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RESOLUTION NO. 25-2021 OF THE CITY OF LAKE WORTH BEACH,
FLORIDA, AMENDING THE RULES OF PROCEDURE FOR LAKE
WORTH BEACH CITY COMMISSION; REPEALING ALL RESOLUTIONS
IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in 2004, the City Commission adopted rules of procedure for City Commission meetings, which have been amended for a variety of reasons over time (see Resolutions 05-2004, 26-2006, 48-2007, 49-2007, 32-2008, 06-2009, 33-2009,04-2011, 14-2011, 05-2012, 17-2012, 09-2013, 56-2013, 59-2015, 26-2017 and 46-2018); and,

WHEREAS, the City Commission desires to amend its rules of procedure to address, absent member participation; Commission minutes; delete Rule 13 and reserve for future consideration; include the invocation amendment (Resolution No. 59-2015); and, make other revisions to update the rules consistent with current practice and address inconsistencies therein; and

WHEREAS, the City Commission recognizes that over time further revisions may be needed to the rules of procedure to address issues as they arise; and

WHEREAS, the City Commission finds the revisions to the City Commission’s rules of procedure as set forth in this Resolution are necessary to maintain orderly conduct of all City Commission meetings and serve a valid public purpose.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The foregoing recitals are hereby incorporated into this resolution as true and correct statements.

Section 2. The City Commission’s adopted Rules of Procedure for the Lake Worth Beach City Commission are amended as follows (added language is underlined and deleted language is struck-through):

RULES OF PROCEDURE
LAKE WORTH BEACH CITY COMMISSION

RULE 1
SCHEDULING OF MEETINGS AND WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Chambers, at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida, and beginning at 6:00 PM.

48 If a regular meeting date falls on a holiday, the meeting shall be held in the
49 Commission Chambers, at City Hall on the next day immediately following the
50 holiday, beginning at 6:00 PM.

51
52 The City Commission may cancel not more than one regular meeting in any
53 month.

54
55 (2) Electric Utility meetings of the City Commission shall be held on the last
56 Tuesday of each month, in the Commission Chambers, at City Hall, 7 North
57 Dixie Highway, Lake Worth Beach, Florida beginning at 6:00 PM. If an Electric
58 Utility meeting date falls on a holiday or conflicts with the need for a regular or
59 special meeting of the City Commission, the Electric Utility meeting may be re-
60 scheduled to another date ideally during the last week of the month or the
61 Electric Utility meeting may be cancelled. Electric Utility matters may be heard
62 at regular and special meetings of the City Commission. Except as set forth
63 herein, the Electric Utility meetings shall follow the same format, procedure and
64 have the same rules of procedure as a regular meeting of the City Commission.

65
66 (3) A special meeting of the City Commission to canvass ballots shall be held as
67 required by the City Charter. Other special meetings may be called by a majority
68 of the members of the City Commission or by the Mayor. Notice of special
69 meetings shall be given to each Commissioner¹ and to the public at least twenty-
70 four (24) hours in advance except for emergency meetings. If the Mayor or a
71 member of the Commission is absent from the City or otherwise beyond reach
72 of actual notice, failure to give such notice shall not prevent the convening of
73 the special meeting. The City Commission may act on any matter presented at
74 the special meeting unless prohibited by the City Charter or by rules established
75 by the City Commission. Special meetings shall be held in the Commission
76 Chambers or Commission Meeting Room at City Hall, 7 North Dixie Highway,
77 Lake Worth Beach, Florida, or at such other location within the City as may be
78 designated in the notice of the special meeting, beginning at a time to be
79 specified in the notice of the special meeting.

80
81 (4) Work Sessions of the City Commission may be called by a majority of the
82 members of the City Commission or by the Mayor, and any matter may be
83 discussed or studied at a work session. Any matter that appears likely to take
84 more than thirty (30) minutes shall be discussed or studied at a work session
85 prior to official action of the City Commission, unless this requirement is waived
86 by a majority vote. No official action of the City Commission shall be taken at a
87 work session. All work sessions shall end at 10:00 PM. At 10:00 PM, the City
88 Commission shall cease further discussion on the business on the table and,
89 upon a majority consensus of the City Commission present, determine whether
90 to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct
91 the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended
92 one hour, upon a majority consensus of the City Commission present. All
93 meetings shall adjourn automatically at 12:00 AM.

