

RESOLUTION 104-2011

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 01-2009, 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 01-2009 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. Roll Call
4. Additions, deletions and changes to the agenda
5. Consent Agenda
6. Public – Three Minutes Limit. Comments may not address subsequent Agenda Items – Do require Speaker Cards. Do not require response from Council.
7. Attorney Report
8. Brevard County Sheriff (if present)
9. Public Hearings – do not require a Speaker's Card
10. Agenda Items directly related to residents present at the meeting
(such as business tax receipts, P&Z recommendations on subdivisions,

11. Action Items - listing Old Business first then New Business. Speaker's Cards will be recognized by Agenda Item Number prior to Council taking up the Agenda Item.

Recess – Atty excused

12. Presentations
13. Proclamations
14. Staff Reports
15. Discussion Items - listing Old Business first then New Business
16. Reports, Verbal, by Council, Mayor
17. Public Comment - General Three Minutes Limit.– Do require Speaker Cards. Do not require response from Council.
18. Adjourn

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 ten (10) business 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.

- a. 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.

SECTION 3. Effective Date.

This Resolution shall take effect immediately upon its adoption.

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

Council Member Carl Beatty	<u>Aye</u>
Council Member David White	<u>Aye</u>
Council Member Steven (Steve) Rivet	<u>Excused</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Marisa Acquaviva	<u>Excused</u>

This Resolution was then declared to be duly passed and adopted this 17th^h day of October, 2011.

TOWN OF MALABAR

By:

Thomas M. Eschenberg
 Mayor Thomas M. Eschenberg
 Council Chair

ATTEST:

Debby K. Franklin
 Debby K. Franklin, C.M.C.
 Town Clerk/Treasurer

(seal)

Approved as to Form and Content:

Karl W. Bohne, Jr.
 Karl W. Bohne, Jr., Town Attorney

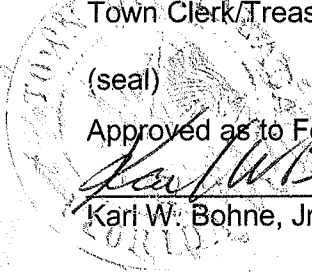


EXHIBIT "A"

**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: _____

TOWN OF MALABAR ~ www.townofmalabar.org

Agenda # _____

SPEAKER'S CARD (Please Print)

Name: _____

Street: _____

Town: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Organization you are representing, if other than self: _____

Agenda item: _____

Subject: _____

Date: _____

Purpose of the Card:

- For Accurate Recording in the Minutes -- proper spelling of Speaker's Name
- Provides Contact Information for follow-up by staff or elected official
- Efficient Meeting Decorum

Speaking Rules:

- Complete Speaker's Card prior to council introduction of item. Use one card per Agenda Item
- Deliver completed card to Town Clerk
- Speaker will have 3 minutes to address the subject
- An additional 3 minutes may be granted if speaker is on behalf of an organization
- Speakers will be called upon by the Chair.