

EXHIBIT 1

CITY COMMISSION RULES OF PROCEDURE

Revised 6-15-2010, Resolution 10-49

Revised 2-2-2016, Resolution 16-08

SECTION 1. APPLICABILITY/SCOPE.

- 1.1** **Scope.** Consistent with the requirements of Chapters 125, 166, and 286 of the Florida Statutes, and other applicable law, the City Commission of the City of Treasure Island has adopted these rules to govern its meetings, hearings, and workshops. While encouraging appropriate public participation and an informal and civil atmosphere, the Commission intends to retain the structure and decorum required for the orderly, efficient and professional conduct of business. The purpose of these rules are to provide procedures which will be convenient for the public, fair to all members of the City Commission and contribute to the orderly conduct of City business.
- 1.2** **Matters for City Commission Consideration.** Any matters that relate to the Commission's duties, authority of powers under Chapter 166 of the Florida Statutes, or other applicable law or which relate to the City of Treasure Island's property or legal or financial interests, or the public health, safety, welfare, or morals of the City of Treasure Island may be brought before the Commission for appropriate consideration or action.

SECTION 2. PRESIDING OFFICER – ELECTION AND DUTIES.

- 2.1** **Presiding Officer.** The presiding officer of the Commission shall be the Mayor, or in the Mayor's absence, the Vice-Mayor. At the first Commission meeting after each regular city election, the Commission shall elect one of its members to serve as vice-mayor. The presiding officer shall preserve strict order and decorum at all Commission meetings. The Presiding officer shall state questions coming before the Commission, announce its decisions on all subjects, and decide all questions of order; subject, however, to an appeal to the City Commission as a whole, in which event a majority vote of the Commission members present shall govern and conclusively determine such question of order.
- 2.2** **Call To Order.** The Mayor, or in the Mayor's absence, the Vice-Mayor, shall call the Commission to order. In the absence of the Mayor and the Vice-Mayor, the Commission member present who has served longest shall be designated the Acting Mayor and shall perform the duties of the Mayor. Upon arrival of the Mayor or Vice-Mayor, the temporary Presiding Officer shall immediately relinquish the chair upon the conclusion of the business immediately before the Commission.
- 2.3** **Adjournment.** At the conclusion of business, the Presiding Officer shall call for a motion to adjourn the meeting. Alternatively, the Presiding Officer may inquire

whether there is any further business to come before the Commission and if no one speaks, may adjourn the meeting.

SECTION 3. MEETINGS.

- 3.1 Public Participation.** All meetings of the City Commission, whether regular, workshop or special, shall be open to the public, with the exception of a closed executive session as authorized by State law.
- 3.2 Public Notice.** All meetings where two or more commissioners are anticipated to be present to discuss city business shall be noticed and recorded in accordance with State law.
- 3.3 Day, Time and Place of Meetings.** The City Commission shall conduct its regular and workshop meetings on the first and third Tuesday of every month and may be cancelled or rescheduled by motion. When the day fixed for any meeting of the Commission falls upon a date designed by law as a legal or national holiday or shall fall upon some commemorative day designed locally or upon a day of local emergency, such meeting shall be canceled or held at a date and time agreed upon by the City Commission. Regular, workshop and special meetings shall be held in the City Auditorium, 120 108th Avenue, or in some other duly designated place.
- 3.4 Special Meetings.** A Special meeting or workshop may be called by the Mayor, the Vice-Mayor in the Mayor's absence, or a majority of the Commissioners upon at least 12 hours' written or verbal notice to each member, served personally or left at his usual place of business or abode. The requirement of notice may be waived if all members of the Commission are present at roll call of the special meeting or workshop. Notice of the meeting shall specify the purpose of the meeting. All members of the Commission shall receive immediate notification by telephone or other electronic or manual means of any change of special meeting or workshop date or time.
- 3.5 Emergency Meetings.** An emergency meeting may be called by the Presiding Officer. An emergency meeting may be called only when the person calling the meeting believes that a situation exists that may involve serious consequences and that requires immediate consideration or action by the Commission. Whenever such emergency meeting is called, the City Manager, if he or she is unavailable, the City Clerk or Deputy City Clerk or Chief of Police, shall make a diligent and good faith attempt to notify each Commission Member, the Clerk, the City Attorney, any person entitled to notice as a matter of law, and the press stating the date, hour, and place of the meeting, the nature of the emergency, and the purpose(s) for which the meeting is being called. The notice shall be in writing if possible. No other business shall be transacted at the meeting, and the minutes of each emergency meeting shall include the nature of the emergency and the record of notice.

