



City of North Port

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING CHAPTER 2, NORTH PORT CODE RELATING TO THE CONDUCT OF MEETINGS OF THE NORTH PORT CITY COMMISSION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article VI, Section 6.01, North Port Charter provides that all meetings of the City Commission shall be public and any person shall have the right to be heard on any matter before the Commission; and

WHEREAS, Article VI, Section 6.02, North Port Charter authorizes the City Commission to determine its own regulations, rules and order of business. The Commission shall be guided by parliamentary law procedures; and

WHEREAS, the City Commission seeks to codify meeting procedures; and

WHEREAS, these procedures shall be administered and implemented with flexibility, to assure that the will of the majority is accomplished while the rights of the minority are protected, to the end of accomplishing City business in an efficient, effective and respectful manner; and

WHEREAS, the adoption of these procedures is in the best interest of the City of North Port.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1. RECITALS. The recitals outlined above are incorporated by reference herein.

SECTION 2. FINDINGS. The City Commission hereby makes the following findings:

2.01 Section 2-54 is hereby amended and revised to read as follows: [Deletions are shown as ~~strikethrough~~ and additions underline].

Sec. 2-54. – Types and schedule of meetings.

The city commission shall conduct the affairs of city government as follows:

1) (a) Regular meetings. Consistent with section 6.01 of the City Charter, the City Commission shall hold regular meetings the second and fourth Tuesday of each

28 month but not in the month of August. Regular meetings may be cancelled or
29 rescheduled as needed. A regular meeting may be recessed to a later date
30 certain which is announced at the regular meeting. All meetings shall be open
31 to the public, except as may be expressly exempted by state law. The purpose
32 of such meetings is to conduct the business of the City. If an item results in
33 extensive discussion at a regular meeting, any Commissioner may move that the
34 item be continued to a workshop. Items requiring Commission action to
35 become effective must return to a regular or special Commission meeting if
36 such action is to be taken.~~—Except as otherwise provided by city charter,~~
37 ~~regularly scheduled meetings shall be held as prescribed by majority vote of the~~
38 ~~city commission, except that the city commission shall meet regularly not less~~
39 ~~than once each month.~~

40 (b) Special Recognition Meetings: The City Commission may hold special
41 recognition meetings the first Thursday of the month. The City Manager may
42 cancel or reschedule Special recognition meetings as needed. The purpose of
43 the meetings is to showcase employees, events, programs, and people that
44 support and further the mission, goals, and initiatives of the City of North Port.
45 Types of matters appropriate for Special Recognition Meetings include but are
46 not limited to:

- 47 1. Welcome of new employees, and employee recognition.
- 48
- 49 2. Proclamations. The number of proclamations per meeting is limited to the
50 first 10 received by the City Clerk. Standing requests or rolling requests for
51 proclamations will not be accepted. Requests for proclamations will be
52 received by the City Clerk one month prior to the meeting where the
53 proclamation is requested to be read. Letters of Recognition prepared by
54 the City Clerk and signed by the Mayor may be provided in response to any
55 request that does not result in a proclamation due to this section.
- 56
- 57 3. Ceremonial Items.
- 58
- 59 4. Certificates of Appreciation.
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- 61 5. Presentations and Reports.

62 2) (c) The Mayor [with] [or] a A quorum of the city commission ~~or the city manager~~
63 ~~and one member of the city commission]~~ [A quorum of the city commission or
64 the city manager with two members of the city commission] may call a special
65 meeting of the commission. ~~, provided that~~ The city clerk shall provide public
66 notice and written notice of such a meeting ~~shall be given~~ to each commissioner
67 ~~member and the city clerk at least~~ 48 hours before the time set for the meeting.

68 ~~and stating the cause for such a meeting.~~ The notice shall specify the the date,
69 time, place, location and all the business to be included in the meeting. Nothing
70 can be considered in a special meeting if it is not included in the notice. In this
71 instance, the clerk shall give reasonable notice of such a meeting.

72 ~~(3)~~ (d) *Emergency meetings.* The city manager and any one commissioner may call an
73 emergency meeting. An emergency meeting shall be called only when the
74 conditions and circumstances indicate that emergency measures must be taken.
75 The clerk shall give reasonable notice of such meeting.

