

RESOLUTION NO. 2021-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA PROVIDING FOR AMENDMENT OF RESOLUTION 02-02 AND RESOLUTION 2014-02, PERTAINING TO THE ORDER OF BUSINESS AND CONDUCT OF PUBLIC MEETINGS; PROVIDING FOR THE RELOCATION OF VOX POP ON THE AGENDA; PROVIDING FOR AN OVERALL LIMITATION TO THE TIME ALLOCATED FOR VOX POP, A REDUCTION OF THE TIME FOR EACH SPEAKER TO TWO MINUTES, AND PRIORITY FOR CITY RESIDENTS OR BUSINESS OPERATORS; AND PROVIDING FOR REVISED AND RENAMED PUBLIC MEETING RULES ATTACHED HERETO AS EXHIBIT "A", AS PROVIDED HEREIN.

WHEREAS, the right of the public to address the City Council on matters other than items open to public comment in the City Council meetings is of the utmost importance in the operation of city government;

WHEREAS, the business and legislative agenda of the City Council includes matters of great public importance to the City which must take priority over unscheduled matters brought before the City Council;

WHEREAS, the City Council wishes to ensure that scheduled matters before the City Council are given the greatest priority over unscheduled matters brought before the City Council;

WHEREAS, the City Council adopted Resolution 02-02, which incorporated therein an Exhibit "A" providing for the order of business, rules of decorum and standards of conduct for public officials for public meetings of the City Council;

WHEREAS, the City Council adopted Resolution 2014-02 amending the rules of decorum and procedure for City Council meetings;

WHEREAS, the City Council wishes to incorporate the provisions of Resolution 2014-02 and Exhibit "A" to Resolution 02-02 and to include additional amendments as provided herein, to provide a restated and amended Public Meeting Rules, establishing the order of business, rules of decorum and standards of conduct for public officials for public meetings of the City Council and City boards; and

WHEREAS, the City Council hereby finds that this Resolution is in the best interests of the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of New Port Richey, Florida, that the attached "City of New Port Richey Public Meeting Rules", providing for the order of business, rules of decorum and standards of conduct for public officials for public meetings of

the City Council, are hereby adopted and shall supersede all prior versions thereof, however designated.

DONE AND RESOLVED on the 2nd day of March, 2021.

ATTEST:

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By: _____
Timothy P. Driscoll, City Attorney

EXHIBIT "A"

CITY OF NEW PORT RICHEY

PUBLIC MEETING RULES

APPLICATION

The following rules and procedures apply to all public meetings of the City Council (the "Council") and all other boards and committees established by the City Council which are subject to the public meetings laws of Chapter 286, Florida Statutes, (the "Board(s)") except for the Development Review Committee and any official actions taken at such meetings, except: (1) official acts that must be taken to deal with an emergency situation affecting the public health, welfare, or safety if compliance with these requirements would cause an unreasonable delay in the ability of the Council or Board to act; (2) official acts involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations; (3) meetings that are exempt from Section 286.011, Florida Statutes, or (4) quasi-judicial actions of the Council or Board.

**ORDER OF BUSINESS
FOR CITY COUNCIL MEETINGS**

REGULAR MEETINGS

• **AGENDA**

The agenda for all regular meetings of the City Council shall be prepared by the City Manager. The agenda shall reflect the following order of items, unless the City Manager elects to make alterations in order to accommodate the needs of the City Council or those persons in attendance at the meeting.

1. Call to order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence and/or Invocation
4. Approval of prior meeting minutes
5. Consent Agenda
6. Public Hearings for matters that are not ordinances
7. Public reading of ordinances
8. Business items

9. Vox Pop for items not on the agenda or for items on the Consent Agenda
10. Communications
11. Adjournment

- VOX POP

The Vox Pop item at regular meetings of the City Council is an opportunity for citizens in the audience to address the City Council on matters that are not specifically listed on the agenda for that meeting or for items that are listed on the consent agenda. A person who wishes to speak to the City Council will be limited to a maximum of two (2) minutes. The Mayor shall designate a person to keep a time clock limiting each speaker to two (2) minutes. Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers are permitted to read prepared statements, if they wish. Speakers are not permitted to read letters from other persons during Vox Pop. Prepared letters should be presented to the City Clerk. Multiple copies should be provided for distribution to the Council members.

Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

Vox Pop shall be limited to a total of twenty (20) minutes. Speakers who sign up in advance shall be given priority over those who do not sign up. At the conclusion of the allotted time, no further speakers shall be allowed unless the time is extended by the Mayor or other presiding officer, in his or her sole discretion. Priority may be given by the Mayor or other presiding officer to speakers who reside or operate a business within the city limits who provide such address during the meeting.

