



**CITY OF DELTONA
COUNTY OF VOLUSIA
STATE OF FLORIDA**

PROPOSED CITY COMMISSION RULES OF PROCEDURE

1. AUTHORITY

A. LEGAL CITATIONS. These rules of procedure for the conduct of City Commission meetings are hereby adopted by the City of Deltona City Commission under the authority of the City of Deltona City Charter. These rules are subordinate to the City Charter, Code of Ordinances, and laws of the State of Florida and the United States of America.

2. MEETINGS OF THE CITY COMMISSION

A. REGULAR MEETINGS. The City Commission shall meet regularly at least once a month. According to the Deltona City Charter, before the end of each calendar year, the City Commission shall approve a tentative meeting schedule for the ensuing calendar year. All meetings of the City Commission shall begin at the time stated in the advertised public notice and shall not last more than 2.5 hours. The meeting time can be extended once by a vote of the majority of the Commission for a maximum of 15 minutes.

B. SPECIAL MEETINGS. Special meetings of the City Commission may be called by the Mayor or in their absence the Vice Mayor. Special meetings may also be called upon the request of the majority of the City Commission in writing to the City Manager and/or City Clerk. No less than 12 hours' written notice, designating the time and purpose of such meeting, the agenda shall be delivered by the City Clerk or their designee. No business shall be transacted at any special meeting of the City Commission unless the agenda has been stated in the notice of such meeting and visibly posted at City Hall.

C. WORKSHOP MEETINGS. Workshops of the City Commission may be scheduled during a regular meeting or called in the same manner as a special meeting and shall be for discussion only. Workshop meetings will not exceed two hours. A quorum is not needed for a workshop meeting to take place. No official action shall be taken at a workshop meeting except to recommend items to be considered at a regular or special meeting, or to give direction to the Charter Officers. Minutes shall be kept of all workshop meetings but shall not require approval by the City Commission.

Award workshops may be held for Super Star Student Awards, Employee/City recognitions, and community recognitions, and award presentations shall be as efficient as possible.

D. STATE OF EMERGENCY MEETINGS AND ATTENDANCE. Should a State of Emergency be called by the Federal, State, County, or City, applicable to the City of Deltona, which may include local issues such as flooding, hurricanes, major water-line breaks, or other local or regional disasters, and consistent with the State of Emergency shall:

1. Allow Commissioners to participate in the meeting and to vote telephonically or virtually if the Commissioners' absence is attributable to the State of Emergency; and
2. Allow the public's access to and ability to participate to be maintained to the maximum extent possible to include virtually.

E. PLACE OF MEETINGS. All meetings of the City Commission shall be held in the City Commission Chambers in City Hall unless otherwise stated in the advertised public notice.

F. TIME OF MEETINGS. All meetings of the City Commission shall begin at the time stated in the advertised public notice.

G. CHANGES IN MEETING SCHEDULE. Changes to the regular meeting schedule may be made by the City Manager.

H. PUBLIC NOTICE OF MEETINGS. The City Clerk shall post a notice of the holiday and meeting schedule at City Hall for the ensuing calendar year. The City Clerk shall post notices of all City Commission meetings at City Hall and in accordance with the City Charter and/or Florida Statutes.

I. PRESIDING OFFICER. The Mayor shall preside at all meetings of the City Commission. In the absence of the Mayor, the Vice Mayor shall preside. In the absence of both the Mayor and Vice Mayor, the City Clerk shall call the meeting to order, and the remaining Commission members shall select a City Commissioner to serve as Acting Mayor per the City Charter.

J. QUORUM FOR CONDUCT OF BUSINESS. Four members of the City Commission shall constitute a quorum for the conduct of business at all meetings. Any Commissioner participating virtually may not be used to constitute a quorum (Florida Attorney General Advisory Opinion, Dated July 19, 2016-Video Conference-Public Meetings-see attached) (unless a State of Emergency meeting has been called as per Section D). No action of the City Commission shall be valid unless adopted by an affirmative vote of the majority of the Commissioners in attendance unless otherwise provided by law or stated herein. (Charter Section 5 (8)(b)). However, the Commissioner attending virtually may participate and vote as long as said Commissioner is not necessary for the quorum. In cases where Commissioner(s) leave a meeting early, once there is no longer a quorum present, the meeting is to end, and no further action may be taken.

