

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Thomas J. Willi, Town Administrator - 797-1035

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING A START TIME OF 6:00 P.M. AND AN END TIME OF 11:00 P.M. FOR REGULARLY SCHEDULED TOWN COUNCIL MEETINGS, ESTABLISHING TIME MANAGEMENT GUIDELINES, AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: This item was suggested by Councilmember Starkey. Recently the length of Town Council meetings has extended into the early morning hours of the next business day. The duration of these meetings has placed tremendous strain on the public, Councilmembers, staff, and petitioners. Establishing an earlier commencement of the meetings and a defined adjournment time will increase public participation and reduce the physical and mental taxation encumbered by Councilmembers, and staff.

PREVIOUS ACTIONS: N/ A

CONCURRENCES: N/ A

FISCAL IMPACT: N/ A

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution

Resolution _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING A START TIME OF 6:00 P.M. AND AN END TIME OF 11:00 P.M. FOR REGULARLY SCHEDULED TOWN COUNCIL MEETINGS, ESTABLISHING TIME MANAGEMENT GUIDELINES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, meetings of the Town Council have recently extended into the early morning hours of the next business day; and

WHEREAS, the length of these meetings has placed a strain on the public, Councilmembers, staff, and petitioners; and

WHEREAS, reducing the length of these meetings shall increase public participation, and reduce the mental and physical strain placed on Councilmembers, and staff.

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

SECTION 1. The Town Council of the Town of Davie hereby approves commencement of all regularly scheduled Town Council meetings at 6:00 p.m., with the exception of the meeting immediately following the general election which is governed by the Town's Charter, with a defined adjournment time of 11:00 p.m.

SECTION 2. The Pledge of Allegiance, Roll Call, Presentations, Mayor/Councilmember/Town Administrator/Town Attorney Comments, and the Consent Agenda shall be addressed between the 6:00 p.m. and 7:00 p.m. hour.

SECTION 3. The first meeting of every month shall have an Open Public Meeting portion which shall commence at 7:00 p.m.

SECTION 4. The Public Comments (Ordinances-First Reading) portion of the meeting shall commence immediately following the Open Public Meeting portion. In lieu of the Open Public Meeting portion, the Public Comments portion shall commence at 7:00 p.m.

SECTION 5. In the event that an item is being discussed at 11:00 p.m., the meeting shall not adjourn until such time that a decision is made on the item. All items not addressed by 11:00 p.m. shall be tabled to the next regularly scheduled Town Council meeting. Items tabled from the previous Town Council meeting

as a result of the 11:00 p.m. deadline shall be addressed before any new item in each applicable category.

SECTION 6. This resolution shall take effect the meeting after its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

Suggestions from other municipalities

- Mayor/Vice-Mayor need to run very controlled meetings.
- Councilmembers limit themselves to speaking only twice on any item. The second turn is after all of council have had their first turn.

Suggestions from Council/Staff

- If the new system allows, run continuous announcements of upcoming special events at the bottom of the screen instead of individual presentations to Council.
- Speakers must register in Council Chambers between 6:00 p.m. and 7:00 p.m. on the day of the meeting. No one will be allowed to register for the Open Public Meeting after 7:00 p.m. Registration will take place in the front vestibule of Council Chambers. A Town employee will explain the registration procedure and forward the registration form to the Town Clerk.
- The order of the meeting should be reorganized so that the Open Public Meeting is heard after the Presentations, and Consent Agenda. This will allow the meeting to progress while allowing people to register to speak. Per the resolution the Open Public Meeting portion should begin promptly at 7:00 p.m.
- For the Open Public Meeting, the first 10 speakers to register will have the opportunity to speak for three minutes; should time allow at the end of the meeting, the remaining registered individuals will have the opportunity to speak. If a registered speaker is not present when they are called they will lose their place in the speaking order. If a registered speaker does not wait until the end of the meeting to speak if time allows, they will have to register prior to the next open public meeting.
- Mayor/Councilmember's comments should be reserved until the end of the meeting.
- For quasi judicial hearings, have a speaker represent a group as the quasi judicial hearing procedures provides:

IV. Presentation of Evidence.

A. All evidence relied upon by reasonable persons in the conduct of their affairs, shall be admissible, whether or not such evidence would be admissible in a court of law. Immaterial or unduly repetitious evidence shall not be admitted.

