RESOLUTION NO. ~~99-21~~16-___

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING REVISED SPECIAL RULES OF ORDER FOR MEETINGS OF THE VILLAGE COUNCIL; REPEALING RESOLUTION ~~98-15,~~ 99-21 AND PRIOR RESOLUTIONS ON THE SAME SUBJECT MATTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, ~~in the~~ past ~~various~~ Village Councils have adopted rules from time to time, to assist in the orderly conduct of ~~its~~ Village Council meetings; and

~~WHEREAS, this Council wishes to make an amendment to those rules as well as to continue to provide a comprehensive document containing all the current rules of the Village Council.~~

WHEREAS, this Village Council has determined to supplement those rules and to restate in one comprehensive document current rules for the conduct of Village Council meetings.

_NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:~~1~~

Section 1. ~~That the~~ The Village Council hereby ratifies and adopts the following rules of procedure and order to govern ~~it in~~ the conduct of its meetings:

1. ~~Reports by the Mayor and~~ Brief comments and reports by Councilmembers ~~should~~, and special presentations, shall be placed on the ~~Agenda~~ agenda for early in the meeting ~~and~~, prior to other business which might be time-consuming.

2. The Village Manager's report shall be presented no later than 10:00 p.m. ~~on the evening of a Village Council meeting.~~

3. Approval of ~~the Minutes should~~ minutes shall be dispensed by unanimous consent if there are no corrections or additions. Councilmembers shall endeavor to address noted questions or corrections in advance of Council meetings, thus enabling scrivener's errors or insubstantial corrections to be addressed and revised minutes to be timely disseminated so as to facilitate approval of minutes by unanimous consent whenever practicable.

4. ~~There shall be a consent agenda during each regular Village Council meeting.~~

~~1 Underlining indicates proposed addition to text of rules.~~

~~The~~ A consent agenda shall ~~contain~~ be used in appropriate circumstances, containing resolutions, motions and other ~~pertinent~~ matters other than ordinances, which, in the opinion of the Village Manager, are not controversial and may be ~~handled and implemented~~ acted upon without ~~necessity~~ need for discussion. ~~Unless a Councilmember specifically requests that an item be removed from the~~ All consent agenda~~, such~~ items unanimously accepted as such by the Council shall be approved and adopted by a single motion and ~~roll call vote.~~affirmative roll call vote. Any Councilmember may require an item or items to be removed from the consent agenda. Councilmembers shall however endeavor to resolve questions on consent agenda items in advance of a meeting, so as to facilitate use of consent agendas whenever practicable.

5. Brief comments offered by Councilmembers under the agenda item therefor should be limited to informational reporting on a summary basis on topics of current interest.

6. All reports, recommendations, discussion items, resolutions and ordinances shall be identified on the agenda as to a sponsoring Councilmember or as to the Manager, the Village Attorney, the Clerk or a requesting Village staff member.

7. All Village Council business shall be ~~accomplished~~ presented by motion. Motions ~~(or a short summary thereof)~~ formulated in advance of agenda publications should be presented in writing (in full or in summary) as a portion of the description of the ~~Agenda item on the cover sheets of the Council Agenda~~agenda item.

8. A motion should be presented in a clear and concise way and should be limited to a single subject or action. If necessary, the ~~Mayor~~ moving Councilmember, or the Clerk, Village Attorney or Mayor, shall clarify a motion to ~~insure~~ ensure that the Council ~~is~~ and the public are fully aware of the precise matter being considered.

9. A motion should be seconded prior to any discussion.

10. The Mayor should call on the maker of the motion, once seconded, for ~~an explanation of~~ discussion on the motion prior to calling on any other ~~member of the Council~~ Councilmember or the public.

11. Councilmembers seeking Council action on any item of business shall endeavor to place the item on the agenda prior to the agenda being delivered to Council.

