

RULES OF PROCEDURE FOR THE 2019-2020 CITY CHARTER REVIEW COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA

A decennial (every ten years) City Charter Review Commission (hereinafter the “CCRC”) was created pursuant to Section 5.01(2) of the City Charter. On May 16, 2019, the City Commission appointed members to serve on the 2019-2020 CCRC. Pursuant to Section 5.01(2)(b) of the City Charter, the 2019-2020 CCRC adopts the following rules of procedure:

ARTICLE I - Officers and Their Duties

- Section 1** Officers. The CCRC shall elect the chair and vice-chair from among its membership. Nominations for the offices of Chair and Vice-Chair shall be made from the floor, and the election by voice vote shall follow immediately thereafter. Vacancies in office shall be filled immediately by the same election procedure.
- Section 2** Chair. The Chair shall preside at all meetings of the CCRC, preserve order and decorum at the meetings and decide all points of order and procedure in accordance with the then current version of Robert’s Rules of Order, so far as it does not conflict with these Rules or the Code of Ordinances or Charter of the City. The Chair is authorized, on behalf of the CCRC, to sign all correspondence or other documents approved by the CCRC. The Chair shall have the privilege of discussing all matters before the CCRC and voting thereon. The Chair shall work with staff to set topics and priorities for each agenda.
- Section 3** Vice-Chair. The Vice-Chair shall act as, and carry out all duties of, the Chair in the Chair’s absence. In the absence of the Chair and Vice-Chair, the quorum present shall select a Chair for that meeting.

ARTICLE II - Clerk/Administrator

- Section 1** Duties of the Clerk/Administrator. The Clerk/Administrator shall provide notice of each CCRC meeting on the City’s Notice of Meetings. Consistent with the Chair’s recommendations, the Clerk/Administrator shall prepare agendas (including the back-up materials submitted by City staff and CCRC members) and prepare the written minutes of each meeting. The Clerk/Administrator shall verify the attendance of board members at each meeting.
- Section 2** Public Records. The Clerk/Administrator shall serve as custodian of all public records generated by the CCRC (such as agendas, backup material for agendas, attendance records and correspondence sent from/to the CCRC.) Each Member shall be the custodian of and responsible for retention of his/her own public records in accordance with Florida law.

ARTICLE III - Meetings

- Section 1** Meetings. The CCRC shall meet at least once each calendar month, unless cancelled by the CCRC or its Chair. These regular monthly meetings shall be held at a regularly scheduled time (for example, on the 4th Thursday of the month at 5:30 pm), but that schedule may be revised from time to time by vote of the CCRC. Additional meetings may be requested by the Chair or two or more members of the CCRC.

Order of Business. The order of business at meetings shall be as follows, except as modified by the CCRC during the adoption of the agenda for that meeting:

- a. Call to Order
- b. Roll Call
- c. Approval of Agenda
- d. Approval of Minutes of Previous Meeting(s)
- e. Business Discussion Items
- f. CCRC Member Comment
- g. General Public Comment (for items not on the agenda)
- h. Adjournment

Section 2 Quorum; Voting and Participation via Electronic Media. A quorum is required to take official action (i.e., voting on any agenda item or taking other action as a board) at meetings. A quorum shall consist of the physical presence of a majority of the members of the CCRC; however a smaller number may adjourn a meeting. Official action may be taken by majority vote when a quorum is physically present. A CCRC member who is unable to physically attend a meeting may request to participate in the meeting via phone, video conferencing, computer or other electronic media, as the Clerk/Administrator may reasonably arrange to accommodate. A CCRC member who participates in a meeting via phone, video conferencing, computer or other electronic media, shall be counted as present for board attendance requirements, but shall not be counted for purposes of the quorum requirement (i.e., the quorum must be physically present) and that member's participation shall be limited to listening and discussion, the member shall not vote.

Section 3 Attendance. The CCRC may recommend that the City Commission remove any CCRC Member whose attendance record (as kept by the Clerk/Administrator) indicates that Member has failed to attend three or more consecutive meetings or that Member's overall attendance record is less than 66.66% for the six most recent meetings at which voting occurred. Attendance means presence at a meeting for a duration of at least 50% of the entire meeting time. Members may be granted one excused absence and shall notify the Clerk/Administrator of the excused absence prior to the meeting, if possible.

