

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL WORKSHOP MINUTES
HELD IN THE CITY COUNCIL CHAMBERS
MAY 9, 2018 @ 6:00 P.M.**

CITY CLERK CALL TO ORDER

CHAIRPERSON DAVIS JOHNSON: Good evening. I'd like to call this City Council Workshop to order. Madam Clerk, roll call.

ROLL CALL

CITY CLERK ANTHONY: Mayor Thomas Masters? Chairperson Tonya -- Tonya Davis Johnson?

CHAIRPERSON DAVIS JOHNSON: Here.

CITY CLERK ANTHONY: Chair Pro Tem Lynne Hubbard? Councilperson KaShamba Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Present.

CITY CLERK ANTHONY: Councilperson Julia Botel?

COUNCILPERSON BOTEL: Here.

CITY CLERK ANTHONY: Councilperson Terence Davis?

COUNCILPERSON DAVIS: Here.

CITY CLERK ANTHONY: City Manager Karen Hoskins?

CITY MANAGER HOSKINS: Here.

CITY CLERK ANTHONY: City Clerk Claudene Anthony -- Claudene Anthony is present. Assistant City Attorney Lina Busby?

ASSISTANT CITY ATTORNEY BUSBY: Here.

CITY CLERK ANTHONY: You may proceed.

CHAIRPERSON DAVIS JOHNSON: We'd like to take a moment of silence followed by the Pledge of Allegiance led by Councilman Davis.

INVOCATION

PLEDGE OF ALLEGIANCE

(Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Councilperson Davis).

CHAIRPERSON DAVIS JOHNSON: Madam Manager, are there any additions, deletions or substitutions?

AGENDA APPROVAL:

Additions, Deletions, Substitutions:

CITY MANAGER HOSKINS: No, ma'am.

CHAIRPERSON DAVIS JOHNSON: I'll entertain a motion to adopt the agenda.

COUNCILPERSON MILLER-ANDERSON: So moved.

COUNCILPERSON BOTEL: Second.

CITY CLERK ANTHONY: Madam Chair, we don't do motions at a workshop.

COUNCILPERSON MILLER-ANDERSON: A workshop. You're not supposed to -- workshop.

CITY CLERK ANTHONY: She added it on there? I'm sorry.

CHAIRPERSON DAVIS JOHNSON: You have it on your list, see?

CITY CLERK ANTHONY: I'm -- I apologize for that. We don't do motions.

CHAIRPERSON DAVIS JOHNSON: Thank you.

CITY CLERK ANTHONY: You're welcome. Discussion and deliberation.

AGENDA ITEMS

DISCUSSION AND DELIBERATION BY COUNCIL

**1. RULES OF DECORUM AND ROBERT'S RULES OF ORDER.
COUNCILWOMAN KASHAMBA MILLER-ANDERSON (561) 845-4095**

CITY MANAGER HOSKINS: Madam Chair, this is the -- a workshop to discuss the Rules of Decorum and Robert's Rules of Order. Councilwoman Miller-Anderson had requested this workshop. And we have Attorney Matthew Russell here to assist us with the Robert's Rules of Order training. At this time if you don't have any comments I'll turn the meeting over to Mr. Russell.

MATTHEW RUSSELL: Thank you very much. Good evening, everyone. It's good being here with you. It's good seeing you. I want to say thanks to you for being willing to serve our city. We need it. I know it's time-consuming, and I want you to

know I do appreciate it and I want to say thanks to the city manager, the interim city manager and to our city clerk for the assistance each has given me in preparing for my presentation. Thank you so very much.

CHAIRPERSON DAVIS JOHNSON: Thank you.

MATTHEW RUSSELL: I'd like to, if you will allow -- oh, yes, let me indicate this to you, also. Almost on a -- almost on a daily basis at my law school, Florida State University College of Law, we were -- were reminded that reasonable minds can differ. So then in instances today when, in my presentation, you differ with me, I have my bibles up here, and if you will present your bibles and we'll talk about the differences and we'll see why there is a difference, because sometimes some of this is debatable. And as I move along, if there are any questions certainly you can stop me and -- and ask.

I'm going to do some of the basic fundamentals of -- of running a meeting and some of it -- and I want to say this also to you. Remember that please -- that we're on the same team. I'm not here to criticize, cast aspersions or if in the past you did something different from -- from what I'm suggesting or advocating, please understand that I feel that we're on the same team and perhaps we can work it out. Is that okay, everyone?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Okay. Thank you. And in our charter, Article II, Section 12 says, "The city council shall conduct its meetings in accordance with parliamentary proceedings as laid down in Robert's Rules of Order, Revised, and shall keep a journal," inter alia, etc., etc. I have the 11th Edition and I also have my bible from, I think, about 1940 something but it's great. It's a hardback. Okay? And so I'm relying on this.

I'd like to call our attention to Resolution 47-01. I think that's part of your -- part of your packet for today, Resolution 47dash -- yes. And it's my understanding that with this resolution you are attempting to or you will be adopting some resolutions that were previously passed; is that correct? In some instances I'm going to be asking almost as many questions as answers that I'm giving, because I need to know from -- how to proceed. Is that correct? Is that 47-01 -- is that the purpose of it?

COUNCILPERSON MILLER-ANDERSON: Say that one more time. You're referencing the resolution in terms of what?

MATTHEW RUSSELL: Yes, ma'am. 47-01. Is that -- and -- and I'm looking at it, it says --

COUNCILPERSON MILLER-ANDERSON: Yes. That's it.

MATTHEW RUSSELL: -- that you're amending and that you're going to -- the inference here is -- inference I've gathered is that you're going to incorporate some of the amendments, the resolutions that are listed here; is that correct?

CHAIRPERSON DAVIS JOHNSON: It's already been done.

MATTHEW RUSSELL: It's been done?

CHAIRPERSON DAVIS JOHNSON: That -- well, we haven't -- we have not reviewed or revised this ordinance in its state.

MATTHEW RUSSELL: Okay.

CHAIRPERSON DAVIS JOHNSON: But this is the ordinance that was approved and that was the language used to approve that resolution at that time.

COUNCILPERSON MILLER-ANDERSON: You're talking about back then.

CHAIRPERSON DAVIS JOHNSON: Yes.

MATTHEW RUSSELL: Okay. Thank you. All right. I'd like to call your attention to a couple of things. Not -- not many here. But if you will look at what's listed as 3 of 9. It says on the page 3 of 9 -- 3 of 9 -- this is the agenda packet that you have for today. Okay? Does everyone see it? Does everyone know where I am?

COUNCILPERSON DAVIS: I see it.

COUNCILPERSON MILLER-ANDERSON: That's 2 of 7.

CHAIRPERSON DAVIS JOHNSON: No, this is 3 of 9.

MATTHEW RUSSELL: Resolution number 47-01, page 3 of 9. Does everyone see that?

COUNCILPERSON MILLER-ANDERSON: Yes. Yes.

MATTHEW RUSSELL: Everyone sees that? Okay. In C, C-2, Motions is C. Number 2 of that, it says, "Motions shall be recorded and if desired by any council member, it --" and I'm pointing that out to you simply if you have motions, then it can't be "it." Does everyone understand what I'm -- you do? You don't?

COUNCILPERSON MILLER-ANDERSON: Mr. -- Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: Attorney Russell, so obviously we have the television on and the public is following, as well.

MATTHEW RUSSELL: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: And so what we would want to do is probably read it out. You know, make reference of exactly what it is but read it out in whole.

MATTHEW RUSSELL: Okay. Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: And then we can kind of go back and answer the questions as you're -- you're asking them.

MATTHEW RUSSELL: Yes, ma'am. This is Resolution number 47-01, page 3 of 9. We're looking at Section C and that's 2 under C which is Motions.

COUNCILPERSON MILLER-ANDERSON: Which is our Motions. Okay.

MATTHEW RUSSELL: Yes. C is captioned Motions. "Motions shall be recorded, and if desired by any council member, it shall be read by the City Clerk before it is debated." And I'm saying to you that if you have motions, then you will not have the relative "it" for it because motions is plural and so you can't do "it." Because "it" is singular and you need to change -- I'm suggesting -- suggesting that we change that.

COUNCILPERSON MILLER-ANDERSON: So you're suggesting to take the word "it" out?

MATTHEW RUSSELL: "They."

CHAIRPERSON DAVIS JOHNSON: "They."

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: Motions.

COUNCILPERSON MILLER-ANDERSON: Now, can you just go into -- in terms of, like -- and I know we're -- we're basically just trying to give foundation. The whole purpose of this was just to start over from scratch, make sure everybody was on the same page in terms of the rules and the motions and just going over the whole foundational part of it.

MATTHEW RUSSELL: I'm going to do a mock --

COUNCILPERSON MILLER-ANDERSON: So --

MATTHEW RUSSELL: -- mock --

CHAIRPERSON DAVIS JOHNSON: However, it was not our intent to go through it to make the changes.

COUNCILPERSON MILLER-ANDERSON: No.

CHAIRPERSON DAVIS JOHNSON: The purpose of this workshop was to take us through the process and to help us address that.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: Now, if, down the line, we want to engage you to review this document along with us to suggest any revisions to the resolution, I believe that that should come at a -- at a different time.

MATTHEW RUSSELL: Okay. Thank you for -- thank you very much.

COUNCILPERSON MILLER-ANDERSON: Yeah. Right. Mr. Russell, it was just a matter of like -- and just to give a little background. On -- yesterday Mr. -- Attorney Russell did -- actually, a couple of times, invited us to come out to the Riviera Beach Housing Authority's meeting just to see, because he has trained them in terms of getting their motions and everything together. And so we -- I was there and -- on last night just to see how he kind of go -- went over it with them. What did you say? I didn't hear you, Miss Davis Johnson.

CHAIRPERSON DAVIS JOHNSON: I said I didn't see an invitation.

COUNCILPERSON MILLER-ANDERSON: No. It wasn't an invitation.

CHAIRPERSON DAVIS JOHNSON: I wasn't -- I wasn't aware.

COUNCILPERSON MILLER-ANDERSON: I -- I happened to -- well, I don't know that he just -- he -- when I -- when we had this conversation in terms of bringing it to the agenda some time ago, he had told me that if I would like to come and see -- this is way before it came to the agenda, yeah.

CHAIRPERSON DAVIS JOHNSON: You did.

COUNCILPERSON MILLER-ANDERSON: And -- right, right. And so --

CHAIRPERSON DAVIS JOHNSON: (Unintelligible).

COUNCILPERSON MILLER-ANDERSON: -- I attended the meeting on last night, and it was more of like a -- you know, he -- he was there providing guidance in terms of making sure -- basically being the parliamentarian and making sure that everything is followed as it should be. And so for the purpose of tonight it was to mainly just go over some of the do's and don'ts, provide the foundational part of it in terms of making motions, in terms of making -- doing -- tabling it, postponing it. Those rules that are there already, but to see whether or not we're keeping things in line with Robert's Rules of Order. So no, it was not necessarily to go in here and to revise the actual resolution but to provide us some guidance on the actual process.

MATTHEW RUSSELL: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: I -- I understand.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: So if you will then -- I call your attention then to the -- I think you have a copy of the agenda for May 2, 2018. Does everyone have a copy of that in front of him or her?

COUNCILPERSON BOTEL: Yes.

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: And if we will go to the Call to Order. That's the second page. I guess it would be the second page there. Call to Order. And once again, correct me if I'm not where you want me to be, but these are some things that I see that I think should be called to your attention. And if I'm out of order, I don't mind being corrected. Okay?

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: All righty. Looking at Call to Order, you have on your agenda, the Adoption of Agenda, and then later on you have the Consent Agenda. What happens if something is taken from the consent agenda after you have approved the agenda? How do you handle that? What do you do?

CHAIRPERSON DAVIS JOHNSON: When you say "taken from," if we pull an item from the consent agenda?

MATTHEW RUSSELL: Yes, ma'am. Extract it. Yes. Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: It is then taken in its natural sequence after we approve the agenda with those things that have been extracted.

MATTHEW RUSSELL: Okay. You have in front of you a copy of an agenda from the Riviera Beach Housing Authority and if you will -- you see it, everyone? It was passed out to you by the City Clerk. You will notice that we have the consent agenda prior to approval of the agenda on our -- and I'm suggesting -- and I'm not still clear from you on how you handle this. I'm looking at your agenda for -- for May 2, 2018. I'm still trying to figure, you have the agenda, agenda approval and later on you have the consent agenda. Now, how will you know where to place whatever you extract from the consent agenda on your regular agenda if you've already approved the agenda? How will you know that? Does everybody understand what I'm asking?

COUNCILPERSON MILLER-ANDERSON: I understand what you're saying. Maybe -- can the clerk kind of chime in on that or --

CITY CLERK ANTHONY: If I understand your question correctly, Mr. Russell --

MATTHEW RUSSELL: Yes, ma'am.

CITY CLERK ANTHONY: -- and I must have given away my copy of the agenda. When the city council approves the agenda in its totality, that's what they mean by Agenda Approval. And then there's a caption that is at the top of the consent agenda --

MATTHEW RUSSELL: Yes, ma'am.

CITY CLERK ANTHONY: -- that states that each council member has the right to pull an item. And if -- when that -- if an item is pulled, once the consent agenda is adopted -- 'cause the motion they usually do is to adopt the consent agenda with whatever item numbers are pulled. So for instance, if the consent agenda for the May 2nd, 2018 city council meeting had more than five items and someone wanted to pull items 2 and 3, usually what the council does is make a motion, say that, I have a motion to approve the consent agenda with items 2 and 3 pulled. Once the -- they go through the approval process, then we go back to -- and take up item number 2. The city clerk reads the heading of the resolution in the record. A motion is made and they proceed from there. And so that's how the order of the consent agenda is handled if an item is pulled.

MATTHEW RUSSELL: I'm suggesting -- and certainly these are all suggestions.

COUNCILPERSON MILLER-ANDERSON: Right.

MATTHEW RUSSELL: I'm suggesting -- suggesting that maybe you give that some -- some thought. If you --

COUNCILPERSON MILLER-ANDERSON: And do it in what way?

MATTHEW RUSSELL: I think you should approach your -- address the consent agenda, determine whether or not there are any items to be extracted from or deleted from, pulled from, and to be placed on the regular agenda so that by the time you get to approval of your agenda, you know where you are. You know where it's going to be placed, etc.

Now, perhaps that was explained and I didn't understand it. And once again, did everybody -- if -- if you're okay with it the way it is, I'm simply saying to you I think it needs to -- and I want to call your attention to a part of your agenda for this -- this evening. If you will take a look at this page, it has a picture -- a picture of Robert's Rules of Order.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: The -- the -- the book, Robert's Rules of Order.

COUNCILPERSON MILLER-ANDERSON: We have that.

