

CONCERNED CITIZENS VS SALAME/MORGAN SECOND MOTION TO STAY
PROCEDURE GUIDANCE (6/28)

This procedural guidance is to be used to hear the Second Motion to Stay filed by the *Concerned Citizens* regarding the Anclote Harbor Apartments Project.

1. The Mayor, as presiding officer, will announce the agenda item.
2. The Mayor will indicate that the Board has received the Motion to Stay and Response. Prior to proceeding with the motion and response the Commission will hear preliminary items related to the motion, as follows.

Item 9.a - MOTION TO WAIVE RULES OF PROCEDURES HEARING GUIDANCE

1. Move to waive all “Rules of Procedures” per “Article III MEETINGS, paragraph 7. Waiver of Rules” of Resolution 2022-18 (Rules of Procedure of the Board of Commissioners of the City of Tarpon Springs) and authorize the Mayor to conduct the meeting for agenda item 9, Regular Session, (6/28/2022) and any continuation of this agenda item at a later date based on the general guidance below.

Item 9.b - MOTION TO RECUSE COMMISSIONERS HEARING GUIDANCE

1. *Morgan Group* presents Motion to Recuse City Commissioners. *Morgan Group* has 5 minutes.
2. Mayor will ask *Concerned Citizens* whether they have an objection and whether they wish to state their objection if they wish to respond to the Motion to Recuse. (5 minutes)
3. Mayor asks whether the public wishes to make any comments. (4 minutes)
4. Each Commissioner is allowed to respond to *Morgan Group's* motion in terms of whether he believes he can listen to the testimony, review all documentary evidence and act objectively, fairly, and impartially in this matter. If he cannot, he will recuse himself and refrain from further participation of any kind in the matter.

Item 9.c - MOTION TO STAY HEARING GUIDANCE

1. The Mayor will proceed with the motion to stay. The Mayor will ask for a motion and a second to proceed hearing the motion to stay. (The Board has significant discretion in this regard and has no affirmative duty to hear the Motion. Such a motion should be made in the affirmative as required by the Board’s rules (for example, “I move that the Board hear the Motion and make a decision on its merits”) and vote it up or down. If the motion is voted down, then the Board’s efforts are concluded, and the Board will move on to its next agenda item of the

public meeting. If the motion is voted up, then the Board will proceed to hear arguments from counsel for both parties.)

2. *Concerned Citizens* will be given five (5) minutes to present its argument. The City Commission may ask questions.
3. *Morgan Group* will be given five (5) minutes to present its response. The City Commission may ask questions.
3. The public will be given an opportunity to comment (in person, by remote access, and email). The time limits are as prescribed in the Board's normal rules for each speaker.
4. After public comments, the public portion of the meeting will be closed.
5. The Board will consider a motion to grant the stay. The motion will be made in the affirmative, as required by the Board's normal rules, and voted up or down.
6. If the Motion to Stay is denied, the Board will move on to its next agenda item.
7. If the Motion to Stay is granted, the Board will need to decide if it wishes to require *Concerned Citizens* to post a bond or impose other conditions.

(HEAR WHETHER TO ESTABLISH BOND, IF NEEDED)

8. *Morgan Group* will present its evidence to establish the amount of the bond. It will be given ten (10) minutes. The City Commission may ask questions.
9. *Concerned Citizens* will be able to cross examine *Morgan Group's* witnesses. It will be given ten (10) minutes.
10. *Concerned Citizens* will present its evidence to establish the amount of the bond. It will be given ten (10) minutes. The City Commission may ask questions.
11. *Morgan Group* will be able to cross examine *Concerned Citizens'* witnesses. It will be given ten (10) minutes
12. The public will be given an opportunity to comment (in person, by remote access, and email). The time limits are as prescribed in the Board's normal rules for each speaker.
13. After public comments, the public portion of the meeting will be closed.
14. The Board will consider a motion to set the bond amount or other conditions and a deadline for *Concerned Citizens* to obtain the bond. The motion will be made in the affirmative, as required by the Board's rules, and voted up or down.

Following the hearing the City Attorney's office will draft a written Order that will be brought back before the Commission for consideration and approval. It will be signed by the Mayor, reflecting the BOC's disposition of the Motion to Stay and state whether any Commissioners were recused. It will then be provided to Ms. Graham, Mr. Armstrong, Mr. McLaren and Mr. Costello.