K. RULES OF ORDER. The current edition of Robert's Rules of Order Newly Revised shall be the source to serve as the guidelines for City Commission Rules of Order in lieu of other direction. In the debate, each Commission member has the right to speak only twice (*2 times*) on the same question on the same day. A Commission member cannot make a second (*2nd*) comment on the same question if any other Commission member, who desires to speak, has not yet had the opportunity to speak once. A Commission member who has spoken twice (*2 times*) on a particular question on the same day has exhausted their right to debate that question for that day. No member of the Commission can speak for longer than three (3) minutes at a time, each time they speak, without receiving the majority permission of the attending Commission.

The presiding officer will read the item into the record and immediately following will ask for a motion and a second. If there is not a motion or a second, the item dies leaving no need for a discussion, and the presiding officer will move on to the next item. Once the item has been moved and seconded, the presiding officer will open the item for public comment. Once the public comment period on that item is over, the presiding office will open the item for Commission discussion before calling for a vote.

L. VOTING DUTY. Whenever a question is called by the presiding officer, every member of the City Commission shall vote on that question by a verbal roll call vote or electronic aye or nay vote, as called by the presiding officer. A roll call vote shall be made to call for a Closed Session, or at any other time required by law. No member of the City Commission shall abstain from voting except as provided in F.S. 112.3143. In accordance with Florida Statutes, the member abstaining from a vote due to a conflict must publicly state the nature of their interest in the issue at the time the item is to be considered, and within fifteen (15) days after the abstention, they must file a "Memorandum of Voting Conflict" with the City Clerk. The form will then be attached to the minutes of that meeting and made a part thereof.

M. PUBLIC PARTICIPATION AT MEETINGS. Prior to addressing the City Commission on any topic during a meeting, members of the public shall fill out and submit a "Request To Speak" form provided by the City Clerk. A form must be filled out for each item that the speaker wants to speak about. Members of the public shall speak only when recognized by the presiding officer and once at the podium, shall identify themselves by name, city of residence, and/or organizational affiliation of people addressing the City Commission. Public comments shall only be directed to the Chair of the meeting, and not toward any specific Commissioners, staff members, or another member of the public. Members of the public shall be limited to speaking only during "Public Forum" for issues not on the meeting agenda which is limited to two (2) minutes for each speaker. Public comments for items on the agenda may be commented on only after there is a motion and second by the City Commission and is limited to two (2) minutes for each speaker. The clock will start when the speaker arrives at the podium. Each speaker shall observe the specified time limitation unless the rules are waived by a majority vote of the City Commission. For large groups, the presiding officer may encourage groups to designate one or more individuals to speak on their behalf to avoid cumulative comments. Should a large group want to speak individually, by a consensus or majority vote of the City Commission, the public comment time limit may be reduced to one (1) minute per member of the public. Individuals may only speak one time per topic. Individuals may only comment during the public forum period and/or when a vote

is being taken by the Commission. A motion and a second to table a topic for future discussion does not include public comment.

Public comments for Workshops shall be at the end of the agenda item only and, time permitted, shall not exceed four (4) minutes per person. Public comments for Special Commission Meetings shall be at the end of each agenda item only; time permitted and shall not exceed two (2) minutes per person. A person shall not be excluded from a meeting that is otherwise open to the public except for a breach of the peace committed at the meeting. No public comments may include defaming or slanderous personal attacks on any member of the City Commission, any member of the City Staff, and/or residents (See 2. N.).

The City's decorum policy will be in effect during all public meetings.

