

Deltona City Commission
Operating Guidelines & Meeting Rules and Procedures

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Section One. Operating Guidelines for Effective Commission Operations.

Commission Policy Role:

1. The City Commission is responsible for setting the policies and holding the City Manager accountable for achieving those policies.
2. The Commission will formulate policy by determining the broadest policies before progressing to more narrow ones.
3. Both the Commission and staff may initiate policy for Commission approval, and the Commission is not merely a reactor to staff initiatives. Individual Commission Members may bring forth initiatives that are of significance to the entire community.

Maximizing Effectiveness:

1. The Commission recognizes that the expression of differences and debate will ensure that we have good public policy. In support of this, members' opinions will be listened to respectfully.
2. The City Commission will be open to ideas from Commission Members, the administration and the public.

Commission-Mayor Role:

1. The Mayor will be the official spokesperson for the City Commission who is most called upon, without limiting other Commission Members' ability to speak on issues.

Communication:

1. The administration will provide the Commission with all relevant information on matters of policy, including pros and cons, alternatives, and professional recommendations, in order that the Commission may make an informed final decision.
2. Achieving mutual trust between the Commission and the City administration and between the Commission Members themselves should be a fundamental pursuit.
3. Open and regular communication will be used to insure that both the Commission and the administration are informed so that neither is surprised or blind-sided on issues affecting the City.
4. The City Manager will insure that the Commission is informed about issues that have impact on a major policy area, may attract media or public attention, or affect major stakeholders.
5. The Commission may pass along information or request information directly from staff, without directing staff.
6. The City Commission will regularly review progress on its collective leadership, goals, priorities and operating guidelines to insure success/relevance.

City Manager Performance Accountability:

1. The City Manager will be evaluated on the accomplishment of the City Commission's stated goals.
2. Evaluation of the City Manager will be a collective act of the City Commission.
3. The Commission will never give instructions to persons who report to the City Manager.
4. The Commission will hold the City Manager accountable for staff performance and provide the City Manager with feedback about staff performance in a private setting.
5. Priorities of the City Manager will be defined by the City Commission's goals and priorities in support of the vision.

Section Two. Meetings.

Meetings of the Deltona City Commission shall be held at Deltona City Hall, City Commission Chambers or Conference Room, or at such other location in the City as designated by the City Commission or designee. All meetings shall be public meetings, with the exception of Executive Sessions which shall be closed to the public in accordance with Florida Statutes, and shall be subject to notice and other requirements of law applicable to public meetings.

A. Regular Meetings:

- (1) The City Commission shall meet twice monthly. Meetings shall be held on the first and third Monday of each month, unless otherwise rescheduled due to a holiday or lack of City business. (Resolution No. 96-34)
- (2) Regular Meetings of the City Commission shall begin at 6:30 p.m.
- (3) If the regularly scheduled meeting falls on a legal holiday, then the subsequent Monday or a day designated by the City Commission shall be deemed as the regularly scheduled meeting day. (Resolution No. 95-03)
- (4) Written minutes shall be kept of all regular meetings.

B. Special Meetings:

- (1) Special meetings may be called by the Mayor or in his or her absence, the Vice-Mayor. Special meetings may also be called upon the request of a majority of the City Commission. (Charter Section 8(c)) Meeting times shall preferably be in the afternoon or evening hours of weekdays or on Saturdays as necessary.
- (2) The City Clerk shall provide not less than 12 hours prior notice of the meeting to the public, where practical. (Charter Section 8(c))

(3) Action by the Commission in a special meeting shall be limited to the purpose for which the special meeting is called.

(4) Written minutes shall be kept of all special meetings.

C. Workshop Meetings:

(1) Workshop meetings may be scheduled during a regular meeting or called in the same manner as a special meeting; and shall be for discussion only with the exception in (2) below. Meeting times shall preferably be in the afternoon or evening hours of weekdays or on Saturdays as necessary.

(2) No official action shall be taken at workshop meetings except to recommend items to be considered at a regular or special meeting, or to give direction to the City Attorney or City Manager.

(3) Minutes shall be kept of all workshop meetings, but shall not require approval by the Commission.

D. Public Hearings:

The purpose of a public hearing is to determine, support objections and/or suggestions from the public to proposals and to determine if a proposed Ordinance requires changes.

(1) The City Clerk shall advertise all public hearings as required by law.

(2) Time of Public Hearings: Public hearings shall be held during a regular meeting of the Commission, as placed on the Agenda by the City Clerk or the City Commission may set a specific time and date; or a special meeting may be called for the specific purpose of a public hearing.

