Agenda Item Details

Meeting	Sep 25, 2013 - City Commission Meeting
Category	9. CONSENT
Subject	9.07 Approval of policy changes allowing for public participation in meetings of the City Commission, Boards and Committees -- James O. Cooke IV, City Treasurer-Clerk
Type	Action (Consent)
Fiscal Impact	No
Recommended Action	Option 1 – Adopt new City Commission Policy No. 108 – Public Participation at Meetings; adopt amendments to Commission Policy Nos. 110 (Citizen Advisory Boards Appointment Guidelines), 112 (City Commission Agenda), and 126 (Disclosure of Representation).

For more information, please contact: James O. Cooke IV, City Treasurer-Clerk at 850-891-8131

Statement of Issue

During the 2013 legislative session, Senate Bill 50 was passed into law as Chapter 2013-227, F.S. Effective October 1, 2013, the new law requires that members of the public be given a reasonable opportunity to be heard by a board or commission before said body takes official action on a proposition. Existing City Commission Policy provides for such opportunities at regularly scheduled City Commission meetings, but requires updating to include Target Issue and Target Issue Committee meetings as well. In addition, City Commission Policy 108 would provide for similar public input at meetings of City advisory committees. While City advisory committees generally allow public input, adoption of CP 108 will provide needed structure for public participation and would provide guidance to ensure compliance with Chapter 2013-227, F.S.

The new law further states that the opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition, provided that the opportunity to be heard occurs at a meeting that is during the decision-making process and is within reasonable proximity before the meeting at which action is taken.

Several exemptions were included in the new law to exempt certain situations in which public comment need not be taken. These include ministerial acts such as approval of minutes or presentation of proclamations, and for meetings in which a committee is acting in a quasi-judicial capacity.

In an effort to ensure the orderly progress of meetings, the law enables the board or commission to:

- Maintain public decorum;
- Designate a specified period of time for public comment;
- Provide guidelines regarding the amount of time each speaker is allotted to address the board or commission;
- Provide guidelines for instances when a large number of persons wish to speak, allowing representatives of groups or factions on a proposition to address the board or commission rather than all members of such groups or factions;
- Permits the use of Speaker Forms completed by persons wishing to speak;

The amendments to the above noted policies are attached in strike/add format.

Recommended Action
Option 1 – Adopt new City Commission Policy No. 108 – Public Participation at Meetings; adopt amendments to Commission Policy Nos. 110 (Citizen Advisory Boards Appointment Guidelines), 112 (City Commission Agenda), and 126 (Disclosure of Representation).

Fiscal Impact
There is no fiscal impact associated with this agenda item.

Supplemental Material/Issue Analysis

History/Facts & Issues
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- Permits the use of Speaker Forms completed by persons wishing to speak;

The amendments to the above noted policies are attached in strike/add format.

Options
1. Adopt new City Commission Policy No. 108 – Public Participation at Meetings; adopt amendments to Commission Policy Nos. 110 (Citizen Advisory Boards Appointment Guidelines), 112 (City Commission Agenda), and 126 (Disclosure of Representation).

2. Provide other guidance to staff

Attachments

1. Senate Bill 50 / Chapter 2013-277, F.S.
2. Proposed City Commission Policy 108 - Public Participation at Meetings
3. Policy No. 110 - Citizen Advisory Boards Appointment Guidelines
4. Policy No. 112 - City Commission Agenda
5. Policy No. 126 – Disclosure of Representation

Senate Bill 50.pdf (29 KB)
Proposed Policy 108.pdf (125 KB)
Policy 110.pdf (46 KB)
Policy 112.pdf (25 KB)
Policy 126.pdf (35 KB)

CHAPTER 2013-227

Committee Substitute for
Committee Substitute for Senate Bill No. 50

An act relating to public meetings; creating s. 286.0114, F.S.; defining "board or commission"; requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; providing exceptions; establishing requirements for rules or policies adopted by the board or commission; providing that compliance with the requirements of this section is deemed to have occurred under certain circumstances; providing that a circuit court has jurisdiction to issue an injunction under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that an action taken by a board or commission which is found in violation of this section is not void; providing that the act fulfills an important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 286.0114, Florida Statutes, is created to read:

286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—

(1) For purposes of this section, "board or commission" means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

(3) The requirements in subsection (2) do not apply to:

(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 commission to act;

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(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; or

(d) A meeting during which the board or commission 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.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.

(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation.

