

**ORDINANCE NO. 3955**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING AND RESTATING CHAPTER 2, ARTICLE II, DIVISION 2, RULES OF PROCEDURE OF THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** the Rules of Procedure governing city council meetings set forth in Chapter 2, Article II, Division 2 of the Code of Ordinances was first adopted in 1975, and has subsequently been amended; and

**WHEREAS,** the City Council of North Richland Hills finds that the Rules of Procedure should be amended and restated to update the rules to comply with state law and current city council policies and practices.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:**

**SECTION 1:** The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

**SECTION 2:** That Chapter 2, Article II, Division 2, of the Code of Ordinances of the City of North Richland Hills is hereby amended and restated in its entirety to read as follows:

**“DIVISION 2. - RULES OF PROCEDURE**

**§ 2-51. Meetings to be public.**

All city council meetings shall be open to the public in accordance with Article XVIII, Section 4 of the City Charter and the Texas Open Meetings Act (Texas Government Code, Chapter 551).

**§ 2-52. Quorum.**

Five members of the city council, as defined in Section 2-102 of the City Code, shall

constitute a quorum.

**§ 2-53. Minutes of meetings.**

The city secretary shall keep an account of all proceedings of the city council which, upon approval by the city council, shall constitute the official record.

**§ 2-54. Questions to contain one subject.**

Questions submitted for a vote shall contain only one subject. If two or more points are involved, any member may require a division when the question reasonably admits of division.

**§ 2-55. Right of floor.**

Members wishing to speak must first be recognized by the chair and shall confine remarks to the subject under discussion. No member may speak more than once on a subject until every member wishing to speak has spoken. Members may not speak more than twice to the subject under discussion.

**§ 2-56. City manager.**

The city manager shall attend all city council meetings unless expressly excused, may make recommendations, and shall have the right to take part in discussions, but shall have no vote.

**§ 2-57. City attorney.**

The city attorney shall attend all city council meetings unless expressly excused, shall provide oral or written opinions upon request on questions of law, and shall act as parliamentarian.

**§ 2-58. City secretary.**

The city secretary shall attend all city council meetings unless expressly excused, keep the official minutes, and perform other duties as requested by the council.

**§ 2-59. Officers and employees.**

Any officer or employee, when requested by the city manager shall attend meetings of the city council and may present information related to matters before the city council.

## **§ 2-60. Procedural Rules for City Governance.**

These rules shall govern the proceedings of the city council to establish clear, consistent, and transparent processes for council governance and public meetings. The Rules provide a framework for conducting City business efficiently, safeguarding deliberative decision-making, and ensuring the fair and orderly consideration of matters before the city council.

## **§ 2-61. Suspension of rules.**

Provisions of section 2-67 shall not be suspended. Any other provisions of these rules not governed by state law, the City Charter, or City Code may be temporarily suspended by a unanimous vote of all members of the city council present and voting.

## **§ 2-62. Amendment of rules.**

These rules may be amended, or new rules adopted by a majority vote of all members of the city council, provided that the proposed amendments or new rules shall have been introduced into the record at a previous meeting of the city council.

## **§ 2-63. Types of meetings.**

- (a) **Regular meetings.** Regular meetings of the city council are held in the council chamber at city hall on the second and fourth Monday of each month at 7:00 p.m., unless otherwise scheduled by the city council. The call and conduct of all meetings shall comply with the Texas Open Meetings Act, Government Code Chapter 551.
- (b) **Special meetings.** Special meetings may be called by the mayor or any four council members. The call for a special meeting shall be filed with the city secretary in writing, and any notice of such meeting shall be posted by the city secretary in accordance with the Texas Open Meetings Act.
- (c) **Recessed meetings.** Any meeting of the city council may be recessed to a later time, provided a recess may not extend beyond the next regular business day unless notice is reposted in accordance with the Texas Open Meetings Act.
- (d) **Emergency meetings.** An emergency meeting of the city council may be called by the mayor or any three council members if an emergency or urgent public necessity exists as defined by the Texas Open Meetings Act and requires immediate council action. Notice shall meet the Act's requirements and be posted at least one hour before the meeting is convened.

