1	RESOLUTION NO001957
2	Adopted
3	
4	A RESOLUTION ADOPTING THE CITY
5	COMMISSION RULES OF THE CITY OF
6	GAINESVILLE, FLORIDA; PROVIDING A
7	REPEALING CLAUSE AND PROVIDING AN
8	IMMEDIATE EFFECTIVE DATE.
9	
10	
11	WHEREAS, under the provisions of Section 2.06 Gainesville Charter, the
12	City Commission may determine its own rules of procedure, as well as provide for
13	the time and place of regular meetings of the City Commission, and the
14	Commission has decided upon a new set of rules to govern its procedure and to set
15	the time and place of meeting.
16	NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION
17	OF THE CITY OF GAINESVILLE:
18	SECTION 1.
19	The following are hereby adopted as rules of procedure and to provide for the time and place of
20	meetings of the Commission until other such rules are established by the City Commission:
21	
22	RULE I.
23	REGULAR MEETINGS
24	The Regular Meetings of the Commission shall be held the second and fourth Monday of
25	every month commencing at 1:00 p.m., except when meeting as the Board of Trustees of the
26	Employees' Pension Plan which will precede the regular City Commission meeting which will

occur after adjournment of the Board meetings. If a meeting day shall fall on a legal holiday

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observed by the City, such meeting will not be held on the holiday but shall be rescheduled as determined by the Commission.

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RULE II.

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SPECIAL AND EMERGENCY MEETINGS

Special Meetings should, whenever possible, be approved at Regular City Commission Meetings. All Special Meetings should be requested using a form designed by the Clerk of the Commission. Special Meetings requested by Charter Officers must report the business to be transacted and indicate the time and date the agenda language and back-up will be available (no later than 48 hours prior to the meeting, if possible).

Special meetings may be held at any time upon the request of the Mayor, either of his/her own motion or upon written request of two members. These Special Meetings should be requested using a form designed by the Clerk of the Commission. The request shall be served on every member of the Commission by the Clerk of the Commission. Every reasonable measure will be taken to notify members of the Commission regardless of where each member may be. Also, every reasonable effort will be made to notify members of the local news media (print and electronic) and the public. The notice may state the business to be transacted at such meeting, and no other business than that so specified shall be transacted. Special meetings may not be convened sooner than forty-eight (48) hours succeeding the time notice was served by the Clerk of the Commission on the last Member of the

Commission.	Charter	Officers	should	identify	the	subject	matter	for	the	special
meeting and sh	ould only	y address	the san	ne subjec	t on	the actu	al ageno	da.		

- C. Emergency meetings may be held at any time upon the Call issued by the Mayor or upon written Call signed by three (3) members of the Commission. The emergency meeting shall occur no sooner than two (2) hours after the execution of the Call. Every reasonable measure will be taken to notify members of the local news media (print and electronic) and the public. The Call will state the business to be transacted at such meeting, and no other business than that so specified shall be transacted.
- D. The Commission at any meeting may recess or adjourn to a time certain for the transaction of any business or specified business only, as may be determined by the Commission in taking such action.
- E. All meetings of the City Commission shall be open to the public (except as authorized by law).
- F. The Mayor, two City Commissioners, or City Manager_a Charter Officer may call for an inspection trip. Advance notice of inspection trips shall be given in the same manner as special meetings. If discussions relating to Commission business occur, mMinutes of the inspection trip shall be made. Two Members may be considered a quorum for these meetings.
- G. City Commission Workshops/Informal Meetings can be scheduled as needed on the first, third, and fifth Monday of each month. Workshops shall meet in a public building. Each workshop shall be properly noticed to the public. Votes are not

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RULE III.

H.

Commission.

AGENDA

Commissioners may constitute a quorum for these meetings.

taken at workshop/informal meetings. For all policy issues requiring consideration,

workshops may be scheduled. The City Commission is expected to attend all

scheduled workshops, although the Mayor and one (1) Commissioner or two (2)

All Special, Inspection and Workshop Meetings should be held on the 1st, 3rd, and

5th Monday of the month, if possible. Written justification will be required for any

meeting scheduled not on a Monday using a form designed by the Clerk of the

The Clerk of the Commission shall prepare an agenda for each regular meeting of the Commission. All requests to address the Commission on subjects not then under discussion by the Commission, together with a notice of items to be presented at the Commission at the next regular meeting by any Committee, Board, or Administrative Official, shall be delivered to the Clerk of the Commission on or before 11:00 A.M. on the Monday preceding each Regular Meeting. The Clerk of the Commission shall arrange a list of such matters according to the order of business, and furnish each Commissioner and Charter Officer with a copy as far in advance of the meeting as time for preparation will permit. The Clerk of the Commission will prepare copies of the agenda for the news media and the public

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RULE IV.