Section 2. The Legislature finds that a proper and legitimate state purpose is served when members of the public have been given a reasonable opportunity to be heard on a proposition before a board or commission of a state agency or authority, or of an agency or authority of a county, municipal corporation, or political subdivision. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 3. This act shall take effect October 1, 2013.

Approved by the Governor June 28, 2013.

Filed in Office Secretary of State June 28, 2013.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

City Commission Policy 108

Public Participation at Meetings

DEPARTMENT: Treasurer-Clerk

DATE ADOPTED: _____

DATE OF LAST REVISION: New Policy

108.01 Authority: City Commission and Section 286.0114, Florida Statutes.

108.02 Purpose: To provide for citizen input on propositions pending before the City Commission, Target Issue Committees, or Advisory Boards or Committees, as defined herein.

108.03 Definitions:

1. **Regular Meetings:** Refers to regularly scheduled meetings of the City Commission.

2. **Target Issue Meetings:** Refers to the City Commission meetings which are conducted for those target issues requiring a workshop setting.

3. **Target Issue Committee Meetings:** Refers to meetings of two or more City Commissioners in a committee setting devoted to gathering information in an informal setting relative to ongoing target issues as determined by the City Commission.

4. **Advisory Board or Committee:** Advisory Board means a joint-governmental, legislated, or City-created board, committee, panel, commission, council, agency, bureau, authority, corporation, etc.

108.04 General Statement:

It is also the City Commission's policy to provide meaningful opportunities for members of the public to participate in City meetings. Citizen participation in the program and policy development of the City of Tallahassee is recognized as an important element in providing quality public services to the Tallahassee community. It is important to the City's elected and appointed leaders that citizens have meaningful opportunities to participate in meetings.

108.05 Scope and Applicability:

This policy shall govern public participation at all Regular, Target Issue, Target Issue Committee, and Advisory Board meetings, as defined herein.

The Treasurer-Clerk's office shall prepare and maintain a list of Advisory Boards to which this policy applies. The Treasurer-Clerk may revise or update the list from time to time as needed.

106.06 Citizen Participation relative to Agendaed business

Agendaed Items: At the beginning of Regular Meetings, Target Issue, Target Issue Committee, or Advisory Board meetings, an opportunity shall be provided for members of the public to speak on any proposition on the agenda or pending before the body. Each speaker's comments shall be limited to 3 minutes, and the time set aside for such public participation shall be limited to 30 minutes, unless extended by the Chair. If the topic a speaker wishes to address is a matter set for public hearing, the speaker must speak during the scheduled public hearing; a speaker is not afforded two opportunities to comment on matters set for public hearing.

The Chair of a meeting may require, at a meeting in which a large number of individuals wish to be heard, that a representative of a group or faction on an item speak on behalf of the group or faction rather than each individual speaking; and may designate the length of time the representative may speak.

Public comment on an agendaed item need only be provided at some time during the decision-making process prior to the point at which the Commission, Committee or Advisory Board takes official action. Accordingly, the Chair may elect not to receive public input at a given meeting on a specific item on the agenda as long as a reasonable opportunity to be heard on that item was or is provided in a prior or subsequent meeting. In all cases, official action shall not occur until after an opportunity to be heard has been provided.

108.07 Citizen Participation relative to Unagendaed business

As to Regular Meetings of the City Commission, members of the public with an issue of special interest that is not on the meeting agenda who desire to address the City Commission may be heard at the conclusion of the meeting by submitting a Speaker Form to the Treasurer-Clerk during the meeting. Individual speakers shall adhere to a 3-minute time limit, unless extended by the Commission.

For all other meetings, the Chair shall not be required to take public comment on items not on the published meeting agenda or pending before the body. However, at the discretion of the Chair, such comments may be permitted. In such instances, individual speakers shall adhere to a 3-minute time limit, unless extended by the Chair.

108.08 Speaker Form

Each speaker must complete a speaker form provided by the Treasurer-Clerk or Clerk of the meeting, providing his/her name, address, the topic or agenda item on which they wish to speak, and designating a representative, if appropriate. Speaker Forms will be made available to the public prior to the start of each meeting.

Speaker Forms submitted by the public shall be collected and filed in the official record of the proceedings and the content thereof included in the meeting minutes.

108.09 Disclosure of Representation.

In compliance with City Commission Policy No. 126, persons appearing before the City Commission, Target Issue Committee, or Advisory Board or Committee must disclose the person(s), firm(s), or company(s) he or she is representing, if other than themselves or member of their immediate family. This disclosure is essential when these persons are being compensated either directly or indirectly for such representation.