V. Taking of Testimony.

B. The Chairperson shall have the authority to refuse to hear any testimony that is irrelevant, immaterial, repetitive or defamatory.

Recommendations for Council Meetings

- Council Meetings shall begin at 6:00 and the following items shall be addressed:
 - Pledge of Allegiance
 - Roll Call
 - Presentations
 - Mayor/Councilmember's Comments
 - Town Administrator's Comments
 - Town Attorney's Comments
 - Consent Agenda
- Open Public Meeting (When Applicable) shall begin at 7:00. Speakers may speak on any topic not on the agenda for a maximum of three minutes.
- Public Hearings shall begin at 7:00 or immediately following the Open Public Meeting. Proponents or opponents may speak a maximum of three minutes on any item being discussed.
- Quasi-Judicial items shall be time certain. A start time shall be established for each of these items. Any unfinished business must be postponed so that each Quasi-Judicial can be heard and deliberated on. After all Quasi-Judicial items have been addressed the unfinished business that had been postponed earlier in the meeting may be resumed.
- Meetings shall adjourn promptly at 11:00 p.m.
- In the event that an item is being discussed at 11:00 p.m. the meeting shall not adjourn until such time that a decision is made on the item.
- All items not addressed by 11:00 p.m. shall be tabled (deferred) to the next Council meeting.
- Items tabled (deferred) from the previous Council meeting as a result of the 11:00 p.m. deadline shall be addressed before any new item in each applicable category.



CITY OF OAKLAND PARK

Vision: "Small Town in the Big City"

3650 N.E. 12th Avenue • Oakland Park, Florida 33334

CC: T.W.
Council
MAYOR
CLERK
file -

MAYOR

Joseph M. Maus

VICE MAYOR

Don Migliore

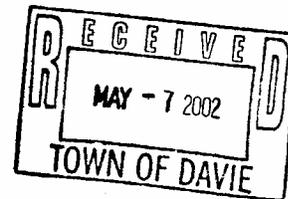
COMMISSIONERS

Larry Gierer May 2, 2002

Caryl R. Stevens

Layne Dallett Walls

City of Davie
6591 Orange Drive
Davie, Florida 33314



Attention: Councilmember Susan Starkey

Dear Susan,

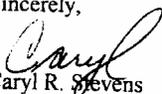
Per our recent discussion, I am enclosing a copy of Oakland Park's Rules and Procedures. After a number of years of very very late meetings, we decided something needed to be resolved. Residents were complaining that it was a deliberate attempt to prolong the meetings thus they would tire and go home also/. we found we the elected officials became more contrary the later the hour.

As you can see, we start our meetings at 6:30 and end at 10:00, however, they may be extended until 11:00pm or completion of agenda, whichever occurs first. It is amazing how we began to organize ourselves to complete our task because if we did not we were there next night or not too far in the future.

As President of the League this year, meetings and the manner in which they are conducted is often a discussion among cities. I was surprised the number of cities that have in place some type of rules that have been developed for some of the same reasons Oakland Park created theirs

Please accept my thanks for your involvement and support for the League.

Sincerely,


Caryl R. Stevens
President Broward League of Cities
Commissioner City of Oakland Park



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RESOLUTION NO. 97-122, 98-101, 2000-56 & 2000-61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, RESCINDING RESOLUTION NO. R-97-94, RULES OF PROCEDURE; BY SPECIFICALLY ADOPTING NEW RULES OF PROCEDURE TO REFLECT PROCEDURES FOR CITY COMMISSION MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Oakland Park deems it appropriate to rescind Resolution No. R-97-94, Rules of Procedure, and creates new Rules of Procedure to provide for procedures for City Commission meetings;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, THAT:

Section 1. The forgoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct.

