

TAB 12

POINT PAPER
Public Participation Policy
April 6, 2009

Problem:

City Commission Policy #09-02, Rules Of Procedure For Agenda and Public Appearances Before City Commission, that was approved on December 14, 2008 (Resolution 08-40) needs to be updated to reflect the recent change in the workshop starting time from 5:00pm to 4:30pm.

Background:

The current public participation policy indicates that Commission workshops begin at 5:00 and end at 6:00pm. Per Commission's decision, the workshop starting time was recently changed to 4:30pm. The attached policy has been updated to reflect the new start time. Staff also added additional language to clarify that the start time can be changed by Commission at any time, providing it is properly noticed.

Alternatives:

1. Motion to approve Resolution 09-21
2. Do not approve Resolution 09-21

Recommendation:

Alternative #1

Budget Impact:

No fiscal impact identified.

RESOLUTION NO. 09-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CITY COMMISSION POLICY #09-02 ESTABLISHING RULES OF PROCEDURES FOR CITIZEN PARTICIPATION AT CITY COMMISSION PUBLIC AND WORKSHOP MEETINGS; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

WHEREAS, the role and function of municipal government is constantly evolving from new demands from its citizens and businesses; and

WHEREAS, the City Commission of the City of Palmetto desires to formalize its standing practice of allowing and encouraging public participation at all City Commission public meetings and workshops.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PALMETTO:

Section 1: That City Commission Policy #09-02 was adopted by Resolution No. 08-40 on December 15, 2008.

Section 2: That City Commission Policy #09-02 is hereby amended to revise Commission workshop meeting times.

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

PASSED AND DULY ADOPTED, in regular session, by the City Commission of the City of Palmetto, with a quorum present and voting, this 6th day of April 2009.

CITY OF PALMETTO, FLORIDA
BY AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
SHIRLEY GROOVER BRYANT,
MAYOR

ATTEST: JAMES R. FREEMAN

By: _____
City Clerk

**CITY COMMISSION POLICY #09-02
ADOPTED BY RESOLUTION NO. 08-40**

**RULES OF PROCEDURE FOR AGENDA AND
PUBLIC APPEARANCES BEFORE CITY COMMISSION**

PLEASE PLACE CELL PHONES ON SILENT MODE

DATE AND TIME FOR COMMISSION MEETINGS: With the exception of holidays and pre-approved meeting schedule changes, the Commission meets every 1st and 3rd Monday of the month in the Commission Chambers located at City Hall. Unless otherwise approved by the Commission, a Commission workshop meeting begins at 4:30 p.m. and concludes at approximately 6:00 p.m. Commission can change the starting time of the workshop meeting as necessary, which will be noticed accordingly. The regular Commission meetings begin at 7:00 p.m. and last until 10:00 p.m. unless extended by motion of the Commission. Commission meeting calendars are posted on the City's website: www.palmettofl.org.

PRIOR TO COMMISSION MEETING: Agenda will be prepared and available to the public by 5:00 pm of the Friday preceding the Commission meeting. Anyone wishing to be placed on the agenda must contact James Freeman, CMC, City Clerk at City Hall by phone 941-723-4570, email: jfreeman@palmettofl.org or fax 941-723-4576, giving their name, business name (if applicable), whether they are resident taxpayers of the City and must state their business. Appearances before Commission will be scheduled per the Mayor. Be advised that, in accordance with the American With Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk at PO Box 1209, Palmetto, FL 34220, telephone 941-723-4570, not later than seven (7) days prior to the proceeding.

PURSUANT TO FLORIDA STATUTE 286.0105: If a person decides to appeal any decision made by the board, council, agency, or commission at this meeting, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

WORKSHOP MEETING: Commission workshop meetings are held to allow Commission to review and formulate items that will be placed on a future 7:00 meeting agenda. Commission takes no action at a workshop meeting. The meetings are open to the public, but generally public comment is not presented unless approved by the Commission or Mayor.

REGULAR MEETING: Commission regular meetings allow the legislative body of the City to adopt Ordinances and Resolutions to establish laws and policies to protect the health, safety and welfare of Palmetto residents, as well as providing public services and facilities. The Commission holds public hearings on issues that are of special importance to residents.

WHO MAY SPEAK: Meetings of the City Commission are open to the public. They are not, however, public forums. Any resident who wishes to address the Commission, on any subject within the scope of the Commission's authority, may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON ITEMS ON THE AGENDA: Citizens wishing to speak to an agenda item must complete a Speakers Form and submit it to the Deputy Clerk-Administration. Public comment will be received prior to Commission action on any agenda item.

- **CONSENT AGENDA ITEMS.** These are items which the Commission does not need to discuss individually, and which are voted on as a group. Any commissioner who wishes

to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.

- **REGULAR AGENDA ITEMS.** These are items which the Commission will discuss individually in the order listed on the agenda. The chair, at its discretion, may permit any person to be heard on an item at a non-public hearing.
- **PUBLIC HEARING ITEMS.** This portion of the agenda is to obtain input from the public. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA: Citizens wishing to speak on a subject not on the agenda must complete a Speakers Form and submit it to the Deputy Clerk-Administration. Any citizen may address the Commission on any item pertaining to City business during the Public Comment period at the beginning of the 7:00 meeting. Public comment will be received prior to Commission action on any non-agenda item.

ADDRESSING THE COMMISSION, MANNER, TIME: Citizens shall state their name and address. The length of time each individual may speak will be limited to two (2) minutes in the interest of order and conduct of the business at hand, unless time is extended by action of the Commission. All comments or questions of the public are to be directed to the Mayor as presiding officer. There shall be no cross conversation or questions of any other persons.

PLEDGE OF PUBLIC CONDUCT: We, the Mayor, City Commission and Employees of the City of Palmetto agree to:

Establish a process to promote positive interaction among ourselves and the citizens of Palmetto in a positive and non-threatening environment. Encourage visible, involved and active participation among all. Promote improved communication through active listening, providing feedback and honest expression of ideas. Utilize consensus for decision making. We realize that though we may disagree, we will be respectful of each other. We will direct all comments to the issues and will avoid personal attacks.

DECORUM: If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room, and may order this done by the Police Department, if necessary. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

Adopted by Resolution No. 08-40, December 15, 2008.

James R. Freeman
City Clerk

Amended and approved by City Commission April 6, 2009.