

City of Port St. Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984



Meeting Agenda

Monday, November 18, 2024

5:30 PM

Council Chambers, City Hall

Special City Council

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Public to be Heard
5. New Business
 - 5.a Oath of Office for Council Members [2024-1153](#)
 - 5.b Appointment of Mayor and Council Members to Various Boards and Committees. [2024-1152](#)
 - 5.c Council Rules Discussion [2024-1151](#)
6. Adjourn

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, if a person decides to appeal any decision made by the City Council, board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

Notice: Public and Press are invited to review all the backup for Council Meetings. Copies are available in the City Clerk's Office on Wednesday, Thursday, Friday, and Monday before Council Meetings. On Meeting nights, a copy of backup material is available in the reception area of City Hall for public review. Please leave the agenda and backup material in good order for others to review.

Notice: Anyone wishing to speak during Public to be Heard is asked to fill out a yellow Participation Card and submit it to the City Clerk. Anyone wishing to speak on any Agenda Item is asked to fill out a green Participation Card and submit it to the City Clerk. Participation Cards are available on the side table in Council Chambers, at the reception desk in City Hall lobby, and in the City Clerk's Office.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's Office at 772-871-5157.

As a courtesy to the people recording the meeting, please turn all cell phones to silent or off. Thank you.



Agenda Summary
2024-1153

Agenda Date: 11/18/2024

Agenda Item No.: 5.a

Placement: New Business

Action Requested: Motion / Vote

Oath of Office for Council Members

Submitted By: Sally Walsh, City Clerk

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Executive Summary (General Business): On November 5, 2024 the residents of Port St. Lucie voted to elect the Councilmembers.

Presentation Information: The City Clerk will give the Oath of Office to the Councilmembers

Background: N/A

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments:

1. Oath of Office for Councilmembers

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Internal Reference Number: N/A

Legal Sufficiency Review:

N/A



OATH OF OFFICE

I DO SOLEMNLY SWEAR THAT I WILL SUPPORT AND PROTECT AND DEFEND THE CONSTITUTION AND GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA, AND THAT I WILL BEAR TRUE FAITH, LOYALTY AND ALLEGIANCE TO THE SAME; AND THAT I AM ENTITLED TO HOLD OFFICE UNDER THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA; AND THAT I WILL FAITHFULLY PERFORM ALL THE DUTIES OF:

Council Member

OF THE CITY OF PORT ST. LUCIE, FLORIDA, SO HELP ME GOD.

David Pickett

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Signed and sworn to (or affirmed) before me on November 18, 2024, David Pickett. He/She is personally known to me or has produced a _____ as identification.

Notary Public Signature: _____

My Commission Expires: _____



OATH OF OFFICE

I DO SOLEMNLY SWEAR THAT I WILL SUPPORT AND PROTECT AND DEFEND THE CONSTITUTION AND GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA, AND THAT I WILL BEAR TRUE FAITH, LOYALTY AND ALLEGIANCE TO THE SAME; AND THAT I AM ENTITLED TO HOLD OFFICE UNDER THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA; AND THAT I WILL FAITHFULLY PERFORM ALL THE DUTIES OF:

Council Member

OF THE CITY OF PORT ST. LUCIE, FLORIDA, SO HELP ME GOD.

Jolien Caraballo

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Signed and sworn to (or affirmed) before me on November 18, 2024, David Pickett. He/She is personally known to me or has produced a _____ as identification.

Notary Public Signature: _____

My Commission Expires: _____



Agenda Summary
2024-1152

Agenda Date: 11/18/2024

Agenda Item No.: 5.b

Placement: New Business

Action Requested: Motion / Vote

Appointment of Mayor and Council Members to Various Boards and Committees.

Submitted By: Sally Walsh, City Clerk.

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Executive Summary (General Business): Council Rules, Section 12 - Boards & Committees - Members of the City Council have the opportunity and responsibility to represent the interest of the City on various boards and committees that may, from time to time, be established. Participation in these boards and committees is an opportunity for the City to present points of view that are beneficial to the City and an opportunity to participate in decision making processes that may be of significant importance to the City. The standing committees presently established wherein Council Members participate are attached. Each Council Member shall be responsible to accept appointment to at least two (2) of these committees and, once appointed, shall attend duly called meetings of these committees and report back to the Council the activities of and actions taken by the respective boards and committees. The failure to fulfill committee responsibilities may result in censure against the Council Member involved.

