



Legislation Details (With Text)

File #: ID#19-6627 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 8/13/2019 **In control:** City Council
On agenda: 8/14/2019 **Final action:** 8/14/2019
Title: Approve changes to City Council Rule 6 Order of Business and Rule 15 Rules of Conduct and adopt Resolution 19-27.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Res 19-27 council rules.pdf

Date	Ver.	Action By	Action	Result
8/14/2019	1	City Council		

SUBJECT/RECOMMENDATION:

Approve changes to City Council Rule 6 Order of Business and Rule 15 Rules of Conduct and adopt Resolution 19-27.

SUMMARY:

Staff is recommending changes to the Council Rules to address citizen conduct and maintain meeting order. Florida Law authorizes Council to make rules regarding the conduct of city meetings including requiring citizens who wish to be heard to fill out a comment card prior to speaking. Therefore, Council has the authority to deny any citizen who refuses to fill out a comment card the privilege of speaking, and further to be removed from the meeting if they continue to disrupt the proceedings. Specifically, staff recommends adding clarifying language to the Order of Business to indicate that comment cards must be filled out prior to speaking, and that the microphone may be turned off after a speaker's three minutes is up. The suggested changes follow, in bold/underline:

ORDER OF BUSINESS

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) **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.**

Furthermore, it is recommended to change the Rules of Conduct to identify *behavior* which disrupts the meeting, as opposed to the disruptive *content of speech*. Speech on matters of public concern, especially made in a setting generally open to speakers, is entitled to special protection under the First Amendment." In order to balance citizens' freedom of speech with Council's right to maintain order and decorum, the following changes are suggested, in bold/underline:

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 se actions, in the Chair's determination, disrupts the meeting. Examples of disruptive actions include, but are not limited to: 1) repeatedly interrupting a speaker or Council member when not recognized; 2) shouting and talking in a manner that prevents a speaker or Council member from being heard or that otherwise hinders the progress of the meeting; 3) refusing to leave the podium once the allotted time to speak has expired; 4) blocking paths for emergency exit from the meeting room, engaging in any conduct that prevents a member of the audience from seeing or hearing Council members during a meeting, standing on chairs or tables within the meeting room; 5) exhibition of signs or graphic displays of any kind, except in connection with a presentation made to the Council by a speaker at the podium; 6) approaching the dais without permission; 7) threats of violence; or 8) engaging in conduct that is a criminal offense. 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.