

RESOLUTION NO: 19-4-7

A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING RESOLUTION NO. 05-5-1, AS AMENDED, BY FURTHER AMENDING THE ADMINISTRATIVE PROCEDURES AND POLICIES FOR CHANGE IN COMMISSION MEETING ADJOURNMENT TIME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the Cooper City (the “City”) adopted Resolution No. 05-5-1, providing for administrative procedures for the City Commission; and

WHEREAS, Resolution No. 05-5-1 was amended by the City Commission pursuant to the following resolutions: Resolution No. 08-5-7, Resolution No. 09-2-3, Resolution No. 09-8-3, Resolution No. 13-1-6, Resolution No.15-3-2, Resolution 15-10-2, Resolution 16-6-4, and Resolution 19-1-4; and

WHEREAS, the City Commission seeks to further amend the administrative procedures for the City Commission, as set forth herein; and

WHEREAS, the City Commission finds that these additional amendments to the City Commission’s administrative procedures are in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are incorporated herein by this reference.

Section 2: Resolution Amended. That Resolution 19-1-4, is hereby amended by amending Section 1.0, entitled “Meetings,” consisting of the text which is underlined, to read, as follows:

Administrative Procedures

1.0 Meetings

1.1 Time.

Regular City Commission meetings shall begin at the hour of 6:30 p.m. and shall adjourn at the hour of 11:00 p.m., unless the time for adjournment is extended by a vote of the majority of Commission members present at the meeting.

1.2 Items.

Items may be placed on the City Commission agenda by the Mayor, members of the Commission, the City Manager, City Attorney and salaried City staff by providing a written request to the City Clerk.

1.3 Deadline.

Items to be presented to the Commission shall be provided, with all applicable back-up material, to the City Clerk at least two weeks prior to the date of the meeting at which it is to be considered by the City Commission. Packets of back-up information shall be completed by the City Clerk's Office and distributed to the members of the Commission no later than the Friday, 10 days' prior to the date of the meeting.

1.4 Emergency Matters.

Emergency matters may be presented to the Commission for consideration for adding to an established agenda, provided that the back-up information relative to such emergency matter is provided to the members of the Commission at least 24 hours prior to the meeting at which Commission consideration is requested.

1.5 Public Participation.

- (a) The Commission welcomes the public to air their viewpoints about any item of City business of concern to the members of the public.
- (b) At the beginning of each meeting, during the regular Commission meeting, the Open Public Meeting portion shall be conducted as agenda item # 5(a) for a time period of up to 60 minutes, during which time period any individual may speak for a time period of up to four (4) minute duration on any matters which are pertinent to the City (whether or not the matter pertains to any item that is listed on the meeting agenda). During the Open Public Meeting portion, any individual may use their allotted four (4) minutes time to ask a question to the Commission or to a Commission Member concerning any matter that is pertinent to the City. The Commissioner to whom the question is directed may then spend up to three (3) minutes time responding to the question or may re-direct the question to the City Manager for an appropriate response. A question which is directed to the Commission as a whole may be responded to as provided by the Mayor. If necessary, the Commissioner, Mayor, or City Manager may advise the individual who presented the question that he or she will respond subsequently (e.g. within 48 hours) once an answer is available. If an individual wishes to speak on an item which is designated for public hearing, their comments or questions should be held until the public hearing is opened by the Mayor. Members of the public shall be given up to two (2) minutes at the end of each city commission meeting to comment in response to any item that was discussed at the meeting.
- (c) Further, so that the Commission may do its best to complete the business of the City at each meeting, one-half hour shall be set aside near the beginning of each

meeting for public comments, as Commission meeting agenda item #5(b), which is to be entitled as “Agenda Concerns”, and remarks by the public during this item must be limited to four (4) minutes per person to accommodate as many residents as possible. Comments during this Agenda Concerns time may only address any issue on the current agenda, provided that if a person wishes to speak on an item which is designated for public hearing, their comments should be held until the public hearing is opened by the Mayor.

