1	RESOLUTION NO. 2016 - 24					
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3 4 5 6 7 8	A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, SETTING THE PROCEDURES AND SCHEDULES FOR COMMISSION MEETINGS; AND PROVIDING AN EFFECTIVE DATE.					
9	WHEREAS, on or about February 4, 2015, the Mayor and City Commission, by motion					
10	voted to amend Resolution 2012-84 to eliminate a super-majority vote to extend any City					
11	Commission meeting pass 12:00 midnight; and					
12	WHEREAS, since the adoption of Resolution 2015-039, the time of the City Commission					
13	workshop and special meeting have been changed and the resolution has not been modified to					
14	reflect the new times; and					
15	WHEREAS, the City Administration has reviewed Resolution 2015-039 and determined					
16	that additional modification were needed to conform to the actual practices of the Mayor and City					
17	Commission; and					
18	WHEREAS, the Mayor and City Commission have determined that it is in the best interest					
19	of the City to amend the procedures and schedules set forth in Resolution No. 2015-039 to reflect					
20	the modifications adopted in January, 2016 and to conform to actual practices of the City					
21	Commission.					
22	NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF					
23	THE CITY OF HALLANDALE BEACH, FLORIDA:					
24	SECTION 1. MEETINGS					
25 26 27 28 29 30	(a) Beginning February 4, 2015, the City Commission shall meet on the first and third Wednesday of each month at 6:30 PM at City Hall, except that when award ceremonies are to be scheduled to begin one hour prior to the meeting. The Commission may, by motion, delete or reschedule any meeting. If at any time the regular meeting of the City Commission falls on a legal holiday, the City Commission may set an alternate meeting date.					
31 32 33	(1) Meetings beginning at 6:30 PM shall end on or before 11:00 PM, unless extended by a majority vote of the City Commission.					
34 35 36 37	(b) All Public Hearings shall be set for 6:30 PM and heard as soon thereafter as practical. Public Participation shall be scheduled 6:45pm and heard as soon thereafter as practical.					
38 39	(c) Special Meetings of the City Commission may be held at any time on call of the Mayor, in the absence of the Mayor, the Vice Mayor, or any three members of the Commission.					
	1 RESO. NO. 2016-24					

Special Meetings may be set at any Commission meeting upon motion passed setting the time and matters to be considered at a special meeting. Whenever practicable there shall be no less than twelve (12) hour notice to each member of the public.

City Commission/City Manager Workshop Special Meetings shall be set for 3:00 44 (d)45 PM. and heard as soon thereafter as practical or at the adjournment of the preceding Hallandale 46 Beach Community Redevelopment Agency Board of Directors meeting. 47 (e) Nothing contained in this resolution, however, is to be construed as limitations upon 48 the manner of calling a Special Meeting, and if such special meeting is otherwise called 49 50 in accordance with existing laws, it shall not be deemed an illegal meeting, even though not called with the requirements of this resolution. 51 52 (f) The Agenda for every City Commission meeting shall include an "Order of Business." 53 This section will allow the Legislative Body to make any additions, deletions, deferrals, 54 and changes to the actual order of the Agenda (including the Consent Agenda). These 55 changes would be approved by a majority vote of the Body. 56 57 58 SECTION 2. RULES OF ORDER AND PROCEDURES OF CITY COMMISSION MEETINGS 59 60 61 (a) ORDER OF PRECEDENCE. The Mayor, or in his/her absence the Vice Mayor shall preside over all meetings of the Commission as provided for in section 3.04 of the City Charter. 62 63 (1) Nothing contained in this resolution as to rules of order and procedures shall be in any 64 way construed to unreasonably limit the ability of the public to provide citizen input and 65 comment at any City Commission meeting, nor shall these rules and procedures be 66 construed in any manner that would unreasonably limit the ability of any Commissioner to 67 participate fully in public debate on issues presented to the Commission, or to respond to 68 questions or comments raised during debate in the issues among the Commissioner. 69 70 71 (2) These rules of order and procedure shall not be construed so as to limit the rights of 72 the public or of any individual Commissioner to free speech, free association, or free 73 assembly, as guaranteed by the United States and Federal Constitution. 74 75 (3) All political power is inherent in the people. The enunciation herein of any procedural 76 rules shall not be construed to deny or impair the rights retained by the people under Article 1, Section 1 of the Florida Constitution. 77 78 79 (b) DUTIES OF PRESIDING OFFICER. The duties of the presiding officer are as follows: 80

