



Oakland Town Commission

Rules and Policies of the Town Commission

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INTENT.

It is the intent of the Town Commission that these Rules and Policies of the Oakland Town Commission serve supplementary and subservient to the Town Charter and Town Code. These rules are established to provide consistency and efficiency in Oakland's organization and in the conduct of public meetings. In the event of conflict with the Town Charter or Town Code, the Charter or Code shall prevail.

CHAPTER 1.

ORGANIZATION OF THE COMMISSION

PART 1. REORGANIZATION OF THE OAKLAND COMMISSION

RULE 1.101 REORGANIZATION MEETING

The Town Commission shall be reorganized annually. During election years, reorganization shall take place at the next regularly scheduled Commission meeting following the day of the run-off election or, if there is no run-off election for any seat or Mayor, at the next regularly scheduled commission meeting after the day of the general election. The newly elected Commissioners will be sworn in before the reorganization of the Commission.

During non-election years, the reorganization will take place on the 4th Tuesday in March and will be for the sole purpose of electing the Vice Mayor.

RULE 1.102 PURPOSE OF MEETING

- (a) To honor outgoing Commission members.
- (b) Oath of office administered to newly elected Commissioners.
- (c) Election of Vice Mayor.
- (d) Orientation for new Commission members.

RULE 1.103 RECOGNITION OF OUTGOING COMMISSION MEMBERS

The previous Commission members will be presented with a plaque of appreciation from the Commission.

RULE 1.104 OATH OF OFFICE FOR NEWLY ELECTED COMMISSIONER(S)

The newly elected Commissioner(s) will receive the oath of office by the Town Clerk. They shall take an oath to support the Constitution of the United States and of the State of Florida, and to truly and faithfully discharge the duties of their office to the best of their knowledge and ability.

RULE 1.105 ELECTED OFFICER

The elected officer of the Commission shall be the Vice Mayor of the Commission. During an election year, this officer shall be elected after the new Commission has been seated and shall assume office immediately upon election. The Vice Mayor shall serve for a period of one (1) year unless otherwise designated by vote of the Commission.

In a non-election year, the Vice Mayor shall be elected on the 4th Tuesday in March.

RULE 1.106 METHOD OF ELECTION OF OFFICERS

The vote will be viva voce and the nomination is like a motion. **THE NOMINATION MUST BE SECONDED.** The different names shall be repeated by the Mayor as they are moved and seconded. The vote shall be taken after the Mayor declares that nominations are closed and shall be taken on each nominee in the order in which they were nominated until one is elected by a majority of the votes.

RULE 1.107 VICE MAYOR

The Vice Mayor shall assist the Mayor in the expeditious conduct of the Commission's business during meetings. The Vice Mayor shall act as parliamentarian for the Commission. Parliamentary training will be provided at the request of the Vice Mayor.

RULE 1.108 COMMISSIONERS APPOINTMENTS TO COMMITTEES

After the election of the Mayor, each Commissioner shall submit to the Mayor their requests for committee appointments at the next regular meeting. The Mayor shall be authorized to appoint members of the committees.

RULE 1.109 COMMISSIONER LIAISON TO COMMISSIONS, AGENCIES, COMMITTEES AND COUNCILS

- (a) Commissioners may be appointed and removed from time to time as Commissioner Liaison to various, agencies, committees and councils, or boards by the Mayor. In the event that a majority of the Commission membership should desire that a different Commissioner serve as Commissioner Liaison to a particular, authority, committee or council, or boards the Commission may, upon the affirmative vote of three or more Commission members, remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his or her stead.

- (b) Duties of each Commissioner Liaison include, but are not limited to:
- (1) Reasonably attempt to attend each meeting of the board, authority, committee or council to which assigned as Liaison.
 - 2) Become knowledgeable with the procedures, authority and functions for the board, authority, committee or council to which assigned.
 - (3) Enhance and implement communication between the assigned board, authority, committee or council and the Town Commission.
- (c) Commissioner Liaison is not delegated to act on behalf of or in the place of the Commission in relation to an assigned board, authority, committee or council without specific and particular instructions by the Commission. Therefore, a Commissioner Liaison shall not act as a member of, or give direction to, the assigned Commission, authority, committee or council without specific instructions from the Commission. This rule shall not be interpreted to restrict the right of any Commissioner, including, but not limited to a Commissioner Liaison, to exercise his or her right of free speech by informing any board, authority, committee or council of the personal opinions or views of that Commissioner. In communicating with a board, authority, committee or council, each Commissioner shall clearly state whether he or she is acting pursuant to a specific instruction from the Commission or is speaking in his or her individual capacity with no authorization from the Commission to influence, bind or direct such board, authority, committee or council.

RULE 1.110 REMOVAL OF VICE MAYOR

The Vice Mayor serves at the pleasure of the majority of the Commission and may be removed and replaced at the pleasure of a majority of the Commission members.

PART 2. MAYOR

RULE 1.201 DUTIES OF THE MAYOR

As the presiding officer of the Commission, the Mayor shall:

- (a) Take the Chairman at every meeting precisely at the time for the meeting to begin, immediately call the Commission to order and, on the appearance of a quorum, proceed to the business of the Commission.
- (b) Sign all ordinances enacted and resolutions adopted by the Commission.
- (c) Authorize the placing of items on the agenda, and order the removal of items from the consent agenda.
- (d) Exercise the powers granted by these Rules to the Chairman or to the presiding officer.

- (e) Present or designate another Commissioner to present all awards, resolutions, and honors presented on behalf of the Commission.
- (f) Perform such other duties as the Commission may direct.

RULE 1.202 GENERAL AUTHORITY OF MAYOR

In addition to his/her duties and powers as the presiding officer of the Commission, the Mayor shall be responsible for the proper execution of these Rules, the orders of the Commission and the ordinances of the Town appertaining to the Commission.

The Mayor, through the Town Manager, shall have general control of the Commission chamber and committee rooms assigned to the use of the Commission.

RULE 1.203 DUTIES OF VICE MAYOR

The Vice Mayor shall in the temporary absence, disability, or conflict of the Mayor, preside at all meetings of the Commission and exercise such administrative powers vested in the Mayor. S/he shall exercise such administrative powers vested in the Mayor as the Mayor may delegate. At all times the Vice Mayor shall advise and assist the Mayor in the business of the Commission, and shall perform such other Commission duties as s/he may be assigned by the Mayor. Should the Vice Mayor be absent or have a conflict, the Mayor will appoint as temporary Mayor.

