

CITY OF DELRAY BEACH

Delray Beach
Florida



1993 • 2001 • 2017

CITY CLERK



100 N.W. 1st AVENUE

DELRAY BEACH, FLORIDA 33444

561/243-7000

RULES OF PROCEDURE - DELRAY BEACH CITY COMMISSION

(as revised on September 6, 2018)

These rules, when adopted, shall supersede any other general rules or local rules which are inconsistent herewith, to the extent of such inconsistency.

I. GENERAL PARLIAMENTARY RULES.

The general parliamentary procedure to be followed by the City Commission of the City of Delray Beach, Florida, except as otherwise modified by the City Commission or as modified or amended herein, shall be in accordance with the rules of parliamentary procedures entitled "Robert's Rules of Order", being the reprint of the 1907 edition.

II. LOCAL RULES.

A. The following Local Rules of Procedure shall be applicable to the organization and conduct of business, as well as preparation and publication of agendas, of the City Commission of the City of Delray Beach, Florida. To the extent these Local Rules shall modify or conflict with the standard "Robert's Rules of Order" as adopted above, these Local Rules shall prevail to the extent of their conflict or inconsistency with "Robert's Rules of Order". In addition to these local rules, rules for quasi-judicial proceedings shall apply to proceedings which require quasi-judicial hearings.

1. Generally, regular meetings of the City Commission shall be held on the first and third Tuesdays of each month, with the exception of the months of September and December and the date on which any Delray Beach election, vote, or referendum is held or occurs; unless otherwise agreed to by the City Commission. The date and time of a regularly scheduled City Commission meeting may be rescheduled by the City Manager so long as such rescheduling does not preclude the attendance of a quorum necessary to conduct the business of the City Commission and so long as such rescheduling does not precipitate a conflict with the notice requirements of any public hearings on the subject meeting's agenda. There shall be no regular City Commission meeting on the date of any Delray Beach election, vote, or referendum.

2. All regular City Commission meetings shall be held in the City Commission Chambers at City Hall, unless otherwise designated by the City Commission or required by events. All meetings of the City Commission shall end by 11:00 p.m. unless extended beyond 11:00 p.m. by a vote of the City Commission. If the meeting is adjourned, any unfinished business shall be considered at a time and place set by the City Commission.
3. Although appropriate members of the City Attorney's Office and City Administration may place items on either workshop or regular agendas, all regular agendas shall be subject to review-in advance by the Mayor prior to their publication, except that a majority of the members of the City Commission may request that the City Manager place or remove an item on such regular agendas. and that all such regular agendas shall be further subject to the approval of the City Commission preceding the conduct of business at each such meeting.

If the Commission or any of its members wish to place an item on or remove an item from an agenda, or if any member of the Commission has a question or concern about an item, any such request or inquiry shall be directed to the City Manager for disposition as opposed to any Commission member contacting any City officer or employee who is subject to the direction and supervision of the City Manager.

4. With regard to the agenda for regular City Commission meetings, the following shall apply:
 - a. To the extent possible, the City Administration shall group all matters by subject area, and shall place as many as possible on the consent portion of the agenda.
 - b. The agenda format shall be established by the City Manager.
 - c. Any items received during the public comment portion of the regular agenda may, at the discretion of the Commission, be discussed by the City Commission at the time of such presentation, may be directed by the Commission to the City Manager for action or resolution, or may be added to a subsequent agenda if a majority of the City Commission so directs, either by consensus or by vote.
 - d. Votes taken on ordinances, resolutions, and motions shall be by roll call and shall be recorded by the City Clerk. The roll call shall be on a rotating basis and according to the numbered Commission seats, i.e.:

Motion A – Order of rotation: Seat 1, Seat 2, Seat 3, Seat 4, Seat 5

Motion B – Order of rotation: Seat 2, Seat 3, Seat 4, Seat 5, Seat 1

Motion C – Order of rotation: Seat 3, Seat 4, Seat 5, Seat 1, Seat 2, etc.

