

**CITY OF PUNTA GORDA, FLORIDA**

RESOLUTION NO. 3224-16

A RESOLUTION OF THE CITY OF PUNTA GORDA, FLORIDA, ADOPTING A PROCEDURE TO COMPLY WITH FLORIDA STATUTES SECTION 286.0114 REGARDING PUBLIC INPUT AT PUBLIC MEETINGS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, public participation in government business is the bedrock of American local government and should be protected, permitted, and not discouraged, consistent with principles of common and statutory law; and

WHEREAS, for many years the City of Punta Gorda has included a place on the agenda to provide the opportunity for public input at all City Council, Community Redevelopment Agency (CRA) and advisory board meetings; and

WHEREAS, Florida Statutes Section 286.0114 codifies rules for public input at local government meetings and requires municipal boards and commissions to provide members of the public a reasonable opportunity to be heard before official action is taken; and

WHEREAS, the City of Punta Gorda desires to adopt rules in compliance with said Statute to comply with the law and to encourage public input at City Council, CRA and advisory board meetings; and

WHEREAS, the City is permitted to set reasonable ground rules for public participation within its Council meetings and within any other meetings of any agency, board or commission of the City or its agencies or authorities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Punta Gorda, Florida, as follows:

1. **Applicability:** The guidelines and procedures set forth in this Resolution are intended for all public meetings of the City Council, CRA and advisory boards of the City of Punta Gorda, subject to the limitations noted herein.

2. **Public Opportunity To Be Heard:** Members of the public shall be given a reasonable opportunity to be heard on all agenda items during every Council, CRA or advisory board meeting. Time for public comments on non-agenda items is provided at the end of every meeting, except as specified below. Public input shall be limited to three (3) minutes with the presiding officer having the option to allow additional time. This right does not apply to:

- a. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Council or Board to act;
- b. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- c. A meeting that is exempt from Section 286.011; or
- d. A meeting during which the Commission or Board is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

3. Addressing City Council, CRA and Advisory Boards:

- a. Any person who desires to address the City Council, CRA or any advisory board of the City shall step to the podium and when recognized by the presiding officer, shall state their name and address in an audible tone of voice for the record. Remarks shall address City business and be limited to three (3) minutes. Time limits will be strictly enforced; however, additional time may be granted at the discretion of the presiding officer. A speaker's allotted time for addressing the Council may not be donated to another speaker.
- b. No action shall be taken on items brought up during the Public Comment portion of the meeting, unless the topic appears on or is added to the Agenda as an emergency item by a vote of the City Council, CRA or advisory board.
- c. Statements are to be directed to the City Council, CRA or advisory board as a whole, and not to individuals. Public comment is not intended to require the City Council, CRA or advisory board to provide any answer to the speaker. Discussions between speakers and members of the audience will not be allowed while the speaker is addressing the Council, CRA or advisory board.
- d. Speakers will be courteous in their language and presentation. Any person making personal, impertinent or slanderous remarks, or who shall become boisterous or use offensive language, may be requested to leave the meeting and may be barred from further presentation before the Council at that meeting by the presiding officer. In addition, Section 871.01, Florida Statutes, declares that any person who willfully interrupts or disturbs any assembly of people meeting for any lawful purpose shall be guilty of a misdemeanor of the second degree, and may be arrested by police officers present.
- e. In the interest of time, representatives of groups or factions supporting or opposing a proposition may be required to address the City Council, CRA or advisory board, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard. Presentations shall be

limited to 20 minutes; however, additional time may be granted at the discretion of the presiding officer.

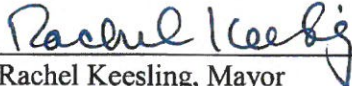
4. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

5. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

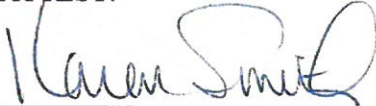
6. Effective Date. This Resolution becomes effective immediately upon its adoption.

ADOPTED in regular session of the City Council of the City of Punta Gorda, Florida, this 20<sup>th</sup> day of April, 2016.


CITY OF PUNTA GORDA, FLORIDA

  
Rachel Keesling, Mayor

ATTEST:

  
Karen Smith, City Clerk

APPROVED AS TO FORM:

  
David Levin, City Attorney