

## **RESOLUTION 2021-22**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, ADOPTING CERTAIN RULES OF PROCEDURE FOR THE BOARD OF COMMISSIONERS; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, the Board of Commissioners of the City of Tarpon Springs, Florida, in accordance with Section 8 of the Charter of the City of Tarpon Springs shall determine its own rules of procedure in order to conduct business; and

**WHEREAS**, the Board of Commissioners deems that it is desirable to establish certain rules of procedure pertaining to the conduct of its business and to repeal any previously existing resolutions establishing or addressing rules of procedure.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:**

**Section 1.** That the following rules of procedure are hereby established and declared to be in effect immediately upon passage of this Resolution, said Resolution of procedure to remain in effect until rescinded, altered or modified by subsequent Resolution of the Board of Commissioners:

### **RULES OF PROCEDURE OF THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS**

#### **ARTICLE I. GENERALLY.**

##### **1. Appointment of Vice Mayor; Presiding Member in Case of Absences.**

At the first meeting of the Board of Commissioners in April of each year, the City Commission, by resolution, shall appoint a Vice Mayor. If both the Mayor and Vice Mayor are ~~both~~ absent for any meeting, the most senior member of the City Commission shall preside at such meeting.

The Commission shall select a Vice-Mayor at the first meeting in April. The following nomination and selection process shall be used for the annual selection of the Vice Mayor:

- (a) The nomination process shall be explained to the Commission and to the public by the Mayor or Parliamentarian.
- (b) The Chair opens the floor for nomination.

- (c) Each member of the Commission, upon recognition by the Chair, shall have a right to place a nomination for the honorary office of Vice Mayor the name of any other Commissioner or themselves before nominations are closed.
- (d) When all nominations have been made, the Chair will so announce and declare nominations closed.
- (e) If only one Commissioner is nominated, that person will be declared by the Chair to be elected and shall serve until a successor is elected.
- (f) If more than one nomination has been made, selection of Vice Mayor will be accomplished by motion.
- (g) If no nominations are made or if no nominee is elected by a majority vote, the most senior Commissioner shall be appointed as Vice Mayor.

## **2. Filling of Vacancies to City Commission.**

In the event of a vacancy on the City Commission which may be filled by appointment by the Board of Commissioners, pursuant the City Charter, nominations to fill said vacancy shall be solicited at a regular session.

The following nomination and selection process shall be used for the selection of a Commissioner:

- (a) The nomination process shall be explained to the Commission and to the public by the Mayor or Parliamentarian.
- (b) The Chair opens the floor for nomination.
- (c) Each member of the Commission, upon recognition by the Chair, shall have a right to place a nomination for Commissioner before nominations are closed.
- (d) When all nominations have been made, the Chair will so announce and declare nominations closed.
- (e) If only one Commissioner is nominated, that person will be declared by the Chair to be appointed and shall serve until a successor is elected.
- (f) If more than one nomination has been made, selection of the Commissioner will be accomplished by motion.

### **3. Requests for Information.**

All requests for information from city staff or of the City Manager shall be coordinated through the office of the City Manager. In no event shall any member of the City Commission issue direct orders to any member of the city staff under the City Manager, City Clerk, or City Attorney or Internal Auditor. The City Manager, City Clerk, City Attorney and Internal Auditor shall respond to all reasonable requests for information and opinions made by any individual Commissioner as well as a majority of the Board of Commissioners. However, individual requests by City Commissioners not in the routine course of city affairs, or which require an unusual amount of time to answer, must first be approved by a majority vote of the Board of Commissioners. Information requested by any individual Commissioner of any charter officer shall be submitted to that Commissioner only, but such officer may, in his or her discretion, provide copies thereof to the remainder of the Board of Commissioners.

### **4. Individual Opinions.**

- (a) Individual members of the City Commission must not represent their own views or recommendations as those of the City Commission unless the majority of the Board of Commissioners has officially voted to approve such action. City Commissioners making recommendations or expressing their views not then approved by a majority of the Board of Commissioners shall indicate that such is expressed as a private citizen. Public statements or opinions should contain no promises to the public that may be construed to be binding on the city.
- (b) Individual members of the City Commission shall refrain from expressing their position on a matter to be considered at an upcoming Commission meeting. Commission members are encouraged to consider the input/comments of the other Commission members and the public before expressing their position on matters to be considered at Commission meetings.
- (c) If any Mayor or Commissioner wishes to provide additional information or explanation, it is to be given to the City Manager to be added in the agenda backup, in order to be available to the public.

