

RESOLUTION. NO. 47-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION NUMBER 119-99 ENTITLED "AMENDING CITY COUNCIL RULES OF PROCEDURES FOR CITY COUNCIL MEETINGS"; AND SUPPLEMENTING SECTION 2-29 OF THE CODE OF ORDINANCES BY PROVIDING ADDITIONS TO THE RULES OF PROCEDURE FOR COUNCIL MEETINGS.**

**WHEREAS,** Section 2-29 of the Code of Ordinances and Robert's Rules of Order are the designated vehicles for guiding the procedures for meetings of the City Council; and

**WHEREAS,** The current designated vehicles are often silent or insufficient to address many situations that arise during public meetings; and

**WHEREAS,** Rules of Procedure should guide and facilitate council meetings as well as provide the public with an understanding of council functions.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Resolution Number 119-99 entitled "AMENDING CITY COUNCIL RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS" is hereby repealed.

**SECTION 2.** That the City Council of the City of Riviera Beach, Florida establishes the following Rules of Procedures for guiding its council meetings.

**SECTION 3:** That the following Rules of Procedure will serve as a supplement to the existing Rules of Procedure, which are found in Section 2-29 of the City Code of Ordinances.

RESOLUTION NO 47-01  
page 2 of 9

## **PARLIAMENTARY PROCEDURE FOR CITY COUNCIL MEETINGS**

If the current Rules of Procedure of the City Council are silent on the matter of parliamentary procedure, then the current edition of Robert's Rules of Order, newly revised, will govern the council in all cases to which they are applicable. If the City Code of Ordinances is silent on the manner of handling any situation which may arise during the course of a council meeting, this supplement will serve as a reference source for addressing the situation.

### **A. Mayor and City Council Members**

1. The duties and responsibilities of the Mayor and City Council include, but are not limited to, upholding the public trust; demonstrating integrity, honesty and fairness; exercising fiduciary responsibility; and being responsive to citizens of this community.
2. The Mayor and City Council members should refrain from publicly berating, chastising, and making impertinent remarks to and/or about city staff persons.

### **B. City Council Chairperson**

1. The Chairperson of the City Council shall be chosen from its members and shall perform the usual functions of a presiding officer. The Chairperson may be removed by the affirmative vote of not less than three-fifths of all the members of the Council.
2. The Chairperson shall call the meeting to order at the hour appointed for the meeting and, if a quorum be present, shall proceed with the order of business and adjourn when the business is deemed finished.

**RESOLUTION NO 47-01**  
**page 3 of 9**

3. The Chairperson shall promote the efficient operation of the Council which shall include setting the full Council agenda (along with the City Manager) and expediting parliamentary debate or, if there is no objection from other members, expediting the passage of routine motions.
4. The Chairperson may speak to points of order, inquiry, or information and shall decide all questions of order subject to an appeal to the Council by any member.
5. While speaking on any question before the Council, the Chairperson shall have the right to turn the chair over to the Chair Pro Tem.
6. The Chairperson shall preserve order and decorum within the Chambers.

**C. Motions**

1. No motion shall be entertained or debated until duly seconded, if a second is necessary, and announced by the Chairperson.
2. Motions shall be recorded and, if desired by any Council member, it shall be read by the City Clerk before it is debated.
3. If no Council member objects, a motion may be withdrawn by the maker before amendment or action.
4. Motions shall be entertained in the order of precedence outlined in the then current edition of Robert's Rules of Order, newly revised. Motions to postpone or to commit a question to a date certain, having been decided, shall not be allowed again on the same day.

RESOLUTION. NO 47-01  
page 4 of 9

5. A motion to table an amendment shall not carry the main question with it unless so specified in the motion to table.
6. A motion to reconsider shall have precedence over every other motion except a motion to adjourn.
7. Motions to reconsider a vote upon amendments to any pending questions shall be made and decided immediately.

**D. Debate**

1. When a Council member wishes to speak, the member shall address the Chairperson and wait for recognition. When recognized, the member shall, in a courteous manner, confine comments to the question under debate.
2. When two or more Council members ask for recognition at the same time, the Chairperson will designate who shall speak first.
3. No Council member shall impugn the motives of any other member. The Chairperson may recommend the end of debate.
4. Any Council member may call for a division of the question, which shall be divided if it embraces subjects so distinct, that, one being taken away, a substantive proposition shall remain for the decision of the Council.
5. The Chairperson shall decide all points of order. If dissatisfied with a decision of the Chairperson, any member may appeal the decision to the full Council. In all cases of appeal, the question shall be, "*Shall the decision of the Chairperson be sustained?*"

**RESOLUTION NO.** 47-01  
**page 5 of 9**

6. No member shall speak more than once on an appeal without the consent of a majority of the Council members present. The decision in response to the appeal shall be by a majority vote of the Council members present. In the case of a tie vote, the decision of the Chairperson shall stand.
7. The previous question may be demanded by two Council members in this form, "*Shall the main question be voted upon without further debate?*" When sustained by a majority of the Council members present, the debate shall be ended.