- (d) Persons wishing to address the Commission at these times or during an advertised public hearing shall submit a written slip to the City Clerk, who shall read off the names of the individuals desiring to speak in the order in which they were received. The sign in slip shall include the person’s name, address, telephone number and e-mail address so that, if necessary, City staff and/or members of the Commission may contact them to follow up on the concerns expressed at the meeting. All comments must be made from a central location at the podium accessible to the auditorium’s sound system.

1.6 *Decorum.*

Members of the Commission, staff members, citizens and others are required to use civil and appropriate language when addressing the Commission or anyone present at the meeting, and must refrain from using profanity, cursing, or exhibiting aggressive or threatening behavior. All comments should generally be directed to the presiding officer and not to individual members of the Commission (except as to questions to a Commissioner when authorized by paragraph 1.5 (b) above), staff or the audience. No

personal verbal attacks toward any individual by either the Commission, staff, citizens or others shall be allowed during any meeting of the Commission.

Any persons making impertinent or slanderous remarks or personal attacks or who becomes boisterous while addressing the Commission or who otherwise violates the decorum rules set forth herein shall be barred from further audience before the Commission by the Mayor, or by request of any member of the Commission, unless permission to continue or again address the Commission be granted by a majority vote of the Commission members present.

1.7 Political use of Commission Meetings.

Regular, special and workshop meetings of the City Commission are intended for the conduct of City business to benefit all residents and taxpayers within the City of Cooper City, therefore, the City Commission feels that it is inappropriate to utilize public speaking time at City Commission meetings for political speeches by or on behalf of any candidates for public office. However, candidates for public office may utilize public speaking time at Commission meetings simply to announce their candidacy.

1.8 Quasi-judicial Hearings.

Quasi-judicial hearings shall be conducted in accordance with Florida case law, which requires that the City Commission can only act on most land development matters such as site plan approval, specific rezonings, variances and special exceptions through a quasi-judicial hearing process. Persons who wish to speak must come forward and be sworn in before giving testimony. The Commission will hear the testimony of all witnesses and have an opportunity to question the witnesses. The hearing will then be adjourned and the Commission will begin deliberations. Members of the Commission who have discussed

the issue set for quasi-judicial hearing with any party prior to the hearing, shall state on the record or disclose in writing in advance of the hearing the names of such persons with whom the matter has been discussed and the substance of the communication. The Commission may provide and utilize additional procedures for quasi-judicial hearings as recommended by the City Attorney.

The City Attorney represents the City Commission and advises the Commission as to the propriety and admissibility of evidence. The burden of proof rests on the petitioner to present substantial competent evidence, upon each material fact essential to provide the relief or authorization requested.

1.9 *Parliamentary Procedures.*

The Commission hereby adopts Robert's Rules of Order as the parliamentary procedures governing the conduct of Commission meetings. The City Attorney shall serve as the parliamentarian and shall resolve any disputes as to the application of parliamentary procedures.

1.10 *Method of Voting.*

The vote upon any ordinance, resolution, motion or other matter shall be by roll call vote. Upon every roll call vote, the names of the Commissioners shall be called in reverse order of seniority, provided, however, that the Mayor shall always cast his or her vote last. In instances where more than one Commissioner have equal seniority, the Commissioner who received the highest number of votes in their last election shall be considered the senior Commissioner.

1.11 *Summer Schedule.*

The City Commission shall conduct only one regular meeting per month during the months of June, July and August. These meetings shall be held on the third Tuesday of the summer months. In the event of a conflict which would cause a member of the Commission to be absent from a summer meeting, the Commission can adjust the meeting date, provided that the actual meeting date is announced publicly at the Commission meeting immediately prior thereto.