### **5. Mail.**

All mail to the Mayor ~~Commissioner~~ and the Commissioners arriving at City Hall received pursuant to law or in connection with the transaction of official business by the City of Tarpon Springs shall be copied immediately and provided to the other Commissioners and made available to the press, with the following exceptions:

- (a) Mail from governmental agencies, addressed to the Mayor, clearly intended for the chief administrative officer of the city which requires administrative action or staff action, will be delivered to the City Manager with informational copy to the Mayor.

- (b) Publications and lengthy agenda materials for other boards upon which the Mayor or Commissioners serve will not be copied. Only the agendas will be circulated. However, upon request of the Mayor or any Commissioner, the supporting documentation for any particular item on such agenda shall be provided to the Mayor or requesting Commissioner.
- (c) Mail with the words similar to "Personal," "Confidential" or "For the Addressee Only" will be delivered unopened to the addressee. All other mail will be opened by the ~~commission~~ Board of Commissioners Office secretary.
- (d) The Mayor receiving individually addressed mail will be responsible for replying, asking the Board of Commissioners Office secretary, City Clerk, City Manager or City Attorney to reply, or placing the matter on the agenda for formal Commission consideration.
- (e) The City Manager will be responsible for seeing that mail addressed to the Mayor or other City Commissioners is properly answered or placed on the agenda.
- (f) The City Manager will answer individual complaint letters.
- (g) The City Manager will discuss malicious mail with the Mayor and respond accordingly.

## **6. Use of Office; Expenditure of Funds.**

- (a) The use of the office of the City Commission shall be allocated in such a way that all Commissioners have equal and free access to the use thereof, including the files and documents located therein. The Mayor shall have priority for the use of the Commission office. All long distance telephone calls, postage, and use of the city supplies shall be logged appropriately. All documents which are provided by law to be public records shall be made available to any person for inspection and copying, subject to the provisions of F.S. Ch. 119, and other applicable provisions of law. Each Commissioner shall be entitled to reasonable assistance from the secretary for the City Commission. Each Commissioner shall also be entitled to business cards paid for at the expense of the city.
- (b) The expenditure of other funds budgeted for use by the City Commission, such as for flowers, donations, and the like, shall be authorized by the Mayor and City Manager.

## **7. Files and Records.**

Files and records kept by individual members of the City Commission shall be delivered to the City Clerk upon the termination of such individual's term of office, if such files and records have been kept in City Hall or other buildings publicly owned or used. All such files and records kept outside of city owned or used property may be kept by the Mayor or such individual Commissioner at the termination of his or her term of office, so long as it is understood that the city owns such records.

## **8. Appointments to Ad Hoc Committees.**

- (a) The Board of Commissioners may establish such ad hoc committees as it deems appropriate. Each Ad Hoc Committee shall consist of at least five members. The name, purpose, number of members and duration of an ad hoc committee shall be as established by the Board of Commissioners.
- (b) Each Commissioner may appoint one member to Ad Hoc Committees. Any members not initially appointed, replacements, alternates, or ex-officio members shall be nominated and selected as follows: Each member of the City Commission may submit one nomination for each vacant seat of an Ad Hoc Committee. Each Commissioner shall be entitled to one vote for each vacant seat. In the event that no nominees obtain a majority vote, a runoff of the nominees for each vacant seat beginning with groups of those receiving the most votes will take place immediately.

## **9. Annual Review of Rules of Procedure.**

The Board of Commissioners shall review these Rules of Procedure for any desired updates in June of each year.

