

## **TOWN OF JUNO BEACH**

### *Rules of Procedure and Town Council Protocols*

#### **A. Policy Statement**

It is Juno Beach Town Council (Council) policy that these Rules of Procedure and Protocols shall govern all official Council meetings and generally promote excellence in local government, characterized by effective and efficient meetings, respectful interactions between and among Town Councilmembers, staff, and the public, and thoughtful consideration of the role of public leadership in maintaining the reputation of Juno Beach as a professional council-manager form of local government.

Councilmembers shall conduct official Town business in a manner consistent with their status in the community as leaders, convenors, and collaborators. Committed to modeling civility, honesty, and integrity in their public and private lives, the Town Council embraces ethical, transparent, and accountable governance.

These Rules of Procedure and Town Council Protocols are intended to provide general rules of engagement for the Council while conducting the business of the Town of Juno Beach, FL. It is understood that there will be extenuating circumstances at times that will mean certain protocols will be waived or adjusted. However, it is also understood that such circumstances should be the exception and not the rule.

Any rule or procedure not covered by these Rules or under applicable law shall be decided upon by the Presiding Officer in accordance with Robert's Rules of Order Revised for Deliberative Assemblies (Current Edition, Henry Robert et al). The Town Attorney shall serve as the Parliamentarian and shall advise and assist the Presiding Officer on matters of parliamentary law and on enforcement of procedural rules.

#### **B. Applicability**

These rules shall apply to all public meetings of the Town Council, the Planning and Zoning Board and any other Town board or committee. Additionally, in accordance with Section 286.0114(3) (a-d), Florida Statutes, the right of public participation shall not apply to the following:

1. An official act that must be taken to deal with an emergency situation affecting the public health, safety and welfare if compliance with these rules and policies would cause an unreasonable delay in the ability of the Council, Board, or Committee to act;
2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3. A meeting that is exempt from Section 286.011, Florida Statutes ("Government in the Sunshine Law"); and

4. An item during which the Council, Board, or Committee is acting in a quasi-judicial capacity, during which different rules and timeframes may be applicable.

### **C. Public Participation Rules**

The Town of Juno Beach welcomes comments from the public, and all members of the public shall be given a reasonable opportunity to make general comments and be heard on items placed on the agenda at any public meeting. Public Comment is intended to foster dialogue in a respectful and civil manner. Any person who makes disrespectful and uncivil remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of a meeting shall, at the discretion of the Presiding Officer, be ordered to yield the floor and may be barred from further participation during that meeting. Public comments are requested to be made with these guidelines in mind.

1. Each speaker shall be given an opportunity to speak for three (3) minutes during the public comment portion of the meeting or to address a particular agenda item. This time may be extended by the Presiding Officer; however, speakers may not yield their allotted time to another speaker.
2. All speakers are recommended to complete a comment card, indicating whether they wish to speak during the public comment portion or address a specific agenda item, and hand the comment card to the Town Clerk. Any person wishing to participate electronically shall contact the Town Clerk no later than noon on the day of the meeting to receive the log in instructions.
3. When called to speak by the Presiding Officer or Town Clerk, the speaker shall step up to one of the podiums. Speakers participating electronically will be notified by the Town Clerk when to begin speaking. Each speaker shall identify him or herself by name and address. The speaker shall state if he or she is speaking on behalf of a group or organization and identify the group or organization.
4. Any person wishing to address an item not on the agenda or on the consent agenda shall speak under the public comment portion of the meeting.
5. Members of the Council, Board, or Committee should either withhold comments or address comments during the Council, Board, or Committee comment portion of the agenda. The Council may request that the Town Manager take action on requests or comments made by members of the public.
6. There is no right to public participation at a Workshop or Work Session. Public participation during such meetings may be permitted at the discretion of a majority vote of the Town Council, Board, or Committee.

#### **D. Decorum Rules**

1. All Town meetings shall be conducted in an orderly and businesslike manner. All participants and attendees shall be treated with respect.
2. The Town shall adhere to the following norms of civility:
  - a. A person who has the floor shall be permitted to speak without interruption, whether by other participants or attendees, unless addressed by the Presiding Officer pursuant to subsection F below.
  - b. Speakers shall refrain from impertinent or slanderous comments, defined as comments that are immaterial to official Town business, and which tend to impugn the reputation of the person about whom the comment is made.
  - c. A speaker's tone of voice and word choice shall be appropriate for a formal, civic meeting. The use of gratuitous profanity or the making of abusive or threatening comments shall not be tolerated.
  - d. No person shall engage in disruptive behavior, such as calling out from the audience, clapping, booing, or whistling.