Presentation Information: N/A.

Staff Recommendation: Move that the Mayor appoint Council Members to various Boards & Committees.

Alternate Recommendations:

1. Move that the Council amend the recommendation and provide staff with direction.
2. Move that the Council not approve and provide direction.

Background: N/A.

Issues/Analysis: N/A.

Financial Information: N/A.

Special Consideration: N/A.

Location of Project: N/A.

Attachments: Board and Committee Listing.

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Internal Reference Number: N/A.

Legal Sufficiency Review:
N/A

Port St. Lucie City Council Board and Position Appointments

Position/Board	Representative	Alternate	Meeting Date/Time
<i>Vice Mayor of Port St. Lucie</i>	Jolien Caraballo	NA	NA
<i>Mayor pro tempore of Port St. Lucie</i>	Stephanie Morgan	NA	NA
PSL's Affordable Housing Advisory Committee	Bonna	NA	
PSL's Solid Waste Task Force	Pickett	NA	
PSL's Opioid Task Force	Bonna		
The Council on Aging	Pickett	NA	Last Wednesday, Every Other Month, 3:30 PM
Roundtable of St. Lucie County	Pickett	Morgan	1st Friday, Every Month, 8:30 AM
SLC Chamber Board of Directors* (<i>Ex Officio</i>)	Morgan	Martin	Fourth Thursday, Every Month, 8:30 AM
SLC Fire District Board	Martin, Morgan	NA	3rd Wednesday, Every Month, 3:00 PM
SLC Transportation Planning Organization	Martin, Morgan, Caraballo, Pickett	Bonna	1st Wednesday, Every Other Month, 2:00 PM
St. Lucie County Tourist Development Council	Morgan	Martin	2nd Wednesday, Every Month, 12:30 PM
St. Lucie County Homelessness Task Force	Bonna		
St. Lucie County Humane Society	Martin	N/A	
Treasure Coast Council of Local Governments	Pickett	Caraballo	1st Wednesday, Every Month, 10:00 AM
Treasure Coast Regional League of Cities	Caraballo	Pickett	3rd Wednesday, Every Other Month, 11:00 AM
Treasure Coast Regional Planning Council	Bonna	Pickett	3rd Friday, Every Month, 9:30 AM
Business Alliance for Prosperity Board - INACTIVE	Martin		4th Tuesday, Every Month at 4:00PM
Port Advisory Committee (Formerly, Fort Pierce Harbor Advisory Committee)	Martin		3rd Wednesday, Quarterly, 3:00 PM
Port St. Lucie Area Council*	All Council Members Rotate		2nd Wednesday, Every Month, 8:00 AM
Treasure Coast Education, Research and Development Authority (<i>Ex Officio</i>)	Pickett		2nd Thursday, Every Other Month, 3:00 PM (subject to change)

*As requested by the St. Lucie County Chamber of Commerce.

V: 12/13/2021



Agenda Summary
2024-1151

Agenda Date: 11/18/2024

Agenda Item No.: 5.c

Placement: New Business

Action Requested: Discussion

Council Rules Discussion

Submitted By: Sally Walsh, City Clerk

Strategic Plan Link: The City's Goal of a high-performing city government organization.

Executive Summary (General Business): Resolution 23-R108 - Whereas, in accordance with Section 3.10 of the City of Port St. Lucie City Charter, the City Council desires to determine its own rules due to the installation of a new Council.

Presentation Information: N/A

Staff Recommendation: Council discussion

Background: N/A

Issues/Analysis: N/A

Financial Information: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: Resolution 23-R108

NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.

Internal Reference Number: N/A

Legal Sufficiency Review:
N/A

RESOLUTION 23-R108

A RESOLUTION AMENDING AND ADOPTING THE CITY OF PORT ST. LUCIE, FLORIDA, RULES OF COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article III, Section 3.10(b) of the Charter of the City of Port St. Lucie, Florida, requires that the City Council determine its own rules by resolution and publish them within sixty days after installation; and

WHEREAS, the inherent power of the City Council provides that it has the power to amend its meeting rules by Resolution at any time pursuant to a majority vote of the Council; and

WHEREAS, the City Council desires to adopt the amended version as its Rules of Council attached hereto as Exhibit A; and

WHEREAS, the City Council believes that these amendments will facilitate the procedural process of the City Council meetings and benefit the public interest of accomplishing the business of the City; and

WHEREAS, because many agenda items are already in-progress and time to implement procedural meeting changes take time, Council has determined that these new rules shall be implemented on January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. That each of the recitals stated above are hereby adopted and confirmed.