## **ARTICLE II. AGENDA**

### **1. Agenda Preparation.**

The City Manager, City Clerk, City Attorney or the Mayor or any Commissioner may place an item on the regular agenda for action. The deadline for necessary information shall be 12:00 p.m. on the Wednesday preceding the Tuesday meeting. Agendas shall be distributed no later than 5:00 p.m. on the Thursday preceding the Tuesday meeting. The City Manager will advise the Board of Commissioners by telephone of any agenda materials added after the agenda package is made public.

## **2. Order of Items; Consent Agenda.**

- (a) The order of the agenda shall be as follows:
1. Call to order by Mayor;
  2. Roll call by City Clerk;
  3. Invocation and Pledge of Allegiance;
  4. Public comment;
  5. Consent Agenda and approval of minutes of last meeting;
  6. Special Consent Agenda;
  7. Public hearings (must start at 7:30 p.m.);
  8. Resolutions;
  9. Presentations; and
  10. Commissioners and staff comment. The Mayor may defer order regarding public comments.
- (b) At the meeting, the Mayor may deviate from the agenda upon request of any affected citizen, or a public official for exigent circumstances.
- (c) The City Manager is directed to prepare a consent agenda listing therein those items deemed by the City Manager to be noncontroversial (Minutes, Satisfactions, Attorney Invoices, and other items). Prior to the approval of the items on the consent agenda, any item therein may be withdrawn by a City Commissioner, the City Manager, the City Attorney, or City Clerk. Such withdrawal shall be nondebatable. After such items have been withdrawn from the consent agenda, the Board of Commissioners may consider a motion to adopt the items listed in the consent agenda in a single motion.

### **3. Quasi-judicial Hearings.**

The following procedure and order of appearance will be followed to conduct quasi-judicial hearings and may be modified at the direction of the Commission in any specific proceeding.

1. Introduction of item; explanation of quasi-judicial procedures; inquiry as to ex-parte contacts and conflicts of interest; swearing of witnesses.
2. If appropriate, the Ordinance/item will be read by the City Attorney, by title only.
3. Motion/Second to place the item on the table. The Mayor has flexibility to call for a motion after the public hearing.
4. Staff presentation.
5. Commission questions of staff.
6. Cross examination of staff by applicant and affected parties.
7. Applicant's presentation.
8. Commission questions of applicant.
9. Cross examination by staff or affected parties.
10. Affected parties' presentation.
11. Commission questions of affected parties.
12. Cross examination by staff or applicant.
13. Open public hearing for comments by proponents and then opponents.
14. Close the public hearing.
15. Applicant's rebuttal
16. Staff response and summary.
17. Commission discussion.
18. Roll call vote.

### **4. Staff Duties.**

The City Manager shall prepare the order of items on the agenda. The City Manager shall take all necessary steps to avoid unnecessary duplication of supporting documentation for items on the agenda. Each item placed on the agenda shall have sufficient supporting documentation to enable the City Commissioners to prepare for discussion on that item.

### **5. Modifications.**

No item placed on the agenda may be removed without the consent of the person placing such item on the agenda. The Mayor may declare that such item is deleted or deferred, and no vote shall be required in that event. An Addendum to the agenda may be prepared with the approval of the Mayor or City Manager prior to any session of the City Commission. At the time during the meeting when an item is called, and the affected person is not yet present, the Mayor may delay hearing on the matter until a reasonable time has elapsed, in order to afford such person an opportunity to be present during such hearing.

## 6. Distribution of Agenda Packets.

The agenda packet is made available to the members of the City Commission at a predesignated location or electronically, as soon as possible. The City Manager shall be responsible for notifying affected individuals of a particular item on the agenda. Such notice need not be in writing, but may be by telephone if conditions warrant.