12. ~~Except~~ Elaborating on Section 11 above, except for an emergency found by a majority roll-call vote of the Councilmembers ~~present~~, no action shall be taken by the Council on any item unless the item is listed as a motion, resolution or ordinance on the ~~Agenda. This shall not apply to zoning items which are otherwise listed on the Agenda.~~agenda for the particular meeting in question.

Items added to an agenda may be discussed but shall not be the subject of dispositive Council action until such items are identified on an agenda for a subsequent meeting, unless a majority of Councilmembers determine by roll-call vote that an emergency exists such as to require immediate action on a newly proposed item.

13. ~~Items~~ Other than brief comments by Councilmembers, items presented simply as a report~~-~~, recommendation or discussion item shall be specifically listed as such or added as such on an agenda. ~~No~~ Similar to Section 12 above, no dispositive action shall be taken ~~at that time~~ by the Council upon a report~~-~~, recommendation or discussion item, unless the majority of the Councilmembers present ~~find~~ determine by roll-call vote that an emergency exists such as to require immediate action. Accordingly, action on reports, recommendations or discussion items may be taken only at a subsequent meeting where the item is listed on the agenda, if no emergency is found~~, may be taken solely at a subsequent meeting in accordance with these rules of order.~~.

14. Councilmembers should endeavor to limit extraneous or unnecessary discussion at Council meetings by seeking to address questions and confirm information on agenda items or pending matters in advance of meetings. The Village Manager shall be reasonably available to Councilmembers outside of Council meetings to disseminate background information and endeavor to address questions relative to agenda items or pending matters.

15. Voice votes are to be used whenever possible unless a ~~Roll-Call~~ roll-call is requested by any ~~member~~Councilmember or is required by law or these rules. A roll-call vote shall be used for all ordinances.

~~A Roll-Call vote should be used for all ordinances.~~

16. ~~A Roll-Call vote should be called~~ Roll-call votes shall be taken on a rotational basis so that ~~a~~ different ~~member of the Council is~~ Councilmembers (including the Mayor) are called on to vote first, ~~a different member~~ second and so on. ~~The Mayor should not always be the last to vote, but should be called on a regular rotation.~~

17. When there are 3, but not 4, affirmative votes for an item of business (other than an ordinance) under circumstances in which one or more Councilmembers are absent, any absent Councilmember may subsequently move for reconsideration of the item, at the next regular ~~council~~ Council meeting.

18. When there are 3, but not 4, affirmative votes for an ordinance under circumstances in which one or more Councilmembers are absent, the ordinance shall automatically be continued to the next regular Council regular meeting ~~of the Village Council~~ for ~~final~~ action, and this shall be announced by the Village Clerk prior to adjournment.

~~The Council will develop, foster and encourage open, honest but gentle communications between all members of the Council and the public.~~

~~The Council will be considerate of and show respect for each member of the public.~~

~~The Council will make a sincere effort to understand the issues being raised by another Councilmember or members of the public and seek to address those issues to the best interest of the Village.~~

19. When Councilmembers are unable to attend meetings in person, they may participate telephonically or by other electronic means, subject to approval by a majority of the Council on a seconded motion, and so long as the communication connection is reasonably clear, without disruptive background noise or distortion. Councilmembers participating in meetings remotely, as provided above, will not count towards a quorum but can vote on items presented for a vote at such meeting if a quorum exists.

20. The Village Council understands that civility in governmental process encourages public participation and confidence in government, engendering positive collaboration on matters of public interest; that public discourse in a judicious and respectful manner is essential to a well-functioning government; and that good manners and common courtesy are essential components of effective public discourse.

21. Therefore, the Village Council as whole, and each Councilmember, will engage in, foster and encourage open, honest and respectful communications between and among Councilmembers, the Village Manager and Village personnel, vendors and third-persons, and the public. Councilmembers will be considerate of and respectful towards all persons present at Council meetings and all persons with business or interests before the Council.

