

**RULES OF PROCEDURE
COMMUNITY SERVICES ADVISORY BOARD
CITY OF NAPLES**

Purpose.

The purpose of these Community Services Advisory Board (CSAB) Rules of Procedure is to facilitate the transaction of business, to ensure the public's business is transacted both efficiently and effectively for the benefit of the public, and to promote cooperation in the deliberation of public policy. These Rules of Procedure are designed to provide for thoughtful debate and action in a fair manner. These rules protect the rights of the public to be heard and considered, the right of the minority to be heard, the rights of individual members of CSAB, and the right of the majority to decide.

Section 1. Rules of Procedure and Quorum.

- (a) Except as otherwise required by law or City Code, all proceedings will be governed by these Rules of Procedure. The City Attorney will act as parliamentarian and will render opinions as to procedure or matters not contained in these Rules of Procedure, when needed.
- (b) A majority of the members of the CSAB constitute a quorum to transact any business. [Sec. 2-501 City Code]
- (d) All meetings of the CSAB be open to the public. [Sec. 2-501 City Code]
- (e) The Chair or Vice Chair will preside, except when both are absent; then the members present will elect a presiding member. A member present but disqualified from voting on a question by a state law or ordinance due to a conflict of interest will be counted for purposes of a quorum. Members will abide by the ruling of the Chair unless otherwise determined in subsection (f) below.
- (f) Questions of order will be decided by the Chair without debate, subject to appeal by CSAB members.
 - (1) An appeal to the ruling of the Chair will be made by the statement; "I appeal from the decision of the Chair." The appeal must be seconded and is subject to debate.
 - (2) The Chair then puts to a vote the question; "the decision of the Chair be sustained?" A majority or tie vote sustains the ruling of the Chair.
- (g) If a member believes the Rules of Procedure are being violated, that member may interrupt a speaker without being recognized by stating "Point of Order." No motion is required nor is debate allowed. The Chair will ask the member to state the point and will rule. The ruling is subject to appeal. If the Chair is in doubt, the Chair may put the question to a vote.
- (h) These Rules of Procedure may be suspended for a definite purpose by majority vote. A motion to suspend is not debatable.

Section 2. Voting Requirements.

- (a) All actions of CSAB, including when acting as the Tree Board, will be by majority vote of members present at a public meeting except where otherwise provided by law.
- (b) Every CSAB Member present, including the Chair, will vote on every question except when required to refrain from voting by law.
- (c) Votes may be by voice. Those in favor of a motion will say “yes” and those opposed will say “no”.
- (d) The Chair or any member of CSAB may call for a roll call vote. The order of the roll call vote will vary with each vote, with the Chair to cast the last vote.
- (e) The vote on every question for each member will be recorded in the minutes.

Section 3. Introduction of Agenda Subjects and Motions.

- (a) The Chair will read the Agenda item to be discussed.
- (b) Following introduction of a subject, discussion by CSAB is permitted prior to and after the introduction of a motion. The members of CSAB will signal their desire to speak on an issue by raising their hand. The Chair will call on each CSAB Member in the order seen.
- (c) The Chair will recognize those citizens who have completed a Speaker Registration Form prior to a vote on a motion. Such recognition may occur prior to or after a motion is introduced.
- (d) When a motion is proposed and seconded, the Chair will repeat the motion and the names of the CSAB Members initiating and seconding the motion.
- (e) Motions will be made in the affirmative (i.e. “I move that...be approved” or “I move that.... be denied.”)
 - (1) The member offering the motion will be given the first opportunity to speak to the motion, followed in order by other members wishing to be heard.
 - (2) Generally, each member should limit comments to a period of five (5) minutes.
 - (3) Following comments from each member who wishes to speak, each member may again comment, preferably limiting comments to three (3) minutes.
- (f) All motions will be open to amendments by members of the CSAB.
- (g) In all cases where an amendment is offered, the motion will be seconded and is debatable. A vote will be taken on the amendment. If an amendment is adopted by majority vote, debate may continue on the main motion as amended.

- (h) A member may request that the person offering the motion consider an amendment to a motion. If the maker and the person who seconded the motion agree, the motion will be amended without a vote. The Chair or person so designated by the Chair will state the motion as amended.
- (i) If a vote of CSAB is equally divided, the vote will be considered to be in the negative.

Section 4. Reconsideration of a Motion.