N. DISORDERLY CONDUCT AT MEETINGS PROHIBITED. DECORUM POLICY: The City of Deltona has a significant interest in conducting orderly and efficient public meetings, which includes preventing disruption, promoting civility, and preserving decorum. However, the Deltona City Commission shall continue to embrace dissension as a civic right and work to create a climate where the public feels included and respected. To that end, the Mayor, or presiding officer, or a majority of the City Commission, may interrupt, warn, or terminate a speaker's statement when that statement is too lengthy, personally directed, abusive, obscene, irrelevant, slanderous, defaming, or otherwise reasonably perceived to be a disruption to the fair and orderly progress of the discussion at hand to include displays or props and signs, posters, and/or banners. The presiding officer may call to order any person who is breaching the peace or being disorderly by speaking without recognition, engaging in booing or catcalls, applauding, failing to be germane to the topic or issue being considered, speaking longer than the allotted time, speaking vulgarities, name-calling, personal attacks, or engaging in other conduct which is determined by the presiding officer to be disruptive to the meeting. Public comments shall only be directed to the Chair of the meeting, and not toward any specific Commissioners, staff members, or another member of the public. Any person disrupting a lawful public meeting of the City Commission may be removed or excluded from a meeting that is otherwise open to the public in accordance with Florida Statutes.

O. MINUTES OF PROCEEDINGS. Minutes of each meeting of the City Commission shall be prepared and maintained by the City Clerk and shall be available to the public, in accordance with Florida Statutes. The minutes shall be summary in nature but shall properly record all actions of the City Commission concerning motions, including the name of the maker of the motion, the member seconding the motion, and the result of the vote. The City Clerk shall not be required to maintain a written record of discussions or comments of the City Commission or members of the public made at Commission meetings. If a member of the City Commission is permitted to abstain from a vote in accordance with Sec. 2L, the abstention shall be recorded in the meeting minutes together with the reason for abstention. The City Commission shall make corrections to the minutes at the next meeting after the meeting to which the minutes refer. The corrected minutes shall show both the original entry and the correction.

P. PROCLAMATIONS. All proclamations may be included on the meeting agenda in accordance with the City's Recognition Policy.

Q. DOCUMENTS SUBMITTED TO CITY. All documents submitted to the City by the general public become part of the public record. All documents submitted during a meeting are provided to the City Commission the following day and not during the City Commission meeting at the discretion of the City Manager.

3. MEETING AGENDAS

A. PREPARATION. The City Manager, or their designee, shall be responsible for the preparation of the agenda for all meetings of the City Commission. The City Clerk, or their designee, shall prepare and deliver to the Commission members the agenda, with supporting materials and explanations, on or before Thursday prior to the scheduled meeting. Any important items or additional information that may come about after the agenda is submitted to the Commission will be emailed to the Commission as soon as possible and brought to the table at the meeting for consideration by the Commission.

B. SUBMISSION OF PRESENTATION. A request by a recognized community organization within the City for placement of an item on a Commission meeting agenda shall be submitted in writing to the Office of the City Manager and may be placed under the "*Consent Agenda*" for Commission approval at a future meeting. Presentations shall be to convey information that pertains directly or has the potential to pertain to the City of Deltona and/or its residents. These may include, but are not limited to economic development, health, natural disasters, etc., and shall be in the form of a PowerPoint Presentation, demonstration, or speech. Submitters to offer a presentation shall be recognized as specialists or professionals within the field of the requested presentation. All submissions must be submitted no later than 30 days before the date of the event, with no exceptions, and if placed on the agenda the presentation shall not exceed 8 minutes. Presentations for or by City employees may be automatically placed on an agenda.

C. AGENDA FORMAT AND CHANGES. The City Clerk shall arrange the agenda subject to the approval of the City Manager who may make additions and/or deletions. The agenda may be changed at a regular meeting by a majority vote of the City Commission under the "*Additions and Deletions*" section of the meeting. Topics which would normally be deemed controversial items shall not be added to an agenda at the start of a meeting, whereby proper notice to the public and issue research shall be permitted.

D. DELTONA COMMUNITY EVENTS. Announcements by a community organization within the City concerning events of interest to the general public may be presented during the "*Deltona Community Events*" portion of the agenda and the speaker shall be limited to two (2) minutes. If interested, the form of a PowerPoint slide shall be submitted to the City Clerk's Office at least three days in advance of the Commission Meeting.

