

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
Twenty-first Printing August 2019
Twenty-second Printing April 2020
Twenty-third Printing November 2020
Twenty-fourth Printing August 2021
Twenty-fifth Printing November 2021
Twenty-sixth Printing October 2022
Twenty-seventh Printing March 2023**

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City Council
Rules of Procedures

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

- 3.2 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.
- 3.3 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)
- 3.4 Council Committee Meetings: City Council Committee meetings will be held at such times as may be called by the City Manager.
- 3.5 Attendance at Meetings by Videoconference Call:
 - a. Definitions.
 - i. *Remote Meeting Location* means the location where a Member or members of the public are present other than the Physical Meeting Location and participate remotely in a meeting of the Governmental Body 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 or a Council Committee, Council-created Citizen Board, Commission, Committee, Task Force, or any other advisory group or board.
 - 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.
 - iv. *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 participate from a Remote Meeting Location via videoconference call, the notice must specify the videoconference call information 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 Member(s): A Member may individually participate remotely in a meeting of the Governmental Body by means of a videoconference call if:
 - (1) the video and audio feed of the Member's participation is broadcast live at the Physical Meeting Location and complies with the provisions of this section and state law;
 - (2) the Member, while speaking, is clearly visible and audible to each Member participating in the meeting at the Physical Meeting Location; and
 - (3) the 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.

- ii. Designated Remote Meeting Location: If a Member or members of the public are present at a Remote Meeting Location, the Member or the members of the public may participate remotely in a meeting of the Governmental Body by means of a videoconference call if:
 - (1) the video and audio feed of the 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 Member or the members of the public, while speaking, are clearly visible and audible to each Member participating in the meeting at the Physical Meeting Location;
 - (3) the 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 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 videoconference call information was posted in compliance with the Texas Open Meetings Act and other applicable laws.

d. Quorum:

- i. Videoconference Call by Individual Member.

- a. If a quorum of the Governmental Body is present at the Physical Meeting Location, and one (1) or more of the 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 Governmental Body is not present at the Physical Meeting Location, and one (1) or more of the 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. Remote Meeting Location.
- a. If technical issues prevent all members of the public attending the meeting via videoconference call at a Remote Meeting Location from being 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 Member attending the meeting via videoconference call at a 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 Governmental Body 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 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. Members shall notify the City Secretary of their intent to utilize videoconferencing, which includes members of the public participating at a Remote Meeting Location, by 5:00 PM on the Tuesday one week prior to the regularly scheduled meeting. All other requests to utilize videoconferencing should be submitted by the same deadline or as soon as practicable.
- ii. A Member participating in a videoconference call meeting shall be counted as present at the meeting for all purposes while visible and audible; if a Member temporarily loses audio or video, that Member shall be considered absent until both audio and video are restored.
- 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 3.5 shall apply to meetings of the City Council and any other Governmental Body.

- 3.6 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)
- 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 or her 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.
- 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 or her 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.
- 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, with the form the C.P. to mirror the template found in Appendix A of these Rules. 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 one third of the total number of 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. In reviewing and commenting on a proposed C.P., the Financial Management Services Department shall (a) identify (1) the dollar amount of any direct appropriation or expenditure of funds that adoption of the C.P. would necessitate; (2) the estimated number of staff hours, average total-employee-cost (including costs of benefits and overhead) expressed as a per-hour rate, and the total estimated dollar amount of staff time (hours x average per-employee cost) that would be required to implement the C.P. if adopted; (3) whether the employee-time cost reflected in item 2 is within currently budgeted resources or would require additional appropriation or staffing; (4) the total cost of implementing the C.P. if adopted (direct-expenditure amount identified under item 1 plus staff time total cost identified under item 2) and (b) complete and attach to the C.P. the checklist found in Appendix A of these Rules. Any C.P. that is anticipated to result in a substantial ongoing expenditure cannot be implemented until going through the City’s regular annual budget process. 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.

