

ORDINANCE No. 415

AN ORDINANCE RELATING TO THE PROCEDURE, AGENDAS, AGENDA DEADLINES, ORDER OF BUSINESS, AUTHORITY TO PLACE ITEMS ON AGENDA, CONDUCT OF MEETINGS, MINUTES, AND RELATED MATTERS PERTAINING TO WORKSHOPS, REGULAR AND SPECIAL MEETINGS OF THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; REPEALING PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; AND, RECITING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is in the best interests of the people of the City of Mexico Beach, Florida that this ordinance be enacted, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA:

**Section 1.** In order to better organize and give adequate notice to the public of the various public meetings and gatherings the City Council enacts the following provisions that, subject to editorial discretion, will be added to Title III-Administration, Chapter 30-City Council, of the City Code.

**Section 2. Section 30.01 Meetings.**

- (A) Meetings. The City Council shall meet regularly the second Tuesday of each month and at such times as it may prescribe by resolution. Special meetings and workshops may be held on the call of the mayor or three (3) or more members of the council. Council shall seek to meet in a workshop or special meeting on the Wednesday, immediately preceding the regular meeting, at a time determined by council, in order to prepare for the regular meeting and to discuss items to be placed on the regular meeting agenda. All meetings shall be held at the Mexico Beach Civic Center, at City Hall, or as set forth in the meeting agenda pursuant to state law.
- (B) When the day for a regular meeting falls upon a day which is a legal holiday in this state, the meeting shall be held the next Wednesday or as otherwise set by the council.
- (C) Procedure. The council shall determine its own rules and order of business and shall provide for keeping a minute book of its proceedings. The minute book shall be a public record.
- (D) Votes. No action of the council shall be valid or binding unless adopted or approved by the affirmative vote of a majority of the members of the council constituting a quorum when the action is introduced. A quorum of council shall be three (3) or more members of council. A two thirds (2/3) vote of the membership of the council, or four (4) or more votes, is required to enact an emergency ordinance. Voting on all ordinances, except on procedural

motions, shall be by roll call and the ayes and nays recorded in the minute book. (See Charter section 2.09.)

- (E) Any meeting of the council may be continued or adjourned from day to day, or for more than one (1) day, but no adjournment shall be for a longer period than until the next regular meeting thereafter.
- (F) Except as permitted by state law, all meetings of the council or any board or commission shall be open to the public.

**Section 30.02** Agendas, Order of Business and Procedure.

- (A) Call to Order. The mayor shall take the chair at the time appointed for the meeting and call the members of the council to order. He or she shall preserve the order and decorum, decide all questions of order, unless appealed to the council. In the absence of the mayor, the mayor pro tem is vested with like powers. If there is no presiding officer in attendance, the council may elect a presiding officer for that meeting.
- (B) Order of Business. The order of all regular meetings of the council should be transacted in the following order, unless the council by a majority vote of the members present, shall suspend the rules and change the order of business:
  - (1) Call to order;
  - (2) Invocation;
  - (3) Pledge of allegiance;
  - (4) Consent agenda;
  - (5) Minutes of preceding meeting(s);
  - (6) Mayor's comments;
  - (7) Council members' comments;
  - (8) Citizens' comments;
  - (9) Presentations/proclamations;
  - (10) Appointments;
  - (11) Planning and Zoning Items;
  - (12) Ordinances;
  - (13) Resolutions;
  - (14) Other Business;
  - (15) Department Reports/Action; and,
  - (16) Adjournment.
- (C) Addressing the Presiding Officer. Each member when the council is convened and organized for business, when speaking, shall address the presiding officer.
- (D) Conduct.
  - (1) Addressing Council. All persons wishing to address the council must be first recognized by the Mayor or other presiding officer before any comments are made. After being recognized to speak, the speaker should come to the podium and state their name and address. Comments will be limited to three (3) minutes per speaker per item and all comments must be addressed to the agenda item

currently under discussion. The comment time period may be extended by affirmative vote of the council. No comments should be made from the audience seating area.

(2) Consent Agenda. The items on consent will be marked by an \* on the agenda. The Mayor or presiding officer will ask for public comment on these items. If you wish to comment on an item on the consent agenda you should stand to be recognized by the Mayor or presiding officer. Once a motion is made regarding the consent agenda, the public comment period ends.