The Speaker Form shall provide a means for speakers to disclose if they are being compensated to represent other persons or entities.

Persons registered as a lobbyist with the City Treasurer-Clerk pursuant to Section 2-339 of the General Code of Ordinances must disclose their status in the space provided on the Speaker Form.

108.10 Exemptions

The requirements of this policy shall not apply to ministerial items on a meeting agenda, such as the approval of minutes or presentation of ceremonial proclamations.

The requirements of this policy shall not apply when the City Commission, Committee, or Advisory Board is acting in a quasi-judicial capacity.

108.11 Staff responsibilities – Advisory Boards.

City staff for each Advisory Board governed by this policy shall ensure that the committee's procedures include an opportunity for public participation as required by this policy.

Staff shall provide a sufficient number of Speaker Forms prior to each meeting.

108.12 Sunset Provisions:

The City Commission will review this policy every five years.

108.13 Effective Date:

This policy shall become effective on September 25, 2013, after City Commission review and approval.

108.13 Responsible Agency:

The City Treasurer-Clerk shall be responsible for this policy.

Attachments:

A. Speaker Form Template – City Commission Meetings
B. Speaker Form Template – Advisory Board/Committee Meetings

ATTACHMENT A

SPEAKER APPEARANCE FORM ***(please print)***

SPEAKER'S NAME: _____

ADDRESS: _____

I WISH TO SPEAK DURING (check all that apply):

☐ Citizen Comment period regarding Agenda Item Nos.: _____

☐ Public Hearing Agenda Item Nos.: _____

☐ Unagendaed Speakers, concerning the following issue(s): _____

DISCLOSURE OF REPRESENTATION

If you are employed by or represent another person or company, and are receiving compensation, complete the following:

PERSON(S) / FIRMS REPRESENTED: _____

ADDRESS: _____

ARE YOU A REGISTERED CITY LOBBYIST? (circle one) YES NO

SPEAKER APPEARANCE FORM ***(please print)***

SPEAKER'S NAME: _____

ADDRESS: _____

I WISH TO SPEAK DURING (check all that apply):

☐ Citizen Comment period regarding Agenda Item Nos.: _____

☐ Public Hearing Agenda Item Nos.: _____

☐ Unagendaed Speakers, concerning the following issue(s): _____

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If you are employed by or represent another person or company, and are receiving compensation, complete the following:

PERSON(S) / FIRMS REPRESENTED: _____

ADDRESS: _____

ARE YOU A REGISTERED CITY LOBBYIST? (circle one) YES NO

Speaker Appearance Form

Please Print

Speaker's Name: _____

Address: _____

I Wish To Speak Relative To (Check All That Apply):

☐ Item(S) On The Published Agenda: Agenda Item Nos.:_____

☐ A Matter Scheduled For Public Hearing: Agenda Item Nos.: _____

☐ Other Issue(S) Not On The Meeting Agenda: _____

Disclosure Of Representation

If You Are Employed By Or Represent Another Person Or Company, And Are Receiving Compensation, Complete The Following:

Person(S) / Firms Represented: _____

Address: _____

Are You A Registered City Lobbyist? (Circle One) Yes No

Speaker Appearance Form

Please Print

Speaker's Name: _____

Address: _____

I Wish To Speak Relative To (Check All That Apply):

☐ Item(S) On The Published Agenda: Agenda Item Nos.:_____

☐ A Matter Scheduled For Public Hearing: Agenda Item Nos.: _____

☐ Other Issue(S) Not On The Meeting Agenda: _____

Disclosure Of Representation

If You Are Employed By Or Represent Another Person Or Company, And Are Receiving Compensation, Complete The Following:

Person(S) / Firms Represented: _____

Address: _____

Are You A Registered City Lobbyist? (Circle One) Yes No

City Commission Policy 110

Appointment of Citizens and Commissioners to Boards and Committees

DEPARTMENT: Treasurer-Clerk

DATE ADOPTED: June 24, 1992

DATE OF LAST REVISION: ~~August 22, 2012~~,
September 25, 2013

110.01 Authority: City Commission

110.02 Purpose: To institute formal guidelines for the appointments of citizens, City staff or City Commissioners as City representatives to committees.

110.03 Definitions:

Committee: Committee is defined as a joint-governmental, legislated or City created committee, a commission, council, board, agency, bureau, authority, corporation, etc.

