

Quasi-Judicial Explanation for Constituents

City Council members generally conduct business as legislators - elected representatives who listen to the opinions and input from citizens like you on most any subject relating to local government - and then respond or react accordingly.

However, zoning changes are slightly different. Both the Florida Statutes and Florida case law consider zoning changes as quasi-judicial (or "partly" judicial) matters. Quasi-judicial means that instead of conducting business as a legislator (which could include subjectivity), City Council members are supposed to hear these matters as judges. Just as a judge would in any court proceeding, City Council members are to evaluate the objective facts and evidence presented from both sides, apply the law and make a decision. Council Members cannot express their opinions on Quasi-Judicial matters. Doing so would risk their ability to vote on the matter.

Council Members consider fact-based testimony from members of the community. They decide their votes after hearing all of the evidence, the "Competent, Substantial Evidence". Evidence given in testimony to Council Members by the community should be based on evidence and expertise in a field. There are conditions on what members of the public are able to discuss, based on their competent, substantiated evidence. For instance, you may make a claim about traffic or speeding, if you have expertise in that field or a form of factual evidence (i.e. a traffic study).