## § 2-64. Meeting agendas.

- (a) **Generally.** The city manager is responsible for creating the agenda and agenda packet materials for city council meetings in accordance with this Code and applicable state law, including items requested by city council pursuant to section 2-64(c).
- (b) **Work sessions.** Work sessions, when needed, are held prior to the regular city council meeting and shall be conducted in public pursuant to a posted agenda approved by the city manager. The city council shall be free to fully discuss each item on the work session meeting agenda, to question each other and to question the staff, inquire into reasons for recommendations and to inquire as to the opinion of other council members. Each council member shall be entitled to state his or her position on each work session meeting agenda item.
- (c) **Placing items on the agenda.** A standing item on each work session agenda allows the mayor and council members to propose items for a future agenda. In accordance with the Texas Open Meetings Act, discussion is limited to whether the item should be placed on a future agenda. The city council may direct the city manager to place the item on a future work session or regular meeting agenda. No vote or action may be taken during the work session. The city council may request informational reports from staff for the work session.
- (d) **Discussion of regular agenda items during work session.** During the work session meeting, the mayor or any council member may ask staff clarifying questions and request staff evaluation of any item listed on the upcoming regular city council meeting agenda.
- (e) **Procedural votes in work session.** The city council shall be entitled to vote on items of procedure pertaining to the work session meeting.

## § 2-65. Chair and duties.

- (a) **Chair.** The mayor presides at all city council meetings. In the mayor's absence or disability, the mayor pro tem presides. The mayor pro tem shall be selected from among the council members: (1) at the first regular meeting following the general city election; (2) following the swearing-in of members of the city council upon declaration of members elected; or (3) upon action of the city council in the event of a vacancy. If both the mayor and mayor pro tem are absent or disabled, the council shall elect a chair to preside for the meeting or event.
- (b) **Call to order.** Meetings shall be called to order by the mayor or, in the mayor's absence or disability, by the mayor pro tem. If both are absent or disabled, the city secretary shall call the meeting to order.
- (c) **Preservation of order.** The chair shall preserve order and decorum, prevent personal clashes or impugning of motives, and confine debate to the question under discussion.

- (d) **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?"
- (e) **Questions stated; results announced.** The chair shall state all questions submitted for a vote and announce the result.
- (f) **Substitution for chair.** The chair may call any other member to preside; such substitution shall not continue beyond adjournment.

#### **§ 2-66. Appeal of rulings of the chair.**

A council member may appeal a ruling of the chair by stating: "I appeal the ruling of the chair to the council," and briefly stating the grounds. The chair shall immediately call for a vote on the appeal. The appeal prevails if approved by a majority of those voting, and the objecting member's position prevails. If the chair fails to call the vote, the mayor pro tem shall do so and may vote on the appeal; if the appeal carries, the mayor pro tem shall preside for that portion of the meeting and may vote on any substantive or procedural motion made. These rules apply to all city council meetings

#### **§ 2-67. Order of business.**

- (a) **Agenda.** The order of business for each regular or special meeting shall be as contained in the agenda prepared by the city manager. The agenda lists subjects to be considered by the council. The mayor or any council member may request items be added by using the agenda-setting process in § 2-64. The agenda and agenda packet shall be delivered to the city council prior to the meeting.
- (b) **Consent agenda.** Items anticipated to be routine and requiring little or no discussion may be placed on a consent agenda to conserve meeting time. Before considering the consent agenda, the mayor shall determine if any item should be removed for individual discussion. Any member of the city council may remove any consent item. Remaining consent items may be approved by a single motion.
- (c) **Council communications.** The city manager shall provide written analyses and recommendations for items to be acted upon, delivered with the agenda packet prior to the meeting unless an emergency condition necessitates later delivery.
- (d) **Oral presentations by city manager.** Matters requiring the city council's attention or action which may have developed since the deadline for delivery of the written council communication (subsection (c) of this section) may, upon approval of the city council, and after satisfying the requirements of the Open Meetings Act, be presented orally by the city manager.

