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3 4 5 6 7 8 9 10 11 12 13 14 15	AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING SECTIONS OF CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY COMMISSION, TO ADOPT AND CODIFY A COMMISSION PROTOCOL MANUAL ESTABLISHING RULES FOR COMMISSIONER CONDUCT, INTERACTIONS WITH CITY ADMINISTRATION AND MEETING PROCEDURE; PROVIDING FOR AMENDMENT AND ENFORCEMENT OF THE PROTOCOL MANUAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.			
16	WHEREAS, the City Charter generally governs the role of the City Commission, the City			
17	Manager and other City Officials; and			
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19	WHEREAS, the Mayor and City Commission desire to establish rules to govern the orderly			
20	conduct of business during commission meetings, interactions with city administration in			
21	accordance with the City Charter, proper use of City resources and the role of commissioners			
22	when representing the City; and			
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24	WHEREAS, the Protocol Manual was originally adopted in 1985, formally adopted by			
25	Ordinance 2010-006 and periodically amended; and			
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27	WHEREAS, in 2016 the City Commission radically reduced and attempted to rescind the			
28	Protocol Manual by resolution; and			
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30	WHEREAS, the proposed Protocol Manual attached as Exhibit A is updated and			
31	streamlined to reflect the current status of the City and reflects the desires of the Commission to			
32	standardize the expectations of commissioners, city officials and city staff for more effective and			
33	efficient city governance.			
34	WHERE AS the Meyer and City Commission find that it is in the best interact of the City			
35	WHEREAS, the Mayor and City Commission find that it is in the best interest of the City			
36 37	of Hallandale Beach to adopt the attached protocol manual and codify the Protocol Manual as the rules of the City Commission.			
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39	NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF
40	HALLANDALE BEACH, FLORIDA:
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43	SECTION 1. Chapter 2 Administration of the Code of Ordinances of the City of
44	Hallandale Beach, Florida is hereby amended to read as follows:
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47	Sec. 2-34 Procedure and meetings.
48 49 50 51 52 53 54	(a) Voting. Voting on ordinances and resolutions shall be by a randomized roll call and shall be recorded. A majority of the commission shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the commission. No action of the commission, except as otherwise provided in the preceding sentence and in Charter § 3.09(3), shall be valid or binding unless adopted by the affirmative vote of the majority of the commission.
55	(b) Presiding Officer and Sergeant-at-Arms.
56 57 58 60 61 62 63 64 65 66	(1) The presiding officer of the City Commission shall be the Mayor or, in the Mayor's absence, the Vice Mayor. In the absence of both the Mayor and the Vice Mayor, a temporary presiding officer shall be selected by seniority of office of those commissioners present. The presiding officer shall preserve order and decorum at all regular and special meetings of the City Commission and shall have the authority to regulate irrelevant debate, repetitious discussion and disruptive behavior at a public meeting. The presiding officer shall decide all questions of order and decorum, subject, however, to an appeal of said decision forthwith by a member of the City Commission, in which event a majority vote of the City Commission shall govern and conclusively determine such question of order or decorum.
67 68 69 70 71 72 73 74 75 76	<ul> <li>(2) The chief of police, or his designee, shall be the sergeant-at-arms of the city commission meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer, or the majority of the commission if an appeal has been taken, for the purpose of maintaining order and decorum in the city commission meeting. Upon instruction of the presiding officer, it shall be the duty of the sergeant-at-arms to take appropriate and lawful action to maintain the order and decorum of the meeting.</li> <li>(c) Public Participation. The City Commission recognizes the importance of protecting the right of its citizens and taxpayers to express their opinions on the</li> </ul>
76 77 78 79	operation of City government and encourages citizen participation in the local government process. The City Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a

timely and proper manner. Therefore, a summary of the rules of decorum contained in this section, prepared by the City Attorney, shall be read by the City Clerk prior to the first public comment of every meeting and included in the published agenda.

- 84 (d) Decorum and Disorderly Conduct.
- 85 (1) Disorderly Conduct. It is prohibited for any person to disturb or
  86 interrupt any meeting of the City Commission or otherwise fail to comport
  87 with the rules of decorum herein. The following behavior shall not be
  88 considered orderly or decorous:
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a. The use of obscene or profane language.

- 90 b. Loud and disruptive speech or other loud and boisterous behavior.
- 91 c. Any physical violence or the threat thereof.
- 92d.Use of "fighting words" (e.g. words likely to cause a fight, that are93threatening or tending to cause a breach of the peace, or speech94that threatens harm).
- 95 e. Engaging in personal attacks. Remarks should be directed to the
   96 presiding officer or the Board as a whole and not to individual
   97 Commissioners.
- 98f.Irrelevant, impertinent, or slanderous remarks. Speakers shall<br/>confine their comments solely to the agenda item being discussed100or, during non-agenda public comment, to matters related to City<br/>business. Unless it is an agenda item, speakers are prohibited from<br/>discussing their own pending court cases and filed claims or<br/>complaints against the City or City personnel.
- 104 g. Engaging in electioneering or campaign activities.
- 105h.Engaging in commercial speech or advertising unrelated to an106item on the agenda.
- 108(2)Unruly audience behavior such as applause, audible conversations,109booing, harassing remarks or other audience outburst will not be tolerated.110The City Commission is not allowed to consider such material and it111intimidates and takes time away from other speakers.
- It is prohibited for any person by speech or otherwise to delay or 112 (3) interrupt the proceedings or the peace of the City Commission or disturb 113 114 any person having the floor. No person shall refuse to obey the orders of the presiding officer. Disorderly conduct determined by the presiding officer 115 or a majority of the City Commission to be intended as a disruption of the 116 meeting and a failure to comply with any lawful decision or order of the 117 presiding officer or of a majority of the City Commission, shall constitute a 118 disturbance. 119