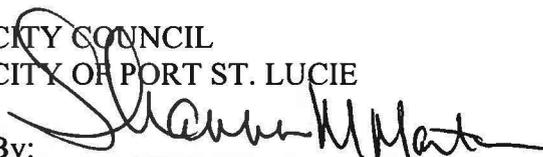
Section 2. That the Rules of Council are hereby amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference, and are hereby adopted as the Rules of Council (strikeout text indicates deletions while underlined text indicates additions).

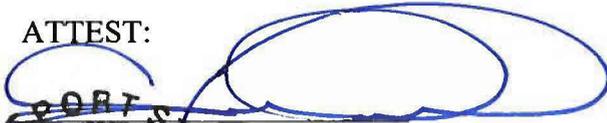
RESOLUTION 23-R108

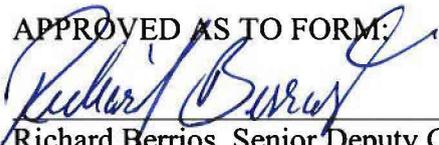
Section 3. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption, with the attached Council Rules being implemented on January 1, 2024.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this 25th day of September, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE
By: 
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk


APPROVED AS TO FORM:

Richard Berrios, Senior Deputy City Attorney on behalf of James D. Stokes, City Attorney



RULES OF COUNCIL
(APPROVED BY RESOLUTION 23-R108)
EFFECTIVE JANUARY 1, 2024

SECTION 1. DECLARATION OF PUBLIC POLICY. It is the intent of these rules that the deliberations and actions of the Council be conducted and taken openly in order that the citizens may be fully informed, it being the finding of the Council that the citizens must be fully informed if they are to be intelligently advised as to the conduct of public business by the Council.

SECTION 2. DEFINITIONS. For the purpose of these rules, the following definitions shall prevail:

(a) A "Meeting" is a gathering of a quorum of the membership of the Council for the purpose of receiving information relating to public business, or for discussion of public business, or for final action upon public business.

(b) A "Regular Meeting" is a meeting held pursuant to a schedule of such meetings as approved by the Council to enact ordinances and resolutions, conduct public hearings and otherwise discuss and act upon matters of public interest.

(c) A "Special Meeting" is a meeting held on the call of the Mayor or upon the request of a Councilmember to the City Manager with the concurrence of a majority of the members of the Council which shall be ascertained by the City Manager. A "special meeting" is held for the purpose of addressing matters requiring the immediate attention of the Council or for the purpose of addressing matters which the Council has determined are best addressed at a special meeting. When a special meeting is called, the Mayor or members of the Council shall specifically state the purpose of the meeting, and the Council shall address only those matters for which the meeting was called.

(d) A "Workshop Meeting" is a meeting held for the study and discussion of affairs of the City, or other City business as needed. Workshop meetings will be held pursuant to a schedule of such meetings as approved by the Council. Workshop meeting may be for information only, may result in Council providing direction to staff, or may

result in a vote and final action by Council.

(e) An “Informal Meeting” is a meeting which is specially called for discussion on specific item(s), which may involve a quorum or less than a quorum of Council members being present. The meeting may be called by the Mayor or by the City Manager. Such meetings shall comply with the requirements of Section 286.011, Florida Statute, however, no public hearing and no formal action shall be taken at any informal meeting. An informal meeting involving less than a quorum of Council can be called by any Council member by making a request to the City Manager to arrange for the meeting.

(f) The "Council" shall refer to the City Council of the City of Port St. Lucie.

(g) "Councilman (Councilmen), Councilwoman (Councilwomen) and Councilmember(s)" shall refer to the Mayor and members of the City Council of the City of Port St. Lucie.

(h) The word “present”, as used in Section 166.041(4), Florida Statutes, shall mean attendance either physically or virtually,

(i) The word “virtually” or “virtual attendance” shall include, but not be limited to, use of a telephone or an audio/video connection such as Zoom, Teams, Chime, GotoMeeting, Skype or other similar teleconferencing or web-based platform.