76 (4) (e) *Workshop meetings.* Workshop meetings are meetings where the Commission
77 reviews and discusses items. The Commission may not make final decisions
78 during workshop meetings. Items are generally topics the Commission is
79 receiving preliminary information on and providing direction for further staff
80 analysis and information gathering for a later meeting[The City Manager may
81 schedule workshops as needed.] [Workshops will be scheduled or noticed as
82 requested by individual commissioners. Each commissioner is limited to two (2)
83 requests per month] [Workshops will be scheduled or noticed as requested by
84 the commission or the City Manager]. ~~Workshop meetings may be held at any~~
85 time the commission may direct.

86 ~~(5)~~ (f) *Public hearings Agenda Items requiring public hearings (other than quasi-*
87 *judicial).* Public hearings shall be held to consider the adoption of all
88 ordinances, resolutions, when applicable, and any other official action required
89 to be considered at a public hearing by city charter, ordinance, or state statutes.
90 Procedures for quasi-judicial proceedings are provided in section 2-83.

91 Public hearings shall be conducted in the following manner.

92 1. The Mayor reads the description of the agenda item(s) to be considered
93 and opens the public hearing.

94 2. The City Clerk shall read the titles of ordinances and resolutions.

95 3. If applicable, the staff makes a presentation for the agenda item being
96 considered.

97 4. If applicable, the petitioner makes a presentation.

98 5. The Mayor calls for public comment. The petitioner may rebut any
99 public comment.

100 6. The Mayor inquires whether there are any questions for the petitioner
101 or staff, limiting the time to ten (10) minutes [five (5) minutes] per
102 commissioner.

- 103 7. If there are no questions or the time for questions expires, the Mayor
104 closes the public hearing and requests a motion.
- 105 8. The motion is debated. The maker of the motion speaks first. After this,
106 the Mayor shall recognize other Commissioners in rotation and not call
107 on any Commissioner a second time or subsequent time until such time
108 as all Commissioners shall have had an opportunity to speak. Each
109 Commissioner may speak twice, for no more than five (5) minutes each
110 time.
- 111 9. If during deliberations, a question arises which the commission desires
112 to ask, it shall reopen the public hearing, pose the question and allow
113 either staff or the petitioner or both the opportunity to respond to the
114 question posed prior to closing the public hearing again and resuming
115 deliberations.
- 116 10. After debate has concluded, the Mayor shall state aloud the motion
117 before a vote is taken. After a decision is made, the Mayor announces
118 the vote. Until such a time that the vote has been announced, a
119 Commissioner has a right to change his or her vote.
- 120 ~~a. The presiding officer shall open the public hearing.~~
- 121 ~~b. The clerk shall be recognized to report appropriate posting and receipt of~~
122 ~~proof of advertising of the public hearing.~~
- 123 ~~c. The appropriate staff person shall briefly summarize the scope of the~~
124 ~~proposed ordinance, its intent and any features which should be directed to~~
125 ~~the attention of the commission. If the proposed ordinance has been~~
126 ~~reviewed by any advisory board or other body prior to submission to the~~
127 ~~commission, the findings of such body shall be reported.~~
- 128 ~~d. Staff shall respond to any questions by the commission.~~
- 129 ~~e. Following the presentation of comments by the staff, the public shall be~~
130 ~~afforded an opportunity to be heard. Each individual member of the public~~
131 ~~desiring to be heard shall limit their comments to three minutes in duration.~~
132 ~~The presiding officer, with a consensus of the commission, may grant an~~
133 ~~individual member of the public more time, if deemed appropriate. In~~
134 ~~granting additional time, the presiding officer may take into consideration~~
135 ~~the fact that a speaker has been designated to represent a group of~~
136 ~~individuals. If the speaker represents that he or she is speaking on behalf of a~~
137 ~~group, members of that group in attendance at the public hearing shall~~
138 ~~identify themselves. The presiding officer, with a consensus of the~~

139 ~~commission, may limit further comment from those persons identifying~~
140 ~~themselves as being represented by the designated speaker.~~

141 ~~f. Applicants or persons requesting proposed action shall be given an~~
142 ~~opportunity to be heard prior to public comments.~~

143 ~~g. Following the presentation of comments by the public, the commission may~~
144 ~~discuss the proposed ordinance and direct staff to make any changes~~
145 ~~deemed necessary.~~

146 ~~h. Should the commission elect to proceed with adoption of the proposed~~
147 ~~ordinance, the presiding officer shall entertain a motion to close the public~~
148 ~~hearing and to continue the ordinance to second reading on a date and time~~
149 ~~certain not less than one week from the date of the first reading.~~

150 ~~i. Should the commission determine that the proposed ordinance needs to be~~
151 ~~adopted as an emergency ordinance, the commission shall vote to close the~~
152 ~~public hearing and then vote to adopt the ordinance. Adoption of emergency~~
153 ~~ordinances requires four affirmative votes.~~

154 ~~j. At the time and day for the adoption of the ordinance, the presiding officer~~
155 ~~shall direct the clerk to read the title of the proposed ordinance.~~

156 ~~(f)~~ (g) *Other meetings.* Such other meetings as may be advisable.

