

## **COUNCIL RULES**

### **RULE 1**

#### **SCHEDULING COUNCIL MEETINGS/WORK SESSION AGENDAS**

- (1) The City Council shall meet on the first and third Thursdays of each month at 6:00 p.m. in its chamber. However, in July, the City Council shall hold one regular night meeting on the third Thursday of the month. There will be no regular meeting on the third Thursday of December or the first Thursday of January. The Council will make this determination at the time the annual meeting calendar is being compiled. The day of the meeting may be changed by majority vote of the Council.
- (2) Except as may be rescheduled from time to time when necessary due to conflict, a work session shall be held at 4:00 p.m. 9:00 a.m. on the first working day of the Council meeting week. Work sessions are primarily designed for information gathering and guidance, and no formal Council decision approving or disapproving an agenda item or items scheduled for public hearing may be made. No public input will be accepted at work sessions except by consensus of Council. Only items on the work session agenda will be discussed. Items not on the agenda may be brought up by the Council or staff during the work session asking they be scheduled for subsequent meetings or work sessions.
- (3) Community meetings will be scheduled as requested by the Council.

### **RULE 2**

#### **REQUIREMENTS FOR QUORUM**

A quorum for the transaction of business by the City Council shall consist of three (3) Councilmembers.

### **RULE 3**

#### **MANDATORY MEETING ATTENDANCE FOR CITY OFFICIALS**

The City officials whose regular attendance shall be required during the sittings of the Council shall be the City Clerk, City Manager and City Attorney or their substitutes.

**RULE 4**  
**DUTIES AND RESPONSIBILITIES OF “CHAIR”**

The Mayor shall be the presiding officer of the City Council, and shall be referred to as the “Chair” when sitting in that capacity. In case of the absence of the Mayor, the Vice-Mayor shall assume those responsibilities, and if both are absent, the senior Councilmember in years of service shall preside. The Chair shall preserve order. The Chair may call to order any member of the Council who shall violate any of the rules; and shall decide all questions of order, subject to a majority vote on a motion to appeal. The Chair shall recognize all members who seek the floor as provided in Rule 8. The Chair shall not make or second a motion.

**RULE 5**  
**DUTIES OF VICE-MAYOR IN ABSENCE**  
**OF MAYOR**

Pursuant to Charter section 2.05, "the Vice-Mayor shall act as Mayor during the absence or inability of the Mayor to perform the duties of the office of the Mayor." For the purpose of that section, the Mayor shall be considered absent if there are duties of the office which must be performed and the Mayor is not present and able to perform them.

**RULE 6**  
**ORDER OF BUSINESS**

- (1) The order of business for a regular meeting 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. Citizens to be heard regarding items not on agenda. 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). Individuals will limit their comments to a maximum of three minutes.
  - F. Consent Agenda
  - G. 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. Decision.

Second Reading of Ordinances

1. Public comment. See subsection (3) below regarding time limitations for speakers.

All time limits may be extended upon request, and upon approval of request by majority of City Council.

- 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.

The order of business for a worksession meeting shall ordinarily be:

- a. Presentations
- b. Departmental Review of upcoming Council Agenda items
- c. City Manager Verbal Reports
- d. City Attorney Verbal Reports
- e. Council Discussion Items (agenda via City Manager)
- f. New business (items not on the agenda may be brought up asking they be scheduled for subsequent meetings or work sessions in accordance with Rule 1 Paragraph (2))

(2) **Motion process for agenda items with Ordinances or Resolutions:** agenda items will be presented by staff followed by questions by Council, public input, a motion and second on the agenda item, discussion/comments by Council, vote, a motion and second on the ordinance or resolution, discussion/comments by Council, and vote.

**Motion process for other agenda items:** agenda items will be presented by staff, questions by Council, public input, a motion and second on the agenda item, discussion/comments by Council, and vote.

(3) Public comments in support or opposition of items before the Council shall be limited to a total of 60 minutes, which can be extended upon Council approval. Unless otherwise specified, persons speaking before the City Council shall submit a completed comment card and be limited to three minutes per speaker. Representatives of a group may speak for three minutes plus an additional minute for each person in the audience that waives their right to speak, up to a maximum of ten minutes. A comment card will be provided to document the request for additional time and those agreeing to waive their right to speak. No person shall speak more than once on the same subject at the same meeting unless granted permission by the City Council. When time limits are set for speakers, unused time cannot be passed from one speaker to another. Extensions of time limits can be given if approved by the Chair.

## **RULE 7 AGENDA/EXPENDITURE OF FUNDS/ WAIVER OR CHANGE OF RULES**

(A) The City Manager or City Attorney may agenda an item. Any Council item must be agendaed for discussion at a work session prior to the item being placed on a Council Agenda. Any citizen may request a member to agenda an item, even though staff has assured petitioner that adverse action may result. The Chair cannot depart from the prescribed agenda but the Council may do so by a majority vote or by consensus in response to a suggestion from the Chair. Continuance may be granted by a majority vote of the Council upon the motion of any Councilmember. The public will be allowed to speak on an item to be continued if that item is an advertised public hearing, but no other action shall be taken.