(j) “State of Emergency” shall mean a declaration by any competent authority, whether federal, state or local, whose jurisdiction includes the City of Port St. Lucie, including an initial declaration made by the City Manager pursuant to Section 98.02 of the City Code of Ordinances (prior to ratification), and continuing thereafter until the state of emergency is terminated.

SECTION 3. MEETINGS.

(a) Location. All meetings of the Council shall be held in city hall, unless the Council indicates another location, and shall be open to the public as required by law.

(b) **Regular Meetings.** The Council shall hold regular monthly meetings on the second and fourth Monday night of each month beginning with the second Monday in January of each year. Meetings in November and December shall be set as agreed upon by the Council in consideration of the holiday schedule. Unless otherwise noticed, regular

meetings shall commence as follows:

- (i) The regular meeting on the second Monday of the month shall begin at **1:00 p.m.**
- (ii) The regular meeting on the fourth Monday of the month shall begin at **6:00 p.m.**

(c) **Workshop Meetings.** The Council may hold a monthly Workshop meeting on the third Monday of each month beginning at **9:00 a.m.**, and may hold other Workshop meetings as deemed necessary at a date and time to be determined.

(d) **Informal Meetings.** The Council may hold an Informal meeting as deemed necessary at a date and time to be determined and noticed as required by law.

(e) **Holidays.** When the day fixed for any meeting falls on a day designated by law as a legal holiday, the meeting shall be held on the Tuesday following that Monday holiday or as otherwise designated by the Council.

(f) **Public Notice.** The Council shall give public notice of the schedule of meetings and shall state the dates, times and places for such meetings. Public notice of all public meetings shall be given before such meeting. Public notice shall be given by posting a copy of the notice at City Hall. The City shall supply copies of the notices of its meetings to any local newspaper of general circulation, or any local radio or television station that has filed an annual request with the City Clerk for such notice. Cancellation of any meeting should be publically advertised as soon as possible.

SECTION 4. MINUTES, AGENDAS AND REPORTS.

(a) Minutes identifying all matters coming before the Council and setting forth the action, if any, thereof, shall be promptly recorded and transcribed by the City Clerk and such records shall be open to public inspection.

(b) At the direction of the City Manager, the City Clerk shall prepare an agenda for all meetings (including emergency meetings when practicable). The agendas for all meetings will be prepared and made available to the public, the press and to each Councilmember on the Wednesday preceding each regular meeting providing, however, that when Council meeting dates have been changed due to holidays, or otherwise, the preparation and distribution of the agenda shall be adjusted accordingly. A copy of the

agenda shall be posted at the entrance to the meeting room or place prior to the commencement of such meeting.

SECTION 5. PRESIDING OFFICER. The Mayor shall preside at all meetings, if present, and if absent, the Vice-Mayor, and in his or her absence the Mayor Pro Tem of the Council shall preside.

SECTION 6. ORDER OF BUSINESS. All meetings of the Council shall be open to the public promptly at the hour set on the date of each meeting. The members of the Council, City Manager, City Clerk, and City Attorney shall take their regular stations and the business of the Council shall be taken up for consideration and disposition in substantially the following order:

- (a) Meeting called to order.
- (b) Roll call.
- (c) Invocation.
- (d) Pledge of Allegiance.
- (e) Proclamations and special presentations.
- (f) Public to be Heard.
- (g) Additions or deletions to agenda and approval of agenda.
- (h) Approval of consent agenda.
- (i) Second reading of ordinances (public hearing of ordinances, if applicable).
- (j) Other public hearings.
- (k) First reading of ordinances (public hearing of ordinances, if applicable).
- (l) Resolutions.
- (m) Unfinished business.
- (n) New business.
- (o) City Manager's Report.
- (p) Councilmembers report on committee assignments.
- (q) Public to be heard (if necessary as determined by City Council at conclusion of Public to be Heard).
- (r) Adjourn.

The above form the headings for the agenda for regular meetings. Staff and Council members desiring to have a particular subject matter placed upon the agenda may make a request therefor to the City Manager. Members of the public must have a Councilmember or the Mayor agree to sponsor their request before submission to the City Manager. All requests shall be accompanied by any information or documentation supporting the subject matter of the request and shall indicate the approximate length of time required for any presentation to the Council. Except in unusual circumstances, no item shall be placed on the meeting agenda until the subject has been referred for comment to whatever department, advisory board or combination of them that has an interest in the subject matter. Any such request shall be promptly considered and placed upon the agenda without undue delay.