110.04 General Statement:

Citizen participation in the daily program and policy development of the City of Tallahassee is recognized as an important element in providing quality public services to the Tallahassee community. Citizen participation is encouraged through the appointment of City representatives to committees. Guidelines for the appointment process to committees, the operation of City committees, and assignment of responsibilities are provided herein to ensure continuous quality participation by all citizens.

110.05 Scope and Applicability:

Unless a committee is specifically identified in Attachment A, the appointment of committee members shall hereby be delegated to the Mayor. These guidelines apply to all City Commission authorized committees and the staff assigned to that committee; and to the citizens appointed by the Commission to serve on committees requesting City representation. Parts I and II of this policy do not apply to the appointment of City Commissioners to boards, committees or commissions.

110.06 Part I - Appointment Process:

1. Qualified applicants for vacancies on committees can be solicited or obtained through advertising by the City Treasurer-Clerk's Office, from members currently serving on a committee, through citizens informing the City Commission or the City Treasurer-Clerk's Office of their interest, by the appropriate staff agency submitting recommendations to the City Commission and by City Commissioners recommending specific individuals.
2. Unless otherwise specified by the City Commission, all citizens appointed to a committee must be City residents, City property owners or City utility customers who do not have direct financial interest in the committee to which he/she is to be appointed.
3. The staff department will use applications received to make a recommendation to the Mayor.
4. The Mayor will make an appointment to all committees created by the City Commission except, those committees identified in Attachment A to this Policy. The Mayor will consider the demographic makeup of the committee in making his appointment.5. The Mayor will recommend an appointment to all charter, statutory and joint-intergovernmental committees (those identified in Attachment A). The Mayor will consider the demographic makeup of the committee in making his recommendations. Additional procedures for appointments to charter, statutory and joint-intergovernmental committees are provided in Section 100.07 of this policy.

6. The Mayor will notify in writing each citizen of his/her appointment. A copy of the Mayor's letter will be distributed to each commissioner, the responsible staff department and the City Treasurer-Clerk's Office. The appointment letter will include the purpose, function and term of office for the committee

as outlined in the respective bylaws or statutes, and will ask that the appointment be accepted in writing by the citizen in a letter to the Mayor.

110.07 Part II - Additional Procedures for Appointment Process for Charter, Statutory and Joint-Intergovernmental Committees:

1. Staff to charter, statutory and joint-intergovernmental committees listed in Attachment A are asked to notify the City Treasurer-Clerk's Office of any vacancies of City appointees or expiration of terms 60-days prior to expiration.
2. The City Treasurer-Clerk's Office will provide necessary information to the Mayor for use in making a recommendation for appointment. Said information shall consist of the current board membership, list of applicants and copies of applications.
3. The Mayor will notify City Commissioners in writing of his/her intent to appoint and his/her recommended appointee(s) at least 10-days prior to formally presenting the recommendation at a City Commission meeting.

4. The Mayor will prepare a consent agenda item requesting City Commission confirmation of the appointment(s), and a list of applicants will be provided by the City Treasurer-Clerk's Office to City Commissioners.

5. Upon approval of an appointment by the City Commission, the Mayor will notify in writing each citizen of his/her appointment and will ask that the appointment be accepted in writing by the citizen in a letter to the Mayor.

110.08 Part III - Operations and Responsibilities:

A. Committee Operations:

1. Committees shall have established standardized bylaws that are to be reviewed and approved by the City Commission; filed with the staff assigned to that committee and the City Treasurer-Clerk's Office. Bylaws will include, but not be limited to name, authority, purpose, and membership. If a committee includes ex officio members, the bylaws shall clearly state whether the ex officio members are voting or non-voting members.

2. Committees shall have no authority other than to serve in an advisory capacity to the City Commission as defined by the Committee's bylaws, unless otherwise provided in the City's regulations, as approved by the City Commission.

3. The committees shall serve as advisors to the City Commission to encourage citizen participation; present or discuss policies and programs affecting their area of function; study issues; provide input on the values, goals and objectives of a program; develop program plans; contribute to continuous feedback; and make recommendations for quality program/service deliveries. Additional functions of the committees may be defined by the City Commission. Some committees have authority to make final decisions, as set out in the City's Code of General Ordinances and Land Development Code.