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 or she 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 Public Participation:

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

5.4.2 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:

Subject to all applicable requirements in this Section 5.4.2.1 and the general requirements in Section 5.4.2.3, persons shall be allowed to address the City Council on items posted on the agenda for consideration at a City Council Meeting and will be recognized to speak at or before the time the item is called for consideration as further articulated in the paragraphs below.

Items that are withdrawn from consideration from the posted agenda will not be called and therefore will not be subject to 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 at a subsequent City Council Public Comment meeting if the individual timely registers to speak at such meeting.

b. Time Limits:

Consent Agenda

For all items posted on the consent agenda, each registered person who is speaking as an individual shall be limited to a total of three (3) minutes, regardless of the number of consent-agenda items for which the person has registered. All comments from registered speakers on consent-agenda items shall be heard by Council prior to voting on the consent agenda. Provided,

however, at the Chair's discretion or if requested to do so by another Member or the City Manager, the Chair shall allow the public to speak on a particular item on the consent agenda for three (3) minutes for that item.

Non-Consent Agenda

For all items posted on the non-consent agenda *other than* public hearings or zoning hearings, each registered person who is speaking as an individual shall generally be limited to a total of three (3) minutes, regardless of the number of items for which the person has registered. All comments from registered speakers on non-consent agenda items shall be received by Council prior to voting on the non-consent agenda. Provided, however, at the Chair's discretion or if the Chair is requested to do so by another Member or the City Manager, the Chair shall allow the public to speak on a particular item on the non-consent agenda for three (3) minutes for that item.

Public Hearings and Zoning Hearings

Each registered person who is speaking as an individual shall generally be limited to three (3) minutes per item for any public hearing or zoning hearing.

Speaker Representing a Group

Comments or other presentations by representative of an organized group consisting of a minimum of (10) ten persons, 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 item or matter.

If the representative fails to list the names of ten (10) persons when he or she registers to speak or if the ten (10) persons are not present in the Council Chamber when their names are called by the Chair, the representative will be subject to the same time limit as a person speaking as an individual.

Adjustments to Time Limits –

At the discretion of the Chair, the Chair may extend or 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.

Speaker Requiring Assistance of Translator –

Each speaker who requires the assistance of a translator to address the City Council shall be given at least twice the amount of time given to a member of the public who does not require a translator.

If a person who requires the assistance of a translator is speaking on behalf of an identified group and meets the requirements outlined above for a group representative, that person shall be afforded at least twice the amount of time given to a group representative who does not require a translator.

If the Chair adjusts any time limits, a speaker who requires the assistance of a translator shall be given at least twice the adjusted amount of time given to a member of the public who does not require a translator.

c. Other Requirements:

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

5.4.2.2 City Council Public Comment Meetings

a. Speaking at the City Council Public Comment Meetings:

Persons wishing to address the City Council about any matter related to City business or affairs that is in the scope of the authority and legislative functions of the City Council and who have registered as required by this Section will be permitted to speak at the City Council Public Comment meeting.

Responses 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, 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.

b. Time Limits:

Registered Person Speaking as an Individual

Comments or other presentations by a registered person who is speaking as an individual shall generally be limited to a total of three (3) minutes per City Council Public Comment meeting.

Registered Person Representing a Group

A registered person who is speaking on behalf of an identified group consisting of a minimum of ten (10) persons, shall be afforded twice the time that is afforded to a registered person who is speaking as an individual.

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 (10) individuals represented shall not be permitted to speak separately at the same City Council Public Comment meeting.

If the representative fails to list the names of ten (10) persons when he or she registers to speak or if the ten (10) persons are not present in the Council Chamber when their names are called by the Chair, the representative will be subject to the same time limit as a person speaking as an individual.

Adjustments to Time Limits

At the discretion of the Chair, the Chair may extend or reduce the time allotted to each speaker for such reasons as the time allocated for the meeting or the number of persons wishing to address the City Council. In making such adjustments to speaker time limits, the Chair shall act in a reasonable and non-discriminatory manner.