#### **E. Enforcement of Procedural Rules**

1. Should the Presiding Officer determine that the Rules of Procedure have been violated, the Presiding Officer may interrupt the meeting and give the violator a verbal warning to cease such conduct. The Presiding Officer may inform the violator that any subsequent violations may result in his or her removal from the meeting.
2. Following the issue of a verbal warning, should the Presiding Officer determine that the Rules of Procedure have again been violated by the same person at the same meeting, the Presiding Officer may direct the violator to leave the meeting. In the event the violator is requested to leave and refuses, the Presiding Officer may recess the meeting and direct Town law enforcement personnel to assist.
3. Any determination by the Presiding Officer regarding enforcement of the Rules of Procedure may be overruled by a majority of the Councilmembers, Boardmembers, or Committee Members present at the meeting.

#### **F. Duties and Responsibilities of the Presiding Officer**

1. The Mayor shall be the Presiding Officer of the Town Council. In case of the absence or inability of the Mayor, the Vice Mayor shall assume the responsibilities of the Presiding Officer, and if both are absent or unable, the Vice Mayor Pro Tem shall preside.

2. The Presiding Officer shall preserve order. The Presiding Officer may call to order any member of the Town Council or any member of the public who may violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Presiding Officer shall decide all questions of order subject to a majority vote on an appeal of the decision.
3. The Presiding Officer shall recognize all Councilmembers who seek the floor when entitled to do so.
4. The Presiding Officer will represent the Council and its consensus policies at meetings, conferences, or other occasions involving other governmental entities, agencies, officials or groups, or nongovernmental organizations, departments, agencies or officials, and report back to the Council anything of significance.
5. The Presiding Officer has the power to call for a recess not to exceed ten (10) minutes. Recesses requested by any other Councilmembers require a majority vote of Council.

#### **G. General Meeting Procedures (Order of Business)**

1. The order of business for a regular meeting shall ordinarily be:
  1. Call to Order
  2. Pledge Allegiance to the Flag
  3. Additions, Deletions, Substitutions to the Agenda
  4. Presentations
  5. Comments from the Town Manager, the Town Attorney, and Staff
  6. Comments from the Public
  7. Consent Agenda
  8. Council Action/Discussion Items
  9. Comments from the Council
  10. Adjournment
2. The order of business may be revised by a majority vote.
3. Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.

#### **H. Agenda Procedures**

1. Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than 4PM Wednesday, one (1) week prior to the regularly scheduled Town Council meeting.

For all Special Meetings, Workshops, or Work Sessions of the Town Council, the agendas with supporting documents will be distributed one (1) week prior.

2. If a Councilmember wishes to add an item to a future agenda, a majority agreement of the Council is required. If approved, the requesting Councilmember must submit a memorandum and any supporting documentation to staff by the established agenda submittal deadline.
3. Agenda submittal deadline: The deadline for submitting items for inclusion on the agenda shall be no later than 12PM on Monday prior to the agenda distribution deadline.
4. All Agenda items with supporting documentation shall be reviewed and approved as deemed appropriate by the Town Manager or his/her designee.

#### **I. Scheduling of Meetings, Workshops, and/or Work Sessions**

1. Regular meetings of the Town Council shall be held on the fourth Wednesday of each month at 5PM in the Council Chambers, Town Center, 340 Ocean Drive, Juno Beach, Florida, unless otherwise specified, and must conclude by 10PM in accordance with Ordinance No. 759.
2. If a regular meeting date falls on a holiday, the meeting shall be held in the same location on either the second Wednesday of the month, or on a date specified and agreed upon by the Town Council.
3. Special Meetings may be held on the call of the Mayor or of a majority of the members and in the absence of a state of emergency. Notice of Special Meetings shall be given to each Council member and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Town Council is absent from the Town or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the Special Meeting. The Town Council may act on any matter presented at the Special Meeting unless prohibited by the Town Charter or by rules established by the Town Council. Public participation shall occur consistent with these rules and applicable law. Special meetings shall be held in the Council Chambers at Town Center, 340 Ocean Drive, Juno Beach, Florida, or at such other location within the Town as may be designated in the notice of the meeting, beginning at a time to be specified in the notice of the Special Meeting.
4. Workshops must be approved by a majority vote of the Town Council in order to be scheduled. They are intended to address a single topic, typically one that is time-sensitive or requires in-depth review. Council deliberation should remain confined to the matter at hand. No official action may be taken by the Town Council during a Workshop. All Workshops shall be limited to a maximum duration of four (4) hours.
5. Work Sessions require approval by a majority vote of the Town Council and any topic may be discussed during a Work Session. Because Work Sessions are for Councilmembers to discuss particular matters prior to initiating formal action or public engagement, no official action of the Town Council shall be taken at Work Sessions, and no public participation

shall occur unless authorized by majority of the Town Council. All Work Sessions shall be limited to a maximum duration of four (4) hours.