Section 2. This Resolution hereby serves to rescind Resolution No. 97-94 and creates new Rules of Procedure to provide as follows:

A. All meetings of the City Commission of the City of Oakland Park, whether they be special or regular meetings, shall be governed by the Rules of Order set forth herein. The Mayor or acting Chairperson of the City shall call for all votes incident to requirements set forth in the Charter and the Code of Ordinances of the City of Oakland Park.

1 B. Any Commissioner wishing to speak must be recognized
2 by the Mayor or Acting Chairperson by raising their hand. The
3 Mayor or Acting Chairperson shall grant the floor in the order the
4 hands were raised. If the Mayor or Acting Chairperson desires to
5 participate in a discussion, he or she shall do so only when all
6 members of Commission have spoken at least once. The Mayor or
7 Acting Chairperson shall not interrupt a speaking member for the
8 purpose of comment, nor shall any member of the Commission
9 interrupt another member of the Commission when that member has
10 been recognized by the Mayor or Acting Chairperson, except that no
11 member of the Commission shall dominate the floor in excess of five
12 minutes without offering to yield to other members of Commission.
13 Commissioners shall address their comments to the Agenda item.

14 C. The Mayor or Acting Chairperson shall not use that
15 position to dominate debate or discussion, nor unreasonably cut
16 short or prolong any debate, discussion or the taking of any vote.

17 D. This City Commission Procedures Resolution shall
18 supersede Robert's Rules of Order on any subjects specifically
19 addressed herein, however; on any matters not specifically
20 addressed by this Section, then Robert's Rules of Order shall
21 prevail to the extent possible.

22 E. Public Comments shall be placed on the Agenda for
23 each regularly scheduled meeting of the City Commission and shall
24 be scheduled to begin immediately following the public hearing

1 items, if any. Members of the public shall not be interrupted in
2 any form or fashion by members of the City Commission when speaking
3 during public comments. Members of the public shall be granted no
4 more than four minutes and all comments or questions from the
5 public will be directed to the City Manager. All public comments
6 shall only pertain to City business and the Mayor or Acting
7 Chairperson shall determine whether public comments are relevant to
8 City business. A super majority may veto the Mayor or Acting
9 Chairperson in the determination of whether it is relevant to City
10 business. The Mayor or Acting Chairperson may specify a shorter
11 period of time for each member of the public to speak, barring
12 objection from a majority of the Commission. The time limit may be
13 extended only by a vote of the majority of the Commission. If a
14 member of the audience becomes unruly, the Mayor or Acting
15 Chairperson has the right to require that person to leave the room
16 and may order this done. Should a crowd become unruly the Mayor or
17 Acting Chairperson may recess or adjourn the meeting. Either of
18 these decisions may be overruled by a majority vote of the
19 Commission.

20 F. Public comments may be entertained at special
21 meetings by a majority vote of the Commission and they shall be
22 limited to the items and matters referred to on the Agenda for such
23 special meeting. The Mayor or acting Chairperson is hereby

1 authorized and directed to disallow any and all public comments on
2 matters not specifically referred to on the Agenda for a special
3 meeting of this City Commission.

4 G. All meetings of the City Commission, whether they be
5 special or regular meetings, shall be adjourned no later than ^{10:00}~~11:00~~
6 P.M. Notwithstanding the foregoing, the City Commission, by a
7 majority vote, may extend the City Commission meeting beyond ^{10:00}~~11:00~~
8 P.M. In any event, the motion to continue the regular or special
9 City Commission meeting must provide a specific time frame, not to
10 exceed ^{11:00}~~12:00~~ midnight which the City Commission will honor for the
11 purposes of continuing the special or regular City Commission
12 meeting.