4. Committees will meet routinely based upon an adopted meeting schedule.

5. Committees will have all meetings noticed by being posted on the Citizen Information Board in the Public Information Office and ~~the~~posted to the online meeting calendar on the City's web site, open to the public and will ensure agendas and minutes are available to the public according to State "Sunshine" Laws. Committees shall comply with any additional notice requirements set out in the City's Code of General Ordinances, the Land Development Code, or Florida Statutes. Committees shall also comply with City Commission Policy 1~~1~~08, Citizen Appearances ~~/ City Committees~~at Meetings providing for public participation in meetings ~~of all City Committees~~.

6. Unless otherwise provided in the committee's bylaws, a majority of the committee members shall constitute a quorum to hold a meeting, and any action of the committee shall be by simple majority of the membership in attendance.

7. A member's position shall become vacant when:
   a. a member is absent from 33% of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused. All absences will be duly recorded in the meeting summary. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences, or

b. when the committee is notified by staff that a member no longer meets the membership requirements, or

c. when a member's term expires, or

d. when a member resigns.

Special exceptions on the removal of members for absences may be made by the Chairperson of the Committee when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the committee to maintain a quorum.

8. The committee Chairperson shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Mayor. It will be the responsibility of the Mayor to insure an appointment will occur within 30-days of notification. If an appointment is not made within 30-days by the Mayor, the committee shall have the authority to request an appointment be agendaed for next available commission meeting.

9. The responsible staff department will provide committee members with training that will address the bylaws, the legal obligations and responsibilities, including the Florida Sunshine Law and public records law, and will provide responses to any concerns the new members may have with the responsibilities of the committee.

10. The Chairperson and the staff department will be responsible for compliance with the bylaws. The Chairperson will notify members of removal from the committee for noncompliance. Specific questions of conflict of interest will be addressed by the City Attorney, or his designee.

11. The staff department will inform the City Attorney, or his designee, of noncompliance by the Chairperson of the statutes or bylaws. The City Attorney, or his designee, will be responsible for resolution of these noncompliance issues.

B. Eligibility and Terms of Committee Membership:

1. Committees will be made up of an odd number of members. The City Commission will establish the number of members of the committee.

2. When possible, City committees should be made up of an equitable representation based on race and sex, determined by the demographic ratio of the City. In cases of committees representing the interest of a specific neighborhood, representation based on race and sex will be determined by the demographic ratio of the neighborhood. Such demographic information shall be the most current available data in the Tallahassee-Leon County Planning Department by census tract. In consideration of the Americans with Disability Act, City committees shall include citizens with disabilities.

3. The length of the term for appointments to a committee should, unless otherwise specified, initially be for a three-year staggered term, with permanent three-year terms thereafter. For example, a five-member committee could have three people serving a two-year term, and two people serving a three-year term. The staggered term concept will not include any one-year term appointments. The staggered term arrangement for appointees shall be established by the City Commission.

4. An appointee to a committee shall not serve more than two-full consecutive terms.

5. All City appointed citizens serving on committees may be removed from their committee by the City Commission if it is believed it would be in the best interest of the City of Tallahassee.

C. City Treasurer-Clerk's Office Responsibilities:

1. The City Treasurer-Clerk's Office will maintain files on all committees. A separate file for each committee will be established and will include, but not be limited to, a copy of the bylaws or statutes, a current list of members and officers, including names, addresses, dates of appointment, expiration dates of appointment, staff department, and contact person within the departments.

2. The City Treasurer-Clerk's Office will be responsible for ensuring that www.talgov.com contains current information regarding boards and committees. Available information will include an application form for citizens interested in serving. It will also include general information such as membership rosters, vacancies, and roles and responsibilities for boards and committees. The City

Treasurer-Clerk's Office will also be responsible for periodically advertising open boards and committees on WCOT.

3. The City Treasurer-Clerk's Office will be responsible for receiving applications and resumes, and will maintain a file for all applications or resumes received from citizens expressing an interest in consideration for future vacancies. The applications or resumes will be provided to the departments for use in filling vacancies. Recommendations, along with other applications received, will be provided by the committee or department to the Mayor for consideration.

D. City Staff Responsibilities:

1. Staff to a committee will have the responsibility of informing the committee of events, activities, policies, programs, etc. occurring within the scope of its functions and to make members aware of all City Commission requests for information. The staff department will maintain the original copy of the minutes of the committee's meeting and reports associated with the purpose of the committee.

2. Staff will inform the City Treasurer-Clerk's Office of all vacancies, changes in officers, and any other changes to the committee. At least 60-days prior to the expiration of any term, the staff department will request a copy of all applications from the City Treasurer-Clerk's Office for the committee. The staff department or committee will use these applications to make a recommendation to the Mayor. The staff department will consider the demographic makeup of the committee in making its recommendation.