- (a) During the meeting in which the matter has been voted on, CSAB may re-open the matter by simple majority vote and reconsider its decision. The request to re-open the matter must be made by a person who had voted in the majority.
- (b) After adjournment of the meeting in which the matter was voted upon, reconsideration must adhere to the following:
 - (1) Only CSAB Members may request reconsideration of an agenda item which has been voted on by CSAB.
 - (2) Any CSAB Member who voted with the majority may ask for reconsideration. Where the matter resulted in a tie vote, any CSAB Member who cast a vote may request reconsideration.
 - (3) A request for reconsideration will be made in writing to the Community Services Director no later than two business days prior to the next regularly scheduled CSAB meeting after the item was voted on.
 - (4) The CSAB will first discuss whether to reconsider the item. A majority vote in favor of reconsideration will place the item on a future regularly scheduled CSAB agenda. Failure to receive a majority vote will halt the reconsideration process.
 - (5) A majority vote in favor of reconsideration will require that items approved for reconsideration be placed on the next regularly scheduled CSAB meeting agenda unless CSAB specifically votes to set a different schedule for hearing the matter. All parties who participated by speaking, submitting registration forms or written materials at the first hearing, will be notified by the City Clerk of the date of reconsideration. Failure to receive a majority vote will halt the reconsideration process.
- (c) General Rules
 - (1) A matter can be reconsidered one time only by CSAB. After that, any matter or any issues subsumed by it will require new agenda submittal.
 - (2) The policy contained herein will constitute the full and complete procedures for reconsideration of a matter by the CSAB.

Section 5. Types of Motions.

(a) Main Motion

- (1) Defined as a proposal that certain action be taken or an opinion be expressed by the group.
- (2) The words to use are "I move..."

(b) Secondary Motion

- (1) Motions can be made while the main motion is on the floor and before it has been decided. These are called "secondary motions" and include subsidiary and privileged motions. Several rules should be remembered.
 - a. A secondary motion can be introduced while a main motion is being debated. The secondary motion will be considered first.
 - b. The most common is a "motion to amend" [the main motion]. The motion may be debated and must be voted upon before the main motion is further considered.
 - c. Some secondary motions are not debatable. These include the following motions: "move the previous question"; "call the question" which takes members back to the main motion if approved; "to recess or adjourn"; "to table"; and "to suspend the rules". A call for the question requires a second if members informally do not agree to suspend debate. A 2/3 vote is required (3 of 5).
 - d. Debatable secondary motions include: "to amend"; "to refer to committee"; or "to postpone to a time certain".

Section 6. Agenda.

- (a) The Community Services Director is responsible for the preparation of the agenda for meetings of the CSAB. The Community Services Director will consult with the Chair as to the order of the agenda and "time certain" agenda subjects.
- (b) The City Clerk will publish notice containing time, date and location of a CSAB meeting in a newspaper of general circulation of the City not more than seven or less than two days before such meeting (except for emergency meetings).
- (c) Generally. Regular items on the agenda will be accompanied by an agenda memorandum and all supporting documentation as may be necessary to make an informed decision. The agenda, agenda memorandum, and supporting information will, whenever possible, be provided to the CSAB on the Thursday preceding a regular CSAB meeting, and at least two business days in advance of any special called or workshop meeting except for emergency meetings. Revised or additional information may be distributed through an Agenda Supplement in advance of the meeting, or, if adequate time is not available, during the meeting.

- (d) No business at any regular or special meeting of the CSAB will be transacted, except such business as may be specifically set forth in:
 - (1) A notice containing time, date and location which will be printed 1 time in a newspaper published and of general circulation in the city not more than 7 or less than 2 days before such meeting; or
 - (2) The notice calling the meeting. [Sec. 2-53 City Code]
- (e) This section will not apply to the transaction of such business if the transaction to be considered at such meeting is added to the agenda by a 3/5 vote of the CSAB. Reconsideration of items will be conducted as specified by these Rules of Procedures.
- (f) The agenda for regular and workshop meetings will include provisions for public comment period on any matters not on the agenda, prior to the regular business of CSAB, but will not be included in the agenda for special-called or emergency meetings. Nothing should impede the rights of the public to speak.
- (g) The agenda will include a section for "correspondence and communications" by CSAB following the Business Section.
 - (1) A CSAB Member may request that a subject matter be placed on a future workshop or regular agenda.
 - (2) CSAB may accept or reject the placement of the subject matter on a future agenda by consensus vote.
 - (3) A CSAB Member may provide a memorandum or summary to the Community Services Director prior to distribution of the agenda subject to CSAB to clarify the purpose and intent of the subject matter.
 - (4) CSAB Members may share reports, information, correspondence or other items they deem necessary for the CSAB to hear.
- (h) The Agenda Packet will be in electronic format. The CSAB agenda and packet will be posted on the City's web site for public review prior to the meeting. In addition, the City Clerk will have at least one hard copy of the agenda packet available for public review before the meeting and at the meeting.

Section 7. Meetings of CSAB.

