

RULES OF PROCEDURE

Proposed Changes

Early Citizen Comment

(new – added per vote at GPC)

- For items on the agenda, limited to 3 minutes per citizen. A citizen addressing more than one agenda item is limited to 5 minutes. A citizen speaking during early citizen comment, waives the right to speak later in the meeting. No Early Citizen Comment will be permitted for quasi-judicial agenda items.

➤ ***Questions for Commission decision:***

- 1. If a citizen wishes to speak to more than one agenda item during early comment, should their time be increased? If yes, what is the maximum time to give a citizen during early comment?*
- 2. If a citizen speaks on one item during early citizen comment, do they waive the right to speak on a different item later in the meeting? If no, how should the commission keep track of who has spoken on an item?*

Applause During Proclamation

(new – added per GPC)

- Proclamations/Special Recognitions – The general rule that there will be no applause, cheering, or outbursts of approval is waived during this portion of the meeting, as it is recognized that proclamations and special recognitions are often celebratory in nature.

General Citizen Comment – Limited to one time per meeting (new – added per vote at GPC)

- For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total and limited to citizens who did not speak at the 1pm general citizen comment period.

Decorum and Civility

- At the GPC, Commission requested that staff provide suggestions for civility and decorum during Commission meetings. The following slides contain suggested changes to the rule. The new language is borrowed heavily from Palm Bay, Florida and encompasses the constitutional requirements that restrictions on speech which are content-neutral time, place, and manner restrictions are appropriate if the rules are narrowly drawn to achieve a significant governmental interest. The city must provide citizens with ample alternate channels of communication.

Rule 10.A. Encouraging Citizen Comment (new – proposed by staff)

- Citizen Comment Encouraged
- The City Commission recognizes the importance of protecting the right of all citizens to express opinions of the operation of city government and encourage citizen participation in the local government process. The Commission will not prohibit public criticism of the policies, procedures, programs or services of the commission, or the acts or omissions of the Commission. Citizens' expressions that go beyond the role and authority of the Commission have no privilege or protection. While the Commission recognizes the rights of citizen's free speech, this meeting is a limited public forum in which the Commission must conduct its business meeting. The Commission recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely manner and has adopted these rules to balance the rights of citizens to speak on governmental issues, while conducting its business meeting.
- ***Questions for Commission decision:***
 - *Should this paragraph be added to the rules?*

General Citizen Comment – Limited to city business (new – proposed by staff)

- General Citizen Comment is an opportunity for citizens to address the Commission limited to on issues of city business which are not located on other portions of the printed agenda.

- **Questions for Commission decision:**
 - *Currently there is no limitation on what topics can be discussed during General Comment. Should the rules be amended to limit general citizen comment to:*
 - *Issues of city business*
 - *Topics of local relevance*
 - *Leave rules as currently adopted?*

General Citizen Comment – Limited to once a meeting (new – added per vote at GPC)

- The Commission may establish more than one general citizen comment period, however a citizen may provide general citizen comment only once during a Commission meeting. ~~who has addressed the Commission during one general citizen comment period in a meeting will be recognized by the presiding officer to speak after other citizens who have not spoken are given the opportunity to address the Commission, time permitting. Citizen comment at the end of the evening meeting is reserved only for those citizens who did not speak at the 1pm or 5:30pm comment periods.~~

Early Citizen Comment on Agenda Items

(new – added per vote at GPC)

- Early Citizen Comment is an opportunity for citizens to address the Commission on agenda items at the beginning of the meeting. During early citizen comment, citizens will be permitted to comment on any or all items on the agenda. Early Citizen Comment is provided as a courtesy for citizen's who cannot or do not wish to attend the remainder of the meeting. As such, by participating in Early Citizen Comment, the citizen waives his or her ability to speak during regular citizen comment. Early Citizen Comment is not available for quasi-judicial agenda items.

(Note: This topic was discussed and voted on in slide 2. This section describes in more detail the purpose of early citizen comment.)

Citizen comment on agenda items scheduled for vote

(new – added per vote at GPC)

- The Commission will hear from citizens on agenda items brought for a Commission vote. Citizen comment will not be permitted on purely informational or procedural agenda items. Citizens commenting on agenda items shall address only the agenda item being considered.

(Note: Staff will identify on the agenda which items are informational or procedural. By statute, members of the public must be given a reasonable opportunity to be heard on a proposition before the commission sometime prior to official action being taken on the proposition. Informational items do not require any official action taken at that meeting.)

Citizen Comment on Agenda Items: Registration

(new – added per vote at GPC)

- Citizens wishing to speak on agenda items ~~public hearing items (which includes general public hearings, resolutions, ordinances and planning petitions)~~ may will be required to fill out a card provided by the Clerk and submit the completed card to the Clerk register prior to speaking.

- **Questions for Commission decision:**
 - *How far in advance should a citizen register?*
 - *Will Commission permit a last minute request to speak without registering?*

Written Citizen Comment on Agenda Items

(new – added per vote at GPC)

- Citizens may also provide written comment on agenda items. Written comments will be incorporated in the public record for the meeting as are spoken comments.

Time Limitations on Speech

(new– discussed in slides 2 and 4)

- During each City Commission meeting:
 - a. each citizen is limited to a total of 3 minutes of speech during general comment;
 - b. each citizen is limited to 3 minutes (or 5 minutes if addressing more than one agenda item) of speech during early citizen comment.
 - .
- If a citizen does not participate in early citizen comment, a citizen is limited to 3 minutes of speech for each agenda item on which the Commission will take action.
- Other time limits may be established by the presiding officer based on the number of participants. In addition, the presiding officer may adopt a time limitation to provide equal time for opponents and proponents speaking to any particular issue.