22. ~~The~~ Council meetings will be conducted in a business~~-like, yet open and friendly way so as to allow most efficient accomplishment of the~~-like, orderly yet open and cordial manner, so as to engender constructive and efficient progress on Village business without unnecessary formalities~~ while respecting the rights of each individual to express his/her opinion~~.

23. Presentations by members of the public ~~are~~ will be limited to three minutes unless a greater period of time is authorized by ~~the~~ Council relative to particular topics. The Mayor retains reasonable discretion to allow speakers to conclude their presentations despite exceeding the allotted time.

24. Councilmembers will refrain from displays of anger, rudeness and immoderate speech or disrespect, and endeavor to work through instances of impatience with restraint, with a view toward fostering a productive discussion.

25. Councilmembers will endeavor to listen respectfully and attentively when others are speaking. Councilmembers will respect the rights of each individual

to express his or her opinion in a civil manner consistent with these rules.

26. Councilmembers will limit strictly semi-private or "side-bar" conversations on the dais, and will refrain altogether from such conversations on business items before the Council.

27. Discussion will cease immediately if the Mayor calls for it and gavels for silence.

28. Councilmembers will make a sincere effort to understand the issues being raised by another Councilmember, members of the public or others with business or interests before the Council, and seek to address issues in the best interest of the Village.

29. Where material disagreements exist, Councilmembers will reasonably endeavor to find consensus where practicable, seeking where practicable to reconcile competing views and compromise, where doing so would be in the best interest of the Village overall; recognizing in all events that Councilmembers are responsible for exercising their best independent judgement and discretion on all matters before Council.

30. Councilmembers will strive to be well-organized and reasonably concise in their remarks, pertinent to the flow of discussion where practicable, so as to contribute to the exchange of information and quality of debate.

31. Councilmembers are encouraged to regularly attend and participate in Council meetings, workshops, planning sessions, ~~LPA meeting, etc. so that the input and perspective of all Councilmembers is received~~town hall meetings and other Village functions, so as to be well-informed and engaged with constituents.

32. If Councilmembers will be absent from a Council meeting or other scheduled event at which they are expected, they should make every effort to notify the Village Clerk in advance of the meeting.

33. Subject to Sunshine Law constraints, Councilmembers will endeavor to report to their colleagues, actively and on a timely basis as events warrant, as to particular initiatives undertaken by individual Councilmembers. Individual Councilmember initiatives should be undertaken only with reasonable consensus of Council. Councilmembers will bear in mind Village Charter Section 2.02, which states that the Mayor shall be recognized as the head of the Village for, among other purposes, all dealings with other governmental entities.

Section 2. References herein to Councilmembers shall refer to each member of the Village Council and all of them, including the Mayor.

Section 3. In addition to these rules, Robert's Rules of Order will apply to all

Council Meetings.

~~Section 2~~Section 4. Resolution ~~98-15~~99-21, concerning the same subject matter as this Resolution, is hereby repealed. This shall not operate to revive those resolutions repealed or replaced by Resolution 98-15 or earlier resolutions concerning the same subject matter as this Resolution.

Section ~~3~~5. Effective Date. This Resolution shall be effective immediately from and after adoption hereof.

PASSED AND ADOPTED this ~~20th~~ __ day of ~~April, 1999.~~ _____.

~~RICHARD J. WEISS, VILLAGE ATTORNEY~~

~~JOE L. RASCO, MAYOR~~

ATTEST:

CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

RESOLUTION NO. 16-___

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, ADOPTING REVISED SPECIAL RULES OF ORDER FOR MEETINGS OF THE VILLAGE COUNCIL; REPEALING RESOLUTION 99-21 AND PRIOR RESOLUTIONS ON THE SAME SUBJECT MATTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, past Village Councils have adopted rules from time to time, to assist in the orderly conduct of Village Council meetings; and

WHEREAS, this Village Council has determined to supplement those rules and to restate in one comprehensive document current rules for the conduct of Village Council meetings.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. The Village Council hereby ratifies and adopts the following rules of procedure and order to govern the conduct of its meetings:

1. Brief comments and reports by Councilmembers, and special presentations, shall be placed on the agenda for early in the meeting, prior to other business which might be time-consuming.

