

RESOLUTION NO. 08-10

A RESOLUTION OF THE CITY OF LAKE ALFRED, FLORIDA; ESTABLISHING RULES OF ORDER GOVERNING MEETING AGENDA COMPOSITION AND RELEASE, COMMISSION MEETING PROCEDURES AND CITIZEN INVOLVEMENT AND PARTICIPATION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, according to the City of Lake Alfred's City Charter section 2.08 procedures; (b) rules and journal; The City Commission shall determine its own rules of order and adopt said rules by resolution; and

WHEREAS, in an effort to facilitate the preparation and orderly progression of meetings, the City Commission finds it necessary to develop procedural rules of order to facilitate and to ensure the efficient preparation of commission meetings and the orderly flow of business; and

WHEREAS, the City Commission deems it appropriate and necessary to create procedural rules governing agenda composition and release as well as commission meeting procedures and citizen involvement; and

WHEREAS, it is the intention of the City Commission that by creating said rules, City business will be addressed and conducted in an efficient, uniform and orderly manner; and

WHEREAS, the establishment of said rules shall govern and apply to each member of the Commission, all staff members and all other individuals in attendance.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Alfred, Florida, as follows:

Section 1. Creation and Adoption of Rules of Procedure

This Resolution shall serve and shall create rules of procedure to provide for the preparation and conducting of business at Commission meetings as specified herein, for the purpose of facilitating and achieving uniformity, efficiency and order.

Section 2. Definitions.

The following words, terms and phrases when used in this Resolution, shall have the meanings described to them in this Section unless the context clearly indicates a different meaning:

- a. Chair - shall mean the Mayor, or in his or her absence, the Vice-Mayor, or in his or her absence the presiding member. The Chair refers to the person in a meeting who is actually presiding at the time, whether that person is the regular presiding chair or not.
- b. Member - means the Mayor and each and every Commissioner.
- c. Regular Meeting - a meeting of the City Commission held on the first and third Monday of each month at 7:30 p.m. for the purpose of conducting and transacting the business of the City through voting on motions proposed by any member.
- d. Special Meeting - a special meeting may be held at the pleasure of the mayor, majority of the City Commissioners, in emergency situations or due to urgent needed

business transactions. The special meetings will be held in accordance with the Sunshine law and motions and voting are permitted. Special meetings may also be held in conjunction with a workshop meeting as long as they are advertised properly.

e. Workshop Meeting - is a meeting of the City Commission for the purpose of the Commission being informed on and discussing matters of special concern that require time in excess of that usually afforded for agenda items scheduled at a regular meeting. No motions or voting are permitted at a workshop meeting except for a motion to adjourn.

Section 3. Agenda Composition and Public Release.

A. Agenda Composition - In composing the agenda of a regular meeting, the following order shall be observed: (Employee recognitions, presentations, proclamations and any other business issues not addressed will be placed on the Agenda in the order given from the direction of the City Manager.)

1. Call to order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. City Announcements
6. Attorney Announcements
7. Recognition of Citizens
8. Consent Agenda
9. Public Hearings /Unfinished Business
10. New Business
11. Recognition of Citizens
12. City Commission Questions and Comments
13. Final Adjournment

Employee recognitions, presentations, proclamations and any other business issues not addressed above will be placed on the Agenda in the order given from the direction of the City Manager.

B. As listed above, there shall be a Consent Agenda at each particular regular meeting. Among other items, the Consent Agenda shall contain all prior meeting minutes that have not yet been approved.

C. Any member who desires to add an item to a prospective agenda for a workshop or regular meeting, must request said addition by contacting the City Manager or his or her authorized designee prior to noon on the Wednesday immediately preceding the following Monday's meeting.

Section 4. Public Release of Agenda.

Each workshop and regular meeting agenda shall be finalized and available to the public no later than the close of business five calendar days immediately preceding the regular Commission meeting.

Section 5. Commission Meeting Procedures

The following rules and parliamentary procedures will govern each Commission meeting as specified herein.

A. General rules.

1. Each member shall comply with the laws of the Nation, State of

Florida, and the City of Lake Alfred in the performance of their public duties. These laws include, but are not limited to: United States and Florida Constitutions; the Florida State Code of Ethics; the Florida State Sunshine Laws; the Florida Public Record Laws; the City of Lake Alfred Charter; the laws pertaining to Conflicts of Interest, Election Campaigns, Financial Disclosures, the Open Processes of Government; and City Ordinances and policies.

B. Conduct of City Commission Members.

1. The professional and personal conduct of members must be above reproach and shall avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives upon other members of the Commission, the staff or the public.

2. Members shall perform their duties in accordance with the processes and rules of order established by the City Commission governing the deliberation of public policy issues; the active solicitation of meaningful involvement of the public; and support implementation of policy decisions of the City Commission by the City staff.