Procedures for Citizen Comment

(additions to existing rules, staff proposed)

- The Clerk will call each registered speaker to the podium to address the Commission.
- ~~Any person desiring to address the Commission shall first request recognition by the presiding officer.~~
- After being recognized, the ~~person~~ speaker shall
 - (1) ~~shall~~ give his/her name in an audible tone of voice;
 - (2) limit his/her address to comments are required by Rule 10.B.;
 - (3) ~~shall~~ limit the address to any time limitation established; and
 - (34) ~~shall~~ address all remarks to the Commission as a body and not to any member thereof, nor to any member of staff; and
 - (5) obey the directions of the presiding officer.

~~Each citizen is limited to 3 minutes per general comment period or per agenda item and other time limits may be established by the presiding officer based on the number of participants. In addition, the presiding officer may adopt a time limitation to provide equal time for opponents and proponents speaking to any particular issue.~~

➤ ***Questions for Commission decision:***

- *Do you approve the proposed changes to the rules?*

Conduct of Members of the Public – Current Rules

- No person other than a member of the Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the presiding officer.
- No question shall be asked except through the presiding officer.
- Members of the public are not permitted to possess food, drink, props, signs, posters, or other similar material in the meeting room.

Interruption of Meeting – (new – staff proposed for civility and decorum)

- 1. Persons demonstrating disruptive behavior at meetings or persons violating established rules of order will be called to order by the presiding officer. If such conduct continues, the presiding officer may do any or all of the following:
 - a. call a recess,
 - b. request the removal of such person(s) upon a finding of “disruptive behavior,”
 - c. adjourn the meeting if determined to be the appropriate action, or
 - d. take such other appropriate action as permitted by law.

➤ ***Question for Commission decision:***

- *Do you approve the proposed changes to the rules?*

Interruption of Meeting – continued

- 2. Defining Disruptive Behavior.
 - a. A speaker may be removed upon a finding by the presiding officer that the speaker's conduct causes a disruption of the meeting. Disruptive behavior of a speaker during the meeting usually takes one of two forms:
 - i. Refusal to confine the speech to the subject matter being addressed; or
 - ii. Refusal to conform to time limits on speaking.

- **Question for Commission decision:**
 - *Do you approve the proposed changes to the rules?*

Interruption of Meeting - Continued

- b. Disruptive activity of persons within the meeting room and the lobby includes any conduct that significantly violates generally or specially established rules of order and truly disrupts the meeting. Examples include but are not limited to:
 - i. Violent or tumultuous conduct threatening the safety of another;
 - ii. Conduct creating danger to another's property or person;
 - iii. Provoking or engaging in a fight;
 - iv. Use of words that may threaten or outrage others;
 - v. Using obscene, profane, or vulgar language;
 - vi. Refusal to leave podium when requested to do so; or
 - vii. Outbursts of approval or disapproval, jeers or heckling which interrupt a speaker or the deliberation of the Commission.

- ***Question for Commission decision:***
 - *Do you approve the proposed changes to the rules?*

Enforcement of Order

(new – staff proposed for civility and decorum)

- The presiding officer may enforce the rules of decorum. Any commission member may request the presiding officer to enforce the rules of decorum upon a motion and a majority vote by commission. In the event the presiding officer orders the removal of an individual or individuals, the presiding officer will take the following steps:
 - 1. Warn the individual that his or her conduct is disorderly and disrupting the meeting and if the conduct continues, the individual will be removed from the meeting
 - 2. If the conduct continues, revoke the individual's right to attend or speak at the meeting and direct the Sergeant-at-arms to remove the individual from the meeting.

- *Question for Commission decision:*
 - *Do you approve proposed changes to the rules?*

Sergeant-at-Arms

(moved and revised from Rule 13)

- The City Manager or designee shall be sergeant-at-arms at commission meetings and shall attend all regular, special and workshop meetings. The sergeant-at-arms will carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the commission meeting.
 - *The procedures listed in rule 13 were revised and placed in Rule 10.H.*
 - *Revisions for removal now require one warning, and then removal with instructions on alternate channels of communication*

- **Questions for Commission decision:**
 - *Do you approve proposed changes to the rule?*

Removal from Meeting

(new-staff proposal for civility and decorum)

- Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to direct an officer to escort or remove any person who disrupts the meeting from the commission chambers, the lobby, or city hall. The sergeant-at-arms or designee should explain the law on trespass and Section 871.01, Florida Statutes, Disturbing Schools, and Religious and Other Assemblies. The sergeant-at-arms or designee will advise the individual that there are alternate means of presenting the individual's views. If the person refuses or resists removal, the person may be placed under arrest.

- *Question for Commission decision:*
 - *Do you approve proposed changes to the rules?*

Agenda Statement

(revised to coincide with changes to citizen comment)

- The following statement will be included on all meeting agendas: "Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three minutes for general citizen comment once during the meeting. Speakers who wish to participate in early citizen comment will be limited to 3 (three) minutes to speak on one agenda item or 5 (five) minutes if they wish to speak on several agenda items. If speakers do not participate in early citizen comment, speakers will be limited to 3 (three) minutes per agenda item. and 3 (three) minutes per citizen comment period. The City of Gainesville encourages civility in public discourse and requests that speakers direct their comments to the Chair. Signs, props, and posters are not permitted in the meeting room."

Other Changes– Robert’s Rules of Order

- Staff recommends removing Rule 14, which states that Robert’s Rules of Order provide guidance to the Commission when not in conflict with the Commission Rules, Ordinances or Charter.

- *Question for Commission decision:*
 - *Do you approve the proposed change to rule?*

Decision Points

- Staff requests clarification and direction on the questions found in slides 2, 6, 7, 11, 14, 16, 17, 18, 19, 20, and 21.