- 3.6 Workshops.** Workshop meetings of the Commission are held for the purpose of the Commission being informed on and discussing matters which may come before them for consideration at a regular or special meeting.
- 3.7 Executive Sessions.** The City Commission may hold closed executive sessions as authorized by law, including but not limited to litigation meetings (§ 286.011(8), Fla. Stat.), risk management meetings (§286.028 (16), Fla. Stat.), and collective bargaining meetings (§ 447.605, Fla. Stat.).
- 3.8 Quorum.** A quorum exists only when a majority of the Commission Members are physically present. Unless otherwise provided by law, a majority vote, where a quorum is present, constitutes action of the Commission. In the absence of a required quorum, those Commissioners assembled, including a single Commissioner, if only one is present, may take measures to obtain a quorum, fix the time to which to adjourn or take a recess, and open and continue a public hearing on any scheduled matter to a time and date certain, but shall take no testimony and conduct no other business. Nothing in this Section shall limit any procedure, rules, statutes, or other lawful authority governing the conduct of business in the event of a disaster or emergency.
- 3.9 Reading of Minutes.** Minutes of Commission meetings shall be read at the request of any member of the City Commission.
- 3.10 Remote Participation.** A Commission member seeking to attend all, or any portion of a meeting via electronic means shall submit his or her request to the Presiding Officer with as much advance notice as possible. The Presiding Officer is authorized to consult with the City Attorney and or City Manager as needed. The City Manager shall ensure the chambers is appropriately equipped to permit any audio/video interaction needed. The Presiding Officer may permit electronic attendance where a Member of the Commission is incapacitated due to illness or injury or hindered by circumstances from physically attending, but is otherwise able to concentrate and give his/her attention to the business of the Commission. No more than one Commission members may attend a meeting electronically.

SECTION 4. AGENDA.

- 4.1 General.** Generally, reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the City Commission are to be discussed by the City Commission at a regular or special workshop. The Commission shall, by consensus, indicate whether or not the item is to be placed on a regular meeting agenda. The Mayor shall set forth the agenda for all regular and special meetings of the Commission with the approval of the majority of the Commission.
- 4.2 Exceptions.** The exception to the workshop requirement shall be:
- a) the acceptance of donations;
 - b) board and committee appointments and appointment of the Mayor and

Commissioners to boards and committees;

- c) routine requests for use of the beach or city facilities, and public rights-of-way (parades or races) which have been approved by the Commission in the past;
- d) vacation of public right-of-ways or easements and other public accesses;
- e) applications for matters other than quasi-judicial items in which the PZB/LOA has made a recommendation to the City Commission;
- f) informational items;
- g) quasi-judicial items; and
- h) items when due to extenuating circumstances expedited action is in the interest of the City as deemed appropriate by the Commission.

The exceptions may proceed directly to a regular meeting for a vote without first going to a workshop.

SECTION 5. ORDER OF BUSINESS.

5.1 Regular Meetings. At each Regular meeting of the Commission, the business to be considered shall be taken up for consideration and disposition in the following order:

- a) **Optional Invocation and/or Pledge of allegiance.**
- b) **Roll call.**
- c) **Approval of Meeting and/or Workshop Agendas.**
- d) **Proclamations, Recognitions, Certificates of Appreciation.**
- e) **Public Comments on Non-Agenda Items.**
- f) **Consent Agenda.**
- g) **Ordinances, Resolutions and Other Items of Business - Introduction, Public Comment, and Adoption.**
- h) **Adjournment.**

5.1.1 Consent Agenda. Any item(s) not requiring individual action or public hearing may be designated for action at the Commission meeting on the “Consent” agenda. Any Commissioner, City Attorney, or City Manager may withdraw any item(s) from the Consent Agenda for individual discussion and Commission action. Any item so

removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard.

5.2 Workshops. At each workshop meeting of the Commission, the business to be considered shall be taken up for consideration and disposition in the following order:

- a) Discussion Items and Public Comment on Discussion Items.
- b) Old Business.
- c) City Attorney/ City Manager Reports & Comments.
- d) Reports & Comments by Commissioners.
- e) Public Comments.
- f) Adjournment.

5.2.1 Actions at Workshops. No official action by the City Commission may be taken during a workshop. Workshops are to consider matters that are not ready for Commission action or for the purpose of gathering information.

