

RESOLUTION NO. 23-14

A RESOLUTION OF THE CITY OF CLEARWATER,
FLORIDA, AMENDING COUNCIL RULES; PROVIDING AN
EFFECTIVE DATE.

WHEREAS, Section 2.08 of the Clearwater City Charter requires the City Council to determine its own rules and order of business; and

WHEREAS, it is vital for local governments in Florida to use their meeting times productively because Florida law requires all public meetings to be noticed in advance, and because Florida law generally prohibits two or more Councilmembers from meeting separately in private; and

WHEREAS, the Courts have ruled that said meetings are considered limited public forums for purposes of First Amendment analyses; and

WHEREAS, the purpose of City Council meetings is to conduct an orderly meeting, to receive input from citizens regarding matters on the agenda, and to vote on Council business; and

WHEREAS, the City Council desires to respect the time that City staff devote to evening Council meetings, and allow department directors and other staff to return home to their families after their agenda items conclude; and

WHEREAS, the City Council reserves time at each meeting for citizens to speak on matters unrelated to the agenda, as long as said comments relate to City business, and as long as said comments do not disrupt the meeting or supersede discussion regarding items on the agenda;

now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF CLEARWATER, FLORIDA:

Section 1. Rule 6, Order of Business, be amended as follows:

(1) The order of business for a regular or special meeting of the City Council or Pension Trustees shall ordinarily be:

- A. Invocation
- B. Pledge

- C. Special recognitions and presentations (Proclamations, service awards, or other special recognitions. Presentations by government agencies or groups providing formal updates to Council will be limited to ten minutes.)
- D. Minutes of previous meetings
- E. Consent Agenda
- F. Public hearings (not before 6:00 p.m.)

Legislative and administrative matters:

1. Presentation of issues by City staff.
2. Statement of case by applicant or representative (5 minutes).
3. Council questions.
4. Comments in support and comments in opposition. See subsection (3) below regarding time limitations for speakers.
5. Council questions.
6. Final rebuttal by applicant or representative (5 minutes).
7. Council motion to determine disposition.

Quasi-judicial Hearings:

1. Staff states its recommendation and briefly summarizes its reasons for the recommendation and submits record (minutes, staff report, and application) adduced before the Community Development Board (2 minutes).
2. Applicant presents case, including its testimony and exhibits. (15 minutes).
3. Staff presents further evidence. (10 minutes).
4. Public comment. See subsection (3) below regarding time limitations for speakers.
5. City Council discussion.
6. Applicant may call witnesses in rebuttal (5 minutes).
7. Conclusion by applicant (3 minutes).
8. Council motion to determine disposition.

Second Reading of Ordinances

1. Public comment. See subsection (3) below regarding time limitations for speakers.
2. Council motion to determine disposition.

All time limits may be extended upon request, if approved by a majority of the City Council.

- G. Citizens to be heard regarding items pertaining to City business but not on the agenda. For purposes of this role, "items pertaining to City business" includes any matter within the Council's or the City Manager's power to act, any

matter that the Council previously voted on or discussed at the *dais*, or any matter discussed by or scheduled to be considered by another governmental entity that affects the operation of the City. Each person who wishes to address the Council shall complete a comment card and submit the card to the City Clerk (right-hand side of dais) before the speaker will be permitted to speak. However, if the speaker has just arrived or decided to speak, the Chair may allow the card to be filled out after speaking. Individuals will limit their comments to a maximum of three minutes. The Mayor shall advise the speaker that their time has expired. If the person remains at the podium, thereby interfering with other persons who may wish to be heard, the speaker's microphone may be turned off, or the Mayor may rule the person out of order in accordance with Rule 15.

- H. City Manager reports.
- I. City Attorney reports.
- J. Council Discussion Items (work session only)
- K. Other Council action (if agendaed from work session)
- L. Closing comments by Councilmembers (limited to 3 minutes)
- M. Closing comments by Mayor.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this _____ day of September, 2023.

Brian Aungst, Senior
Mayor

Approved as to form:

Attest:

David Margolis
City Attorney

Rosemarie Call
City Clerk