3. The staff department will be responsible for the continuous flow of information to the appropriate appointed official and the City Treasurer-Clerk's Office. Such information shall include, but not be limited to, a provision of bylaws, membership, recommendations of the committee, actions and noncompliance by the board or Chairperson with the bylaws or statutes.

4. The staff department will coordinate with the City Attorney, or his designee, on noncompliance issues by the Chairperson of the statutes or bylaws.

5. The staff department will provide to all new committee members a copy of the committee's bylaws, and when applicable, the City Code, Charter and statutory authorization. The staff department will brief each new appointee on the committee's bylaws, legal obligations and responsibilities, including the Florida Sunshine Law and public records law, and will provide responses to any concerns the new members may have with the responsibilities dictated by the committee.

6. Staff to a committee will take steps to ensure that a time for citizen appearances is ~~put~~placed on the agenda of each meeting as required by City Commission Policy ~~111~~108, ~~Citizen Appearances~~Public Participation ~~/ City Committees~~at Meetings. Staff will ensure that the committee's bylaws are amended to include the requirements of City Committee Policy ~~111~~108.

110.09 Part IV – Appointment of City Commissioners to Boards, Committees, and Authorities:

The Mayor shall be responsible for notifying City Commissioners of vacancies on boards, committees and authorities seeking City Commission representation either as a voting member or as an ex officio/liaison, and seeking Commission input. In the event that only one Commissioner wishes to serve, the Mayor may make the appointment, noticing the Commission and staff of such appointment by memorandum. If more than one Commissioner expresses an interest in serving, then the item will be agendaed for Commission action without a recommendation.

110. 10 Sunset Provisions:

The City Commission will review the activities and accomplishments of each City Commission authorized committee every four years. This review will be based on a formal review by the staff department to decide if the committee has completed the original objectives and to determine if the committee should continue, modify its activities, or terminate activities. However, if the committee becomes inactive it may be abolished.

110.11 Effective Date:

This policy guideline became effective on May 10, 1995, after City Commission review and approval.

110.12 Responsible Agency:

The City Treasurer-Clerk shall make amendments as required for the purpose of keeping this policy complete and up to date.

City Commission Policy 110 Attachment A
List of Boards and Committees Created By Charter or Regulatory Authority

Board Name	Board Type	Appointment Made By
Adjustment and Appeals, Board of	Joint TLC	Commission
Affordable Housing Advisory Committee	Charter	Commission
Architectural Review Board	Joint TLC	Commission
Audit Committee	Charter	Commission
Downtown Improvement Authority	Statutory	Commission
Environmental Board	Statutory	Commission
Joint City-County Bicycling Workgroup	Joint TLC	Commission
Joint Public School Coordinating Committee	Joint TLC	Commission
Municipal Code Enforcement	Statutory	Commission
Planning Commission/Local Planning Agency	Joint TLC/Statutory	Commission
Sinking Fund Commission	Charter	Commission
Tallahassee Housing Authority	Statutory	Commission

REVISIONS:
November 13, 1996
February 24, 2005
April 18, 2012 – Construction Industry Review Committee abolished per City Ordinance 11-o-08
August 22, 2012

City Commission Policy 112 - ~~Citizen Appearances /~~ City Commission Agenda

DEPARTMENT: City Manager
DATE ADOPTED: August 19, 1992
DATE OF LAST REVISION: ~~May 27, 2009~~ September 25, 2013

112.01 Authority: Approved by the elected members of the Tallahassee City Commission on May 27, 2009.

112.02 Scope and Applicability: The purpose of this administrative regulation is to establish policy for the City Commission agenda process with the administration of the City Manager. The regulation applies to all City departments and to all appointed officials.

112.03 Policy Statement: It is the City Commission's policy for management to provide the Commission with facts and advice through an agenda item process on matters of policy as a basis for making decisions, setting community goals, and upholding and implementing previously adopted City Commission policies.

112.04 Definitions:

Regular Meetings: Refers to the regularly scheduled City Commission meetings which begin at 4:00 p.m. on the second and fourth Wednesday of the month. Variations occur during April, June, July, August, November and December due to spring break, summer break and holidays. A 30 minute recess will be scheduled ~~based on the occurrence of scheduled citizen appearances~~during meetings containing one or more Public Hearing items. Recess is to begin at 5:30 p.m. when ~~there are scheduled citizen appearances~~Public Hearings are scheduled.

