

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Christopher J. Kovanes, Interim Town Administrator

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: Resolution

AFFECTED DISTRICT: not applicable

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT TOWN COUNCIL MEETINGS.

REPORT IN BRIEF: On August 18th, the Town Council directed the Town Attorney's Office to prepare revised procedures for public participation. The Town Attorney's Office met separately with Mayor Truex, Vice-Mayor Paul, Julie Aitken, and the Town Clerk's Office and produced a draft of the procedures which was discussed by Council on October 20th. At the October 20th meeting, Council directed that the amended procedures be placed on the November 3rd agenda.

PREVIOUS ACTIONS: Council approved resolution R-90-318 on November 21, 1990

CONCURRENCES: not applicable

FISCAL IMPACT: not applicable

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution and general rules and procedures

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT TOWN COUNCIL MEETINGS.

WHEREAS, on November 21, 1990, the Town Council of the Town of Davie established the general rules and procedures for public participation at its meetings; and

WHEREAS, the Town Council wishes to amend said rules and procedures for public participation at its meeting; and

WHEREAS, the amendment of said general rules and procedures for public participation would allow Town Council meetings to be held in a more productive manner.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council hereby amends the general rules and procedures for public participation at its meeting, attached hereto as Exhibit "A".

SECTION 2. The Town Clerk is hereby instructed to post said general rules and procedures for public participation in the lobby of the Town Hall and to attach said rules and procedures to all Town Council agenda.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004

RULES FOR SPEAKING AT PUBLIC MEETINGS

The Town Council greatly values your opinions and encourages citizen participation. Anyone who wishes to speak at a public hearing will be allowed to do so, as long as you follow these "Rules for Speaking at Public Meetings."

I. WHO MAY SPEAK

All individuals wishing to speak will be allowed to speak in accordance with the procedure outlined below. Any individual who wishes to address the Council on any subject within the scope of the Council's authority, may do so by approaching the podium and speaking into the microphone when called by the Presiding Officer to address the Council. Individuals wishing to speak should complete a name/address slip (addressing the Council from the audience or from a site other than the podium will be deemed inappropriate).

II. SPEAKING ON ITEMS ON THE AGENDA

1. **Procedures for Consent Agenda:** Consent Agenda items are items which the Council does not need to discuss individually and which may be voted on as a group. Any member of the Council may remove an item from the Consent Agenda for discussion. If any member of the public wishes to have an item on the Consent Agenda removed, that individual may contact the Mayor or any other Councilmember(s) before the meeting and request the item be pulled from the Consent Agenda. The Mayor or Councilmember may request that the individual making the request be allowed to address the Council. Members of the public shall limit their address to the item being discussed and shall be granted three (3) minutes to address that item, unless further time is granted by the Presiding Officer
2. **Quasi-Judicial Consent Agenda:** Quasi-Judicial Consent Agenda items are items which the Council does not need to discuss individually and which may be voted on as a group. Any member of the Council may remove an item from the Quasi-Judicial Consent Agenda for discussion or for comment. Any member of the public may have an item removed from the Quasi-Judicial Consent Agenda by speaking to the Town Clerk and requesting to have the item removed prior to the meeting. In the event that an item is removed from the Quasi-Judicial Consent Agenda **for discussion**, the Town Attorney shall conduct a full quasi-judicial hearing on the item. Members of the public shall limit their address to the item being discussed and shall be granted three (3) minutes to address that item, unless further time is granted by the Presiding Officer
3. **Public Hearing Items:** Any individual may address the Council on items listed under this portion of the agenda. Any individual addressing the Council must state his or her name and the entity that the individual represents (if applicable) and give his or her address for the record. In addition, individuals wishing to speak should complete a name/address slip and give the slip to the Town Clerk prior to addressing the Council. All individuals shall limit their address to the

item being discussed and shall be granted three (3) minutes to address that item, unless further time is granted by the Presiding Officer. In the event that one or more large groups of people wish to speak for or against an agenda item, a spokesperson may be selected to speak on behalf of the group. Speakers who represent groups of people may be granted more time to speak including the opportunity for a three (3) minute rebuttal, provided that the group agrees that no further members will speak. All individual members of a group shall sign a sheet prior to the meeting signifying his or her membership in the group and his or her willingness to be represented by an authorized group spokesperson.

4. **Open Public Meeting:** The first thirty (30) minutes of the first meeting of every month is reserved for the "Open Public Meeting." Speakers will not be limited to the number of topics; however, discussion will not be permitted on any issue agendized for public hearing. Speakers will be limited to three minutes to address the Council. When there are a large number of speakers, there will be a strict time limitation of three minutes per speaker. Speakers will be taken in turn, beginning with those in the first row of seating, then taken row by row. In the event that the 30-minute time period has elapsed, the Council may extend the Open Public Meeting to allow further speakers. In the event that there are small numbers of speakers, two (2) additional minutes per speaker may be allowed, providing that each individual wishing to speak has the opportunity to do so within the thirty-minute time period.

III. RULES OF ORDERLY CONDUCT

Each individual attending a Council meeting must confine his or her comments or opinions to those relevant to the agenda item under discussion with the exception of comments made during the Open Public Meeting. Any individual who engages in behavior that causes unreasonable delays, disruptions of the Council meeting, uses profanity or speaks/acts in an unruly or threatening manner at any time during the meeting may be removed from the meeting room by the Sergeant-at-Arms at the direction of the Presiding Officer if they do not promptly desist.

Audience members are urged to turn cell phones and pagers to silent mode.