**E. Council Voting**

1. Every Council member present shall participate in the voting process for all actions before the full Council, except that Council members must disqualify themselves from voting if disqualification is required by the State's Code of Ethics.
2. A roll call vote is required when voting on final passage of Council Resolutions or Ordinances. A roll call vote on other business may be demanded by two Council members present or by the Chairperson. In the case of a demand for roll call votes, the votes shall be recorded by the City Clerk in the Record of Proceedings.

A roll call vote will be called in order of member district, except for the Chairperson, provided that at each City Council meeting, the member district called at the beginning of a roll call vote will be moved to the

RESOLUTION NO. 47-01  
Page 6 of 8

end of the roll call in a systematic manner of rotation. The Chairperson's name will be called last. A voice vote may be taken on all matters before the Council except for the final passage of Resolutions and Ordinances or unless a roll call vote has been requested. Upon conclusion of a roll call or voice vote, the City Clerk shall announce the ayes and the nays and disqualifications of all votes and enter them into the Record of Proceedings. The announcement of the result of any vote shall not be postponed.

3. In the event of a tie vote, the motion does not pass.
4. Abstentions are not allowed. Members not disqualified shall vote aye or nay.
5. When a Council member present is not qualified to vote, the City Clerk shall record and announce, "*Present, but disqualified from voting.*" When a Council member is present but does not vote and has not disqualified him/herself from voting, the City Clerk shall record and announce, "*Present, but did not vote.*" note: (*requires written explanation and submission to State of Florida as per state law*).
6. After the final vote on any motion, resolution, or ordinance and before adjournment of the full Council session, any member who voted with the prevailing side may move for reconsideration. A second to the motion for reconsideration may be made from either the prevailing or non-prevailing side. A motion to reconsider may also be considered at the next regular City Council meeting.

RESOLUTION NO. 47-01  
Page 7 of 9

**F. City Council Meeting Agenda Items**

1. **Regular Agenda Items:** Regular agenda items must be submitted to the City Manager's office thirteen days (13) prior to the date of the City Council meeting. The submittal deadlines are subject to change due to holidays, etc.
2. **Supplemental Agenda Items:** Any City Council member with a supplemental agenda item which requires very limited staff input, shall provide the item in writing, together with any backup information, to the Chairperson, with a copy to the City Manager, no later than 12:00 noon on the fourth business day preceding the City Council meeting. Emergency supplemental agenda items must be presented to the City Manager no later than 9:00 a.m. on the business day preceding the City Council meeting, and require the approval of at least three City Council members before being placed on the agenda as an add-on item.
3. **Non-agenda Items:** A non-agenda item is defined as any item that is not on the printed agenda or any printed supplemental agenda. Non-agenda items shall be introduced only when deemed by the City Council Chairperson or another City Council member to require urgent attention. A unanimous vote of the City Council shall be required to allow a non-agenda item to be placed on the agenda.

RESOLUTION NO. 47-01  
Page 8 of 9

**G. Agenda Review Meetings**

1. The Council may hold, at its pleasure, Agenda Review meetings to discuss and receive information from staff on matters to appear before the Council at a regular Council meeting. Agenda Review meetings shall ordinarily be held at 5:00 p.m. on each Monday preceding a regular Council meeting, or, on the next day if that Monday is a holiday. However, the Council may change the date or time for this meeting at its pleasure. The Agenda Review meeting shall be open to the public. No binding votes may be taken at the Agenda Review meeting. Agendas of each Agenda Review meeting, listing items for which discussion is expected, will be made available to the general public. The public will not have an opportunity to participate in these meetings without prior approval of the Chairperson. There shall be no quorum requirement for the Agenda Review meetings.
2. Staff members possessing the most knowledge about the items to be discussed must be present at Agenda Review meetings. All department heads must be present at these meetings.

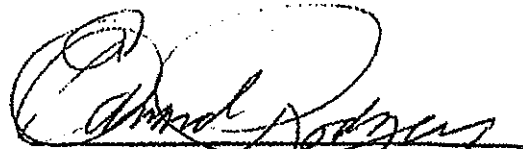


PASSED AND APPROVED this 4th day of April 2001.

APPROVED:

  
MICHAEL D. BROWN, MAYOR

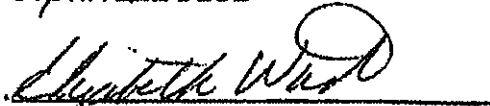
(MUNICIPAL SEAL)

  
EDWARD RODGERS, CHAIRPERSON

  
DAVID G. SCHNYER, CHAIR PRO-TEM

  
DONALD R. WILSON

  
SYLVIA LEE BLUE

  
ELIZABETH "LIZ" WADE  
COUNCIL MEMBERS

ATTEST:

  
CARRIE E. WARD, CMC/AAE  
CITY CLERK

MOTIONED BY: E. WADE

SECONDED BY: D. WILSON

E. RODGERS AYE

D. SCHNYER AYE

D. WILSON AYE

S. BLUE AYE

E. WADE AYE

REVIEWED AS TO LEGAL SUFFICIENCY

CITY ATTORNEY  
CITY OF RIVIERA BEACH

DATE: \_\_\_\_\_