

## **A Resolution**

**NO. \_\_\_\_\_**

**AMENDING THE CITY COUNCIL RULES OF PROCEDURE TO TAKE INTO ACCOUNT NEWLY APPROVED CALENDAR STRUCTURE, INCLUDING REVISING DEFINITIONS (3.1) AND SECTION TITLES (3.2, 5.4, 5.4.2) AND NON-SUBSTANTIVE REORGANIZATION OF PUBLIC SPEAKER RULE (5.4); TO PROVIDE FOR COMMITTEES AS DETERMINED BY THE MAYOR FROM TIME TO TIME (7.1); TO UPDATE REFERENCES TO ACTIONS THAT REQUIRE APPROVAL BY SPECIFIC NUMBER OF COUNCIL MEMBERS; AND TO MAKE MINOR NON-SUBSTANTIVE TERMINOLOGY AND CAPITALIZATION CHANGES TO IMPROVE CONSISTENCY**

**WHEREAS**, Chapter III, Section 5 of the City Charter provides that the City Council shall determine rules of procedure for its meetings; and

**WHEREAS**, the City Council adopted its current rules of procedure on January 8, 1960, and has amended the rules from time to time; and

**WHEREAS**, on September 21, 2021, the City Council was briefed on potential changes to its meeting schedule, including the establishment of certain meetings dedicated to receipt of public comment, and expressed approval for such changes; and

**WHEREAS**, on September 28, 2021, the City Council adopted a resolution to set its meeting schedule for the months of November 2021 through December 2022, with Executive Sessions, Work Sessions, and City Council Public Comment meetings generally to be held on the first and third week of each month and City Council Meetings generally to be held on the second and fourth week of each month; and

**WHEREAS**, revisions are required throughout the City Council Rules of Procedure to reflect this new calendar structure, including revising the definition of “Regular Meeting” to encompass the concept of a City Council Public Comment meeting, retitling Rules 3.2 and 5.4, and retitling and restructuring Rule 5.4.2; and

**WHEREAS**, non-substantive changes to Rule 5.4.2 are also proposed to clarify which requirements apply to individual speakers and to group representatives and which ones apply in general; and

**WHEREAS**, to allow Council Committees to more readily be created and revised in response to changing City needs, it is recommended that Rule 7.1 be revised to eliminate references to specific committees by name and instead provide that committees and their duties shall be determined by the Mayor as needed; and

**WHEREAS**, Rule 8 addresses actions that require action of a particular number or

percent of City Council members rather than a simple majority and requires updates to add certain actions not currently listed and to correct an outdated cross reference; and

**WHEREAS**, in the course of preparing draft amendments, staff identified minor issues that it recommends also be addressed, including making use of pronouns and capitalization consistent and removing in-line adoption annotations, which duplicate information contained in the “History of Adoption and Amendment” listing at the end of the rules.

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

1. That the City Attorney and City Secretary are directed to make the following changes to references throughout the Rules of Procedure:
  - a. Replace “he” and “his” with “he or she” and “his or her” respectively;
  - b. Ensure “Mayor Pro Tem” and “City Council Meeting” are capitalized consistently throughout; and
  - c. Remove all references to adopting and amending resolutions from the body of the Rules of Procedure and ensure all such amending resolutions are reflected in the “History of Adoption and Amendment” list.
2. That the Rules of Procedure, City Council of the City of Fort Worth, (adopted 1/8/1960), as amended) are hereby further amended as set forth in Exhibit “A.”
3. That the changes to the Rules of Procedure enacted by adoption of this Resolution shall take effect on November 1, 2021.
4. That the City Attorney and City Secretary are directed to prepare a new printing of the Rules of Procedure as amended and to distribute the same to members of the City Council and to the City Manager.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

By: \_\_\_\_\_

Ronald P. Gonzales, Acting City Secretary

**EXHIBIT A**

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, vote on matters of interest to the city, or receive public comments and shall include City Council Work Sessions ~~and~~, City Council Meetings, and City Council Public Comment meetings.

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3.2 ~~City Council Work Sessions and City Council Meetings~~ Time and Location for Regular Meetings:  
Unless otherwise officially changed by the City Council, the Council shall meet in the City Council Conference Room and Council Chamber respectively at the City Hall on Tuesday of each week at times set by the City Council by Resolution in order to be briefed on matters of interest to the city and conduct other city business.

