



HAMILTON
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Memorandum

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To: Mayor and City Council

From: John A. Young

Cc: Steve Cross, City Administrator

Date: June 11, 2021

Re: Procedures for Election of Standing Committee Chairs

Section 110.220 of the City Code provides, in pertinent part, that “‘Robert's Rules of Order Newly Revised’ shall be the parliamentary authority and shall govern the conduct of all meetings of the Council.” Furthermore, Section 110.250(B) of the City Code states, in pertinent part, that “Each of the three (3) Council standing committees shall elect a chairperson from amongst its members...”

While different procedures for the nomination and election of the chair of a committee are set forth in Robert’s Rules of Order, the most appropriately lawful methods are set forth below.

For purposes of conducting the first meeting of a standing committee, “the first-named member has the duty of calling the committee together and of acting as temporary [chair] until the committee elects a [chair].” RONR (11th ed.), p. 176, ll. 13-15. As such, the first person named by the Mayor to any standing committee shall act as chair until such time as a chair is elected by that committee.

Nomination

The most appropriate form of nomination for a standing committee of the City is “nomination from the floor.” “A member need not be recognized by the chair to make a nomination.” RONR (11th ed.), p. 432, ll. 2-3. No second is required, but one or more members may second a nomination to indicate endorsement. *Id.* at ll. 6-8.

When nominations have been made by from the floor, the chair should inquire whether there are any further nominations; and when there is no response, the chair declares the nominations are closed. RONR (11th ed.), p. 288, ll. 25-28.

Elections

The two methods set forth in Robert's Rules of Order appropriate for the election of chair of a standing committee, either or which may be employed, are "viva-voce" and "roll-call". .

Viva-Voce election.

When there is more than one nominee, the candidates are voted on in the order in which they were nominated. RONR (11th ed.), p. 442, ll. 14-17. If the ayes are in the majority for the first candidate, the first candidate is elected Chair. *See Id.* at ll. 20-21. If the noes are in the majority, the chair shall continue in the same manner for the next nominated person. *See Id.* at ll. 23-26. "As soon as one of the nominees receives a majority vote, the chair declares him [or her] elected and no votes are taken on the remaining nominees for that office." *Id.* at ll. 28-30.

"If only one person is nominated [...], the chair, after ensuring that, in fact, no members present wish to make further nominations, simply declares that the nominee is elected, thus effecting the election by unanimous consent or 'acclamation.'" RONR (11th ed.), p. 443, ll. 7-12.

Roll-Call Election.

In the alternative, "Although unusual, an election can be held by roll call." RONR (11th ed.), p. 443, ll. 18-19. Immediately following the nomination from the floor, a roll-call vote is taken whereupon each member of the committee declares his or her vote of the member they wish to be chair. *See Id.* at ll. 19-24. The recording secretary of the committee should record the vote of each member. *See Id.* at 24-25.

If there are multiple nominees, the voting may be repeated as many times as necessary to obtain a majority vote for a single candidate. *See* RONR (11th ed.), p. 441, ll. 2-5.

Purported City Policy

As reflected on the minutes of the City Council for the regular meeting on October 11, 2010, the City Council attempted to, by simple motion, approve a purported "policy for the selection of Chairs of the Planning/Economic Development/Parks Committee and Administration/Public Works Committee." No such policy is referenced in the agenda for the meeting on October 11, 2010, no such policy was included in the minutes of that meeting, and the policy named in the motion does not reflect any document presented at any regular meeting or work session of the City Council.

For the foregoing reasons, the motion adopting the policy was likely conducted in violation of the Missouri Sunshine Law, the minutes nor the agenda indicate the content of any such policy purported to be adopted, and, notwithstanding the foregoing, those portions of any such policy that conflict with Robert's Rules of Order are likely invalid for being in conflict with Section 110.220 of the City Code adopting Robert's Rules of Order.