## ARTICLE III. MEETINGS

### 1. Time of Meetings; Duration.

- (a) The Board of Commissioners shall meet in regular session on the second and fourth Tuesdays of each month at 6:30 p.m., in the City Commission Chambers in City Hall. The Mayor or simple majority of the Board of Commissioners or the City Manager may call a special session, work session or open public hearing. The time for such meeting shall be set forth in the notice thereof. A minimum of 24 hours notice shall be required before any special session, work session or open public hearing of the City Commission. Work sessions are primarily designed for information gathering and guidance, and no formal commission decision approving or disapproving an item may be made. Should the Board of Commissioners wish to provide guidance or direction on a work session agenda item to the City Manager, City Clerk or City Attorney it will be done by a vote of the majority of the Board of Commissioners. Only staff members shall be included in the work session discussion, unless prior arrangements are made through the City Manager, City Clerk or City Attorney. The exception to the *staff members only* requirement is to allow city consultants, city engineers and similar type experts to make presentations and answer questions from the Board of Commissioners. The Board of Commissioners shall hear input on work session agenda items once they are placed on a regular or special meeting Board of Commissioners agenda. An open public hearing may be called on an item or items upon which the commission seeks public input or comment. Such hearings are intended mostly for the Commission to receive public input. Staff members and consultants hired by the city may be included in the open public hearings for purposes of making a presentation upon which the public may comment or provide input. Staff and consultants hired by the city may be called upon to answer questions of the public at an open public hearing.
- (b) Meetings shall begin promptly at 6:30 p.m., unless otherwise noticed. Meetings shall end no later than 11:00 p.m., unless a simple majority votes to continue past such time.
- (c) In the event a public hearing cannot be concluded at the meeting scheduled, the Mayor shall, at such meeting, continue said public hearing to a date and time certain if possible. If no time and date certain is possible at such public hearing, notices of such public hearing as required by law shall again be given. In the event that an applicant has elected to defer an item prior to a meeting, the Mayor shall first announce at the beginning of the meeting that such item is deferred and the reason for such deferment. The Mayor shall also state the date at which such item shall be considered.



## **2. Notice of Special Meetings.**

The City Manager shall cause the local press and social media to be notified in the event of a special meeting with reasonable notice to the press under the circumstances.

## **3. Seating Arrangement on the Dais.**

The Mayor shall sit in the center of the dais with the City Manager being seated to the Mayor's left. The City Attorney shall be seated at the Mayor's right. The Vice Mayor shall sit at the left of the City Manager, and the most senior member of the remaining three Commissioners shall sit at the immediate right of the City Attorney. The next senior member of the City Commission shall sit at the far left of the Commission table. The newest Commissioner shall sit at the far right of the Commission table along with the Chief of Police.

## **4. Invocation.**

The Mayor may invite any clergyman present or any member of the Board of Commissioners or City Attorney to give the invocation at a Regular Session.

## **5. Minutes.**

The City Clerk shall prepare the minutes of the preceding meeting including work sessions, for approval at the following regular session, whenever possible. The minutes shall not be read in full, but shall only be approved in their entirety, subject to corrections made by the City Commission. Any Commissioner may desire a verbatim transcript of a portion of any meeting. In the preparation of the minutes of any meeting, the City Clerk may, in the Clerk's discretion, state the general topic of discussion, rather than a summary of the comments of each speaker and each Commissioner. The minutes shall fully and thoroughly set forth the precise action taken by the City Commission. Prior to the approval of the minutes, the City Clerk is authorized to correct such defects in grammar or clarify the intent of any particular motion if such was reasonably contemplated.

## **6. Points of Order.**

The Mayor shall determine all points of order, subject to the right of any Commissioner to appeal to the City Commission. If any appeal is taken, the question shall be "shall the decision of the Mayor be sustained?" The City Attorney shall be the parliamentarian of the City Commission, whose recommendation shall be considered on all such appeals. All meetings shall be subject to Robert's Rules of Order.

## **7. Waiver of Rules.**

The vote of a simple majority of the City Commission may waive any provision of these rules at any meeting.

## **8. Public Comments; Preservation of Order and Decorum.**

- (a) The City Manager shall note on the agenda, and the Mayor shall inform members of the public that no speaker shall have the right to address the Board of Commissioners for more than four minutes on any particular item. Any deviation from this rule must be approved by the consensus of a majority of the Board.
- (b) Each person addressing the City Commission shall approach the podium, shall give his or her name and address in an audible tone of voice. All remarks shall be addressed to the City Commission as a body, and not to any member thereof. All speakers, including City Commission shall be recognized by the Mayor. No person, other than members of the City Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through members of the City Commission. No questions shall be asked to individual Commission members, except through the Mayor. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the City Commission may be requested to leave the meeting and may forthwith be barred from further attendance at that meeting.
- (c) The Mayor shall preserve order and decorum, and shall prevent attacks on personalities or the impugning of motives of Commission members or others, and shall prevent digression from the question under discussion. The Mayor shall ensure that no boisterous conduct, such as cheering, clapping, or the like, shall be permitted during debate. The Chief of Police or his or her designate shall be the sergeant-at-arms of the City Commission.

