



AGENDA
CHARTER REVIEW COMMISSION
Meeting 2022-01

Tuesday, January 11, 2022 - 6:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay, Florida 32907

CALL TO ORDER:

ROLL CALL:

PRESENTATION(S):

1. Patricia Smith, City Attorney - Overview of the Florida Sunshine Law and Public Records Act.

PUBLIC COMMENTS (Non-Agenda Items):

Public Comments on Agenda Items - Individuals wishing to address items on the agenda can do so at the time the item is being considered by the Commission. The Chairperson will ask for public comment prior to the Commission taking action on the item. Speakers are limited to three (3) minutes for agenda and non-agenda items each.

NEW BUSINESS:

1. Selection of Chair and Vice-Chair.
2. Consideration of Rules of Procedure for the Charter Review Commission.
3. Discussion of timetable and order for reviewing the City Charter.
4. Discussion of scheduling meetings.

ADJOURNMENT:

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE.

City of Palm Bay, Florida
CHARTER REVIEW COMMISSION
Rules of Procedure

ARTICLE I
RULES AND ORDER

Section 1. The Charter Review Commission shall determine its own rules and order of business.

ARTICLE II
MEETING LOCATION

Section 1. The location of meeting places shall be within the corporate limits of the City of Palm Bay. The meetings of the Commission should be at a meeting place accessible to the public and large enough to accommodate not only the Commission, but also interested citizens.

ARTICLE III
CALL AND NOTICE OF MEETINGS

Section 1. Regular Meetings. The date, time and place of each regular meeting of the Commission shall be announced at the preceding regular or special meeting of the Commission. Notice shall be posted in a conspicuous place at City Hall and the agenda will also be placed on the City's website. The agenda of each regular or special meeting shall include the scheduling of the date of the next regular meeting.

Section 2. Special Meetings.

A. Special meetings may be held at the call of the Chair or by any six (6) members of the Commission, with at least one member from each councilmember attending and require the six (6) members of the Commission requesting a special meeting to do so in writing and filed with the CRC staff person.

B. Notice of special meetings shall be given in the same manner as notices of regular meetings, except that the notice of a special meeting shall include the specific purpose(s) of the meeting. No additional items are allowed to be considered at the special meeting.

ARTICLE IV
ORDER OF BUSINESS FOR REGULAR MEETINGS

Section 1. The agenda for regular meetings of the Commission shall be generally as follows, subject to amendment or revision by the Commission Chair:

Adopted:

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Presentations
- V. Adoption of Minutes
- VI. Public Comments
- VII. Reports (Chair; Staff; Commission Members)
- VIII. Unfinished and Old Business
- IX. New Business
- X. Adjournment

ARTICLE V

CITIZEN PARTICIPATION AT MEETINGS

Section 1. The Commission will allow public comment on all substantive agenda items.

A. General Items Not Listed on the Agenda.

1. Individuals present at the meeting who wish to address items not specifically listed on the agenda will be given the opportunity to address the Commission under the agenda heading of "Public Comments".

2. The speaker shall be limited to three (3) minutes. Time may not be donated to another speaker and the speaker will be allowed to address the Commission only once under the agenda heading of "Public Comments".

3. The Commission and city staff may respond immediately to the comments.

B. Specific Items on the Written Agenda.

1. Individuals may request to speak on a specific item on the written agenda. The presiding officer will read the agenda item being considered and will ask for public comment. Individuals wishing to address the Commission will raise their hands at the appropriate time and the presiding officer will call upon the individuals to state their comment.

2. The speaker shall be limited to three (3) minutes. Time may not be donated to another speaker and the speaker will be allowed to address the Commission only once under the agenda item.

3. The Commission may recall an individual to provide additional information or to answer questions.

ARTICLE VI RECORDING OF MEETINGS

Section 1. Meetings of the Commission shall be recorded and preserved as required by law. Failure to record a meeting shall not affect the validity of any proceeding. The CRC staff shall be responsible for the preparation of all proceedings of the Commission meetings. All records of the Commission, including the recordings of meetings, shall be made available to the public during normal business hours. Minutes of all the Commission proceedings shall be kept on file with the Office of the City Clerk.

