

**Jacksonville City Council
2019 Orientation**

**MOCK
CITY COUNCIL
MEETING**

Materials Prepared and Edited by:

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MAY 2019

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OFFICE OF LEGISLATIVE SERVICES

I. COUNCIL CHAMBERS

Attachment #1 – CHAMBER EQUIPMENT INSTRUCTIONS



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Legislative Services Division

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May 15, 2019

TO: Council Members and Staff
Council Members Elect and Staff

FROM: Carol Owens, Chief
Legislative Services Division

THRU: Cheryl Brown, Director
City Council

RE: **Chamber Equipment Instructions**

Please be aware that in order for the camera system in the Chambers to work properly during meetings, it is imperative that the following instructions be strictly adhered to:

- 1) During Committee and Council meetings, do **NOT** push your **mike button** before being recognized to speak. If you want to be recognized to speak or respond to the comments of others, push your **BLUE** rostrum button on your console and wait to be recognized by the Chair. Once recognized, then activate your **mike button**.
- 2) Do **NOT** push your **mike button** while other Council Members or staff are speaking. If your mike is activated while others are speaking, the camera will not pan properly to the correct speaker.
- 3) Mikes should be turned off while waiting on responses/comments from other Committee or Council Members.
- 4) Turn your mike off as soon as you have concluded your remarks.
- 5) The **Council President/Committee Chair** mike should remain activated at all times.
- 6) The Committee Chair should **verbally announce** the Committee/Staff attendance. The cameras cannot pan fast enough to capture each person announcing their attendance at meeting.

Thank you in advance for your cooperation.

Attachment #2 – MOCK MEETING

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FORMAT FOR CITY COUNCIL MEETINGS

CALL TO ORDER

[Rap gavel]

President: Welcome to the June 11, 2019 Council meeting.

INVOCATION

President: Council Member (name), would you please give the invocation and lead us in the Pledge.

ROLL CALL

President: Council Members, please record your attendance by pushing the yellow button.

[Legislative staff announces the attendance and any excused absences]

President: Mr. Floor Leader, would you take us through the agenda, please?

APPROVAL OF MINUTES

Floor Leader: I move approval of the minutes of the May 28th Council meeting.

President: I have a motion and a second to approve the minutes of the Council meeting of May 28th. Any discussion? Hearing none, all in favor of approving the minutes indicate by saying "Aye"; all opposed "No". The motion carries and the minutes are approved.

COMMUNICATIONS

Floor Leader: Mr. President, I have various communications from the Mayor and other entities. Do you wish to have them read or filed for the record?

President: Please file.

PRESENTATIONS

Floor Leader: Mr. President, we have at this time a presentation to [name].

[President calls forward the Council Member who will make the presentation]

President: The Clerk will now read the resolution.

[Continue until presentations are complete]

RECOGNITION OF PAGES

If pages are present at the meeting, they are recognized by the President for their service at this time.

Attachment #9 – MOCK MEETING

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ORDER OF BUSINESS FOR ACTION ITEMS

- Quasi-judicial resolutions
- Quasi-judicial ordinances
- Consent Agenda
- Public hearings pursuant to Chapters 163 and 166, *Florida Statutes* and Section 655.206, *Ordinance Code* (all ordinances required to have a Council public hearing on second reading)
- Public hearings on land use amendments and rezonings
- Special public hearings
- Action upon resolutions on first or second reading, regarding economic development investment incentives and related contracts, agreements and appropriations
- Third reading resolutions
- Third reading ordinances
- Second reading resolutions
- Second reading ordinances
- Unfinished business (if any)
- Addendum (if any)
- Public Comments
- Roll Call
- Adjourn

See script pages five to eight for examples of typical actions to amend, substitute, refer to committee, approve, etc.

QUASI-JUDICIAL ACTIONS

Some types of actions undertaken by the City Council have been determined, either by state law or by court ruling, to be “quasi-judicial” in nature, meaning that Council Members act in the capacity of judges rather than elected representatives when taking action on those items. Quasi-judicial actions impose specific requirements on Council Members as individuals and on the Council as a Whole with regard to making decisions according to established law based on a record of factual evidence. The quasi-judicial requirements also govern in some ways what citizens can say and do in advocating their point of view to the Council, and requires Council Members to disclose *ex parte* communications, meaning contacts with either proponents or opponents of a particular bill outside of formal meetings of the Council or its Committees. Failure to observe the proper rules regarding notice, *ex parte* communication, establishment of a sufficient factual record in support of a decision, or other quasi-judicial requirement may provide the basis for an opponent to challenge the legality of the Council’s action or a Council Member’s vote on a particular bill.