SECTION 7. PREPARATION OF ORDINANCES, RESOLUTIONS.

(a) No ordinance shall be prepared for presentation to the Council unless directed by a majority of the Council, requested by the City Manager, or prepared by the City Attorney on his or her own initiative, unless otherwise provided by ordinance or by the City Charter.

(b) All ordinances and resolutions shall, before presentation to the Council, have been approved as to form by the City Attorney, or his or her authorized representative. All those instruments shall first be referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance or resolution would be involved and shall be approved by the department head. If approval is not given, then the instrument shall be returned to the City Manager with a written memorandum of the reasons why approval is withheld. In the event the questioned instrument is not redrafted to meet a department head objection or the objection is not withdrawn and approval in writing given, then the City Manager shall so advise the Council and give the reasons advanced by the department head for withholding approval.

SECTION 8. VOTING. When a motion that is in order has been made and seconded, the Mayor or presiding officer formally places it before the Council by having the Clerk read the exact motion into the record. Thereafter the motion is open to debate.

Voting on motions shall be by voice vote, unless the vote is unclear at which point the Mayor may call for a roll call vote. Voice votes shall acknowledge both “yays” and “nays”. Any comments by Councilmembers as to the subject matter of a motion should be made during the debate thereon rather than at the time the Councilmember's vote is cast so that other members of the Council may have the benefit of those comments during the debate and before their vote is cast. The call of the roll shall be rotated as items come up for vote.

SECTION 9. CONDUCT OF MEETING.

(a) The Mayor or presiding officer shall preserve order and decorum at all meetings.

(b) When considering matters noticed for a public hearing, the applicable ordinances or resolution shall first be read by its title only. The Mayor or presiding officer shall declare the public hearing open and receive comments from the public.

(c) During Council meetings, Councilmembers shall maintain order and decorum. Every Councilmember desiring to speak shall address the Mayor or presiding officer and, upon recognition by the Mayor or presiding officer, shall confine himself or herself to the question under debate. Each Councilmember desiring to speak shall be recognized once before a Councilmember shall be recognized a second time. Every Councilmember desiring to question the administrative staff shall address his or her question to the City Manager or attending Department representative. During Council discussion, Councilmembers may also, with leave of the Mayor or presiding officer, direct questions to others in attendance at the Council meeting. A Councilmember once recognized shall not be interrupted while speaking unless called to order by the Mayor or presiding officer, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions of another member.

(d) City staff and citizens must be recognized by the Mayor or presiding officer before speaking or asking questions. The purpose of this requirement is so that there is order and so that the recording equipment will properly record all comments made by individuals wishing to comment on a specific subject.

(e) All comments must be made from the podium which is located at the front of the City Council Chambers or by other reasonable accommodations and shall address the subject of the agenda item. Individuals that appear before the City Council are required to state their name and their address for the public record. The purpose of this requirement is so that they are properly reflected in the Council minutes and are available for future reference.

(f) In order to address the Council regarding an agenda item citizens are required to complete a public participation card indicating the agenda item(s) they wish to address. Public comments will be limited to three (3) minutes per person so that all may be heard on the matter and the Mayor or presiding officer, or his or her designee, shall in such instances monitor the timing and give the speaker a thirty (30) second notice prior to the expiration of the time allotted. The Mayor or presiding officer may, at his or her discretion, or at the direction of a majority of the Council, extend the time allowed for an individual to speak or to allow a speaker a single opportunity to rebut comments made by another speaker. Any such rebuttal shall be limited to three (3) minutes. After receiving public comments as provided herein, the public hearing shall be closed and all further discussion on the matter shall be limited to members of the Council. One participant's allotted time for addressing the Council may not be donated to another participant.

(g) Those persons wanting to express his or her opinion on an agenda item noticed for public hearing without addressing the Council may do so on the appropriate color-coded participation card which the City Clerk shall make available, and when completed and returned to the City Clerk shall be made part of the public record of the proceedings. Individuals may express on the card that they are "FOR", "AGAINST", or "UNDECIDED" regarding the agenda item they reference on the card.

(h) As the Council considers agenda items, other than items noticed for public hearing, the Mayor or presiding officer shall accept comments from those who have presented public participation cards to the clerk at the commencement of the meeting and may, at his or her discretion, or at the direction of a majority of the Council, accept comments from those in attendance.