120	(4) If the presiding officer or a majority of the commission declares an	
121	individual out of order, the individual will be cautioned. The individual shall	
122	be allowed the opportunity to conclude remarks on the subject in a	
123	decorous manner within the designated time limit. The presiding officer	
124	may bar any person failing to comply as cautioned from making any additional comments during the meeting, unless permission to continue or	
125 126	again address the commission is granted by the majority of the commission	
120	members present.	
128	(5) Any person who becomes disruptive or interferes with the orderly business of the commission may be removed from the commission	
129 130	chambers or other meeting room for the remainder of the meeting and may	
130	be arrested by the police chief, or designee, subject to F.S. § 810.08(1) or	
132	§871.01.	
133	(e) Meeting Protocol and Procedure. The City Commission will adopt and	
134	maintain a Protocol Manual. The Protocol Manual will govern the issues of	
135	meeting protocol and procedure. The manual may be periodically amended	
136	by motion approved by a majority vote of the full commission, but any rule	
137	not made mandatory by the Charter may be temporarily suspended by a	
138	majority vote of the commission present.	
139	******	
140	Sec. 2-36 – <u>Adopting,</u> Suspending, Repealing or Amending Rules	
141	The commission will adopt and maintain a Protocol Manual stating the policies and	
142	procedures governing, among other things, the protocol between the City Manager, City	
143	Attorney, Staff and the City Commission, involving matters in and out of the City, as well	
144	as the public. The manual may be periodically amended by motion approved by a	
145	majority vote of the full commission. Any rule not made mandatory by the Charter may	
146	be temporarily suspended by a majority vote of the commission present but shall not be	
147	repealed or amended unless by a four fifths vote of the commission	
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149	*****	
150	Sec. 2-37 Punishing absent members; expelling disorderly member; compelling	
151	attendance <u>; enforcing protocol</u> .	
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153	The commission may punish its members for nonattendance, or disorderly conduct, or	
154	violations of the protocol manual and, four-fifths of its members concurring, may expel a	
155	member for nonattendance or for improper conduct in office. They may compel the	
156		
100	attendance of absent members by fines and penalties. They may censure members in	

157	violation of the commission's rules, as stated in the Protocol Manual. Members		
158	censured for violations of the Protocol Manual may forfeit pay in accordance with the		
159	provisions of the manual.		
100	*****		
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161	SECTION 3. Conflict. All ordinances or portions of the Code of Ordinances of the City of		
162	Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent		
163	of such conflict.		
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165	SECTION 4. Severability. Should any provision of this ordinance be declared by a court		
166	of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a		
167	whole, or any part thereof, other than the part declared to be invalid.		
168			
169	SECTION 5. Codification. It is the intention of the Mayor and City Commission that the		
170	provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention		
171	the words "ordinance" or "section" may be changed to other appropriate words.		
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173	SECTION 6. Effective date. This Ordinance shall take effect immediately upon adoption.		
174	<u>De monto. Encouve date.</u> This ordinance shair take chect inimediately upon adoption.		
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176	PASSED AND ADOPTED on 1 <sup>st</sup> reading on April 3, 2019.		
177	PASSED AND ADOPTED on 2 <sup>nd</sup> reading on May 22, 2019.		
178	Theorem in the state of the sta		
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181	JOY D. ADAMS		
182 183	MAYOR		
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185	SPONSORED BY: VICE MAYOR SABRINA JAVELLANA		
186			
187	ATTEST		
188			
189	MAN		
190 191	JENORGEN GUILLEN, CMC		
191	CITY CLERK		
193	CITI OLITIK.		
20	6.2		
33	5 ORD. NO. 2019- 008		
	FILE NO, 19-112		
	and the second		

194	APPROVED AS TO LEGAL SUFFICIENCY AND
195	FORM
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197	PL / I Do
198	par o V
199	JENNIFER MERINO
200	CITY ATTORNEY
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## FIRST READING VOTE ON ADOPTION

Mayor Adams	No
Vice Mayor Javellana	Yes
Commissioner Butler	Yes
Commissioner Lazarow	Yes
Commissioner Lima- Taub	No

## FINAL VOTE ON ADOPTION

Mayor Adams	NO
Vice Mayor Javellana	Ves
Commissioner Butler	YES
Commissioner Lazarow	Yes
Commissioner Lima- Taub	NO

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