81	(1)	He/she shall state every question before the Commission.			
82					
83 84 85	(2)	He/she shall direct the City Clerk or designated staff to call the roll and record the vote on all matters concerning which the recording of the ayes and nays is required or requested.			
86					
87	(3)	He/she shall announce the results of every vote.			
88					
89	(4)	He/she shall decide all questions of order.			
90					
91 92	(5)	He/she shall announce the order of business and insure the orderly disposition of the items on the agenda.			
93					
94	(6)	He/she shall maintain order and enforce the rules of decorum and discipline.			
95					
96	(c) RULINGS BY THE CHAIR; APPEALS. The presiding officer shall exercise the discretion				

afforded by these rules, and shall rule on all questions of order and priority of debate, although
 he/she may ask the advice of the City Attorney and the City Manager. The City Clerk may be
 directed to respond through the City Manager. Any Commission Member may appeal from any
 such determination or decision of the presiding officer. The motion to appeal from the decision of
 the Chair requires a second and a majority vote of the Commission Members present to reverse
 the decision of the Chair. No other business, except a motion to adjourn or to lay on the table
 shall be in order until the question on appeal has been decided.

(d) CITY CLERK TO MAINTAIN MINUTES. The City Clerk shall maintain the minutes of the
 Commission and keep the same as the permanent and public record of the proceedings of the
 Commission. The proceedings shall be electronically or electromagnetically recorded, but they
 shall be reduced to writing as soon as practicable after the adjournment of the meeting.
 Nevertheless, the electronic and electromagnetic recording shall be kept as a permanent record
 until destruction is approved by the State of Florida.

110 (e) CONTENTS OF MINUTES. The minutes shall contain memorandum minutes of all action taken by the Commission with respect to all matters brought before the Commission, and shall 111 state the vote on every question. Where a roll-call vote is taken, the Minutes shall show the names 112 113 of the Commission Members voting for and against the question, respectively. Where a voice vote 114 is taken, the Minutes shall show the names of the Commission Members voting on the losing side. 115 Unless otherwise ordered by the Commission, the debate on any question shall not be recorded 116 in the minutes, but all pertinent communications and the titles of all items shall be entered into the 117 minutes.

(f) NAME OF MAKER AND SECOND OF MOTION IN MINUTES. In all cases where a motion
 is entered into the minutes of a Commission Meeting, the name of the member moving and
 seconding the same shall be entered.

121 (g) YEAS AND NAYS IN MINUTES. The yeas and nays upon passage of any resolution or 122 ordinance shall be taken and entered in the minutes; and the yeas and nays shall be taken on 123 any motion if requested by any Commissioner.

(h) TITLE OF ORDINANCE AND RESOLUTION IN MINUTES. The title of the ordinance or
 resolution on which any action is taken shall be set out in full in the minutes.

(i) APPROVAL OF MINUTES. The City Clerk shall submit minutes to the City Manager for
 approval. Following City Manager approval, the City Clerk shall place the minutes on the agenda.
 If any corrections are made to the minutes, the City Clerk staff shall prepare corrected pages.

(j) SIGNING OF AND DISTRIBUTION MINUTES. When the minutes of the meeting have
 been approved by the City Commission, they shall be signed by the Mayor and attested by the
 City Clerk.

(k) <u>ATTENDANCE AND ABSENCE FROM MEETINGS. Any Member who arrives late to the</u>
 <u>City Commission Meeting will be acknowledged publicly by the Mayor or City Clerk. Any Member</u>
 who plans to leave the meeting and not return should announce their departure on the record.
 Any member who is unable to attend a Commission meeting due to sickness or for a duly
 authorized reason shall notify the City Manager and City Clerk, who shall notify the Mayor, before
 the meeting convenes.