(3) Procedures at Public Hearings:

a. The Mayor shall open the public hearing and introduce the subject matter by reading the title of a proposed ordinance, agenda item, or other means. (Motion to table or continue may be made at this time.)

b. Staff report as appropriate.

c. Presentation of proponent/applicant as appropriate.

d. All interested other persons shall be allowed to give input into the announced subject.

- e. Once the public participation is closed, the City Commission will take action on the subject matter by approval, denial, tabling the item indefinitely, or continuing to a certain date and time.
- f. The Mayor shall adjourn the public hearing and the regular meeting shall continue.

Section Three. Agenda.

- A. The City Clerk, or designee shall prepare the agendas for all meetings of the City Commission in accordance with the City Charter or as directed by the City Manager.
- B. All reports, communications, Ordinances, Resolutions, contract documents, or other materials, to be submitted to the Commission as part of the agenda packet must be delivered to the City Clerk by 12:00 Noon on the Monday preceding the regular meeting.
- C. It shall be the option of the City Clerk, or the City Manager, to remove any items from the Agenda if the information is not furnished to the City Clerk as stated in "B" above.
- D. All materials for special and/or workshop meetings must be submitted to the City Clerk to allow sufficient time for copying and distribution to the Commission. Special and workshop meeting agenda packets shall be prepared and distributed, whenever practical, at least three (3) days prior to the subject meeting.
- E. The City Clerk shall arrange the Agenda, subject to the approval of the City Manager who may make additions and/or deletions at his/her discretion, notwithstanding, the Agenda shall be completed by 5:00 p.m., Wednesday preceding the Regular Commission meeting.
- F. The City Clerk, or designee, will post the Regular Commission meeting agenda and all associated back-up material to the City's WebPage, no later than 5:00 p.m., Thursday preceding the Regular Commission meeting. Special and workshop agendas shall be prepared and posted as soon as possible and within guidelines established in the Charter and by State statute.
- G. Legislative action shall be taken only at the regular Commission meeting or at a special meeting called for the purpose of specific legislation.
- H. No action shall be taken on matters not on the agenda, including during citizen comments or Commission comments; however, if necessary, an item may be added to an agenda upon the proper motion, second and majority vote provided no additional information is required.
- I. The report from the City Manager should list by item all legislative actions or discussions of legislative action being requested by the administration; such items may be added to the Agenda pursuant to Paragraph "H".

- J. The report from the City Attorney may be added to the Agenda when necessary to inform the Commission of the status of legislative and other directed issues.
- K. Any citizen wishing to make a presentation to the City Commission must submit their request to the Office of the City Clerk no later than 12:00 Noon on the Monday prior to the Commission meeting. The request must be approved by the City Manager and/or City Clerk. Presentations will be limited to ten (10) minutes.
- L. Any member of the Commission who wishes to make a presentation to the City Commission must receive permission from the Commission at a previous meeting.

Section Four. Presiding Officer Duties.

- A. The Mayor shall be the Presiding officer of the City Commission meetings, sign or execute ordinances, and be recognized as the ceremonial head of the City government. The Mayor shall have no administrative duties other than those necessary to accomplish these actions, or such other actions as may be authorized by the City Commission, consistent with general or special law. (Charter, Section 5 (4)(b)). The Vice-Mayor shall be elected annually at the first regular Commission meeting after the general election. In the absence of the Mayor, the Vice-Mayor shall be Acting Mayor. In the case the Mayor and Vice Mayor are both absent, then the remaining Commissioners shall select a Commissioner to serve as Acting Mayor. (Charter, Section 5 (5) (b)).
- B. The Mayor shall preserve strict order and decorum at all meetings of the Commission. He or she shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order; subject, however, to an appeal to the Commission upon such questions, in which event a majority vote of the Commission shall conclusively govern and determine such question of order. The Mayor shall vote on all questions, his/her name being called last.

Section Five. Quorum.

The City Charter provides that a majority of the City Commission shall constitute a quorum. No action of the City Commission shall be valid unless adopted by an affirmative vote of the majority of the Commissioners in attendance, unless otherwise provided by law or stated herein. (Charter Section 5 (8b)). In cases where Commissioner(s) leave a meeting early, once there is no longer a majority present, the meeting is to end and no further action may be taken.

Section Six. Call to Order.

- A. The Mayor (as described in Section Four) shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.

- B. In the absence of the Mayor and Vice Mayor (as described in Section Four) the City Clerk shall call the Commission to order, whereupon a temporary chairman shall be selected by the members of the Commission present. Upon the arrival of the Mayor, the temporary chairman shall immediately relinquish the chair upon the conclusion of the current business.

Section Seven. Roll Call.

Before proceeding with the business of the Commission, the City Clerk shall call the roll of the members and the names of those present, and of those absent, shall be entered in the minutes.

Section Eight. Minutes Approval.