RULE 1.204 VACANCIES

- (a) **Mayor** - Whenever the Mayor is unable to perform the duties of that office (i.e. death, resignation, removal from office, permanently disabled), the Vice Mayor shall become the Mayor until a successor is elected or appointed.
- (b) **Vice Mayor** - Whenever the Vice Mayor is unable to perform the duties of that office (i.e. death, resignation, removal from office, permanently disabled), the Mayor shall appoint a temporary Vice Mayor to serve until the entire Commission can elect a replacement. When the Commission elects a new Vice Mayor of the Commission, s/he shall serve for the remainder of the unexpired Vice Mayor term and until a successor is elected.

PART 3. MEMBERS OF COMMISSION

RULE 1.301 COMMISSIONERS TO VOTE

FLORIDA STATUTE CHAPTER 112.311 through 112.326 set forth a code of ethics for public officers and employees. Florida Statute 112.3143(3) (a) addresses voting conflicts pertaining to Commissioners. Florida Statute 286.012 provides that a Commissioner may not abstain from voting unless there is, or appears to be, a possible conflict of interest under Florida Statutes Chapter 112.311, 112.313 or 112.3143 and then, in such instances, the Commissioner must comply with the disclosure requirements of Chapter 112.3143 which requires that prior to the vote being taken the Commissioner shall publicly state to the assembly the nature of his interest in the matter from which s/he is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his/her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

RULE 1.302 COMMISSIONERS SUBJECT TO STANDARDS OF CONDUCT

Each Commissioner is subject to the standards of conduct set out in Part III, Chapter 112 Florida Statutes. By personal example and by admonition to colleagues whose behavior may threaten the honor of the Commission, each Commissioner shall watchfully guard the responsibility of office.

RULE 1.303 OFFICES

Commissioners are not provided office space, but meeting space will be made available upon request. Each Commissioner shall be provided with a box for incoming correspondence.

RULE 1.304 CORRESPONDENCES AND OTHER COMMUNICATION

All correspondence by a Commissioner in an official capacity shall be prepared on official Town letterhead. Official correspondence will not be prepared on unofficial letterhead or on plain paper, and official Town letterhead shall not be used for the personal correspondence of any Commissioner. The Town shall pay for all communications by a Commissioner in an official capacity.

RULE 1.305 TRAVEL EXPENSES

- (a) Commission members shall be allowed reimbursement for travel expenses related to official Town Commission business only and shall be subject to the same travel policies and regulations that are utilized by all Town employees
- (b) All members of the Commission shall be allotted an equal amount annually for travel expenditures that are incurred in their official capacity. The amount allotted to each Commission member will be determined during the budget process and placed as a line item in the budget. Service on Boards and Committees will be considered when setting the travel amount.
- (c) Additional funds may be budgeted annually to be placed in a General Commission Travel

account for use in situations where the need arises for Commission member travel that was not anticipated during the budget process.

- (d) Any travel expenses by Commission members over the allocation established in their individual allocation requires approval by a majority of the Commission prior to incurring the expense.
- (e) Use of Town vehicles by Commission members is not authorized.
- (f) In-county travel expenses incurred by Commission members will not be reimbursed by the Town.
- (g) Members of the Commission are authorized to use a rental car for out-of-county travel with the provision that a compact or mid-size vehicle be used depending on the length of the trip.
- (h) Rental and return of vehicles from vendors by Commission members shall be as follows:
 - (1) If the planned travel commences in the morning hours, the rental vehicle may be picked up the afternoon before the trip.
 - (2) If the planned travel commences in the afternoon the rental vehicle may be picked up the morning of the trip.
 - (3) Return of rental vehicles to vendors shall be on the day of return to the Town of Oakland or the morning after if the return occurs after the vendor's business hours.
 - (4) No payments will be made by the Town for rental vehicles for any usage exceeding these time frame requirements.
- (i) No payments will be made by the Town for rental vehicles for trips of less than one hundred (100) miles (one way) from point of departure to point of destination.
- (j) Liability and personal injury protection insurance coverage shall be purchased through the vendor at the time of rental of the vehicle. Coverage amounts should be \$10,000 for bodily injury per person, \$20,000 per accident, \$10,000 property damage and personal injury protection (P.I.P.) of \$10,000.

PART 4. TOWN MANAGER

RULE 1.401 TOWN MANAGER

- (a) The Town Manager is the Administrative Head of the Commission and is responsible for the administration of All Departments of Town Government.
- (b) Perform such other duties as may be required of the Town Commission.
- (c) The Town Manager shall be appointed by a majority of the membership of the Commission.
- (d) The Town Manager may be terminated with cause (after a hearing, if such be requested by the Town Manager,) by a majority vote of the membership of the Commissioners.

RULE 1.402 DIRECTIVES AND POLICIES OF THE COMMISSION

The Town Manager is to administer and carry out the directives and policies of the Commission of the Town of Oakland, Florida (hereinafter, the "Commission") and enforce all orders, resolutions, ordinances, and regulations of the Commission to assure that they are faithfully executed.

RULE 1.403 REPORTING TO THE COMMISSION

Report to the Commission on action taken pursuant to any Commission directive or policy within the time set by the Commission and provide an annual report to the Commission on the state of the Town, the work of the previous year, and any recommendations as to action or programs the Town Manager deems necessary for the improvement of the Town and the welfare of its residents.

RULE 1.404 INFORMATION TO COMMISSION OR COMMISSIONERS

Provide the Commission, or individual members thereof, upon request, with data or information concerning the Town government and provide advice and recommendations on the Town government operations to the Commission.

RULE 1.405 COMMISSION MEETINGS

Attend meetings of the Commission with authority to participate in the discussion of any matter, and to make recommendations to the Commission.

RULE 1.406 AGENDA

Prepare an agenda for all Commission meetings and workshops in accordance with Commission instructions.

RULE 1.407 CITIZENS COMPLAINT SYSTEM

Maintain a citizen complaint system to prevent possible deficiencies within Commission departments, offices and activities.

RULE 1.408 BUDGETARY RESPONSIBILITIES TO COMMISSION

- (a) Prepare and submit to the Commission for its consideration and adoption an annual operating budget and a capital budget.
- (b) Establish the schedules and procedures to be followed by all the Town departments, offices, and agencies in connection with the Commission's budget and supervise and administer all phases of the Commission's budgetary process.
- (b) Prepare and submit to the Commission after the end of each fiscal year a complete report on the finances and administrative activities of the Town for the preceding year and submit recommendations.

RULE 1.409 TOWN OWNED PROPERTY

Supervise the care and custody of all property that is under the control or ownership of the Commission.

RULE 1.410 NEGOTIATE FOR COMMISSION

Negotiate leases, contracts, and other agreements, including consultant services, for the Commission, subject to approval of the Commission, and make recommendations concerning the nature and location of Commission funded improvements. See that all terms and conditions in all Commission leases, contracts, and agreements are performed and notify the Commission of any noted violation thereof.