## **9. Board and Staff Comments.**

At the conclusion of the agenda, individual Commissioners, the City Manager, City Clerk, and City Attorney may announce to members present or make comments for the record about items not set forth on the agenda. However, no person shall be permitted to raise controversial issues involving substantial contemplation unless such items shall first be placed on the agenda for consideration. In the case of notice required to any particular individual, no person shall be permitted to discuss such item, without the opportunity for the affected person to be notified in advance.

## **Article IV. ORDINANCES AND RESOLUTIONS**

### **1. Definitions; General Requirements for Adoption.**

Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. A proposed ordinance or resolution shall be read by the City Attorney by title only, unless the Mayor or any Commissioner desires that such ordinance or resolution be read in full. Resolutions may be adopted on first reading. The City Clerk shall also place in such notice that a verbatim transcript of such hearing may be required by any person appealing a decision made by the Board of Commissioners. After the adoption of any emergency ordinance, the City Clerk shall publish the title of such ordinance in a duly qualified newspaper, advising the public that such ordinance has been adopted as an emergency ordinance.

### **2. General Procedure for Adoption of Ordinances.**

(a) The procedure for approval of ordinances on first reading (except emergency ordinances and quasi-judicial matters) shall be as follows:

1. Mayor directs City Attorney to read the ordinance by title only on first reading (unless a Commissioner desires that the ordinance be read in full);
2. At the first public reading of an ordinance, the City Attorney will state the date of the second reading;
3. Comments from the City Manager and staff;
4. Comments from the public;
5. Motion to approve;
6. Second on the motion;
7. Discussion and question by City Commission; and
8. Roll call vote.

(b) The procedure at public hearing (second reading) shall be as follows:

1. Mayor directs City Attorney to state the date of publication of the pertinent notices of public hearing, and a reading of the ordinance by title only on the second reading (unless any Commissioner desires that the ordinance be read in full);
2. Comments from the City Manager and staff;
3. Comments from the citizens most directly affected;
4. Comments from other members of the public;
5. Close of public hearing;
6. Motion to approve;
7. Second on the motion;
8. Comments and questions from the City Commission;
9. Mayor states debate closed; and
10. Roll call vote.

In the event of a continuance of the public hearing, the Mayor shall state such for the minutes.

### **3. Procedure for Adoption of Resolutions.**

The following procedure shall apply for the adoption of resolutions:

- (a) Mayor directs City Attorney to read resolution by title only (unless a Commissioner desires that such resolution be read in full);
- (b) Comments from the City Manager and staff;
- (c) Comments from the affected property owners, if any;
- (d) Comments from the public;
- (e) Motion to approve;
- (f) Second on the motion;
- (g) City Commission discussion and questions; and
- (h) Roll call vote.

### **4. Procedure for Adoption of Unique Resolutions or Ordinances.**

The procedure for adoption of special types of ordinances and resolutions, such as annexation ordinances, resolutions or ordinances calling elections, ordinances considering the rezoning of land area greater than five percent of the total land area of the city, ordinances establishing revised business tax receipts, resolutions adopting the millage rate and the budget, resolutions considering special assessments, and any other special or unique ordinance or resolution, shall be as required by general law. The failure to provide public notice required by these rules shall not invalidate the action taken, if such notice is not required by Florida Statute or city ordinance. The budget of the City may be adopted by ordinance or by resolution.

