RESOLUTION 18-42

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, ADOPTING CERTAIN RULES OF PROCEDURE FOR THE COMMISSION OF THE CITY OF DUNEDIN; REPEALING RESOLUTIONS 2004-23 AND 05-13 IN THEIR ENTIRETY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the Commission of the City of Dunedin, Florida, in accordance with the Charter of the City of Dunedin shall determine its own rules of procedure in order to conduct business; and

WHEREAS, the Commission deems that it is desirable to establish certain rules of procedure pertaining to the conduct of its business and to repeal previously existing resolutions establishing rules of procedure; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Resolution 2004-23 and 05-13 are repealed in their entirety and all Resolutions in conflict herewith are repealed to the extent of such conflict.

Section 2. That the following rules of procedure are hereby established and declared to be in effect immediately upon passage of this Resolution of procedure to remain in effect until rescinded, altered or modified by a later adopted Resolution of the Commission: (See Exhibit A)

Section 3. That this Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 4th day of December, 2018.

Julie Ward Bujalski
Mayor

ATTEST:

Denise M. Kirkpatrick
City Clerk

Resolution 18-42
Exhibit A

1. **Definitions.**

   Mayor shall mean designated Chair. In the Mayor's absence, the Vice Mayor shall be the designated chair. Should both the Mayor and Vice-Mayor be absent, the Commissioner with the most seniority shall be the designated chair.

   Commission shall mean the City of Dunedin Commission.

   Quorum shall mean at least three Commission members must be present to conduct any type of meeting.

2. **Meetings.**

   A. General

   All meetings of the Commission will be conducted in a publicly accessible building. All meetings shall be subject to Robert's Rules of Order.

   In addition to the regularly scheduled meetings, the city manager may call for other necessary meetings through polling (see regulations). The Commission may also call for additional meetings, by a motion and vote.

   Public Notification of these meetings shall follow our Charter & State Regulations.

   All meetings except for Town Hall or Listening Sessions require a quorum in order to take place.

   All meetings, except for Town Hall or Listening Session must end on time. Should the meeting run long, the Mayor will call for a motion to extend. It this motion fails, the staff & Commission will finish the item they are currently discussing and the meeting will end. Any items left to discuss will automatically be deferred to the next meeting.

   B. Types of Meetings

   1. **Commission Meetings** shall typically be scheduled the 1st & 3rd Thursday of the month for regular city business including public hearings. (By Charter, only one meeting per month is required) Regular Commission meetings shall start at 6:00 p.m. and end at 10:00 p.m.
   2. **Work Sessions** shall be scheduled on the Tuesday prior to the regularly scheduled Commission meeting. These meetings are meant to address day-to-day issues as well as longer informational items that do not require a vote. (Formerly called workshop items.). Work Sessions shall start at 9:00 a.m. and end 12:30 p.m. unless otherwise determined.
   3. **Special Meetings** may be scheduled by the Mayor, City Manager or any two members of the Commission. They are usually held when the Commission needs to address an issue that cannot wait until the next regular meeting.

4. **Town Hall Meetings** are held on an as needed basis. They are for the purpose of hearing from the public on pre-determined topics and to allow for interaction between the public, staff, and elected officials. No official action is taken.
5. **Stand Alone Workshops** are held on an as needed basis. They are held so the staff can present major issues to the Commission. They are informational in nature and can provide opportunities to focus on long-term decisions rather than day-to-day issues. Voting does not occur at Workshops but consensus direction guiding next steps can be given.
6. **Listening Sessions** are held on an as needed basis. These meetings are held to hear from the public on one single issue. Generally, there is a facilitator (either internal or external) who will guide the conversation and most of the meeting is reserved for public feedback. No official action is taken.

3. Agendas

A. General

All items added to an agenda by Charter Officials or Department Heads must be communicated through the City Manager. Should an Elected Official desire to add something to the agenda, this must be done at a meeting via motion/vote or consensus direction of the entire Commission.

All agendas shall be approved by the City Commission at the prior meeting.

Any items that are added to an already established agenda must be identified as a "starred item" with the exception of items placed on Consent. This will require an affirmative vote by the Commission to add it to the agenda.

Work Session, Regular Meetings, and Workshop agendas shall be published no later than the Friday evening prior to the meeting.