157 2.02 Section 2-55 is hereby amended and revised to read as follows: [Deletions are shown as
158 ~~strikethrough~~ and additions underline].

159 Sec. 2-55. - Agenda. .

160 (a) The city manager or, in his absence, the acting city manager shall review
161 requests for inclusion on any agenda. The clerk shall be responsible for the
162 preparation of each agenda for all meetings held by the city commission. The
163 city manager shall advised the city clerk as to which items are to be included on
164 an agenda.

165 (b) The regular meeting agenda may include public comments, a designated time
166 for public hearings, consent agenda, other business and reports from the city
167 manager, city attorney, city clerk and city commission. The suggested layout for
168 agendas is as follows:

169 1. Call to order/ Invocation/ Pledge of Allegiance.

170 2. Roll call.

171 3. Approval of the agenda.

172 4. Announcements by the City Clerk.

173 5. Public Comment: non-agenda and consent agenda items.

- 174 6. Consent agenda including approval of minutes of previous meetings.
- 175 7. Public hearings for agenda Items requiring public hearings.
- 176 8. Public hearings for resolutions
- 177 9. General business items.
- 178 10. Scheduling of workshops
- 179 11. Commissioner reports
- 180 12. Administrative and legal reports.
- 181 13. Public Comment: any matter.
- 182 14. Adjournment

183 (c) Consent Agenda items include noncontroversial matters which may be fully explained by
 184 supporting documentation and do not require full discussion by the city commission. A
 185 single motion may be made to approve the Consent Agenda or one or more consent items
 186 identified by number as follows:

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- 188 1. The Mayor asks the Commission if anyone wishes to remove any item from the
 189 consent agenda. Removal of an item can be requested to discuss an item, to
 190 question an item, or to register a vote against an item.
- 191 2. The Mayor then requests a motion to approve the consent agenda or items.
- 192 3. The Consent Agenda is voted on with a single vote – to approve the consent
 193 agenda or one or more consent items identified by number.
- 194 4. Any item not approved or included in the motion to approve will be considered as
 195 a separate item independent from the Consent Agenda.

196 Any commissioner may request discussion of a consent item.

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199 (d) General business items are matters ~~not requiring a public hearing, but~~, due to their nature,
 200 staff input and full discussion by the commission is warranted.

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202 ~~(e) Public hearings to consider official actions, other than the adoption of ordinances, which~~
 203 ~~are required to be considered at a public hearing by city charter, ordinance, or state~~
 204 ~~statute, shall be conducted in the manner prescribed by city charter, ordinance, or state~~
 205 ~~statute.¹~~

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207 ~~(f)~~ (e) Requests for inclusion on any agenda shall be signed and submitted, in writing, to the city
 208 clerk. Requests shall state the nature of the item to be included, together with a statement
 209 of requested action. All ~~Any~~ background documentation applicable shall be submitted
 210 along with the request. All items requiring a vote by the commission shall include
 211 suggested forms of appropriate motions.

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213 ~~(g)~~ (f) Departments through the city manager or citizens under section ~~16.01~~ 15.01 of the city
 214 charter proposing ordinances for adoption by the commission shall submit a request for
 215 inclusion on the agenda.

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217 ~~(h)~~ (g) Citizens initiating a petition for reconsideration of an adopted ordinance in accordance with
 218 section ~~16.01~~ 15.01 of the city charter shall comply with the following procedure:

¹ Replaced by section 2-54(5)

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(1) Any five qualified voters of the city shall file with the city clerk, ~~within two days after adoption of an ordinance,~~an intent to file a petition. Petitions for reconsideration shall include an affidavit stating who will constitute the petitioners' committee and be responsible for circulating and filing it in proper form, stating the name of the committee, addresses and specifying the address to which all notices to the committee will be sent and citing the ordinance sought to be reconsidered.

