

REQUESTED COMMISSION ACTION:

Consent	<input checked="" type="checkbox"/>	Ordinance	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Consideration/ Discussion	<input type="checkbox"/>	Presentation	<input type="checkbox"/>
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SHORT TITLE Providing priority for city residents and city taxpayers to speak at a City Commission meeting before other speakers during "Audience to be Heard."

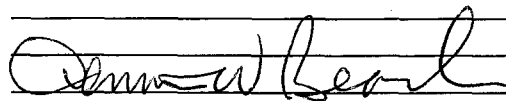
Summary of Purpose and Why:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 30, "CITY COMMISSION," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 30.07, "RULES OF CONDUCT AT PUBLIC MEETINGS," TO PROVIDE PRIORITY FOR CITY RESIDENTS AND CITY TAXPAYERS TO SPEAK AT "AUDIENCE TO BE HEARD"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

- (1) Origin of request for this action: \_\_\_\_\_
- (2) Primary staff contact: Gordon B. Linn, City Attorney Ext. 4614
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: \_\_\_\_\_

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
City Attorney	5/25/10		See City Attorney's Comm. #2010-1242
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

City Manager




ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1 <sup>st</sup> Reading <u>6/8/10</u>	1 <sup>st</sup> Reading _____	Results: _____	Results: _____
APPROVED	_____	_____	_____
2 <sup>nd</sup> Reading <u>6/22/10</u>	_____	_____	_____
_____	_____	_____	_____



**City Attorney's Communication #2010-1242**  
May 25, 2010

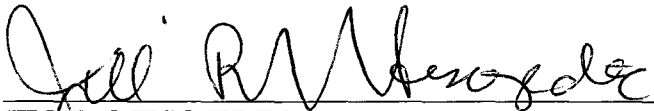
**TO:** Dennis W. Beach, City Manager  
**FROM:** Jill R. Mesojedec, FRP, Paralegal  
**VIA:** Gordon B. Linn, City Attorney   
**RE:** Priority at Audience to be Heard

Attached herewith please find the following captioned Ordinance:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 30, "CITY COMMISSION," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 30.07, "RULES OF CONDUCT AT PUBLIC MEETINGS," TO PROVIDE PRIORITY FOR CITY RESIDENTS AND CITY TAXPAYERS TO SPEAK AT "AUDIENCE TO BE HEARD"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

This Ordinance has been advertised and it is requested that this matter be placed on the agenda for the City Commission of June 8, 2010. A City Commission agenda cover sheet is attached for your convenience.

Please feel free to contact me if I may be of further assistance.

  
JILL R. MESOJEDEC

jrm  
l:cor/mgr/2010-1242

Attachments

**CITY OF POMPANO BEACH  
Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 30, "CITY COMMISSION," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 30.07, "RULES OF CONDUCT AT PUBLIC MEETINGS," TO PROVIDE PRIORITY FOR CITY RESIDENTS AND CITY TAXPAYERS TO SPEAK AT "AUDIENCE TO BE HEARD"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 30.07, "Conduct of Members of the Public at Public Meetings," of Chapter 30, "City Commission", of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§ 30.07 RULES OF CONDUCT AT PUBLIC MEETINGS.**

(A) Intent.

....

(C) Addressing the City Commission. Members of the public may speak at public meetings at a time to be specified by the Mayor during discussion on any ordinance, resolution, motion, workshop item, discussion item, or during

the period set aside for public discussion on the City Commission agenda commonly referred to as “audience to be heard,” subject to the following:

(1) General Requirements.

...

(2) Audience to be Heard.

(a) Members of the public desiring to speak at a City Commission meeting during “audience to be heard” shall fill out and return to the City Clerk, in the City Commission Chambers, the appropriate form, which must include the information needed to determine the speakers priority as provided in sub-section C(2)(b) below, prior to the call to order of the meeting.

(b) The City Clerk will call residents and taxpayers of the city to speak first. Others desiring to speak will thereafter be called to speak, except:

1. When the person is a user of the city’s water or sewer system and wishes to be heard on a matter related to the city’s sewer and/or water system;

2. When such person is a city employee; or

3. When such person is serving as an authorized representative for a person who would otherwise be permitted to be heard pursuant to the priority established in this sub-section.

(~~b~~ c) Thirty minutes or such time needed to permit ten (10) members of the public to speak, whichever is longer, shall be set aside at the beginning of each City Commission meeting for the “audience to be heard” session. The “audience to be heard” session shall be continued at the end of the Commission meeting in the event that individuals wishing to speak are not reached during the first session.

(~~e~~ d) During “audience to be heard,” members of the public desiring to speak may speak on any city government related matter and shall limit their discussion to items not appearing on the agenda.

(~~d~~ e) Each person addressing the Commission during “audience to be heard” shall limit his or her comments to three (3) minutes.

...

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 3.** This Ordinance shall become effective upon passage

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**MARY L. CHAMBERS, CITY CLERK**

GBL/jrm  
5/12/10  
l:ord/ch30/2010-244