RULE 1.411 TOWN PROJECTS

Propose a project priority list, revised semi-annually, for confirmation or revision by the Commission, and prepare and submit quarterly status reports on each project.

RULE 1.412 TOWN PERSONNEL

- (a) Recommend to the Commission a current position classification and pay plan for all positions under the Commission.
- (b) Select, employ and supervise all personnel and fill all vacancies and positions of employment under the jurisdiction of the Commission.
- (c) Suspend, discharge, or remove any employee pursuant to procedures adopted by the Commission.
- (d) When the Town Manager deems it necessary for the proper and efficient administration of

the Town government s/he may temporarily assign staff to another department on a temporary basis. Town Manager will advise the Commission at their next meeting.

RULE 1.413 ADMINISTRATIVE POLICY

Organize the work of the departments and offices that are under the jurisdiction of the Commission, subject to an organizational structure developed by the Town Manager and adopted by the Commission, and review the departments, administration and operation thereof and make recommendations pertaining thereto for reorganization by the Commission.

RULE 1.414 CENTRALIZATION

Develop, install, and maintain centralized budgeting, personnel and purchasing procedures at the direction of the Commission and in accordance with Florida Statutes.

PART 5. COMMISSIONERS RELATIONSHIP TO EMPLOYEES

RULE 1.501 TOWN COMMISSIONERS WORKING RELATIONSHIPS TO EMPLOYEES UNDER THE SUPERVISION OF THE TOWN MANAGER

- (a) Commission instruction or directives to employees of the Town government under the jurisdiction and control of the Commission shall be issued only through the Town Manager. A Town Commissioner shall not give orders or instructions, publicly or privately, to any Town official or employee who is subject to the direction and supervision of the Town Manager. However, interaction, communication and observance will be permitted so long as no direction is given. **If a majority of the Commission finds that a Commissioner has violated this section, the Commission may declare the violation an act of misfeasance.**
- (c) The Town Manager shall not engage in political activity involving candidates for the Town Commission elective office other than casting his or her ballot at the polls, if an Oakland Resident.

CHAPTER 2.

COMMITTEES

PART 1. GENERAL RULES

RULE 2.101 SPECIAL COMMITTEES

A special committee is an ad hoc committee appointed or created to give particular and exclusive attention to a single subject matter that because of its technical nature or importance to the Town requires concentrated study. The Commission will appoint the Chairman and Vice Chairman for of Special Committees or delegate this charge to the Committee as a whole to chose the Chairman and Vice Chairman. Unless otherwise directed by the Commission, a special committee shall have an unlimited period of time within which to study the matter and make its recommendation(s) to the Commission.

PART 2. COMMITTEE PROCEDURE

RULE 2.201 MEETINGS

Special Committees. Special committees shall meet at such times and places as may be necessary to conduct their business. If the business of any special committee is such that regular meetings are required or become necessary, the chairman of the committee shall set a schedule of meetings, with the approval of the Mayor and the Commission, and shall provide the same to the Town Clerk, who shall post the same, and approved changes therein. Otherwise, notice of meetings of special committees shall be provided and will always include language regarding one or more Commissioners in attendance. Notice of the date, time, place, and matters to be considered at any special meeting of a committee or any non regular meetings shall be given to all Commissioners, which notice shall be written, signed by the committee chairman and served not less than twenty-four hours before the time of such committee meeting. The Clerk shall post a copy of such notice at the Town Hall and in the Town Kiosk(s) at least two (2) days prior to the date of the meeting.

RULE 2.202 ATTENDANCE AND VOTING

- (a) **Attendance.** Commissioners may attend meetings of any committee of which s/he is not a Member and offer comments and observations, but s/he may not participate in the committee debate on the matter nor vote on any question. Commissioners must understand and obey the requirements of the Florida Sunshine Law's regarding their discussions with other Commissioners.
- (b) **Voting or Consensus.** No member of a committee shall be allowed under any circumstances to vote by proxy. Each member of a committee present shall vote as provided in Rule 1.301. The chairman may ask for consensus on any issue. Hearing no opposition from the vice-chairman, it shall be reported to the Commission as a consensus of the committee.

RULE 2.203 CONSIDERATION OF REFERRED MATTERS

All committees shall report on every subject referred to them, and shall dispatch as expeditiously as reasonably possible and proper the public business assigned to them. It shall be the duty of the committee chairman to insure that the committee's business is promptly and properly considered.

RULE 2.204 POWERS OF SPECIAL COMMITTEES

- (a) A special committee shall have and may exercise the following powers in carrying out the duties assigned to it by these Rules or by the Commission or by the Mayor.
- (b) By its chairman or vice-chairman in his absence, to request attendance from staff, as directed through the Town Manager.

RULE 2.205 RULES IN COMMITTEE

Unless otherwise provided for, all committees shall follow the following procedural rules:

- (a) A quorum of a committee shall be a majority of its regular members.
- (b) After the committee has fully considered an issue, it may be referred to the full Commission with one of the following:
 - 1. Recommendation for approval with or without conditions.
 - 2. Recommendation for denial with or without conditions..
 - 3. No recommendation (not considered).

A committee "recommendation for approval or denial" (with or without conditions) must be unanimous vote of the committee member's present.

- (c) Voting or consensus in all committees shall be by voice vote, but upon the request of any member of the committee, the vote shall be taken by roll call.
- (d) Any committee intending to conduct a public hearing at a special meeting, as defined in Rule 3.206 shall give each member of the committee not less than three days written notice of such hearing, which notice shall include a statement of the subject matter of the public hearing, and it may include the phrase "and all other matters that may come before the committee."
- (d) The rules of the Commission shall govern proceedings in committee, except as otherwise provided by Rule.

RULE 2.206 COMMITTEE MINUTES

- (a) The proceedings of every committee shall be electronically or electromagnetically recorded, and, the Town Clerk or a designee shall be in attendance to take notes, care for the committee and legislative files being used by the committee, assist in the preparation of committee reports. Written minutes of the proceedings are required and shall be prepared in

the standard format used by the Town Clerk. The recordings of the proceedings shall be kept as a permanent record of the Commission.

- (a) Copies of committee minutes may be obtained through the Town Clerk, or on the Town's website.

PART 3. COMMISSION APPOINTED BOARDS, AND COMMITTEES

RULE 2.301 MEMBERSHIP

Appointment Members of boards and committees ("Committees") shall be appointed by the Town Commission except where otherwise expressly provided for with respect to a particular Committee.

Qualifications Applicants must be residents of the Town of Oakland and meet any other requirements set forth by the Town Commission.

Town residency requirements do not apply to the Charter School Advisory Committee.

Compensation No member of any Committee shall receive compensation for his or her services.