Agendas will be published in various formats, including on-line and in hard copy form to be made available at the meeting itself.

Public Notices shall be posted at various city buildings, including City Hall & the Clerk's Office.

B. Agenda Item Protocols

Public Hearings. The following procedure will be followed to conduct public hearings:

1. At Regular Commission meetings, the Public Hearing portion of the agenda will begin at 6:00 p.m. or shortly thereafter.
2. The agenda item will be announced by the Mayor.

3. If appropriate, the Ordinance or Resolution will be read by the City Attorney, by title only.
4. If a motion is not made or seconded, it is defeated. If a motion is made and seconded to pass/adopt the Ordinance or Resolution, it is placed on the floor for consideration.
   The Mayor has flexibility to call for a motion after the public hearing.

   The staff presentation will be made by the City Manager and/or his or her designee.
5. The Commission may ask questions concerning the staff presentation.
6. The Mayor will open the Public Hearing for public comment.
7. No member of the public will be heard for a second time until all persons desiring to speak have been heard.
8. The Mayor will close the Public Hearing.
9. The Commission may comment on the issue.
10. The Mayor will call for a roll call vote on the issue.

Quasi-Judicial Hearings. The following procedure will be followed to conduct Quasi Judicial public hearings.

Order of Appearance - The following order of appearance will generally be followed and may be modified at the direction of the Commission in any specific proceeding.

1. Introduction of item; explanation of proceedings; inquiry as to ex-parte contacts; swearing of witnesses.
2. If appropriate, the Ordinance will be read by the City Attorney, by title only.
3. Motion/Second to Place on the Table
   The Mayor has flexibility to call for a motion after the public hearing.
4. Staff presentation
5. Commission Questions of Staff
6. Applicant's presentation
7. Commission Questions of Applicant
8. Open Public Hearing

   a - Proponent's comments

   b - Opponent's comments

   *No member of the public will be heard for a second time until all persons desiring to speak have been heard.
9. Close Public Hearing

10. Applicant's rebuttal. Applicant's rebuttal presentation will be limited to five (5) minutes unless otherwise set by the Commission. (If needed)
11. Staff response and summary. (If needed)
12. Commission Discussion
13. Roll Call Vote

Adoption of Resolutions & Ordinances. All Ordinances/Resolutions shall be adopted by roll call vote. The Mayor of the meeting will always vote last.

Voting on motions. Motions may be adopted by roll call or voice vote at the discretion of the Mayor.

Commission Discussion. During the Commission Discussion portion of the agenda, Commissioners may bring up any issues he/she would like to discuss with the Commission. This could be simple items that they give consensus direction for or if it is complex, the item should be added to a future agenda. Commissioners may not discuss any matter that: (1) appeared on the regular agenda; (2) appeared on the agenda as a starred item; or (3) promotes any political agenda or campaign.

Commission Comments. During the Commission Comments portion of the agenda, Commissioners may report on past or upcoming events and issues related to liaison positions that the other Commissioners or the public at large would be interested to know. Commissioners may not discuss any matter that: (1) appeared on the regular agenda, (2) appeared on the agenda as a starred item or (3) promotes any political agenda or campaign. No action may be taken upon any matter discussed during Commission Comments except by unanimous consent of the entire Commission present at such regular meeting.

Public Comments.

A. General

Public comments shall be limited to three (3) minutes for each speaker. Should someone desire a longer period of time, they can designate themselves as a representative of a group of five (5) by signing the back of a comment card. All 5 must be present & sign.

B. Conduct

Members of the public whether speaking or not, shall not approach the dais. Members of the public wishing to distribute documents, pictures or other materials to the Commission shall do so through the City Clerk. A citizen will be permitted to utilize the document camera during Commission meetings only after approval of the document to be shown on the document camera by the Mayor. The Mayor may deny use of the document camera to any citizen when the document's content does

not comply with these rules and regulations, contains pornographic material, or is false or defamatory.

During agenda items on which public comment is received, citizens shall limit public comment to the specified subject matter of the agenda item. Any comments which are inappropriate or irrelevant will be ruled out of order by the Mayor.

During citizen input, citizens shall limit public comment to topics that are relevant to the City and the Commission. For example, U.S. government foreign relations are topics that are not matters within the authority of the City or the Commission.