Each member of the City Commission shall be furnished with a copy of the minutes and unless there are any changes requested there shall be a motion to approve, a second to the motion, and then a voice vote.

Section Nine. Rules of Debate.

- A. Action on items before the Commission shall be commenced by oral motion of a Commission member. Upon said motion receiving a second by a Commission member other than he or she who made the original motion, said item should then be opened for discussion. At the conclusion of discussion, action on the motion shall be concluded by roll call or voice vote as required. The Commission members making the motion and seconding it shall not be required to vote in favor of said motion.
- B. Obtaining the floor: Improper reference must be avoided. Every member desiring to speak shall address the chair, and, upon recognition by the Mayor, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- C. Interruptions: A member, once recognized shall not be interrupted when speaking unless to call him or her to order, or as herein otherwise provided. If a member, while speaking, were called to order, he or she shall cease speaking until the question of order is determined and, if in order, shall be permitted to proceed.
- D. Withdrawal of motion: Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commission member making the motion, upon agreement by the Commission member seconding said motion.
- E. Amending of motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall, at the conclusion of the discussion, first vote on the amending motion and then upon

the original motion as amended. An amending motion may be withdrawn in the same manner as set forth in Paragraph "D" above.

- F. Closing the Debate: The Mayor shall repeat the motion prior to the calling of the question.

Section Ten. Manner of Addressing the Commission.

- A. Citizen comments may be made on items not on the agenda only during the time designated by the Commission; otherwise, citizens may address the Commission only on items under discussion with the permission of the Mayor, after a motion and second is made, when applicable.
- B. Each person addressing the Commission shall step to the microphone, and give his or her name and address clearly for the record and shall be limited to three (3) minutes, unless such time is expanded or contracted by the Mayor, subject to consent of a majority of the Commission.
- C. All remarks shall be addressed to the Commission as a body and not to individual members thereof.
- D. No person, other than a member of the Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Mayor.
- E. A Commissioner shall not be asked a direct question, except through the Mayor.
- F. Persons addressing the Commissions may present oral or written communication in regard to matters under consideration with the permission of the Mayor, however, any written communications shall be copied to each member of the Commission, the Mayor, the City Attorney, the City Manager and the City Clerk.

Section Eleven. Motions and Voting.

- A. All actions by the City Commission shall be by Motion, Ordinance, or Resolution. (Charter Section 5(8b)).
- B. Every Motion shall be clearly stated, including direction, to whom it is given, specific dates, or time frame, by which the action is to be taken, and any stipulation or condition, which may be applicable.
- C. For withdrawal of motion and amending motions, refer to Section Nine (9), "D" and "E".

- D. For proper procedure on various motions, refer to Robert's Rules of Order.
- E. All motions shall be made in the affirmative and shall not include opinions, observations, and/or personal views on the subject.
- F. In the event there is no second to the motion, it dies for lack of a second.
- G. Abstaining from voting: No member of the Commission shall abstain from voting except as provided in the Florida State Statutes, Chapter 112.3143, if the issue would inure to the person's private gain. Accordingly, he or she must publicly state the nature of his or her interest in the issue at the time the item is to be considered, and within fifteen (15) days after the abstention, he or she must file a "Memorandum of Voting Conflict", with the City Clerk. The proper form is available in the City Clerk's office. The Memorandum(s) will be attached to the minutes of that meeting and made a part thereof.

Section Twelve. Ordinances and Resolutions.

A. Ordinances:

1. The provisions in the City Charter and in Florida State Statutes, Chapter 166, as well as any other provision in the City Code and Florida Statutes, when applicable, shall govern the preparation and passage or adoption of all Ordinances.
2. The title of each Ordinance must be read for passage or adoption, by the City Attorney prior to the vote.
3. The Mayor, Commission, City Manager or the City Clerk may request that the City Attorney prepare an Ordinance to be considered at a future meeting. All requests, except from the City Commission, shall be directed through the office of the City Manager.
4. The form of each Ordinance shall be as approved by the City Attorney, unless otherwise directed by the Commission.

B. Resolutions:

1. All items in Section 12-A above shall also be applicable to Resolutions.
2. Resolutions may include Approval of a Contract or Agreement, authorizing its execution; Appointments to Boards, Commissions, and Committees; and such other matters which may be determined by the Commission and/or the City Manager.

Section Thirteen. Source of Rules of Order.

Robert's Rules of Order, as revised, shall be the source of Rules of Order to be used in lieu of other direction as stipulated in the City Commission Rules & Procedures (Amended by City Commission action on March 19, 2001).

Section Fourteen. Effective Date of Operating Guidelines, Rules & Procedures.

Adopted by Resolution No. 99-24, effective March 15, 1999; Amended by Resolution No. 2006-51, adopted on November 6, 2006 with an effective date of January 1, 2007.