**(e) Public participation**

- (1) Citizens presentation.** Members of the public may address the city council on items not listed on the agenda and not scheduled as a public hearing, by completing a public meeting appearance form and presenting it to the city secretary before the item is heard. The form shall state the rules for citizens presentations and include an acknowledgment by the speaker that they understand and will adhere to the rules when addressing the city council.
- (2) Public comments (agenda items not set for public hearing).** Speakers must complete and submit a public meeting appearance form to the city secretary prior to the item being reached. Public comments are generally heard at the beginning of the regular meeting after ceremonial items, as specified on the agenda, and must relate to matters within the city's subject-matter jurisdiction.
- (3) Public hearings.** Speakers on items scheduled for public hearing may submit a public meeting appearance form prior to the item being reached. Comments shall be made at the time set for that public hearing.
- (4) Recognition and time limits.** No person may speak without first being recognized by the mayor. Speakers are limited to three (3) minutes each, with a cumulative limit of thirty (30) minutes for those speaking in favor of an item and a like limit for those speaking in opposition. The city council may extend time limits by majority vote. The mayor may, with council concurrence, adjust time allocations based on item complexity and the number of speakers.
- (5) Spokesperson for groups.** To expedite matters and avoid repetition, groups are encouraged to designate a spokesperson. A spokesperson speaking for ten (10) or more individuals present in the council chamber may speak for up to ten minutes; other group members may not speak. The mayor or city secretary must be advised prior to the start, and the mayor may ask members to stand to confirm attendance.
- (6) Relevance.** During public hearings, comments must be germane to the matter being considered. The mayor shall determine relevance, subject to appeal to the council.
- (7) Written comments.** A public meeting appearance form may be used by persons, present at the meeting, who do not wish to or cannot speak. The mayor or city secretary will announce receipt of written comments during testimony, and the minutes will reflect receipt of written comments for and against the item.
- (8) Avoiding repetition; speaking twice.** Speakers shall not present the same or substantially similar comments repeatedly. No person may speak

twice to the same item until all wishing to speak have been recognized. A second opportunity to speak may be allowed only to present new evidence and upon the mayor's ruling, with council concurrence, of good cause.

- (9) Non-agenda inquiries.** In compliance with the Texas Open Meetings Act, if a member of the public or a member of the city council inquires about a subject for which notice has not been given and is not listed on the meeting agenda, the mayor or the city manager, or his designee, may provide a statement of factual information or reference an existing policy in response to the inquiry. The city council shall not discuss, deliberate or vote on any matter not listed on the agenda, including those matters raised in citizens' presentation, public comments or public hearings. Any requests or proposals for future agenda items resulting from presentations by the public shall be made by the mayor or a council member in accordance with Section 2-64 of these rules of procedure for placing items on meeting agendas.
- (10) Decorum.** At the beginning or during a meeting, the mayor may announce the need to maintain proper decorum to hear all viewpoints and to refrain from speaking, clapping, or other demonstrations, etc., while others are speaking,
- (11) Personal attacks prohibited.** No member of the public shall be permitted to conduct any verbal personal attack on the mayor, any member of the council, city staff, or member of any city board or commission. Any such attack or attempted attack may be challenged with a point of order, or the mayor may interrupt an offending speaker to enforce this rule.

#### **§ 2-68. Consideration of ordinances, resolutions, and motions.**

- (a) Form and legality.** All ordinances and resolutions shall be presented only in writing and approved as to form and legality by the city attorney (see Charter Article VI, § 6).
- (b) Effective date.** Unless otherwise provided by applicable law, all ordinances—except those prescribing a fine or penalty—are effective from and after the date of passage, which may be upon one reading only; ordinances prescribing a fine or penalty are effective after publication in the city's officially designated newspaper.
- (c) Distribution.** Proposed ordinances are provided in the agenda packet pursuant to section 2-67(a).
- (d) Recording of votes.** The vote of each council member shall be taken upon passage of all ordinances, resolutions, and motions and entered upon the official record.

