

Strategic Procedure

(Remember the First Rule of Chess)

Is Robert's Rules
really a Legal
topic?

Thomas A. Gwosdz
City Attorney

City of Victoria, Texas



Strategic Procedure (Remember the First Rule of Chess)

Is Robert's Rules
really a Legal
topic?

Oh.
Got it.

- *In re Dupont*, 142 S.W.3d 528, 532 (Tex. App.—Fort Worth 2004, no pet.) (courts do not concern themselves with whether parliamentary rules are followed; instead, courts are concerned with whether the law of the land is followed).
- *Anderson v. Grossenbacher*, 381 S.W.2d 72, 74 (Tex.Civ.App.-San Antonio 1964, writ ref'd n.r.e.).
- *El Dorado Amusement Co., Inc. v. City of San Antonio*, 1999-CI-10651, 2004 WL 3323696, at *2 (Tex. Dist. Aug. 18, 2004).

Strategic Procedure (Remember the First Rule of Chess)

And don't forget to check your local code:

Sec. 2-24. - Rules of procedure.

The rules of procedure stated in Robert's Rules of Order, currently revised edition, shall govern the proceedings of the city council except when in conflict with the provisions of the city charter, Code or ordinances. are hereby adopted as the rules of parliamentary procedure for all meetings of City Council except when those rules conflict with the provisions of the city charter, this code, or other law.

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Strategic Procedure

(Remember the First Rule of Chess)

Why do we need Rules of Parliamentary Procedure?

Why do we care?

- Chess isn't checkers



Strategic Procedure

(Remember the First Rule of Chess)

The Basics:

- The Body
- The Chair
- The Agenda
- The Floor



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Strategic Procedure

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The Basics:

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- *The Chair*
- *The Agenda*
- *The Floor*



Strategic Procedure

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“Discuss, consider,

“When the notice specifically discloses the subject to be considered at the upcoming meeting, the statute's notice requirement is met and the described meeting is considered an open meeting where the Commission can take final action, decide, or vote on a matter.”

- *Cox Enter., Inc. v. Board of Tr. of the Austin Indep., Sch. Dist.*, 706 S.W.2d 956 (Tex.1986)
- *Texas Turnpike Authority v. City of Fort Worth*, 554 S.W.2d 675, 676 (Tex.1977)
- *Washington v. Burley*, S.D.Tex.2013, 930 F.Supp.2d 790.
- *City of Donna v. Ramirez* (App. 13 Dist. 2017) 548 S.W.3d 26
- *Weatherford v. City of San Marcos* (App. 3 Dist. 2004) 157 S.W.3d 473
- *City of San Angelo v. Texas Natural Resource Conservation Com'n* (App. 3 Dist. 2002) 92 S.W.3d 624

Strategic Procedure

(Remember the First Rule of Chess)

The Basics:

- The Body
- The Chair
- The Agenda
- The Floor



Agenda

1. Approve minutes.
2. Pick a service project.
3. Donate \$250 to starving children.
4. Plan Christmas Party.

Strategic Procedure

(Remember the First Rule of Chess)

How to get something done:
(The Main Motion)



Agenda

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Strategic Procedure

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How to get something done:

(The Main Motion)

- Motion & Second
- Deliberation
- Vote



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Point
of
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How to get something done:

(The Main Motion) $M_2 - D - V$

How to Stop it:



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Strategic Procedure

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How to get something done:

(The Main Motion) $M_2 - D - V$

How to Stop it:

(Subsidiary Motions)

- Amend
- Table/Postpone
- Commit



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$$M_2 - A_{2V} - V$$

$$M_2 - A_{2(A_{2V})V} - A_{2V} - V$$



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1. Approve minutes.
2. Pick a service project. **\$1000**
3. Donate ~~\$250~~ **\$500** to starving children.
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- Senator Menendez's annexation filibuster



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