(i) The Council shall follow the order of business as established by the agenda for that meeting; however, in the event a Council meeting continues past the hour of 11:00 p.m. it shall be the policy of the Council to complete, if possible, the item then under consideration and thereafter table all other agenda items scheduled for that meeting to a meeting to be scheduled by the City Council for the purpose of completing those agenda items or, if the Council is unable to convene such a meeting, then the Council shall table the remaining agenda items to the next immediately available Council meeting. In the alternative, by a motion duly made, seconded, and carried, the Council may waive, pursuant to Rule 15, the provisions of this rule to complete any and all items on the agenda after 11:00 p.m.

(j) The Council may reconsider an item, that is, bring back for further consideration, a motion which has already been voted on. To provide usefulness, and protection against abuse, the motion to reconsider can only be made by a Councilmember who voted on the prevailing side of the original motion and must be made no later than the next regular meeting of the City Council.

SECTION 10. PUBLIC PARTICIPATION.

Avenues for Citizens to Participate in Decision Making Process:

- Public to be Heard
- Submission of Petitions
- Citizen Agenda Items
- Public Hearings
- Regular Agenda Items
- City Council Discussion items

(a) Public to be Heard

(i) The City Council also allocates thirty (30) minutes at the beginning of each Council meeting for citizens who wish to appear before the City Council to make a request of the City Council, voice a complaint or concern, express an opinion or for some other type of recognition but in no case may a citizen speak longer than (3) minutes. If an item brought forward under Public to be Heard requires a longer presentation by the citizen or will require staff research or materials, the item may be scheduled by the Mayor

or presiding officer for a future City Council meeting as an Agenda item. Citizens who signed up to address the City Council but were unable to do so because of the expiration of the thirty (30) minute limitation will be given an opportunity to address the City Council at the conclusion of the regular Council business agenda.

(ii) During this item, citizens will not be permitted to address matters that are on the agenda for the regular portion of the meeting.

(iii) In order to address the Council on an agenda item, other than a public hearing or to speak during Public to be Heard, the appropriate color-coded participation card must be completed prior to the beginning of the City Council meeting and given to the City Clerk. The City Clerk will be responsible for making sure that cards are located outside the City Council Chambers 30 minutes prior to the Council meeting. Citizens can also pick up cards during business hours prior to a City Council meeting at the City Clerk's office. The City Clerk, or a person designated by the City Clerk, will be responsible for assisting individuals in completing the card and presenting the cards to the Mayor or presiding officer prior to convening the City Council meeting.

(iv) During the Public to be Heard portion of the Council meeting, no dialogue will occur between Council members and the public. Council members may comment at the close of this item.

(v) Any email received by the City on a non-agenda topic, requesting it to be considered at Public to be Heard, shall be distributed to the Council members prior to the meeting and retained by the City Clerk as a public record. The email shall not be required to be read aloud at the meeting.

(b) Submission of Petitions to the City Council

(i) When submitting petitions to the City Council, the petition should state clearly its purpose. The person presenting the petition must provide it to the Mayor or presiding officer at the beginning of the presentation and state a brief overview of its purpose. If not submitted on an item already on the agenda, the City Council will accept the petition and may schedule the item for discussion on the next available agenda.

(ii) When petitions are received by the City by mail, a copy of the petition will be presented to the City Council and it will be placed on the next available City Council Meeting for discussion by the City Council.

(c) Citizen Agenda Items

(i) Agenda items proposed by citizens may be placed on the City Council Agenda under two (2) circumstances:

(A) An item brought before the City Council during Public to be Heard and is unable to be presented within the three (3) minute time frame or needs additional research or materials so that the City Council can properly respond, may be rescheduled by the Mayor or presiding officer for a future City Council meeting as an Agenda item.

(B) A citizen may request in writing to appear on the City Council Agenda and file such request with the City Clerk's office a minimum of two (2) weeks in advance of the City Council meeting. The letter shall state the nature of the request and ask that the item be placed on an upcoming City Council Agenda. A copy of the letter will be provided to the City Council on the day that it is received by Clerk's Office, but no action will be taken by the Clerk until said copy is endorsed or sponsored by at least one (1) council member or the Mayor. Thereafter, a copy of the letter will be provided to the proper City department so that research can be conducted and information provided to the City Council.

