

RESOLUTION NO. 24-171

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, MODIFYING THE RULES OF PROCEDURE TO PROVIDE FOR THE ORDERLY CONDUCT OF CITY MEETINGS, REPEALING ALL POLICIES OR RESOLUTIONS IN CONFLICT HERewith, AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Council of the City of Panama City Beach that:

1. The City hereby modifies and establishes Rules of Procedure in substantially the form attached and presented to the Council today as Exhibit A, with such changes, insertions, or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. All policies or Resolutions or parts thereof of the City of Panama City Beach, Florida, in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 22nd day of August, 2024.

CITY OF PANAMA CITY BEACH

By: 
Stuart Tettemer, Mayor

ATTEST:


Lynne Fasone, City Clerk

RULES OF PROCEDURE

It is the intent of the Panama City Beach City Council to provide for the smooth and orderly functioning of the business of the Council, boards, and committees. As the City's procedure calls for the Chairperson to set the Rules of Procedure, the following procedures are established for all Regular, Special, Emergency, and Workshop Meetings of the City Council and for all public meetings of all boards and committees established or appointed by the Council. These rules may be modified as circumstances dictate.

Accordingly, the City Council hereby designates the meetings of the City Council, and all public meetings of its boards and committees, as limited public fora reserved for the conduct of official City business. These Rules of Procedure and any associated procedural actions by the presiding officer shall be reasonable and viewpoint neutral.

Workshop Meetings

The purpose of a workshop meeting is to allow staff to make presentations and to allow questions by the Council, board, or committee members. Workshop meetings are noticed as Special Meetings, and official action may be taken upon any of the items discussed at a workshop meeting and any of the items of official business that require immediate consideration and decision.

Chairperson, Presiding Officer, Duties

The Chairperson of the Council, board, or committee shall preside over all meetings at which the Chairperson is present. In the absence of the Chairperson, the Vice Chairperson shall preside. The presiding officer shall preserve strict order and decorum at all meetings. Any member with the floor may make a motion, which shall be restated by the Chairperson prior to the vote. Following debate and vote, the Chairperson will announce the decision. A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered. The Chairperson may vote on all questions, the Chairperson's name being called last when the roll is called. In the absence of the Chairperson or in the event of the Chairperson's inability to serve, the Vice Chairperson shall perform the duties and functions of the Chairperson until the Chairperson's resumption of duty.

Issues Of Law Or Matters Of Procedure

The City Attorney shall advise and assist the Chairperson on issues of law and matters of procedure.

Agenda

There shall be an official agenda for every public meeting, which shall determine the order of business conducted at the meeting.

A portion of the agenda may be designated as a consent agenda, and all items contained therein may be voted on with one motion; except that any member may remove an item from the consent agenda to the regular agenda where it shall be voted on independently.

Any departure from the order of business set forth in the official agenda shall be made only upon a majority vote of the members of the Council, board, or committee present at the meeting.

The agenda shall be prepared by the City Manager or his designee.

There shall be provided on the agenda an opportunity for the public to address the Council, board, or committee on any item on the agenda in addition to public hearings.

Public Input: Addressing Council, Board, or Committee, Manner, Time

Members of the public shall be given a reasonable opportunity to be heard on a proposition that is on the agenda before the Council, board, or committee. The opportunity to be heard need not occur at the same meeting at which official action is taken on the proposition if the opportunity occurs at a meeting that is during the decision-making process and is within reasonable proximity in time before the meeting at which the official action is taken.

A person wishing to speak shall approach the podium when the Chairperson calls for public comment.

The person speaking shall first state their name.

All remarks shall be limited to no more than three minutes, unless the Chairperson extends the time.

Remarks shall be addressed to the Council, board, or committee, as a body and not to any specific member.

Representatives of groups or factions on a proposition being considered are encouraged to address the Council, board, or committee, on behalf of such groups or factions, at meetings in which many individuals wish to be heard.

Any person shall be entitled to submit written comments for consideration by the Council, board, or committee on any item on the agenda and may indicate his or her support, opposition, or neutrality on a proposition, and may indicate his or her designation of a representative to speak for him or her or his or her group on a proposition. Written comments submitted shall be considered and entered into the record of the meeting. **In the event of continued disruptive behavior, a person may be suspended from attending City Council meetings for a period of time by majority vote of the members present. Nothing in this policy shall prevent the City from pursuing any other remedy available at law for intimidating, threatening, or violent behavior.**

Physical props, visual or demonstrative aids, easels, noisemakers, and other disruptive devices are prohibited unless authorized by the Chair.

The above requirements governing public input are not required for the following actions:

- (a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or Council to act;
- (b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- (c) A meeting that is exempt from s. 286.011, Florida Statutes;
- (d) A meeting during which the board or Council is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

No person, other than members of the Council, board, or committee and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, board, or committee, without the permission of the presiding officer. No question shall be asked of a member of the Council, board, or committee except through the presiding officer.

