

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 very different. Both the Florida Statutes and court rulings have declared zoning changes to be 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 unbiased judges. Just as a judge would in any court proceeding, City Council members are required to evaluate the objective facts and evidence presented from both sides, apply the law impartially and make a decision. Council Members cannot express their personal opinions on Quasi-Judicial matters before hearing all of the evidence. Doing so could disqualify them from voting on the matter because they had shown a bias toward one side or the other before hearing the evidence.

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 facts, evidence and expertise in a field. There are conditions on what members of the public are able to discuss that make it competent, substantial 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). Statements such as “We don’t want this near our homes” or “This will ruin our neighborhood” are personal opinions, not competent, substantial evidence. These statements need something concrete to back them up.