- (e) **Vote requirements.** Approval of any ordinance, resolution, or motion requires the affirmative vote of a majority of the council members present, except as otherwise provided by these rules or by state law. In the event of a tie vote, the mayor shall vote to break the tie. No member shall be excused from voting except on matters involving the member's own official conduct, where the member's financial interests are involved, or when excused by the mayor for other valid reasons.
- (f) **Order of precedence of motions.**

**Privileged Motions**

1. *Adjourn to a fixed time.* Requires second; not debatable; amendable; majority vote.
2. *Recess meeting.* Requires second; not debatable; not amendable; majority vote. Chair may declare a recess without a vote.
3. *Point of Privilege.* No second; not debatable; no vote; chair rules on admissibility.

**Subsidiary Motions** (apply to a pending main motion)

4. *Table a motion.* Requires second; not debatable; majority vote.
5. *Call for the question.* Requires second; not debatable; two-thirds vote.
6. *Limit or extend debate.* Requires second; not debatable; amendable; two-thirds vote.
7. *Postpone to a certain time.* Requires second; debatable; amendable; majority vote.
8. *Refer to a committee.* Requires second; debatable; majority vote.
9. *Amend a motion.* Requires second; debatable; amendable; majority vote for most amendments.
10. *Main Motion.* Requires second; debatable; amendable; majority vote.

Motions not amendable: adjourn meeting, table a motion, take from the table, objection to the consideration of the question, postpone indefinitely, call for the question, point of information, point of order, point of privilege, suspend the rules, appeal decision of the chair, and reconsider a motion.

**Incidental Motions** (no set order of precedence)

- *Appeal decision of chair.* Requires second, not amendable; majority vote.
- *Object to consideration of a question.* No second; not debatable; two-thirds vote sustains the objection.
- *Point of order.* No second; not debatable; not amendable; chair rules.
- *Withdraw a motion.* May be withdrawn by the maker with consent of the seconder; if objection is made, majority vote required to withdraw.
- *Point of Information.* Request to the chair for relevant facts; not for opinion or debate; chair may rule out of order.

Motions Quick Reference				
Motion	Second?	Debatable?	Amendable	Vote
Adjourn to a fixed time	Yes	No	Yes	Majority
Recess	Yes	No	No	Majority
Point of privilege	No	No	No	Chair rules
Table a motion	Yes	No	No	Majority
Call for the question	Yes	No	No	Two-thirds
Limit/extend debate	Yes	No	Yes	Two-thirds
Postpone to certain time	Yes	Yes	Yes	Majority
Refer to committee	Yes	Yes	—	Majority
Amend a motion	Yes	Yes	Yes	Majority
Main motion	Yes	Yes	Yes	Majority
Appeal decision of chair	Yes	—	No	Majority
Object to consideration	No	No	No	Two-thirds to sustain objection
Point of order	No	No	No	Chair rules
Point of information	No	No	No	Chair rules
Withdraw a motion	Consent, if objected majority			Majority

**(g) Reconsideration.** A motion to reconsider council action may be made no later than the next official council meeting. Items to be reconsidered shall be submitted to the city manager for listing on the formal meeting agenda (not the work session agenda). A motion to reconsider may be made only by a member who voted with the majority and may be seconded by any member; it passes by majority vote. If the motion carries, the council shall reconsider and take action on the corresponding item. No question shall be reconsidered twice except by unanimous consent of the council; actions related to any contract may be reconsidered at any time before final execution.

**(h) Appropriation of money.** Before formally approving motions that appropriate money, information must be presented showing the purpose of the

appropriation and the account to be credited; the city council shall obtain a report from the city manager as to availability prior to final action.

- (i) **Transfer of appropriations.** Upon written recommendation of the city manager, the city council may transfer at any time an unencumbered balance of an appropriation from one department or division to another

**§ 2-69. through § 2-90. (Reserved)**

**SECTION 3:** This Ordinance shall be cumulative of all provisions of the Code of Ordinances, City of North Richland Hills, Texas, 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 4:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances, City of North Richland Hills, Texas, 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 5:** 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 6:** This Ordinance shall be in full force and effect from and after its passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 27<sup>th</sup> day of April 2026.

**CITY OF NORTH RICHLAND HILLS**

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Jack McCarty, Mayor

**ATTEST:**

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Alicia Richardson  
City Secretary/Chief Governance Officer

**APPROVED AS TO FORM AND LEGALITY:**

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Bradley A. Anderle, City Attorney