Target Issue Meetings: Refers to the City Commission meetings which are conducted for those target issues requiring a workshop setting. The meetings are held quarterly, as needed, and begin at 3:30 p.m. on the third Wednesday of the scheduled month.

Consent Items: Consent agenda items are those items which are routine in nature and not expected to require City Commission discussion. These items are scheduled for Commission consideration on the second and fourth Wednesday of each month. Examples include: purchases, contracts, plat approval, budget transfers and supplemental appropriations with no major policy implications, advisory committee bylaws and minutes.

Policy Formation & Direction Items: Agenda items related to those issues which have been identified as priority items or target issues by the City Commission in the Target Issue Committee meetings and/or the annual Commission retreat.

Public Hearing: Hearings are scheduled to begin at 6:00 p.m., except when mandated by state statutes to begin at a different time. Citizens have the opportunity to speak on issues scheduled for public hearing. Individual speakers are asked to adhere to a three-minute time limit. The Commission has discretion to allow citizens additional time to speak.

~~**Unagendaed Business:** Any citizen with an issue of special interest desiring to address the City Commission, may be heard at the conclusion of the regularly scheduled meeting by providing a written notice to the Treasurer-Clerk during the meeting. Individual speakers shall adhere to a three-minute time limit. Speaker slips will be made available to the public prior to the start of the Commission meeting (4 p.m.) outside the City Commission Chambers. The Commission may allow citizens additional time to address an issue.~~

A City Commissioner may address other issues upon consensus of the Commission.

112.05 Responsibilities:

City Manager's Office: It shall be the responsibility of the City Manager's Office to coordinate and schedule agenda items as expeditiously as possible. This responsibility shall include rapid feedback on those agenda items determined to need revisions. The City Manager's Office will deliver the

agenda material to the City Commission no later than 9:00 a.m. Friday prior to the Commission meeting. The City Commission office shall be notified of delays in the agenda distribution process. (Refer to Administrative Procedures #201 for specific duties for the City Manager's Office.)

City Departments: It shall be the responsibility of City departments to provide facts, concise written presentations and timely submission of agenda items for City Commission consideration. This responsibility shall include submission of agenda items that cover:

1. Statement of Issue: Provide a brief explanation of why the issue is before the City Commission (i.e., policy, mandate, City Commission request, etc.).

2. Recommended Action: Briefly describe what the City Commission is requested to do with regard to the item; describe why this is the best way to accomplish the objective; describe why this direction is recommended above other options.

3. Fiscal Impact: Summarize the short and long term expenses incurred above and beyond the fiscal amount indicated, as well as any short or long term revenues to be received from the recommended option.

4. Supplemental Material/Issue Analysis:

History/Facts and Issues: Include historical data relative to the issue being addressed, particularly recent City Commission involvement in the issue (i.e., reference prior agenda items). Also, include information relative to the specific situations or circumstances that have caused the issue to be addressed.

Options: Include feasible alternatives for resolution of the issue. This should provide a brief statement of each option, with accompanying analysis/evaluation and fiscal impact for each option.

Attachments/References (as applicable): Use of attachments should be minimized through use of excerpts from applicable materials. Use of highlighting is encouraged. Any maps/graphics that are used must be legible and of good quality, with appropriate labeling.

Office of Budget and Policy (OBP): It shall be the responsibility of the Office of Budget and Policy to review those items that require an adjustment to the approved budget. OBP will assess the impact of the item(s) on the current of future budgets of the City and its compliance with the City Commission and City Manager's financial plans. This responsibility shall include rapid feedback on those agenda items determined to need revision.

Purchasing: It shall be the responsibility of Purchasing to review for compliance with Purchasing policies and procedures those agenda items that involve purchases, award of bids or award of contracts. This responsibility shall include rapid feedback on those agenda items determined to need revision.

Appointed Officials: It shall be the responsibility of all appointed officials to provide information regarding the scheduling of tentative agenda items to the City Manager's Office fourteen (14) days (Wednesday) in advance of the meeting. The agenda item(s) shall be submitted to the City Manager's Office no later than 3:00 p.m., Wednesday (seven days prior to the meeting) for reproduction and distribution. The appointed officials shall notify the Mayor and/or members of the City Commission of any late agenda items (not distributed with the agenda packet on Thursday).

City Commission: It shall be the responsibility of each member of the City Commission and/or his/her designees to provide the City Manager's Office with agenda items scheduled for the Commission's consideration in a timely manner. Items are due by 3:00 p.m., Wednesday, (seven days prior to the Commission meeting).