Attachment #9 – MOCK MEETING

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DECLARATION OF EX PARTE COMMUNICATION

Floor Leader: Move 2019-7.

President: I have a motion and a second on 2019-7. Any discussion?

[Council Member A requests recognition to speak.]

President: Council Member A?

Council Member A: Mr. President, I need to declare that I have had *ex parte* communication on this bill with the developer of this project. He stopped me on the way into the meeting this evening and urged me to support this bill.

President: Thank you Council Member A. Staff will please have the record reflect the *ex parte* communication.

[Continue with discussion and action on the bill]

RE-REFER ITEM:

NOTE: third reading items may only be re-referred at the request of the Chairman of a committee of reference or upon motion from the floor and affirmative vote of the Council.

Floor Leader: 2019-6500, move to re-refer to designated committee(s)

President: Any discussion on the referral? Seeing none, open the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have re-referred 2019-6500 to the committee(s)

CONSENT AGENDA

Floor Leader: On page 6 of your agenda we will take up the consent agenda. Madam Secretary, please read the items on consent.

[Legislative staff reads out the number of each bill on the consent agenda.]

During the reading of the Consent Agenda items, any Council Member may request that an item be pulled from the Consent Agenda and voted on separately by calling for the item to be pulled when its number is read. On most occasions, a bill is pulled because it is being Substituted or Amended

Staff: 2019-1006, 2019-1008, 2019-1254...

Council Member C: Pull 2019-1254.

[When the reading of all consent agenda bills is complete...]

Floor Leader: Move approval of the Consent Agenda with the exception of 2019-1254.

President: I have a motion and a second on the consent agenda items except 2019-1254. Open the ballot and record the vote.

[Legislative staff announces vote]

President: By your action, you have approved the items on the Consent Agenda.

After approval of the consent agenda, any pulled bills are considered one by one.

Attachment #9 – MOCK MEETING

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PUBLIC HEARING PURSUANT TO CHAPTERS 163 AND 166, FLORIDA STATUTES, AND SECTION 655.206, ORDINANCE CODE

State statute requires that all ordinances receive a public hearing before the Council on second reading of the bill. The City's Concurrency Management Code requires that all development agreements between the City and a developer have two public hearings, one before the full Council and the other before the appropriate Council committee (Land Use and Zoning)

Floor Leader: Mr. President we have a public hearing scheduled on 2019-4400.

President: The public hearing on 2019-4400 is open. Is there anyone to speak to the bill?

[Recognize speakers in order until all have spoken; the rules for Public Comment apply]

Floor Leader: We have one speaker, Bob Space, would you please give your name for the record.

Bob Space: My name is Bob Space. My neighborhood is already congested and this development would definitely bring more traffic to this area and it will not be good for children going to school and people going about their everyday lives. The Planning Commission denied this bill how can you pass it?

President: Sir this bill will not be voted out tonight, this is just a public hearing. OGC please address the traffic issue and the denial by the Planning Commission.

[OGC provides some legal detail on the issue/topic of discussion]

President: Thank you.

President: Is there anyone else who wants to speak to 2019-4400? Seeing none, the public hearing is closed. [rap gavel]

[The President then proceeds with action on the bill, or moves to the next agenda item]

PUBLIC HEARINGS ON LAND USE AMENDMENTS AND REZONINGS

State Statute and the City Zoning Code impose specific requirements on land use amendment and zoning ordinances that differ from other types of ordinances, primarily with regard to public hearings and advertising requirements.

APPROVE/DENY ITEM:

Floor Leader: 2019-4000, move the bill.

President: I have a motion and a second. Is there any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved/denied 2019-4000

Attachment #9 – MOCK MEETING

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APPROVE/DENY ITEM WITH A COMMITTEE RECOMMENDATION TO DENY:

Floor Leader: 2019-4100, move the bill.

President: I have a motion and a second. The committee recommendation is to deny. If you support the committee recommendation, vote “No”. Is there any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved/denied 2019-4100.

AMEND, APPROVE/DENY ITEM:

Floor Leader: 2019-5000, move the amendment.

President: I have a motion and a second on the amendment. Any discussion on the amendment?

[Entertain discussion; when complete...]

President: All in favor of the amendment signify by saying “Aye”; all opposed “No”. The amendment carries/fails.