(2) ~~Within ten days after adoption,~~a A copy of the petition with at least ten percent² of the qualified voters of the city, as certified by the supervisor of elections, shall be filed with the city clerk.

(3) When a properly filed petition is received, the commission shall reconsider the ordinance in question.

~~(4) If a group of citizens file an intent to circulate a petition within the time prescribed herein, the subject ordinance shall not become effective until one of the following occurs:~~

- ~~_____ a. _____ No petition is timely filed.~~
- ~~_____ b. _____ A timely filed petition is withdrawn.~~
- ~~_____ c. _____ The commission has taken final action on a timely filed petition.~~

~~(j)~~ (h) All requests for inclusion on any agenda, with the exception of bona fide emergency items, shall be received by the city clerk no later than the close of business on Monday of the week prior to the week of the targeted commission meeting. Absent a showing of a bona fide emergency, no item requiring a commission vote shall be considered by the city commission unless it has been included on the agenda pursuant to the procedure adopted herein.

~~(j) (i)~~ ~~The city manager or, in his absence, the acting city manager shall review requests for inclusion on any agenda. The city clerk shall be advised as to which items are to be included on an agenda.~~³

~~(k)~~ (i) All members of the public seeking to speak before the city commission are requested to submit to the city clerk a speaker's card to be prepared and made available by the city clerk, containing all information requested on said card. Speakers' cards shall be presented to the city clerk. ~~prior to the agenda item being brought before the commission.~~ Speaker's cards shall be accepted up to the time the ~~agenda item is presented to the commission.~~ closing of the public comment period. The ~~presiding officer~~ Mayor shall have the right to decline to recognize any member of the public whose speakers' card reflects an intent to provide comments, which in the opinion of the ~~presiding officer~~ Mayor, are not germane to matters before the commission. Under such circumstances, the ~~presiding officer~~

² 10 percent is a charter requirement

³ Moved to 2-55(a)

262 Mayor should invite the member of the public to offer the proposed comments
 263 during the public comment portion of the meeting or workshop.

264 ~~(j)~~ (k) Commissioner Reports / Comments. This section of the agenda shall be
 265 utilized by the Mayor and Commissioners to provide informational reports. Each
 266 Commissioner and the Mayor shall have a maximum of five (5) minutes for such
 267 reports. The Commission may allow additional time for any Commissioner
 268 Comments as necessary to report on specific Commissioner Assignments, City
 269 liaison activities or responsibilities (such as reporting on the activities of a
 270 committee on which a Commissioner sits as a City representative). The order of
 271 speaking shall be determined by the Mayor.

272 2.03 Section 2-58. is hereby amended and revised to read as follows: [Deletions are shown as
 273 ~~strikethrough~~ and additions underline].

274 Sec. 2-58. - Rules of decorum.

275 (a) Preservation of order and decorum while in session. While the commission is in
 276 session, the members must preserve order and decorum, and a member shall
 277 neither, by conversation or otherwise, delay or interrupt the proceedings or the
 278 peace of the commission nor disturb any member while speaking or refuse to
 279 obey the orders of the ~~presiding officer~~ Mayor. Members of the commission
 280 shall not leave their seats during a meeting without first obtaining the
 281 permission of the ~~presiding officer~~ Mayor.

282 (b) Persons addressing the commission. All comments shall be polite. Proper titles
 283 shall be used at all times, to contribute to a respectful and business-like
 284 atmosphere. The broadest possible accommodation shall be provided for
 285 statements of personal opinion, but no one shall engage in personal, Any person
 286 making personal, impertinent, slanderous or profane remarks. ~~or who willingly~~
 287 utters loud Yelling, threatening or abusive language is unacceptable. ~~or~~
 288 engages in any disorderly conduct which would impede, disrupt or disturb the
 289 orderly conduct of any meeting, hearing or other proceedings shall be called to
 290 order by the presiding officer and, if such conduct continues, may, at the
 291 discretion of the presiding officer, be ordered barred from further audience
 292 before the commission during that meeting.

293 (c) Members of the audience. No person in the audience shall engage in disorderly
 294 conduct such as hand-clapping, yelling and similar demonstrations, which
 295 conduct disturbs the peace and good order of the meeting.

296 (d) Exception. Except for members of the commission and city staff, no person shall
 297 be allowed to approach the commission dais without the consent of the
 298 ~~presiding officer~~ Mayor.