13 H. There shall be a Consent Agenda during each regular
14 City Commission meeting. The Consent Agenda shall contain
15 Resolutions and other pertinent matters which can be handled and
16 implemented without necessity for comments. Notwithstanding the
17 foregoing, any item placed on the Consent Agenda may be removed
18 from the Consent Agenda by any Commissioner and discussed and
19 deliberated by the City Commission.

20 I. A Commissioner, the City Manager or staff may place
21 items on the Commission Agenda for a regular meeting for
22 discussion, review or consideration of any action. Items must be
23 submitted By an Agenda request form with a Memorandum referencing
24 the business item, stating the purpose of the item/action, the

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1 major points to be covered, the reasons for needed action, and the
2 action requested of the Commission. All appropriate background
3 material shall accompany the signed memorandum. The deadline for
4 submission of such request is the end of business on the ~~Friday~~ ^{Tuesday} ~~Monday~~ with
5 preceding the ~~Wednesday~~ ^{Friday} publication and distribution of the
6 Commission Agenda. In the event of a holiday falling on the Friday
7 of the Agenda submission deadline, agenda items must be submitted
8 by the Thursday preceding the Wednesday publication and
9 distribution of the Commission Agenda. Supplemental information not
10 pertaining to the development of the Agenda item must be submitted
11 no later than 12:00 noon the Friday preceding the Wednesday City
12 Commission Meeting. Publication of the Commission Agenda shall be
13 on the Wednesday preceding the next regularly scheduled Commission
14 meeting. Failure to adhere strictly to this schedule shall result
15 in delay/deletion of the submitted item.

16 J. Once an item has been placed on the Agenda in
17 accordance with the terms and conditions of this Resolution, it may
18 be removed only by the person who originally placed it on the
19 Agenda. The City Manager is advised to comply with the terms and
20 conditions of this Resolution to the fullest extent.

21 K. In accordance with the Charter of the City of
22 Oakland Park, the City Commission establishes a procedure to be
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1 adhered to by the City Commission relative, but not limited to, the
2 issuance of proclamations, the issuance of keys to the City,
3 awards, certificates and other ceremonial items or documents.

4 L. The deadline for submission of proposed
5 proclamations or any other ceremonial items or documents shall be
6 the same as for any agenda item.

7 M. Any certificate or plaque that is presented from a
8 Commissioner or the Commission must be on an agenda and voted by
9 the Commission in favor of presenting said certificate or plaque at
10 a meeting prior to the meeting it is issued.

11 N. Proclamations and other ceremonial items or
12 documents shall be read by the City Clerk and issued by the City
13 Commission only after they have been reviewed, considered and
14 approved by a majority vote of the City Commission.

15 O. The member of the Commission acting as Mayor at any
16 regular or special meeting of this body shall only introduce an
17 Agenda item by its Agenda item number and the brief title as listed
18 in the Agenda. No further explanation or comment shall be made by
19 the Mayor at this time.

20 P. The Mayor shall then call on the City Manager or a
21 designated spokesperson for a brief explanation of the item under
22 consideration. Following this, the item shall be opened for public
23 hearing or Commission discussion as required by the item under the
24 established limits.

1 Q. All items on the Agenda shall be listed in the
2 following order: Invocation, Proclamations, Presentations,
3 Additions/Deletions/Changes, Public Hearings, Ordinances on First
4 or Second Reading, Public Comments, Consent Agenda, followed by all
5 other matters unless during Additions/Deletions/Changes an item is
6 placed out of order by the majority of Commission members.

7 Section 3. If any clause, section or other part of this
8 Resolution shall be held by any Court of competent jurisdiction to
9 be unconstitutional or invalid, such unconstitutional or invalid
10 part shall be considered as eliminated and shall in no way affect
11 the validity of the remaining portions of this Resolution.

12 Section 4. All Resolutions or parts of Resolutions in
13 conflict herewith are hereby repealed to the extent of such
14 conflict.

15 Section 5. This Resolution shall become effective upon
16 its passage and adoption.

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