MATTHEW RUSSELL: And if you will take a look at the suggested -- a typical example of an agenda -- and then if you'll look at what we have. And the reason I'm saying that to you is because I had difficulty -- and maybe it's because I haven't been here that often -- I had difficulty following -- following this agenda for -- for May 2, 2018.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: I didn't know -- I wasn't able to determine or distinguish consent agenda from the regular agenda. So I'm going -- I'll have you going back and forth. So we're back to the May 2 agenda. And tell me, please, someone, what's on the consent agenda. That's for May 2.

CHAIRPERSON DAVIS JOHNSON: Minutes, Resolutions, Community Benefits.

MATTHEW RUSSELL: Okey-dokey. Okay. What about Petitions and Communications for Filing? Are they all part of the consent agenda?

CHAIRPERSON DAVIS JOHNSON: Madam Clerk, do you consider that a part of the consent agenda?

COUNCILPERSON MILLER-ANDERSON: It used to --

MATTHEW RUSSELL: Or do you understand what I'm -- what I'm --

COUNCILPERSON MILLER-ANDERSON: Yeah. It used to say -- at the end it used to say Consent Agenda.

CITY CLERK ANTHONY: End of -- say --

COUNCILPERSON MILLER-ANDERSON: Right. So what happened to that?

CITY CLERK ANTHONY: The agenda -- I -- I'm not for certain 'cause usually, Mr. Russell, at the end of consent agenda before the Petitions and Communications, it will say End of Consent Agenda. Why that wording has been taken out, it may have been a Scrivener's error. I'm not for certain. But that's normally what our agendas have at the end of the consent agenda.

MATTHEW RUSSELL: Okay. (Unintelligible).

COUNCILPERSON MILLER-ANDERSON: So that would be inserted there. If that is there then does that satisfy your concern?

MATTHEW RUSSELL: Yes. Yes, ma'am, it does.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: You know, as a part of a mock council meeting -- oh, yeah, see another point still with the May 2 agenda, Discussion by City Manager. The question is whether or not you get a written report from the city manager or if the city manager does her report to you and indicates in the report that she wants dates for various things and she indicates in her report that she wants action on various items. How does it -- how does it go?

The reason -- the reason I'm asking is because as it relates to the Discussion by City Manager, if the city manager says, for example, I need a date for such and such a thing, then I'm suggesting to you that then the chairperson says, The chair will entertain a motion with regard to a date for whatever it is. Does everybody understand what I'm saying?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: No, I don't.

COUNCILPERSON DAVIS: No, I don't.

MATTHEW RUSSELL: Oh, okay.

COUNCILPERSON MILLER-ANDERSON: I don't understand the question.

MATTHEW RUSSELL: Let's try it again. Let's assume we're here on the agenda where it says Discussion by City Manager. And the manager is giving her report. Is it a written report?

CHAIRPERSON DAVIS JOHNSON: It's a verbal report.

MATTHEW RUSSELL: It's a verbal report. Okay. Suppose in that report the city manager is requesting action on several items. How do you handle that? And -- and I think that does happen, does it?

CHAIRPERSON DAVIS JOHNSON: It has on occasion. There's discussion and if it requires a vote --

MATTHEW RUSSELL: So how do you -- how do you handle it?

CHAIRPERSON DAVIS JOHNSON: There is discussion that ensues after her statements and if it requires a vote we then take a vote.

MATTHEW RUSSELL: Okay. Now, if she's requesting a date, then you do not do discussion before the date. If she's requesting some action on anything, you do not do the discussion before you do the motion.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: For example, if the city manager indicates in her report that she needs a special meeting with council on such and such a date, there must be a motion to that effect and not a discussion prior to the motion. Does everybody understand?

COUNCILPERSON MILLER-ANDERSON: So you're saying if she's saying that we want to call a special meeting, one of us has to make a motion that we -- we discuss a -- find -- identify a date to hold the special meeting. And then once we've gotten past that, then we can have the discussion about when the date is going to occur?

MATTHEW RUSSELL: Virtually everything that comes before you is to come before you by way of a motion.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: So then the chair says, "The chair will entertain a motion with regard to a date for whatever it is the city manager has requested.

CHAIRPERSON DAVIS JOHNSON: So am I to understand that we -- she requests a date. That date may not necessarily work with everyone. So you're suggesting that she -- she suggests a date. We throw -- we then put a motion and second on the floor before having discussion to find out whether or not we are all available or that can work for this body?

MATTHEW RUSSELL: What I'm saying to you is that as it relates to -- to the city council and other organizations you -- you should not do a discussion prior to having a motion before you.

COUNCILPERSON MILLER-ANDERSON: But it would be appropriate for her to say that she is in need of a -- a date for a special meeting and it would be appropriate for us to make a motion to -- like to make a motion to identify -- to identify a date that works for every councilperson.

MATTHEW RUSSELL: So --

COUNCILPERSON MILLER-ANDERSON: And then that would open the door to have a discussion?

MATTHEW RUSSELL: Right. But I'm saying -- saying it a little differently. I'm saying it comes from the chair. The chair says, "The chair will entertain a motion with regard to a date. The chair will entertain a motion. You will raise your hand or you will

call the chair, Madam Chair, and she recognizes you. It's -- it's -- it's -- the bottom line is it's about the same thing. But it's initiated -- it begins with the chair.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. But not being very specific in terms of a date, because the whole point is for us to have a discussion to identify what date would work for all of us.

MATTHEW RUSSELL: Okay. Let -- let's -- let's fall -- let -- let me -- let me give you an example. The chair says, "The chair will entertain a date with regard to scheduling a -- a -- a work -- a workshop," for example.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: Your motion is going to be, once you are recognized by the chair, Madam Chair, it's my motion that we have that workshop on such and such a date.

COUNCILPERSON MILLER-ANDERSON: Okay. And then --

MATTHEW RUSSELL: She'll then ask if there's a second to it. If there is no second to it it dies. And then of course, then there's another motion. We're still on --

COUNCILPERSON MILLER-ANDERSON: For another date?

MATTHEW RUSSELL: -- still trying to get a date.

COUNCILPERSON MILLER-ANDERSON: So we just all keep throwing out motions and on the -- of a date until we figure out what works for everybody?

MATTHEW RUSSELL: Well, not -- there's a potential -- there's a potential for it but you don't -- it won't necessarily be all of you throwing out. Suppose you indicate that -- that the date will be fine on -- on May 2nd.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: There's a vote on it and the vote is -- is an affirmative vote, then that takes care of it. On the other hand, if you sit here and you say, Well, what about such and such a date? And somebody else says, So what about such and such a date? And another person says, What about such and such a date? You still don't have anything definitive in front of you. Let's narrow it. The chair has entertained a motion for a particular date. Somebody on the council says, Madam Chairperson, it's my motion that we meet such and such a date.

COUNCILPERSON MILLER-ANDERSON: Okay. And so ultimately you're saying that any time we're having a discussion we need to have a motion made before we have a discussion on it?

MATTHEW RUSSELL: Yes, ma'am. Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Now, her -- but her Discussion by City Manager, is there ever a time -- because we even have a section there where it says Statements by Mayor and City Council where we're typically just giving announcements or giving updates. And there may be occasions where we may ask for something. I mean, like, for example, I believe -- was that in your statements, Miss Davis Johnson, where you mentioned about the \$5,000 for --

CHAIRPERSON DAVIS JOHNSON: It was.

COUNCILPERSON MILLER-ANDERSON: Okay. So she did ask for a motion to be made -- it was actually during her statement, her comment time. And she asked for a motion because she wanted some action taken, actually. But it was the same thing for the most part, is you're saying that a motion has to be taken if you want an action to be done before.

So I guess her motion should have been done first before we actually had the discussion about what you wanted the money? In -- you know what I mean? 'Cause we did have the discussion and then you asked if it was -- if you could make a motion for us to provide the 5,000. So in this case it sounds as if you give the over -- the quick overview and then do the motion and then go into the in-depth conversation.

I know it -- to me, though, I -- for me, I -- I -- I guess I would not be open to throwing the motion out or even voting on it or -- or at least seconding it if I was not clear on what the whole intent was behind it. But I guess that's what the discussion would be. If you're saying that we should not have dialogue on issues that we haven't taken a motion -- made a motion on?

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: And that's where I'm having confusion.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: How can we adequately support or put a motion on the floor when there has been no discussion to clarify what it is that we ultimately are intending to do? Because it seems to me that if we are doing what you just suggested by taking the motion and then with the throwing out, we're -- we're going to go back to your original scenario. With putting out the dates, if -- if we put a motion out and say we want June 1st as a workshop date, it -- it does not get a second. And then we discuss, because there is going to be some -- some conversation.

MATTHEW RUSSELL: But -- but you don't discuss if there's no second. You do not discuss if there's no second.

CHAIRPERSON DAVIS JOHNSON: I'm saying if there is a second.

MATTHEW RUSSELL: Okay.

CHAIRPERSON DAVIS JOHNSON: Attorney Russell, what I'm saying --

MATTHEW RUSSELL: Uh-huh. So --

CHAIRPERSON DAVIS JOHNSON: -- if there is a -- if there is, in fact, a second, there still may be a conflict.

COUNCILPERSON MILLER-ANDERSON: Well --

CHAIRPERSON DAVIS JOHNSON: So then the -- you -- you second it. You still don't get the vote. You then have to go through because it's going to either --

COUNCILPERSON MILLER-ANDERSON: -- well, I think here -- I'm just looking at this and it says about the four basic types of motions. So the one, it says main motion. So, "The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion's on the floor."

So ultimately we're just giving a -- making a motion to have the discussion. Obviously if we don't agree with what information we hear we can vote it down or, you know, vote it up. So he's saying it should never be discussed unless a motion is made. And so looking at this here it says, "The purpose is to introduce items to the membership for their consideration." And then I guess by way the -- by way of the discussion we can get all the clarification that we need during that discussion.

MATTHEW RUSSELL: May I ask -- may I ask you this?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Do you get a copy of what it is the city manager is requesting prior to council meeting?

COUNCILPERSON MILLER-ANDERSON: It depends on what it is. If it's something that's just coming up for the first time, I mean, it probably wouldn't. But --

MATTHEW RUSSELL: Generally speaking do you?

COUNCILPERSON MILLER-ANDERSON: Like if she was asking about the special meeting?

MATTHEW RUSSELL: Yes.

COUNCILPERSON MILLER-ANDERSON: Not necessarily.

MATTHEW RUSSELL: Do you see -- do you see the need to know in advance what it is she's going to be requesting so that you will know what your position is on it?

COUNCILPERSON DAVIS: Madam --

CHAIRPERSON DAVIS JOHNSON: Councilman Davis?

COUNCILPERSON DAVIS: -- Madam Chair, a lot -- Mr. -- Attorney Russell, a lot of these issues kind of come up through some of our discussions on previous items in the agenda. I don't -- a lot of -- from my experience I've seen the city manager or even some of us just kind of hypothetically talk about updates or it may be a special meeting date and something may come -- that maybe had just maybe hit the table prior to the meeting.

Usually my experience is that the city manager has a special meeting, something to do, that's usually put on as an add-on during the agenda, during discussion of accepting/approving the agenda as an

add-on if there's something that she know at that -- he or she knows at that time that we must take a vote on. But usually I've seen times where we kind of, through other discussions and other items on the agenda, kind of spur something later on that we must address that we couldn't address because it wasn't part of an agenda item and we couldn't entertain it until later on at the end of the meeting because it wasn't placed on the agenda but it kind of came -- came through a discussion.

MATTHEW RUSSELL: Yes, sir. With all due respect to you, I think that's part of some of what you've been running into. And it sometimes leads to some other problems.

Let me go through this agenda for you, this May 2nd agenda, and show you how I would -- how I would conduct it. This is how I would conduct it. We're assuming now that we're at the point where I'm going to ask for an approval of the agenda. I'm still - - I'm still having problems with the approval coming before consent, but in any event, The Chair will now entertain a motion for approval of the agenda.

There is a motion to that effect. There's a second. And then there's discussion. And once the discussion is then completed, the chair then calls the question. All in favor of the -- of the agenda will vote in favor of it, and those against it will vote -- cast their vote. And then I would move on to still with the city manager, I'm going to -- if I'm conducting a meeting, I'm listening closely to the city manager and the city manager is making request number 1. And I'm -- and request number 2 and number 3 and number 4. You can take them all when she finishes.

But I'm going to make a list of them and then I'm going to say as chairperson, As it relates to request number 1, the chair will entertain a motion. And there will be a motion and a second, discussion and -- and then the -- it'll be over. As it relates to request number 2 the chair says, I will entertain a motion with -- with regard to request number 2. And then the chair says, I will -- assuming that there are more than two, she says, I will entertain a motion with regrets -- regard to request number 3. Does everybody understand what I'm saying?

COUNCILPERSON MILLER-ANDERSON: Yeah.

MATTHEW RUSSELL: And I -- I -- pardon me for me to continuing to say, "Do you understand." It's not a condescending thing. I taught school for 13 years and 12 years before I went to law school and I'm -- forever say, Do you understand? Are you with me?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: I just want to make certain about that. Okay? All right. Questions about that?

COUNCILPERSON MILLER-ANDERSON: No, not from me.

MATTHEW RUSSELL: Then of course the --

CHAIRPERSON DAVIS JOHNSON: I -- I do have a question.

MATTHEW RUSSELL: Yes, ma'am. Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: So you -- so -- so your suggestion is that every action that she requests we need to take a motion on it in order to address it?

MATTHEW RUSSELL: Yes, ma'am. Yes, ma'am.

COUNCILPERSON BOTEL: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel.

COUNCILPERSON BOTEL: Would you not agree that it's -- it's rather infrequent actually that the city manager has requests for actions on our part in her report?

MATTHEW RUSSELL: And -- and -- and in that --

COUNCILPERSON BOTEL: I -- I think it's --

MATTHEW RUSSELL: -- in that event there's no need for a motion.

COUNCILPERSON BOTEL: Yeah. I think it's more often the case that she's updating us on something or providing us with information.

MATTHEW RUSSELL: Okay.

COUNCILPERSON BOTEL: As my limited experience it's -- it's much more often the case that she's giving us information rather than asking us to do something. So -- but however, as you suggest, in the case where she is asking us --

MATTHEW RUSSELL: Right.

COUNCILPERSON BOTEL: -- for something --

MATTHEW RUSSELL: Yes.

COUNCILPERSON BOTEL: -- I can see very clearly that it would be appropriate for us to make -- for one of us to make a motion and then a second and then act on it. But more often the case is that she's giving us information.

MATTHEW RUSSELL: And -- and I want to touch on something else and -- and I don't want you guys to -- to chop my head off. I mean no offense to it, but in all of the books that I read -- I've read on Robert's Rules of Order, you don't make motions.