However, certain Committees may find it necessary to travel. If so, they may receive their actual and necessary expenses incurred in the performance of their duties of office, including travel reimbursement in accordance with Section 125.9404, Florida Statutes, or as provided by official Town Travel policies and approved by the Town Commission and as budgeted each fiscal year.

Term

Expiration Letters notifying members of impending term expiration will be mailed two months in advance. Members must apply and be considered with any other applicants.

RULE 2.302 VACANCIES; ATTENDANCE; LIMITATIONS OF TERMS OF SERVICE

Vacancies Any vacancy on any Committee shall be filled for the unexpired term in the same manner as provided for in the initial appointment to the Committee.

Vacancy notification will be accepted at the next regularly scheduled Commission Meeting and best efforts shall be made to fill the spot by the subsequent Regular Commission Meeting. Notification of Vacancy shall appear on the Town's information Kiosk and Web page and the Clerk shall verify all applications on file.

Attendance If any appointed member of a Committee fails to attend three consecutive, regularly scheduled meetings or five of 12 regular or special meetings or workshops of the Committee, the Commission shall declare the member's office vacant and the vacancy shall be filled as provided herein, except in the case of extended illness or unless otherwise provided by law. In the event of a prolonged illness, the Commission may opt to remove the member if the member fails to attend six consecutive, regularly scheduled meetings. For those Committees that meet twice (2) a month on a regular basis, the attendance threshold shall be 10 of 24 meetings or, in the case of prolonged illness, 12 of

24 meetings. Staff shall maintain a record of absences and notify the Commission of violations of the attendance policy.

Term Limits

1. Unless otherwise provided for in the creating legislation of a particular Committee, regular appointments will be made for two-year terms.
2. Reappointment to any Committee is not automatic. A member seeking reappointment shall notify the Clerk of his/her intent to continue service..
3. Any member appointed to a Committee for two complete, consecutive terms shall not be eligible for the next succeeding term, unless otherwise stated in legislation regarding a particular Committee or waived by Commission approval.
4. In the event that a member is appointed to complete an unexpired term two years or less in length, that member is eligible to serve an additional two full terms. Completion of a term of more than two years in length will count as one term, leaving the member eligible for only one additional full term.
5. All members serve at the pleasure of the Town Commission and may be removed at any time without cause, or as provided by law.
6. No one shall serve on more than one Standing Committee), at the same time. (i.e. Planning and Zoning Board, Board of Zoning Adjustment and Appeals, or Code Enforcement.)

Ad Hoc (Advisory) Committee Members may serve on more than one Ad Hoc Advisory Committee, at Commission approval.
7. Any member of a Standing Committee may apply for service on another Standing Committee if s/he first resigns from the current Standing Committee on which s/he serves

RULE 2.303 PROCEDURES; OFFICERS; RULES

Meeting Schedule

Committee shall establish and hold regular meetings; however, some Committees will Meet as needed.

Quorum

A majority of the membership of a Committee shall constitute a quorum for the purpose of meetings and transacting business.

Officers

Each Committee chairman and a vice chairman, each of whom shall serve for one year or until a successor is chosen, unless otherwise provided for, with respect to a particular Committee. The Town Clerk will notify the Town Manager annually, in March, of the names of members who serve as officers.

Minutes

Written minutes will be taken and maintained by the Town Clerk or staff designated as

recording secretary for the purpose of the meeting.

Copies of minutes will be forwarded to each commissioner and the Town Manager's Office.

Rules Each Committee may adopt and amend rules for its further organization, not inconsistent with the Town Commission's *Rules and Policy Guidelines for Commissions, Committees, and Boards*.

Parliamentary Procedure All Committees will abide by Roberts Rules of Order.

New Committees All new committees, ad hoc or regular, will as a group receive training regarding the Sunshine Law, the public records law, parliamentary procedure, and the Town Commission policy. Training will be provided by the Town Attorney, Town Clerk, or Town Manager at the new committee's organizational meeting and any time thereafter as necessary.

Authority No Committee shall assume any power or authority not specifically granted to it, but each Committee shall strive to give the citizens and the Town Commission of Oakland their best efforts in developing recommendations regarding their assigned subject matter and providing other authorized services.

RULE 2.304 COMMITTEE SUBJECT TO CERTAIN LAWS

Each Committee is subject to the provisions of Chapters 112, 119 and 286, Florida Statutes (regarding Public Officers & Employees; Public Records and Government in the Sunshine, respectively). Each prospective member of a Commission shall be provided with a copy or summary of Chapters 112, 119 and 286, Florida Statutes. The rules of each Committee shall have Town Clerk as custodian of the records of the Committee, who shall be responsible for the records' safekeeping on Town property and administration, according to Chapter 119, Florida Statutes.

Town employees may not serve as voting members on any Town Committee except where the Town Manager is specifically provided a voting seat by the Town Commission. For the purpose of this paragraph, Town Commissioners shall not be considered Town employees.

RULE 2.305 APPLICATIONS TO SERVE

Application Anyone wishing to serve on a Committee or Board must submit a completed application, which may be obtained from the Town Clerk. No one will be considered for appointment without a completed application on file.

While it is not required, it is recommended that a resume be included with the application.

Applications are available at Town Hall and on the Town's website (www.town.Oakland.fl.us).

Vacancy

Notification Vacancies will be posted on the Town’s Website, and in the Town Kiosks. If time permits, the vacancies will, also, be announced in the Town’s Newsletter.

Disclosure

Certain appointees may be required to complete disclosure forms, as required by State law. The Town Clerk will maintain a list of those Committees to which this requirement pertains.

Purging

Applications Applications on file for one (1) year without activity will be purged. At no time will an application remain on file longer than one (1) year.

RULE 2.306 STAFF AND LEGAL ASSISTANCE

A staff member will be assigned by the Town Manager to work with each Committee and to monitor activities, serve as liaison and promote communication.

Use of Town equipment and services (i.e., postage, copies, research, and minutes) by committee members is allowed as needed and approved by Town Manager or Town Clerk

Legal advice will be provided per Florida Statute or as approved by the Town Manager.

RULE 2.307 EMPLOYEE HARASSMENT POLICIES

The Town of Oakland expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, and disability, status as a Vietnam era or special disabled veteran, or status in any group protected by state or local law. Improper interference with the ability of Town employees to perform their expected job duties is not tolerated. Committee members shall comply with this policy in their interactions with Town employees.

The following, which specifically addresses forms of sexual harassment, are considered prohibited activity:

- (a) Unwelcome sexual advances; requests for sexual favors; and all other verbal or Physical conduct of a sexual or otherwise offensive nature, especially where:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - Submission to or rejection of such conduct is used as the basis for decision affecting an individual’s employment;
 - Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

- (b) Offensive comments, jokes, innuendos, and other sexually oriented statements.

