

Deltona City Commission
Operating Guidelines & Meeting Rules and Procedures

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SECTION ONE. OPERATING GUIDELINES FOR EFFECTIVE COMMISSION OPERATIONS.

Commission Policy Role:

1. The City Commission is responsible for setting the policies.
2. The City Commission will formulate policy by determining the broadest policies before progressing to more narrow ones.
3. The City Commission and staff may initiate policy for City Commission approval. Individual Commission Members may bring forth initiatives that are of significance to the entire community. Commissioners are strongly encouraged to attend both the institute of Elected Municipal Officials (IEMO) basic and advanced elected officials courses and trainings annually provided by the League of Cities or a similar organization, cost will be reimbursed by the City.
4. The City Manager will conduct an orientation for newly elected or appointed City Commissioners.

Maximizing Effectiveness:

1. The City Commission recognizes that the expression of differences and debate will ensure that we have good public policy. In support of this, City Commissioner's opinions will be listened to respectfully.
2. The City Commission will be open to ideas from City Commission Members, the administration and the public.

Commission-Mayor Role:

1. The Mayor will be the official spokesperson for the City Commission, without limiting other City Commission Members' ability to speak on issues.

Communication:

1. The City's administration will provide the City Commission with all relevant information on matters of policy, including pros and cons, alternatives, and professional recommendations, in order that the City Commission may make an informed final decision.
2. Achieving mutual trust between the City Commission and the City administration and between the City Commission Members themselves should be a fundamental pursuit.
3. Open and regular communication will be used to insure that both the City Commission and the City's administration are informed so that neither is surprised or blind-sided on issues and questions.

To ensure the integrity of the public meeting process and open government, Commissioners shall be prohibited from accepting or sending any electronic communication via cell phone or other device during the course of a City Commission meeting; electronic research is permitted. Commissioners may submit in writing their comments, position and information to the City Manager prior to the meeting in which they are expected to be absent so it can be shared with the entire Commission. (Resolution No.2015-49)

Members of the Commission are also prohibited from participating in any meetings of the City Commission by telephone/electronic processes. Members are required to be physically present in order to participate in a meeting of the City Commission. (Resolution No. 2010-42)

A. Regular Meetings:

- (1) The City Commission shall meet twice monthly. Meetings shall be held on the first and third Monday of each month, unless otherwise rescheduled due to a holiday or lack of City business. (Resolution No. 96-34)
- (2) Regular Meetings of the City Commission shall begin at 6:30 p.m. and conclude by 10:30 p.m.
- (3) If the regularly scheduled meeting falls on a legal holiday, then the subsequent Monday or a day designated by the City Commission shall be deemed as the regularly scheduled meeting day. (Resolution No. 95-03)
- (4) Written minutes shall be kept of all regular meetings.

B. Special Meetings:

- (1) Special meetings may be called by the Mayor or in his or her absence, the Vice-Mayor. Special meetings may also be called upon the request of a majority of the City Commission. (Charter Section 8(c)) Meeting times shall preferably be in the afternoon or evening hours of weekdays or on Saturdays as necessary.
- (2) The City Clerk shall provide not less than 12 hours prior notice of the meeting to the public, where practical. (Charter Section 8(c))
- (3) Action by the City Commission in a special meeting shall be limited to the purpose for which the special meeting is called.
- (4) Written minutes shall be kept of all special meetings.

C. Workshop Meetings:

- (1) Workshop meetings may be scheduled during a regular meeting or called in the same manner as a special meeting; and shall be for discussion only with the exception in (2) below. Meeting times shall preferably be in the afternoon or evening hours of weekdays or on Saturdays as necessary. Workshop meetings will not exceed two hours.
- (2) No official action shall be taken at workshop meetings except to recommend items to be considered at a regular or special meeting, or to give direction to the City Attorney or City Manager.
- (3) Minutes shall be kept of all workshop meetings but shall not require approval by the City Commission.
- (4) Time permitted, public comment shall be permitted at the end of agenda items only and shall not exceed two minutes per person.

D. Public Hearings:

- (1) The City Clerk shall advertise all public hearings as required by law.
- (2) The purpose of a public hearing is to determine support, objections and/or suggestions from the public to proposals and to determine if a proposed Ordinance or Resolution requires changes or adoption.
- (3) Time of Public Hearings:
 - a. Public hearings shall be held during a regular meeting of the Commission as placed on the Agenda.
 - b. The City Commission may set a specific time during any meeting; or
 - c. A special meeting may be called for the specific purpose of a public hearing.