The proper thing is I move that -- or it is my motion that thus and so. In addition to that -- and I've had a -- I've had a -- an extremely difficult time even with my Housing Authority chairperson to say it has been moved and seconded. Now, if it has moved you can't say, it has moved and second. Moved is past tense.

CHAIRPERSON DAVIS JOHNSON: Of course.

MATTHEW RUSSELL: Check your book. I've got mine, the same book you have. It has been moved and seconded. It has been moved and seconded that thus and so takes place.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: Right?

CHAIRPERSON DAVIS JOHNSON: Point taken.

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Is that correct?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Yes. Okay. Then I would move on down to the consent agenda and ask for as a chairperson, I would entertain a motion for approval of the consent agenda. I would entertain a motion for approval of the consent agenda. Then we're through with it.

I will go then to -- if necessary and if it's -- it is your custom, if you want to read into the record what's included in the consent agenda you can go ahead and do that. Assuming then that we've disposed of the consent agenda, let's then go to the regular agenda. And I'm assuming that the regular agenda begins for this where Palm Beach Gardens High School -- is that correct? I'm -- I'm still on May 2nd.

CHAIRPERSON DAVIS JOHNSON: No, it -- that's the end of the consent. The regular --

MATTHEW RUSSELL: That's -- well, where --

COUNCILPERSON BOTEL: Petitions and Communications.

MATTHEW RUSSELL: -- Petitions and -- and --

CHAIRPERSON DAVIS JOHNSON: Communications.

MATTHEW RUSSELL: -- Communications for Filing is -- is where your next --

CHAIRPERSON DAVIS JOHNSON: Yes, sir.

MATTHEW RUSSELL: And that's the end of it? Okay. There's no need for -- there would not have been a need for any action on the proclamation from the Office of the Mayor. The -- the presentation by -- did you know in advance what this presentation -- this is a presentation of someone that was there, number 6? A presentation to a particular person, was it? Are you with me? Does everybody know where I am?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Was this a presentation to someone?

CHAIRPERSON DAVIS JOHNSON: It was a presentation to the board.

MATTHEW RUSSELL: Okay. Okay. No need for it. Okay. And when we get to -- I guess we're now on Ordinance number 41-09. Is -- is that correct?

COUNCILPERSON MILLER-ANDERSON: Yes.

COUNCILPERSON BOTEL: Yes.

MATTHEW RUSSELL: Okay. The chair would entertain a motion with regard to that ordinance. There's a motion; there's a second and discussion if necessary.

COUNCILPERSON MILLER-ANDERSON: Yes.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilman Davis?

COUNCILPERSON DAVIS: Excuse me, Attorney Russell. Real quickly, back up for 30 seconds. Item 6, you said there was no need for what during the presentation?

MATTHEW RUSSELL: No motion. No action taken.

COUNCILPERSON DAVIS: Oh, okay. Okay. All right.

MATTHEW RUSSELL: Yes, sir. Yes, sir.

COUNCILPERSON DAVIS: Thank you.

MATTHEW RUSSELL: Is everyone with me?

COUNCILPERSON BOTEL: Yes.

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: I don't want to leave anyone -- and then Ordinance number 41-10, The chair entertains a motion with regard to Ordinance number 41-10. There's a motion and there's a second. There's discussion if necessary.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. Uh-huh.

MATTHEW RUSSELL: And -- and you're through with that. The same thing with the Ordinance number 411, The chair entertains a motion with regard to it. There's a second. Discussion if necessary and you move on. Ordinance number 41-12, there's a -- a motion. The chair entertains a motion. And then for ordinances on first reading, The chair entertains a motion. There's a second. Discussion and that's it.

And then you have comments from your -- from the public and if necessary then you go to items that have been tabled. How have you normally handled this, items that are tabled? Are they listed or do you have the background for them with your -- okay. So then as a -- let's say the items are -- are alphabetized, A, B, C, D, E, whatever, to come off of your -- off the table. Then the -- the chair says, the chair will entertain a motion to take off the table item A. The chair will entertain a motion to take off the table item B, C -- C, D, whatever. Do you understand? Does everybody understand what I'm saying?

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: Yes. So you entertain a motion to take it off the table and then you make the motion to accept it to have that discussion?

MATTHEW RUSSELL: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Immediately, right?

MATTHEW RUSSELL: Yeah. The motion to take it off the table for discussion. Uh-huh. Take it off the table for discussion. And so then you have a motion to take it off, a second to that and you have discussion on it. And then you have dispensed with it.

COUNCILPERSON MILLER-ANDERSON: Don't we usually make a motion to take it off the table and then we do another motion to -- like we would any others, right?

CITY CLERK ANTHONY: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: I'd -- I don't see a -- a real problem with that other than I really don't see -- if you take it off the table, what are you going to do with it? In essence aren't you saying that you are going to discuss it?

COUNCILPERSON MILLER-ANDERSON: That don't matter.

CHAIRPERSON DAVIS JOHNSON: No?

COUNCILPERSON MILLER-ANDERSON: Uh-uh.

MATTHEW RUSSELL: If -- if there's a motion to take it --

COUNCILPERSON MILLER-ANDERSON: So you're saying there's -- that's an extra step that we're taking that we don't necessarily need to take?

MATTHEW RUSSELL: If you take it off the table, the query is that what are you going to do with it? Is it just going to sit there?

COUNCILPERSON MILLER-ANDERSON: All right. Okay.

MATTHEW RUSSELL: Okay?

CHAIRPERSON DAVIS JOHNSON: The plan is to address it so we then --

COUNCILPERSON MILLER-ANDERSON: Right. .

MATTHEW RUSSELL: Ma'am?

CHAIRPERSON DAVIS JOHNSON: The plan is to address it once we take it from the table. The plan is to address it. So you're saying that we then don't need to take a motion in order to take it up?

MATTHEW RUSSELL: The -- the motion is there. You've had a motion to take it off the table. Is there a second to it. Then you go ahead and discuss whatever the item is.

CHAIRPERSON DAVIS JOHNSON: Right.

COUNCILPERSON MILLER-ANDERSON: Okay. All right.

MATTHEW RUSSELL: Regular-Old Business. I'm still on, I guess almost the last page. Regular-Business -- Old Business. And the items would be, I guess, numbered or alphabetized. Let's say under Regular Business you have whatever. The chair entertains a motion for whatever that is. In very, very few instances is it proper to begin discussing an item that's not been placed before you by way of -- of a motion. And then I -- I want to touch on -- questions, anyone? Questions, any --

CHAIRPERSON DAVIS JOHNSON: I want you -- would you kind of restate what you just said? It's improper to --

MATTHEW RUSSELL: It's -- in most instances it's not correct to have an item discussed before having been brought before you by way of a -- of a motion. On that -- the last page, your back package where it says Adjournment, I have watched on numerous occasions, and I -- I'm sorry that councilman -- Councilman Davis isn't here.

COUNCILPERSON MILLER-ANDERSON: Oh, don't worry about it. Just -- you can keep going.

CHAIRPERSON DAVIS JOHNSON: Yeah. We -- we take bathroom --

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: -- we take bathroom breaks.

COUNCILPERSON MILLER-ANDERSON: Don't -- yeah, you don't have to wait for him.

MATTHEW RUSSELL: Because when it's adjournment time -- when it's adjournment time, there are a couple of ways to handle this, handle the adjournment. A couple of ways to handle it: If adjournment is by way of a motion, the motion must be carried through. There is a motion and a second and a discussion on it. All right? And it's not, "So be it," and you get up and walk out.

The motion is carried through. You -- you -- you -- you just get your vote -- get your vote on it for it. If -- if the chair says, I will entertain a motion for adjournment, then there is a motion, there's a second to it. Okay? It's not, "And so be it." Because if there's a second you get a count on it. You get a vote on it.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: Does everybody understand what I'm saying?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Now, the second way of adjourning a meeting is for the chairperson at the end of the meeting, once everything on the agenda has been covered, the chairperson can ask if there's anything else to be discussed. And if there is -- if no one says anything, the chairperson can then say, Meeting adjourned. Any questions?

CHAIRPERSON DAVIS JOHNSON: That's what I'm doing, I think.

MATTHEW RUSSELL: Questions anyone? Anybody with something different in his or her book from what I've indicated to you?

I -- and once again, we're on the same team, now. Not casting aspersions at anyone. The -- if things get heated in a meeting, heated in a meeting, a chairperson cannot say Recess. You cannot do it. I mean, you shouldn't do it. It's -- it's in contravention to -- to the -- to the bible. Also near the end of a meeting if there's, you know, heated discussion, unless it's by way of a motion or unless the chairperson asks if there's any other business, the chairperson cannot say, Adjourned -- I mean, should not say -- should not say, Adjourned. Questions, anyone?

CHAIRPERSON DAVIS JOHNSON: I do have a question. So then what is the course of action if a chairperson cannot recess in this midst of a heated argument that no one hears "Point of order" and they continue to go into a heated discussion? How then does a chair, according to Robert's Rules, handle that situation?

MATTHEW RUSSELL: See, well, then we go to your -- what you have promulgated for yourselves about how you handle order in -- in

the --

CHAIRPERSON DAVIS JOHNSON: The Rules of Decorum?

MATTHEW RUSSELL: Yes, ma'am. Yes, ma'am. Precisely. In -- as -- are you with me? May I move on?

COUNCILPERSON BOTEL: Yes.

MATTHEW RUSSELL: I want to go back to -- I want to go back -- I'm still with this agenda for May 2, 2018. Where do you cover the minutes from the previous meeting? Where -- where is that? How do you -- how do you handle that?

CHAIRPERSON DAVIS JOHNSON: Minutes are in the consent agenda.

MATTHEW RUSSELL: Ma'am? I'm sorry?

COUNCILPERSON MILLER-ANDERSON: It's in the consent.

CHAIRPERSON DAVIS JOHNSON: The clerk is speaking to you.

MATTHEW RUSSELL: Yes, ma'am.

CITY CLERK ANTHONY: The approval of the minutes are placed on the consent agenda.

MATTHEW RUSSELL: Okay. All right. Okay.

COUNCILPERSON MILLER-ANDERSON: Did you have something else to add to it or comment about it?

MATTHEW RUSSELL: No. But I want everyone to understand however that it -- you do have the -- the right to have something extracted from the consent agenda.

And I'm saying to you because of the fiduciary responsibility that you have which is very, very serious, make certain that you've read the minutes and that you are in agreement with all that you see in the minutes as a representation of what transpired at the previous -- previous meeting.

COUNCILPERSON MILLER-ANDERSON: Yes. There have been occasions where if there -- we happened to have noticed something may have been incorrect, we would bring attention to it and ask for it to be corrected. And then we proceed with the approval of the consent agenda with those necessary corrections.

MATTHEW RUSSELL: With the motion so indicating that approved with the -- those corrections as noted.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: Is that correct?

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: Okay.

COUNCILPERSON MILLER-ANDERSON: Now, did you say we had to make a motion for that?

MATTHEW RUSSELL: No.

COUNCILPERSON MILLER-ANDERSON: Oh.

MATTHEW RUSSELL: I'm saying the motion for the consent agenda --

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: -- would indicate -- would include in it --

COUNCILPERSON MILLER-ANDERSON: Right.

MATTHEW RUSSELL: -- that there have been corrections noted.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And the motion is being made with the understanding that those corrections are going to be taken care of.

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: It's approved with those -- that understanding.

COUNCILPERSON MILLER-ANDERSON: Right.

MATTHEW RUSSELL: Okay. I have -- I've taken a look at -- and this is the 11th -- 11th Edition of Robert's Rules of Procedure. And I see 86 -- 86 motions. So I'm not standing here saying that you that I'm familiar with all 86 of them, nor am I saying that you should be familiar with all 86 of them. I would -- I would like to have the opportunity to say something to you. I was told that this is not the correct forum for it but -- but there are some things, you know, in -- in -- in that Ordinance 41-01 that you should at least allow me to point -- point out to you -- your attention, something you need to look at.

COUNCILPERSON MILLER-ANDERSON: Yes, you can -- I mean, you can most certainly point it out to us, yes.

MATTHEW RUSSELL: Okay. Okay.

COUNCILPERSON MILLER-ANDERSON: But we won't take any action on it tonight.

MATTHEW RUSSELL: Well, yes, of course. This -- this is workshop.

COUNCILPERSON MILLER-ANDERSON: Right.

MATTHEW RUSSELL: Uh-huh. I was pointing out to you page -- on page 3 of 9, remember? We -- we're going back now to today's agenda. And Madam Chairperson?

CHAIRPERSON DAVIS JOHNSON: Yes, sir.

MATTHEW RUSSELL: The understanding that I was given while you were out is that it's okay if I just touch on these with the understanding you're not going to take any action on them. But some things I'd like to call to your attention 'cause I might not be here, you know, when you -- when it comes back to you, this -- this new ordinance. And so I'm on page 3 of 9 and I had mentioned motions and it should be "they" or whatever.

CHAIRPERSON DAVIS JOHNSON: Yes, sir.

MATTHEW RUSSELL: And then I want to call your attention to the fact that on page 4 of 9 it says in number 6 -- it says, "A motion to reconsider shall have precedence over every other motion except a motion to adjourn." That is incorrect according to Robert's Rules of Order. Notwithstanding the fact that some of my fellow brothers, a - a judge and a lawyer, signed this and that is incorrect. And I think you should look at that. Does everybody understand what I'm saying?

COUNCILPERSON MILLER-ANDERSON: No.

CHAIRPERSON DAVIS JOHNSON: No.

COUNCILPERSON MILLER-ANDERSON: No.

CHAIRPERSON DAVIS JOHNSON: Could you explain?

MATTHEW RUSSELL: Yes, ma'am. Page 4 of 9, number 6. Do you see it, everyone?

COUNCILPERSON MILLER-ANDERSON: Yes.

COUNCILPERSON BOTEL: Yes.

MATTHEW RUSSELL: You see it? It says, "A motion to reconsider shall have precedence over every other motion except a motion to adjourn." And if you take a look in the -- and -- and I understand that each of you was given a copy of Robert's Rules. If you take a look at what I refer to as the bible on this, if you take a look at it, the motion to -- to reconsider is not one of your privileged motions. It's not a subsidiary. So it couldn't take precedence over any other motion. Does everybody understand what I'm saying?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: Can you clarify that a little more for me, please?

MATTHEW RUSSELL: Yes, ma'am. I'm on 4 of 9.

CHAIRPERSON DAVIS JOHNSON: I'm -- I'm -- I'm where you are.

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: I just want you to clarify your statement.

MATTHEW RUSSELL: It says, "A motion to reconsider shall have precedence over every other motion except a motion to adjourn." I'm saying to you that according to the bibles that I have here, that's incorrect and it should not be stated that way.

COUNCILPERSON MILLER-ANDERSON: Where within the Robert's Rules of Order book -- what section are you referencing or can you read what you're saying that --

MATTHEW RUSSELL: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: -- discounts the number 6?