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95 (5) "District Public Forums" **may** be held by the City Commission on a quarterly
96 basis beginning in October 2021, one to be held in each district of the City on
97 a rotating basis. Notice of such meetings shall be posted no less than 14 days
98 before each meeting. No official action shall be taken at these meetings.
99

100 (6) All regular and special meetings shall end at 10:00 PM. At 10:00 PM. the City
101 Commission shall cease further discussion on the business on the table and,
102 upon a majority vote of the City Commission present, determine whether or not
103 to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct
104 the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended
105 one hour, upon a majority vote of the City Commission present. All meetings
106 shall adjourn automatically at 12:00 AM.
107

108 Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall
109 not be waived, except where such waiver is expressly permitted in paragraph (34) of Rule
110 1 (regarding the 30 minute limitation on discussions), and shall only be amended by
111 resolution.
112

113 **RULE 2**
114 **QUORUM**
115

116 A majority of the City Commission shall constitute a quorum; a smaller number may
117 adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or
118 motion shall be adopted except by the affirmative vote of at least three members of the
119 City Commission.
120

121 **RULE 3**
122 **ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE**
123

124 Up to two (2) members of the City Commission, who are physically absent due to
125 extraordinary circumstances, may participate through electronic means in a City
126 Commission work session or meeting and vote in a meeting if a quorum of the
127 Commission is physically present at the meeting or work session location.
128

129 ~~A member of the City Commission who is absent due to extraordinary circumstances may~~
130 ~~participate and vote by telephone conference in a Commission meeting where there is a~~
131 ~~physical quorum present at the physical meeting site, with such extraordinary~~
132 ~~circumstances being the following:~~

- 133
- 134 ~~1. Serious illness;~~
 - 135
 - 136 ~~2. Receiving medical treatment; or~~
 - 137
 - 138 ~~3. Unable to attend due to being physically disabled.~~
 - 139

140 ~~provided that no more than one (1) member of the City Commission may so participate in~~
141 ~~any City Commission meeting.~~
142

**RULE 4
DUTIES AND RESPONSIBILITIES OF THE “CHAIR”**

- 143
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145
146 (1) The Mayor shall be the presiding officer of the City Commission, and shall be
147 referred to as the “Chair” when sitting in that capacity. In case of the absence
148 or the disability of the Mayor, the Vice Mayor shall assume the responsibilities
149 of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro
150 Tem shall preside.
151
152 (2) The Chair shall preserve order. The Chair may call to order any member of the
153 Commission and any member of the public who shall violate any of these rules
154 or otherwise disrupt the orderly proceeding of the meeting. The Chair shall
155 decide all questions of order subject to a majority vote on an appeal of the
156 decision.
157
158 (3) The Chair shall recognize all Commissioners who seek the floor while entitled
159 to do so.
160
161 (4) The Chair shall not make or second a motion.
162

**RULE 5
ORDER OF BUSINESS**

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166 (1) The order of business for a regular meeting shall ordinarily be:
167
168 1. Roll Call
169 2. Invocation or Moment of Silence
170 3. Pledge of Allegiance
171 4. Agenda-Additions/Deletions/Reordering
172 5. Presentations
173 6. Commission Liaison Reports and Comments
174 7. Public Participation on Non-Agendaed Items and Consent Agenda
175 8. Approval of Minutes
176 9. Consent Agenda
177 10. Public Hearings
178 11. Unfinished Business
179 12. New Business
180 13. Lake Worth Beach Electric Utility
181 14. City Attorney’s Report
182 15. City Manager’s Report
183 16. Upcoming meetings and work sessions
184 17. Adjournment
185
186 (2) The order of business may be revised by a majority vote.
187
188 (3) Matters may be placed on the agenda by any Commissioner, the City Manager,
189 or the City Attorney.
190

- 191 (4) Except for matters advertised for public hearing, any matter may be removed
192 from an agenda by the person who placed it on the agenda or by a majority
193 vote.
- 194
- 195 (5) When a matter comes before the Commission that directly affects one election
196 district, the Commissioner from that district shall have the privilege of both
197 expressing his or her views and making a motion on that matter first.
- 198
- 199 (6) Matters may be placed under Presentations by any Commissioner or the City
200 Manager.
- 201
- 202 (7) The Invocation or Moment of Silence shall be offered by the Mayor or a member
203 of the Commission on a rotating basis. The Mayor or Commissioner whose turn
204 it is to deliver the invocation or moment of silence may designate another
205 individual to deliver the invocation on their behalf. Any individual who delivers
206 the invocation shall not denigrate nonbelievers or religious minorities, threaten
207 damnation, or preach conversion. Any individual who delivers the invocation is
208 encouraged to be respectful in tone.
- 209