(B) Except for items advertised for public hearing, items may be removed from the agenda. Emergency items may be added to the agenda by the City Manager or City Attorney without prior notice. Councilmember requested items that have not been considered at a work session can be discussed at a Council meeting upon a majority vote of the council to do so. The agenda may be reordered.

(C) Any expenditure of funds requiring Council action must be on the agenda, with appropriate support material. No action may be taken on expenditures not on the agenda unless the Council determines by the affirmative vote of a majority plus one to permit action to be taken.

(D) The rules may be waived or changed only upon the affirmative vote of a majority plus one.

## **RULE 8 DEBATE OF MOTIONS, TIE VOTES**

Council may discuss an agenda item after a motion being made. Such discussion may be interactive between the Councilmembers and may be ended at any time by a motion to call the question. Otherwise, any member of the Council making a motion shall address the Chair and await recognition before speaking. The person making the motion is entitled to the floor first for debate. No one is entitled to the floor a second time on the same motion as long as any other member who has not spoken on the issue desires the floor. The Chair must recognize any person who seeks the floor while entitled to it.

When a motion is made and seconded, it shall be stated by the Chair, if necessary, before any debate shall be in order. All questions shall be stated and put by the Chair, and the Chair shall declare all votes.

Motions and any amendments can be withdrawn or modified by the maker at any time prior to the Chair stating the question on the motion; after that time, the permission of the Council majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor, unless a vote to call the question passes.

Charter Section 2.08 provides that except in certain circumstances "... no action shall be valid or binding unless adopted by the affirmative vote of the majority of all council members." Therefore a tie vote or a 2-1 vote shall constitute a continuance of the item to the next regularly scheduled meeting, but upon a tie vote or a 2-1 vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Councilmember.

**RULE 9  
NON-DEBATABLE MOTIONS**

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
Call the previous question.

**RULE 10  
RECONSIDERATION**

Any member of the Council who voted with the prevailing side may move a reconsideration of any action of the whole Council provided that the motion be made at the same meeting at which the action was taken. A motion to reconsider shall be in order at any time (during the meeting at which the action was taken) except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject or matter at the same meeting.

**RULE 11  
RESCISSION OF COUNCIL ACTION**

Council action may be rescinded by a majority vote. The motion may be made by any Councilmember.

**RULE 12  
BREAKS/RECESSES**

The Council shall, at the direction of the Chair, take a break as needed and may recess for meals if the members of the City Council agree by their vote.

**RULE 13  
COUNCIL MINUTES**

Copies of the minutes of regular meetings shall be furnished prior to the next meeting. Such minutes shall stand confirmed at the regular meeting of the Council without the reading thereof in open meeting unless some inaccuracy or error be pointed out by some member of the Council present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Councilmember with transcribed excerpts of tapes of City Council meetings.

## **RULE 14 RULES OF ORDER**

Except as provided herein, or as may be required by Florida law or the City Charter, the rules of the City Council for the conduct of its business shall be as provided in the most recent edition of Robert's Rules of Order.

## **RULE 15 RULES OF CONDUCT**

At all times, the Council, staff and public shall conduct themselves in a respectful and civil manner. The Chair shall rule out of order any person who, in the Chair's determination, is making obscene, profane, impertinent, irrelevant, immaterial, inflammatory statements or inciting violence or fighting. The determination of the Chair or a majority of the Council shall be final on such matters. No member of the audience shall, during a Council Meeting, make or cause to be made any audible or disruptive sound or noise. Signs or graphic displays of any kind shall not be displayed in Council chambers, except in connection with a presentation made to the Council by a speaker at the podium. All persons shall at all times conduct themselves in accordance with these rules and failing such shall be removed from the Council Chambers. In the event of such removal such person shall not thereafter be readmitted to the Council Chambers during the same meeting. The Chair may recess the meeting, if deemed necessary, in order to restore order.

<b>Resolution No.</b>	<b>Date Adopted</b>
77-44	5-12-77
77-129	11-23-77
78-65	6-01-78
80-62	5-15-80
80-101	9-19-80
80-118	11-06-80
81-32	4-16-81
81-92	8-06-81
82-33	4-01-82
82-36	4-15-82
82-115	12-16-82
82-119	12-16-82
83-42	4-07-83
83-75	7-07-83
85-47	6-20-85
86-18	2-20-86
86-30	5-01-86
88-61	12-01-88
89-21	4-20-89
92-79	12-17-92
93-04	1-07-93
93-44	7-01-93
93-45	7-01-93
93-75	12-02-93
94-8	1-03-94
94-16	1-31-94
94-31	4-21-94
94-67	8-15-94
94-74	9-15-94
95-16	2-02-95
95-35	3-16-95
95-77	10-05-95
96-11	1-18-96
96-68	10-17-96
01-43	12-13-01
06-21	03-16-06
07-32	10-17-07
10-11	03-18-10
10-21	08-05-10
12-17	10-04-12
14-18	05-15-14
15-13	05-07-15
16-13	05-05-16
16-21	08-17-16

17-37

10-05-17