299 ~~(e) Rules of order. The city commission hereby adopts the most recent edition of~~
300 ~~Robert's Rules of Order, as amended, as a guide to the conduct of its meetings.⁴~~

301 2.04 Section 2-59. is hereby amended and revised to read as follows: [Deletions are shown as
302 ~~strikethrough~~ and additions underline].

303 Sec. 2-59. – Enforcement of decorum

304 (a) Removal of person disturbing meeting. The Mayor shall maintain decorum at city
305 commission meetings. The Mayor may interrupt any speaker to maintain order and
306 decorum, but such interruption shall not reduce the speaker's time. Members of
307 the audience who become disruptive to the proper conduct of the meeting shall
308 first be counselled about their behavior. If the disruptive behavior persists the
309 Mayor is given the right and the authority to require such person to leave the
310 meeting, to be accompanied, if necessary, by a Police Officer. Persons violating
311 Florida Statute Section 871.01 may be arrested by police officers present and noting
312 the willful interruption or disturbance. Removal of persons disturbing meeting. All
313 persons shall, at the request of the presiding officer, remain silent. If, after receiving
314 a warning from the presiding officer, a person persists in disturbing the meeting,
315 said officer shall order him to remove himself from the meeting. If he does not
316 remove himself, the presiding officer shall direct the chief of police or his designee
317 to remove him.

318 (b) *Attendance by chief of police or designee.* The chief of police or his designee shall
319 attend all commission meetings for the purpose of maintaining order.

320 (c) *Motions to enforce.* Any commissioner may move to require the ~~presiding officer~~
321 Mayor to enforce these rules and the affirmative vote of a majority of the
322 commission shall require ~~him~~ the Mayor to do so.

323 (d) *Adjournment.* In the event that any meeting is willfully disturbed by a group or
324 groups of persons so as to render the orderly conduct of such meeting infeasible
325 and when order cannot be restored by the removal of individuals who are creating
326 the disturbance, the meeting may be adjourned by the ~~presiding officer~~ Mayor and
327 the remaining business considered at the next regular meeting or at a special
328 meeting or other meeting pursuant to §2-62 (c) & (g).

329 ~~(e) Special meeting. If the matter being addressed prior to adjournment is of such a~~
330 ~~nature as to demand immediate attention, the presiding officer Mayor may call a~~
331 ~~special meeting.⁵~~

⁴ Moved to section 2-63(a)

⁵ Conflicted with §2-62 (c).

332 2.05 Section 2-61 is hereby created to read as follows: [Deletions are shown as ~~strikethrough~~
333 and additions underline].

334 2-61 City Representation.

335 a) Commissioners may freely represent and communicate City ordinances, resolutions,
336 motions and adopted plans.

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338 b) Commissioners representing and communicating personal projects, individual goals or
339 visions shall use best efforts to state he or she is communicating in the Commissioner's
340 personal capacity.

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342 c) Any requests of or for the City Commission received by an individual commissioner shall be
343 communicated to the commission at the next City Commission meeting.

344 2.06 Section 2-62 is hereby created to read as follows: [Deletions are shown as ~~strikethrough~~
345 and additions underline].

346 Section 2-62. - Rules of Procedure

347 (a) Rules of procedure. Consistent with section 6.02 of the City Charter,
348 Parliamentary rules as outlined in Robert's Rules of Order, as revised, are
349 applicable unless expressly changed herein or waived by the Commission

350 (1) DUTIES AND RESPONSIBILITIES OF THE MAYOR

351 a. Mayor to Serve as Presiding Officer. The Mayor shall be the
352 presiding officer at all Commission meetings. The Vice Mayor
353 shall act as the presiding officer during the absence of the
354 Mayor. In the absence of both the Mayor and Vice Mayor, the
355 remaining Commissioners shall, by majority vote, select a
356 presiding officer (Mayor Pro Tem) to carry out the functions of
357 Mayor for that meeting.

358 b. Mayor to Determine Questions and Point of Order. Questions
359 of order shall be decided by the Mayor subject to appeal by the
360 Commission. The Mayor may ask the City Attorney or the City
361 Clerk to serve as the parliamentarian on such questions. The
362 Parliamentarian's role is not to rule but only to counsel the
363 Mayor. The Mayor shall be free to disregard the advice. Such
364 decisions shall be guided by the law that parliamentary
365 procedure shall not be used to thwart the will of the majority of
366 the Commission. A majority vote of the Commission, following
367 a proper motion and a second appealing the Mayor's decision,

368 will ultimately govern appeals of questions of order. The Mayor
369 may consult with the City Attorney for advice on any question of
370 order at any time.