6. Emergency Meetings can be called by the Town Manager or Mayor in his/her opinion if an emergency exists requiring immediate action by the Council. Whenever an Emergency Meeting is called, the Mayor and/or Town Manager shall notify the Clerk, who will inform each Councilmember in writing or verbally of the date, time, and place, as well as the emergency purpose for which it is called; no other business shall be transacted in that meeting. At least twenty-four (24) hours shall elapse between the time the Clerk receives notice of the meeting and the time the meeting is to be held. If because of the nature of the emergency it is not possible to give notice to each Councilmember, or it is impossible to allow twenty-four (24) hours to elapse between the time the Clerk receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting if a quorum is in attendance. Reasonable public notice of any Emergency Meeting sufficient to comply with Section 286.011, Florida Statutes, shall be given. In those instances where there is a Town meeting subject to Section 286.011, Florida Statutes, scheduled due to an emergency, and it is not possible to post the notice within the time frames set forth in the Town Code and/or herein, the Town shall be required to post the notice on the Town's website at the earliest practicable time. In the written notice calling the Emergency Meeting, the Town Manager shall include a detailed statement explaining the emergency nature of the meeting.

## **J. Motions and Debate**

1. With the exception of quasi-judicial matters, items before the Council, Board, or Committee shall be commenced by the presentation by a member of Staff (unless the item is initiated by a Councilmember, Boardmember, or Committee Member), followed by public comment. Once the Presiding Officer closes public comment, public comment shall not be reopened unless the Presiding Officer or a majority of the Council, Board, or Committee votes to do so. After the discussion of the item by the Council, Board, or Committee, the Presiding Officer shall call for a motion. In order for a motion to proceed to discussion, it must receive a second which shall be requested by the Town Clerk. If no second is provided, or if discussion begins prior to a second, the motion is deemed to have failed. Once any discussion on the motion has concluded, the Presiding Officer shall call for a vote on the motion. The Town Clerk will conduct a roll call.
2. The Presiding Officer may make or second a motion only after temporarily passing the gavel to the next highest-ranking officer of the Council, Board, or Committee. If that individual is absent, the gavel shall be passed to the highest-ranking officer. Once the motion has been seconded, the Presiding Officer shall resume his or her role by reclaiming the gavel.
3. When engaging in discussion, each Councilmember, Boardmember, or Committee Member shall be allotted three (3) minutes to address the item under consideration. Following this, a motion must be made and seconded before further discussion may

proceed. A Councilmember, Boardmember, or Committee Member shall address the Presiding Officer and await recognition before speaking again on an item.

4. Motions may be withdrawn and modified by the maker (with the consent of the member who seconded the motion) at any time prior to a vote. During the discussion of a motion, a Councilmember, Boardmember, or Committee Member may make a motion to amend. If the motion to amend is seconded, the Council, Board, or Committee shall first vote on the motion to amend and then vote on the original motion (as may be amended).
5. No member of the Council, Board, or Committee who is present at any meeting at which an official action is taken may abstain from voting except when there is a possible conflict of interest pursuant to Chapter 112, Florida Statutes, or the Palm Beach County Code of Ethics. In such cases, the Councilmember, Boardmember, or Committee Member shall comply with all applicable disclosure requirements.
6. A motion that receives a tie vote fails. The failure of a motion in the negative (such as a motion to deny) shall not constitute an approval.
7. If a Councilmember wishes to share information through a presentation, all related materials must be submitted by Friday at 12PM following the agenda distribution date.
8. Any member of the Town Council on the prevailing side may move to reconsider any action of the Town Council provided that new relevant information is presented to the Town Council and the motion is made at the following Town Council meeting. No motion to reconsider shall be made more than once on any subject or matter.

## **K. Town Council Code of Conduct**

Goal Statement: The Code of Conduct describes the way members of the Town Council should treat each other, members of Town staff, constituents, and others when representing the Town of Juno Beach. *The Code of Conduct represents aspirational goals that guide Councilmembers toward the highest principles of governance. Although this Code does not represent a body of enforceable rules*, the Code should be considered by Councilmembers when arriving at an ethical course of action and course of behavior – each of which should be worthy of the public’s trust in government and the high office to which each Councilmember has been entrusted.

The consistent theme through this Code of Conduct is respect. Elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each Councilmember and others through words and actions is the “North Star” that guides Councilmembers to do the right thing, even in difficult situations.

### **A. Guiding Principles and Commitments**

To promote public trust and faith in local government, Councilmembers agree to abide by the guiding principles and commitments contained herein.

