

CITY COUNCIL
 ORANGE CITY, FLORIDA
 RULES AND PROCEDURES
(Revised June 22, 2004)

TABLE OF CONTENTS

		PAGE
SECTION ONE:	MEETINGS	
A.	Regular	2
B.	Special	2
C.	Workshop	2
D.	Cancellations	3
SECTION TWO:	AGENDA.....	3
SECTION THREE:	PRESIDING OFFICER (DUTIES)	3
SECTION FOUR:	CALL TO ORDER	4
SECTION FIVE:	RULES OF DEBATE	4
SECTION SIX:	MANNER OF ADDRESSING COUNCIL	5
SECTION SEVEN:	DECORUM AND ENFORCEMENT	5
SECTION EIGHT:	MOTIONS AND VOTING	6
SECTION NINE:	SOURCE OF RULES OF ORDER	7
SECTION TEN:	EFFECTIVE DATE.....	7
APPENDIX A:	Resolution No. 97-11-1 (Adopting the Rules & Procedures) Resolution No. 59-01 (Amending the Rules & Procedures) Resolution No. 181-03 (Amending the Rules & Procedures) Resolution No. 271-04	

SECTION ONE: MEETINGS

All meetings of the Council shall be held at the City Hall Annex, 201 North Holly Avenue, Orange City, or at such other location in the City as shall be designated by the City Council.

A. Regular Meetings:

- (1) There shall be at least one (1) Regular meeting of the Council per month. (Charter, Section 2.06)
- (2) Regular meetings shall be held on the Second and Fourth Tuesday of each month at 7:00 p.m., however, it may meet at such times as may be prescribed by Ordinance or Resolution. (Charter, Section 2.06)
- (3) No notice of regular meetings shall be required to members of the City Council.

B. Special Meetings:

- (1) Special meetings of the Council may be scheduled at a Regular meeting or called by the Mayor or any two members of the Council, upon at least twelve hours written notice to each member and the public. (Charter, Section 2.06)
- (2) Only the item or items listed in the *NOTICE OF SPECIAL MEETING* may be acted upon.

C. Workshop Meetings:

- (1) Workshop meetings may be scheduled at a Regular meeting or called in the same manner as Special meetings; and shall be for discussion only with the exception in (2) below.
- (2) No official action shall be taken at Workshop meetings except to recommend items to be considered at a Regular or Special meeting, or to give direction to the City Attorney or City Manager.
- (3) Minutes shall be kept of all Workshop meetings and shall require approval by the Council.

D. Cancellation of Regular, Special or Workshop Meetings:

- (1) Regular meetings of the Council may be cancelled when the day fixed for any said meeting falls upon a designated holiday, or due to holiday conflicts of schedules, or any other reason the Council feels a need to cancel. Regular meetings can be cancelled by Resolution, or by the City Manager due to lack of agenda items for that meeting or in the event of an emergency, providing at least one Regular meeting is held each month.
- (2) Special or Workshop meetings, when called by the Mayor or any two members of the Council, may be cancelled by any of the Councilmembers calling the meeting. Meetings that have been scheduled at a regular meeting require that all members be contacted and can only be cancelled when a majority of the members agree to the cancellation.

SECTION TWO: AGENDA

- A. The Agenda shall be complete by 4:00 P.M. on the Wednesday preceding the Council meeting.
- B. No action shall be taken on matters not on the Agenda, however, if necessary, an item may be added to the agenda upon the proper motion, second, and affirmative voice vote of a supermajority of five Councilmembers prior to the first order of business provided no additional information is required.
- C. A report from the City Manager, Mayor, City Attorney, and City Clerk shall be a permanent part of the Agenda in order to keep the Council informed of items pertaining to their respective duties and/or other pertinent issues of interest.

SECTION THREE: PRESIDING OFFICER; DUTIES

- A. The Mayor shall be the Presiding Officer of the Council, or in his/her absence, the Vice Mayor who shall be elected annually at the first Regular Council meeting after the City election, by the members, from their membership. (Charter, Section 2.03)
- B. The Presiding Officer shall preserve strict order and decorum at all meetings of the Council. He/she shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order; subject, however, to an appeal to the Council upon such questions, in which event a majority vote of the Council shall conclusively govern and determine such question of order. The Presiding Officer shall vote on all questions, his/her name being called last.

