

RESOLUTION NO. 1978-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, REPEALING RESOLUTION NO. 1415, RESOLUTION NO. 1463, "RULES FOR THE CONDUCT OF MEETINGS" AND RESOLUTION NO. 1927-05, RULES OF DECORUM AND RESTATING IN ITS ENTIRETY THE RULES FOR THE CONDUCT OF MEETINGS, THE PREPARATION OF THE AGENDA, DECORUM, CITY COMMISSION MEETING ORDER OF BUSINESS, ADDRESSING THE COMMISSION, AND THE PROCEDURE FOR ADOPTING ORDINANCES AND RESOLUTIONS.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA:

SECTION 1: That Resolution No. 1415, Resolution No. 1463 and Resolution No. 1927-05 are hereby repealed and restated in its entirety with certain modifications as set forth as follows:

SECTION 1. RULES. It is the duty of the City Commission to make such rules for its own guidance and government as it may deem expedient. The following shall be the rules for the government of the City Commission:

RULE 1. REGULAR MEETINGS: The City Commission shall hold regular meetings on the second and fourth Monday of each month in the City Commission Chambers at the City Hall at 3:30 p.m. or at such time of day as the Commission may decide provided, however, that the City Commission may dispense with any one meeting each month when it is anticipated that the business of the Commission be not urgent.

RULE 2. SPECIAL AND EMERGENCY MEETINGS: Any member of the City Commission may call a special or emergency meeting of the Commission either by written or verbal request to the City Manager. Whenever a special or emergency meeting is called, the Commission shall be notified either via e-mail and/or by telephone at least twenty-four (24) hours before any special meeting and, when practicable at least twelve (12) hours before any emergency meeting. A copy of such notice shall likewise be posted at City Hall and on the City's website.

RULE 3. WORK SESSION MEETINGS: The City Commission may meet informally for study and discussion of the affairs of the City, but no formal or binding action shall ever be taken at any such meeting. The Commission may schedule work sessions at such times as the Commission may decide.

RULE 4. MEETINGS OPEN TO THE PUBLIC: All meetings of the City Commission for the purpose of transacting city business, whether action is taken or not, shall be held in the City Commission Chambers unless the Commission indicates another advertised location, and shall be open to the public.

RULE 5. AGENDA: The City Manager shall prepare an agenda for all meetings, except emergency meetings when time does not permit.

(A) Formal Meetings -- The agenda for formal meetings, whether regular or special, shall include only such matters as requested by a member of the Commission, together with such other and subsequent matters as may be recommended for consideration by the City Manager. Any person or persons desiring to appear before the City Commission on a particular subject matter may make a request in writing to the City Manager to be placed on the agenda no later than 10 days prior to the regular Monday meeting of the City Commission, stating the purpose for which such person or persons desire to appear. Requests received after that time will be placed on the next regular Commission meeting agenda.

(B) Distribution -- The agenda shall be provided to the public via the City's website no later than the Friday prior to the Monday meeting and shall be posted at City Hall.

RULE 6. PRESIDING OFFICER: The Mayor shall preside at all meetings, if present, and in his/her absence, the Vice-Mayor, and in the absence of both the Mayor and the Vice-Mayor a Mayor pro tem shall be elected to preside.

RULE 7. DECORUM: The presiding officer, and in the absence of a presiding officer the City Manager or the City Manager's designee, is empowered to and shall preserve decorum. Members of the public attending commission meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Commission. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the commission or while attending the commission meeting shall be removed from the building and may not return to the meeting from which he or she was removed, or to the building, prior to close or adjournment of the meeting without leave of the presiding officer or the permission of the commission. If the person removed is an applicant for city action or otherwise is the named proponent of a matter which is scheduled to come before the commission, but which has not been decided by the commission at the time of the person's removal, the commission may, but is not required to, postpone consideration of said action or matter until the next regularly scheduled meeting. If consideration of said action or matter is postponed, any fees required to be paid in connection with bringing said action or matter before the commission shall be required to be paid again prior to the subsequent consideration of said action or matter.

The provisions of this Rule 7 shall also apply to Commission work sessions and informal meetings, to the meetings of City boards, and to meetings with City staff which are open to members of the public.