Speaker Requiring Assistance of Translator –

Each speaker who requires the assistance of a translator to address the City Council shall be given at least twice the amount of time given to a member of the public who does not require a translator.

If a person who requires the assistance of a translator is speaking on behalf of an identified group and meets the requirements outlined above for a group representative, that person shall be afforded at least twice the amount of time given to a group representative who does not require a translator.

If the Chair adjust any time limits, a speaker who requires the assistance of a translator shall be given at least twice the adjusted amount of time given to a member of the public who does not require a translator.

- c. Other Requirements 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

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

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

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.

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.

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.

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.

The purpose of public comment is to allow residents and other interested parties to address the City Council. All speakers shall address the Chair and the Council Members, not the audience or the City staff.

Addressing anyone other than the City Council, including members of the audience, is disruptive and detracts from the intended purpose of public comment and is grounds for removal from a meeting.

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.

All members of the public attending and/or speaking at a 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 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 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 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.

- 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 electronic or physically 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 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.
- 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 or her own official conduct, or where his or her 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:

Undebatable	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		
	<hr/>		
	4. Lay on the table		
	5. Previous question (2/3 vote required)		
Debatable	6. Limit or extend limits of debate (2/3 vote required)	Subsidiary	
	<hr/>		
	7. Postpone to a certain time <u>3/</u>		
	8. Commit or refer <u>3/</u>		
	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 undebatable when the question to be amended is undebatable.

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.

- 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 or her motion, the seconder may withdraw his or her 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 standing City Council Committees, the number, duties, membership, and chairs of which shall be 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 Meetings posted in accordance with the Texas Open Meetings Act requirements.

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.

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.

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. (Texas Transportation Code 313.053(b))

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))

8.1.4 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 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 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 on 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)

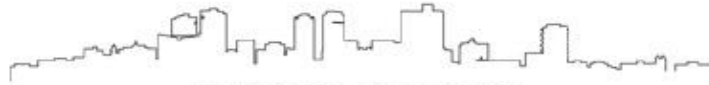
8.2.4 Limit or Extend Limits of Debate –: An affirmative vote of two-thirds of all members of the Council is required to limit or extend the limits of debate in Council meetings. (Council Rules, 6.9)

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)

APPENDIX A

CITY OF FORT WORTH, TEXAS



COUNCIL PROPOSAL

Date:	File Number:	Subject:	
Proposed By:		City Manager's Review:	Page:
		City Attorney's Review:	PAGE 1 OF 2

It is proposed that:

1. [Click here and start typing]
2. [Click here and start typing]

DISCUSSION:

[Click here and start typing]

STRATEGIC PRIORITY:

[Click here and start typing]

LEGALITY:

[Click here and start typing]

FISCAL NOTE:

The following costs are anticipated to be incurred to implement this Council Proposal:

1. Direct appropriation or expenditure required. \$ _____
2. Estimated (A) number of staff hours (___), (B) average total-employee per-hour cost (\$___), and (C) staff costs (AxB) (\$ _____)
3. Total estimated costs (1 +2)

Of the above-identified amount, \$ _____ is within currently budgeted resources and \$ _____ would need to be appropriated.

Based on the above and the attached financial checklist, the Director of Finance certifies that _____
 [Click here and start typing]

CURRENT FINANCIAL IMPACT:

[Click here and start typing]

ONGOING FINANCIAL IMPACT:

[Click here and start typing]

- LEGALITY
- FISCAL NOTE
- CITY MANAGER'S COMMENTS
- CITY POLICIES MANUAL

C.P. Checklist

- City Programs and Priorities:
 - Explain whether the subject matter is under the purview of an existing program of the City.
 - Identify which strategic priority of the City Council that the CP will address.
- Partnerships/Coordination:
 - Explain whether any other governmental entities/agencies or nongovernmental organizations (NGOs) will be involved. If so, explain what legal agreements will be required and what coordination should be achieved.
 - Explain whether the subject matter is known to be under the purview of an existing program or priority of any other governmental entities/agencies or NGOs.
- Finances:
 - Identify whether funding is available in the current budgeted appropriation or whether additional appropriations will be necessary
 - If currently budgeted, the CP must identify the FIDS and the funding must be reflected in attachments verifying the funding availability
 - Identify the funding source, including whether the funding involves the following, which is not intended to be an exhaustive list:
 - Operating funds
 - Capital funds
 - Debt funds, such as bond funds, certificate of obligations, tax notes
 - Departmental funds (identify all departments' budgets that will be impacted)
 - Grant funds