[Assuming the amendment carries...]

Floor Leader: Move the bill as amended.

President: I have a motion and a second on the bill as amended. Any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved/denied 2019-5000 as amended.

RECONSIDER ITEM:

Floor Leader: 2019-8500, move we reconsider.

President: I have a motion and a second to reconsider file 2019-8500. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of reconsidering signify by saying “Aye”; all opposed “No”. The motion carries/fails.

[If the motion carries, the President then entertains a new motion to act on the bill again.]

SPECIAL PUBLIC HEARINGS

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THIRD READING RESOLUTIONS AND ORDINANCES

DECLARATION OF A CONFLICT OF INTEREST

Floor Leader: Move 2019-844.

President: I have a motion and a second on 2019-844. Any discussion?

[Council Member B requests recognition to speak.]

President: Council Member B?

Council Member B: Mr. President, I need to declare a conflict on this bill. My employer does business with the company that is the recipient of the contract this bill approves, and therefore I am going to abstain from voting on this item.

[Legislative staff provides the Council Member with a conflict of interest declaration form to be signed and included in the bill file. When the President calls for the vote, Council Member B pushes the yellow button to be recorded as abstaining.]

SECOND READING RESOLUTIONS AND ORDINANCES

EMERGENCY ITEM:

Council Member C: Mr. President I would like to take up 2019-7600 as an emergency. I have just been notified that there is a time restraint on getting the funds for this project.

President: This is fine. Mr. Floor Leader

Floor Leader: 2019-7600, move the emergency.

President: I have a motion and a second to declare an emergency on 2019-7600. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of the emergency signify by saying "Aye"; all opposed "No".

[Assuming the emergency is approved...]

President: The emergency is declared.

Floor Leader: Move the bill as an emergency.

President: I have a motion and a second on 2019-7600 as an emergency. Any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved/denied 2019-7600 as an emergency.

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UNFINISHED BUSINESS

DISCHARGE FROM COMMITTEE:

Floor Leader: 2019-9900, move to discharge from the [committee(s)].

President: I have a motion and a second to discharge from the [committee(s)]. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of discharge signify by saying “Aye”; all opposed “No”. The motion carries/fails.

[Assuming the motion carries...]

Floor Leader: Move the bill.

President: Is there any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved/denied 2019-9900.

WITHDRAW ITEM:

Floor Leader: 2019-6000, move to withdraw.

President: I have a motion and a second to withdraw 2019-6000. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of the withdrawal signify by saying “Aye”; all opposed “No”. By your action you have/have not approved the withdrawal of 2019-6000.

ADDENDUM TO THE AGENDA:

Floor Leader: Mr. President, I move the Addendum to the Agenda.

President: I have a motion and a second on the Addendum to the Agenda. Any discussion? All in favor signify by saying “Aye”; all opposed “No”. The motion carries/fails.

If the motion carries, the Floor Leader moves approval of the first addendum item and continues on with the original agenda.

EMERGENCY, AMEND/SUBSTITUTE ITEM:

Floor Leader: 2019-8800, move the emergency.

President: I have a motion and a second on the emergency. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of the emergency signify by saying “Aye”; all opposed “No”.

[Assuming the emergency is approved...]

President: The emergency is declared.

Floor Leader: Move the amendment/substitute.

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President: I have a motion and a second on the amendment/substitute. Is there any discussion?

[Entertain discussion; when complete...]

President: All in favor of the amendment/substitute signify by saying “Aye”; all opposed “No”. The amendment/substitute is approved/denied.

Floor Leader: Move the bill as amended/substituted, as an emergency.

President: I have a motion and a second on 2019-8800 as amended/substituted, as an emergency. Any discussion?

[Entertain discussion; when complete...]

President: Open the ballot; vote; lock the ballot and record the vote.

[Legislative staff announces vote]

President: By your action you have approved the bill as amended/substituted, as an emergency.

PUBLIC COMMENT

Council Rules provide that the public comment portion of the meeting shall not begin prior to 6:00 p.m. in order to give citizens time to reach City Hall after the common workday. Speakers are required to fill out a green speaker request card with their name and address and turn it in to the legislative staff for inclusion in the public record of the meeting. Cards are collected and provided to the Floor Leader to call speakers in turn. Speakers may have three minutes to speak to any topic, with elapsed time being indicated by the green, yellow, and red Light Tree. Speakers must maintain reasonable decorum and may not engage in personal attacks upon Council Members. Council Members may not debate or engage in conversation with speakers, but may, with the President’s permission, ask a question to clarify a speaker’s previous statement or establish a point of fact. Council Rules do not permit demonstrations by the public attending a Council meeting, so a comment period speaker should not incite members of the audience to stand, offer applause, wave signs, or otherwise engage in demonstrative behavior. It is the Council President’s responsibility to enforce the rules and maintain order.