E. CONSENT AGENDA. Consent Agenda items shall consist of one or more items that can be voted upon as a whole. Any Commission member may request that an item be removed from the Consent Agenda for further discussion and consideration. There shall be a motion and second to approve the items remaining on the Consent

Agenda, and then the floor will be open for public comment on those items being approved. If items are pulled for discussion, those items shall be discussed immediately after the remainder of the Consent Agenda is approved or denied.

F. PUBLIC HEARINGS. The presiding officer shall announce each public hearing and the purpose of the public hearing and shall open the hearing to the public for comment. The rules of public participation established in Sec. 2M shall apply. After receiving public comments, the presiding officer shall close the public hearing. The City Clerk shall record in the meeting minutes the names of all members of the public who comment during a public hearing. Public hearings may be held separately or in connection with a regular or special Commission meeting. In the case of hearings on proposed ordinances, the public hearing shall follow the publication of the ordinance and notice of the hearing as per the Florida Statute.

G. ACTION ITEMS. All other items for consideration by the City Commission shall be placed under Action Items for discussion by the City Commission. After a motion and second, a discussion of the issue can ensue by the City Commission after hearing any public comment on the item. The City Commission may either vote to approve or deny the item of consideration, or table the issue to a possible future date and time.

H. CLOSED SESSIONS. The City Commission may convene in closed session only for those purposes permitted by Florida Statute or other law. A roll call vote shall be made to call for a closed session or they may be called in accordance with Florida Statutes. The City Clerk shall prepare and maintain an agenda of the proceedings of closed sessions in accordance with the Florida Statutes. Closed Session items shall be a standalone agenda and shall include the section of the Florida Statute or other law under which the City Commission is permitted to convene into closed session for that matter.

I. COMMISSIONER COMMENTS. If the Mayor or a Commissioner would like to include an item on the next agenda, that requires research and discussion, they will make the request during their Comment period of the previous meeting. A request will be made to the sitting Commission to ask for an item to be placed on the next Agenda. With the voted approval by the majority of the sitting Commission, the item will appear on the next Agenda. Other items can be requested by the Mayor or a Commissioner during the Commissioner Comment period by way of a simple consensus for time-sensitive items or a request for direction to the City Manager or City Attorney.

J. QUASI-JUDICIAL PROCESS REVIEW. The City Attorney will swear in all people participating in the meeting. Each Commissioner provides ex-parte communications. Staff will present the staff report which should not exceed eight (8) minutes. Immediately following the staff report, the Commission is provided with the opportunity to ask questions of staff. The applicant and/or their representative will then have their opportunity to present their report which shall not exceed eight (8) minutes, with evidence presenters not exceeding two (2) minutes each. Immediately following the applicant's report, the Commission will be provided with the opportunity to ask questions of the applicant and/or their representative. Each person with standing shall present their finding and shall not exceed two (2) minutes each. However, if represented collectively by an attorney, the attorney's presentation shall not exceed eight (8) minutes. Immediately following the presentation, the Commission will be provided with

the opportunity to ask questions of those speakers with standing and/or the attorney representing them. The public participation for those without standing shall not exceed two (2) minutes each. The applicant and/or their representative will have two (2) minutes to respond to the public's concerns (i.e. those with and without standing). The City Commission will have a final opportunity to ask questions. The Mayor shall call for a motion and a second and each Commissioner will be permitted to speak twice before a vote is taken. The City Clerk shall call a verbal vote, and each Commissioner shall provide the reason for their vote.

4. ADJOURNMENT OF MEETINGS

A. ADJOURNMENT BY PRESIDING OFFICER. The presiding officer shall adjourn all meetings of the City Commission.

5. AMENDMENTS TO COUNCIL RULES OF PROCEDURE

A. PROCEDURE FOR AMENDING RULES. Any member of the City Commission may request that the City Commission Rules of Procedure be amended by requesting the change during the Commissioner Comment period of a regular meeting. With the voted approval by the majority of the sitting Commission, the item will appear on the next Agenda. A majority vote of the sitting Commission shall be necessary to approve any amendments to the Rules of Procedure.

6. COPIES OF RULES

A. POSTING AND DISTRIBUTION OF RULES. The duly adopted City Commission Rules of Procedure shall be posted on the City website and be available at the City Clerk's office.