MATTHEW RUSSELL: I'm looking -- I'll -- I'll begin. I'm looking at privileged motions.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: Privileged motions fix -- the time to fix to which to adjourn -- adjourn, recess, raise a question of privilege, call for the orders of the day.

Those are you privileged motions. And then in the subsidiary motions you have lay on the table, previous question, limit or extended limits of debate postponed to a certain time, commit, amend, postpone indefinitely. And so a motion to -- do you understand what I'm saying? Here's -- once again, order of preference. Privilege motions become -- come the four main motions and you cannot put a main motion ahead of a privileged motion.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: Now, does everyone -- you see there -- there are -- there are orders sort of like a -- I guess we would say like in the -- in the Army or in the -- in the police ranks or whatever.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And -- and you can't put a main motion ahead of a -- of a privileged motion. And then I would say to you again I would -- I would say this to you with all due respect to everyone including me, you're not expected to know all of this and to remember all of this. And I'm strongly suggesting to you that you think in terms of somebody here with you during your meetings and somebody whom you can call during the meetings, because you're going to run into -- chances are you will run into some situations where you just need somebody who's familiar with it and somebody who has a table in front of him, etc. I -- I think a -- a -- a question came up about suspension of -- of the rules and -- and -- Robert's Rules of Order. And I have found no place anywhere where it calls for everyone to vote in favor, a unanimous vote in favor of suspension of the rules. I don't see it in either of my bibles. It's not there.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And -- and so you do need, I think, someone who's going to be here with you to help you with it. And for me to stand here and go over all of the motions with you -- and there are 86 of them -- I -- I don't think you will want that. I'm not going to remember all of them. I don't remember all of them, which takes a first, which takes a second, which doesn't, which is privileged, which is subsidiary and the like. I've gone through a mock meeting for you with you. Any questions about the way I conducted the meeting?

COUNCILPERSON MILLER-ANDERSON: No. I -- I have more of a question -- I wanted to -- we went over this agenda, the May 2nd one. And I think I -- in terms of times in which we come across situations where we need clarification, I know that we've in turn asked our attorney to provide some clarity on situations that we may get in sometimes. Could you talk a little bit about postponing?

I know we've had a -- sometimes we've had situations with postponing or tabling. That has come up. I know at one point in time we talked about the adjourning. You talked about the adjournment. Some of the other issues that we may have had at times is when a motion has been on -- put on the floor and then in the course of the

discussion someone else will try to jump out and put another motion out on the floor or they may ask someone to reconsider or -- what is it?

COUNCILPERSON BOTEL: Modify.

COUNCILPERSON MILLER-ANDERSON: -- modify or -- there's another word I'm trying to think of but I can't. Amend the motion. That's the word.

MATTHEW RUSSELL: I -- I -- I -- I understand. I understand what you're saying.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And -- and actually in -- in your meetings, no such situation should occur because only one person has the floor at a time. And you deal with one issue at a time. And so if you're talking about a -- a -- the motion is to consider a date for whatever, say, the city manager is recommending, and somebody says, Well, what about the -- this is, you know --

COUNCILPERSON MILLER-ANDERSON: Right.

MATTHEW RUSSELL: -- far-fetched, but, What about the CRA meeting and the date is coming up, such and such a thing? That person's out of order and -- and the chairperson indicates that. Number one, you don't have the floor. And you can't muddy it. Much of what happens and -- and how clean your -- your -- your meetings are in large measure puts a lot of pressure on your chairperson.

Your chairperson must see to it that certain things do not take place. And I -- and I know how difficult it can be, and -- and I know what problems I've had in sort of getting some boards to comply with, you know, some of what I've said. But you -- you -- generally speaking, if the -- if the meeting is run as it should be run, you don't run into situations like that. And you cannot -- you should not run into a situation where someone is talking about reconsidering and somebody else is talking about a recess and this and that. How can that happen?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: Another thing, too, is -- and once again, we're on the same team. Same team. Okay? We're working together. There is -- there is a state statute which says you're not to sit up there and whisper to each other.

CHAIRPERSON DAVIS JOHNSON: Uh-huh .

MATTHEW RUSSELL: Unless the whisper is -- is audible. If everyone out here can hear it, then fine. If not everyone hears it, it's a violation. That's Sunshining the law. Another thing that's really beside my presentation to you about Robert's Rules of Order, you want to be very careful because a lot of people are looking at us. You want to be careful and make certain that two of you are caught together discussing

any city business with somebody who's liable to appear before you. Make certain that -- that that doesn't -- that doesn't happen. Does everyone under --

COUNCILPERSON MILLER-ANDERSON: Yes.

MATTHEW RUSSELL: -- understand what I'm saying? Be very, very careful about that. Yeah.

CHAIRPERSON DAVIS JOHNSON: Attorney Russell, would you speak to the, No member being able to speak more than twice on a subject matter?

MATTHEW RUSSELL: Yes.

CHAIRPERSON DAVIS JOHNSON: And the limits?

MATTHEW RUSSELL: Yes. I'm -- I'm glad you brought that up. A person should not speak more than once on any particular subject unless everyone else up there has had the opportunity to speak at least once. It doesn't mean that everyone up there will speak.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: But everyone there must have had the opportunity to speak at least once. And -- and those -- for those instances where in your opinion, Madam Chairperson, the person is somewhat monopolizing or talking too long, you can indicate -- you can indicate to the person that -- you can ask a person, you know, Have you said all of what you wish to say? And then move on with your meeting.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: All right? And the big thing -- the big thing -- a big thing is -- and -- and I'm just about through. A big thing is these discussions that go on and there's not a motion in front of you, this talking -- I -- I -- I -- I watched one of -- one of your sessions and -- and something you were discussing and I heard the -- the chairperson say to you -- and I'm not casting an aspersion. We're on the same team. All right?

I heard her say to you guys, "Well, what do you want to do or what do you think about this?" It's got to be, The chair will entertain a motion with regard to this, with regard to that, with regard to the other. And that takes care of it. But you can't say, What do you guys think you want to do about this? And then the instances where persons talk out and they've not been recognized by the chair --

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: You see, the chair must make certain that that doesn't take place. All right? And -- okay? Thank you very much.

CHAIRPERSON DAVIS JOHNSON: Thank you, sir.

MATTHEW RUSSELL: It's been good.

CHAIRPERSON DAVIS JOHNSON: There's nothing else?

COUNCILPERSON MILLER-ANDERSON: The rules and decorum, we're supposed to be going over.

CHAIRPERSON DAVIS JOHNSON: And who's leading that discussion?

COUNCILPERSON MILLER-ANDERSON: We are. That's us.

CHAIRPERSON DAVIS JOHNSON: Thank you, Mr. Russell, for your time. We really appreciate it.

COUNCILPERSON MILLER-ANDERSON: Thank you.

CHAIRPERSON DAVIS JOHNSON: Madam Clerk, we will now have discussion on Rules of Decorum.

COUNCILPERSON MILLER-ANDERSON: All right. Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson, you're recognized.

COUNCILPERSON MILLER-ANDERSON: So as you know, this came up before us several times and we did not actually have an opportunity to go through this information. With the Rules of Decorum -- that is the 47-01. Hold on. Hold on. I got it out of order here. (Unintelligible) -- yeah, I got it out of order. It's 113-11, which was attached, as well. So what the -- the purpose in doing this was to go over what we have, because I don't think at any point we all really knew what we had as listed in the Rules of Decorum. And there were situations in which the sergeant-at-arms needed to be able to maintain order within the public, but as well as for us to be able to maintain ourselves up here on the dais. And so when I was looking through the list of Rules of Decorum, it mentioned several things. And I know that we were probably violating quite a bit of them. So it was a matter of trying to be able to bring the attention to it, have a discussion -- for us to have a discussion and see if this is something that if there are areas in here that we want to revise, are there areas in which we feel we need to add to, or just totally delete it, as well -- I mean, totally. So going down the list, the first one says, "No talking during meetings." And this -- again, this was adopted back in -- this is Resolution 113-11. And it was adopted in August 9, 2011, and it has not been revised since then.

CHAIRPERSON DAVIS JOHNSON: August 17? You said August 9.

COUNCILPERSON MILLER-ANDERSON: August --

CHAIRPERSON DAVIS JOHNSON: I'm looking at August 17, yes?

COUNCILPERSON MILLER-ANDERSON: Huh?

CHAIRPERSON DAVIS JOHNSON: August 17, 2011.

COUNCILPERSON MILLER-ANDERSON: Yeah. I'm sorry, yes. I'm looking at the bottom. August 17th, 2011. Resolution 113-11. And so "Rules of Decorum governing public conduct during official meetings in the City of Riviera Beach." Number one it says, "No talking during meetings. Members of the public will refrain from private conversations while meetings are in session. B, unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations are not permitted."

That's the section there so I -- I just thought maybe we would sit here and try to identify if this is something -- I'm taking it step-by-step and seeing if we want to either keep it, modify it or put something in -- in there totally different. So if we're okay with keeping that section in there, then we can continue on down the list. Or if there's some comments that you want to add in as we're discussing this, that would be good, as well. But I just wanted to bring attention to what we have in place currently. And it was to get on board and follow whatever rules that we had in place, was to follow it and not just have them on the books and not, you know, really follow along with what it is that we have. And then number two says, "Impertinent remarks prohibited any person --"

CHAIRPERSON DAVIS JOHNSON: Okay. Let me stop you right there.

COUNCILPERSON MILLER-ANDERSON: Yeah. Uh-huh.

CHAIRPERSON DAVIS JOHNSON: I -- I think that, "No talking during meetings," should apply to both the public and the council. If we are going to --

COUNCILPERSON MILLER-ANDERSON: Well, there's another section, though.

CHAIRPERSON DAVIS JOHNSON: Right. I understand.

COUNCILPERSON MILLER-ANDERSON: There is a section for the council.

CHAIRPERSON DAVIS JOHNSON: Okay.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: Understanding that.

COUNCILPERSON MILLER-ANDERSON: It's -- but it's already in there.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: Once we got to the one for the council. Right now we're just talking about the one for --

CHAIRPERSON DAVIS JOHNSON: So you just want to deal with the public?

COUNCILPERSON MILLER-ANDERSON: Well, I'm just going down the list.

CHAIRPERSON DAVIS JOHNSON: This is governing -- this is governing public conduct.

COUNCILPERSON MILLER-ANDERSON: Exactly. And then right behind that it says, "Code of conduct governing elected officials during official meetings."

CHAIRPERSON DAVIS JOHNSON: Right. So I'll state --

COUNCILPERSON MILLER-ANDERSON: So we're gonna go --

CHAIRPERSON DAVIS JOHNSON: -- that's fine.

COUNCILPERSON MILLER-ANDERSON: Yeah. We're just going down the list for this one and then we'll get to ours. Is that what you said?

MATTHEW RUSSELL: As a point of -- point of information, the -- entertain a point of information at this -- at this point.

CHAIRPERSON DAVIS JOHNSON: If it's the board's pleasure to entertain a point of information?

COUNCILPERSON MILLER-ANDERSON: Yeah.

COUNCILPERSON DAVIS: I -- I -- I thought that Mr. Russell was going to do the presentation for this, as well.

COUNCILPERSON MILLER-ANDERSON: No, not for Rules of Decorum. That was with us. He was only doing the Robert's Rules of Order.

COUNCILPERSON BOTEL: I make a motion that Mr. Russell be allowed to entertain a point of information.

MATTHEW RUSSELL: Thank you.

COUNCILPERSON BOTEL: Second?

MATTHEW RUSSELL: I'm -- I'm looking at --

COUNCILPERSON MILLER-ANDERSON: We can't do that at a workshop.

CHAIRPERSON DAVIS JOHNSON: We can't do motions to --

COUNCILPERSON BOTEL: I'm teasing.

MATTHEW RUSSELL: I'm sorry. I don't want to keep you any longer than -- I'm -- I'm just -- I just tend to be concerned about some things. For example, in -- in number one it says, "Members of the public will refrain from private -- private conversations while meetings are in session." Well, suppose I'm engaged in a private conversation and it's not disrupting in any way, in any form or fashion your meeting?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: Are you saying I can't whisper? Do you -- do you see -- do you understand what I'm asking?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And my point? Yes. Thank you.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: Thank you, sir.

COUNCILPERSON MILLER-ANDERSON: So Miss Davis Johnson, I wasn't sure. What were you --

CHAIRPERSON DAVIS JOHNSON: I'm clear.

COUNCILPERSON MILLER-ANDERSON: -- what was your point?

CHAIRPERSON DAVIS JOHNSON: I'm clear. I'm clear. We can move on.

COUNCILPERSON MILLER-ANDERSON: Okay. So that was for number one. So are we okay -- we want to keep that? 'Cause it says no talking. Obviously I'm thinking something that's pretty disruptive when we say no talking.

COUNCILPERSON BOTEL: I'm -- I think we should maybe that add that language.

COUNCILPERSON MILLER-ANDERSON: What's that?

COUNCILPERSON BOTEL: Because I think it's appropriate to say disruptive to -- you know, members of the public will refrain from disruptive conversations. I mean, I -- you're right. I could be having a very quiet peaceful whispering conversation with someone in the back and I wouldn't want to be thrown out of a meeting because of it.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

COUNCILPERSON BOTEL: So maybe we should make it very clear that we're talking about conversations that are disruptive to the meeting.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilman Davis?

COUNCILPERSON DAVIS: To piggyback off that, it's a matter

of -- generally you're dead on point. But someone in the public who may not necessarily can hear as loud or hear as well may find some conversation all together is disruptive because they may want to focus on what's going on in the meeting. And that would be based on a case-by-case basis.

Some folks have -- need help with hearing and just trying to hear the microphones is very difficult sometimes on -- on itself. And to have someone sitting next to you having a totally different conversation to what's going on in the meeting, it's just like, you know -- you go to any other public formal meeting, every one of them are focused on how the meeting's going, what's being said. That's why we have chairs on the outside so folks can take a step outside, use your cell phone, get into a private conversation, and then we can kind of sit in and just really have true order.

You know, you may whisper next to, you know -- now, something as simple as what item they're on, we get that. But if you go into a long discussion next to someone and that person might not feel comfortable with saying someone -- saying something to the person next to them without someone maybe blowing up or feeling offended by them truly having the opportunity to hear what we have -- we or any board has to say could be served as unfair to that particular individual, whoever that he or she may be at that time.

COUNCILPERSON BOTEL: So are you objecting to use of the word "disruptive"?

COUNCILPERSON DAVIS: No, not -- I -- I'm total -- total support of that but --

COUNCILPERSON BOTEL: Could I suggest that we just include the word "disruptive"?

COUNCILPERSON MILLER-ANDERSON: Okay.