(I) MANNER OF SPEAKING. No Commission Member at a Commission meeting shall speak 139 on any question or discuss any matter, nor interrupt another, nor make a motion without first being 140 recognized by the presiding officer. The presiding officer shall recognize the Commission Member 141 who has the floor, and call on each subsequent Commission member to speak. No Commission 142 Member shall be interrupted by another without the consent of the Commission Member who has 143 the floor, except by asserting a question of order. Each Commission Member, in speaking on any 144 matter, shall confine himself/herself to the question, shall not use unbecoming, abusive or 145 unparliamentarily language, shall not engage in personal attacks on fellow Commission Members 146 or on any speaker before the Commission, and shall promote, in the manner and substance of 147 his/her speech, the dignity of, and respect for the Office of City Commissioner and the legislative 148 149 process. While a member is speaking, no member shall hold any private discourse, nor pass between the speaker and the presiding officer. 150

(m) COMMISSION MEMBERS TO OCCUPY REGULAR SEATS. No Commission Member
 shall be allowed to vote on any motion or measure, or gain the privilege of the floor, unless he/she
 is, at the time he/she is voting or seeking to gain the privilege of the floor, at his/her regular seat
 which he/she occupies on the Commission.

(n) COMMISSION MEMBERS TO PRESERVE ORDER AND DECORUM. While the Commission is in session, the Commission Members shall preserve order and decorum, and a Commission Member shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commission Member while speaking, or refuse to obey the orders of the Commission or its presiding officer, subject to an appeal to the majority of the Commission as provided for in Section 2 (c) of these procedures. 161 Commission members shall not receive, read or place e-mails, text messages, or phone calls 162 while at the dais. A computer will be provided in the room behind the dais for Commission 163 members to access the internet and e-mail. Further, Commission members shall place or receive 164 all phone calls and text messages from the room behind the dais. During Quasi-Judicial Hearings, 165 no Commission Member shall receive, read, place or consider e-mails, text messages, or phone 166 calls pertaining to the Quasi-Judicial Hearing being considered.

167 (o) DISRUPTION OF MEETING. Any person, not a Commission Member, making personal, 168 impertinent or slanderous remarks or who shall become boisterous while the Commission is in 169 session, shall forthwith be barred from further audience before the Commission by the presiding 170 officer in his/her discretion. No demonstrations of approval or disapproval from the audience shall be permitted, and if such demonstrations are made, the audience shall be cleared from the 171 Commission Chambers. In case of any disturbance or disorderly conduct, the presiding officer 172 173 shall have the power to require the Commission Chambers or location of the Meeting be cleared 174 if necessary, or to expel any member of the audience causing such disturbance or disorderly 175 conduct.

176 (p) MOTIONS: HOW MADE; WITHDRAWAL. Every motion shall be made orally, unless the 177 presiding officer requests that it be reduced to writing. The maker of the motion should agree with the motion before making it. No motion shall be debated or put to a vote without a second, except 178 179 for those motions stated in section (g). The Member who seconds the motion doesn't have to agree with it but must only believe that the motion should be discussed and decided upon. When 180 a motion is made and, when required, seconded, it shall be stated by the presiding officer or, 181 being in writing, shall be read by the City Clerk, and the mover shall have the floor. After a motion 182 has been stated or read, it shall be deemed to be in the possession of the Commission and shall 183 184 be disposed of by vote of the Commission. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended or before a vote thereon shall have 185 186 commenced, if a majority of the Commission Members present consent.