CHAPTER 3.

LEGISLATION

PART 1. GENERAL RULES

RULE 3.101 MANNER OF LEGISLATION

The Commission shall take official action only by means of ordinances, resolutions, or motion. For the purposes of these Rules:

- (a) "Ordinance" means an official legislative action of the Commission, which action is a regulation of a general and permanent nature and enforceable as a local law.
- (b) "Resolution" means an expression of the Commission concerning matters of Town business, an expression of temporary, advisory or exhortative character or a provision for the disposition of a particular item of the business of the Commission.
- (b) "Motion" means a proposal that certain action shall be taken or shall not be taken or a certain view be expressed.

RULE 3.102 PREPARATION OF LEGISLATION

Responsibility. Legislation consisting of ordinances will usually be prepared by the Town Manger upon the request of the Mayor or vote of the majority of the Commission. Any ordinance not prepared by the Town Manager shall be reviewed by the Town Manager before scheduled for public hearing. All ordinances prepared by or submitted to the Town Manager shall be approved by his office as to form. Review by the Town Attorney may also be required at the discretion of the Town Commission or Town Manager.

RULE 3.103 INTRODUCTION OF LEGISLATION

Limitation on subject and matter embraced in ordinances; amendments; enacting clause. Every ordinance shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended section, subsection, or paragraph of a subsection.

RULE 3.104 WITHDRAWAL OF LEGISLATION

Any legislation may be withdrawn by the introducer at any time before amendment or putting to a vote, with the consent of a majority of the Commission present.

PART 2. PUBLICATION; PUBLIC HEARING

RULE 3.201 MATTERS TO BE PUBLISHED

- (a) **Matters required to be Published.** The following matters shall be published in the manner provided in this part:
- (1) The titles of all proposed ordinances other than emergency ordinances.
 - (2) TRIM notice and a summary of the Annual Budget
 - (3) The statutory notices required by Florida Statutes for Land Use Issues.
- (c) **Matters which may be published.** Any other matter may be published at the direction of the Mayor, the Commission or any committee with respect to its business.

RULE 3.202 TIMES FOR PUBLICATION

The notices required to be published under Rule 3.201(a) (3) shall be published within the statutory periods prescribed for their publication. All other matters shall be published as directed.

RULE 3.203 MANNER OF PUBLICATION

Official advertisements and notices shall be submitted to the Town Clerk to be published for the prescribed period of time in a newspaper which meets the requirements for publication of legal and official advertisements. Unless otherwise prescribed by law or directed by the Mayor, Commission or committee, and official advertisement or notice shall be published once only and, wherever possible, matters to be published concerning the same ordinance or resolution shall be published in a single advertisement or notice. Publication shall be posted as required by Rule 2.201(a) or unless specifically ordered by the Commission or committee in addition to publication in a newspaper.

RULE 3.204 PROOF OF PUBLICATION

Proof of publication shall be obtained by the Town Clerk's Office as provided by S50.041, F.S. The original proof of publication shall be filed in the Town Clerk's files.

RULE 3.205 NOTICE TO REAL PROPERTY OWNER

In the case of a proposed ordinance that rezones private real property, the Town Planning Director shall comply with the notice provisions contained in the Town's zoning code and in FS 166.

RULE 3.206 PUBLIC HEARINGS: TOWN COMMISSION

- (a) **Public Hearing Defined.** A public hearing is a specified portion of a meeting of the Town Commission which the privilege of the floor is granted to the general public and members thereof may address the Commission on the subject for which the public hearing is called. A public hearing is designed to elicit comments and observations from the general public and to afford the members of the general public an opportunity to speak directly to the full Commission.
- (b) **When Held.** Although the Commission has need of the comments and observations of the members of the general public, the business of the Commission requires that public hearings by the full Commission be held to the minimum number. Consequently, except for public hearings required by law, a public hearing by the full Commission will be scheduled only by order of the Mayor, or a majority of the Commissioners present at any meeting.
- (d) **Conduct of Public Hearings.** When the TOWN OF OAKLAND COMMISSION holds a public hearing on proposed legislation, the Mayor shall announce that the time for the public hearing has arrived and declare the same open to the general public. The sponsor of the legislation will speak first, explaining the proposed legislation to the Commission. Next, all those in favor of the legislation will be given an opportunity to speak, then those in opposition to the legislation; the sponsor shall then be given an opportunity to reply to the claims and allegations of the opponents. **The Mayor may impose reasonable limits on the number of people allowed to speak and on the length of time each person may speak.** At any time during the public hearing, the Commissioners may question any speaker concerning the speaker's remarks, and they may recall any speaker for clarification of his previous remarks or for additional remarks. When all members of the general public who have been scheduled to speak have done so and the Commission has finished their questions of the speakers, the Mayor shall declare the public hearing to be closed; and no further remarks shall be heard from the general public. Once the public hearing is closed, a motion may be made and voted upon in accordance with all procedures contained herein
- The Commissioners may question a speaker only to elicit information, comments or opinions and may not debate the merits of the legislation, either with a speaker or among themselves, during the part of the hearing open for public input.
- (d) **Public Hearings without Legislation.** The Commission may schedule a public hearing on a matter when there is no legislation concerning such matter pending before the Commission, in order to determine the need for possible legislation and to gather information to be used in drafting such legislation.
- (e) **Recess.** Public hearings may be recessed by order of the presiding officer or by a majority of the Commissioners present, to a time certain.
- (f) **Continuances to Agenda Items.** The Commission shall consider requested continuances be set for a time certain at subsequent Regular, Workshop or Special Meetings of the Commission, however, the Commission reserves the right to set such agenda items on a staggered meeting schedule. Upon the request of the Mayor or any Commissioner, with a vote of the majority, may defer or continue any or all of the remaining agenda items or public

hearings to a date and time certain, either at a Regular, Workshop, or Special Meeting which shall be properly noticed.

- (g) **Conduct of hearings or appeals to the Commission.** Appellate hearings before the Town Commissioners shall be announced by the Mayor. The appropriate Town staff member will introduce the matter to the Commission, explaining all prior proceedings related to the matter on appeal and naming the appellant. The appellant shall then explain the basis for the appeal and the relief s/he is requesting. Next, all those supporting the appellant's position may speak. Then, the person or agency whose decision is being appealed shall explain the decision, apprising the Commission of relevant findings of fact and reasoning underlying the decision. Then, all those supporting the decision being appealed may speak. The appellant shall then be given an opportunity to reply to the statements and arguments of those supporting the decision.

The Mayor may impose reasonable limits on the number of people allowed to speak and on the length of time each person may speak, and may require each speaker from the general public to complete a written request to speak.