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QUORUM

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Three members of the Commission shall constitute a quorum for the transaction of business, but a smaller number may adjourn the meeting.

PRESIDING OFFICER - ELECTION AND DUTIES RULE V.

- A. The Mayor shall be the presiding officer and Chair of the Commission. At the meeting held on the Thursday following the first (1st) Tuesday in May unless there is a runoff election in which event, the Thursday following the third (3rd) Tuesday in May, the Commission shall elect one of its members as Chair Pro tempore.
- B. The Mayor, or in his/her absence the Chair Pro tempore, shall take the chair at the hour affixed for the meeting and call the members of the Commission to order. The presiding officer shall preserve order and decorum at all meetings of the Commission. He/she shall sign all ordinances or resolutions adopted by the Commission. The Mayor shall designate the seating arrangement at meetings of the Commission.
- C. In the absence of the Mayor and the Chair Pro tempore, the Clerk of the Commission shall call the Commission to order; whereupon a temporary Chair shall be elected by the members of the Commission present. Upon arrival of the Mayor or Chair Pro tempore, the temporary Chair shall relinquish the chair upon the completion of the business immediately before the Commission.
- D. In the absence of the Chair Pro tempore, the Mayor shall designate a member of the Commission as a temporary Chair Pro tempore. Upon arrival of the Chair Pro tempore, the temporary Chair Pro tempore shall relinquish the designation.

RULE VI.

A. The following standing committees, consisting of at least two Commissioners each, shall be appointed by the Mayor, with the concurrence of the City Commission at the organizational meeting of the Commission or as soon thereafter as may be heard:

COMMITTEES - APPOINTMENT - PROCEDURE - REFERRALS

Audit and Finance (2);

Community Development Committee (2)

Legislative (2);

Personnel and Organizational Structure (2);

Public Works (2);

Public Safety (2);

Recreation and Cultural Affairs (2); and

Regional Utilities (2).

The first named member of each Committee shall be the Chair of the Committee. The personnel of the foregoing Committees, including change in the chairship thereof, may be affected at any time at the pleasure of the Mayor with the concurrence of a majority of the Commission.

- B. The Mayor may appoint such Special Committees as he/she may deem necessary or as authorized by the Commission.
- C. Standing and Special Committees shall consider matters referred to such Committees by the Commission, or if not so referred, if the subject is germane to the purposes for which the Committee exists, the fact that the Committee has such other

O. Once referred, all discussions on a referral should occur at the Standing Committee

or Board /Committee meeting where the item was returned. The Commission can

hear public discussion at any Regular Meeting by waiving the City Commission

Rules.

RULE VII.

ADVISORY BOARDS AND COMMITTEES Residents appointed to advisory boards and committees of the City shall generally serve a maximum of two (2) terms. When filling a vacancy for an unexpired term, an appointee who serves more than half a term in office is considered to have served a full term. The Commission may make exceptions to the above general policy on a case-by-case basis when necessary to preserve the stability of a board or committee, to retain a particular appointee because of his/her special knowledge or expertise, or for such other circumstances as the Commission deems warranted.

For the purpose of balloting the following policy will apply:

- Openings for vacancies on Advisory Boards and Committees previously filled by persons serving two consecutive terms, will not be included on the election ballot packet after the first advertisement.
- 2. If after a second advertisement there are no new applicants, the Clerk will include for consideration those persons who have already served two terms on that particular board/committee.
- 3. Board members who have served two (2) terms, but have not been replaced or reappointed remain on the board/committee until new members are appointed.

1	4.	4. All Board and Committee Referrals not completed in six months must seek re-authorization					
2		prior to the six month due date.					
3	5.	5. All Board and Committee Agendas should include a list of all outstanding referrals with du					
4		dates listed.					
5	6.	All Board and Committee Liaisons should update the referrals with intermediate updates.					
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7	RULE	VIII.					
8		ORDER OF BUSINESS					
9		The Business of the Commission shall be taken up for consideration and disposition in the					
10	following order except as changed by the Mayor or by the Commission during the Adoption of the						
11	Agenda to allow greater citizen participation:						
12	1:00 P	.M.					
13	A.	Invocation					
14	В.	Adoption of the Consent Agenda (Including Committee Reports)					
15	C.	Adoption of the Agenda (Read if any, each item added or modified)					
16	D.	City Commission Comment (If time available)					
17	E.	Charter Officer Updates					
18	F.	Clerk of the Commission					
19	G.	City Manager					
20	Н.	General Manager for Utilities					
21	I.	City Attorney					
22	J.	City Auditor					
23	K.	Committee Reports (Pulled from Consent)					

