



Legislation Details (With Text)

File #:	20-383	Version:	1	Name:	
Type:	Ordinance	Status:		Public Hearing	
File created:	6/26/2020	In control:		City Council	
On agenda:	7/8/2020	Final action:			
Title:	Ordinance No.07-2020/2nd and Final Reading: Amending Section 2-51 of the City Code to modify City Council regular meeting days from Wednesday to Tuesday. (City Attorney)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Ordinance No. 07-2020.pdf, 2. Legal Ad Order Conf.pdf				

Date	Ver.	Action By	Action	Result
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CITY COUNCIL AGENDA ITEM

Memo Date: June 25, 2020
Agenda Date: July 8, 2020
Prepared By: Carie Shealy, City Clerk
Through: Anthony Garganese, City Attorney
Requested Action:
Ordinance No.07-2020/2nd and Final Reading: Amending Section 2-51 of the City Code to modify City Council regular meeting days from Wednesday to Tuesday

BACKGROUND:

In 2018, the City Council its regular monthly meeting schedule from Tuesday to the Second and Fourth Wednesday. Additionally, other City board meeting schedules were adjusted to accommodate this change. However, at the Regular City Council meetings held on Wednesday, March 11, 2020 and June 10, 2020, the idea of moving Regular City Council meetings from Wednesday back to Tuesday was raised and briefly discussed by the City Council. The City Council directed that the City Attorney and Staff review the City Council's legal authority to amend the regular meeting day, review the impact on the current City board calendar and to report back to the City Council so the Council could consider whether or not to amend the regular meeting day.

Article III, Section 12(b) of the City Charter provides that the City Council shall meet regularly at such times and places as may be prescribed by ordinance, but in no event less than once each month. Pursuant to the requirements of the City Charter, the City Council has established regular City Council meeting times in accordance with Section 2-51 of the City Code, which currently requires that regular City Council meetings shall be held every second and fourth Wednesday of each and every month. Specifically, Section 2-51 provides:

Section 2-51(a): Time, place for regular meetings; procedure for cancelling meetings and

calling special meetings.

“The regular meetings of the city council shall be held in the council meeting room in the municipal city hall building, such building being a publicly owned facility within the city limits, at 6:00 p.m. every second and fourth Wednesday of each and every month. The meeting time may be adjusted by the city council on a case-by-case basis to address special circumstances.”

Therefore, if the City Council desires to amend the regular City Council meeting back to the second and fourth Tuesday, Section 2-51 must be amended. For the City Council’s convenience, the City Attorney has prepared the attached ordinance for consideration on first reading if the City Council desires to commence the ordinance adoption process, as required by the City Charter, to effectuate a change to Tuesday.

If the City Council passes Ordinance No. 07-2020 on first reading, Staff anticipates bringing the ordinance back for second and final reading on July 8, 2020. If the ordinance is ultimately adopted by the City Council at that meeting, it is staff’s recommendation that this change does not take effect until the new fiscal year commences on October 1, 2020 in order to provide a smooth transition relative to conducting City business efficiently. Therefore, the first Tuesday meeting would be October 13, 2020.

This is being suggested due to the following reasons:

- First Public Hearing for Budget is scheduled for Wednesday, September 9, 2020
- Second Public Hearing for Budget is scheduled for Wednesday, September 23, 2020

These meetings have already been set and cannot coincide with County budget hearings.

Please be advised that if the meeting days are changed, it will also require a calendar adjustment to new nights for the following boards in order to avoid a scheduling conflict:

- **Cocoa CRA** would be moved to the Second Tuesday unless the Agency chooses to keep the second Wednesday of the month meeting date. The City Clerk spoke with Ms. Etz and Mr. Lanni. Ms. Etz was fine if this meeting moves back to Tuesday, but prefers Wednesday. Mr. Lanni is okay with whatever day is chosen.
- **Utilities Advisory Board:** Meetings are held quarterly on the 4th Tuesday of the month. Their Board secretary polled all members and they are all fine with the change of meeting date back to their original day of the 4th Wednesday of the month.
- **Housing Authority** meets on the Second Tuesday of the month at 5:30 p.m. in which the Mayor is the City Council Liaison.

STRATEGIC PLAN CONNECTION:

Ensuring that the most effective, efficient, and equitable delivery of services for the residents of Cocoa, by providing a more convenient day for citizens to attend public meetings and to be able to engage with their City and its representatives

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

City Council adopted Ordinance No. 02-2013 on January 8, 2013, which changed the ***meeting time*** of City Council meetings.

City Council adopted Ordinance No. 07-2018 on August 14, 2018, which changed the ***meeting day*** to Wednesday.

City Council approved Ordinance No. 07-2020 on June 24, 2020 on first reading.

RECOMMENDED MOTION:

Ordinance No.07-2020/2nd and Final Reading: Amending Section 2-51 of the City Code to modify City Council regular meeting days from Wednesday to Tuesday