- (a) The CSAB holds regular meetings once each month. The meetings will usually be held on the second Tuesday of each month at 8:30 a.m.; however, the Chair or the Director, in consultation with the Chair, may cancel a regular meeting and reschedule the meeting at a specific time. The CSAB may schedule additional regular meetings of the CSAB when the business of the City so dictates.
- (b) A schedule of CSAB regular meetings for the year will be adopted by motion prior to January of each year.

- (c) The CSAB may hold special meetings at any time pursuant to due notice being given in writing by the Chair or a majority of the CSAB. The notice specifies the object of the special meeting.

Section 8. Minutes of Meetings.

The City Clerk or designee will keep minutes of all public meetings, which will be a matter of permanent public record and will be presented to CSAB for review and approval. An electronic audio/video recording of meetings may be made but are not considered the official public record of the meeting.

Section 10. Quasi-judicial Proceedings and Public Hearing.

- (a) After introduction of the petition by staff, the Petitioner's presentation will occur first, and petitioner will have up to twenty minutes to present the petition, followed by questions from CSAB of the petitioner. A majority of CSAB members may grant additional time. Petitioner should notify the Community Services Director in advance of the proceeding if it is recognized that additional time for presentation is desirable.
- (b) Staff will then provide an analysis of the petition and staff report for a period of up to twenty minutes, followed by questions from CSAB.
- (c) The Chair will call for public comment by those who have completed a Speaker Registration form. Each speaker will have up to three minutes to present comments on the petition.
- (d) Upon conclusion of public comment, the public hearing will be closed.
- (e) Petitioner will have up to five minutes to present any final summation, followed by questions from CSAB.
- (f) Questions of an informational nature from the petitioners or public speakers may be asked through the Chair.
- (g) CSAB members should introduce a motion, debate the petition, and call for the question only after all the evidence has been entered into the record.
- (h) Request for a time certain may be presented to the Director at least five days in advance of the publication of the CSAB Agenda. Requesting a time certain does not guarantee that such time certain will be granted.
- (i) Petitioner will provide electronic copies of any presentation materials to the Community Services Director or staff **five days** prior to publication of the CSAB Agenda for inclusion with the CSAB Agenda Packets.
- (j) Handouts provided during the proceeding will consist 10 copies for CSAB and staff.
- (k) Decisions of CSAB will be fair and impartial; be based only upon the testimony and other evidence presented or contained in the record at the hearing; and must apply the ordinances correctly in accordance with the essential requirements of the law.

- (l) If a petition is rejected, CSAB will state the reason(s) in the motion.
- (m) Petitions, documents, exhibits, photos, or other evidence in support of a petition must be submitted to the departmental staff by close of business on 5 days prior to publication of the CSAB agenda. **No new exhibit will be allowed into evidence after that date.** It is the Petitioner's responsibility to ensure that all exhibits that it wants to be considered are in the CSAB packet prior to the foregoing deadline. Deadlines falling on holidays are extended to the next non-holiday workday.
- (n) The Petitioner or Petitioner's Agent may provide PowerPoint or other electronic presentations and written presentations intended to summarize, provide examples, or clarify the Petition at the hearing. Such presentations will not be used to substantially or materially change the Petition as published with the meeting Agenda and must be provided to departmental and visual arts staff at least 2 days in advance of the hearing.
 - (o) Members of the public may provide written information in advance of or during the quasi-judicial proceeding, and oral comments at the designated "public comment" period during the quasi-judicial proceeding.

Section 12. Conduct of Meetings.

- (a) The Chair will:
 - (1) Conduct the meeting firmly and courteously while maintaining order at all times.
 - (2) Ensure that a member is recognized before speaking and permit only one person to speak at a time.
 - (3) Allow persons not on CSAB to speak only at designated times. Apply time limits uniformly.
 - (4) Rule out of order remarks which involve personalities or attack motives or character of another member, or which are not related to the matter before the CSAB.
 - (5) Reject frivolous motions and motions not permitted by the Rules. Require motions to be stated affirmatively and to the point.
 - (6) Restate the motion and allow the maker of the motion to speak first.
 - (7) Allow a member additional opportunity to speak on a matter only after all other members have had an opportunity to speak.
 - (8) Allow interruption of a speaker only by consent of the speaker or for permitted reasons (e.g. "Point of Order," "Point of Information, Please.")
 - (9) Recognize citizens wishing to address CSAB on the issues before CSAB

following the debate, but prior to the vote.