- 187 (q) MOTIONS REQUIRING NO SECOND. The following motions do not require a second:
- 188 1. Call for a division of the Commission to ask to poll for accuracy of the vote
- 1892.Call for the division of a question to ask to divide a motion for separate190consideration
- 191 3. Call for the orders of the day to take up a matter timely
- 1924.Leave to withdraw a motion to withdraw a motion before it has been stated by the193Chair
- 194 5. Nominations
- 1956.Object to the consideration of a question to prevent the question from being196considered when the member deems the motion as irrelevant or contentious, it can197be raised only before there has been any debate or subsidiary motions
- 1987.Parliamentary inquiry a request for the chair's opinion on a matter of199parliamentary procedure as it relates to the business at hand not involving a ruling
- 200 8. Point of information an inquiry as to facts affecting the business at hand

201 202 203 204	9.	secon the C	est for permission to withdraw or modify a motion after motion has been ded or stated by the Chair. If a motion has not been seconded or stated by hair the maker may withdraw the motion without a second or vote of the hission		
205	10.	Point	of order - calling upon the chair for a ruling and an enforcement of the rules		
206 207 208	11.		ion of privilege - permits an interruption of pending business to state an trequest or motion, whether the privilege is granted or not is ruled on by the		
209	12.	Nominations for Vice Mayor			
210 211	(r) MOTI debate:	, in the second se			
212	1. Adjour		rn, in any form		
213	2.	Amend an undebatable motion			
214	3.	Appeal			
215	4.	Call fo	Call for the orders of the day		
216	5.	Fix the time to which to adjourn			
217	6.	Lay on the table - to lay the pending question aside temporarily			
218	7.	Limit or extend - the time to debate a matter			
219	8.	Object to the consideration of a question			
220	9.	Other incidental motions, as follows:			
221		(a)	Close or reopen nominations		
222		(b)	Division of the Commission		
223		(c)	Division of a question		
224		(d)	Point of order, information or inquiry		
225		(e)	Question of quorum present		
226		(f)	Leave to withdraw a motion		
227 228		(g)	Previous question - to immediately close debate and the making of subsidiary motions and bring the Commission to a vote		
229		(h)	Question of privilege		
230		(i)	Reconsider an undebatable motion		
231		(j)	Suspension of the rules		
232		(k)	Take a recess		

233		(I) Take from	n the table - to take up an item	previously laid on the table			
234							
235 236	(s) MOTIONS ALLOWING NO AMENDMENT. The following motions shall be decided without amendment:						
237	1.	Adjourn					
238	2.	Amend an amendment					
239	3.	Appeal					
240	4.	Call for the orders of the day					
241	5.	Call for a division of the Commission					
242	6.	Declare an item t	o be an emergency measure				
243	7.	. Fill a blank					
244	8.	Leave to withdray	w a motion				
245	9.	Lay on the table					
246	10.	Nominations					
247	11.	Object to the consideration of a question					
248	12.	Postpone indefinitely - to delay vote on a question for indefinite period of time					
249	13.	Previous question					
250	15.	Question of privilege					
251	16. Reconsideration						
252	17. Take from the table						
253							
254 255							
256	1.	1. Adjourn to a date certain					
257	2.	Adjourn					
258	3.	Take a recess					
259	4.	Lay on the table					
260	5. Previous question						
261	6. Close debate at a specified time						
262	7. Postpone to a day certain						
263	8.	Amend					
			7	RESO. NO. 2016-24			

- 264 9. Postpone to a certain time
- 265 10. Postpone indefinitely

(u) MOTIONS WHICH CAN BE MADE BUT ONCE. Motions to adjourn or recess shall be
decided without debate by a majority vote of those Commission Members present and voting.
Only one substitute for a motion to adjourn shall be entertained. The substitute motion shall fix a
different time for adjournment, and the same shall be put without debate, except that one minute
shall be allowed the mover of the substitute within which to explain his/her reasons therefore. The
substitute motion having been lost, the question shall be put on the original motion which if lost
shall preclude any further motion to adjourn until other business shall have intervened.

(v) MOTION TO AMEND TO BE GERMANE. No motion to amend dealing with a subject
 different from that under consideration shall be entertained by the presiding officer.

(w) DIVISION OF QUESTION. Any Commission Member may call for a division of a question
 when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a
 motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and
 insert.

(x) PREVIOUS QUESTION. The effect of a motion for the previous question shall be to bring
 the Commission to a direct vote on the question. If the motion for the previous question is adopted,
 the Commission shall forthwith dispose of pending amendments and the main question in regular
 order. The motion for the previous question may not be made by the introducer or mover of the
 item.