1	L	Advisory Board/Committees (Appointments/Waivers/Reports)				
2		Committee Reports must be placed on the agenda by Charter Officer, through staff liaison				
3		after approval by Board/Committee.				
4	M.	Outside Agencies				
5		Must be submitted by a Charter Officer. Update limited to ten (10) minutes.				
6	N.	Members of the City Commission				
7	O.	Commission Comments (if time available)				
8	P.	5:30 p.m. Citizen Comment				
9	Q.	Commission Comments (if time available)				
10	6:00	р.т.				
11	R.	Pledge of Allegiance				
12	S.	Proclamations/Special Recognitions				
13		Placed on Agenda by Commissioner or Charter Officer				
14	.Т.	Public Hearings:				
15		1. Public Hearings				
16		2. Ordinances, First Reading				
17		3. Ordinances, Second Reading				
18		4. Resolutions				
19	U.	Plan Board Petitions				
20	V.	Development Review Board				
21	W.	Scheduled Evening Agenda Items				
22	X.	Unfinished Business				
23	Y.	Commission Comments				
	let					

1	Z. Citize	n Comments (If Time Permits)
2	:8	
3	Adjournment	no later than 11:00 p.m. Mayor to schedule date and time to continue meeting.
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5	RULE IX.	
6		VOTING
7	The Y	eas and Nays on any question before the Commission shall be taken at the Call of any
8	Commissione	r. Each member of the Commission will vote first every fourth time only with the
9	Mayor (Chair)	always voting last.
10		
11	Comm	nissioners will vote "yea" for support of a motion and vote "no" when voting not to
12	support a mot	ion.
13	Ехсер	t in a Roll Call, silence by a member shall be recorded as an affirmative vote.
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15	RULE X.	
16		PROCEDURES
17	A.	The presiding officer shall decide all questions regarding the priority of business
18		without debate.
19	В.	All ordinances and resolutions shall be introduced in writing.
20	C.	All motions or amendments thereto shall be reduced to writing if the presiding
21		officer or a member desires.
22	D.	Every petition, communication, or other paper addressed to the Commission or
23		presented in writing to the Commission at any meeting shall be retained (or a copy

thereof) by the Clerk of the City Commission with appropriate reference made in the minutes if presented at a Commission meeting together with the identification of the sender or writer.

- E. No motion shall be debated or put to a vote unless seconded. No member of theCommission may reserve the priority to make a motion.
- F. If a motion is made to vote immediately (or move the previous question), it shall be put in this form:

"I move that we vote immediately"; or

"I move the previous question(s)."

This motion can apply to any immediately (or series of) pending debatable or amendable motion(s). Further, any motion to vote immediately: (1) must be seconded; (2) is not debatable; (3) cannot interrupt a speaker; (4) requires a two-thirds vote (because it prevents or cuts off debate); (5) takes precedence over all subsidiary motions except one postponed temporarily; and (6) can have no motion applied to it except withdraw.

G. The tape recordings made by the Clerk of the City Commission meetings are for exclusive benefit and use of the Clerk in making and keeping minutes and records of the Commission. In order that there be no possibility of altering, damaging, losing or tampering with such tapes and matters contained thereon, the tape recordings of the Commission meetings shall be used only by the Clerk. A copy of such tape recordings may be made by the Clerk and then by him/her made available to the press and public.

RULE XI.

C.

RULES OF DEBATE

- A. The presiding officer may move, second and debate, subject only to such limitations of debate as are enforced by these rules on all members, and shall not be deprived of any of the rights and privileges as commissioners by reason of his/her action as presiding officer. If the presiding officer desires to make a motion or second a motion, the officer shall relinquish the chair to a member as the officer shall designate until he/she has finished his/her debate on said question or matter.
- B. Every member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall be confined to the question under debate, avoiding all personalities and indecorous language. A member, once recognized, shall not be interrupted when speaking unless it be to call said member to order, then the member shall cease speaking until the question or order is determined by the presiding officer without debate and, if in order, said member shall be at liberty to proceed.
 - After the decision of any question, it shall be in order for a member voting on the prevailing side to move a reconsideration at the same meeting or at the next succeeding regular meeting, but not thereafter without unanimous consent. It shall likewise be in order for a member voting on the prevailing side to move a reconsideration at a special meeting occurring between the time of original consideration and the next succeeding regular meeting. In the case of a tie vote on any question, any member may move for a reconsideration at the time or times herein stated for reconsideration on motion by one voting on the prevailing side.