2. The Village Manager's report shall be presented no later than 10:00 p.m.

3. Approval of minutes shall be dispensed by unanimous consent if there are no corrections or additions. Councilmembers shall endeavor to address noted questions or corrections in advance of Council meetings, thus enabling scrivener's errors or insubstantial corrections to be addressed and revised minutes to be timely disseminated so as to facilitate approval of minutes by unanimous consent whenever practicable.

4. A consent agenda shall be used in appropriate circumstances, containing resolutions, motions and other matters other than ordinances, which, in the opinion of the Village Manager, are not controversial and may be acted upon without need for discussion. All consent agenda items unanimously accepted as such by the Council shall be approved and adopted by a single motion and affirmative roll call vote. Any Councilmember may require an item or items to be removed from the consent agenda. Councilmembers shall however endeavor to resolve questions on consent agenda items in advance of a meeting, so as to facilitate use of consent agendas whenever practicable.

5. Brief comments offered by Councilmembers under the agenda item therefor

should be limited to informational reporting on a summary basis on topics of current interest.

6. All reports, recommendations, discussion items, resolutions and ordinances shall be identified on the agenda as to a sponsoring Councilmember or as to the Manager, the Village Attorney, the Clerk or a requesting Village staff member.

7. All Village Council business shall be presented by motion. Motions formulated in advance of agenda publications should be presented in writing (in full or in summary) as a portion of the description of the agenda item.

8. A motion should be presented in a clear and concise way and should be limited to a single subject or action. If necessary, the moving Councilmember, or the Clerk, Village Attorney or Mayor, shall clarify a motion to ensure that the Council and the public are fully aware of the precise matter being considered.

9. A motion should be seconded prior to any discussion.

10. The Mayor should call on the maker of the motion, once seconded, for discussion on the motion prior to calling on any other Councilmember or the public.

11. Councilmembers seeking Council action on any item of business shall endeavor to place the item on the agenda prior to the agenda being delivered to Council.

12. Elaborating on Section 11 above, except for an emergency found by a majority roll-call vote of the Councilmembers, no action shall be taken by the Council on any item unless the item is listed as a motion, resolution or ordinance on the agenda for the particular meeting in question. Items added to an agenda may be discussed but shall not be the subject of dispositive Council action until such items are identified on an agenda for a subsequent meeting, unless a majority of Councilmembers determine by roll-call vote that an emergency exists such as to require immediate action on a newly proposed item.

13. Other than brief comments by Councilmembers, items presented simply as a report, recommendation or discussion item shall be specifically listed as such or added as such on an agenda. Similar to Section 12 above, no dispositive action shall be taken by the Council upon a report, recommendation or discussion item, unless the majority of the Councilmembers present determine by roll-call vote that an emergency exists such as to require immediate action. Accordingly, action on reports, recommendations or discussion items may be taken only at a subsequent meeting where the item is listed on the agenda, if no emergency is found.

14. Councilmembers should endeavor to limit extraneous or unnecessary discussion at Council meetings by seeking to address questions and confirm

information on agenda items or pending matters in advance of meetings. The Village Manager shall be reasonably available to Councilmembers outside of Council meetings to disseminate background information and endeavor to address questions relative to agenda items or pending matters.

15. Voice votes are to be used whenever possible unless a roll-call is requested by any Councilmember or is required by law or these rules. A roll-call vote shall be used for all ordinances.

16. Roll-call votes shall be taken on a rotational basis so that different Councilmembers (including the Mayor) are called on to vote first, second and so on.

17. When there are 3, but not 4, affirmative votes for an item of business (other than an ordinance) under circumstances in which one or more Councilmembers are absent, any absent Councilmember may subsequently move for reconsideration of the item, at the next regular Council meeting.