(y) POSTPONE INDEFINITELY. Motions to postpone indefinitely shall be applicable only to
 main motions. The adoption of a motion to postpone indefinitely shall dispose of such measure
 for the duration of the Commission meeting at which it is made.

(z) LAY ON TABLE. If an amendment is laid on the table, such action shall not carry the main
 question or any other amendment with it. The motion to lay on the table may not be made by the
 mover of the item.

(aa) NO DELAYING MOTIONS. No dilatory or delaying motions shall be entertained by thepresiding officer.

(bb) PRESIDING OFFICER MAY PARTICIPATE IN PROCEEDINGS. The presiding officer
 may move, second and debate, subject only to such limitations of debate as are enforced by these
 rules on all Commission Members, and shall not be deprived of any of the rights and privileges
 as Commission Member by reason of his/her acting as the presiding officer. If the presiding officer
 desires to make a motion or second a motion he/she shall relinquish the Chair to Vice Mayor until
 item has been disposed.

(cc) OBTAINING FLOOR. When a Commission Member desires to speak in debate on a
 subject open to debate, in order to obtain the floor, he/she must first be recognized by the
 presiding officer, then speak only on matters germane to the business or questions under debate.

(dd) INTERRUPTION OF SPEAKER. A Commission Member or official, once recognized,
 shall not be interrupted while speaking unless it be to call him/her to order for transgressing any
 rule of the Commission or failing to maintain proper decorum or for any member of the
 Commission to raise to question. If a Commission Member, while speaking, is called to order,

he/she shall cease speaking until the question of order is determined by the presiding officerwithout debate, and if in order, he/she may proceed.

307 (ee) COMMISSION MEMBER TO SPEAK BUT TWICE. No Commission Member shall speak
 308 more than twice at any Commission meeting on any matter before the Commission, nor shall any
 309 Commission Member speak a second time until every Commission Member desiring to speak has
 310 had an opportunity to do so once. The total amount of time allotted to each Commission Member
 311 to address a matter shall not exceed ten (10) minutes.

- 312 (ff) PRIVILEGE OF FLOOR.
- 313 314 315
- (1) General Exclusion. No person, except Commission Members and working employees of the Commission, shall be admitted within the dais unless permitted by the presiding officer.
- Addressing Commission. By permission of the presiding officer, the privilege of the
 floor shall be extended to a citizen or citizens to address the Commission on any
 matter pending before it or which needs the attention of the Commission.

(gg) MAJORITY ACTION. Unless otherwise required by the charter or ordinances or contracts
 of the City or indicated by these Rules, all action by the Commission shall be by majority vote of
 Council Members present, who have not abstained pursuant to State Statues and section (ii),
 immediately below, of this resolution. A majority vote of the Commission Members shall be
 necessary to approve and adopt any item, unless otherwise required by law, ordinance, contract,
 or City Charter.

325 (hh) VOTING REQUIRED. Any Member present at the meeting, but absent from the dais during a vote, upon his/her return to the dais, will be required to record their vote. No longer should 326 327 a Member go directly to the City Clerk to record his/her vote during or after the meeting. No 328 member of the City Commission who is present at a Commission meeting may abstain from voting in regard to any matter, ruling or act, except when with respect to any such member there is, 329 appears to be, a possible conflict of interest under provisions of Section 112.311, 112.313 or 330 331 112.3143, Florida Statutes, and shall make such personal interests known at the public meeting when the item is being considered and leave the chambers until such time as the item has 332 completed. No Commission Member shall participate in any debate nor make any comments on 333 334 an item for which they have a conflict of interest before, during or after the item is under City Commission consideration. Appropriate forms shall be filed with the City Clerk's Office in 335 336 accordance with State Statutes.