## B. Public Meeting Decorum

Councilmembers will:

1. Prepare in advance for all Council meetings by reviewing agenda materials, including speaking with community members, and becoming familiar with issues. Preparation includes taking advantage of opportunities to meet with the Town Manager and staff to ask questions and/or request additional information to support informed decision making and efficient public meetings.
2. Embrace a philosophy of “no surprises,” including alerting the Town Manager in advance of important questions planned to be asked during a meeting so that staff can be prepared to provide the Council and public the desired information at the Council meeting.
3. Request the floor from the Presiding Officer before speaking, excepting Points of Order, and refrain from interrupting or otherwise disturbing another Councilmember who has the floor.
4. Honor and respect the role of the Presiding Officer in maintaining order.
5. Refrain from personal attacks, comments, or innuendo directed toward other Councilmembers, Town staff, or members of the public.
6. Respect the Autonomy of Appointed Boards and Committees: Councilmembers should refrain from speaking in meetings of other Town boards or committees. These appointed bodies are entrusted with the responsibility of providing independent recommendations for Council consideration.
7. Fully participate in all Council meetings, either in person or via zoom, and practice civility, professionalism, and respect in all discussions and debates.
8. Councilmembers shall ensure that all comments pertain to the topic under discussion and focus on the facts of a decision, including any applicable legal parameters.
9. Make the public feel welcome, avoiding any form of disrespect toward an individual participating in a public meeting. To that end, members of the Town Council will:
  - a) Actively listen to speakers;
  - b) Ask for clarification with the consent of the Presiding Officer, but avoid debate and argument with members of the public; and
  - c) Be mindful of one’s tone and body language.



10. Refrain from using cellular phones or any other type of audible device in a manner that would be disruptive to other members of the Council or members of the public.

### C. Conduct Outside of Public Meetings

To support trust and confidence in local government, adhere to the professionalism standards mandated by the council-manager form of government, and promote the dissemination of official public information that is clear, consistent, and accurate, Councilmembers recognize and value the importance of maintaining the following standards of conduct and communication protocols.

Councilmembers will:

1. Not make derogatory personal comments about other Councilmembers, Town Staff, members of the public, or members of any Town related board, through the dissemination of written materials, including newsletters, blogs, or similar.
2. Curate any personal newsletter, blog, or similar, such that content only incorporates the official decisions and positions of the Town Council and excludes individual opinions, personal commentary, or statements that may be perceived as insulting or demeaning, sarcastic, defamatory, or disparaging to others. Any personal newsletter, blog, or similar must contain a statement that these are the opinions of the writer only and not intended to be the official opinion of the Town or Council.
3. Avoid contemporaneous communications in order not to violate the Sunshine Law. If an individual Councilmember nonetheless sends an email to the Council as a whole, no Councilmember will use “reply all,” but may direct a private response to the Town Manager and/or Town Attorney.
4. Recognize that their official Town e-mail is the appropriate mechanism for communicating by email with members of the public and further understand that they are personally responsible for maintaining records of all communications that are conducted on a platform other than their Town e-mail, including all text messages.
5. Shall not make any official statements, representations, or inquiries to any public or private agency on behalf of the Town Council without specific authorization from the Council.
6. Members of the Town Council are free to take public positions on local, county, state, and federal political issues. Similarly, members of the Town Council have the option to endorse candidates for local, county, state, and federal office.
7. Comply with the following prohibitions set forth in Article IV, Section 6 of the Town Charter:

- a. Appointment and removals. Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any town administrative officers or employees whom the manager or any subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss with the manager anything pertaining to the appointment and removal of such officers and employees.
  - b. Interference with administration. Except for the purpose of inquiries and investigations, the Council or its members shall deal with town officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the Council nor its members shall give orders to any such officer or employee either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the Council from closely scrutinizing all aspects of town government operations so as to obtain independent information. It is the express intent of this charter, however, that recommendations for improvement in town government operations by individual Councilmembers be made to and through the Town Manager, so that the manager may coordinate efforts of all town departments to achieve the greatest possible savings through the most efficient and sound means available.
8. Direct non-routine questions or requests of Town staff to the Town Manager and he/she will direct staff, as may be appropriate. Any commentary on staff performance or personnel issues shall only be directed to the Town Manager without a copy to staff. In communicating directly with Town staff, Councilmembers should:
- a. Avoid directing new staff work or assignments – requests to create or modify work products should first be directed through the Town Manager, without a copy to staff.
  - b. Avoid the impression of supervisory tone, e.g., critiquing professional skills or abilities would not be appropriate.
  - c. Avoid using one's position to influence staff actions, decisions, work products, work prioritization, etc.
9. The Town Manager may seek a Council consensus at a regular meeting prior to initiating staff response to any Councilmember's request involving substantial staff time to complete, or if the request deviates from prior Council direction. Routine operational questions may be presented directly to staff.

#### **L. Amendment or Waiver of Rules**

These Rules of Procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida Law, the Town Charter, or an ordinance of the Town.