1.12 *Presentations/Recognitions.*

The City Commission finds that recognizing the achievement(s) of members of the community are important to sustaining pride in the City and fostering connections between and among the residents of the City. In order to be fair and impartial in the recognition process, the Commission shall:

(a) Present certificates of appreciation to:

1. Coaches and members of any team, representing their school, a City-sponsored team or one sponsored by the City's recognized sports organization which has attained achievement or recognition for athletics on a County level or above. All members of the group shall be invited to attend a Commission meeting to be recognized before the entire community. Each member shall be provided an individual certificate of achievement/appreciation.
2. Faculty advisors and/or teachers, group leaders to any group, class or organization from any public school in the Cooper City Innovation Zone or a private school within Cooper City which has attained recognition for achievement on a County level or above.

3. Members of the Teen Council at the conclusion of each year of service.
4. Principals and/or faculty members from any public school in the Cooper City Innovation Zone or private school within Cooper City who have been recognized for achievement on a County level or higher.
5. Recognition of employees for significant contributions to the City and/or its residents.

(b) Present plaques for recognition of:

1. Service as a member of an advisory board or committee upon completion of service.
2. Twenty years' service as a City employee.
3. Retirement from City service by an employee of department head level or higher, or by an employee with twenty years' service or longer.
4. In recognition of official visits by representative of the City's sister city, Killarney, Ireland, or any other such community hereinafter to be so designated by the City Commission.

(c) The Mayor or any individual Commission Member may provide for the City Clerk's issuance of City proclamations without the necessity for Commission action, in accordance with the Proclamation Request form which is attached hereto and incorporated herein as Exhibit "A". The City Commission may, by motion, as adopted from time to time, provide or revise criteria and procedures concerning the issuance of proclamations and may revise the Proclamation Request form accordingly.

- (d) For other achievements, the City shall send a letter of congratulations signed by each and every member of the City Commission.
- (e) To recognize achievements other than those listed above, individual Commissioners may submit a written request for recognition, to be distributed to each member and be voted upon by the Commission as a whole.

1.13 Comments by Members of the City Commission

Each time a member of the City Commission is given an opportunity to speak on an item on the agenda, the commission member shall limit their comments on the item to four (4) minutes.

2.0 General Policies.

2.1 *Naming of City-owned properties, buildings, structures and facilities.* The City Commission may name any property, building, structure or facility owned by the City of Cooper City, subject to the following process and parameters:

- (a) In its sole discretion, the City Commission may involve outside organizations in the process.
- (b) Properties, buildings, structures and facilities shall not be named after living persons.
- (c) Properties, buildings, structures and facilities may be named after people who have died, following a minimum 90-day waiting period.
- (d) Consideration of the following in naming properties, buildings, structures and facilities is encouraged:
 - 1. Historical significance;
 - 2. Geographic identifiers;

3. Natural characteristics, including flora and fauna; and
 4. Individuals making significant, non-financial, humanitarian contributions to the City.
- (e) Any proposal to name a property, building or structure or a facility after a person must be placed on the City Commission's printed agenda at least one month before it is considered for final approval. Community response is to be solicited early in the process and local homeowners' associations or other appropriate community groups should be notified in writing of the proposal and their input solicited.
- (f) This policy shall not apply if the naming rights have been sold or transferred by written agreement or contract approved by Resolution of the City Commission.

2.2 *Keys to Cooper City.* In recognition of the fact that the only Key to Cooper City which has ever been presented was given to the City's founder Morris Cooper shortly before his death, the City Commission has determined that it would not be appropriate to issue or present any further "Keys to Cooper City".

2.3 *Honorary Citizens.* In lieu of keys to the City, when an individual's accomplishments or contributions to the betterment of Cooper City are so noteworthy, or have been of significant duration, the City Commission may honor such persons by naming them Honorary Citizens of Cooper City.

2.4 *Appointment of Advisory Board/Committee members.* Whenever individual appointments (as opposed to a group, such as the Teen Council) are to be made to an advisory board or committee, the Mayor shall first select his/her appointees, followed by the members of the Commission, in order of seniority.

