

RESOLUTION 17-99

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA; ESTABLISHING RULES OF PROCEDURE TO PROVIDE FOR THE ORDERLY CONDUCT OF CITY MEETINGS; REPEALING ALL POLICIES OR RESOLUTIONS IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of Panama City Beach, from and after the effective date of this Resolution, that the Rules of Procedure attached and incorporated herein as Exhibit A to this Resolution, is hereby adopted.


AND BE IT FURTHER RESOLVED that all policies or resolutions or parts of policies or resolutions in conflict herewith are repealed to the extent of such conflict.

THIS RESOLUTION shall take effect on 6-8-17.

PASSED, APPROVED, AND ADOPTED in regular session this 8<sup>th</sup> day of June, 2017.

CITY OF PANAMA CITY BEACH

  
MIKE THOMAS MAYOR

ATTEST:  
  
DIANE FLOYD, CITY CLERK

## **RULES OF PROCEDURE**

It is the intent of the Panama City Beach City Council to provide for the smooth and orderly functioning of the business of the Council, boards and committees. As the City's procedure calls for the Chairperson to set the Rules of Procedure, the following procedures are established for all Regular, Special, Emergency and Workshop Meetings of the City Council and for all public meetings of all boards and committees established or appointed by the Council. These rules may be modified as circumstances dictate.

### **Workshop Meetings**

The purpose of a workshop meeting is to allow staff to make presentations and to allow questions by the Council, board, or committee members. Workshop meetings are noticed as Special Meetings and official action may be taken upon any of the items discussed at the workshop meeting and any of the items of official business that require immediate consideration and decision.

### **Chairperson Presiding Officer, Duties**

The Chairperson of the Council, board or committee shall preside at all meetings at which the Chairperson is present. In the absence of the Chairperson, the Vice Chairperson shall preside. The presiding officer shall preserve strict order and decorum at all meetings. Any member with the floor may make a motion, which shall be restated by the Chairperson prior to the vote. Following debate and vote, the Chairperson will announce the decision. A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered. The Chairperson may vote on all questions, the Chairperson's name being called last when the roll is called. In the absence of the Chairperson or in the event of the Chairperson's inability to serve, the Vice Chairperson shall perform the duties and functions of the Chairperson until the Chairperson's resumption of duty.

### **Issues of law or matters of procedure.**

The City Attorney shall advise and assist the Chairperson on issues of law and matters of procedure.

### **Agenda**

There shall be an official agenda for every public meeting, which shall determine the order of business conducted at the meeting.

A portion of the agenda may be designated as a consent agenda, and all items contained therein may be voted on with one motion; except that any member may remove an item from the consent agenda to the regular agenda where it shall be voted on independently.

Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Council, board or committee present at the meeting.

The agenda shall be prepared by the City Manager, or his designee.

There shall be provided on the agenda an opportunity for the public to address the Council, board or committee on any item on the agenda in addition to public hearings.

**Public Input: Addressing Council, Board, or Committee, Manner, Time**

Members of the public shall be given a reasonable opportunity to be heard on a proposition that is on the agenda before the Council, board or committee. The opportunity to be heard need not occur at the same meeting at which official action is taken on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the official action is taken.

A person wishing to speak shall approach the podium when the Chairperson calls for public comment.

The person speaking shall first state their name and address.

All remarks shall be limited to no more than three minutes, unless the Chairperson extends the time.

Remarks shall be addressed to the Council, board or committee, as a body and not to any specific member.

Representatives of groups or factions on a proposition being considered are encouraged to address the Council, board or committee, on behalf of such groups or factions, at meetings in which a large number of individuals wish to be heard.

Any person shall be entitled to submit written comments for consideration by the Council, board or committee on any item on the agenda and may indicate his or her support, opposition, or neutrality on a proposition, and may indicate his or her designation of a representative to speak for him or her or his or her group on a proposition. Written comments submitted shall be considered and entered into the record of the meeting.

The above requirements governing public input are not required for the following actions:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or Council to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. 286.011, Florida Statutes;

(d) A meeting during which the board or Council is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

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

No person who has made remarks shall be allowed to make additional comments except with the permission of the presiding officer. The Chairperson shall close the public's input portion of the meeting upon the conclusion of the last speaker's comments. No additional public's input shall be allowed, except in specific response to questions by members of the Council, board or committee, or if an extension of time for public comment is approved.

Any person who after warning disrupts or interrupts a public meeting by the use of profane language, threat of physical violence or intimidation, or makes ~~slenderous, personal, or~~ impertinent remarks, or exhibits loud, boisterous, hostile, or threatening behavior, may be removed from the meeting room by a City police officer at the direction of the Chairperson.

Any person who disrupts or interrupts a public meeting on more than one occasion may be required by majority vote of the members present to thereafter submit their input, remarks, or comments in writing.

#### **Cell Phones, Cameras, Video, Recording Devices.**

Cell phones shall be in silent mode in the chambers of any public meeting. The use of cameras, video equipment, digital recording equipment, including television and motion-picture cameras, electronic sound-recording devices, and any other mechanical or electrical recording device, shall only be used in such a manner as will cause a minimum of interference with or disturbance of the proceedings as determined by the presiding

officer. The City Manager may restrict the location of the use of such devices to a particular area in the chambers of any public meeting room.

### **Voting**

Voting. Unless otherwise provided by law, ordinance or statute, when the Council, board or committee has finished discussion and is ready to vote, the Chairperson shall call for the vote, and there shall be no further discussion by any member voting. Each member shall vote yes or no, and silence shall be considered a "yes" vote. When a matter is brought up for a vote on a motion to approve it and the motion fails, the status quo ante shall be maintained, and the matter shall be considered denied. Such a vote shall not preclude a subsequent motion at the same meeting to approve the motion with modifications.

Roll call. Upon any roll call, there shall be no discussion by any member prior to voting, and each member shall vote yes or no.

### **Rules of Debate**

As to the Chairperson. The Chairperson may make or second any motion after relinquishing the Chair. The Chairperson shall not resume the Chair until after the Council has acted upon the matter under consideration.

Getting the floor, improper references to be avoided. Every member desiring to speak for any purpose shall address the Chairperson and, upon recognition, shall confine discussion to the question under debate.

Interruption. A member once recognized shall not be interrupted when speaking unless it is to call that member to order. If a member while speaking is called to order, the member shall cease speaking until the question of order is determined by the Chairperson; and, if in order, the member shall be permitted to proceed. Any member may appeal to the full Council, board or committee from the decision of the Chairperson upon a question of order, whereupon without debate the Chairperson shall submit to the Council the question, "Shall the decision of the Chairperson be sustained?" And the matter shall be resolved by a majority vote of those present at the meeting.

Privilege of closing debate. Any member may move to close debate and call the question on the motion being considered which shall be non-debatable. By request of a member, the members shall be polled to decide whether debate may be reopened.

### **Committees**

Whenever the Chairperson deems it necessary or desirable that the Council board or committee, shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or non-governmental

organizations, or departments, agencies or officials of the City government, the Chairperson may nominate a member to represent the Council, board or committee at the meeting, conference or other occasion, with the consent of the nominated member. Such representative shall have no power to act for or on behalf of the Council, board or committee or to make any commitment or binding obligation on behalf of the Council or the City. Such representatives may report to the Council board or committee with regard to such meeting, conference or other occasion.