371 (i) If a Commissioner believes the Rules of Procedure are
372 being violated, that Commissioner may interrupt a
373 speaker without being recognized by stating “Point of
374 Order”. No motion is required nor is debate allowed.
375 The Mayor shall ask the Commissioner to state the
376 point and shall rule. The ruling is subject to appeal.

377 (ii) An appeal to the ruling of the Mayor shall be made by
378 the statement: “I appeal from the decision of the
379 Mayor.” The appeal must be seconded and is subject to
380 debate.

381 (iii) The Mayor then puts to a vote the question, “Shall the
382 decision of the Mayor be sustained?” A majority vote
383 or tie vote sustains the ruling of the Mayor.

384 c. **Mayor’s Ability to Vote.** In accordance with City Charter
385 Section 5.03, the Mayor shall have a voice and a vote on all
386 questions and items, and is called last, but does not have veto
387 power. The Mayor may make and second motions upon passing
388 the gavel to the Vice-Mayor or, in the absence of the Vice-
389 Mayor, to any Commissioner.

390 (2) **MOTIONS, DEBATE and VOTING**

391 a. **Main Motions.** A main motion is one whose introduction brings
392 an item before the Commission. Limited discussion may be
393 permitted by the Mayor prior to the introduction of a motion
394 for the purpose of clarifying an issue. Strictly speaking, however
395 there should be no debate or discussion by the Commission on
396 a matter before a motion regarding it is made. Only one main
397 motion may be before the Commission for action at a time.
398 Once a motion is seconded and stated by the Mayor, it belongs
399 to the Commission and the original maker has no control over it,
400 such as withdrawing it according to the Mayor’s own wishes
401 without permission of the Commission.

402 (i) **Secondary Motions.** A secondary motion can be
403 introduced while a main motion is being debated. The
404 most common is a “motion to amend” [the main

405 motion]. The motion must be debated and must be
406 voted upon before the main motion is further
407 considered. Secondary motions usually include
408 subsidiary and privileged motions. Motions determined
409 by the Mayor to be hostile to the main motion are out
410 of order.

411 (ii) **Number of Permissible Secondary Motions.** All main
412 motions shall be subject to no more than two
413 amendments per commissioner.

414 b. **Debate.** All comments shall be polite, respectful, and germane
415 to the pending motion or agenda item. Comments shall be
416 directed to fellow Commissioners, and not directed to the
417 attending public. Proper titles shall be used at all times to
418 contribute to a respectful and business-like atmosphere. Rights
419 in regard to debate may not be transferred to another member.
420 To the greatest extent possible Commissioners shall not
421 interrupt another Commissioner who has the floor. Those who
422 are disruptive shall receive at least one warning before being
423 ejected in accordance with Code Section 2-59. The Manager
424 may play a role in keeping the Commission discussion on topic
425 and keeping the meeting moving forward⁶. The Mayor shall not
426 unreasonably withhold or delay recognition of any
427 Commissioner desiring to speak.

428 (i) **Questions by Commissioners.** In the event a
429 Commissioner wishes to direct questions to another
430 Commissioner, to staff or to the public, the questions
431 shall be directed to the Mayor who, in turn, will
432 recognize the Commissioner or member of the public
433 who wishes to answer the specific questions. All
434 questions of City staff shall be made through the City
435 Manager. Any answers or time taken responding to a
436 Commissioner's question shall not reduce the
437 Commissioner's allotted debate time provided in
438 Section 2-54.

439 c. **Voting.** When the Mayor calls for the vote on a motion, every
440 member who is in the commission chamber must vote, unless
441 the Commissioner has indicted a voting conflict pursuant to

⁶ See § 12.06 (e) of the City Charter - The City Manager shall: "Attend all City Commission meetings, either in person or by his duly designated representative, with a voice but not a vote in the proceedings".

442 section 112.3143 or section 286.011 Florida Statutes. The
443 abstaining Commissioner must comply with the requirements of
444 Section 112.3143 or section 286.011, Florida Statutes, including
445 the requirement that Form 8B – Conflict of Interest must be
446 filed with the City Clerk within ten days of the meeting at which
447 the conflict was declared

448 2.07 Section 2-63 is hereby created to read as follows: [Deletions are shown as strikethrough
449 and additions underline].