A Commissioner shall notify the City Manager's office by Tuesday, no later than 10:00 a.m., (one day prior to the Commission meeting) if it is determined that a consent item needs to be discussed or needs a separate vote. This request will be reflected in the summary agenda modifications as "Consent Items Pulled for Discussion".

City Commission Questions: City Commissioners shall forward all agenda questions to staff by 2:00 p.m. on Monday (2 days prior to City Commission meeting). Staff shall respond within 24 hours, or no later than 2:00 p.m. on Tuesday (1 day prior to City Commission meeting). Staff shall e-mail the response addressed to: "C/C Questions". This address will automatically send the e-mail to an address group which consists of the Commissioners, Commission aides, Leadership Team, and the appropriate support staff. A 2 or 3 word title shall be used in the subject line. The body of the message shall include an opening statement such as: "This is in response to Commissioner X's question regarding "_____".

Staff shall respond as a "reply" to the e-mail which included the initial request, so that the questions asked by the Commissioner will be at the bottom of the e-mail response. If for some reason this is not possible, staff shall restate the questions in the response to C/C Questions.

112.06 Agenda Procedures: Procedures used to implement the City Commission Agenda Policy are referenced in the Administrative Procedures Manual #201.

112.07 Administration: The City Manager's Office of the Executive Department has the responsibility for administration of the City Commission agenda policy.

112.08 Sunset Review: The sunset review date is to occur no later than five years from the effective date.

112.09 Effective Date: June 1, 2009.

Revisions:
September 27, 1995
May 27, 2009
September 25, 2013

DEPARTMENT: Treasurer-Clerk

DATE ADOPTED: May 26, 1993

DATE OF LAST REVISION: ~~January~~ September 25, 201~~3~~2

126.01 AUTHORITY:

- City Commission

126.02 PURPOSE: The purpose of this policy is to require that persons who appear before the City Commission, Target Issue Committees, or Advisory Boards disclose the person(s), firm or company he or she is representing, if other than themselves or member of their immediate family. This disclosure is essential when these persons are being compensated either directly or indirectly for such representation.

126.03 DEFINITIONS:

Representative: A person shall be deemed to be acting as a representative if he is directly in the employ of or being paid a fee by another, or will receive other economic benefit to speak on behalf of another.

126.04 GENERAL STATEMENT: It is the policy of the City Commission to comply both with the letter of the law and general intent of the "Sunshine Law" in order to maintain a government that is open to all citizens. To this end, any individual who wishes to influence the actions of the City must likewise disclose his or her relationship(s) with those he or she represents.

126.05 SCOPE AND APPLICABILITY: This policy will be applicable to all individuals who appear before ~~the City Commission at~~ a City Commission, Target Issue, Target Issue Committee, or Advisory Board meeting as defined in City Commission Policy No. 108.

126.06 GUIDELINES:

1. All persons who wish to ~~appear before the City Commission~~address the City Commission, Target Issue Committee, or Advisory Board ~~meeting~~ will be required to complete a speaker's ~~slip~~ form ~~(Attachment #1)~~ prior to making any remarks. All categories on the speaker's slip should be completed for purposes of the official record. All speakers who are being compensated directly or indirectly for such representation must identify the individual, firm or business being represented. Prior to the appearance of the speaker, the ~~City Treasurer-~~Clerk of the meeting or other official will state, for the official record, the person(s) the speaker is representing.

2. Notice of this policy will be included on the speaker's slip form used to register appearances at meetings ~~of the City Commission~~. Additionally, notice of the requirements of the Lobbyist Registration Ordinance shall be posted in the City Commission Offices.

3. Pursuant to Section 2-339 of the General Code of Ordinances~~Ordinance 11-O-03AA~~, persons who are compensated to lobby on behalf of entities are required to register annually with the City Treasurer-Clerk, submit a listing of all clients (principals) represented and pay a $25 fee for each principal so represented. In addition, registered lobbyists are required to file quarterly compensation reports disclosing the ranges of compensation received from each principal represented.

126.07 AMENDMENTS: It shall be the responsibility of the City Treasurer-Clerk to administer this policy and make recommendations for amendments after consultation with other appointed officials.

126.08 EFFECTIVE DATE: This policy will become effective immediately upon adoption by the City Commission and will remain in effect until revised or repealed.

Revision History:
Adopted: May 26, 1993
January 25, 2012
September 25, 2013