Citizens speaking on an agenda item or during citizen comment shall not:

1. Engage in loud, boisterous and/or disruptive speech or conduct.
2. Use profanity or obscenity.
3. Use "fighting words" (e.g. words likely to cause a fight, threatening or profane words, words tending to cause a breach of the peace) and/or speech that threatens harm or slanderous remarks.
4. Engage in commercial speech (advertising).
5. Engage in personal attacks or insults of members of the Commission, City staff or others.

Any speaker that continues with inappropriate or irrelevant comments will be requested to relinquish the podium by the chair.

4. Miscellaneous

A. Official letters.

Copies of all official letters and memoranda shall be given to all elected and charter officials. The City Manager shall provide copies of her responses to correspondence to all elected officials.

B. Direction to Charter Officials.

All charter officials shall receive their direction on matters of significant importance from the Commission; however, this shall not preclude any Commissioners from requesting information from a charter official.

C. Telephone polls.

Telephone polls of the Commission may be undertaken by the City Manager or designee on matters dealing with social, ceremonial, meeting times, and similar matters of procedural or non-substantive business. Note that this procedure shall not be used to make a decision on matters of business that would require official action.

If any Commissioner objects to the poll taking place, no poll will continue or be acted upon and the item of concern shall be placed on a future agenda under Consent Agenda.

A request by the Mayor or a Commissioner for a poll of the Commission on any matter as described above shall be directed only to the City Manager.

The City Manager shall ensure that no violation of Section 286.011, F.S. (Sunshine Law) shall occur in using this procedure. If the City Manager has any concerns regarding the propriety of the poll, she shall consult the City Attorney.

D. Entertainment of Visitors.

The entertainment of official visitors, dignitaries and other appropriate persons by three or more Commissioners shall not require Commission approval and shall be deemed an official entertainment by the City of Dunedin.

The entertainment of official visitors, dignitaries and other appropriate persons by a single Commissioner shall be reimbursed only if approved in advance by the Commission; or if advance approval is not possible, approval may follow the expenditure at the Commission's discretion. Normal business meals shall not be covered by the provisions of the subsection.

E. Commission Budget.

Commissioners shall not exceed the travel expenditure amount budgeted in their line item travel account. Each Commissioner shall be individually responsible for monitoring compliance with this limitation. Should a line item adjustment become necessary, the action must be approved by the Commission.

F. Paper Ballots.

All paper ballots will be initialed by the Commission member casting the ballot. Ballots will be tabulated by the City Clerk and retained by the City Clerk.

G. Annual Events.

<u>May (On an Election Year)</u>

The Commission shall, by Ordinance, define and describe the voter and candidate qualifications, rules, and methods of conducting elections within the City.

<u>November (On an Election Year)</u>

The Mayor/Commissioner Elect shall assume their offices at a Special Commission meeting on the second Monday following the election.

December (Annually)

1. Per the Charter, the Commission shall select a new Vice Mayor at the 1st meeting in December. The following nomination and selection process shall be used for the annual selection of the Vice Mayor:

    a. The nomination process shall be explained to the Commission and to the public by the Mayor or Parliamentarian.

    b. The Chair will open the floor for nomination.

    c. Each member of the Commission, upon recognition by the Chair, shall have a right to place in nomination for the honorary office of Vice Mayor the name of any other Commissioner before nominations are closed.

    d. Nominations do not require a second.

    e. When all nominations have been made, the Chair will so announce and declare nominations closed.

    f. If only one Commissioner is nominated, that person will be declared by the Chair to be elected and shall serve until a successor is elected.

    g. If more than one nomination has been made, selection of Vice-Mayor will be accomplished by written ballot. Balloting shall continue until one nominee receives a simple majority of votes, whereupon the Chair shall declare that nominee as being elected.

    h. If no nominations are made or if no nominee is elected by a majority vote after three (3) ballots have been taken, the Commissioner with the longest term of continuous service shall be deemed selected. In the event there are two (2) or more Commissioners of equal continuous service, then the selection shall be by lot.

2. The Commission shall review their Rules of Procedure, for any updates desired.

3. The Commission shall review all liaison assignments and rotate when desired. It is the Commission's desire to allow everyone to get a chance to serve each position, especially County Boards.

4. The Commission shall review the travel policy and travel reimbursement policies for both Elected & Charter Officials.