3.0 *Appearance by Telephone.* A member of the Commission may be allowed to participate and vote at a Commission meeting by telephone, subject to compliance with each of the following restrictions and conditions:

(a) The absent member provides written notice to the City Clerk of his or her request to participate at the meeting by telephone at least two (2) hours prior to the start of the meeting.

(b) Participation by the absent member is accomplished via a speaker phone in the Commission chambers, which enables the absent member to participate in discussions held at the meeting, the Commission and audience to hear the absent member and enables the absent member to hear the Commission meeting discussions and proceedings.

(c) Since not physically present at the meeting, the member participating by telephone shall not be counted for purposes of establishing a quorum of the Commission.

(d) Participation by telephone shall not be allowed for attorney- client sessions which are governed by Section 286.011(8), F.S., in order to assure that no unauthorized persons are with an absent member during a closed session.

(e) Participation by telephone shall not be allowed at those quasi-judicial hearings for which the Commission determines that it is required that the absent member be able to see maps and other exhibits which are presented as evidence at the hearing or be able to judge the credibility of witnesses.

(f) Participation by telephone shall not be allowed if the Commission determines that any of the applicable requirements or conditions set forth above are not satisfied or that a restriction which is provided above prohibits participation by telephone.

(g) No member of the City Commission may attend more than three (3) city commission meetings by telephone per year.

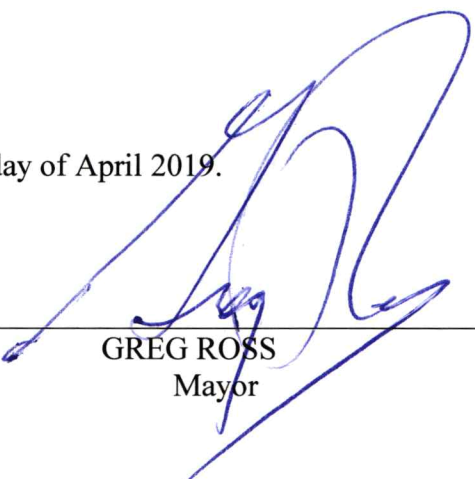
Section 3. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 4. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 5. This Resolution shall become effective upon its passage and adoption by the City Commission.

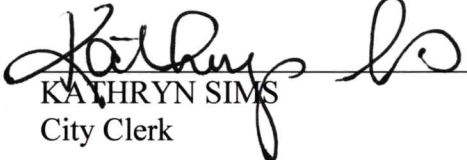
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PASSED AND ADOPTED this 23rd day of April 2019.



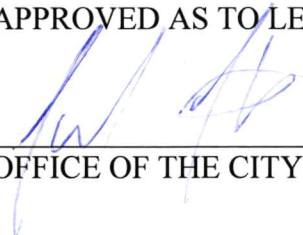
GREG ROSS
Mayor

ATTEST:



KATHRYN SIMS
City Clerk

APPROVED AS TO LEGAL FORM:



OFFICE OF THE CITY ATTORNEY

Roll Call

Mayor Ross
Commissioner Curran
Commissioner Green
Commissioner Meltzer
Commissioner Pulcini

Yes
Yes
Absent
Yes
Yes



Cooper City Commission Meeting Agenda Item Request Form

Commission Meeting/Workshop Date: April 23, 2019

Requesting Department: Commissioner Pulcini/Commission

Subject: Amending Administrative Procedures

Section:

Presentation

Consent

Regular

Discussion

☐☒☐☐

Background and Recommendation (attach backup material to Item Request Form):

Resolution No. 19-4-7 amends Resolution No. 19-1-4, administrative procedures

- to revise Section 1.0 entitled "Meetings" to change adjournment time to 11:00 PM.

General Ledger Account Number(s) and Amount(s):

Approvals:

Finance Director _____

City Manager _____

KG

Meeting
City Clerk _____

[Signature]

*Approved
by Commission
4-23-19*