

## **RESOLUTION NO. 26-02**

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, the Courts have ruled that City Council meetings are limited public forums for purposes of First Amendment analyses; and

WHEREAS, the primary 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 wishes to balance this purpose with the desire of citizens to publicly address City leaders regarding topics not on the agenda; and

WHEREAS, the City Council had reserved a time for this purpose prior to the adoption of Resolution 25-03; and

WHEREAS, the City Council finds that thirty (30) minutes is an appropriate and reasonable time-frame for City leaders to hear public comment regarding any matter relevant to the City that is not on the Council agenda; and

WHEREAS, the City Council wishes to maximize the number of different speakers who can be heard during that thirty (30) minute window; and

WHEREAS, the City Council finds that three (3) months is an appropriate time-frame in which to evaluate the reasonableness of these rules; 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 on topics pertaining to City business but not on the agenda.

- H. City Manager reports.
- I. City Attorney reports.
- J. Other Council action
- K. Closing comments by Councilmembers (limited to 3 minutes)
- L. Closing comments by Mayor

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(3) Public comment shall be accepted only during portions of the meeting where a motion is made or other proposition is debated by the Council. Ordinarily, this means that public comment will be accepted during the Consent Agenda, Public Hearings, and Citizens to be Heard. Public comment shall also be accepted during Other Council Action, if a motion is made or other proposition is debated by the Council. The following rules shall govern all public comment, regardless of the portion of the meeting in which the public comment occurs:

- A. Persons speaking before the City Council shall submit a completed comment card to the City Clerk (right-hand side of *dais*) before the speaker will be permitted to speak. If the speaker has just arrived or decided to speak, the Chair may allow the card to be filled out after speaking.
- B. Each individual may speak for a maximum of three (3) minutes. The Mayor shall advise the speaker that their time has expired.
- C. If the speaker remains at the podium after the speaker's time has expired, 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.
- D. No person shall speak more than once on the same subject at the same meeting unless granted permission by the City Council.

(4) In addition to the rules set forth in Section 1(3), which govern all public comment, the following additional rules shall govern public comment regarding items on the agenda:

- A. Comments in regard to agenda items pending before the Council shall be limited to a total of sixty (60) minutes, which can be extended upon Council approval.
- B. Representatives of a group may speak for three (3) minutes plus an additional minute for each person in the audience that waives their right to speak, up to a maximum of ten (10) minutes. A comment card will be provided to document the request for additional time and those agreeing to waive their right to speak. When time limits are set for speakers, unused time cannot be passed from one speaker to another.

(5) In addition to the rules set forth in Section 1(3), which govern all public comment, the following additional rules shall govern public comment during Citizens to be Heard:

- A. Comments in regard to items not on the agenda shall be limited to thirty (30) minutes total, or ten (10) individual speakers, whichever is greater. The time limit or number of speakers can be extended upon Council approval.
- B. No speaker shall give or receive additional time or minutes to or from another member of the audience.

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

Section 3. This resolution shall expire on May 8, 2026. Following its expiration, the phrasing of Council Rule 6 shall revert to the version that existed on February 4, 2026.

PASSED AND ADOPTED this 5th day of February, 2026.

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Bruce Rector  
Mayor

Approved as to form:

Attest:

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David Margolis  
City Attorney

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Rosemarie Call  
City Clerk