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- Explain whether ongoing funding is necessary
- Verify whether there are grants available
- Explain how any debt required will impact the City's debt capacity.
- Explain whether any City fees may be charged or waived, such as development fees, impact fees, etc.
- Explain whether the program or funding requested or waived is to address a financial hardship for an individual or group, and identify the individual or group
- Identify whether economic development incentives are available

History of Adoption and Amendments:

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

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
Public 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
Amended Rule 4.3 and Section 5.4.2.	November 19, 1991

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(Council Proposal 168 *presented for consideration.*)

Amended Rule 4.3 and Section 5.4.2. (Council Proposal 168 *adopted.*) December 3, 1991

Amended Rules 3.1 and 3.4. October 22, 1996
(Council Proposal 197 *presented for consideration*)

Amended Rules 3.1 and 3.4 Effective January 1997
(Council Proposal 197 (revised) *adopted.*)

Amended Rules 3.3, 5.2, 5.6, and 5.7 to conform to state January 9, 2001
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)

Amended Rule 3.5, Sections 5.2.1, Section 5.4.4, Rules August 16, 2005
6.10, 7.1, and added Rule 7.2.
(Resolution No. 3242-08-2005)

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) August 11, 2009
(Repealed by Resolution No. 4157-12-2012)

Corrected all City Charter Chapter and Sections March 22, 2011
numbering references; Revised Rules 3.4; 4.1 and added
(Effective May 1, 2011)
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)

Added new Section 4.1.1 (Resolution 4129-09-2012) September 18, 2012

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

Amended Section 3.1 to reflect that the Council will May 19, 2015
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)

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 Public Presentations to three (3) minutes. (Resolution 4845-09-2017)

September 19, 2017

Revised rules to combine and reformat sections 5.4.1, 5.4.2, 5.4.3, 5.4.4 and 5.4.6; to clarify that citizens may speak at city council meetings on agenda items before the city council for consideration and during Public Presentations; to add language requiring additional time for speakers who require the assistance of a translator; and to delete the reference to section 5.4.5 repealed in 2017 by resolution 4845-09-2017. (Resolution 5120-08-2019)

August 27, 2019

Revised rules to change all references to “Citizen Presentations” to “Public Presentations” (Resolution 5206-04-2020)

April 7, 2020

Amended Section 3.2 pertaining to City Council Work Sessions and City Council Meetings; Deleted Section 3.3 in its entirety and renumbered remaining sections (Resolution 5297-11-2020)

November 10, 2020

Amended Sections 3.5 and 5.4.2 (Resolution 5463-08-2021)

August 24, 2021
(eff. September 1, 2021)

Amended Sections 3, 5.4.2, 7, and 8. Revised rules to change all references from “he” and “his” to “he or she” and “his or her”, to reflect written materials may be in physical or electronic form, and to make non-substantive revisions for consistency throughout. (Resolution 5493-10-2021)

October 19, 2021
(eff. November 1, 2021)

Amended Sections 5.4.2 to clarify duration and timing for addressing Council on public hearings, zoning items, Matters of Particular Interest, Consent Agenda, and Non-Consent Agenda. Revised Section 3.5(f) to update a reference to Councilmember. (Resolution 5625-09-2022)

September 27, 2022
(eff. October 4, 2022)

Amended Section 5.2.1 pertaining to Council Proposals to enhance consistency and increase fiscal transparency; revised number of Council members to sign C.P.s from two Council members to one third of the total number of Council members. (Council Proposal 326)

February 28, 2023

Jannette S. Goodall,
City Secretary