E. 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, then and in that event the City may as applicable to and consistent with the State of Emergency:

1. Limit Commission Meetings to one per month,

2. Conduct Commission meetings whereby Commissioners may attend telephonically or virtually.
3. Allow Commissioners to participate in the meeting and to vote telephonically or virtually if the Commissioners' absence is attributable to the State of Emergency,
4. In all cases the public's access to and ability to participate shall be maintained to the maximum extent possible.

Section 2. Effective Date. This resolution shall take effect immediately upon its final adoption by the City Commission.

(4) Manner of Addressing the Commission.

The City Commission shall follow content-neutral, time, place and manner regulations to control disruption while insisting on decorum and allowing the City Commission to conduct City business. Civility arises from a sense of shared enterprise. To that end 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.

- a. Citizen comments may be made on items not on the agenda only during the time designated by the City Commission; otherwise, citizens may address the City Commission only on items under discussion. After the meeting is in session, no person may approach the dais without going to the microphone and asking to be recognized. The Mayor will rule as to whether the person will be allowed to speak.
- b. Citizen comments may be made on items not on the agenda only during the time designated by the City Commission; otherwise, citizens may address the City Commission only on items under discussion.
- c. Citizen comments may be made on Consent Agenda items during that time designated by the City Commission; otherwise, citizens may address the City Commission only on items under discussion or during Public Forum.
- d. Each person addressing the City Commission has the right to speak for a timed period of four (4) minutes with a timer in clear view of the speaker: they shall step to the microphone; give his or her name and address clearly for the record; and shall be limited to four (4) minutes to address the City Commission, unless such time is expanded or contracted by the Mayor, or by the majority of the Commission.

- e. No person, other than a member of the City Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the City Commission, without the permission of the Mayor.
- f. Any person who addresses the City Commission and makes personal, impertinent, slanderous, or profane remarks to any member of the City Commission, staff or general public that disrupts, disturbs or otherwise impedes the orderly conduct of any City Commission Meeting, and the conducting of City business, shall at the discretion of the Mayor or a majority of the City Commission, be barred from further audience before the City Commission during that meeting.
- g. Any person who engages in disorderly conduct or utters loud, threatening, offensive, or abusive language that disrupts, disturbs, or otherwise impedes the orderly conduct of any City Commission Meeting and the conducting of City business, shall at the discretion of the Mayor or a majority of the City Commission, be barred from further audience before the City Commission during that meeting.
- h. Pursuant to Florida Statutes Section 790.06(12)(a)(7), no one may carry a concealed weapon or firearm (handgun, electronic weapon, tear gas gun, knife or billie) into a City Commission meeting. This prohibition applies to those persons with concealed weapons permits and all elected officials.
- i. Members of the City Commission shall not enter into discussion or respond to individuals' comments during the public forum other than to give directions or to ask for clarification.
- j. A City Commissioner shall not be asked a direct question except through the Mayor.
- k. Persons addressing the Commission may present oral or written communication in regard to matters under consideration with the permission of the Mayor, however, any written communications shall be copied to each member of the Commission, the Mayor, the City Attorney, the City Manager and the City Clerk.
- l. All recognitions of an individual or group to be submitted to the Commission as part of the agenda packet must be delivered to the City Clerk to allow sufficient time for copying and distribution to the City Commission. All recognitions must be tied to an accomplishment which is representative of the City, submissions are limited to a maximum of 10 minutes, a written summary with appropriate background information must be included and are subject to the approval of the City Manager and/or the Mayor who may make additions and/or deletions at his/her discretion. (Resolution No. 2015-49)

(5) Procedures at Public Hearings for matters on the Agenda:

- a. The Mayor shall introduce matters as established on the Agenda by reading the title of a proposed ordinance, resolution, agenda item, or other means. (Motion to table or continue may be made at this time.)
- b. Staff may give a report as appropriate.
- c. Presentation of proponent/applicant as appropriate.
- d. All other interested persons shall be allowed to give input into the announced subject.
- e. The public may be allowed to give input concerning the subject.
- f. Once the public participation is closed, the City Commission will take action on the subject matter by approval, denial, tabling the item indefinitely, or continuing to a certain date and time.

SECTION THREE. AGENDA.