At any time during the hearing, the Commissioners may question any speaker concerning **the speaker's** remarks, and they may recall any speaker for clarification of his previous remarks or **for** additional remarks. When all members of the general public who have been scheduled to speak have done so and the Commissioners have finished their questions of the speakers, the Mayor shall declare the public hearing to be closed; **and no further remarks shall be heard from the general public.** Once the public hearing is closed, a motion may be made and voted upon in accordance with all procedures contained herein.

The Commissioners may question a speaker **only** to elicit information, comments or opinions and may not debate the merits of the appeal, either with a speaker or among themselves, **during the portion of the appellate hearing open for public input.**

RULE 3.207 PUBLIC HEARINGS; COMMITTEES

- (a) **Public Hearing Defined.** A public hearing is a meeting of a committee during which the privilege of the floor is granted to the general public and members thereof may address the committee on the subject for which the public hearing is called. A public hearing is specifically designed to elicit comments and observations from the general public and to afford the members of the general public an opportunity to speak directly to the committee concerning a particular matter of great public interest or importance. All meetings of a committee are public meetings, at which the public may, at the pleasure of the committee, address the committee; but a public hearing is an extraordinary procedure used only to gain information not otherwise obtained or to hear both sides of a controversy or to argue the merits of a matter.
- (b) **When Held.** A committee shall hold a public hearing when ordered by the Chairman, the Commission or a majority of the committee members. A committee shall hold a public hearing only on a matter referred to it. Public committee hearings may be held in any public building within the Town or any building within the Town which as been designated for temporary Town meeting use.

- (b) **Recess.** Public hearings may be recessed by order of the committee chairman to a time certain.

PART 3. MISCELLANEOUS COMMUNICATIONS

RULE 3.301 RECEIPT OF MISCELLANEOUS COMMUNICATIONS

The Town Manager shall receive all miscellaneous communications addressed to the Commission. Within the meaning of these Rules, a "miscellaneous communication" is a letter, report, paper, or other document which does not relate to legislation under consideration by the Commission or any committee. Upon receipt, the Town Manager shall forward the miscellaneous communication to the Town Clerk for placement on the agenda, for distribution to other Commissioners or committees, or for such other action or procedure as the Town Manger may deem appropriate.

RULE 3.302 DISPOSITION OF MISCELLANEOUS COMMUNICATIONS

Miscellaneous communications may, at the discretion of the Town Manager, be referred to the appropriate committee for report.

RULE 3.303 READING OF MISCELLANEOUS COMMUNICATIONS

Miscellaneous communications shall not be read to the Commission, unless a majority of all the Commission requires such reading.

CHAPTER 4.

PROCEDURES

PART 1. MEETINGS; QUORUM

RULE 4.101 MEETINGS, GENERALLY

All regularly scheduled Commission meetings shall be held in the Commission Auditorium, and shall be open to the public. In case of emergency the Commission, by motion or resolution adopted by a majority vote of all Commissioners, may designate an appropriate meeting place in other facilities for a meeting open to the public. **No action may be taken by the Commission at a meeting located outside the Town's Limits.**

RULE 4.102 REGULAR AND WORKSHOP MEETINGS

The Commission shall hold regular meetings on the second and fourth Tuesdays of each month commencing at 7:00 P.M. and shall hold workshop meetings, as needed. However, when a regular meeting day shall fall on a legal holiday observed by the Town, the regular meeting of the Commission shall be cancelled or rescheduled to the same time and place or on such date approved by the Commission and noticed accordingly.

RULE 4.103 SPECIAL MEETINGS

The Mayor or a majority of the Commissioners may call a special meeting of the Commission upon giving reasonable notice to each Commissioner in writing or by phone. The notice shall state the business to be transacted at such meeting, including "all other business that may come before the Commission". The Town Clerk of the Commission shall post the notice on the Town's kiosk(s) as soon as possible prior to the day of the meeting. The Mayor may, upon sufficient notice to each Commissioner, cancel any special meetings of the Commission which he had previously called pursuant to this Rule.

RULE 4.104 EMERGENCY MEETINGS

The Mayor or in the absence of the Mayor, the Vice Mayor may call an emergency meeting of the Commission to consider and take action upon a public emergency. No action shall be taken by the Commission unless the Commission first declares by motion or resolution that an emergency exists and the action taken directly pertains to the emergency. Prior notice of the emergency meeting shall be given by the most appropriate and effective method(s) available under the circumstances.

RULE 4.105 RECESSED OR ADJOURNED MEETINGS

The Commission, at any meeting, may recess or adjourn to a time certain on the same or another day, or fix the date and time of a meeting, for transacting any business or specified business only, as may be determined by the Commission in taking such action.

RULE 4.106 QUORUM

A quorum of the Commission for the transaction of business shall consist of a majority of the Commissioners, but a lesser number may adjourn from time to time until a quorum is present. It shall always be in order to suggest the lack of a quorum, whereupon the proceedings shall cease, the determination of a quorum may be made and the proceedings continue, if a quorum is present, or be suspended or adjourned, if a quorum is lacking.

PART 2. PRESIDING OFFICER

RULE 4.201 DUTIES OF PRESIDING OFFICER

The duties of the presiding officer shall include the following:

- (a) State every question before the Commission.
- (c) Record the vote on all matters concerning which the recording of the ayes and nays is required or requested.
- (c) Announce the results of every vote.
- (d) Announce the order of business and insure the orderly disposition of the items on the agenda.
- (f) Maintain order and enforce the rules of decorum and discipline.
- (g) Sign each written measure passed by the Commission during the meeting at which s/he is presiding officer.
- (h) Execute the orders of the Commission made during the time s/he is presiding officer.

RULE 4.202 RULINGS BY THE MAYOR; APPEALS

The Vice Mayor shall serve as the Town Official who shall advise the Mayor on parliamentary issues and shall rule on all questions of order and priority of debate, although s/he may ask the advice of the Town Manager or Town Clerk. Any Commissioner may appeal from the decision of the presiding officer, in which event a majority vote of the Commission present shall conclusively determine the ruling appealed from. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.

PART 3. AGENDAS

RULE 4.301 SETTING AGENDA

The Town Manager shall provide an agenda to the Mayor and the Commission, in their Commission Agenda Books. Any Commissioner or Department Head desiring placement of an item on the agenda will

make such request of the Town Manager. All requests for agenda items will be turned in by noon Wednesday the week prior to the Tuesday Commission Meeting/Workshop, complete with all appropriate back-up material sufficient to warrant discussion. Should sufficient back-up material not be provided by this date, then the item will be removed from the agenda. At this time the agenda shall be considered closed, except for emergency items as may be called by the Mayor in the manner provided herein. Six (6) days prior to the Commission meeting, the Mayor will review the agenda, make any additions or deletions deemed appropriate, and with the assistance of the Administrator, shall prioritize the agenda (excepting for advertised public hearings which shall be set in the order advertised and received by the Clerk's Office). There shall be included on the agenda, all items to be considered by the Commission, and the public hearings to be held by the Commission. When the agenda has been set, the Clerk of the Commission shall cause the same to be printed and distributed. The Mayor may yield to the Town Manager the authority to prioritize the set agenda.