During Vox Pop, the discussion cannot include issues on the agenda or previously acted on by the Council at the same meeting. If the matter was not listed on the meeting agenda, the members of the Council must limit their participation to listening to the speaker and asking questions of the speaker and/or appropriate City staff for clarification only. Under no circumstances may the Council discuss or take any action on matters presented under such circumstances.

- CONSENT AGENDA

Items on the Consent Agenda are those which do not require discussion by the Council members or by citizens. If a Council member wishes for an item listed on the Consent Agenda to be discussed, then that member should request that the item be removed from the Consent Agenda.

- PUBLIC HEARINGS

For matters scheduled on the agenda for a public hearing, speakers should address the Council from the podium. All speakers must identify themselves prior to speaking by stating their name and full address for the record. Members of the audience will be permitted to speak to the City Council on public hearing items, prior to action on items by the City Council. Once the public hearing is closed, and the matter is discussed by the City Council, then no persons will be permitted to address the City Council on the matter.

- PUBLIC READING OF ORDINANCES

Ordinances will be read by title unless the City Council votes to read the ordinance in full. The chair will receive comment from the public on the ordinance prior to formal consideration and a vote by the City Council. Persons wishing to address the City Council shall do so from the podium. All speakers must identify themselves prior to speaking by stating their name and full address for the record.

- BUSINESS ITEMS

- A) For each business item the matter will be introduced by the City Manager and a staff recommendation, if appropriate, will be provided.
- B) The petitioner who requested that the item be placed on the agenda, whether a member of the audience or a member of Council, will be given an opportunity to address the Council on the contents of the item, and may be allotted additional time in the discretion of the Mayor or presiding officer.
- C) City Council members will be given an opportunity to provide brief comments on the item, at the discretion of the presiding officer.
- D) Members of the audience will be given an opportunity to comment on the business item. All persons wishing to address the City Council shall do so from the podium. Speakers must identify themselves by stating their name and full address for the record. Persons addressing the City Council on business items will be limited to one opportunity to speak to the Council on each item.
- E) Following the receipt of comments from persons in the audience, the City Council will introduce a motion and undertake its discussion and vote on the business item.

- COMMUNICATIONS

This item is an opportunity for members of the Council, or the City Manager, to communicate with each other on matters of interest to the members. This is an opportunity for members to request that items to be placed on a future meeting agenda or to discuss business items for which no action is required.

- REPORT FROM COMMITTEES

This item is an opportunity for those members of Council who sit as the City's appointed representative to other boards or committees, to report to the other members of the Council on those business items which may be of interest to the Council. This is an opportunity for discussion of business items from other agencies on which no action by the City Council is required. These items may be placed on the agenda as necessary.

WORK SESSION MEETINGS

The City Manager or the Mayor may call a work session meeting of the City Council. The purpose of a work session meeting is to discuss items of particular interest to the Council or to discuss items before the full Council which have been requested by individual members. Work Session meetings will be held in order to allow for Council member discussion in an open meeting. Other persons who attend work session meetings will be given an opportunity to address the City Council at the Vox Pop portion of the work session meeting.

The agenda for all work session meetings of the City Council shall be prepared by the City Manager. The agenda shall reflect the following order of items, unless the City Manager elects to make alterations in order to accommodate the needs of the City Council or those persons in attendance at the meeting.

- AGENDA

1. Call to order – Roll Call
2. Discussion Items
3. Vox Pop for items listed on the agenda
4. Adjournment

- VOX POP – WORK SESSION

Each work session will include an item for citizen comment. Comments from persons in the audience will be limited to those items that are listed on the agenda for the work session and all persons addressing the Council will be subject to a three (3) minute time limit. The Mayor shall designate a person to keep a time clock limiting each speaker to three minutes. Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers are permitted to read prepared statements, if they wish. Speakers are not permitted to read letters from other persons during Vox Pop. Prepared letters should be presented to the City Clerk. Multiple copies should be provided for distribution to the Council members.

Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and

derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

The Mayor or presiding officer shall determine the amount of time allocated to Vox Pop, in his or her sole discretion.

ADDRESSING THE COUNCIL OR BOARD

The presiding officer must allow for public comment on all action items, except as otherwise provided herein, prior to action by the Council or Board. The presiding officer may allow for public comment during a designated public comment section prior to all agenda items, or as each item appears on the agenda as the presiding officer deems fit.

Each person who wishes to address the Council or Board shall first secure the permission of the presiding officer to do so. The remarks of each speaker are limited to three (3) minutes, unless otherwise provided herein. The presiding officer shall be responsible for tolling the time and advising the speaker when his or her time has expired. When the speaker's time is finished he or she shall leave the lectern. The presiding officer may extend the time of any speaker in his or her sole discretion, if the speaker has information deemed necessary by the presiding officer or at the request of any other member of the Council or Board.