- A. The City Clerk, or designee shall prepare the agendas for all meetings of the City Commission in accordance with the City Charter or as directed by the City Manager.
- B. All reports, communications, Ordinances, Resolutions, contract documents, or other materials, to be submitted to the Commission as part of the agenda packet must be delivered to the City Clerk by 5:00 p.m. on the Thursday, eleven (11) days prior to the regular meeting. Exceptions to this timeframe may apply if circumstances warrant.
- C. It shall be the option of the City Clerk, or the City Manager, to remove any items from the Agenda if the information is not furnished to the City Clerk as stated in "B" above.
- D. All materials for special and/or workshop meetings must be submitted to the City Clerk to allow sufficient time for copying and distribution to the City Commission. Special and workshop meeting agenda packets shall be prepared and distributed, whenever practical, at least three (3) days prior to the subject meeting.
- E. The City Clerk shall arrange the Agenda, subject to the approval of the City Manager who may make additions and/or deletions at his/her discretion, notwithstanding, the Agenda shall be completed by 12:00 Noon, Wednesday preceding the Regular Commission meeting.
- F. The City Clerk, or designee, will post the Regular Commission meeting agenda and all associated back-up material to the City's WebPage, no later than 5:00 p.m., the Wednesday preceding the Regular City Commission meeting. Special and workshop agendas shall be

prepared and posted as soon as possible and within guidelines established in the Charter and by State statute.

- G. Legislative action shall be taken only at the Regular City Commission meeting or at a special meeting called for the purpose of specific legislation.
- H. No action shall be taken on matters not on the agenda, including during citizen comments or Commission comments; however, if necessary, an item may be added to the present agenda upon the proper motion, second, and majority vote, provided the Commission finds that no additional information or public notice is required to consider the items at that time. An item may be added to a future agenda upon a proper motion, second and majority vote. Such a motion shall be in order only during the "Commissioner Special Report and Requests" portion of the agenda.
- I. The report from the City Manager should list by item all legislative actions or discussions of legislative action being requested by the administration; such items may be added to the Agenda pursuant to Paragraph "H".
- J. The report from the City Attorney may be added to the Agenda when necessary to inform the City Commission of the status of legislative and other directed issues.
- K. The public forum part of the meeting shall be prior to the consent agenda.
- L. Any group or organization, other than staff, wishing to make a presentation to the City Commission must submit their request to the City Manager and obtain Commission approval to have the item placed on the next available City agenda.
- M. Any member of the City Commission who wishes to make a presentation to the City Commission must receive permission from the City Commission at a previous meeting.
- N. At the City Commission comments portion of the meeting, any member of the City Commission may address the record to make a statement regarding public comments or any other issue.

SECTION FOUR. PRESIDING OFFICER DUTIES.

- A. The Mayor shall be the Presiding officer of the City Commission meetings, sign or execute ordinances, and be recognized as the ceremonial head of the City government. The Mayor shall have no administrative duties other than those necessary to accomplish these actions, or such other actions as may be authorized by the City Commission, consistent with general or special law. (Charter, Section 5 (4) (b)). The Vice-Mayor shall be elected annually at the first regular City Commission meeting after the general election. In the absence of the Mayor, the Vice-Mayor shall be Acting Mayor. In the case the Mayor and Vice Mayor are both absent, then the remaining City Commissioners shall select a City Commissioner to

serve as Acting Mayor. (Charter, Section 5 (5) (b)).

- B. The Mayor shall preserve strict order and decorum at all meetings of the City Commission. He or she shall state every question coming before the City Commission, announce the decision of the City Commission on all subjects and decide all questions of order; subject, however, to an appeal to the City Commission upon such questions, in which event a majority vote of the City Commission shall conclusively govern and determine such question of order. The Mayor shall vote on all questions, his/her name being called last.

SECTION FIVE. QUORUM.

The City Charter provides that a majority of the City Commission shall constitute a quorum. A Commissioner with a majority vote of the Commission may join a meeting for good cause shown as such an illness of the Commissioner or their family or an emergency situation. The Commissioner participating by Zoom or similar platform may not be used to constitute a quorum (Florida Attorney General Advisory Opinion, Dated July 20, 2016-Video Conference-Public Meetings-see attached). 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 (8b)). However the Commissioner attending by Zoom 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 majority present, the meeting is to end and no further action may be taken.

SECTION SIX. CALL TO ORDER.

- A. The Mayor (as described in Section Four) shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission meeting to order.
- B. In the absence of the Mayor and Vice Mayor (as described in Section Four) the City Clerk shall call the Commission to order, whereupon a temporary chairman shall be selected by the members of the City Commission present. Upon the arrival of the Mayor, the temporary chairman shall immediately relinquish the chair upon the conclusion of the current business.

SECTION SEVEN. ROLL CALL.

Before proceeding with the business of the Commission, the City Clerk shall call the roll of the members and the names of those present, and of those absent, shall be entered in the minutes.

SECTION EIGHT. MINUTES APPROVAL.

Each member of the City Commission shall be furnished, in advance, with a copy of the minutes and unless there are any changes requested, the minutes will be approved by unanimous consent. If corrections are made to the minutes, they can be approved, as amended, by unanimous consent. If any objection is raised, the approval of the minutes will be by formal motion.

SECTION NINE. RULES OF DEBATE.