5.3 Special Meeting and Special Workshop. At each Special meeting or Special workshop the business to be considered shall be taken up for consideration and disposition in the following order:

- a) Optional Invocation and/or Pledge of allegiance.
- b) Roll call.
- c) Discussion/Action Item(s) with Public Comment on Discussion/Action Item(s).
- d) Adjournment.

SECTION 6. PUBLIC HEARINGS.

6.1 Non-Quasi-Judicial Public Hearing. Refers to a hearing where the public is both invited and entitled to be heard on a matter pending before the Commission, typically requiring an advertisement in a local newspaper, or other medium as may be prescribed by law, of the matter to be considered. Examples include hearings to consider the adoption, repeal, or amendment of ordinances, or in some cases resolutions.

6.1.1 Procedure for Non-Quasi-Judicial Public Hearing.

- a) Initial Presentation by applicant (if applicable) and then by Staff.
- b) Questions by the City Commission.

- c) **Public Comment on Agenda Item.**
- d) **Closing of Public Comment.**
- e) **Staff Response and Summary**
- f) **Commission discussion.**
- g) **Inquiry, Clarification, and Comments during Presentations.** It is the intent of the Commission that its public hearings be orderly and in that respect, interruption of presentations should be avoided. However, it is also the intent of the Commission that a complete record of relevant facts be established and a complete understanding of the matters under consideration be obtained. Thus, at any time during a public hearing, the Commission Members may be allowed to comment or make inquiry of persons addressing the Commission, or of staff or other persons in attendance, or may allow staff or the City Attorney to comment or make such inquiries.

6.2 **Quasi-Judicial Public Hearing.** Refers to a type of public hearing in which the Commission is required to assume a more adjudicatory role, as distinguished from a legislative role. In quasi-judicial hearings, certain procedural requirements are required by State Law. The following types of public hearings shall be conducted as quasi-judicial: certain zoning amendments; development agreements if accompanied by a quasi-judicial development application; an appeal to the Commission of an administration determination; and such other hearings as may be required by law to be treated as quasi-judicial.

6.2.1 **Procedure for Public Hearings on Quasi-Judicial Matters**

- a) **Presiding Officer or City Attorney Explanation of hearing process.**
- b) **Oath of Affirmation.** Prior to addressing the Commission at a quasi-judicial public hearing, each person who intends to address the Commission shall declare, pursuant to oath or affirmation administered by the Clerk or another duly authorized person, that the factual statements or representations that he or she will present shall be truthful and accurate. Any person who knowingly makes a false statement or representation under oath or affirmation shall be subject to criminal and other sanction as provided by law, in addition to any consequence provided for under the Commission Procedures or any City of Treasure Island Resolution or Ordinance.
- c) **City Commission Disclosure – Ex-parte Communications.** Commission members shall disclose into the record factual matters which are not already contained in the record, when such Commission members have personal knowledge pertaining to the physical characteristics of a site, its surrounding, or other communications relevant to the matter of being heard.

- d) **Staff Introduction – approximately 2 minutes to identify the matter before the Commission.**
- e) **Applicant presentation – 10 minutes however, more time may be given by the presiding officer to ensure all relevant testimony is presented. Witnesses may be cross examined by Commission, City Attorney, staff or staff counsel and public.**
- f) **Staff presentation – 10 minutes however, more time may be given by the presiding officer to ensure all relevant testimony is presented. City of Treasure Island staff shall summarize its findings and conclusions relating to the quasi-judicial matter to the Commission so as to provide an overview of the proposed matter, and identify issues for the Commission's consideration. Witnesses may be cross examined by Commission, City Attorney, or the applicant.**
- g) **Public Comment on Agenda Item. Each person choosing to speak should comply with Section 8 of the Rules and identify whether or not he/she has been sworn. Testimony presented shall be competent substantial in nature.**
- h) **Rebuttal by Applicant – 5 minutes max.**
- i) **City Commission questions.**
- j) **Close public hearing.**
- k) **Commission Action. All decisions shall be based on the evidence presented at the hearing on the case, which shall include the agenda materials, minutes, the project file, testimony presented and other evidence presented. Strict rules of evidence shall not apply but the evidence must be relevant to the issues before the Commission.**
- l) **Other Procedural Guidelines.**
 - k.1 **Authorization of Group Representatives. Before a person representing an organization or group speaks, that person shall state whom he or she represents and provide written authorization as evidence of their authority to speak on behalf of the organization in regard to the matter under consideration, unless the Presiding Officer waives this requirement. The Commission may make further inquiry into the representative authority of such person. Only one five minute time allotment per hearing is allowed for each organization or group of persons represented at the hearing.**
 - k.2 **Experts. In quasi-judicial proceedings, persons purporting to offer expert testimony shall identify any educational, occupational, and other expertise that they possess that is relevant to their qualifications to speak regarding the matter under consideration. Persons purporting to offer expert testimony in other contexts, such as legislative proceedings, may**

likewise be required to identify their expertise. Any Member of the Commission, the City Manager, or the City Attorney or staff attorney or member of the public may inquire further as to such expertise.