RULE 8. ORDER OF BUSINESS: All meetings (regular or special) of the Commission shall be open to the public promptly at the hour set on the day of each meeting. The business of the Commission shall be taken up for consideration and disposition in substantially the following order.

1. Meeting Called to Order
2. Invocation and Pledge of Allegiance
3. Mayor's Report (for non-action items such as proclamations, awards, check presentations, etc. The only action item under this section would be board appointments).
4. Action Items (for all items requiring Commission action, including items formally on

the consent agenda. The back up for these items should include all information necessary for making a decision. The Mayor, any Commissioner and the City Manager would be given the opportunity to pull anything off this list for discussion or to hear a presentation. Anything not pulled for discussion or presentation would be voted on in one vote (all items together as one vote). At the Commission's option, any presentation requested under this section could be heard at this time or after the Public Hearings portion of the agenda, in an attempt to handle those items with the most public interest first).

5. Public Hearings (for all resolutions and ordinances).
6. City Attorney's Report (for updates on litigation or other legal matters).
7. Non-action items (for updates on issues, citizen board reports and general discussion items requiring Commission direction, but not official action).
8. New Business (Public)
9. New Business (City Commission)

RULE 9. ADDRESSING THE COMMISSION: During work sessions, persons may address the Commission only when requested to do so by a member of the Commission or the City Manager. At formal meetings any person desiring to address the Commission shall first be recognized for that purpose by the presiding officer.

(A) Written Communications -- Members of the City Commission, taxpayers or residents of the City and other interested parties, or their authorized representatives may address the Commission by written communications in regard to matters then under discussion. A copy shall be provided to the City Clerk.

(B) Oral Communications -- Taxpayers or residents of the City and other interested parties, or their authorized legal representatives, may address the Commission by oral communication on any matter concerning the City's business or any matter over which the Commission has jurisdiction or control under New Business (Public).

(C) Anonymous Communications -- Unsigned communications shall not be introduced to the Commission.

(D) Manner of Addressing Commission; Time Limited -- Each person recognized for the purpose of addressing the Commission shall step forward to the podium with the microphone thereon, and shall give his name and address in an audible tone for the record, and unless further time is granted for the Commission, shall limit his address to four (4) minutes for individuals and fifteen (15) minutes for team presentations, or such additional time as may be deemed appropriate by the Commission. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor shall be permitted to enter into any debate or discussion, either directly or through a member of the Commission, without the permission of the presiding officer. Further, City Commissioners shall comply with this rule, except that they are permitted to address the Commission from their seat. Copies of all overhead or power point presentations or other information used as part of their discussion shall be provided to the City Clerk either in hard copy or by CD.

RULE 10. VOTING: Ordinances and resolutions require a roll call vote of the City Commission. All other votes may be done by voice vote. Any time the results of a voice vote is unclear, the City Clerk may request a roll call vote. Whenever a roll call vote is ordered, the City Clerk shall call the roll of Commissioners and record the vote of each member.

RULE 11. PROCEDURE FOR ADOPTION OF ORDINANCES AND RESOLUTIONS:

(A) Adoption Procedures -- The procedure for adoption of ordinances and resolutions shall be as set forth in Section 166.041, Florida Statutes, and Section 2.11 and 2.12 of the City Charter.

(B) Preparation and Review of Ordinances, Resolutions, Contracts, Etc.

1. Preparation of Ordinances. No ordinance shall be prepared for presentation to the Commission unless ordered by a majority vote of the Commission, or requested by the City Manager, or prepared by the City Attorney on his own initiative.

2. All ordinances, resolutions and contract documents shall, before presentation to the Commission, be approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the City Manager or his authorized representative, where there are substantive matters of administration involved. All such instruments first shall have been referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution or contract document would devolve and be reviewed by said department head; provided, however, that if approval is not given, then the department head shall provide the City Manager and City Commission with comments and recommendations for consideration by the City Commission in their review and approval of any ordinance, resolution or contract documents. OR THIS: City Attorney or department head shall explain to the City Manager why such approval is withheld.

SECTION 2. This Resolution shall become effective immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida on this 11th day of June, 2007.



Mayor David C. Strong

ATTEST:



City Clerk