COUNCILPERSON BOTEL: I also have a question for the attorney. I'm so glad you're here. The -- with regard to the second topic, "Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing boards," etc., etc. Do we run into this situation where we might have a certain gentleman who has addressed the Supreme Court on this issue of -- of his right to free speech, objecting to this note in our Rules of Decorum?

MATTHEW RUSSELL: No -- no one has -- has the right to disrupt the orderly conduct of -- of a meeting. But I -- that's my -- but I want to go back to -- I'm about to get in trouble now. But -- but -- but -- but -- but Mr. Davis just did what the chairperson could probably have cut off because he -- he wasn't right on point with his response to

-- to what we were talking about as relates to number one. And so then it carries the meeting on and on and -- and -- but you guys don't shoot me, now. I'm just -- that's my opinion.

COUNCILPERSON DAVIS: Madam Chair?

COUNCILPERSON BOTEL: No, I think we appreciate -- appreciate it.

COUNCILPERSON MILLER-ANDERSON: And -- and me -- and that's part of what I wanted him to be here for us, to go through the motion and be able to kind of let us know what we're -- where we could use some areas of improvement. I don't see anything wrong with that at all. And I mean, I appreciate it. I don't know about anyone else. But I do. Were you --

COUNCILPERSON BOTEL: If I may, Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel.

COUNCILPERSON BOTEL: I -- I really mean that I would like some advice about that second question. I appreciate your comments about the first question. But I -- with regard to the second item, "Any person making personal, impertinent, profane or slanderous remarks," I myself have been the subject of some of those remarks and I -- I'm learning to have a thicker skin about them. So I'm wondering if, when a member of an audience comes up and says something that we might object to personally because they're a personal attack, should we not have a thicker skin or does the -- does the chair -- should the chair try to stop that kind of -- I mean, I guess I'm looking for some guidance.

MATTHEW RUSSELL: I -- I guess there's a -- a thin dividing line there. To a certain extent you must have a thicker skin and realize that -- that it kind of goes along with the territory --

COUNCILPERSON BOTEL: Yes.

MATTHEW RUSSELL: -- and the position that you hold. But then, of course, one can step over bounds, too, in what he says. And -- and that is -- is sometimes not clear.

COUNCILPERSON BOTEL: Right.

MATTHEW RUSSELL: But I'm not saying that you should allow any and all comments and -- and things that are said to you while you're sitting up there. But then it's -- it's -- it's a close call.

COUNCILPERSON BOTEL: Okay.

MATTHEW RUSSELL: And it's a call maybe that your -- your chairperson can make. It puts a lot of load and a lot of pressure on her.

CHAIRPERSON DAVIS JOHNSON: It does.

MATTHEW RUSSELL: But --

CHAIRPERSON DAVIS JOHNSON: It puts a tremendous amount of pressure on the chairperson.

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Because I don't -- I -- I attend other municipality meetings and other governmental meetings and that behavior is not tolerated.

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: And when it becomes disruptive to the point of us not being able to carry out the business, there has to be some recourse. There is no -- when we go into what the elected official's responsibility -- and I will take you back to your comment with regards to not being able to call a recess during the heat of an argument. But there is no -- there is nothing to address that here. So when it is out of control and no one is being heard, how then do you silence that in order to pull -- or to -- how do you regain order when folks aren't listening?

MATTHEW RUSSELL: Quite -- quite -- quite easily. Very, very easily. Assuming that other members of the council agree with you, the chair is going to entertain a motion with regard to a recess. The chair entertains a motion. So now if - if most of the people disagree with you, then the recess is not in order. If a majority of people agree -- on the council agree with you, then it is in order.

CHAIRPERSON DAVIS JOHNSON: Well, how is it that you get -- you get to getting a motion for a recess when there is banter and bickering and no one is listening and the arguments are ensuing?

How -- how then do you get a motion and a second?

MATTHEW RUSSELL: You do have a -- here a sergeant-at-arms, do you? Yes, no?

CHAIRPERSON DAVIS JOHNSON: We have an officer that's typically here but -- but --

COUNCILPERSON MILLER-ANDERSON: He's a -- yeah.

CHAIRPERSON DAVIS JOHNSON: -- yeah, he's our --

COUNCILPERSON MILLER-ANDERSON: He's our sort of --

CHAIRPERSON DAVIS JOHNSON: -- he is our sergeant-at-arms.

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: You know, he -- he typically will tap someone on their shoulder.

MATTHEW RUSSELL: Yes, ma'am. And if the person --

CHAIRPERSON DAVIS JOHNSON: But they will exchange information and conversation with him.

MATTHEW RUSSELL: -- if -- well -- well --

CHAIRPERSON DAVIS JOHNSON: In opposition to the request.

MATTHEW RUSSELL: -- as -- as I told them when I was a police general counsel, they're the one persons here who have all of the authority. I mean, they can arrest for violations of -- of code violations, for this, that and the other. And certainly if the conduct in the meeting is disruptive, that's not even a close call.

COUNCILPERSON BOTEL: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel, you are recognized.

COUNCILPERSON BOTEL: So -- so may I -- could I get --

MATTHEW RUSSELL: You see -- see, the -- the -- the -- I'm sorry. May I please?

COUNCILPERSON BOTEL: Yes, please.

MATTHEW RUSSELL: May I, please? The whole thing here is for number two, if there's a -- the determination and -- and also responding to the chairperson, the key word here -- the key term is disruptive. Disruptive. Madam Chairperson, we're talking you're not to tolerate in number two this language when it is disruptive to the conduct of your meeting. In number two.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: Okay?

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Now, Madam -- Madam Chair, with the --

COUNCILPERSON BOTEL: Could I -- could I just finish the question?

COUNCILPERSON MILLER-ANDERSON: -- recent -- go ahead.

COUNCILPERSON BOTEL: I'm sorry.

CHAIRPERSON DAVIS JOHNSON: Okay. So let's start here.

COUNCILPERSON BOTEL: Thank you.

CHAIRPERSON DAVIS JOHNSON: So at least allow me to acknowledge you before you go on. I know you were there. We just had this conversation in the parliamentary presentation.

COUNCILPERSON MILLER-ANDERSON: Well, let's clear this up. Because in a workshop we have never had -- we usually --

CHAIRPERSON DAVIS JOHNSON: So --

COUNCILPERSON MILLER-ANDERSON: -- kind of just go but we're going to start fresh.

CHAIRPERSON DAVIS JOHNSON: Okay.

COUNCILPERSON BOTEL: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: So we're -- is that what we're doing?

COUNCILPERSON MILLER-ANDERSON: Workshops we're gonna -- we're gonna do that.

CHAIRPERSON DAVIS JOHNSON: We're just going to go? Is that what we -

COUNCILPERSON MILLER-ANDERSON: That's what we've always done with workshops, yeah.

MATTHEW RUSSELL: May I ask you, though --

CHAIRPERSON DAVIS JOHNSON: Has that been your --

MATTHEW RUSSELL: May -- may -- may I ask you, though, if --

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: -- understanding?

COUNCILPERSON MILLER-ANDERSON: Yeah.

MATTHEW RUSSELL: -- even though if it's a workshop, if you will address the -- the chair.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: And then be recognized?

CHAIRPERSON DAVIS JOHNSON: (Unintelligible).

MATTHEW RUSSELL: -- recognized by -- by the chair?

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

MATTHEW RUSSELL: You know? Yes. Yes. Did -- did I answer?

COUNCILPERSON BOTEL: No.

MATTHEW RUSSELL: I didn't?

COUNCILPERSON BOTEL: Not quite.

MATTHEW RUSSELL: Okay.

COUNCILPERSON BOTEL: So -- so my question was this. So if the chair says in the heat of something going on up here -- and the chair says, I -- I'll ask -- ask for a motion to -- ask for a motion to recess, and then I say, I make a motion to recess and I get a second, then we can recess. Is that -- is that the proper way to do it?

MATTHEW RUSSELL: Discussion on it, yes, ma'am. And that --

COUNCILPERSON BOTEL: So there is -- there's a way, in other words.

MATTHEW RUSSELL: -- you take -- you take a vote on it and if a majority of you agree to a recess, then that's it. The recess. And those persons who don't want to abide by that, then your sergeant-at-arms takes care of them.

COUNCILPERSON BOTEL: Okay.

MATTHEW RUSSELL: Am I clear?

COUNCILPERSON DAVIS: Absolutely.

CHAIRPERSON DAVIS JOHNSON: Okay. So --

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: -- are -- are you clear that we're talking about the disruption is from this dais?

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Okay.

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Okay.

MATTHEW RUSSELL: Of course.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

MATTHEW RUSSELL: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: And I think that if there's an argument, i.e., the other week -- there were two people that were not stopping and so you still had three -- there were two other people that could -- so I see where he's saying to do recess -- call a -- you know, make a motion for a recess so Miss Botel and Miss Hubbard could have done it.

CHAIRPERSON DAVIS JOHNSON: Right.

COUNCILPERSON MILLER-ANDERSON: And that would have gotten it --

CHAIRPERSON DAVIS JOHNSON: Well, now that he's making that aware -- making that --

COUNCILPERSON MILLER-ANDERSON: Right.

CHAIRPERSON DAVIS JOHNSON: -- making us aware of that, that will be the -- the next order.

COUNCILPERSON MILLER-ANDERSON: Right.

CHAIRPERSON DAVIS JOHNSON: But when there is total disruption and chaos from here --

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: -- it seems to be -- it was proper to me in my mind to discontinue it so that that behavior would not be shown.

COUNCILPERSON MILLER-ANDERSON: No, I agree. I agree.

CHAIRPERSON DAVIS JOHNSON: Yeah.

COUNCILPERSON MILLER-ANDERSON: I agree. But I'm just saying in terms of trying to get the vote --

CHAIRPERSON DAVIS JOHNSON: Now we know.

COUNCILPERSON MILLER-ANDERSON: -- there would be a -- you know, enough people to call the vote.

CHAIRPERSON DAVIS JOHNSON: Yeah. While that we --

COUNCILPERSON MILLER-ANDERSON: So that it could be recessed.

CHAIRPERSON DAVIS JOHNSON: -- now that we know that we need to call the vote, we're -- we're good, when you know what --

COUNCILPERSON MILLER-ANDERSON: Well, we won't have that problem again hopefully so -- all right. Item number 3 says to turn off the cell phones. Okay. Again, this is what we have in place already so is -- you know, if we're going to keep it here, this is what we're agreeing to. "Cellular telephones and electronic beepers or pagers --" I don't think we have any beepers or pagers anymore -- "that will emit a paging or telephone sound shall not be used in a city council chambers and must be turned off during all meetings." So is this something we want to keep here?

COUNCILPERSON BOTEL: Yes. Yes.

COUNCILPERSON DAVIS: That's fine.

COUNCILPERSON MILLER-ANDERSON: This -- okay. So this is for the people out in the audience. We want them to turn their cell phones off. All right. Or maybe shall we modify it and say put it on vibrate so that it's not making the noise maybe instead of saying to turn it off?

COUNCILPERSON DAVIS: I believe that -- Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilman Davis.

COUNCILPERSON DAVIS: I believe the intent of the direction going is -- I think off with the understanding or -- or the chair would -- during the reading the Rules of Decorum, she can -- she or he -- he or she can specify, The rules state this but if you must have your phone on -- 'cause you may have a -- be on call with your job -- please put it on vibrate or silent.

In the case of you do have an emergency and, you know -- you know, 'cause I don't want no one -- 'cause some folks, they come to the meetings and they may be on call from their job or they may have emergency or always -- you just never know what the situation may be. But please -- maybe from the -- the chair at the time can state, This is what the rules state but please put your phone -- phones on vibrate if you don't turn them off.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Chair -- I mean, Councilwoman Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: So -- but we're in a position now to just make that modification of this.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: Right?

CHAIRPERSON DAVIS JOHNSON: Yeah.

COUNCILPERSON MILLER-ANDERSON: Just go ahead and say that's what -- we -- we would just say to go ahead and put it as a -- put it on vibrate so that it's not making noise.

COUNCILPERSON DAVIS: That's fine.

COUNCILPERSON MILLER-ANDERSON: We're okay with changing and --

CHAIRPERSON DAVIS JOHNSON: If you would, for a moment, please, pause. You wanted to say something, Madam Clerk?

CITY CLERK ANTHONY: Madam Chair, Mr. Russell, if I'm correct -- and I -- I see that the elected officials are doing it now. No matter what type of meeting they are in, when I say "they," I'm referring to the elected officials. Are they to -- are -- is -- are the -- is the board to wait for acknowledgment from the chair before they speak whether they're in a meeting, a workshop or a retreat?

MATTHEW RUSSELL: I'm -- I was recommending to them so that we maintain some order that we handle it that way. And we can decide which way we want to handle it. Okay? Yes, ma'am. But I -- I -- may I, while I'm here -- may I, Madam Chairperson?

CHAIRPERSON DAVIS JOHNSON: Yes.

MATTHEW RUSSELL: What -- what's -- what about including somewhere -- somewhere -- somewhere early in your agenda packet for the public these Rules of Decorum? See, then that takes care of what Mr. Davis just said about -- about somebody with a -- with a loud phone and expecting to send (unintelligible) -- if you have Rules of Decorum with each of your -- with each -- each agenda that's published, would it not take care of it or would that be too expensive? I'm just asking.

CHAIRPERSON DAVIS JOHNSON: I'm sorry. Would you restate that, please?

MATTHEW RUSSELL: Yes, ma'am. I'm looking at Rules of Decorum governing public conduct. And people coming into a meeting need to, in my opinion, be made apprised of what your rules of conduct are. They maybe should know that they shouldn't do this, that or the other even though some things would lend themselves to just common sense and decency. What's -- is it -- would it cost too much to put it somewhere on the agenda, your Rules of Decorum governing conduct in your meetings?

CHAIRPERSON DAVIS JOHNSON: Do you mean list out the Rules of Decorum or a statement?

MATTHEW RUSSELL: (No audible response).

CHAIRPERSON DAVIS JOHNSON: What are -- what are -- what's your question?

MATTHEW RUSSELL: I'm -- I'm -- I'm saying these.

CHAIRPERSON DAVIS JOHNSON: I'm saying are you asking that they be put in their --

MATTHEW RUSSELL: This -- this --

CHAIRPERSON DAVIS JOHNSON: -- entirety in the -- in each agenda?

MATTHEW RUSSELL: Yes, ma'am. I'm asking you if you think it's too expensive. Is it -- is it too much work? You see, because then you can say to a person who says, Well, I didn't know this, that or the other, ignorance of it is no excuse. Because it's -- it's been published and you know that this is the way you're to conduct yourself in the meeting. I -- I'm just asking, suggesting, something for you to think about, maybe.

CHAIRPERSON DAVIS JOHNSON: Point taken.

