



To: Cathy Swanson-Rivenbark, City Manager for the City of Coral Gables

From: Craig E. Leen, City Attorney for the City of Coral Gables *CL*

RE: Legal Opinion Regarding Civility Code

Date: December 7, 2016

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In 2015, the City Attorney published CAO 2015-104 detailing the rules of public participation and decorum during City Commission and City Board/Committee meetings. That opinion is incorporated herein as exhibit A.

The purpose of this Civility Code is to further establish rules of decorum and civility for members of the public addressing City staff, in addition to the City Commission and City boards/committees, during public meetings. (For purposes of this Code, the term "public meeting" includes any and all meetings that are open to the public not only those considered "public meetings" under the Florida Sunshine Law). The policy is intended to facilitate an open, orderly and respectful environment for all those in attendance and to foster an atmosphere of fairness, courtesy and respect for differing points of view.

All individuals attending a public meeting must:

1. Wait to be acknowledged by the chair or staff member running the meeting before speaking;
2. Remain seated until acknowledged by the chair or staff member running the meeting and return to seat or exit the room once done speaking;
3. Not interrupt the staff member or an individual who has the floor or speak over that person;
4. Refrain from behavior which will disrupt the public meeting. This includes making loud noises, clapping, speaking in a significantly raised voice, shouting, booing, hissing or engaging in any other activity that disrupts, disturbs, hinders or impedes the orderly conduct of the meeting;

5. Refrain from behavior that can be interpreted as physically threatening to those conducting the meeting or to anyone in attendance, such as encroaching into their personal space, pointing of a finger toward a person in particular.
6. Refrain from using profanities, insults or other disparaging remarks;
7. Refrain from making comments, references or statements regarding race, gender, ethnicity, religion or sexual orientation;
8. Refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact;
9. Refrain from speaking on their cell phone while the meeting is in session;
10. Endeavor to cite only the truth and not knowingly misrepresent, mischaracterize or misquote information received from others (this behavior may also violation the City's False Claims Ordinance, Ch. 39 of the City Code).

Any individual who violates this Civility Code during a Board/Committee meeting shall be warned to stop the behavior immediately; failure to do so will subject the individual to removal from the meeting pursuant to the procedures detailed in No. 11 through No. 14 of exhibit A. If the meeting is conducted by City staff, the staff member running the meeting has the full discretion to conclude the meeting and is not required to continue if the behavior in violation of this Code does not cease.

December 2016

# **CITY OF CORAL GABLES**

## **CIVILITY CODE**

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December 2016



To: Mayor and Commissioners

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "C. Leen", is written over the "From:" line.

RE: Rules of Public Participation and Decorum

Date: October 20, 2015

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The following rules of public participation and decorum, based on sections 2-68, 2-70, and 2-73 of the City Code, shall be observed by all speakers and members of the public during City Commission and City Board meetings. For purposes of these rules, the Mayor is the Chair of the City Commission and the City Attorney is the Parliamentarian.

CITY OF CORAL GABLES  
OFFICE OF THE CITY ATTORNEY

RULES OF PUBLIC PARTICIPATION AND DECORUM  
FOR CITY COMMISSION AND BOARD MEETINGS

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1. The City encourages public participation. Anyone who wishes to speak on a public hearing item, or other matter where comment is either required by law or permitted in the discretion of the Chair, should fill out a speaker card provided by the City Clerk. If the speaker is a lobbyist as defined by applicable law, then the appropriate registration must be filed.
2. When the speaker's name is called, the following information should be provided: name; residential or business address; and whether the person is speaking on behalf of a group or third party (if representing an organization, the speaker should indicate whether the view expressed represents an established policy or position approved by the organization, and whether the speaker is being compensated by the organization);
3. The remarks of each speaker shall be limited to no more than three minutes. The Chair has the discretion to either extend or reduce time limits where warranted; for example, where there are many speakers, in order to ensure everyone has the opportunity to speak, the time limit may be reduced to two minutes per speaker;
4. No speaker or other member of the public shall refuse to obey the orders of the Chair, or of the Commission or the Board when acting as a body;
5. The Parliamentarian may assist in interpreting and applying parliamentary law, rules of procedure, and rules of public participation and decorum.
6. All remarks shall be addressed to the Commission or Board as a body and not to any member thereof (directing remarks to or through the Chair is an appropriate way to address the Commission or Board as a body);
7. No person, other than a member of the Commission or Board, and the speaker having the floor, may be permitted to enter into any discussion without permission of the Chair. No question may be asked except through the Chair.
8. Speakers should make comments concise and to the point, and present any data or evidence for consideration to the City Commission or City Board;
9. No person may speak more than once on the same subject unless specifically granted permission by the Chair;
10. No speaker or other member of the public shall delay or interrupt the proceedings or the peace of the Commission or Board, or disturb any person having the floor; anyone

making irrelevant, impertinent, or slanderous remarks or who becomes boisterous while addressing the Commission or Board shall not be considered orderly or decorous;

11. Anyone who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chair and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit;
12. Anyone failing to comply as cautioned shall be barred from making any additional comments during the meeting by the Chair, unless permission to continue or again address the Commission or Board is granted by the majority of the Commission or Board members present;
13. If the Chair, the Commission, or the Board declares an individual out of order, the individual will be requested to relinquish the podium. If the person does not do so, the individual is subject to removal from the commission chambers or other meeting room;
14. Any person who becomes disruptive or interferes with the orderly business of the Commission or Board may be removed from the commission chambers or other meeting room for the remainder of the meeting;
15. The City's ultimate goal is to protect the ability of speakers to be able to address the Commission or Board on the identified subject or business at hand without interruption and in a manner that facilitates review of the matter by the Commission or Board.

**From:** [Ramos, Miriam](#)  
**To:** [Paulk, Enga](#)  
**Cc:** [Leen, Craig](#); [Throckmorton, Stephanie](#); [Suarez, Cristina](#)  
**Subject:** Civility Code  
**Date:** Wednesday, December 07, 2016 10:49:01 AM  
**Attachments:** [CG civility code - final.pdf](#)  
[rules of participation-decorum.pdf](#)  
[image001.png](#)

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Enga,

Please publish the attached. The document entitled “Rules of Participation-Decorum” is an exhibit to the Civility Code.

Thank you,

*Miriam S. Ramos, Esq.*  
Deputy City Attorney & City Prosecutor  
City of Coral Gables  
405 Biltmore Way, 3<sup>rd</sup> Floor  
Coral Gables, FL 33134  
(305) 460-5218  
(305) 460-5084 direct dial



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