3. Members will fully and publicly disclose, business, professional, or financial interests with any individual, group, project or proposal that comes before this City at the outset of public discussion. City Commission members shall abstain from any decision making process in which he or she knows that will inure to his or her special private gain or loss as provided in Chapter 112, Florida Statutes.

C. Commission Rules Governing Meetings.

1. Prior to the initiation of business of any meeting, the Chair shall ensure that a roll call has been conducted and shall declare that a quorum has been established. No business shall be conducted by the City Commission without the establishment of a proper quorum.

2. Once the business of the consent agenda has been completed, and all minutes are approved, the minutes shall be signed and maintained by the City Clerk or designee.

3. Each member shall have the same right as any other member to debate on the floor an issue raised and there shall not be any requirement for the Chair to turn over and relinquish his or her position to another member simply because the Chair is making a motion or stating his or her position in a debate.

4. The ayes and nays of each vote shall be recorded and shall become a part of the minutes. A roll call vote or voice call vote shall be conducted by the City Clerk designee.

5. No member or person shall be allowed to speak unless recognized by the Chair, or unless invited by a majority vote of the entire Commission.

6. Following the adjournment of any meeting, no member shall conduct any further conversation with any other member on any matter previously discussed with the Commission or any other matter which could conceivably be made a topic for discussion by the Commission at a future meeting.

D. Parliamentary Meeting Policies.

1. No member shall introduce a motion or speak to a subject under discussion without acknowledgement and / or recognition by the Chair. When more than one (1) member requests recognition at the same time, the order of speakers will be decided as fairly as possible by the Chair.

2. The Commission should avoid any discussion of matters at a public meeting where the City is, or is likely to be, a party in litigation without concurrence by legal counsel.

3. The Chair shall decide all questions of procedure and order, and the decision shall stand unless reversed by a majority vote of the entire Commission.

4. The Chair shall recognize each member who has the floor and each citizen who is speaking.

5. Any particular item may be added to or taken out of its proper agenda order by a proper motion, seconded and voted on.

6. When a member believes that the rules of the Commission are being violated, he or she may make a "point of order", thereby calling upon the Chair for ruling and enforcement of the regular rules.

7. The Chair shall declare each meeting adjourned for one of the following reasons:

- a. End of scheduled meeting
- b. A set time for adjournment was previously established
- c. In the event of a sudden emergency affecting the safety of those persons present.

8. The above Robert's Rules and other rules pertaining to the Robert's Rules of Order Newly Revised shall govern the proceedings of the City Commission unless stated to the contrary pursuant to the City's Charter, state law, or other administrative rule or procedure. At any time, the Commission is able to supplement the Robert's Rules of Order Newly Revised or to change said rules as they apply to the Commission so long as said change is effected in writing, and if when accepted is incorporated into an amended resolution.

E. Citizen Involvement.

1. Citizen's attending the regular meeting of the Commission may participate at said meeting pursuant to the listing specified in the current agenda. In respect to a workshop meeting, citizens may only participate at the request of the Commission.

2. Members of the public addressing the Commission shall first identify themselves by their full name and address. The Chair shall rule out of order any member of the public who shall speak without being recognized or who shall not address the Commission from the podium or other established speaking area. Citizen comments shall be directed to the Commission as a body and not to individual members.

3. The City Commissions establishes a five (5) minute time limit for members of the public to address the Commission.

4. Signs or graphic displays of any kind shall not be displayed in the Commission chambers except in connection with a presentation made to the Commission by a speaker at the podium.

5. No weapons or objects that may be used as weapons shall be allowed in the Commission chambers. Persons, bags, packages, and parcels entering the Commission chambers are subject to search.

6. All persons shall at all times conduct themselves in accordance with Commission rules, and failing such shall be ruled out of order and may be directed to be removed from the Commission chamber. In the event of such removal, such person shall not thereafter be readmitted to the Commission chamber or City Hall during the same meeting.

Section 6. Resolutions in Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed to extent of said conflict.

Section 7. Severability.

If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining sections of this Resolution, which shall remain in full force and effect.

Section 8. Effective Date.

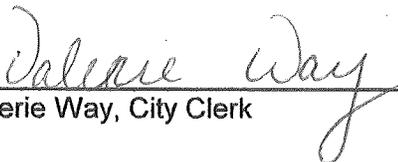
This Resolution shall take effect upon adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 6th day of July, 2010.



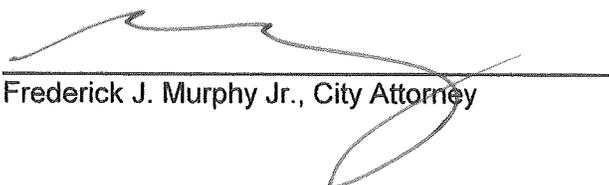
Jack C. Dearmin, Mayor

ATTEST:



Valerie Way, City Clerk

APPROVED AS TO FORM AND CONTENT:



Frederick J. Murphy Jr., City Attorney