COUNCILPERSON MILLER-ANDERSON: All right. Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: I do realize that we need to be recognized but this was an item that I put before so I'm actually the presenter of it so I'm just trying to -- I -- I'm just -- need to know that it is okay for me to continue to go down a list as if anybody was standing at the podium. 'Cause that's -- I mean, I'm not -- I'm here with you all but I'm -- I put it on the agenda so I want to be able to continue to talk and go down the list and then everybody kind of say what they want to do.

CHAIRPERSON DAVIS JOHNSON: Right. But for recordkeeping purposes and for the minutes --

COUNCILPERSON MILLER-ANDERSON: Uh-huh. Uh-huh.

CHAIRPERSON DAVIS JOHNSON: -- we need to identify who's speaking.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: And that's why I'm asking you to, when - when you're in the midst of your presentation, then you continue on. But when there's an -- when there is a question or a comment, then the others have to be recognized so that the minutes will properly reflect it and then they -- it will be able to come back to you and properly reflect that you are continuing on.

COUNCILPERSON MILLER-ANDERSON: So after Mr. -- Attorney Russell speaks, I need to come back and say "Madam Chair" again before I continue with the presentation?

CHAIRPERSON DAVIS JOHNSON: For -- for recordkeeping purposes I believe that that's appropriate. Madam Clerk?

COUNCILPERSON MILLER-ANDERSON: If I was on the --

CHAIRPERSON DAVIS JOHNSON: 'Cause you're recording. Are you recording?

CITY CLERK ANTHONY: It's --

CHAIRPERSON DAVIS JOHNSON: It's being recorded.

COUNCILPERSON MILLER-ANDERSON: But if I was down -- if I was there would I be saying that? Or if anyone was doing a presentation would they be asking you to continue? I just want to do it right.

CHAIRPERSON DAVIS JOHNSON: And I'm just trying to get us right.

COUNCILPERSON DAVIS: Madam Chair?

MATTHEW RUSSELL: May I, once again?

CHAIRPERSON DAVIS JOHNSON: Mr. Russell?

MATTHEW RUSSELL: The chair could simply say, Councilwoman Anderson, continue.

COUNCILPERSON MILLER-ANDERSON: Okay.

MATTHEW RUSSELL: All right? I -- I enter -- pose my objection or whatever, observation, and then the chairperson says, Councilwoman Anderson, continue.

COUNCILPERSON MILLER-ANDERSON: Okay. Very well.

CHAIRPERSON DAVIS JOHNSON: Please continue, Councilwoman Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: Thank you. Item number three, turn off cell phones. So we're going to modify it and say -- add the word vibrate on

there. Turn it on vibrate and take it -- take it where it says turn it off or you want to leave turn it off?

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilman -- Councilman Davis.

COUNCILPERSON DAVIS: Have it say, Turn off or vibrate and silent.

CHAIRPERSON DAVIS JOHNSON: Just, Place it on silent.

COUNCILPERSON BOTEL: Silence.

COUNCILPERSON DAVIS: Silent, yeah.

CHAIRPERSON DAVIS JOHNSON: Place it on silent. And then telephone shall -- okay. Cellular telephones shall be placed on silent. And we're removing beepers and pagers?

COUNCILPERSON MILLER-ANDERSON: Yeah.

COUNCILPERSON DAVIS: No, some of them might still have one so let's not leave that out.

CHAIRPERSON DAVIS JOHNSON: Please continue, Councilwoman Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: Item number four, Obscene or insinuate -- insulting language prohibited. Any audience member acting or appearing in a lewd or disgraceful manner or who uses opprobrious, obscene or insulting language at official meetings or who does not obey the order of the presiding officer shall be censored by the presiding officer at the presiding officer's discretion."

COUNCILPERSON BOTEL: That's cumbersome.

COUNCILPERSON MILLER-ANDERSON: Anything on there that you all would like to change or leave? All right.

CHAIRPERSON DAVIS JOHNSON: What I would like to do is I need -- now that -- since Attorney Busby is here, can you look at our number two?

ASSISTANT CITY ATTORNEY BUSBY: Of course. So the issue with number two, I would say, that has to be contemplated is that we have to be careful that we're not infringing on any free speech rights. And I would -- I would edit this so that it would leave -- you may be able to leave in profane remarks or you may be able to draft this so that it would be limited -- limited to the interruption of the meeting and not that it would apply at any time during public comments. Because we have that issue. And I

think it's clear that a person can make a public comment and that shouldn't be limited except if they are --

CHAIRPERSON DAVIS JOHNSON: Okay.

ASSISTANT CITY ATTORNEY BUSBY: -- except if they are --

CHAIRPERSON DAVIS JOHNSON: So you say limit it to the disrupted --

ASSISTANT CITY ATTORNEY BUSBY: -- using --

CHAIRPERSON DAVIS JOHNSON: -- disruption of the meeting? But not necessarily the -- the comments?

ASSISTANT CITY ATTORNEY BUSBY: Yeah. I -- I mean, this whole section I would need some time to adequately draft it so that --

COUNCILPERSON BOTEL: Madam Chair, can I recommend -- Madam Chair?

CHAIRPERSON DAVIS JOHNSON: One moment. Let her -- can she finish?

ASSISTANT CITY ATTORNEY BUSBY: -- so that -- so that

we're -- so that we're not doing anything that prohibits on anybody's -- that limits their speech.

CHAIRPERSON DAVIS JOHNSON: Okay.

CITY CLERK ANTHONY: And Madam Chair, we need to make sure that when we do that, it's in accordance with our section in the code, 'cause we do have a section in the code which was a part of the backup information that deals with the public's disturbance of the meetings.

CHAIRPERSON DAVIS JOHNSON: Okay. Councilwoman Botel, you're recognized.

COUNCILPERSON BOTEL: Just going to suggest that perhaps our Legal Department come up with some appropriate language for that so that we're both in compliance with the code and -- and not violating anyone's right to free speech.

ASSISTANT CITY ATTORNEY BUSBY: Thank you. I agree.

CHAIRPERSON DAVIS JOHNSON: Thank you, Lina, for agreeing to rewrite that language for us. Councilwoman Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: We were on number four, Obscene or insulting language prohibited. Did we want to change anything, leave it?

CHAIRPERSON DAVIS JOHNSON: I have a question again. I -- for the attorney, if we're -- we -- we -- we can identify obscene language, but when we're talking about comments that may not necessarily be comfortable for us, the insulting piece, I don't know that it really has a place or -- you know, how do we address that without infringing?

ASSISTANT CITY ATTORNEY BUSBY: Again --

CHAIRPERSON DAVIS JOHNSON: Same thing ?

ASSISTANT CITY ATTORNEY BUSBY: -- we're -- we should redraft this section completely. I think this was done back in 2011 or --

CHAIRPERSON DAVIS JOHNSON: '11, uh-huh.

ASSISTANT CITY ATTORNEY BUSBY: -- even -- okay. Revised in 2011. I think that it -- it's going to require a broader section but very -- we want to also be very specific to what we would be prohibiting.

CHAIRPERSON DAVIS JOHNSON: Okay.

ASSISTANT CITY ATTORNEY BUSBY: If anything at all.

CHAIRPERSON DAVIS JOHNSON: Uh-huh. One of the things that I would like to -- to see is in conjunction with what we're doing with our comments is to have the attorney's office look at all of the language to -- to compare it to what's in the code versus what we -- what we're suggesting that we'd like to see and what you know is proper for us to have in this document. And we get to review it again before it is finalized. Can you continue, Councilwoman Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: So for number five, No food or beverages allowed. That would take all of this stuff here that we have up here off.

COUNCILPERSON BOTEL: Yes.

CHAIRPERSON DAVIS JOHNSON: No. That's -- that's just public. We're not at the council.

COUNCILPERSON MILLER-ANDERSON: That's the public. I'm sorry. I --

CHAIRPERSON DAVIS JOHNSON: That's the public.

COUNCILPERSON MILLER-ANDERSON: -- I do have to step out for a second so if y'all want to continue.

CHAIRPERSON DAVIS JOHNSON: Okay. Uh-huh. That -- that we're -- we're again -- we're back to your comment.

COUNCILPERSON MILLER-ANDERSON: We're talking --

CHAIRPERSON DAVIS JOHNSON: We're talking about the public.

COUNCILPERSON MILLER-ANDERSON: Yeah. Okay. Just continue. I'll be back.

CHAIRPERSON DAVIS JOHNSON: Dr. Botel, do you have a thought about that?

COUNCILPERSON BOTEL: I just said it would be a blessing to remove all of this stuff.

CHAIRPERSON DAVIS JOHNSON: Adding to your -- item -- if there is no opposition to that remaining --

MATTHEW RUSSELL: Excuse me, please. If at any point -- I can tell by the expression -- I don't want to make myself obnoxious, but if -- if at any time during the course of any meeting, workshop or whatever, you don't have a quorum, you must announce that there is no quorum and we can't carry on with business at this point. You don't have a quorum right now or do you?

CHAIRPERSON DAVIS JOHNSON: Well, she -- so we take a break because she took a --

MATTHEW RUSSELL: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Okay.

MATTHEW RUSSELL: You can't do business without a quorum.

CHAIRPERSON DAVIS JOHNSON: So then what's proper? A motion?

MATTHEW RUSSELL: What's that? What are you saying?

ASSISTANT CITY ATTORNEY BUSBY: May I -- Chair, may I speak?

CHAIRPERSON DAVIS JOHNSON: Yes.

ASSISTANT CITY ATTORNEY BUSBY: The requirement, though, for a quorum for a workshop, it's my understanding that you can have a workshop without a quorum.

MATTHEW RUSSELL: This is your attorney. I'll go along with what she says.

CHAIRPERSON DAVIS JOHNSON: We have had two individuals present during a workshop.

MATTHEW RUSSELL: See, but what I'm saying to you is notwithstanding the fact that you've done some things in the past that doesn't necessarily --

CHAIRPERSON DAVIS JOHNSON: So --

MATTHEW RUSSELL: -- they were -- they were right.

CHAIRPERSON DAVIS JOHNSON: Okay. So then --

MATTHEW RUSSELL: There's a --

CHAIRPERSON DAVIS JOHNSON: -- what is the proper step, then? So when she goes --

MATTHEW RUSSELL: I'm -- I'm saying --

CHAIRPERSON DAVIS JOHNSON: -- you -- you just told me to follow her.

MATTHEW RUSSELL: Yes, ma'am. Yes.

CHAIRPERSON DAVIS JOHNSON: But you also said that because we were doing it in the past it may not have necessarily been right.

MATTHEW RUSSELL: That was a response to --

CHAIRPERSON DAVIS JOHNSON: So --

MATTHEW RUSSELL: -- what you said.

CHAIRPERSON DAVIS JOHNSON: But I'm asking. So do we call --

MATTHEW RUSSELL: I give deference to a -- to -- to your -- your attorney. All right?

CHAIRPERSON DAVIS JOHNSON: Okay.

ASSISTANT CITY ATTORNEY BUSBY: I would say -- Chair, may I speak?

CHAIRPERSON DAVIS JOHNSON: Yes. Yes.

ASSISTANT CITY ATTORNEY BUSBY: I would say that Mr. Russell, you are correct, if this were a -- not a workshop meeting but a regular or a special meeting where they were going to make a vote on any kind of city business.

MATTHEW RUSSELL: And while -- while I was up here, may I say something else? I want to say something else to you.

CHAIRPERSON DAVIS JOHNSON: Yes, sir.

MATTHEW RUSSELL: That would maybe get around this problem about this freedom of speech. If you have -- if you would include -- I'm -- I'm suggesting getting rid of most of this and saying any action that -- any action or language -- or language which results in disrupting the

meeting --

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: -- or meetings is -- will not be allowed and/or tolerated. So you're not having to -- to argue with whether or not it's disgraceful or if it's --

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

MATTHEW RUSSELL: -- impertinent or whatever you have here. And you -- you don't have that problem.

CHAIRPERSON DAVIS JOHNSON: Thank you, sir.

COUNCILPERSON MILLER-ANDERSON: Which number were we on?

COUNCILPERSON BOTEL: Six.

COUNCILPERSON MILLER-ANDERSON: Six. You ready? .

CHAIRPERSON DAVIS JOHNSON: Yes. Continue.

COUNCILPERSON MILLER-ANDERSON: Okay. Number six. "Do not approach dais. Public comment cards. No audience member shall approach the dais immediately preceding the beginning of an official meeting and once the meeting commences. As it relates to council and CRA meetings, comment cards should be given to the legislative assistant who will hand them to the presiding officer. Public comment cards pertaining to a particular issue on the agenda must be given to the legislative assistant before the discussion of the item has begun."

COUNCILPERSON BOTEL: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel.

COUNCILPERSON BOTEL: My only suggestion would that -- would be that we either simply say as it relates to city official meetings or that we include Utility Board.

CHAIRPERSON DAVIS JOHNSON: I think the inclusion of Utility -- it should -- it should reflect every meeting that we host.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: So they don't give it to the -- allegedly the assistant. Do we want to change that and put the clerk? 'Cause that's usually who the cards are given to, the clerk, not the legislative assistant.

CHAIRPERSON DAVIS JOHNSON: Uh-huh. That's proper. And then we can take off, "Who will hand them to the presiding officer." Because once they go to the clerk, the clerk is the presiding officer so that's not necessary. Last line should strike out legislative assistant, as well. Item number seven.

COUNCILPERSON MILLER-ANDERSON: "Sergeant-at-arms. Members of the police department shall be sergeant-at-arms of the official meetings of the City of Riviera Beach and shall carry out all orders and instructions begin by the presiding officer for the purpose of maintaining order and decorum at the meetings."

CHAIRPERSON DAVIS JOHNSON: So no need to change?

COUNCILPERSON MILLER-ANDERSON: That one's fine for me. Anyone else?

CHAIRPERSON DAVIS JOHNSON: Continue, number eight.

COUNCILPERSON MILLER-ANDERSON: Number eight, "Penalties. The presiding officer may direct the sergeant-at-arms to remove offenders from the council chambers if these rules are not followed. If the presiding officer shall fail to act, any member of the board may move to require enforcement of the rules, and the affirmative vote of the majority of the board shall require the presiding officer to act." That's fine for me.

CHAIRPERSON DAVIS JOHNSON: Fine for me. Number nine.

COUNCILPERSON MILLER-ANDERSON: "Removal from meeting. Upon direction from the presiding officer, it shall be the duty of the sergeant-at-arms to escort and/or remove any person from the council chambers, City Hall or city grounds who disrupts the meeting. Once removed, the sergeant-at-arms should attempt to calm the person, explain the law relating to Section 810.08, Florida Statutes, trespass in structure or conveyance and six -- and Section 871.01, Florida Statutes, disturbing schools and religious and other assemblies. The sergeant-at-arms has the discretion to arrest and charge the person in accordance with Sections 810.08 and 871.01 Florida Statutes as applicable." That section -- I guess that will be something that Miss Busby and the legal department could take a look at and make sure that that's correct.