(ii) Agenda items are to be considered like all other items on the City Council Agenda. The format for consideration will be as follows:

- Presentation by the individual asking to address the City Council
- Questions of the individual by the City Council
- Presentation by City staff, if necessary
- Questions of the City staff by the City Council
- Public comment
- Discussion by the City Council
- Motion and vote on the item, if necessary

(d) Public Hearings

Public Hearings are formal, legally-noticed hearings which the City Council conducts pursuant to State or Federal law. Some Public Hearings are advertised hearings for specific items scheduled on the City Council Agenda. Some hearings are quasi-judicial, while others are legislative in nature. Some public hearings have specific formats that must be followed and are established by law and, certain items specified by statute, require two public hearings. Public hearings of ordinances are generally held during the First Reading of the ordinance, after having been properly advertised as required by law. In those cases, the Mayor or presiding officer will announce that this is a public hearing.

The applicant may have as much time as necessary to make the presentation before the City Council. City staff may have as much time as necessary to make a presentation on the subject before the City Council. As with all agenda items, persons wishing to address the issue should have completed an appropriate participation card prior to the beginning of the meeting.

The order of a Public Hearing that is not quasi-judicial will be as follows:

- Presentation by City staff
- Questions of the City staff by the City Council
- Presentation by the applicant, if applicable
- Questions of the applicant by the City Council, if applicable
- Public comments
- Questions of citizens by the City Council or applicant
- Final Comments by applicant, if applicable
- Discussion by the City Council (City Council members may request additional information from both the applicant and staff during this phase of discussion)
- Decision by the City Council

In the event an applicant does not appear to present the item, the Council may table the item to a future regular meeting. If there is any cost to readvertising the tabled item, it shall be borne by the applicant. In the event the applicant fails to appear at the subsequent meeting date, the item shall be Stricken by the Council and the applicant will be required to reapply for the relief sought.

Public Hearings that are quasi-judicial in nature shall be governed by the rules for quasi-judicial proceedings which are adopted by the Council by Ordinance. Those rules

are incorporated by reference herein for all pertinent purposes. Quasi-judicial items will be identified on the agenda, and prior to the first quasi-judicial item, anyone giving testimony will be sworn-in by the Clerk. Councilmembers will make any required disclosures prior to each item. No announcement from the City Attorney will be necessary; however, every Agenda of the Council, and any Agenda of a Board or Committee addressing quasi-judicial items, will contain the following notice:

A quasi-judicial item is a hearing which requires a determination to be made by applying the facts of the case to existing law or regulation. All testimony shall be required to be made under oath and all evidence will become part of the official record. Council members will disclose any ex-parte communication prior to the hearing. For more information, see Section 32.80 of the City's Code of Ordinances.

(e) Regular Agenda Items

The City Council provides an avenue for citizens to address all other agenda items. This allows citizens to speak in favor of, in opposition to, or ask questions about a normal agenda item. If the item is on Consent Agenda, the City Council may withdraw the item from the Consent Agenda. If the item is on Consent Agenda, the citizen will need to complete the appropriate color-coded participation card and give the card to the City Clerk prior to the beginning of the meeting. The Mayor or presiding officer will inform the City Council that a citizen has requested that an item be removed from the Consent Agenda. If the City Council desires to remove the item from the Consent Agenda, the City Council will need to remove the item for discussion purposes. If the item is removed from the Consent Agenda, the citizen is allowed to address the item. When an item is removed from the Consent Agenda, citizens will be allowed three (3) minutes to comment or ask questions about the item. If the citizen's questions cannot be answered quickly, the City Council may table the item and schedule it as a regular City Council Agenda item, or may take final action on the item.

If the item is on the non-Consent Agenda portion of the Agenda, citizens will be given up to three (3) minutes to comment or ask questions about the agenda item. The Mayor or presiding officer must recognize all who wish to speak and have signed

participation cards.

The order of consideration of an agenda item that has been removed from the consent agenda and all other regular agenda items will be the same as a regular public hearing item, above.

(f) City Council Reports and Comments

The City Council has scheduled an item where the Council reports on the various committees and groups on which they represent the City, and to make comments in general.

(g) Documents

All documents submitted to the City Council become public records when given to the City Council for their consideration and shall be maintained by the City Clerk in accordance with the public records law.

(h) Email Comments

Any email received by the City commenting upon an Agenda Item will be made part of the official file on the item being addressed; however, the email shall not be required to be read aloud at the meeting.

SECTION 11. DECORUM. The Mayor or presiding officer shall preserve strict order and decorum at all meetings.