At regular meetings of the City Council, public comment on agenda items shall be invited by the City Council as each item is considered by the Council. The City Council shall set aside a period at the beginning or end of each meeting to

invite public input on matters of City concern that were not included on that meeting's agenda (a "Non-Agenda Comment Period").

Following the conclusion of any Non-Agenda Comment Period, the Chairperson shall provide the City Manager, or his or her delegate, and each member of the Council the opportunity to respond to any comments received. The City Manager may, in his or her discretion, elect to provide a subsequent written response to any comment which shall be provided to the City Council, the City Clerk, and included in the minutes of the meeting.

No person who has made remarks on a matter shall be allowed to make additional comments on that same matter except with the permission of the presiding officer. The Chairperson shall close the public's input portion of the meeting upon the conclusion of the last speaker's comments. No additional public input shall be allowed, except in specific response to questions by members of the Council, board, or committee, or if an extension of time for public comment is approved.

Any person who after being warned disrupts or interrupts a public meeting using profane language, threat of physical violence or intimidation, impertinent remarks, or exhibits loud, boisterous, hostile, or threatening behavior, may be removed from the meeting room by a City police officer at the direction of the Chairperson.

Any person who disrupts or interrupts a public meeting on more than one occasion may be required by majority vote of the members present to thereafter submit their input, remarks, or comments in writing.

Cell Phones, Cameras, Video, Recording Devices.

Cell phones shall be in silent mode in the chambers of any public meeting. The use of cameras, video equipment, digital recording equipment, including television and motion-picture cameras, electronic sound-recording devices, and any other mechanical or electrical recording device, shall only be used in such a manner as will cause a minimum of interference with or disturbance of the proceedings as determined by the presiding officer. The City Manager may restrict the location of the use of such devices to a particular area in ~~the chambers of~~ any public meeting room.

Voting

Voting. Unless otherwise provided by law, ordinance, or statute, when the Council, board, or committee has finished discussion and is ready to vote, the Chairperson shall call for the vote, and there shall be no further discussion by any member voting. Each

member shall vote yes or no, and silence shall be considered a "yes" vote. When a matter is brought up for a vote on a motion to approve it and the motion fails, the status quo ante shall be maintained, and the matter shall be considered denied. Such a vote shall not preclude a subsequent motion at the same meeting to approve the motion with modifications.

Roll Call. Upon any roll call, there shall be no discussion by any member prior to voting, and each member shall vote yes or no.

Written Ballots. The Council may at the discretion of the Chair vote by written ballot, the results of which shall be announced by the City Clerk for each vote cast, including how each Councilmember voted.

If necessary, the Council will vote in successive rounds until one nominee receives a majority vote. For each round of voting, those candidates not receiving votes shall be eliminated from consideration.

Appointments

For all vacancies of any position appointed by the vote of the Council, the City Clerk shall advertise the vacancy on the City's designated website for at least two weeks at the discretion of the Council. Thirty (30) days prior to the expiration of any appointed term, sitting members of any appointed board or committee shall inform the City Clerk, in writing, of their willingness to continue to serve on said board or committee.

Rules of Debate

As to the Chairperson. The Chairperson may make or second any motion after relinquishing the Chair. The Chairperson shall not resume the Chair until after the Council has acted upon the matter under consideration.

Getting the Floor, Improper References to be Avoided. Every member desiring to speak for any purpose shall address the Chairperson and, upon recognition, shall confine discussion to the question under debate.

Interruption. A member once recognized shall not be interrupted when speaking unless it is to call that member to order. If a member while speaking is called to order, the member shall cease speaking until the question of order is determined by the Chairperson; and, if in order, the member shall be permitted to proceed. Any member may appeal to the full Council, board, or committee the decision of the Chairperson

upon a question of order, whereupon without debate, the Chairperson shall submit to the Council the question, "Shall the decision of the Chairperson be sustained?" And the matter shall be resolved by a majority vote of those present at the meeting.

Privilege of Closing Debate. Any member may move to close debate and call the question on the motion being considered which shall be non-debatable. By request of a member, the members shall be polled to decide whether debate may be reopened.

Committees

Whenever the Chairperson deems it necessary or desirable that the Council, board, or committee, shall be represented at meetings, conferences, or other occasions involving other governmental entities, agencies, officials, or groups, or non-governmental organizations, or departments, agencies, or officials of the City government, the Chairperson may nominate a member to represent the Council, board, or committee at the meeting, conference, or other occasion, with the consent of the nominated member. Such representative shall have no power to act for or on behalf of the Council, board, or committee or to make any commitment or binding obligation on behalf of the Council or the City. Such representatives may report to the Council, board, or committee regarding such meeting, conference, or other occasion.