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3.5 Attendance at Meetings by Videoconference Call:

a. Definitions.

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iii. *Member* means, for the purposes of Section 3.5, an elected official or a person serving on a Council-created Board, Commission, Committee, Task Force, or other advisory group or board.

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5.4 ~~Presentations by Persons Attending City Council Meetings:~~ Public Participation:

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5.4.2 ~~Speaking at City Council Meetings~~ Addressing the City Council at City Council Meetings and City Council Public Comment Meetings:

5.4.2.1 City Council Meetings

a. Posted Agenda Items for Consideration

Speakers may sign up and address the City Council at a City Council Meeting on any posted agenda item when the item is called for consideration ~~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 Public Presentations portion of the City Council Meeting.~~

Items that are withdrawn from consideration from the posted agenda will not be called and therefore will not be subject to public comments from the public. No speaker will be permitted to speak on any agenda item that has been withdrawn for consideration. An individual who signed up to speak on a withdrawn agenda item may address the City Council ~~under Public Presentations only~~ at a subsequent City Council Public Comment meeting if the individual timely registers to speak at such meeting~~the Public Presentation portion of the Council agenda.~~

~~b. Deadline to Register to Speak [Moved to Rule 5.4.2.3]~~

~~The deadline for registering to address the City Council at a 7:00 p.m. City Council Meeting is 5:00 p.m. on the day of the City Council Meeting. The deadline for registering to address the City Council at a 10:00 a.m. City Council Meeting is 8:30 a.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 Public 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.~~

~~c. Submission of Written Comments [Moved to Rule 5.4.2.3]~~

~~Persons or representatives may submit written comments in support or opposition to a particular agenda item of a City Council Meeting in lieu of presenting verbal testimony, provided such written testimony is submitted by the registration deadline outlined in this Section.~~

~~d. Speaker's Use of Electronic Media [Moved to Rule 5.4.2.3]~~

~~Any person wishing to make a presentation during a City Council Meeting 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.~~

~~e.b. Speaking as an Individual Presentations on Posted Agenda Items~~

~~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. [Moved to Rule 5.4.2.3]~~

~~A person desiring to speak shall address the Chair and the Council Members, not the audience or the City staff. [Moved to Rule 5.4.2.3]~~

Each speaker shall be limited to three (3) minutes. Each speaker who requires the assistance of a translator to addresses the Chair and Council Members shall be limited to six (6) 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. Each speaker who requires the assistance of a translator to addresses the Chair and Council Members shall be given at least twice the amount of time given to a member of the public that does not require a translator.

Each speaker must comply with all applicable General Requirements of Subsection 5.4.2.3.

~~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. [Moved to Rule 5.4.2.3]~~

f.c. Speaking for a Group Presentations on Posted Agenda Items:

Comments or pPresentations by a representative of an organized group consisting of a minimum of (10) ten persons, shall be limited to six (6) minutes. A representative who requires the assistance of a translator to addresses the Chair and Council Members shall be limited to twelve (12) 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 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. Each speaker who requires the assistance of a translator to address the Chair and Council Members shall be given at least twice the amount of time given to a member of the public that does not require a translator.

~~The representative speaker shall follow the same procedure set out in Subsection e., Individual~~

~~Presentations on Posted Agenda Items.~~

Each speaker must comply with all applicable General Requirements of Subsection 5.4.2.3.

5.4.2.2 City Council Public Comment Meetings

g. Public Presentations-Speaking at the City Council Public Comment Meetings:

Persons wishing to address the City Council about ~~an item that is not otherwise posted on the City Council Meeting agenda~~ any matter related to City business or affairs that is in the scope of the authority and legislative functions of the City Council [Moved from former Rule 5.4 a.] and who have registered as required by this Section will be permitted to speak at the City Council Public Comment meeting. ~~under the agenda item entitled "Public Presentations."~~

~~The Chair shall have the discretion to call for all or a portion of the Public Presentations to be made under that agenda item earlier or later in the meeting.~~ Responses to a public presentation by the City Council and staff to comments or a public presentation shall be in accordance with Texas Open Meetings Act requirements. If a member of the public 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 a City Council Public Comment meeting~~the public presentation portion of the City Council meeting.~~

Comments or other pPresentations 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. Each speaker who requires the assistance of a translator to addresses the Chair and Council Members shall be given at least twice the amount of time given to a member of the public that does not require a translator.