- A. The Mayor shall introduce matters as established on the Agenda by reading the title of a proposed ordinance, resolution, agenda item, or other means. (Motion to table to a time certain or to continue to a future date.)
- B. Action on items before the City Commission shall be commenced by oral motion of a Commission member. Upon said motion receiving a second by a Commission member other than he or she who made the original motion, said item should then be opened for discussion. At the conclusion of discussion, action on the motion shall be concluded by the use of an electronic voting system or voice vote as required. The Commission members making the motion and seconding it shall not be required to vote in favor of said motion.
- C. Obtaining the floor: Every Commissioner desiring to speak shall address the chair and, upon recognition by the Mayor, shall confine himself to the question under debate, avoiding all personalities and indecorous language. Except for workshops, each Commissioner can only speak twice on a motion.
- D. Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking unless to call him or her to order, or as herein otherwise provided. If a member, while speaking, were called to order, he or she shall cease speaking until the question of order is determined and, if in order, shall be permitted to proceed.
- E. Withdrawal of motion: Any motion before the City Commission may be withdrawn at any time prior to a vote being taken thereon by the Commission member making the motion, upon agreement by the Commission member seconding said motion.
- F. Amending of motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall, at the conclusion of the discussion, first vote on the amending motion and then upon the original motion as amended. An amending motion may be withdrawn in the same manner as set forth in Paragraph "E" above.
- G. Closing the Debate: The Mayor shall request the motion be repeated by the City Clerk prior to the calling of the question, at which time the debate is closed.

SECTION TEN. MOTIONS AND VOTING.

- A. All actions by the City Commission shall be by Motion, Ordinance, or Resolution. (Charter Section 5(8b)).
- B. Every Motion shall be clearly stated, including direction, to whom it is given, specific dates, or time frame, by which the action is to be taken, and any stipulation or condition, which may be applicable.

- C. For withdrawal of motion and amending motions, refer to Section Nine (9), "E" and "F".
- D. For proper procedure on various motions, refer to Robert's Rules of Order as a source.
- E. All motions shall be made in the affirmative and shall not include opinions, observations, and/or personal views on the subject.
- F. In the event there is no second to the motion, it dies for lack of a second.
- G. Abstaining from voting: No member of the City Commission shall abstain from voting except as provided in the Florida State Statutes, Chapter 112.3143, if the issue would inure to the person's private gain. Accordingly, he or she must publicly state the nature of his or her interest in the issue at the time the item is to be considered, and within fifteen (15) days after the abstention, he or she must file a "Memorandum of Voting Conflict", with the City Clerk. The proper form is available in the City Clerk's office. The Memorandum(s) will be attached to the minutes of that meeting and made a part thereof.

SECTION ELEVEN. ORDINANCES AND RESOLUTIONS.

A. Ordinances:

1. The provisions in the City Charter and Florida State Statutes, shall govern the preparation and passage or adoption of all Ordinances.
2. The title of each Ordinance must be read for passage or adoption by the City Attorney prior to the vote.
3. The City Commission or the City Manager may request that the City Attorney prepare an Ordinance to be considered at a future meeting. All requests, except from the City Commission, shall be directed through the office of the City Manager.
4. The form of each Ordinance shall be as approved by the City Attorney, unless otherwise directed by the City Commission.

B. Resolutions:

1. All items in Section 11-A above shall also be applicable to Resolutions.
2. Resolutions may include Approval of a Contract or Agreement, authorizing its execution; Appointments to Boards, City Commissions, and Committees; and such other matters which may be determined by the City Commission and/or the City Manager.

SECTION TWELVE. SOURCE OF RULES OF ORDER.

Robert's Rules of Order, as revised, shall be the source to serve as the guidelines for City Commission Rules of Order in lieu of other direction as stipulated in the current City Commission Rules & Procedures.

SECTION THIRTEEN. EFFECTIVE DATE OF OPERATING GUIDELINES, RULES & PROCEDURES..

Adopted by Resolution No. 99-24, effective March 15, 1999; Amended by Resolution No. 2006-51, adopted on November 6, 2006 with an effective date of January 1, 2007; Amended by Commission motion on November 20, 2006; Amended by Resolution No. 2008-06, adopted on February 18, 2008; Amended by Resolution No. 2009-14, adopted on April 20, 2009; Amended by Resolution No. 2010-42, adopted on December 13, 2010; Amended by Resolution No. 2015-04, adopted on March 2, 2015; Amended by Resolution No. 2015-49, adopted on February 1, 2016; Amended by Resolution No. 2016-46, adopted on September 19, 2016; and Amended by motion at Regular Commission Meeting on May 15, 2017; and Amended by Resolution No. 2017-35, adopted on September 5, 2017.