- k.3. **Custodian.** The City Clerk shall be custodian of all of the documents entered into the record at any public hearing.

SECTION 7. DISCUSSION OF AGENDA ITEMS - RULES OF DEBATE.

7.1 **Sequence of Debate.** With the exception of quasi-judicial matters, action on items before the Commission shall be commenced by oral motion of a Commissioner. If no motion is made, the action or item before the Commission has yet to be commenced and the item cannot proceed. Such motion can approve the item, approve the item with conditions, disapprove the item, or postpone the action and move on to the next piece of business. Upon said motion receiving a second said motion shall then be opened for discussion. At the conclusion of discussion, action on the motion shall be concluded by roll call vote commencing with the Commission member making the motion followed by the Commissioner of the next district [*EXAMPLE: Motion made by District 2 and seconded by District 4 – Voting sequence would be District 2, District 3, District 4, District 1, Mayor*]. The Commissioner making any motion or second shall not be required to vote affirmatively on said motion.

7.2 **Presiding officer may move, second and debate; responsibility.** The Mayor, Vice-Mayor or such other member of the Commission as may be presiding may move, second and debate from the chair subject only to such limitations of debate as are imposed by these rules on all members and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as a presiding officer. The presiding officer has the responsibility of controlling and expediting debate. A commission member who has been recognized to speak on a question has a right to the undivided attention of the commission. The presiding officer responsibility is to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

7.3 **All members shall vote.** No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present except when, with respect to any such member, there is a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such members shall comply with the disclosure requirements of Section 112.313, Florida Statutes. When the vote of the Commission is equally divided, the status quo shall be maintained. In such an event, a person who sought a change in status quo shall be considered to have had the request denied. In the event of an equally divided vote, the matter at issue may be brought back before the Commission by motion of any Commissioner by no later than the next

regular meeting.

- 7.4** **Getting the floor, improper references to be avoided.** Every Commissioner desiring to speak shall address the presiding officer and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all personalities and indecorous language.
- 7.5** **Interruptions.** A Commissioner, once recognized, shall not be interrupted when speaking except to call the Commissioner to order or as herein otherwise provided. If a member while speaking is called to order, said member shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.
- 7.6** **Withdrawal of motions.** Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw his second.
- 7.7** **Amending of motions.** At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in sub-paragraph 6.5 above.
- 7.8** **Privilege of closing debate.** The Commissioner moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
- 7.9** **Motion to reconsider.** A motion to reconsider any action taken by the Commission may be made only on the day of such action or no later than the next regular meeting. It may be made either immediately during the same session, or at a recessed or adjourning session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member. The motion to reconsider may be made at any time and have precedence over all other motions. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission. Any Member of the Commission may move at any time for correction of clerical or typographical errors inadvertently included in any matter previously passed by the Commission.
- 7.10** **Remarks of Commissioners - When Entered in Minutes.** The City Clerk shall be directed to enter in the minutes a synopsis of the discussion.

SECTION 8. RULES AND PROCEDURES FOR ADDRESSING THE COMMISSION.

- 8.1** **Public Comments.** Any person desiring to address the Commission on items not listed on the agenda may do so during Public Comments. Individuals addressing the Commission on the same topic should attempt to provide new information and not repeat the comments of the previous speaker.

