body of the city whose members the city council has the power to remove.

(b) *Reports to city secretary.* When a member of any city board, as defined in subsection (a) of this section, is absent from three successive meetings of such board, or misses 25% or more of the meetings of such board in a 12-month period, the chairperson, vice-chairperson or secretary of such board shall report this fact to the city secretary in writing, within ten days of the third missed meeting.

(c) *Attendance and records thereof.*

(1) Members of each city board, as defined in subsection (a) of this section, are generally expected to attend all regularly scheduled and special called meetings. If a member of a city board is unable to attend a meeting, that member is expected to advise the departmental staff liaison in advance whenever possible and to provide an explanation for any absence for which advance notice was not provided. If a member does not attend a meeting and fails to provide either advance notice or an after-the-fact explanation, such absence shall be deemed an unexcused absence.

(2) The City Secretary's Office shall develop and promulgate standardized attendance forms for use by each city board, as defined in subsection (a) of this section.

(3) The departmental staff liaison assigned to each city board, as defined in subsection (a) of this section, is responsible for making a written record of attendance at each regular and special meeting of the city board, utilizing the form provided by the City Secretary's Office.

(4) Completed attendance documentation for each meeting of a city board, as defined in subsection (a) of this section, must be submitted to the City Secretary's Office within 24 business hours of when the meeting is held.

~~(c) *Report to city council; removal of board members.* At the next city council meeting after a report under subsection (b) of this section is received, the city secretary shall report such information to the city council, in writing. The city secretary shall notify each affected board member in writing, that a report of absences has been made to the city council. If the city secretary receives another report as specified in subsection (b) of this section, the city secretary shall make another report to the city council, and shall notify the affected board member, in writing, that he or she has been removed from the board. That member's place shall be declared vacant automatically and shall be included in the next regular listing of board vacancies. At least monthly, the City Secretary's Office shall submit to the City Council a summarized written attendance report for all city boards, as defined in subsection~~

(a) of this section, with a preference for such reports to be included on a work session agenda to allow for City Council discussion. The City Secretary’s Office shall also directly contact the nominating councilperson to apprise them of any recurring attendance issues observed with their appointees. Removal of a city board member for attendance issues is at the discretion of the member for the district from which the city board member was appointed.

## SECTION 7.

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to add a new Section 2-82, “Discipline of By-District Appointee,” to be and read as follows:

### **§ 2-82 DISCIPLINE OF BY-DISTRICT APPOINTEE**

(a) *Statement of Intent.* The by-district nominations made by each councilmember and the mayor to the city’s various boards and commissions serve the important purpose of ensuring a diversity of viewpoints representing all aspects of the city. Therefore, such nominations and appointments should generally not be disturbed except in the most extreme circumstances. In limited instances, a board or commission member may behave in a manner that is disruptive to the orderly conduct of meetings and frustrates the purpose of the board or commission on which they are serving. This section provides a mechanism to address such rare situations.

(b) *Criteria for Discipline.* The following actions shall serve as bases for imposing discipline under subsection (c) on a member of a board or commission who serves on a board or commission that is nominated and appointed on a by-district basis:

- (1) Violation of rules of decorum;
- (2) Acting outside of board/commission’s scope;
- (3) Filing a claim or lawsuit against the City; or
- (4) Having an unresolved conflict of interest related to the function of the board or commission on which the member is serving.

(c) *Discipline.* The preference shall always be for the councilmember who nominated or appointed a board or commission member to address any concerns under subsection (b) directly with their appointee. In the event the nominating/appointing councilmember fails to take action, the other members of the city council may, but are not required to, enact discipline under this subsection in accordance with the process outlined in subsection (d). Discipline consists of the following:

(1) Training – The city council may direct the City Secretary to provide additional training to the board or commission member.

(2) Informal warning – The city council may direct the City Secretary to issue an informal warning to the board or commission member.

(3) Formal written reprimand – The city council may direct the City Secretary to issue a formal written reprimand to the board or commission member and to place such reprimand in the City Secretary Office’s records for the board or commission.

(4) Removal – The city council may remove a board or commission member and direct the City Secretary to advise the board or commission member of their removal.

(d) *Process for disciplining a board or commission member.* Discipline under subsection (c) may be enacted only by following the process outlined in this subsection. The process of enacting discipline shall consist of:

(1) *Discussion at work session.* Except as provided under subsection (d)(3) below, a proposal to discipline a board or commission member must be made known at a work session at least one week prior to the business meeting at which the city council intends to consider action on such discipline. At least one-third of the councilmembers must sign on to a written request for discipline in order for it to be placed on the agenda.

(2) *Necessary Votes.* Discipline under subsection (c) may only be enacted on the affirmative vote of sufficient city councilmembers under this subsection. The minimum number of votes required to enact discipline shall consist of the following:

(A) for discipline under subsection (c)(1) or (c)(2), at least six affirmative votes;

(B) for discipline under subsection (c)(3), at least seven affirmative votes; or

(C) for discipline under subsection (c)(4), at least eight affirmative votes.

(3) *Exception for emergency or egregious behavior.* Notwithstanding anything else in this subsection to the contrary, the city council may, in its discretion, opt to consider discipline at a business meeting without first addressing the issue in work session. Prior to acting on proposed discipline under this subsection, the city council must first adopt a separate finding of emergency or egregiousness. Passage of such a finding shall require affirmative votes of at least six city councilmembers. Even if a finding of

emergency or egregiousness is adopted, the enacting of proposed discipline shall require the minimum number of votes specified under subsection (d)(2).