SECTION FOUR: CALL TO ORDER - PRESIDING OFFICER

- A. The Presiding Officer (as described in Section Three) shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order.
- B. In the absence of the Presiding Officer (as described in Section Three) the City Clerk or Deputy City Clerk shall call the Council to order, whereupon a temporary Chairman shall be selected by the members of the Council present. Upon the arrival of the Presiding Officer, the temporary Chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

SECTION FIVE: RULES OF DEBATE

- A. Action on items before the Council shall commence by the Council entertaining a motion and a second by a Councilmember other than the Member who made the original motion, followed by staff reports, public participation, and discussion by the Council. Action on the motion shall be concluded by roll call or voice vote as required. The Councilmembers making the motion and seconding same shall not be required to vote in favor of said motion.
- B. The Presiding Officer shall relinquish the chair to move or second, however, (s)he may debate and vote from the chair and not be deprived of any of the rights and privileges of a Councilmember by reason of acting as the Presiding Officer.
- C. Obtaining the floor: Improper reference to be avoided. Every member desiring to speak shall address the chair and, upon recognition by the Presiding Officer, shall confine him/herself to the question under debate, avoiding all personalities and indecorous language.
- D. Interruptions: A member, once recognized, shall not be interrupted when speaking unless it be to call him/her to order, or as herein otherwise provided. If a member, while speaking, be called to order, (s)he shall cease speaking until the question of order be determined and, if in order, shall be permitted to proceed.
- E. Remarks of Councilmembers when entered in Minutes: A Councilmember may request, through the Presiding Officer, the privilege of having an abstract of his/her statement on any subject under consideration by the Council entered in the Minutes.
- F. Withdrawal of Motions: Any Motion before the Council may be withdrawn at any time prior to a vote being taken thereon by the Councilmember making such Motion, upon agreement by the Councilmember seconding said Motion.
- G. Amending of Motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Council shall, at the conclusion of the discussion, first vote on the amending motion and then upon the original motion as amended. An amending motion may be withdrawn in the same manner as set forth in Paragraph "F" above.

- H. Privilege of Closing Debate: The Councilmember making the original motion shall have the privilege of making a closing statement prior to the calling of the question.

SECTION SIX: MANNER OF ADDRESSING COUNCIL

- A. Citizen comments may be made on items not on the Agenda ONLY during the time designated by the Council; otherwise, citizens may address the Council only on items under discussion with the permission of the Presiding Officer, after a motion and second is made, when applicable.
- B. Each person addressing the Council shall complete a speaker request form listing their name, address, and the topic they wish to address. The speaker may then step to the microphone, give his/her name and address clearly for the record and shall limit his/her address to three minutes, unless any member of the Council requests further information.
- C. All remarks shall be addressed to the Council as a body and not to individual members thereof.
- D. No person other than a member of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer.
- E. No question shall be asked a Councilmember except through the Presiding Officer.
- F. Persons addressing the Council may present oral or written communications in regard to matters under consideration with the permission of the Presiding Officer, however, any written communications shall be copied to each member of the Council, the Mayor, the City Attorney, the City Manager, and the City Clerk.

SECTION SEVEN: DECORUM AND ENFORCEMENT

- A. **BY COUNCILMEMBER:** While the Council is in session, the members must preserve order and decorum and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer.
- B. **BY PERSONS:** Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith barred by the Presiding Officer from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

- C. PERSONS PERMITTED ON THE DAIS: No persons except City Officials or their representatives shall be permitted on the dais without the permission of the Presiding Officer.
- D. ENFORCEMENT OF DECORUM: For the purpose of maintaining order and decorum at any Council meeting, the Presiding Officer may designate the Chief of Police or other member of the Police Department to act as Sergeant-at-Arms.

SECTION EIGHT: MOTIONS AND VOTING

- A. The City Council shall act only by Motion, Ordinance or Resolution. (Charter, Section 5.01)
- B. EVERY MOTION shall be clearly stated, including direction, to whom given, specific dates or time frame by which the action is to be taken, and any stipulations or conditions which may be applicable.
- C. For WITHDRAWAL OF MOTIONS and AMENDING MOTIONS, refer to Section Five, "F" and "G".
- D. For proper procedure on various Motions, refer to Robert's Rules of Order and general parliamentary procedure manuals.
- E. All Motions shall be made in the affirmative and shall not include opinions, observations, and/or personal views on the subject.
- F. In the event there is no second for the Motion, it DIES FOR LACK OF A SECOND.
- G. All roll call votes, with the exception of the Presiding Officer who votes last, shall be called on a rotating basis. The procedure shall be developed by the City Clerk and be approved by the City Council.
- H. ABSTAINING FROM VOTING: No member of the Council shall abstain from voting except as provided in FS, CHAPTER 112, if the issue would inure to the person's private gain. In that case, he must publicly state the nature of his interest in the issue at the time the item is to be considered; within fifteen days from the abstention, he must file a "MEMORANDUM OF VOTING CONFLICT."

The proper form is available in the City Clerk's office and may be completed prior to the meeting at which the abstention is anticipated, at the meeting, or within the required time limit. The Memorandum(s) will be attached to the minutes of that meeting and made a part thereof.

SECTION NINE: SOURCE OF RULES OF ORDER

The source of Rules of Order shall be the Morrow Edition of ROBERT'S RULES OF ORDER, as revised.

SECTION TEN: EFFECTIVE DATE OF "RULES & PROCEDURES"

Effective immediately upon adoption of the City Council by Resolution.