**RULE 6
DEBATE OF MOTIONS; VOTING**

- 210
- 211
- 212
- 213 (1) When debating or discussing a motion, a Commissioner shall address the Chair
214 and await recognition before speaking. The Commissioner making a motion is
215 entitled to the floor first for debate. No Commissioner is entitled to the floor a
216 second time on the same motion as long as any other Commissioner who has
217 not spoken on the issue desires the floor.
- 218
- 219 (2) Motions and amendments can be withdrawn or modified by the maker at any
220 time prior to the Chair's stating the question on the motion; after that time, the
221 permission of the Commission majority must be obtained. The Chair cannot
222 close debate as long as any member who has not exhausted his right to debate
223 desires the floor.
- 224
- 225 (3) Members of the ~~audience~~ public are permitted to ~~participate~~ speak upon opening
226 of the floor for public comment by the Chair, during Public Participation on Non-
227 Agendaed Items and Consent Agenda (No. 6 above) and during each item on
228 all issues of Public Hearing (No. 10 above), Unfinished Business (No. 11
229 above), and New Business (No. 12 above).; Under the Lake Worth Beach
230 Electric Utility portion of a regular Commission meeting (No. 13 above), the
231 public are permitted to participate upon opening of the floor for public comment
232 by the Chair during Consent Agenda and during each item of Unfinished
233 Business and New Business. The time shall be limited to three (3) minutes per
234 public participant for Public Participation on Non-Agendaed Items and Consent
235 Agenda (No. 6 above). The time shall be limited to two (2) minutes per public
236 participant on all issues of Public Hearing (No. 10 above), Unfinished Business
237 (No. 11 above), and New Business (No. 12 above). Under the Lake Worth
238 Beach Electric Utility portion of a regular Commission meeting (No. 13 above),

~~the time shall be limited to three (3) minutes for the Consent Agenda and two (2) minutes for Unfinished Business and New Business. on all issues of Public Hearing, Unfinished Business, and New Business and the time shall be limited to two minutes per speaker. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment, the time shall be limited to three minutes per speaker. During a public hearing, the applicant recognized parties shall have ten minutes to make his or her presentations shall be limited to ten minutes each but the time may be extended to permit questioning of the applicant or the applicant's witnesses.~~

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

**RULE 7
NON-DEBATABLE MOTIONS**

The following motions are not debatable:

- To adjourn;
- To lay on the table;
- To take from the table;
- To divide a question;
- To close or re-open nominations;
- To take a recess;
- A point of information;
- An appeal of a decision of the Chair;
- The previous question.

**RULE 8
RECONSIDERATION**

287
288 Any member of the Commission may move to reconsider any action of the
289 Commission provided that new relevant information is presented to the Commission
290 and the motion be made by the next regular Commission meeting. No motion to
291 reconsider shall be made more than once on any subject or matter.
292

293 **RULE 9**
294 **COMMISSION MINUTES**
295

296 Copies of the minutes of the regular meetings shall be furnished, when possible, at
297 least ~~five~~^{seven} days prior to the next regular meeting. Such minutes shall stand
298 confirmed at the regular meeting of the Commission without the reading thereof in
299 open meeting unless some inaccuracy or error is pointed out by some member of the
300 Commission present, and in such event, an appropriate correction shall be made.
301 Upon request, the City Manager will cause the City Clerk to provide any Commissioner
302 with access to Commission meeting recordings ~~copies of tapes~~ or transcribed
303 excerpts ~~of tapes~~ of City Commission meetings. No member shall suggest to the City
304 Clerk any revision in minutes of meetings before the same shall have been submitted
305 to the full Commission for approval, unless specifically requested by the Clerk to make
306 clarification.
307

308 **RULE 10**
309 **ADOPTION OF ROBERT'S RULES OF ORDER**
310

311 Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the
312 City Commission, but such Rules shall not take precedence over any provision of
313 Florida law, the City Charter, an ordinance or resolution of the City, or these rules,
314 which shall govern in the event of conflict. A failure to comply with Robert's Rules of
315 Order or these rules shall not affect the validity of any action taken by the City
316 Commission.
317