### SECTION 8.

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to revise Section 2-83, “Numbers of Members and Terms of Service; Establishment of Places,” to amend subsection (a) to be and read as follows:

(a) Unless otherwise provided by state law, City Charter or city council exception, all city boards shall be composed of ~~nine~~ eleven members. Board members shall serve for terms of two years. No member shall serve more than three consecutive terms. Each such board shall have ~~nine~~ eleven places, and all appointments shall be made for two-year terms, as follows:

- (1) Odd-Numbered Places 1, 3, 5, 7 and 9. Terms expire October 1, each odd-numbered year; and
- (2) Even-Numbered Places 2, 4, 6 and 8. Terms expire October 1, each even-numbered year.

All other provisions of Section 2-83 of the Code of the City of Fort Worth, as amended, shall remain in full force and effect, save and except as amended above.

### SECTION 9.

Chapter 2 “Administration,” Article III “Boards and Commissions,” of the Code of the City of Fort Worth is hereby amended to repeal Sections 2-84 “Community Development Council Created; Purpose” and 2-85, “Composition and Terms” to reflect that such language has been moved to the new Division 3 of Chapter 2, Article III and to enact a new Section 2-85, “Community Development Council” to be and read as follows:

#### § 2-85 Community Development Council

The Community Development Council shall have such members and purposes as defined in Chapter 2, Article III, Division 3 of the City Code.

### SECTION 10.

Chapter 3 “Airports and Aircraft,” Article II “Aviation Advisory Board,” of the Code of the City

of Fort Worth is hereby amended to repeal Sections 3-20 “Aviation Advisory Board – Created; Compositions; Appointment; Compensation” to reflect that such language has been moved to the new Division 3 of Chapter 2, Article III and to enact a new Section 3-20, “Aviation Advisory Board” to be and read as follows:

§ 3-20 Aviation Advisory Board

The Aviation Advisory Board shall have such members and purposes as defined in Chapter 2, Article III, Division 3 of the City Code.

**SECTION 11.**

Chapter 7, “Buildings,” Division 2, “Administration,” of the Code of the City of Fort Worth is hereby amended to repeal Sections 7-77 “Building Standards Commission” to reflect that such language has been moved to the new Division 3 of Chapter 2, Article III and to enact a new Section 7-77, “Building Standards Commission” to be and read as follows:

§ 7-77 Building Standards Commission

The Building Standards Commission shall have such members and purposes as defined in Chapter 2, Article III, Division 3 of the City Code.

**SECTION 12.**

Chapter 19, “Libraries,” Article II, “Department of Public Libraries,” of the Code of the City of Fort Worth is hereby amended to revise subsection (a) of Section 19-22 “Advisory Board” to reflect that the enacting language for the Library Advisory Board has been moved to the new Division 3 of Chapter 2, Article III, with such subsection (a) to be and read as follows:

(a) *Appointment; members.* ~~The city council shall appoint an advisory board to act in an advisory capacity to the city council and the city manager in conjunction with the library department. The board shall be composed of nine citizens, who shall each be appointed to places one through nine. Members shall be appointed for two-year terms. No member shall serve more than three consecutive terms. Members shall serve without compensation and shall be subject to removal at any time by the city council.~~ The Library Advisory Board shall have such members and be appointed as outlined in Chapter 2, Article III, Division 3 of the City Code.

All other provisions of Section 19-22 of the Code of the City of Fort Worth, as amended, shall remain in full force and effect, save and except as amended above.

**SECTION 13.**

Chapter 24, “Park and Recreation,” Article II, “Department,” of the Code of the City of Fort Worth is hereby amended to repeal Sections 24-42 “Park and Recreation Advisory Board – Appointment; Members” to reflect that such language has been moved to the new Division 3 of Chapter 2, Article III and to enact a new Section 24-42, “Park and Recreation Advisory Board” to be and read as follows:

§ 24-42 Park and Recreation Advisory Board

The Park and Recreation Advisory Board shall have such members and purposes as defined in Chapter 2, Article III, Division 3 of the City Code.

**SECTION 14.**

Chapter 31, “Subdivision Ordinance,” Article I, “Plan Commission,” of the Code of the City of Fort Worth is hereby amended to repeal Sections 31-2, “Establishment and Purpose” and 31-3, “Appointment” to reflect that such language has been moved to the new Division 3 of Chapter 2, Article III and to enact a new Section 31-2, “Plan Commission” to be and read as follows:

§ 31-2 Plan Commission

The Plan Commission shall have such members and purposes as defined in Chapter 2, Article III, Division 3 of the City Code.

**SECTION 15.**

This ordinance shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas, (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 16.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 17.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Fort Worth, or any other ordinances of the City, that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

**SECTION 18.**

All other provisions of the Code of the City of Fort Worth, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION 19.**

This ordinance shall take effect upon adoption, and it is so ordained.

**APPROVED AS TO FORM AND LEGALITY:**

**ATTEST:**

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Jannette S. Goodall, City Secretary

ADOPTED AND EFFECTIVE: \_\_\_\_\_