Deltona City 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 and the Mayor will enforce these 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.

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.

4. The City Manager will insure that the City Commission is informed about issues that have impact on a major policy area, may attract media or public attention, or affect major stakeholders.

5. The City Commission may pass along information or request information directly from staff, after informing the City Manger, without directing staff.

6. The City Commission will regularly review progress on its collective leadership, goals, priorities and operating guidelines to insure success/relevance.

City Manager Performance Accountability:

1. The City Manager will be evaluated on the accomplishment of the City Commission's stated goals.

2. Evaluation of the City Manager will be a collective act of the City Commission.

3. The City Commission will never give instructions to persons who report to the City Manager.

4. The City Commission will hold the City Manager accountable for staff performance and provide the City Manager with feedback about staff performance in a private setting.

5. Priorities of the City Manager will be defined by the City Commission's goals and priorities in support of the vision.

SECTION TWO. MEETINGS.

Meetings of the City Commission shall be held at City Hall, in the City Commission Chambers or a Conference Room, or at such other location in the City as designated by the City Commission or designee. All meetings shall be public meetings, with the exception of Executive Sessions which shall be closed to the public in accordance with Florida Statutes, and shall be subject to notice and other requirements of law applicable to public meetings.

To ensure the integrity of the public meeting process in open government, Commissioners shall be prohibited from accepting or sending any text communication via cell phone or other device during the course of a City Commission meeting (Resolution No. 2009-14).

Members of the Commission are also prohibited from participating in any meetings of the City Commission by telephonic/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.

(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.

(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.

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.

(4) Manner of Addressing the Commission:

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.

b. Each person addressing the City Commission 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.

c. 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.

d. Personal attacks on any member of the City Commission on things that do not relate to City business shall be ruled out of order by the Mayor.

e. 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.

f. A City Commissioner shall not be asked a direct question except through the Mayor.

g. 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 Manger and the City Clerk.

(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.

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 an agenda upon the proper motion, second and majority vote provided no additional information is required.

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 citizen wishing to make a presentation to the City Commission must submit their request to the Office of the City Clerk no later than 12:00 Noon on the Monday prior to the City Commission meeting. The request must be approved by the City Manager and/or City Clerk. Presentations will be limited to ten (10) minutes.

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. 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)). 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 or continue may be made at this time.)

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. Each Commissioner can only speak twice on a motion. Improper reference must be avoided.

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 repeat the motion 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), "D" and "E".

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 Mayor, City Commissioners, City Manager or the City Clerk may request that the City Attorney prepares 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 Manger.

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.