

RESOLUTION NO. 08-161

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS OF THE CITY OF HIALEAH, FLORIDA, IN A FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

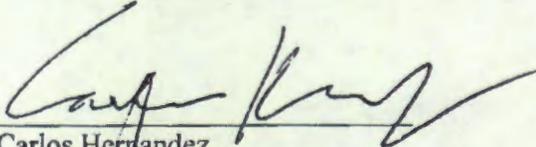
WHEREAS, the City of Hialeah, Florida finds it in the best interest for the proper governance of the City of Hialeah, its elected officials and residents to adopt in writing rules and procedures for the conduct of meetings of the Hialeah City Council; and

WHEREAS, the City of Hialeah has incorporated well-settled existing practices of conduct and public participation that has achieved an effective balance between public participation and inclusion with the proper administration of governmental proceedings.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby approves Rules and Procedures for City Council meetings of the City of Hialeah, Florida, in a form as attached hereto and made a part hereof as Exhibit "1".

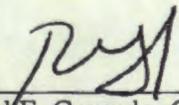
PASSED AND ADOPTED this 25th day of November, 2008.



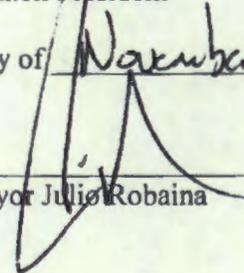
Carlos Hernandez
Council President

Attest:

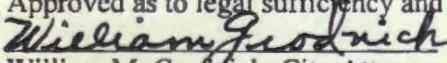
Approved on this 21 day of November, 2008.



Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to legal sufficiency and form:


William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0-1 vote with Councilmembers, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes" and Councilmember Caragol absent.

**GENERAL RULES AND PROCEDURES
FOR THE CITY OF HIALEAH CITY COUNCIL MEETINGS**

WHO MAY SPEAK

Meetings of the City Council are open to the public. Such meetings are not, however, public forums. Any resident who wishes to address the City Council, on any subject within the scope of the City Council's authority, may do so, providing it is accomplished in an orderly manner and according to the procedures outlined below.

CONSENT AGENDA ITEMS. These are items that the City Council does not need to discuss individually, and which are voted as a group. Any City Councilmember, the Mayor or resident who wishes to discuss any individual item on the consent agenda, may request the City Council President or presiding officer to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.

REGULAR AGENDA ITEMS ON THE ADMINISTRATIVE PORTION OF THE MEETING. These are items that the City Council will discuss individually in the order listed on the agenda. The Council President or presiding officer, at his or her discretion, may allow any person to be heard on an item that does not require public hearing.

PUBLIC HEARING ITEMS ON THE ADMINISTRATIVE PORTION OF THE MEETING. Some items on the administrative portion of the meeting require a public hearing and the City Council President or presiding officer will allow any person to be heard on the item during formal public hearing. A maximum of three speakers in favor and three speakers in opposition are allowed to address the City Council on any one item. Each speaker's comments will be limited to three minutes. The City Council President or presiding officer reserves the right to expand the time limit for any one speaker or expand the number of speakers addressing the City Council on any one item depending on the nature or importance of the item. If the item involves the adoption of the ordinance, the second reading of the ordinance is the public hearing where the public may speak on the item. The City Council President or presiding officer during the first reading of an ordinance may decline, at his or her discretion, any public comment on the item until second reading.

PUBLIC HEARING ITEMS ON THE ZONING AND LAND USE PORTION OF THE MEETING. The City Council President will allow any person to be heard on the item during formal public hearing. A maximum of three speakers in favor and three speakers in opposition are allowed to address the City Council on any one item. Each speaker's comments will be limited to three minutes. The City Council President or presiding officer reserves the right to expand the time limit for any one speaker or expand the number of speakers addressing the City Council on any one item depending on the nature or importance of the item. If the item involves the adoption of the ordinance, the second reading of the ordinance is the public hearing where the public may speak on the item. The City Council President or presiding officer during the first reading of an ordinance may decline, at his or her discretion, any public comment on the item until second reading.

SPEAKING ON SUBJECTS NOT ON THE AGENDA. Any resident may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. Persons wishing to speak are encouraged to sign in with the City Clerk in advance of the commencement of the meeting.

ADDRESSING THE CITY COUNCIL, MANNER, TIME. All comments or questions of the public are to be directed to the City Council President or presiding officer or the Mayor. The length of time that each individual may speak as stated above is limited in the interest of order and conduct of the business before the City Council. Individuals speaking to members of the City Council shall first approach the podium for the public to speak before the City Council and request permission from the City Council President or presiding officer before speaking, unless invited to speak by the Council President or presiding officer. Individuals shall come to the podium and clearly state their name and address for the record. Individuals speaking to the City Council cannot engage in cross conversation with other members of the public. Individuals should be respectful of the elected officials and staff that are on the dais and make every effort to speak with a moderate tone using appropriate language and avoiding personal attacks. Members of the public in the audience shall refrain from shouting or making remarks from their seats to the Mayor, Council members or staff sitting on the dais. Groups are encouraged to select a representative to conserve time and avoid repetition. Any Councilmember or the Mayor, through the presiding officer, may recall an individual to the podium to provide additional information or to answer questions. A Councilmember or the Mayor may address comments from the public. The presiding officer may implement other rules or procedures to assure a fair hearing to all who are present as speakers and members of the audience.

DECORUM. If a member of the audience or speaker becomes unruly or disruptive, the Council President or presiding officer has the right to require the person to leave the Council Chamber, and may ask the Police Chief or other police officers to escort that person from the Council Chamber. If a crowd of people becomes unruly or disruptive, the Council President or presiding officer may recess or adjourn the meeting.

CELLULAR TELEPHONE USE. As a courtesy to others, members of the public shall refrain from using cellular telephones or other similar electronic devices in the Council Chambers. All members of the public shall place their cellular telephones on silent mode prior to or immediately upon entering the Council Chamber.