UNIDENTIFIED SPEAKER: Absolutely.

COUNCILPERSON MILLER-ANDERSON: So that's it for the -- for the Rules of Decorum for the public during the official meetings. Are there any other areas in which we would like to add on here that we had not discussed or -- being that this is

about seven years old? Is there something that may have been left out that we may want to consider adding or this pretty much covers everything?

CHAIRPERSON DAVIS JOHNSON: Well, I think that if there are some things that we would like to add, there's an opportunity for us to do so. And when we get comments back from the attorney, we can submit those additional comments if there's something else that we'd like to include beyond what's on here now.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. All right. Code of conduct governing elected officials during official meetings. Item number one, "During official meetings, elected officials shall assist in preserving order and decorum, and shall neither by conversation or otherwise delay or interrupt the proceedings, nor refuse to obey the orders of the presiding officer or the rules of the assembly."

COUNCILPERSON BOTEL: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel.

COUNCILPERSON BOTEL: You know, I -- I've had a lot of questions about this from members of the public. And people have said to me, "You know, we only allow people in the audience to speak for three minutes and yet quite often people up on this dais speak for much, much longer than that." Do we have any way to govern ourselves, to limit ourselves in the amount of time that we speak?

CHAIRPERSON DAVIS JOHNSON: We just spoke about that in the parliamentary procedures where there is -- no one gets to speak a second time until everyone has spoken. If we wished -- if we wish to limit -- because there is a -- a statement about 10 minutes, but if we wish to limit, then certainly we can do that as a collegial board.

I think that that's appropriate based on how conversations have been gone [sic], because we tend to repeat ourselves as opposed to making the point and -- and -- and moving forward with further discussion and the vote. So it is certainly our decision as a body to -- if we decide that we want to limit the time frame and if we are going to adhere to -- which I intend to as per Robert's Rules of Order, one, chomp at the bit and then a second but very limited chomp at the bit for the second time.

COUNCILPERSON MILLER-ANDERSON: Madam Chair? Oh, are you done?

COUNCILPERSON BOTEL: Well, I guess -- so are we going to just see how it goes with attempting to give people one shot and then a limited -- I mean, or are we going to actually say, Okay. You just spoke for three minutes. Can you please make your point and make it quickly? How -- how are we going to --

CHAIRPERSON DAVIS JOHNSON: Well, I think that it's -- I think that it's appropriate for the chair's position to do just that.

COUNCILPERSON BOTEL: Good.

CHAIRPERSON DAVIS JOHNSON: To rein it in.

COUNCILPERSON BOTEL: Great, thank you.

CHAIRPERSON DAVIS JOHNSON: Uh-huh. Continue, number two. Or did you have a comment on one?

COUNCILPERSON MILLER-ANDERSON: Yeah. Yeah, I was going to ask about one. Well, I mean, she spoke about it but within Robert's Rules of Order, Attorney Russell, what is your recommendation on -- if -- putting a time? Is there a certain amount of time? Should we gauge it and see how it goes or I -- I just think we should be consistent probably in every meeting and every -- every item.

MATTHEW RUSSELL: May -- may I -- may I come to that second? In -- in an instance where a decision is -- or a call is made by the chairperson and you tend to disagree with that call, you can ask for a motion of approval on that. That is an appeal of the decision of the chairperson. So it sounded to me just a minute ago -- and maybe because I was reading something else, is you see the chairperson says to someone - - or -- or says, We're only going to do three minutes, or this or that or the other, you can appeal that. I mean, that's not written in stone. I mean, I think that's according to -- to my bible here. And if you see something to the contrary, point it out to me and then I'll go to -- to my bible. I don't know if you understand what I'm saying.

COUNCILPERSON MILLER-ANDERSON: So are you saying that if we voted to -- if -- if she says we only have three minutes and that's what we pretty much have agreed to as a council --

MATTHEW RUSSELL: Not if you agree to it. That's it.

COUNCILPERSON MILLER-ANDERSON: I mean, prior to -- well, in general right now we're stating we're going to go with three minutes and then if the conversation happens to go a little longer because of the particular situation, you're saying that because we agreed to three minutes, there should be no second discussion about trying to extend it?

MATTHEW RUSSELL: See, in general terms if there's any decision made by the -- the chair with which to where -- to which there's a disagreement, you can do a motion for an appeal on it. That's what I was saying. It doesn't matter what it is. I was not restricting it to -- to just that. Do you understand what I -- what I just said?

COUNCILPERSON MILLER-ANDERSON: Uh-huh. Okay. All right. So we're good with number one?

CHAIRPERSON DAVIS JOHNSON: Uh-huh. Continue.

COUNCILPERSON MILLER-ANDERSON: Item number two, "An elected official desiring to speak shall address the chair and upon recognition by the presiding officer shall confine discussion to the question under debate. Avoid discussion of

personalities and indecorous language and refrain from personal attacks and verbal abuse." I think that's pretty self-explanatory. Any additions to that or changing anything from that?

CHAIRPERSON DAVIS JOHNSON: This is where we need to address what the -- what the remedy is in the event that the personal attacks and the conversation shifts from -- from the subject matter in my opinion, when we get off topic or when we go into issues that are not germane to the business at hand. There needs to be a remedy put in place for that. Because based on what Attorney Russell said, we would have to revert back to the code of conduct in order for me not to be able to call a recess. But what is going to be our recourse there? How are we going to handle that?

COUNCILPERSON MILLER-ANDERSON: Madam Chair? Well, he -- he --

MATTHEW RUSSELL: May I -- (unintelligible) but --

COUNCILPERSON MILLER-ANDERSON: Hold on -- hold on one minute.

COUNCILPERSON MILLER-ANDERSON: He said --

CHAIRPERSON DAVIS JOHNSON: One moment, please.

COUNCILPERSON MILLER-ANDERSON: Well, he said that you could call the recess. You just have to have those two people. Is that what you're talking about?

CHAIRPERSON DAVIS JOHNSON: Right. But we need to have it in the -- in -- in here. Because that wasn't a part of something that has been our process to call for a motion for recess.

COUNCILPERSON MILLER-ANDERSON: Well, I think that just falls in line with us following Robert's Rules, right?

CHAIRPERSON DAVIS JOHNSON: Ideally that does. Yes.

COUNCILPERSON MILLER-ANDERSON: But I'm -- I mean, but that's why we're here, so we can do what is supposed to be done. And everybody's on the same page. And so in the past, no, we didn't do it that way. But we're being told tonight to do it that way. So I think we all pretty much agreed or -- or understanding that that's how we should do it. And if that's the way we want to do it, then we just do it.

CHAIRPERSON DAVIS JOHNSON: Mr. Russell, you wanted to make a comment?

MATTHEW RUSSELL: Yes. Thank you very much. And then I'm leaving so I won't bore -- bore you guys anymore. But there should be perhaps a statement somewhere saying a violation of any of these will result in your being removed from the meeting. That takes care of it. Does it not?

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: Is that what we want?

CHAIRPERSON DAVIS JOHNSON: Let's see how that's going to work out.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. We will find out, won't we?

COUNCILPERSON BOTEL: Thank you again for your help.

COUNCILPERSON MILLER-ANDERSON: Thank you, Attorney Russell.

CHAIRPERSON DAVIS JOHNSON: Thank you, Mr. Russell. Have a good evening.

MATTHEW RUSSELL: Thank you.

COUNCILPERSON MILLER-ANDERSON: All right. So where are we at in that?

CHAIRPERSON DAVIS JOHNSON: That was right under -- right under number two. We just have to say violated -- violation of --

COUNCILPERSON MILLER-ANDERSON: Can we look at where we talked about the public being removed? What did that say? Something similar to number 9.

CHAIRPERSON DAVIS JOHNSON: Uh-huh. Miss Busby, will you look at that language for us in response to item number two? I'm not requiring a response right now. Just to draw your attention to it. Thank you, ma'am.

ASSISTANT CITY ATTORNEY BUSBY: Yes, Chair. Thank you.

CHAIRPERSON DAVIS JOHNSON: Thank you. Councilwoman Miller-Anderson, item three?

COUNCILPERSON MILLER-ANDERSON: Okay. One second. Item number three, "An elected official desiring to question the administrative staff shall address questions to the city manager, CRA director who shall be entitled to -- entitled either to answer the inquiries or to designate some member of staff for that purpose. Elected officials, members shall not berate or admonish -- nor admonish staff." So maybe we want to correct those sentences. Elected officials, members shall not berate nor admonish staff.

CHAIRPERSON DAVIS JOHNSON: Just remove -- remove members.

COUNCILPERSON MILLER-ANDERSON: Members.

COUNCILPERSON BOTEL: And Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Add Utility Director.

COUNCILPERSON BOTEL: Yes.

COUNCILPERSON MILLER-ANDERSON: Okay. That's it for number three?

CHAIRPERSON DAVIS JOHNSON: Continue with item number four.

COUNCILPERSON MILLER-ANDERSON: Number four, "An elected official, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer unless a point is raised by another member or unless the speaker chooses to yield to questions from another member. If an elected official is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to -- to be not in order the member shall remain silent or make additional remarks so as to comply with rules of the city council."

CHAIRPERSON DAVIS JOHNSON: "And in process of -- process of point of order, a point of order is called. The chair then asks to state the point. The member explains the issue. Either the point will be taken or the point will not be well taken." And that is a part of Robert's Rules. I'll find the specific piece that governs that, but are we -- does that -- is that clear for everyone? Do we need to bring some clarity to it or --

COUNCILPERSON MILLER-ANDERSON: What part?

CHAIRPERSON DAVIS JOHNSON: Any part of it. The -- the entire piece.

COUNCILPERSON MILLER-ANDERSON: No, I don't have anything.

CHAIRPERSON DAVIS JOHNSON: Okay. So we're clear that if the point is not taken, then we just -- you shall -- it says, "You shall remain silent to make additional -- and -- or make additional remarks as to comply with the rules."

COUNCILPERSON MILLER-ANDERSON: And I'm going to say something --

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: -- very pertinent to this conversation that we're having. I want everyone to keep in mind that this particular item here to discuss Rules of Decorum and Code of Conduct came up many, many months ago. I do recognize that it is coming on the heels of a -- a very heated meeting from last week.

But I want to be very clear that although we continue to point out what happened last week, the issue of trying to address the Code of Conduct and Rules of Decorum stems back to January or February. So it's been going on for a while. So although some things occurred last week which was a little bit out of the ordinary, that is certainly

not the reason why we're going over this tonight. And I just want to be very clear of that because I know we're referencing a lot of what happened last week. But this was brought by me months ago to try to make sure that we were all on the same page across the board in the audience as well as on the dais, because we had been having some issues. So I just wanted -- I just wanted to put that on the record.

CHAIRPERSON DAVIS JOHNSON: We're all clear. We're all clear.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: And that's the point of reference that I have.

COUNCILPERSON MILLER-ANDERSON: Right.

CHAIRPERSON DAVIS JOHNSON: For now so that's what I'm using as our -
- as our --

COUNCILPERSON MILLER-ANDERSON: Right. And --

CHAIRPERSON DAVIS JOHNSON: -- example.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: And so therefore, it's not to suggest that it's a new issue. We know that this has been attempted to be brought forward a number of times.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: And we just did not get it to it for whatever the reasons were.

COUNCILPERSON MILLER-ANDERSON: Right.

CHAIRPERSON DAVIS JOHNSON: But we are now here and so we're just going to go through it not picking -- I -- that's what I have as a frame of reference for behavior and decorum with us. So -- and -- and there are -- I'm sure we could pull out -- if I were to go all the way back --

COUNCILPERSON MILLER-ANDERSON: Yeah, we could.

CHAIRPERSON DAVIS JOHNSON: -- and pull, there are a number of things
--

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: -- that we could pull. So --

COUNCILPERSON MILLER-ANDERSON: Right.

CHAIRPERSON DAVIS JOHNSON: -- it is not just germane to that.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: -- incident.

COUNCILPERSON MILLER-ANDERSON: Item number five. Am I able to go?

CHAIRPERSON DAVIS JOHNSON: Continue.

COUNCILPERSON MILLER-ANDERSON: All right. "Elected officials shall confine their questions to the particular matters before the assembly and in debate shall confine their remarks to the issues before the assembly." That's okay?

CHAIRPERSON DAVIS JOHNSON: That's clear.

COUNCILPERSON MILLER-ANDERSON: All right.

CHAIRPERSON DAVIS JOHNSON: Item six.

COUNCILPERSON MILLER-ANDERSON: "When there is more than one speaker on the same subject, elected officials will delay their comments until after all speakers on the subject have been heard."

CHAIRPERSON DAVIS JOHNSON: That's standard.

COUNCILPERSON MILLER-ANDERSON: All right. So that's the end of that. Are there any others that -- and -- and you know, there may be some on the public side that for some reason we don't have on the elected officials' side.

I noticed that, you know, we didn't really talk about any of the cell phones or -- in comparing it to the public one, the cell phones, the whispering or talking as Attorney Russell spoke about the beverages. And one of the things I noticed is that a lot of times when the public comes up to speak or they may give a comment, some people respond back to the comment to clear the record, but then the public doesn't have an opportunity to respond back.

Obviously they don't have an opportunity to come back and respond back. So how many times -- and this may be a Miss Busby's question or answer. Say for example the public comes up, make a public comment in general about whatever. And then it may not be something that the councilperson likes or feels is true. Then they come back and respond and put on record their response to it.

And then at that time they may say something that isn't exactly true, either, but their word is the last word. The public, well, doesn't have an opportunity to come back

and -- and refute that. So when -- when the public comes up and do their public comments, is it appropriate for us to then refute what the public just stated?

ASSISTANT CITY ATTORNEY BUSBY: Well, that's really a choice that you need to make as a board. I mean, it's perfectly legal to express your opinion. But I -- I think that that's better decided upon as a board.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: Personally I -- I don't feel that it is a professional posturing. I believe that the public is entitled to make their comments. It is not necessary to banter back and forth. You may or may not agree but that is the nature of the beast in which we are elected.

They have their comments. They have their right to make those comments. And -- and as he said earlier, tougher skin. It's not necessary. And it belong -- it -- it prolongs the meeting and then it keeps us from getting to our business at hand, and we end up more often than not not completing the agenda. So for me it would be a no as it relates to back-and-forth response.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: All right. Well, I totally agree. I mean, and that was certainly why I brought it up because we -- that does happen quite often. And so what we would like to say in -- in terms of maybe having a number seven added on so that we can address that issue and, I mean, be --

CHAIRPERSON DAVIS JOHNSON: Well, let's craft --

COUNCILPERSON MILLER-ANDERSON: -- and I -- I think it needs to be spelled out and it -- you know, because it does happen a lot.

CHAIRPERSON DAVIS JOHNSON: Right. But I don't think that we're going to get to craft of language right now.