(ii) MANNER OF VOTING. Votes on procedural matters, including withdrawals, amendments,
 substitutions and emergencies shall be by voice vote, so as to be heard verbally. The City Clerk
 will request a Member to register their voice vote again when it is unclear. Votes on resolution or
 ordinances shall be taken by roll call vote in alphabetical order by Commissioner last name with
 the Vice Mayor and Mayor voting last. In the case of a voice vote, if the presiding officer is in
 doubt, or upon the request of three Commission Members, the presiding officer shall call for a
 showing of hands or a rising vote, for a division of the Commission or for a roll-call vote.

(jj) CHANGE OF VOTE. On all roll-call votes, after the vote has been taken but before the
 announcement of the result, a Council Member may (a) change his/her vote or (b) vote. After

announcement of the result, no vote may be changed or taken on the question <u>unless there has</u>
 <u>been a Motion for Reconsideration properly made and passed.</u>

(kk) BINDING OF ACTION. No action shall be binding unless adopted by at least three
affirmative votes of the City Commissioners or as specified by Charter, contract or State Statutes.
If a vote ends in a tie, a majority was not attained and the motion will be deemed as failed. Motions,
applications or agenda items not receiving three affirmative votes shall be deemed to have failed
or be rejected and such action shall be final except that any member of the Commission may
move for reconsideration of the matter within a reasonable time. A reasonable time is as
determined by a majority vote of the Commission.

(II) EXPLANATION OF VOTE. No Council Member shall be permitted to explain his/her vote
 during a roll-call vote, but may do so for a period of not more than one minute prior to the result
 of a roll-call vote being announced or immediately thereafter.

358 (mm) PARLIAMENTARY AUTHORITY. The City Manager shall designate a qualified 359 employee as the Parliamentarian for the City. Under the direction of the City Manager, this 360 employee shall advise the presiding officer with respect to parliamentary procedure and the 361 proper application of these Rules to the business of the Commission.

(nn) INTERPRETATION OF RULES. It shall be the duty of the presiding officer to interpret all
 Rules. When used in these Rules, unless the text otherwise indicates:

- 364 (1) The singular includes the plural.
- 365 (2) The masculine includes the feminine.

(oo) EFFECT OF RULES ON COMMISSION ACTION. No ordinance, resolution or action duly
 passed, adopted or taken by the Commission shall be held to be invalid because of failure of the
 Commission to comply with or abide by any one or more of the provisions of these Rules if such
 ordinance, resolution or action would otherwise be valid under the Charter or ordinances of the
 City or laws of this state but for such provisions of these Rules alleged to have been violated or
 ignored.

(pp) SUSPENSION OF RULES. Any Rule may be temporarily suspended, unless such
 suspension would conflict with provisions of the laws of Florida, the Charter or ordinances of the
 City, by a majority vote of all the Commission Members. The Rules shall not be suspended to
 amend any Rule or part thereof.

(qq) AMENDMENT OF RULES. No permanent change shall be made without notice
 specifying the purpose and wording of the change given at a previous regular meeting of the
 Commission and the adoption of the permanent change by a vote of four-fifths of all the
 Commission Members.

380 SECTION 3. SUBMITTING ORDINANCES AND RESOLUTIONS.

(a) All ordinances and resolutions shall be prepared and placed in Agenda Maker by the
 Wednesday fourteen (14) days preceding the City Commission meeting at which it will be
 considered.

(b) Resolutions may be prepared and presented without prior City Commission approvalor direction.

(c) Ordinances may be prepared and presented without prior City Commission approvalor direction.

388 **SECTION 4.** EFFECTIVE DATE. This Resolution shall take effect immediately upon 389 its passage and adoption.

APPROVED AND ADOPTED this 3rd day of February, 2016. 390 391 392 393 JOY PFR 394 MAY OR 395 SPONSORED BY: COMMISSIONER COMMISSION 396 ATTEST: 397 398 399 400 401 MARIO BATAILLE, CMC 402 CITY CLERK VOTE 403 AYE/NAY Approved as to legal sufficiency and form 404 Mayor Cooper 405 Vice Mayor Julian 406 Comm. Lazarow 407 Comm. London V. LYNN WHITFIELD 408 Comm. Sanders CITY ATTORNEY 409