When the person is recognized by the presiding officer, each person addressing the Council or Board shall step up to the microphone and shall give his or her name and full address in an audible tone of voice for the records.

If requested by the presiding officer, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization, and whether the person is being compensated by the organization.

All remarks shall be addressed to the Council or Board as a body and not to any member thereof.

No person other than Council members or Board members, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Council or the Board, without the permission of the presiding officer. No questions shall be asked except through the presiding officer.

Speakers should make their comments concise and to the point, and present any data they wish the Council or Board to consider.

DECORUM AND ORDER

The Mayor or other presiding officer shall preserve decorum and order at City Council meetings and shall decide all questions of order. During Council meetings, Council members shall preserve order and decorum and shall neither by conversation or otherwise, delay or interrupt the proceedings, nor refuse to obey the orders of the presiding officer.

Every member of Council wishing to speak, shall address the chair and upon recognition by the presiding officer, shall be permitted to speak. Members of the Council shall afford the utmost courtesy to each other, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities. Council members shall confine their questions and remarks to the particular matter before the Council.

Persons attending Council meetings shall also observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. All remarks and questions from members of the audience shall be addressed to the City Council as a whole and not to any individual member thereof. No person, other than members of the City Council and the person having the floor, shall enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer.

All those in attendance must be respectful of others' opinions and refrain from making personal attacks. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the presiding officer and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned may be barred from making any additional comments during the meeting by the presiding officer, unless permission to continue or again address the Council or Board is granted by the majority of the Council or Board members present or the presiding officer.

If the presiding officer or a majority of the Council or Board declares an individual out of order, he or she may be requested to relinquish the podium. If the person does not do so, he or she may be subject to removal from the meeting room. Persons exiting the meeting room shall do so quietly.

Disruptive clapping, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall not be allowed, except clapping in response to ceremonial activities initiated by the Council or Board.

The presiding officer shall have the right to designate the placement of video, still or phone cameras within the meeting room to minimize disruptions at the public meeting. The use of cell phones for telephone calls is not permitted while the meeting is in session, except for during breaks or recesses. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the meeting room to answer any incoming cell phone calls.

The presiding officer shall preserve order and decorum, prevent clashes of personalities or the impugning of members or motives, confine members in debate to the question under discussion and shall decide all points of order to an appeal to the Council or Board. The Chief of Police, or such member or members of the New Port Richey Police Department as the Chief of Police so designates, shall be the Sergeant-at-Arms of the Council or Board. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum of the meetings.

SIGNS, PLACARDS, BANNERS

For public safety purposes, no signs or placards mounted on sticks, posts or similar structures shall be allowed in the Council or Board meeting rooms. Other signs, placards, and banners shall not disrupt meetings or interfere with others' visual rights.

STANDARDS OF CONDUCT OF CITY BUSINESS FOR ELECTED OFFICIALS

Mayor

The Mayor, as established by the City Charter, is the ceremonial head of the City. As the ceremonial head, the Mayor attends such civic special events as the Mayor deems appropriate. In attending, it is understood that the Mayor is merely a ceremonial head of the City and the Mayor's appearance does not in any way designate legal support, liability or obligation upon the City Council of the City of New Port Richey. The City Council must act as a body before any such obligation is binding upon the City of New Port Richey.

In addition to serving as ceremonial head, the Mayor, pursuant to the City Charter, is the presiding officer of the City Council and as the presiding officer, the Mayor's duties at regular meetings are specifically governed by Robert's Rules of Order. The Mayor is charged with having a working knowledge and with carrying out the intentions of Robert's Rules at every regular Council meeting.

Deputy Mayor

The Deputy Mayor shall attend all functions and chair all meetings for which the Mayor is unable to attend or unable to chair.

City Council Members

The City Council of the City of New Port Richey is a collegial body that must operate as a unit in order to act in any official capacity. As such, Council members deem it appropriate to work in a spirit of cooperation and to keep each other well informed of their actions prior to any public commitment by a single City Council member to an event, idea or plan of action.

Accordingly, prior to representing to the public that any new idea or project is a City sponsored project, each City Council member shall present to the Council as a whole, either in a work session or regular session, under the appropriate agenda format, the proposed action that member wishes the City to take. Such action could be to sponsor a community event, adopt an ordinance, construct public improvements or advance any other position. All members of the City Council should be given the opportunity to be informed of the project or idea. In that way, the City Council, as a group, may determine whether or not the City Council wishes to lend its official support to the project or idea. In the alternative, the City Council may ask that a Council member be involved in

a project or idea only as a member of the New Port Richey community but not as an official representative of the City.

Rev. 3/2/21