RULE 4.302 CONSENT AGENDA

- (a) **Contents; Approval; Changes.** There shall be included on the consent agenda, all legislation which has received a favorable report at a previous workshop or commission meeting from each agency of the Town which is required to comment on the same, and as to which no substitutes or amendments are pending and routine business items, not limited to, but including purchases, subdivision plats and final development plans. The Mayor shall approve the consent agenda as a part of the regular agenda for each Commission meeting, and may order that legislation be removed there from, or delayed to another Commission meeting.
- (b) **Consideration.** At the appropriate time during a meeting, the Mayor shall announce the taking up of the consent agenda. Any item on the consent agenda may be removed there from for the purpose of further debate at the request of any Commissioner, in which case the item so removed shall be debated and considered at the end of the business items. After any item has been removed for further debate, the Mayor shall call for one vote on the entire consent agenda, which vote shall be applicable to each item on the consent agenda (except removed items).

RULE 4.303 ADOPTION OF REGULAR AGENDA

After the addition of any item removed from the consent agenda, the Mayor will ask for other changes to the agenda. Changes to the regular agenda must be approved by majority vote. After all approved changes on the agenda a motion shall be made and seconded to adopt the agenda. Once adopted the agenda shall control the meeting unless changed by a majority vote.

PART 4. RULES OF DECORUM

RULE 4.401 ABSENCE FROM MEETINGS

Any member who is unable to attend a Town Commission regular, workshop or special meeting will notify the Mayor, Town Manager, or the Town Clerk, prior to the meeting, if possible. Any member present at any meeting of the Commission will give notice to the Mayor, if leaving the meeting for an extended period of time.

RULE 4.402 COMMISSION TO PRESERVE ORDER AND DECORUM

While the Commission is in session, the Mayor shall preserve order and decorum, and a Commissioner shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner while speaking, or refuse to obey the orders of the Commission or its Mayor.

RULE 4.403 MANNER OF SPEAKING

No Commissioner shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first being recognized by the Mayor. When two or more Commissioners seek recognition by the Mayor, the Mayor shall name the Commissioner who is first to speak. No Commissioner shall be interrupted by another without the consent of the Commissioner who has the floor, except by rising to a question of order. A Commissioner, in speaking on any matter, shall confine himself to the question, or matter before the Commission; shall not use unbecoming abusive or unparliamentarily language; and shall avoid commenting on personalities or character.

RULE 4.404 DISRUPTION OF MEETING

Any person disrupting a Commission meeting by making personal, impertinent or slanderous remarks or by boisterous behavior while the Commission is in session, may be removed from the meeting by the Chief of Police or his designee. Such removal may be requested by the Mayor in his/her discretion, or by consensus of the Commission, or by the Chief of Police or his designee if there is perceived to be an immediate threat to any person. No demonstrations of approval or disapproval from the audience shall be permitted; and if, after warning by the Mayor, such demonstrations are made and result in a disruption of the meeting, the person(s) creating such disruption may be removed from the meeting; or the Mayor may recess the meeting until order is restored. The Mayor shall call upon Chief of Police or his designee who may be present during the meeting to enforce directions given by the Mayor for any violation of this Rule.

RULE 4.405 PERSONAL BUSINESS AND REQUESTS

NO COMMISSIONER SHALL ASK STAFF TO CONDUCT ANY PERSONAL OR BUSINESS ERRANDS FOR THEM. (i.e. ASKING STAFF TO BRING COFFEE, ETC.)

PART 5. VOTING

RULE 4.501 MAJORITY ACTION

Unless otherwise required by State Statute, ordinance, or indicated by these Rules, all action by the Commission shall be by majority vote of those Commissioners present.

Failure to receive a majority vote of the Commissioners present shall act as a denial of the proposed question that is before the Commission.

RULE 4.502 VOTING REQUIRED UNLESS EXCUSED

Every Commissioner who is present when a question is put, unless he is excused as provided in Rule 1.301, shall give his vote in the affirmative or negative.

RULE 4.503 MANNER OF VOTING

Votes on procedural matters, including the withdrawal, amendment and substitution of legislation, but excluding the vote on the motion to declare an ordinance or resolution to be an emergency measure, shall be by voice vote; the vote on the motion to declare a measure to be an emergency shall be a roll call. In the case of a voice vote, if the presiding officer is in doubt, or upon the request of a Commissioner, the presiding officer shall call for a roll-call vote.

The roll-call vote shall be called by the Town Manager.

RULE 4.504 CHANGE OF VOTE

On all roll-call votes, after the vote has been taken but before the announcement of the result, a Commissioner may (a) change his vote or (b) vote. After announcement of the results, no vote may be changed or taken on the question. The provisions of Rule 4.502 shall not be construed to be affected by this Rule.

RULE 4.505 PROXY VOTING PROHIBITED

A Commissioner shall **not** vote for another Commissioner, nor shall any person not a Commissioner cast a vote for a Commissioner. Any person not a Commissioner who shall vote wrongfully in the place of a Commissioner shall be excluded from the Commission chambers for the remainder of the meeting.

RULE 4.506 EXPLANATION OF VOTE

NO Commissioner shall be permitted to explain his/her vote prior to or during a vote including a roll-call vote.

PART 6. MOTIONS

RULE 4.601 MOTIONS; HOW MADE; WITHDRAWAL

Every motion shall be made orally, unless the presiding officer requested that it be reduced to writing. No motion shall be debated or put to a vote without a second, except for those motions stated in Rule 4.602. When a motion is made and, when required, seconded, it shall be stated by the presiding officer or, his/her designee, and the mover shall have the floor. After a motion has been stated or read, it shall be deemed to be in the possession of the Commission and shall be disposed of by vote of the Commission. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended or before a vote hereon shall have commenced, if a majority of the Commission present consent.

RULE 4.602 MOTIONS REQUIRING NO SECOND

The following motions shall be decided or acted upon without requiring a second:

1. Call for a division of the Commission.
2. Call for the division of a question.
3. Motion to receive committee and agency recommendations.
4. Fill a blank.
5. Inquires of any kind.
6. Leave to withdraw a motion.
7. Object to the consideration of a question.
8. Parliamentary inquiry.
9. Point of information.
10. Point of order.
11. Question of privilege.