### **5. Motions; Procedure for Voting.**

- (a) All motions shall be set forth in the affirmative. No motion shall be considered which states that the Commission "not take action." A motion to "table" an action is permitted. A motion to table an item, if passed, shall serve to defer the item indefinitely until the Commission decides to reconsider the item. All motions shall require a second. Motions and seconds may be withdrawn or amended with the approval of the proponents thereof.
- (b) A roll call vote will be held on every motion. The City Clerk shall call the roll in order of inverse seniority, with the Mayor voting last. The Mayor shall declare the results of any vote, noting the Commissioners voting against the motion.
- (c) The Mayor may make a motion or second any motion but, prior thereto, shall pass the gavel to the Vice Mayor or the most senior member of the Commission present at such time. In the event that the Mayor passes the gavel, the Mayor shall not chair the discussion of the particular item until the vote is announced. In no event shall the Commissioner making a motion or a second to a motion chair the discussion on that motion.
- (d) The City Attorney is the Parliamentarian.

## **6. Reconsideration.**

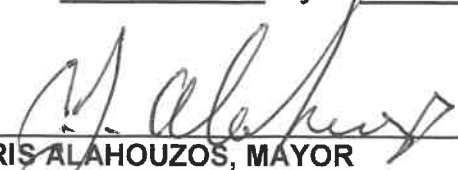
Any member of the Commission who voted with the prevailing side may move to reconsider any action of the entire Commission, provided that the motion be made at the same meeting at which the action was taken. A motion to reconsider shall be in order at any time during the meeting at which the action was taken, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject or matter at the same meeting. Motions to reconsider made after the meetings may only be approved upon a finding that new evidence or a mistake of fact exists. When a motion for reconsideration is adopted, the matter shall be placed on the next available agenda, and all public notice requirements shall be met. The reconsideration of land development code applications shall be made in accordance with the requirements of § 218.00 of the Land Development Code. Commission action may be rescinded by a majority vote.

## **7. Post-Adoption Procedures.**

- (a) In the event an ordinance or resolution is passed, such ordinance or resolution shall be signed by the Mayor and Board of Commissioners, attested by the City Clerk, and approved as to form by the City Attorney. The City Clerk shall also state the vote of each individual Commissioner on such ordinance or resolution. However, memorial resolutions shall be signed in duplicate by all members of the City Commission and in black ink. The City Clerk is authorized to determine which member of the bereaved family shall be entitled to receive the duplicate original memorial resolution. Thereafter, the City Clerk shall secure the original of such ordinance or resolution in a vault or other secure location to ensure that injury or deterioration to such original document is minimized.
- (b) The City Clerk shall receive a copy of all documents presented or distributed at any meeting, and the original of any such document whenever possible. Copies of the pertinent ordinance or resolution shall be distributed by the City Clerk to all affected departments. The City Clerk shall number the ordinance or resolution in consecutive order of adoption, commencing with the first meeting in January of each year, and ending with the last meeting in December of each year, even though the action taken at the first meeting in January shall be by the Board of Commissioners of the previous year. The City Clerk shall also send a copy of such ordinance to the Company the city uses for codification into the code of ordinances of the city. The Code Book can be found electronically; however, hard copies are kept in the City Clerk's Office (City Clerk & Public Viewing), Auditorium, City Manager's Office, and the Library if the Code Book cannot be accessed electronically.

**Section 2.** That this Resolution shall become effective immediately upon its passage and adoption.

PASSED and ADOPTED this 27<sup>TH</sup> day of July, 2021.

  
CHRIS ALAHOUZOS, MAYOR

  
JACOB KARR, VICE MAYOR

  
TOWNSEND TARAPANI, COMMISSIONER

  
CONNOR DONOVAN, COMMISSIONER

  
COSTA S. VATIKIOTIS, COMMISSIONER

MOTION BY: VICE MAYOR KARR  
SECOND BY: COMMISSIONER TARAPANI

**VOTE ON MOTION**

COMMISSIONER VATIKIOTIS	<u>Yes</u>
COMMISSIONER DONOVAN	<u>Yes</u>
COMMISSIONER TARAPANI	<u>Yes</u>
VICE MAYOR KARR	<u>Yes</u>
MAYOR ALAHOUZOS	<u>Yes</u>

**ATTEST:**



  
IRENE S. JACOBS, CMC  
CITY CLERK & COLLECTOR

**APPROVED AS TO FORM:**

  
THOMAS J. TRASK, B.C.S  
CITY ATTORNEY