

RESOLUTION 13-2008

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING SECTION 4 OF RESOLUTION 5-97, COUNCIL PROCEDURES; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council recognized the need for established procedures to facilitate orderly and respectable regular and special Town Council meetings when they adopted Resolution 5-97; and

WHEREAS, the Town Council recognizes that this Resolution shall act as a guide and provide a framework for Town Council procedures; and

WHEREAS, the Town Council recognizes that the procedures may be amended from time to time by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:

SECTION 1. Amendment.

Section 4. of Resolution 5-97 shall be amended in full as follows:

“Section 4. Regular Meeting Agenda.

A. Agenda Order. The normal order of the agenda items is as follows and may be reorganized by the Council Chairperson for items directly related to paid staff.

Speaker’s Cards will be available by the Council Chamber door to be utilized by persons desiring to address Council on items listed on the agenda. A copy of the Speaker’s Card is attached as Exhibit “B”

1. Call to Order
2. Prayer and Pledge
3. Additions, deletions and changes to the agenda
4. Consent Agenda
5. Staff Reports
6. Public Hearings – do not require a Speaker’s Card
7. Items directly related to residents present at the meeting
(such as business tax receipts, P&Z recommendations on subdivisions, development plans and land use requests, Park Board recommendations, resident grievances, etc.)
8. Action Items
(listing Old Business first then New Business)

9. Discussion Items
(listing Old Business first then New Business)
10. Mayor, Council verbal reports
11. General public comment

B. Agenda Items

1. The Mayor or any member of the Town Council may place items on the agenda. The normal deadline for submitting agenda items along with all information relating to the items, to the Town Clerk's Office, is noon on the Wednesday ten (10) days preceding the next regularly scheduled meeting. Staff will have all agenda material prepared and available to Council Members by noon on Wednesday prior to the meeting.
2. The Mayor or any member of the Council may, during the meeting, immediately after the Prayer and Pledge, request that an item be added to the agenda or that an item be moved to a different location on the agenda for convenience of the public. If there is no objection from any Council Member, the Chairperson shall place the item at the appropriate place on the agenda. If any Council Member objects, a majority vote of the Council shall be required to place or move the item on the agenda.
3. Any Malabar resident may place one or more items on the agenda by submitting a completed request form attached as Exhibit "A" and related information to the Town Hall by the Wednesday noon deadline. Non-residents must contact the Mayor or any Council Member to request they submit the item for them.
4. No requests for placement on the agenda will be accepted from any candidate or person supporting any candidate for public office which promotes the campaign of any candidate.
5. Once an item has been placed on the agenda, in accordance with the provisions of this resolution, it may be removed only by the person who placed the item on the agenda.
6. The Consent Agenda may contain Resolutions, Council minutes, reports or other items that can be approved as a group without necessity for comment and discussion.

Notwithstanding the foregoing, any item placed on the Consent Agenda shall by request of any Council member, be removed from the Consent Agenda and placed on the regular agenda immediately after new business, to be discussed and voted on separately by the Town Council.

SECTION 2. Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

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SECTION 3. Effective Date. This Resolution shall take effect immediately upon its adoption.

This Resolution was moved for adoption by Council Member _____. This motion was seconded by Council Member _____ and, upon being put to vote, the vote was as follows:

Council Member Nancy Borton	<u>Aye</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Charles (Chuck) McClelland	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Patricia D. Dezman	<u>Nay</u>

This Resolution was then declared to be duly passed and adopted this 17^h day of March, 2008.

By: TOWN OF MALABAR

Mayor Thomas M. Eschenberg
Town of Malabar

Approved for Legal Sufficiency:

Karl Bohne, Jr., Town Attorney

ATTEST:

Debby K. Franklin
Town Clerk/Treasurer

(seal)

□

EXHIBIT "A"

**AGENDA ITEM REQUEST FORM
MALABAR TOWN COUNCIL**

Please submit mail the completed form to the Clerk's Office:

Town of Malabar
2725 Malabar Road
Malabar, Florida 32950

NAME: _____

ADDRESS: _____

TELEPHONE: _____
(Home) (Business)

Please state the item you wish to have placed on the Town Council Agenda: Agenda Request Forms are not permitted for campaign purposes.

Please summarize pertinent information concerning your request Agenda item and attach applicable documents:

Please state desired action by Town Council:

Signed: _____

Date: _____

□

SPEAKER'S CARD (Please Print)

NAME _____

ADDRESS _____ # _____ STREET _____

_____ CITY _____ STATE _____ ZIP CODE _____

ORGANIZATION YOU REPRESENT _____

SUBJECT _____

_____ SIGNATURE _____ DATE _____

AGENDA #