If a motion to reconsider be lost, it shall not be renewed without the unanimous consent of the Commission; and no decision shall be a second time reconsidered without a like leave.

- D. A Commissioner may request, through the presiding officer, the privilege of having his/her written statement on any subject under the consideration by and presented to the Commission entered in the minutes. If the Commission consents thereto, such statement shall be entered in the minutes.
- E. The following Statement will be required on all City Commission Agendas:

 "Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, and via e-mail, that will become public record. (In some instances, i.e. Quasi-Judicial Hearings, these particular contacts may be prohibited.")

RULE XII.

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APPROVAL OF COMMISSION MINUTES

The Clerk of the Commission shall submit minutes of meetings for approval as timely as possible. Unless a reading of a Commission meeting is requested by a majority of the Commission, such minutes may be approved without reading, if the Clerk of the Commission has previously furnished each member with a copy thereof.

RULE XIII.

PERSONS APPEARING BEFORE THE COMMISSION

I. **Citizen Comment**

- Citizen Comment is limited to issues not located on other portions of the printed A. agenda.
- B. Time Limits will be established by the Mayor based on the number of participants. Maximum of five (5) minutes per participant.
- Participants may be required to fill out a form at the meeting. C.

Π. **General Speaking**

Any person desiring to address the Commission on any matter pending before it A. shall first request recognition by the presiding officer. After being recognized, the person (1) give his/her name in an audible tone of voice; (2) shall limit the address to three or five minutes; and (3) address all remarks to the Commission

1	The Clerk of the Commission shall have, at every regular meeting of the Commission, a
2	list of unfinished business in order of its introduction, which may be read at the request of the
3	Commissioner.
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5	RULE XV.
6	COMMUNICATIONS
7	Each Commissioner shall be furnished a copy of all communications addressed to the
8	Commission by the Plan Board and appropriate city staff with the original and attachments filed
9	with the Clerk of the Commission. Also, copies of proposed ordinances and resolutions prepared
10	or approved by the City Attorney shall be furnished each Commissioner.
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13	RULE XVI.
14	<u>ORDINANCES</u>
15	A. All ordinances shall be prepared, or approved as to form and legality, by the City
16	Attorney prior to being introduced at a Commission meeting.
17	B. No ordinance shall be adopted on a second and final reading until notice as
18	required by law has been published.
19	C. All ordinances shall be signed by the presiding officer and attested by the Clerk of
20	the Commission.
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22	RULE XVII.
23	SERGEANT-AT-ARMS

Final Action: In substantially the following words: As the Mayor, I inform you that your actions are inconsistent with the orderly function of this meeting and fails to comply with the lawful order of the Chair. I am instructing the Sergeant-at-Arms (City Manager/designee) to have you removed from this meeting site, and if deemed necessary by the Sergeant-at-Arms, to remove you from this building.

RULE XVIII.

REPORTS AND RESOLUTIONS

Most all reports and resolutions shall be filed with the Clerk of the Commission and made part of the minutes. Some lengthy and oversized documents may be stored at individual administrative areas.

RULE XIX.

DOCUMENTS FOR EXECUTION

All documents to be executed by the Mayor and Clerk of the Commission shall have first been submitted to the City Attorney's Office for approval as to form and legality before placing on the agenda and should be formatted for immediate signature after authorization of the execution.

RULE XX.

ROBERT'S RULES OF ORDER

Robert's Rules of Order, Revised (Current Edition), so far as they are applicable and do not conflict with these Rules or the Ordinances or Charter of the City, shall be the rules of the Commission.