450 Section 2-63. - PUBLIC COMMENT

451 a) Non-Agenda and Consent Agenda Items.

452 Individuals wishing to speak on matters that are not on the agenda or on the
453 Consent Agenda will be recognized by the Mayor under the “Public Comment:
454 Non-Agenda and Consent Agenda Items” section at or near the beginning of the
455 agenda. The public shall be permitted to speak for a maximum of three minutes
456 each. Each person who addresses the Commission shall approach the speaker’s
457 podium, shall give his or her name and state whether he or she is a resident of
458 the City. A speakers’ time may not be transferred to another speaker. Personal
459 attacks are not permitted. All questions from the public to the Commission shall
460 be addressed through the Mayor, and shall be handled in the manner that the
461 Mayor sees fit. The normal practice shall be for the City Manager to designate a
462 staff person to follow up on questions or requests, and to avoid conversation
463 between the public speaker and the members of the Commission or the City
464 administration. Speakers shall conduct themselves in a polite and respectful
465 manner, and shall use proper titles when addressing Commissioners, the Mayor
466 or other City officials or staff by name. Persons who are disruptive shall receive
467 at least one warning before being ejected in accordance with Code Section 2-59.

468 (b) Agenda Items.

469 Individuals wishing to speak on matters that appear on the agenda will be
470 recognized by the Mayor when the item is considered by the Commission. The
471 public shall be permitted to speak for a maximum of three minutes each. Each
472 person who addresses the Commission shall approach the speaker’s podium,
473 shall give his or her name and state whether he or she is a resident of the City.
474 All questions from the public to the Commission shall be addressed through the
475 Mayor, and shall be handled in the manner that the Mayor sees fit. The normal
476 practice shall be for the City Manager to designate a staff person to follow up on
477 questions or requests, and to avoid conversation between the public speaker
478 and the members of the Commission or the City administration. Speakers shall
479 conduct themselves in a polite and respectful manner, and shall use proper

480 titles when addressing Commissioners, the Mayor or other City officials or staff
481 by name. Persons who are disruptive shall receive at least one warning before
482 being ejected in accordance with Code Section 2-59.

483 (c) Any Matter.

484 Individuals wishing to speak on any matter will be recognized by the Mayor
485 under the “Public Comment: Any matter” section at or near the end of the
486 agenda. The public shall be permitted to speak for a maximum of three minutes
487 each. Each person who addresses the Commission shall approach the speaker’s
488 podium, shall give his or her name and state whether he or she is a resident of
489 the City. All questions from the public to the Commission shall be addressed
490 through the Mayor, and shall be handled in the manner that the Mayor sees fit.
491 The normal practice shall be for the Manager to designate a staff person to
492 follow up on questions or requests, and to avoid conversation between the
493 public speaker and the members of the Commission or the administration.
494 Speakers shall conduct themselves in a polite and respectful manner, and shall
495 use proper titles when addressing Commissioners, the Mayor or other City
496 officials or staff by name. Persons who are disruptive shall receive at least one
497 warning before being ejected in accordance with Code Section 2-59.

498

499 SECTION 3. SEVERABILITY.

500 3.01 If any section, subsection or portion of this Ordinance is for any reason held invalid or
501 unconstitutional by any court of competent jurisdiction, such provisions shall be
502 deemed a separate, distinct and independent provision and such holding shall not affect
503 the validity of the remaining portions thereof.

504

505 SECTION 4. CONFLICTS.

506 4.01 In the event of any conflicts between the provisions of this Ordinance and any other
507 Ordinance, the provisions of this Ordinance shall prevail to the extent of such conflict.

508 SECTION 5. EFFECTIVE DATE.

509

510 5.01 This Ordinance shall take effect immediately upon adoption by the City Commission of
511 the City of North Port, Florida.

512

513 READ BY TITLE ONLY in public session this ____ day of _____, 2016.

514

515 PASSED and ADOPTED on second and final reading in public session this ____ day of
516 _____, 2016.

517

518 CITY OF NORTH PORT, FLORIDA

519 _____
520 JACQUELINE MOORE
521 Mayor
522

523 ATTEST:

524 _____
525 HELEN RAIMBEAU, MMC
526 City Clerk
527

528 Approved as to form and correctness:

529 _____
530 MARK MORIARTY
531 City Attorney
532