- e. All public comment on agendaed or non-agendaed items shall be limited to not more than three (3) minutes, in total, per person at regular Commission meetings. Public comment on quasi-judicial items and items that have been set for a formal public hearing shall only be allowed when those items are specifically heard by the Commission. All public

comments must be addressed to the Commission as a body and not to individual Commissioners or staff. Personal verbal attacks upon Commissioners and/or staff will not be tolerated.

Any person making impertinent, obscene, personally insulting, defamatory, or slanderous remarks or who becomes boisterous, unruly, or disruptive shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a vote of the Commission members pursuant to Section 3.12 of the City's Charter.

- f. The Mayor shall have the authority to limit immaterial, unnecessary, or redundant presentations or requests. The Mayor shall also have the authority to direct the removal of any member of the public who violates the rules of decorum as set forth herein.
5. The City Commission of the City of Delray Beach is committed to maintaining civility in public and political discourse and expects the public to do the same. All comments by members of the Commission, advisory board members, and/or the public shall:
- a. Respect the right of all citizens in our community to hold different opinions;
 - b. Avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
 - c. Strive to understand differing perspectives;
 - d. Be truthful, not accusatory and avoid distortion; and
 - e. Avoid violence, prejudice and incivility towards citizens, employees, and officials of the City of Delray Beach.

III. CITY BOARD, COMMITTEE, COMMISSION AND AGENDA APPOINTMENTS.

- A. All appointments to city boards, commissions and committees whose members are not subject to appointment by other entities, and in accordance with any applicable restrictions by State Statute, shall be made in accordance with the following procedures:
 - 1. All vacancies subject to appointment to such city boards, commissions and committees shall be made on a nomination basis by each of the members of the City Commission. This nomination shall be construed to be a Motion to Appoint. The Commission shall follow the voting requirements pursuant to Section 3.12 of the City's Charter. A Commissioner may defer his or her nomination for an appointment to the next scheduled regular City Commission meeting. If a Commissioner is not ready to make his or her nomination for an appointment at the next scheduled regular meeting, regardless of whether the Commissioner is present or absent at the meeting, the nomination shall rotate to the next appropriate Commissioner. Under no circumstances may a Commissioner nomination for an appointment be delayed for more than two consecutive regular City Commission meetings.

2. The rotation system shall be by numbered Commission seat and insofar as possible, each Commission seat shall be assigned an equal number of initial appointments from the date of adoption of these rules, i.e.:

Board A – Order of Rotation: Seat 1, Seat 2, Seat 3, Seat 4, Seat 5

Board B – Order of Rotation: Seat 2, Seat 3, Seat 4, Seat 5, Seat 1

Board C – Order of Rotation: Seat 3, Seat 4, Seat 5, Seat 1, Seat 2

3. A separate rotation list shall be established by the City Clerk's office for each such City board, commission, or committee, and the City Clerk's office shall maintain records of the rotation list, the status of same, and the nominations made by each Commissioner.
4. In the event that an individual, duly nominated and appointed to a board, commission or committee by a Commissioner at a City Commission meeting, is unable to accept or declines the appointment, for whatever reason, then the Commissioner who appointed the individual unable to serve shall have the opportunity to nominate a replacement appointee to fill the vacancy before the nomination ability passes to the next Commissioner on the rotation system. Such replacement nomination by the Commissioner shall be made no later than the second consecutive regular meeting subsequent to the meeting at which the declined appointment was made. If the replacement nomination is not made within this time frame, then the nomination ability shall pass to the next Commissioner on the rotation system.
5. Appointments for vacancies occurring on a board wherein the particular member has, for whatever reason, not fulfilled their entire term of membership on that particular board, commission or committee, shall be to complete the unexpired term only, unless the unexpired term is for a period of time less than six (6) months. In that event, the appointed member shall then be allowed to serve the following full regular term without reappointment.

IV. CITY MANAGER/CITY ATTORNEY ANNUAL REVIEW.

Annually during the month of June, the Mayor and each City Commissioner shall conduct private performance evaluations of the City Manager and City Attorney. A review of the City Manager's and/or City Attorney's compensation may also be conducted in June during a regularly scheduled Commission meeting.

Approved and adopted by the City Commission of the City of Delray Beach, Florida, at the Annual Organizational Meeting held on March 29, 2018.

ATTEST:



Katerri Johnson, CMC
City Clerk