Comments or other pPresentations 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 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. Each speaker who requires the assistance of a translator to addresses the Chair and Council Members shall be given at least twice the amount of time given to a member of the public that does not require a translator.

~~The representative speaker shall follow the same procedure set out in Subsection e., Individual Presentations on Agenda Items.~~

Each speaker must comply with all applicable General Requirements of Subsection 5.4.2.3.

#### 5.4.2.3 General Requirements for Addressing the City Council at Public Meetings

a. Deadline to Register to Speak [Moved from former Rule 5.4 b.]

The deadline for registering to address the City Council at a City Council Meeting or a City Council Public Comment meeting shall be two hours prior to the posted start time for the meeting in question. 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 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.

b. Submission of Written Comments [Moved from former Rule 5.4 c.]

Persons or representatives may submit written comments in lieu of presenting oral testimony, provided such written testimony is submitted by the registration deadline outlined in this Section.

c. Speaker's Use of Electronic Media [Moved from former Rule 5.4 d.]

Any person wishing to make comments or a presentation that includes video or another form of electronic media must provide that information in digital format to the City Secretary's Office by five o'clock (5:00 p.m.) the day before the date of the meeting. 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 electronic media will be tested prior to the meeting to ensure that it is compatible with the City's equipment.

d. Being Recognized to Speak; Scope of Remarks

The Chair shall recognize each individual who has registered to speak by calling the person's name.  
[Moved from former Rule 5.4 e.]

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.  
[Moved from former Rule 5.4 e.]

In speaking on a posted agenda item at a City Council Meeting, the speaker shall limit his or her remarks to the subject of the posted agenda item that is under consideration. [Moved from former Rule 5.4 e.]

At a City Council Public Comment meeting, each speaker shall limit his or her remarks to the subject(s) the speaker identified in registering to speak.

All speakers shall address the Chair and the Council Members, not the audience or the City staff. [Moved from former Rule 5.4 e.]

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. [Moved from former Rule 5.4 e.]

All questions to the Council shall be directed to the Chair. [Moved from former Rule 5.4 e.]

h. Rules of Conduct

All members of the public attending and/or speaking at a ~~City Council Meeting~~ meeting are required to abide by the Council Rules of Procedure.

5.4.3 Rules of Conduct: City Council Meetings and City Council Public Comment meetings are conducted for the official business of the City Council. Members of the public attending City Council ~~meetings~~ Meetings and City Council Public Comment 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~~ Meeting or City Council Public Comment 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 under consideration at a City Council Meeting or City business or affairs at a City Council Public Comment meeting; (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~~ Meetings and City Council Public Comment 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.

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

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6.2 Distribution of Ordinances: The City Manager shall prepare physical or electronic 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

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7.1. Standing Council Committees: There shall be ~~four~~ standing City Council Committees, the number, duties, Legislative and Intergovernmental Affairs; Housing and Neighborhood Services; Infrastructure and Transportation; and Audit. The membership, and chairs of ~~the standing committees which~~ shall be ~~appointed~~ determined 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 ~~m~~Meetings posted in accordance with the Texas Open Meetings Act requirements.

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

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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) (Texas Transportation Code 313.053(b))

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8.1.4 Adoption of Tax Rate Greater than No-New-Revenue Rate – A vote on the ordinance, resolution, or order setting a tax rate that exceeds the no-new-revenue tax rate must be a record vote, and at least 60 percent of the members of the City Council must vote in favor of the ordinance, resolution, or order. (Texas Tax Code Sec. 26.05(b))

....

8.2.2 Immediate Action on Presentations by Members of Council – : Immediate action may be taken on presentations by Members of Council 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. (Council Rules, 5.2)

8.2.3 Immediate Action of Oral Presentation by the City Manager – : Immediate Council action may be taken on an Oral Presentation by the City Manager 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. (Council Rules 5.6)

8.2.4 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) [Renumbered from former Rule 8.2.2.]

8.2.5 Reconsidering an Item a Second Time – : No question shall be twice reconsidered, except by

unanimous consent of the Council. (Council Rules 6.10)

8.2.6 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) [Renumbered from former Rule 8.2.3.]