18. When there are 3, but not 4, affirmative votes for an ordinance under circumstances in which one or more Councilmembers are absent, the ordinance shall automatically be continued to the next regular Council regular meeting for action, and this shall be announced by the Village Clerk prior to adjournment.

19. When Councilmembers are unable to attend meetings in person, they may participate telephonically or by other electronic means, subject to approval by a majority of the Council on a seconded motion, and so long as the communication connection is reasonably clear, without disruptive background noise or distortion. Councilmembers participating in meetings remotely, as provided above, will not count towards a quorum but can vote on items presented for a vote at such meeting if a quorum exists.

20. The Village Council understands that civility in governmental process encourages public participation and confidence in government, engendering positive collaboration on matters of public interest; that public discourse in a judicious and respectful manner is essential to a well-functioning government; and that good manners and common courtesy are essential components of effective public discourse.

21. Therefore, the Village Council as whole, and each Councilmember, will engage in, foster and encourage open, honest and respectful communications between and among Councilmembers, the Village Manager and Village personnel, vendors and third-persons, and the public. Councilmembers will be considerate of and respectful towards all persons present at Council meetings and all persons with business or interests before the Council.

22. Council meetings will be conducted in a business-like, orderly yet open and cordial manner, so as to engender constructive and efficient progress on

Village business without unnecessary formalities.

23. Presentations by members of the public will be limited to three minutes unless a greater period of time is authorized by Council relative to particular topics. The Mayor retains reasonable discretion to allow speakers to conclude their presentations despite exceeding the allotted time.

24. Councilmembers will refrain from displays of anger, rudeness and immoderate speech or disrespect, and endeavor to work through instances of impatience with restraint, with a view toward fostering a productive discussion.

25. Councilmembers will endeavor to listen respectfully and attentively when others are speaking. Councilmembers will respect the rights of each individual to express his or her opinion in a civil manner consistent with these rules.

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28. Councilmembers will make a sincere effort to understand the issues being raised by another Councilmember, members of the public or others with business or interests before the Council, and seek to address issues in the best interest of the Village.

29. Where material disagreements exist, Councilmembers will reasonably endeavor to find consensus where practicable, seeking where practicable to reconcile competing views and compromise, where doing so would be in the best interest of the Village overall; recognizing in all events that Councilmembers are responsible for exercising their best independent judgement and discretion on all matters before Council.

30. Councilmembers will strive to be well-organized and reasonably concise in their remarks, pertinent to the flow of discussion where practicable, so as to contribute to the exchange of information and quality of debate.

31. Councilmembers are encouraged to regularly attend and participate in Council meetings, workshops, planning sessions, town hall meetings and other Village functions, so as to be well-informed and engaged with constituents.

32. If Councilmembers will be absent from a Council meeting or other scheduled event at which they are expected, they should make every effort to notify the Village Clerk in advance of the meeting.

33. Subject to Sunshine Law constraints, Councilmembers will endeavor to report to their colleagues, actively and on a timely basis as events warrant, as to

particular initiatives undertaken by individual Councilmembers. Individual Councilmember initiatives should be undertaken only with reasonable consensus of Council. Councilmembers will bear in mind Village Charter Section 2.02, which states that the Mayor shall be recognized as the head of the Village for, among other purposes, all dealings with other governmental entities.

Section 2. References herein to Councilmembers shall refer to each member of the Village Council and all of them, including the Mayor.

Section 3. In addition to these rules, Robert's Rules of Order will apply to all Council Meetings.

Section 4. Resolution 99-21, concerning the same subject matter as this Resolution, is hereby repealed. This shall not operate to revive those resolutions repealed or replaced by Resolution 98-15 or earlier resolutions concerning the same subject matter as this Resolution.

Section 5. Effective Date. This Resolution shall be effective immediately from and after adoption hereof.

PASSED AND ADOPTED this __ day of _____.