Section 4 Decorum. Order must be preserved during meetings. No person other than a member of the CCRC or other person having the floor for presentation or comment shall be permitted to speak without permission of the Chair. No question shall be asked except through the Chair. Members of the public are not permitted to possess food, drink, props, signs, posters, or other similar material in the meeting room. Speakers at the podium addressing the CCRC may use Power Point or other computer program (if such technology is available and the Clerk/Administrator is provided a copy at least seven hours prior to the start of the meeting), the City's overhead projection system, displays or props as part of a presentation as long as they are not obscene and do not otherwise disrupt, delay, or interrupt the meeting. Outbursts of approval or disapproval, jeers or heckling are not permitted. In the event of a disturbance or violation of these Rules, the violator may, after warning, be ordered removed from the room as provided in Article V of these Rules.

Section 5 Public Comment. During the general public comment period and during each agenda item, the public shall be given an opportunity to comment for up to three (3) minutes per person or such other time limitation as may be set by the Chair based on number of participants or meeting time constraints. In addition, the Chair may adopt a time limitation to provide equal time for opponents and proponents speaking to any particular issue. General public comment shall be limited to items not on the agenda. Public comment on agenda items shall be limited to the item under consideration by the CCRC. Any person desiring to address the CCRC shall first request recognition by the Chair. After being recognized, the person (1) shall give his/her name in an audible tone of voice; (2) shall limit the address to any time limitation established; and (3) shall address all remarks to the CCRC as a body and not to any member thereof.

Section 6 Sunshine Law. All meetings of the CRC shall be held in accordance with Florida's Government-in-the-Sunshine Law.

ARTICLE IV - Rules of Debate

The Chair may move, second and debate, subject only to such limitations of debate as are enforced by these rules on all members. If the Chair desires to make a motion or second a motion, the Chair shall designate another member of the CCRC to serve as Chair, until he/she has finished his/her motion or second.

No motion shall be debated or put to a vote unless seconded. No member of the CCRC may reserve the priority to make a motion. 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" This motion can apply to any 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 of the members present (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. All motions or amendments thereto shall be reduced to writing, by the Clerk/Administrator, upon request of a member of the CCRC.

Each member desiring to speak shall address the Chair and, upon recognition by the Chair, shall confine his/her remarks 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 Chair without debate and, if in order, said member may proceed.

After the decision of any question, it shall be in order for any member to move reconsideration. If the motion to reconsider is approved by a majority of those members present, the item shall be placed on a future agenda for reconsideration, subject to legal, contractual, fiscal, or other constraints as staff may advise the CCRC. If the CCRC does not specify the future date when the item will be heard, the Chair, in consultation with the Clerk/Administrator, will determine the date.

A member of the CCRC may request, through the Chair, the privilege of having his/her written statement on any subject under the consideration by and presented to the CCRC entered in the minutes. If the CCRC consents thereto, such statement shall be entered in the minutes.

ARTICLE V - Sergeant-at-Arms

The City Manager (or designee) shall serve as the sergeant-at-arms of the CCRC meetings. The sergeant-at-arms shall carry out all orders and instructions given by the Chair for the purpose of maintaining order and decorum at the CCRC meetings and the following procedure will provide guidance in handling disruptions:

A. Person refuses to relinquish the podium after being allowed to address the CCRC: The Chair will inform the individual that their time to address the CCRC has expired and the Chair will direct the individual to leave the podium.

B. Person causes disruption in the CCRC meeting site: The Chair will inform the person causing the disruption to cease disruptive activity. If the disruption fails to stop:

1. The Chair will inform the person causing the disruption that their actions are contrary to the orderly running of the meeting and that the person is to cease such action or the Sergeant-at-Arms will be instructed to remove the person from the meeting site.

2. The Chair will revoke the person's participation to attend the meeting and direct that the person leave the meeting site. The Chair will inform the person that if the person is directed to leave and fails to do so, the person will be subject to arrest for trespass.

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

ARTICLE VI - Waiver of these Rules and Sunset of these Rules

These Rules of Procedure may be waived by a majority vote of the CCRC members present at a meeting, unless otherwise prohibited by law. Upon the dissolution of the 2019-2020 CCRC, these Rules of Procedure shall automatically sunset and be of no further force and effect.

These Rules of Procedure were adopted by the CCRC on June _____, 2019.

Mary Lou Hildreth, Chair

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

Omichele D. Gainey
Clerk/Administrator of the CCRC

Dan Nee, City Attorney's Office