- 8.2** **Agenda Items.** Any person desiring to address the Commission shall first complete a card expressing the desire to address the Commission on an agenda item. A separate card shall be completed for each agenda item the person desires to discuss. All cards should be given to the City Clerk prior to the discussion of the agenda item. Those persons addressing the Commission on an agenda item at their request do not have to complete a card for that item.
- 8.3** **Speaking Once on Topics.** Each person is limited to speak once on each Agenda Item unless otherwise approved or requested by the Commission.
- 8.4** **Written Communications.** Interested parties or their authorized representatives may address the Commission by written communications in regard to matters under discussion.
- 8.5** **Oral Communications.** Interested parties or their designated representatives may address the Commission by oral communications in regard to matters then under discussion.
- 8.6** **Reading of protests, etc.** Interested persons or their authorized representatives may address the Commission by reading protests, petitions or communications relating to zoning, sewer and street proceedings, hearings on protests, appeals and petitions or similar matters in regard to matters then under consideration.
- 8.7** **Cellular Telephones.** Cellular telephones and other sound emitting devices shall be turned off while the City Commission is in session.
- 8.8** **Addressing the Commission, After Motion.** After a motion is made by the Commission, no person shall address the Commission without first securing the permission of the Commission to do so.
- 8.9** **Addressing Commission, Manner & Time Limit.** Each person addressing the Commission shall step in front of the podium, shall give his/her name, and if the person is a City of Treasure Island resident the person shall identify their District of residence or if the person is not a City of Treasure Island resident, the person shall state that they are a non-resident, in an audible tone of voice for the record, and unless more or less time is granted by the presiding officer, shall limit his/her address to five (5) minutes. All remarks shall be addressed to the Commission as a body and not to any member of the Commission thereof. No person other than the Commission and 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 presiding officer. No questions shall be asked of a Commissioner except through the presiding officer.

SECTION 9. DECORUM.

- 9.1** **By Commission Members.** During all meetings of the Commission, Commission members must preserve order and decorum and a member shall neither by conversation or otherwise delay or interrupt the proceeding or the peace of the

Commission nor disturb any member while speaking or refuse to obey the orders of the Commission or its presiding officer, except as otherwise herein provided.

9.2 **By persons.** All persons in attendance at a Commission meeting, hearing, or workshop shall conduct themselves in a civil manner and refrain from action that disrupts the meeting or hinders the Commission in performing its duties. To these ends, such persons are prohibited from:

- a) disrupting the proceedings with excessive commotion or excessively loud shouting or other noise or use of obscene or crude language;
- b) interfering with the rights of others to speak, hear, see, or attend the proceedings;
- c) being unduly repetitious or presenting matters not relevant to the agenda item under consideration;
- d) making personal attacks or insults against any person; speaking on a subject about which the Commission has already taken a position or about which the Commission has voted not to receive further comment;
- e) continuing to speak after the allotted time has expired or after having been ruled out of order;
- f) or speaking on a subject that is clearly outside the purview of Section 1.2.

9.3 **Enforcement of Decorum.** If it becomes necessary, the police chief or the police chief's designee shall be called to act as Sergeant-at-Arms. He/she or they shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove any person who violates the order and decorum of the meeting or to place such person(s) under arrest and cause him/her to be prosecuted under the provisions of the Ordinances for the City of Treasure Island. The complaint shall be signed by the presiding officer.

SECTION 10. SUSPENSION OF RULES.

The Rules of Procedure may be waived by simple majority.

SECTION 11. AD HOC COMMITTEES.

The City Commission, by resolution, may create one or more ad hoc committees to advise the Commission on specific matters affecting the health, safety and welfare of the citizens of the City or on matters relating to the operation of the city government. Any such ad hoc committee created shall exist for a period as may be set by the City Commission. Each committee shall have a composition as determined by the Commission with the chairperson of the committee appointed by the Presiding Officer. Each member of the Commission may nominate a member who may be a city residents to serve on any ad hoc committee, and the Commission by majority vote, shall select the members and alternates (if any) to the committee from the list of nominees.

SECTION 12. CONFLICTS; USE OF OTHER RULES.

12.1 Conflict with Other Laws. In any instance where a procedure established by this resolution violates or is in conflict with federal or state law, County ordinance, or a final and binding order of a court or administrative agency, or rights thereunder, the procedures established hereunder shall be inoperative to the extent of such conflict. If any portion hereof is held by a court of competent jurisdiction to be invalid, such portion shall be deemed severable from the remainder and, to the extent possible, the remainder shall be operative without the invalid portion.

12.2 Robert's Rules of Order. In all cases not covered by these Procedures, the most current edition of Robert's Rules of Order shall be used as a general guide and may be followed by the Presiding Officer, unless the Commission overrules the Presiding Officer.

SECTION 13. EFFECTIVE DATE.

These rules shall be in force and effect immediately upon adoption by the City Commission of the City of Treasure Island and shall remain in effect until such Rules are amended or repealed.

The *Rules of Procedure* were originally adopted by Resolution 490 of the City Commission sitting in Regular Session on July 17, 1973 and any amendments thereto have been incorporated in this booklet.

Upon adoption and revision of these Rules of Procedure, the City Manager shall cause the rules to be placed on the city website for access and download by the public. For those requiring a paper copy of the rules the guidelines provided for public records shall apply.