ARTICLE VII VOTING

Section 1. Quorum. The Commission shall consist of ten (10) members who shall be appointed by the City Council. A majority of the members of the Commission shall constitute a quorum. No action of the Commission shall be valid unless adopted by the affirmative vote of the majority of a quorum present.

Section 2. Voting Requirements and Conflicts. Each member present at a meeting is required to vote on all official matters and a vote recorded in the minutes for each, unless a conflict of interest exists. Commissioners are required to abstain from voting and must publicly announce the nature of their interests before the vote. A memorandum of voting conflict form must be filed with the city clerk, as provided by law.

Section 3. Proxy Voting. No member of the Commission shall have the power to vote by proxy.

ARTICLE VIII OFFICERS

Section 1. The Commission shall select its own Chair and Vice-Chair.

A. Chair. The duties of the Chair shall consist of, but not be limited to, the following:

1. Preside at all meetings of the Commission
2. Sign minutes upon approval by the Commission.

3. Perform all duties incident to the office of the Chair and such other duties as may be prescribed by the Commission.

B. Vice-Chair. The duties of the Vice-Chair shall consist of, but not be limited to, the following:

1. Preside in the absence of the Chair and assume other duties as designated by the Chair and the Commission.

Section 2. In the absence of the Chair and Vice-Chair, the remaining members shall select a member, by consensus of those present at the meeting, who shall assume the duties of the Chair.

Section 3. The City Clerk, or designee, shall serve as the Secretary to the Commission. The duties of the Secretary shall include the preparation and distribution of the agendas and minutes and the maintenance of records created or received by the Commission in its transaction of official business.

ARTICLE X ABSENCES

Section 1. The position of any member who fails to attend three (3) consecutive meetings shall automatically forfeit their appointment.

Section 2. Members must attend at least fifty percent (50%) of each meeting in order to be counted present.

Section 3. Resignations shall be in writing addressed to the Chair or the Secretary by mail, email or delivered in person to the Office of the City Clerk.

Section 4. The Secretary shall notify the Chair of any vacancy, due to resignation, death, excessive absences, or non-qualification of a member, at which time the process to fill the vacancy shall be implemented or the respective councilmember will be notified to fill the vacancy.

ARTICLE XI POLICY ON PUBLICITY

Section 1. Every effort shall be made to ensure that the proceedings of the Commission are made available to the media with the goal of seeking maximum public participation in the review process. No attempt shall be made to inhibit the normal processes of the media. The Chair of the Commission or designee shall be responsible for announcing the position of the Commission to the public and news media. Members of the Commission

may make public or private statements of their personal feelings, attitudes, or beliefs at any time. In making such statements, however, members of the Commission shall on every occasion make an affirmative statement that they are speaking as an individual and not on behalf of the Commission as a whole.

ARTICLE XII AMENDMENTS

Section 1. These rules and procedures shall be the by-laws of the Commission and may be amended by an affirmative vote of six (6) of the members of the Commission with at least one member appointed by each councilmember present.

Section 2. For a charter amendment recommendation to be transmitted to the City Council for placement on the ballot for voter approval or denial, six (6) members of the CRC must vote to approve it with at least one member appointed by each councilmember present. In the case of failure of at least one member appointed by each councilmember to attend a meeting at which the transmittal of such a recommendation is on the agenda, the Commission may recess the meeting to reconvene at a date and time certain. The Chair shall notify the absent member or members of that date and time. If the member or members are not present at the time of reconvening the Commission may, with the concurrence of six (6) members, approve and transmit the charter amendment recommendation.

ARTICLE XIII PROCEDURE FOR PRESENTING CHARTER AMENDMENT PROPOSALS

Section 1. The procedure for presenting Charter Amendment Proposals shall be as follows:

- A. The member of the Commission, City staff or a resident of the City of Palm Bay making the proposal shall introduce the proposal to the Commission.
- B. The members of the Commission shall discuss the proposal presented.
- C. The Commission shall hear any public comment regarding the proposal from any member of the public who wishes to speak with respect to the specific proposal.
- D. The Commission shall have further discussion regarding the proposal, if necessary.
- F. A member of the Commission may then make a motion concerning the proposal.