COUNCILPERSON MILLER-ANDERSON: Exactly.

CHAIRPERSON DAVIS JOHNSON: We know -- we know that we want to address --

COUNCILPERSON MILLER-ANDERSON: We can just put something down. Uh-huh.

CHAIRPERSON DAVIS JOHNSON: -- but number seven should be -- should speak to addressing the public.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. No back and forth.

CHAIRPERSON DAVIS JOHNSON: And we will put in there the comments that we just -- just stated, that we don't -- we will not engage.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: So it could probably be -- probably be response to public comment and then put the -- the definition or the description of what we'd like.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. Okay. Is there anything else about the -- what about the cell phones?

CHAIRPERSON DAVIS JOHNSON: Well, I --

COUNCILPERSON MILLER-ANDERSON: Well, we -- I mean, we pretty much comply with that, as well, making sure that ours is on vibrate.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: And that's what we've asked them -- asked of them, as well.

CHAIRPERSON DAVIS JOHNSON: Well, I think it would be appropriate, then to just go through the -- the Rules of Decorum for the public.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: And identify those things that are not identified on our side and put that information in there where -- where applicable.

COUNCILPERSON MILLER-ANDERSON: That's what I was saying, which ones? I mean, all of them? You just want to transfer them all?

CHAIRPERSON DAVIS JOHNSON: I'm saying whichever ones are not here where we talk about the -- the cell phones is not there. Certainly it would -- it would seem to me that most of this stuff would be appropriate on our side.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS JOHNSON: You're recognized.

COUNCILPERSON BOTEL: Madam Chair, I would particularly like us to be reminded that it is inappropriate to have sotto voce conversations here. If -- if one

cannot hear what is being said through the microphone, it is clearly inappropriate. So we should remind ourselves not to have whispered conversations.

CHAIRPERSON DAVIS JOHNSON: Well, if -- if you all want, you -- we could have someone to come in and do a Sunshine presentation to remind us. We had that on the county side and it's most helpful. So if we want to do that I think that that would be appropriate, as well, to reinforce. I -- I see it -- I see it not just here. I mean, all over the place. And it's usually not something pertaining to the business. It may be something but simply because the public cannot hear us we have to condition ourselves, because it's just human nature.

COUNCILPERSON BOTEL: Yeah.

COUNCILPERSON MILLER-ANDERSON: (Whispering).

CHAIRPERSON DAVIS JOHNSON: But -- yes. So -- so you see, when she says to me (whispering), do we want that on the -- on the record? She's going to the restroom? So, you know, it's -- it's those little things that we have to condition ourselves.

COUNCILPERSON BOTEL: I don't think it's that. It's other -- other kinds of conversations.

CHAIRPERSON DAVIS JOHNSON: Well, but see, it's not a matter of whether or not we have issue with it. It's the perception of what we're discussing and so that's what has to really be taken into consideration.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: So I would like to see us, if we would want to, by close of business on Friday, give our recommendations on additional language that we would like to see, that we submit that to the clerk copying the city manager, of course, and

the --

COUNCILPERSON MILLER-ANDERSON: What's -- what's today?

CHAIRPERSON DAVIS JOHNSON: No, two days.

COUNCILPERSON MILLER-ANDERSON: Oh, that's fine.

CHAIRPERSON DAVIS JOHNSON: Yeah. Close of business Friday. Do you have anything further that you would -- wanted to share?

COUNCILPERSON MILLER-ANDERSON: And the -- for the --

CHAIRPERSON DAVIS JOHNSON: The clerk (unintelligible).

COUNCILPERSON MILLER-ANDERSON: -- code of -- the code -- the clerk mentioned about the code of ordinance.

CHAIRPERSON DAVIS JOHNSON: Right. So we have that as a point of reference.

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: However, the attorney is certainly going to make sure that the language that we have intact marries the code of ordinances and keeps us straight.

COUNCILPERSON MILLER-ANDERSON: Yes, yes.

CHAIRPERSON DAVIS JOHNSON: Thank you, ma'am.

COUNCILPERSON MILLER-ANDERSON: And that would be it, I believe.

CHAIRPERSON DAVIS JOHNSON: That'll be it.

COUNCILPERSON MILLER-ANDERSON: Hold on. Hold on.

CHAIRPERSON DAVIS JOHNSON: Oh, you have one more thing?

COUNCILPERSON MILLER-ANDERSON: Yeah. The resolution which was the --

CHAIRPERSON DAVIS JOHNSON: Which one?

COUNCILPERSON MILLER-ANDERSON: -- 47-01.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: And I think that's what Attorney Russell was saying to -- he was referencing. And I know most of it is just basically Robert's Rules of Order. And then it goes into about how the setup of the agenda. Let me just make sure.

CHAIRPERSON DAVIS JOHNSON: Well, perhaps we need to take a look at 47-01 and seek to amend it.

COUNCILPERSON MILLER-ANDERSON: Well, there -- it just -- Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: -- there is something in here about the agenda review meeting so we probably do want to look through this 'cause I don't know that we actually are doing any of this anymore, really. I mean, some of it.

CHAIRPERSON DAVIS JOHNSON: No. And I believe prior to us sitting they disbanded with the -- with the agenda review.

CITY CLERK ANTHONY: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Do you recall?

CITY CLERK ANTHONY: Yeah, there was a motion made at a particular meeting. I can provide the board with a copy of those minutes where the motion was made to discontinue holding agenda review meetings.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: So does -- should this resolution have been modified or brought back to correct it 'cause as of right now this is all we have to go by.

CITY CLERK ANTHONY: I totally understand what you're stating. Sorry, Madam Chair.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

CITY CLERK ANTHONY: I totally understand what you're stating, Councilperson Miller-Anderson. And it should have been. But it was not done. So by you all going through this at this time, it's an awesome time to do it.

COUNCILPERSON MILLER-ANDERSON: Okay. So we -- so are we going to look at the rest of it or are we just -- you want to look at the rest of this and see if it's anything else in here that we need to take off? Or that's outdated, maybe?

CHAIRPERSON DAVIS JOHNSON: I'm not -- at -- at this time I don't want to --

COUNCILPERSON MILLER-ANDERSON: Or is this something you want to bring back? So for Resolution 47-01 under -- on page 8 of 9, letter G, agenda review meetings, items one and two, that would be taken out, Miss Anthony. That whole section would just be removed?

CHAIRPERSON DAVIS JOHNSON: That's what you would be doing in light of the vote that was taken previously?

CITY CLERK ANTHONY: Between the City Clerk's Office and the Legal Department we will --

CHAIRPERSON DAVIS JOHNSON: Okay.

CITY CLERK ANTHONY: -- remove what -- whatever actions have been done away with and present a --

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY CLERK ANTHONY: -- a document for adoption by the current board.

CHAIRPERSON DAVIS JOHNSON: And -- and to your knowledge has anything else been adjusted in the -- in this resolution?

CITY CLERK ANTHONY: I believe I saw something in here with the 5:00 time. Okay. That was regarding the agenda review. So basically that whole section will come out.

CHAIRPERSON DAVIS JOHNSON: Yes, ma'am.

CITY CLERK ANTHONY: There is not -- I believe there is a section in this ordinance that deals with reconsidering. If you look at page 4 or 9 at number six and I was looking at the Quick Tip sheet as it relate to reconsider, and it says that a reconsider -- according to the Quick Tip sheet from Robert's Rules of Order, it says, "A reconsider can be made only by one on the prevailing side who has changed position of view." So the statement of reconsider that is within this resolution, it looks like it's in accordance with what's in Robert's Rules of Order. 'Cause if you remember correctly -- if you remember, Mr. Russell was saying that we shouldn't have reconsider as a part of our document. Am I the only one that remember that?

CHAIRPERSON DAVIS JOHNSON: Well, he said that it shouldn't take precedence. It wasn't a privileged motion, if I'm not mistaken on what he said.

CITY CLERK ANTHONY: Oh.

COUNCILPERSON BOTEL: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman Botel.

COUNCILPERSON BOTEL: Thank you. He said the motion to reconsider shall -- item number six of page 4 of 9, motion to reconsider shall have precedence, he said that was inappropriate.

CITY CLERK ANTHONY: Okay.

COUNCILPERSON BOTEL: The motion to reconsider must not have precedence over a motion to (unintelligible).

CITY CLERK ANTHONY: Okay. Okay.

CHAIRPERSON DAVIS JOHNSON: Right. It was not a privileged motion. Page 315 in the book.

CITY CLERK ANTHONY: Uh-huh. If there's anything else that staff sees within the resolution that needs to be addressed in accordance to what is appropriate as of today's standards, we will change it and present it for approval.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: Page 7 of 9, F, "City council meeting agenda items." F1, 2 and -- well, items number one and two it talks about the regular agenda items must be submitted to the city manager's office 13 days prior to the date of the city council meeting. Is that what we're currently doing now?

CITY MANAGER HOSKINS: Yes.

COUNCILPERSON MILLER-ANDERSON: Okay. And then item two, supplemental agenda items. "Any city council member with a supplemental agenda item which requires very limited staff input shall provide the item in writing together with any backup information to the chairperson with a copy to the city manager no later than 12 noon on the fourth business day preceding the city council meeting." Are we doing that? Give it to the chairperson?

CHAIRPERSON DAVIS JOHNSON: It has -- it has typically, if I'm not mistaken -- haven't you reviewed them in the past? I -- this supplemental should probably be add-on.

COUNCILPERSON MILLER-ANDERSON: Are we talking about like a late -- turning it in late or what?

CHAIRPERSON DAVIS JOHNSON: Well, I'm -- I'm trying to understand this - the supplemental piece and it says requiring very little staff input. But anything that misses the deadline of the regular agenda item, then becomes an add-on. And I -- in my opinion, I think that the city manager should have the discretion to determine whether or not that add-on will be pushed forward, because everyone is clear on what the submittal schedule is. So therefore, they should be seeking to meet the schedule as opposed to just sliding in under the radar and process.

COUNCILPERSON MILLER-ANDERSON: And then -- but Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: So it says, "Emergency supplemental agenda items must be presented to the city manager no later than 9 a.m. on the business day preceding the city council meeting required approval of at least three city council members before being placed on the agenda as an add-on item." So --

CHAIRPERSON DAVIS JOHNSON: This has not been the process.

COUNCILPERSON MILLER-ANDERSON: Right. Okay. So --

CHAIRPERSON DAVIS JOHNSON: From my term -- my time here that has not been the process.

COUNCILPERSON MILLER-ANDERSON: So we can have them take a look at that part of it and --

CHAIRPERSON DAVIS JOHNSON: Yeah. I -- yes. Councilwoman Botel?

COUNCILPERSON BOTEL: So what has been the -- what is the process? What's the process that we should follow? This first sentence here? First sentence?

CHAIRPERSON DAVIS JOHNSON: It's the -- yeah. It -- it's for staff, right? It's -- it's for staff to follow.

COUNCILPERSON BOTEL: Well --

CHAIRPERSON DAVIS JOHNSON: This is the preparation of the agenda items for the agenda which deal with the business for the various departments.

COUNCILPERSON BOTEL: Okay. But if -- if I have something I want to bring forward, I -- I -- it has to be -- it has to be 13 days prior to the date of the meeting.

CHAIRPERSON DAVIS JOHNSON: If there's something. But we --

COUNCILPERSON BOTEL: Something.

CHAIRPERSON DAVIS JOHNSON: -- what has happened traditionally here in this city since I've been aboard is there has been a review, those things come before -- I get a preliminary agenda as every previous chair has gotten a -- a preliminary agenda and look at it and whatever that process is for the -- for the staff should be applicable to us, I'll say that.

COUNCILPERSON BOTEL: Okay.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman

Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: So you're -- you said two should be taken out or what are you saying about two?

CHAIRPERSON DAVIS JOHNSON: I'm -- I'm thinking that we need to have staff, have the city manager look at item two and properly label that because this is not so much --

COUNCILPERSON MILLER-ANDERSON: Uh-huh.

CHAIRPERSON DAVIS JOHNSON: -- as a supplemental item. It's an add-on item, and in the past if they're saying that add-on items require at least the -- the approval of at least three city council members, that has not been a process that I'm aware of.

COUNCILPERSON MILLER-ANDERSON: I think, Madam Chair --

CITY CLERK ANTHONY: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Or is this --

CITY CLERK ANTHONY: In speaking -- in speaking with the Legal, it is of our opinion --

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

CITY CLERK ANTHONY: -- I'm going to say our.

CHAIRPERSON DAVIS JOHNSON: Okay. (Unintelligible).

CITY CLERK ANTHONY: That when it speaks of the -- at least three council members, that's the part of your agenda where you have your additions and deletions.

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

CITY CLERK ANTHONY: That -- where you have your added -- your add-on sheet?

CHAIRPERSON DAVIS JOHNSON: But even if we're speaking about that? How -- and help me be clear. Because you're saying for add or delete, if we're putting items such as at -- at the meeting we come with additional community benefits. Or we want to include additional discussion and deliberation. Is that where you're talking about the three votes are required?

CITY CLERK ANTHONY: Under your Addition and Deletion. When -- you know where you have Addition and Deletions on your agenda?

CHAIRPERSON DAVIS JOHNSON: Uh-huh.

CITY CLERK ANTHONY: And you -- there's a motion that's made to approve the agenda.

CHAIRPERSON DAVIS JOHNSON: This language needs to be cleaned up.

CITY CLERK ANTHONY: So when we list -- I -- I would --

CHAIRPERSON DAVIS JOHNSON: Would you all agree?

COUNCILPERSON BOTEL: Yeah, it's unclear.

CHAIRPERSON DAVIS JOHNSON: It's unclear. It's muddy. Clean it up.

CITY CLERK ANTHONY: Okay. Yeah. That's what we're here for.

CHAIRPERSON DAVIS JOHNSON: Okay. So then item -- item F, number two should be cleaned up by the Clerk's Office and -- and legal to make sure that we are in -- we are conforming to what is required.

ASSISTANT CITY ATTORNEY BUSBY: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Okay. Any further comments?

COUNCILPERSON MILLER-ANDERSON: Yes. Item number three about the non-agenda items.

CHAIRPERSON DAVIS JOHNSON: Personally I think that they need to review it all.

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: And clean it up.

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS JOHNSON: Yes. So we can --

COUNCILPERSON MILLER-ANDERSON: All right.

CHAIRPERSON DAVIS JOHNSON: -- one seems to be in -- in order. Two and three we need to go through, clarify and clean that up.

COUNCILPERSON MILLER-ANDERSON: Uh-huh. And that's it for me.

CHAIRPERSON DAVIS JOHNSON: Okay. Thank you all for your time. Thank you for coming out and participating in this workshop. There is no further business.

ADJOURNMENT

CHAIRPERSON DAVIS JOHNSON: We stand adjourned. Thank you.

(CONCLUSION OF WORKSHOP)

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