RULE 4.603 MOTIONS ALLOWING NO DEBATE

The following motions shall be decided without debate:

1. Adjourn, in any form.
2. Amend an undebatable motion.
3. Dispense with the reading of the minutes.
4. Fix the time to which to adjourn.
5. Lay on the table.
6. Limit or extend debate.
7. Object to the consideration of a question.
8. Other incidental motions, as follows:
 - (a) Close or reopen nominations.
 - (b) Roll call vote.
 - (c) Division of a question.
 - (d) Fill a blank.
 - (e) Point of order, information or inquiry.

- (f) Question of quorum present.
- (g) Leave to withdraw a motion.
- (h) Previous question.
- (I) Question of privilege
- (j) Reconsider an undebatable motion.
- (k) Suspension of the rules.
- (l) Take a recess.
- (m) Take from the table.

RULE 4.604 MOTIONS ALLOWING NO AMENDMENT

The following motions shall be decided without amendment:

- 1. Adjourn
- 2. Amend an amendment.
- 3. Call for a roll call vote.
- 4. Declare a bill to be an emergency measure.
- 5. Fill a blank.
- 6. Leave to withdraw a motion.
- 7. Lay on the table.
- 8. Leave to read papers.
- 9. Nominations.
- 10. Object to the consideration of a question.
- 11. Postpone indefinitely.
- 12. Previous question.
- 13. Question of order.
- 14. Question of privilege.
- 15. Reconsideration.
- 16. Request of any kind.
- 17. Take from the table.
- 18. Take up a question out of its proper order.

RULE 4.605 PRECEDENCE

When a question is under debate, the following motions shall be entertained and shall take precedence over each other in the following order:

- 1. Adjourn to a date certain.
- 2. Adjourn.
- 3. Take a recess.
- 4. Lay on the table.
- 5. Previous question.
- 6. Close debate at a specified time.
- 7. Postpone to a day certain.
- 8. Refer to a committee.
- 9. Amend.
- 10. Postpone to a certain time.
- 11. Postpone indefinitely.

RULE 4.606 PROPOSING QUESTIONS

The presiding officer shall propose all questions in the order in which they are moved unless the subsequent motion is previous in nature; except that in naming sums and fixing times the largest sums and the longest times shall be put first.

RULE 4.607 MOTIONS WHICH CAN BE MADE BUT ONCE

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

RULE 4.608 MOTION TO AMEND TO BE GERMANE

No motion to amend dealing with a subject different from that under consideration shall be entertained by the presiding officer.

RULE 4.609 DIVISION OF QUESTION

Any Commissioner may call for a division of a question, which contains two or more parts, which could stand alone if divided into independent questions for consideration. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

RULE 4.610 RECONSIDERATION; GENERALLY

After the decision of any question, it shall be in order only for a Commissioner voting on the prevailing side to move reconsideration, but such motion may be seconded by any Commissioner. When a majority of the Commissioners present vote in the affirmative but the question is lost because the concurrence of a greater number is necessary for adoption or passage, any Commissioner may move for reconsideration. If a motion to reconsider is lost, it shall not be renewed again. A motion to be considered may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.

RULE 4.611 RECONSIDERATION; DISPOSITION

If a motion to reconsider the vote on a main question is made immediately after such vote is taken, it may, at the option of the mover, be decided immediately or left pending. If it is made other than immediately after such vote is taken, it shall be left pending for consideration by the Commission. All motions for reconsideration not immediately disposed of shall be considered and disposed of at the same hearing or meeting.

RULE 4.612 RECONSIDERATION; COLLATERAL MATTERS

The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from consideration of the Commission. A motion to reconsider a collateral matter must be disposed of at once during the course of the consideration of the main subject to which it is related and such motion shall be out of order after the Commission has passed to other business.

RULE 4.613 PREVIOUS QUESTION

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

RULE 4.614 POSTPONE INDEFINITELY

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

RULE 4.615 LAY ON TABLE

If an amendment is laid on the table, such action shall not carry the main question or any other amendment with it. The motion to lay on the table may not be made by the introducer or mover of the legislation or proposal.

PART 7. RULES OF DEBATE

RULE 4.701 MAYOR MAY PARTICIPATE IN PROCEEDINGS

The Mayor may make motions, second motions and debate, subject only to such limitations of debate as are enforced by these rules on all Commissioners, and shall not be deprived of any of the rights and privileges as Commissioner by reason of being Mayor.

RULE 4.702 OBTAINING FLOOR OR RECOGNIZED BY MAYOR

In order to obtain the floor, any Commissioner desiring to speak in debate on a subject open to debate must address the Mayor; and, when recognized by the Mayor, may speak only on matters germane to the business or question under debate.

RULE 4.703 INTERRUPTION OF SPEAKERS

A Commissioner or official, once recognized, shall not be interrupted while speaking unless *calling* the Commissioner or speaker to order for transgressing any rule of the Commission or failing to maintain proper decorum. Any Commissioner called to order while speaking shall cease speaking until the question of order is determined by the Mayor without debate, and if in order, may proceed.

RULE 4.704 PRIVILEGE OF FLOOR

- (a) **General Exclusion.** No person, except Commissioners and working employees of the Commission, shall be allowed to approach the Commission unless permitted by the Mayor.

- (e) **Addressing Commission.** By permission of the Mayor, the privilege of the floor shall be extended to a citizen or citizens to address the Commission on any matter pending before it or which needs the attention of the Commission. At public hearings required by law or fixed by the Commission, the Mayor shall extend the floor to a reasonable number of proponents and opponents of the subject matter of the public hearing, and **those filing written requests to be heard** shall be heard prior to other persons who appear at the hearing. Each person addressing the Commission shall proceed to the place assigned for speaking, state name and address in an audible tone of voice for the records, and limit his address to three (3) minutes, unless further time is granted by the Mayor or the Commission. **At no time shall a speaker assign their time to another speaker.** All remarks shall be addressed to the Commission as a body and not to any member thereof. No person other than a Commissioner or 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. All questions to the Commission shall be directed through the Mayor. **(See related rule, Conduct of Public Hearings.)**

PART 8. STANDING RULES

RULE 4.801 STANDING RULES

After adoption, the standing rules shall be used at each Town Commission meeting, and where applicable, at each Committee meeting.

RULE 4.802 AMENDMENTS TO STANDING RULES

Any commissioner may propose amendments to the standing rules. A proposed standing rule amendment shall be submitted in writing to the Mayor.

Amendments to the Standing Rules can be made by a majority of the full Commission.

RULE 4.803 SUSPENSION OF THE STANDING RULES

A motion to suspend the standing rules may be made by a Commissioner or the Mayor. A suspension is a non-debatable motion. The standing rules may be suspended by a majority vote of the Commissioners present.

Once suspended, the rules remain suspended only for the time indicated in the motion.