- (10) Reject discussion of motions which are not debatable (e.g. adjourn, call for the question; continuance, recess, table).
 - (11) Recognize that all members have equal rights, privileges, and obligations. Remain impartial in the use of authority.
 - (12) Call for the question when it appears that members have concluded debate, or when such debate has become repetitive and non-productive for the required policy decision.
 - (13) Remind the public of the requirement to submit a Speaker Registration Form for the "Public Comment" section of the agenda or for an agenda subject.
- (b) CSAB Members will:
- (1) Be recognized by the Chair before speaking. Then, after each member has had the opportunity to speak, a member may comment on the subject at random following recognition by the Chair. The Chair may elect to less formalized speaker order during workshop topics, and a more formalized speaker order depending on the issue and volume of the information to be discussed.
 - (2) When making a motion, speak clearly and concisely to avoid any misunderstanding as to the intent of the motion. State the motion affirmatively.
 - (3) Not speak a second time on a subject until all who wish to speak have done so.
 - (4) Confine remarks to the subject of the motion, while avoiding remarks involving personalities, or remarks which are intended to be a "political speech" for the attending public rather than for influencing CSAB's decisions.
 - (5) Not interrupt a speaker who has the floor without consent, except to present a privileged motion.
 - (6) Limit comments to that required to state a position while avoiding repetitiveness or redundancy.
 - (7) Not be obligated to state a position or opinion on matters under discussion. Discussion should be intended to add information, persuade colleagues through debate, and state positions.
 - (8) Refrain from adding comments or explanations during the voting process. Comments and explanations should be made during discussion before or after the motion, and not when voting.

- (9) At all times act with decorum toward the members and those members of the public attending the meeting. Recognize that people appearing before CSAB should be treated with respect and dignity.
 - (10) Refrain from initiating a discussion with citizens during the “public comment” period except to clarify points raised by a citizen. Let public speakers finish before commenting. If additional information or response from staff is needed, the CSAB Member may ask questions following the public comment.
 - (11) Recognize that the legislative process involves interaction of competing ideas that resolve themselves in a decision by the CSAB. That decision may not satisfy all members, but the will of the majority will prevail. Once a question has been voted on, the decision becomes that of the CSAB and each member should accept and abide by the results.
 - (12) Be prepared and be focused. While questions and clarification will occur, many questions can be answered by studying the agenda packet, or with a phone call or visit to City Hall before a meeting. CSAB and the public may then focus on the decision-making process at hand in a timely manner.
- (c) The public will:
- (1) Be permitted to address CSAB during the public comment period on any subject, and on any matter scheduled on the agenda prior to a call for the question, except for ordinances presented on first reading.
 - a. Citizens who wish to address CSAB on business matters scheduled on the agenda will complete and submit a Speaker Registration Form prior to the close of the public comment period for that agenda item. Registered speakers who have completed a Speaker Registration Form will be called to the podium by the Chair.
 - b. Public comment will be limited to three (3) minutes unless waived by the Chair or by a majority of CSAB Members.
 - (2) Be permitted to address CSAB on any subject matter not scheduled on the agenda during the “public comment” section of the agenda.
 - a. Speaker Registration Forms are required.
 - b. Upon being recognized by the Chair, the person will proceed to the podium and state their name and address.
 - c. The Chair will allow the person a period of three minutes to present matters of public interest before CSAB unless otherwise waived by the Chair or a majority of CSAB Members. Speaker time limits will be extended to approximate time involved with CSAB dialogue. The Chair or majority of CSAB may waive the time limitation.
 - d. “Public Comment” is intended to encourage citizens to speak about

issues. The answering of questions will only occur when directed by the Chair. Otherwise, answers will be provided by staff or CSAB Members outside of the meeting. Nothing herein will limit the ability of CSAB Members to question public speakers.

Section 13. Process for the Election of the Chair and Vice Chair.

- (a) The Chair will call for nominations. Nominations do not require a second. The Chair may nominate. Nominations should continue until there are no further nominations. Discussions may follow the nominations. A nominee may decline the nomination.
- (b) When no further nominations are forthcoming, the Chair should close the nominations and call for a vote. Each nominee will be called in alphabetical order.
- (c) If there are more than two candidates nominated, it is possible that, following the vote, no candidate will receive a majority (3) of votes. If there are three or more nominees, the nominee(s) receiving the least number of affirmative votes will be dropped from consideration, followed by a second vote on the nominees receiving the most votes.
- (d) If neither of the remaining nominees receives a majority vote, or in the event of a tie vote, the Chair will reopen nominations followed again by a vote in order of nomination.

Section 14. Not Appealable.

The failure of CSAB to adhere strictly to any of the rules contained herein will not create a cause of action or basis of appeal or challenge of the matter before CSAB. This section is subject to overriding by state or federal law.

Section 15. Conflict with Charter or Ordinances.

Where these rules conflict with the City Charter, Code of Ordinances, or Florida Statutes, the Charter, Code of Ordinances, or Florida Statutes will prevail.