Floor Leader: Call Betty Blank

Betty Blank: I would like to discuss a problem in my neighborhood and Council Member D is not responding to my calls and is not solving the problem.

President: Ms. Blank please address the entire council.

Betty Blank: Why can’t the public ever get any answers from you guys?

Council Member D: We will be holding a town meeting on this issue.

President: Council Member D please take Ms. Blank to the Green Room to discuss this issue.

Attachment #9 – MOCK MEETING

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MIDNIGHT ADJOURNMENT RULE

The Council Rules provide that a Council meeting may not continue past midnight. At midnight the meeting is to be automatically recessed, to resume the next morning at 9:00 a.m., unless the rule is waived by a majority vote of the Council Members present.

MANNER OF TAKING ACTION

NOTE: See attached Frequent Council Rules Actions sheet for number of votes required to pass items under various conditions.

Attachment #3 – FREQUENT COUNCIL RULES ACTIONS

FREQUENT COUNCIL RULES ACTIONS

ACTION	Council Rule	Vote	2nd?	Debate?	Notes	NUMBER OF VOTES REQUIRED							
						19	18	17	16	15	14		
Addendum - Agree to Adopt or add to	3.703(b)(1)	2/3 present	2nd req'd		QUORUM = 14 Council may accept any portion or all of Addendum	13	12	12	11	10	10		
Adopt Ordinance Regular	4.601	Majority present	2nd req'd	debate		10	10	9	9	8	8		
Adopt Resolution: Emerg or Regular	4.601	Majority present	2nd req'd	debate		10	10	9	9	8	8		
Amend or substitute Ord or Reso		Majority present	2nd req'd	debate or amend		10	10	9	9	8	8		
Amend an Amendment		Majority present	2nd req'd	debate	Only once	10	10	9	9	8	8		
Amend an Amendment to an amendment	4.704	Not Permitted			Not Permitted								
Amend Council Rules	5.105	2/3 of all Members	2nd req'd	debate		13	13	13	13	13	13		
Appeal decision of Chair	4.203	Majority present	2nd req'd	NO debate		10	10	9	9	8	8		
Call the Question (stop Debate)	4.714	2/3 present	2nd req'd	NO debate	amend	13	12	12	11	10	10		
Deferral in Committee	2.210(3)												
Discharge from Committee	2.205	2/3 present	2nd req'd	debate		13	12	12	11	10	10		
Disruption of Meeting	4.505												
Emergency, Declared	4.901	2/3 present	2nd req'd	debate		13	12	12	11	10	10		
Emergency Ordinance Passed	4.902	2/3 of all Members	2nd req'd	debate		13	13	13	13	13	13		
Permanent Change to Rules	5.105	2/3 of all Members	2nd req'd	debate or amend		13	13	13	13	13	13		
Point of Order or Personal Privilege	4.702, 4.703	Chair must recognize	NO	NO debate	decision of Chair								
Postpone to time or date certain	4.705	Majority present	2nd req'd	debate or amend		10	10	9	9	8	8		
Precedence, Order of	4.705												
Reconsider previous action	4.711, 4.712, 4.713	Majority present	2nd req'd	debate	Must be moved by Member on prevailing side	10	10	9	9	8	8		
Referral to Committee	3.203	Request of Chair/President Request of Council Memb.	no vote	no vote	Refers to 1.201 for								
Suspend Council Rules (Waive)	5.104	2/3 of all Members	2nd req'd	NO debate		13	13	13	13	13	13		
Table, Lay on or remove*	4.716	Majority present	2nd req'd	NO debate or amend		10	10	9	9	8	8		
Veto Override (generally)	4.1004	2/3 present	2nd req'd	debate		13	12	12	11	10	10		
Veto Override, Budget Item/Money	4.1004	Majority present	2nd req'd	debate (CR 4.1004)		10	10	10	10	10	10		
Waive Council Rules (Suspend)	5.104	2/3 of all Members	2nd req'd	NO debate		13	13	13	13	13	13		

* Motion to remove from table must be made by the end of the meeting after the meeting at which the bill was laid on the table or the bill is automatically removed from the agenda.