

RESOLUTION NO. 17-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 06-05; ADOPTING RULES OF PROCEDURE RELATED TO DEBATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.1(B) of the Town Charter of the Town of Cutler Bay (“Town”), the Town Council is authorized to determine its own rules of procedure; and

WHEREAS, Section 2-129 of the Town Code of Ordinances (“Code”) authorized the Town Council to establish its agenda format and council meeting procedures by resolution; and

WHEREAS, the Town Council adopted Robert’s Rules of Order to govern rules of procedures on February 2, 2006 via Town Resolution No. 06-05; and

WHEREAS, the Town Council wishes to clarify that Robert’s Rules of Order governs questions of procedure not otherwise addressed by Town Council through resolution; and

WHEREAS, the Town Council desires to establish its own rules of procedure related to debate; and

WHEREAS, the Town Council finds such changes to be in the best interest of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:¹

Section 1. **Recitals.** That the above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Amendment to Resolution 06-05.** The Town Council hereby amends Section 1 of Resolution 06-05 as follows:

Section 1: **Except where otherwise provided by resolution,** Robert’s Rules of Order is adopted and questions of procedure shall be governed by application of the rules.

¹ Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text.

Section 3. **Adoption of Rules of Procedure.** The Town Council hereby adopts the following rules of procedure:

Notwithstanding Rules 34-39 in Robert’s Rules of Order or any other contrary provision therein, the following Rules shall apply to Town Council meeting procedures:

1. Reconsideration. An action of the Council may be reconsidered only at the same meeting at which the action was taken. A motion to reconsider may be made only by council members who voted on the prevailing side of the question. A motion to reconsider an item that resulted in a tie vote is not in order, and no such motion shall be reconsidered. A motion to reconsider shall not be considered unless at least the same number of council members is present as participated on the original vote. Adoption of a motion to reconsider shall rescind the action reconsidered.

2. Renewal. Once action is taken on a proposed ordinance or resolution, neither the same matter nor its repeal or rescission may be brought before the council again during the six (6) month period following the said action (subject to the provisions of paragraph 1 above), unless application for renewal by three (3) council members is first submitted to the presiding officer or there is a motion with a second *and a third* to renew the item. A motion to renew within six months after the original action shall only be adopted if at least four council members shall vote in favor of adoption.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ___ day of November, 2017.

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____