(3) Regular Agenda. Audience members wishing to address the council on items on the regular agenda should do so after the item(s) of your interest are read by the Mayor or presiding officer. You must be recognized before you begin your comments. Once a motion is made on the item, the public comment period ends.

(4) Required Public Hearing Matters. Public comment is welcome during these items subject to any limiting rules as may be required by law or adopted by council.

(5) Scheduled Appearances. Speakers who have made a timely request to be placed on the regular meeting agenda will be allocated seven (7) minutes to make comments to council. A request to be placed on the regular meeting agenda shall be timely if made in writing three (3) business days before the regular meeting. Unscheduled speakers will be allocated three (3) minutes to make comments. Council may extend the time for comments by consent or motion.

(6) Disruptions. Those in the audience are asked to respect each speaker and disruptions during the speaker's comment period are prohibited. Comments should only be addressed to the Mayor and council.

- (E) Misconduct. Any person who, during the sitting of the council assembled for and engaged in the study of, or the consideration of the affairs, interests, issues of the City, or the enactment of rules, regulations, resolutions, motions, or ordinances for the City, shall create any disturbance by any noises, conversations, gestures, acts, or conduct that interferes with the orderly considerations and deliberations of the council, thus assembled, shall be guilty of a misdemeanor and punished according to law.
- (D) Consent Agenda. A portion of the agenda may be designated as a consent agenda and all items contained therein may be voted on en gross. A council member may, without discussion, state that he or she is voting in the affirmative on all consent items except certain ones which he or she will name by number. In such cases, the vote of the council member(s) shall be recorded as a negative or abstention for the items named. However, prior to the vote on the consent agenda, any council member may withdraw an item from the consent agenda so that it shall be debated and voted on individually. This shall in no way limit the legal right of a council member to abstain according to law.
- (E) Dissents. Any member who strongly objects to any action voted on or taken by council at a regular or special meeting may have his or her protest or dissent entered upon the council record provided he or she files the protest or objection in writing to the council or clerk at the later of the next regular

meeting or approval of the minutes for the next regular meeting following the date of passage of the item objected to.

- (F) Suspension of Rules. Any provision of these rules not governed by the charter may be temporarily suspended at any meeting by majority vote or unanimous consent where the chair asks if there are any objections to the suspension of the rules. One or more objections will require that a counted vote be taken by ayes and nays and entered upon the record. If a vote is taken and there is a negative vote the rules shall not be suspended.
- (G) Explanations. If a motion has been voted on without discussion and a council member feels that it is necessary to explain his or her vote, following the vote he or she may have up to five (5) minutes to give the public reasons for his or her vote. This shall not be construed as an opportunity to repeat discussion that has already taken place at the same meeting.
- (H) Anonymous Communications. Unsigned communications shall not be introduced in council meetings.
- (I) Motions. For a motion to be properly considered by council, the motion must be made and then receive a second.
- (J) Filing Agenda Items. The mayor or any council member shall have the right to place an item on the published regular agenda provided the same is filed with the City Administrator by ~~10am (CDT) on Friday~~ *12 noon (CT) the Wednesday immediately* preceding the regular council meeting. The City Administrator or his designee shall have the right to place items on and shall prepare the meeting agenda for council. Additional agenda items may be considered by council at its discretion and in accordance with state law.

**Section 3.** All ordinances or parts of ordinances thereof, in conflict with the provisions of this ordinance are hereby repealed in whole or in part to the extent of the conflict.

**Section 4.** Should any part of this Ordinance be deemed invalid by a court of competent jurisdiction, the invalid parts shall be severed from the Ordinance and the remaining parts shall not be affected thereby.

**Section 5.** This Ordinance shall become effective upon passage.

INTRODUCED at a regular meeting of the City Council on the 9<sup>th</sup> day of July, 2002, and adopted by the City Council on the \_\_\_\_ day of August, 2002.

CITY OF MEXICO BEACH, FLORIDA

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Kathy Kingsland, Mayor

[Signatures Continue On Following Page]

ATTEST:

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Henry Flack, City Clerk

Approved As To Form:

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Paul Komarek, City Attorney