318 **RULE 11**
319 **AMENDMENT OR WAIVER OF RULES**
320

321 These rules of procedure may be amended or waived by a majority vote, provided that
322 no such amendment shall conflict with any applicable provision of Florida law, the City
323 Charter, or an ordinance of the City.
324

325 **RULE 12**
326 **AGENDA PROCEDURES**
327

- 328 (1) Agenda submittal deadline: The deadline for submitting items for inclusion on
329 an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a
330 regularly scheduled Commission meeting.
331
332 (2) Agenda distribution deadline: The deadline for distributing a final agenda with
333 supporting documents shall be no later than Thursday, the week prior to a
334 regularly scheduled City Commission meeting.

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For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no additions ~~changes, revisions or alterations (add-ons)~~ to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting an addition to the distributed ~~a change, revision or alteration (add-on)~~ to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the addition ~~change, revision or alteration (add-on)~~ shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the addition ~~matter~~ requested.

**RULE 13
PRESERVE ORDER**

~~Intentionally deleted and reserved for future consideration. City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.~~

**RULE 14
DECORUM FOR CITIZEN PARTICIPATION**

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
 - (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
 - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.

381 (b) In an effort to preserve the intent of open government and maintain a positive
382 environment for citizen input and Commission decision-making, the following Rules of
383 Decorum for Citizen Participation have been established.

384
385 Compliance with these rules is expected and appreciated. The Rules of Decorum for
386 Citizen Participation will ~~be referenced~~included in the agenda and ~~will be referenced~~
387 ~~at the beginning of each Commission meeting and Commission Work Session by the~~
388 ~~Chair.~~ A written list of the Rules of Decorum for Citizen Participation will also be printed
389 and mounted upon the walls of the Commission Chamber and Conference Room and
390 ~~referenced on comment cards utilized upon the speaker's podium in the Commission~~
391 ~~Chamber.~~

- 392
- 393 (1) Speakers will conduct themselves in a civil and respectful manner at all times.
 - 394
 - 395 (2) Speakers will address the Chair.
 - 396
 - 397 (3) Questions to Commission members or City staff will be facilitated by the
 - 398 Chair.
 - 399
 - 400 (4) Speakers will refrain from the use of obscene language, "fighting words" likely
 - 401 to incite violence from the individuals(s) to whom the words are addressed or
 - 402 other language that is disruptive to the orderly and fair progress of discussion
 - 403 at the meeting.
 - 404
 - 405 (5) Speakers will refrain from making comments of a personal nature regarding
 - 406 others.
 - 407
 - 408 (6) Name-calling and/or obscenity is forbidden.
 - 409
 - 410 (7) Shouting, yelling or screaming is forbidden.
 - 411
 - 412 (8) Commission Work Session or Public Hearing attendees (audience) will refrain
 - 413 from commenting, shouting, booing, clapping, stomping feet or other
 - 414 inappropriate and/or disruptive behavior. Brief clapping is permissible at the
 - 415 end of a speaker's comments.
 - 416

417 (e) It is the intent of Commission to maintain order and enforce the Rules of Decorum
418 for Citizen Participation for its meetings. Disregard of these rules will be met with
419 the following consequences:

- 420
- 421 (1) The Chair will identify out loud the out-of-compliance behavior and request
 - 422 for the behavior to stop;
 - 423
 - 424 (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt
 - 425 the meeting;
 - 426
 - 427 (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
 - 428

429 (4) Will instruct a law enforcement officer to instruct the speaker to stop the
430 disruptive conduct and escort the speaker out of the meeting venue.
431

432 **Section 3.** All resolutions in conflict herewith are hereby repealed.
433

434 **Section 4.** This resolution shall become effective upon its adoption.
435

436 The passage of this resolution was moved by Commissioner _____ seconded
437 by _____, and upon being put to a vote, the vote was as follows:
438

- 439 Mayor Betty Resch
- 440 Vice Mayor Herman Robinson
- 441 Commissioner Sarah Malega
- 442 Commissioner Christopher McVoy
- 443 Commissioner Kim Stokes
- 444

445 The Mayor thereupon declared this resolution duly passed and adopted on this
446 18th day of May 2021.
447

448
449 LAKE WORTH BEACH CITY COMMISSION
450

451
452 By: _____
453 Betty Resch, Mayor
454

455 ATTEST:
456
457
458 _____
459 Deborah M. Andrea, CMC, City Clerk