1			Order	Maximum Time Limit
2		1)	Introduction of the matter by staff	(minutes)
3		1)	Introduction of the matter by staff	20
4		*2)	Petitioner Staff and and a staff and a sta	10
5		*3)	Staff presentation	10
6		*4)	Affected Party (if any) for	10
7		4.5	(per person)	
8		*5)	Affected Party against (if any) against	10
9		4.6	(per person)	5
10		*6)	Rebuttal (Petitioner/Staff) Close of presentation by Petitioner,	_
11		7)	Public hearing (per person)	Staff and Affected Farties
12		8) 9)	Deliberation and vote of the Commis	ssion
13		9)	Denocration and vote of the Commis	331011
14 15		(2) Cross e	examination is limited to ten (10) minute	s per witness.
16		(3) The tin	ne limits set forth in Section (1) may be	modified by the City Commission on its own motion or
17		upon re	equest of a party to the proceedings. Sa	id request shall detail the modified time desired and the
18		subject	s to be discussed during the additional	time. A request for a modification of time should be
19		conside	ered by the City Commission to assure	all parties have an opportunity to participate without
20			repetition and delay.	
21 22	*	Witnesses may	be presented during parts 2-6 of the p	presentation with cross-examination.
23	(B)	Affected Party	Defined; Determination	
24		(1) An aff	ected party is any person who is ent	itled to actual written notice of a matter before the
25		Comm		
26	ř	, ,		written notice but who believes that they have a special
27				ind and degree from that_shared by the public at large
28		-		in application, as provided in Part I of this rule. The
29		Comm	ission will consider an application for	affected party status prior to the commencement of the
30		hearing	g. The decision of the Commission shal	l be final.
31	(C)	Registration of		
32		In order to par	ticipate in the formal quasi-judicial h	nearing, all affected parties shall complete the form
33		prescribed by th	e Clerk of the Commission, stating their	r name and address and other pertinent information, and
34		whether they su	pport or oppose the matter or matter be	fore the City Commission. The form shall be delivered
35		to the City Com	mission's secretary at the commencement	nt of the hearing.
36	(D)	Representation	of Parties	

1	from questioning any person on matters relevant to the matter or petition. The Mayor or any City Commissioner may						
2	seek advice from the City Attorney on questions of evidence. During the presentation by the opponents or proponents						
3	of an issue before the City Commission, no one may present testimony or evidence which is unduly cumulative or						
4	repetitious of previously presented testimony or evidence by a fellow opponent or proponent.						
5	(F)	Public Hearing					
6		After the quasi-judicial hearing is completed, those members of the public who were not a party to the quasi-					
7		judicial hearing may be permitted to speak up to five (5) minutes per person and present their testimony and					
8		evidence to the City Commission. No party or witness shall be_allowed to speak during the public hearing					
9		portion of the proceedings.					
10	(G)	Continuances					
11		The City Commission may, in its discretion, at any time during the hearing, continue the hearing, and may					
12		request further information from any party.					
13							
14	(H)	City Commission Deliberation					
15		The City Commission shall then further deliberate a motion, if necessary, and reach a decision by voting on the					
16		motion. In reaching its decision the City Commission may only consider evidence presented at the hearing and					
17		base its decision on the competent, substantial evidence of record.					
18	(I)	City Commission Oral Order					
19		The City Commission shall orally issue an order.					
20	(J)	City Commission Written Order					
21		The order shall be reduced to writing and shall state whether the petition is granted or denied or granted with					
22		conditions. The order shall also specify any conditions, requirements or limitations on the approval of the					
23		matter. The written order shall be presented to the City Commission for approval at a special meeting or at the					
24		next regular meeting of the City Commission. The Mayor and the Clerk of the City Commission shall execute					
25		the order. Executed copies of the order shall be hand delivered or mailed to the parties.					
26							
27		Part III. Informal Quasi-Judicial Hearings					
28	(A)	Informal Quasi-Judicial Hearing Procedure					

1		A.	Written Communications - If a Commissioner receives a written "ex parte" communication relating to
2			a matter coming before the Commission, the member should transmit the item to the Clerk of the
3			Commission for inclusion in the official records. These communications shall be forwarded to the
4	-		parties as soon as practicable before the hearing.
5		B.	Oral Communications - As soon as it becomes apparent that an inadvertent oral communication
6			pertains to a matter coming before the Commission, the Commissioner should explain to the person
7			that the communications is improper and that he or she is required to end the communication on that
8			subject. At the time the item comes up for discussion at the Commission meeting, the Commissioner
9			should report any attempted "ex parte" communication.
10	3)	Party in	quiry
11		Any pa	rty may ask questions to a Commissioner about any ex parte communications directed through the
12	Mayor.		
13			
14			
15	RIILE	XXII.	
	KOLE		
16		A	DOPTION, ALTERATION OR SUSPENSION OF THESE RULES
17	These	rules m	ay be adopted, altered, waived, or rescinded by a 2/3rds vote of the members of the
18	Comm	ission.	
19	I		

1	SECTION 2.	
2	All resolutions in conflict herewith an	re repealed. This resolution shall become effective
3	immediately upon adoption and will	remain in effect until amended or repealed.
4	Dated this day of _	<u>, 2001</u> .
5		
6		
7		MAYOR
8		Thomas D. Bussing
9		·
.0		
.1	ATTEST:	Approved as to form and
2		legality:
.3		-
. 4		
.5		Ву
.6	Clerk Of The Commission	Marion J. Radson, City Attorney
7	Kurt M. Lannon	City of Gainesville Florida