



Agenda Item Details

Meeting	Nov 10, 2021 - City Commission Meeting
Category	11. CITY COMMISSION
Subject	11.04 Robert's Rules of Order -- Cassandra K. Jackson, City Attorney
Access	Public
Type	Action, Discussion
Fiscal Impact	No
Recommended Action	Option 1. Adopt a City Commission Policy confirming that the City Commission adheres generally to simplified parliamentary procedures and is guided by Robert's Rules of Order Newly Revised ("the Rules").

Public Content

For more information, please contact: Amy Toman, Deputy City Attorney, at 850-891-8554

Statement of Issue

At the October 13, 2021, City Commission meeting, the City Commission directed the City Attorney to bring back an agenda item providing information about the current procedures under which the City Commission conducts its meetings, to include a potential action item to formally adopt Robert's Rules of Order.

Recommended Action

Option 1. Adopt a City Commission Policy confirming that the City Commission adheres generally to simplified parliamentary procedures and is guided by Robert's Rules of Order Newly Revised ("the Rules").

Fiscal Impact

None.

Supplemental Material/Issue Analysis

History/Facts & Issues

City Commission Meeting Policies and Applicable Law

Neither state law nor City Code require the City Commission to adopt or utilize a specific (or any) set of procedural rules to govern its meetings. The City has several policies which inform the conduct of its meetings:

- City Commission Policy 108 establishes the parameters for public participation in meetings;
- City Commission Policy 112 prescribes the process by which the Commission's agendas are developed; and
- Administrative Policy 201 details the internal procedures utilized to implement Commission Policy 112.

The Commission's meetings are also subject to the provisions of the Sunshine Law (ch. 286, Fla. Stat.), which requires that all meetings be open to the public and that the public have an opportunity to be heard.

Robert's Rules

Over 140 years ago, Captain Henry Martyn Robert wrote the first edition of what has come to be known as "Robert's Rules of Order," now in its 12th edition. Robert's Rules ("the Rules") are designed to maintain order and fairness in meetings. Many boards, committees and councils have formally adopted the Rules to govern their meetings, but many (if not most) of those bodies in fact use a simplified form of parliamentary procedure informed by the Rules and refer specifically to the Rules only when a question or disagreement arises.

The Rules are very complicated: the latest edition is over 700 pages, and even “Robert’s Rules for Dummies” runs 400 pages. The complexity means that, if an organization formally adopts and intends to follow the Rules, it also needs to engage a Parliamentarian to properly understand and apply them. Failure to follow the Rules after they have been formally adopted can result in questions about the validity of actions taken when the proper procedure was not observed.

Procedural Rules Over the Years

While from time to time throughout the City Commission’s history questions have been raised as to the procedural rules which govern the conducting of the people’s business, no official policy can be located which establishes procedural rules. As a result of these discussions, various city commissions have affirmed that Robert’s Rules were adopted, although with some modifications, and conducted City Commission meetings consistently with Robert’s Rules of Order. Relatively recently, on May 24, 1983, then Mayor Carol Bellamy recommended that Robert’s Rules of Order be adopted as the procedural guide for the City commission and, after a second, there was a unanimous vote in favor thereof. As a part of this motion’s passage, it was agreed that certain slight deviations from Robert’s Rules be adopted. These deviations are reflected in the motion procedure chart attached as Attachment 1. These deviations are likely recognizable by the City Commission as they continue to be utilized today. Consistent with the stated purpose of the Rules, the City Commission’s procedural rules are a guide for conducting meetings and efficiently making decisions as a group with due regard for every members’ opinions.

Other Jurisdictions Procedural Rules

There are various ways for deliberative bodies to implement procedural rules. Some organizations and political subdivisions formally adopt the Rules outright [1] although, as discussed above, this often results, in practice and over time, in a less rigid adherence to the Rules, especially in the absence of a Parliamentarian. Others promulgate their own procedural rules and include a caveat that the Rules will apply where the organization’s rules are silent. (See, e.g., Orlando Code, Article X, Sec. 2.64; Sarasota Code, Article I, Sec. 2-2; City of Delray Beach, Rules of Procedure; City of Marco Island, Rules of Procedure, City Council; See Attachments 2.a. - d.) Others, like the Leon County Board of County Commissioners, develop and implement their own rules using the Rules as reference. (See Leon County Board of County Commissioners, Policy No. 01-05, Rules of Procedure for Meetings, Attachment 3.) Please note that some information contained in other jurisdictions’ procedural policies are housed in existing policies of the City Commission.

Still others, like the City, conduct their meetings in general conformity with the Rules and refer to the Rules, as needed, when there is a question or a dispute. This practice could be formalized by incorporating appropriate language into a new or existing policy. For example:

The Tallahassee City Commission determines its own procedures, rules, and order of business. The Commission adheres generally to simplified parliamentary procedures and is guided by Robert’s Rules of Order Newly Revised (“the Rules”). Any question about procedure will be resolved with reference to the Rules. No action of the City Commission shall be deemed void or invalid because of a failure to adhere to the Rules.

[1] The Robert’s Rules website suggests the following language for formal adoption: The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the City Commission in all cases to which they are applicable and in which they are not inconsistent with any provision of law that applies to the Commission.

Options

1. Adopt or amend a City Commission Policy confirming that the City Commission adheres generally to simplified parliamentary procedures and is guided by Robert’s Rules of Order Newly Revised, as may be amended from time to time (“the Rules”).
2. Adopt or amend a City Commission Policy formally adopting Robert’s Rules of Order and direct staff to employ or contract with a Parliamentarian.
3. Direct staff to draft and bring back for approval a new City Commission Policy detailing the rules of procedure for City Commission meetings, incorporating current practice and using Robert’s Rules as reference.

Attachments/References

1. Motion Procedure Chart, 5-24-1983
- 2.a. Orlando Code
 - b. Sarasota Code
 - c. City of Delray Beach, Rules of Procedure
 - d. City of Marco Island, Rules of Procedure
3. Leon County BOCC, Rules of Procedure for Meetings

 [Att 1 - 1983 Motion Procedure Chart.pdf \(1,193 KB\)](#)

 [Att 2a - Orlando Code.pdf \(625 KB\)](#)

 [Att 2b - Sarasota Code.pdf \(588 KB\)](#)

 [Att 2c - City of Delray Beach Rules of Procedure.pdf \(1,003 KB\)](#)

 [Att 2d - City of Marco Island Rules of Procedure.pdf \(1,408 KB\)](#)

 [Att 3 - Leon County BOCC Rules of Procedure for Meetings.pdf \(5,459 KB\)](#)