

## **RESOLUTION NO. 23-04**

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, CREATING A CITY COUNCIL RULE RELATING TO THE RECEIPT AND ACKNOWLEDGMENT OF CITIZEN COMMENTS SUBMITTED BY ELECTRONIC MEANS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute § 286.0114(2) guarantees the public's right to be heard regarding any proposition brought before the City Council for a vote or official action; and

WHEREAS, Council Rule 6 describes the procedure and timing to be utilized for in-person comments; and

WHEREAS, Council Rule 1 provides for evening meetings of the City Council, which the City Council has found conducive to maximizing public participation; and

WHEREAS, citizen comments are occasionally submitted in advance, by electronic means, rather than the citizen speaking to the Council directly during the Council meeting; and

WHEREAS, the current Council rules do not define the process by which said comments are to be received or acknowledged; and

WHEREAS, an informal practice has arisen in which the City Clerk reads each citizen's comments aloud when submitted by electronic means prior to the meeting; and

WHEREAS, this practice arose during the COVID-19 pandemic, in an effort to promote citizen engagement during a time when in-person meetings had been suspended; and

WHEREAS, the City Council has returned to Thursday evening meetings in person, which can be and often are attended by citizens; and

WHEREAS, the City Council utilizes an electronic system called iLegislate that is capable of receiving and categorizing citizen comments submitted by electronic means; now therefore

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

Section 1. Rule 6, Council Rules is hereby amended as follows:

### **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. Any citizen who submits electronic comments by 5:00pm on the calendar day prior to a Council meeting at which official action is to be taken, when said comments are designated specifically for the next Council meeting, will be acknowledged by name. The Chair shall read the citizen's name phonetically, unless the citizen has indicated a different pronunciation. The Chair shall not read the citizen's comment aloud, but shall verbally confirm with the City Clerk that each citizen comment has been received into the record. Each person who wishes to address the Council in person 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 (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 speaker's microphone may be turned off after that time.
- 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. Comments submitted electronically by 5:00pm on the calendar day prior to the meeting will be acknowledged in the same manner as comments submitted pursuant to Council Rule 6(1)-E.
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. Comments submitted electronically by 5:00pm on the calendar day prior to the meeting will be acknowledged in the same manner as comments submitted pursuant to Council Rule 6(1)-E
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.

\*\*\*

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

PASSED AND ADOPTED this \_\_\_th day of March, 2023.

---

Frank Hibbard  
Mayor

Approved as to form:

Attest:

---

David Margolis  
City Attorney

---

Rosemarie Call  
City Clerk