(a) In conducting the public's business, the City Council is committed to the principles of civility, honor, and dignity. Individuals appearing before the City Council are expected to observe the same principles when making comments on items and issues presented to the City Council for their consideration.

(b) Staff members and citizens are required to use proper language when addressing the Council or the audience. Staff members and citizens shall not use profanity or cursing, aggressive or threatening behavior when addressing the City Council or other participants. All comments are directed to the Mayor or presiding officer and not to individual members of the City Council or to the audience. [City Council meetings are business meetings where the business of the City is conducted.] No personal verbal attacks toward any individual will be allowed during the conduct of a City Council meeting. The

Mayor or presiding officer may have individual(s) removed from the podium and/or City Council Chambers if such conduct persists after a warning has been issued.

(c) All members of the Council shall accord the utmost courtesy to each other, the City employees and the public members appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. During Council meetings cell phones are to be turned off or silenced. Use of cell phones by Council members and City staff for talking, texting, emailing or otherwise will not be allowed during meetings while at the dais, except for emergency communications or while on breaks.

(d) In addition to the prohibitions in (c), above, Section 871.01, Florida Statutes, declares that any person who willfully interrupts or disturbs any assembly of people meeting for any lawful purpose shall be guilty of a misdemeanor of the second degree, and may be arrested by police officers present.

(e) In the case that any person is declared out-of-order by the Mayor or presiding officer and ordered expelled, and does not immediately leave the Council Chambers, the following steps shall be taken:

(i) The Mayor or presiding officer shall declare a recess.

(ii) The person shall be approached by a police officer and advised that he has been ordered expelled.

(iii) In case the person does not remove himself or herself from the area he or she may be placed under arrest for violation of Section 871.01, Florida Statutes, should the person continue to willfully interrupt or disturb the meeting.

(iv) In the event any person who is ordered expelled leaves the Council Chambers voluntarily and then returns to the same meeting, he or she is subject to arrest for violation of Section 871.01, Florida Statutes, should the person continue to willfully interrupt or disturb the meeting.

The City Manager shall, during all public meetings, have a uniformed certified law enforcement officer present.

SECTION 12. BOARDS AND COMMITTEES. Members of the City Council have the opportunity and responsibility to represent the interest of the City on various boards and committees that may, from time to time, be established. Participation in these boards and committees is an opportunity for the City to present points of view that are beneficial to the City and an opportunity to participate in decision making processes that may be of significant importance to the City.

Each Councilmember shall be responsible to accept appointment to at least two (2) boards or committees and, once appointed, shall attend duly called meetings of these committees and report back to the Council the activities of and actions taken by the respective boards and committees.

SECTION 13. ATTENDANCE.

(a) Members in attendance at a Council meeting must be present when votes are taken and must cast a ballot or, pursuant to Section 28.012, Florida Statutes, declare that there is, or appears to be, a possible conflict of interest according to Florida law and thereupon comply with the disclosure requirements of Section 112.3143, Florida Statutes.

(b) A Councilmember may participate in a City Council meeting virtually if (1) there is a medical reason for unavailability, (2) there exists some extraordinary circumstance that prevents the Councilmember's attendance in person, or (3) the City is under a declared state of emergency.

(c) In the event of virtual attendance at times other than a declared state of emergency, virtual attendance shall not be permitted unless the Councilmembers in attendance physically at the meeting approve such attendance. A Councilmember who attends virtually shall not be counted as absent and shall be allowed to participate in the meeting as if he or she were physically present; provided, however, that Councilmember's attendance shall not be counted in ascertaining a quorum for the meeting.

(d) In the event of virtual attendance during a declared state of emergency, any or all members of Council may appear virtually as authorized by City Ordinance. A quorum will be a majority of Council, whether attending physically or virtually.

(e) All evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. Members of Council shall have all rights and privileges whether attending a meeting physically or virtually.

SECTION 14. COUNCILMEMBER CONDUCT. Members of the Council must at all times recognize that their actions, both public and private, may reflect upon the Council as a whole and further may reflect upon the City of Port St. Lucie. Conduct unbecoming of a public official may result in appropriate action taken by the City Council including, pursuant to Section 3.02 of the Charter of Port St. Lucie, forfeiture of the office of Councilmember.

SECTION 15. WAIVER OF RULES. The Council may, at any time, upon a motion and majority approval, waive all or a portion of these rules of procedure during the course of a meeting.