PENSION BOARD POLICIES

FIREFIGHTERS & POLICE OFFICERS

PENSION FUND OF THE CITY OF TAMPA

Policy Number: 107
Policy: Appearance Before Pension Board, Public Comments and Decorum
Eff. Date: 08/09/1977 12/14/1993 09/25/2001 01/25/2007 12/13/2007 04/24/2008 02/27/2013 09/25/2013 07/30/2014 08/27/2014
Ref: Board Minutes, Legal Opinion 1/10/2007 09/19/2013

The following procedure governs appearances before the Board and provides for the maintenance of decorum necessary to permit the Board to complete the business of the Fund. There are two types of appearances before the Board. The first type permits a topic specific statement, which shall not be longer than five (5) minutes in length. The second is a public comment as provided under the Government in the Sunshine Law and is limited to matters on the agenda of a substantive nature upon which the Board will take action in the future. In either type of statement, the speaker is expected to respect the process of managing the business of the Fund for the benefit of the members and beneficiaries. The Board is legally empowered to expel persons who disrupt the meeting. The Board will not censor the content of the message but may prevent the use of loud, offensive, disorderly, threatening, insulting, abusive, or foul language, or prevent behavior which is offensive, disorderly, threatening, abusive, or insulting, or prohibit any person to make personal, impertinent, slanderous, or profane remarks during the meeting.

I. Scheduled Appearances – 5 minutes in length

Any individual (whether representing an individual or an organization) wishing to appear before the Board regarding pension board business shall make a request in writing in 200 words or less on the form promulgated by the Board of Trustees attached hereto. The form may be completed by hand and faxed, mailed, express mailed, hand delivered or scanned and emailed; or the form may be completed using Adobe and emailed, or printed and faxed, mailed, express mailed, or hand delivered. Said request shall include the following:

1. Identification of the speaker and any pertinent affiliations.

2. The topic to be discussed.

3. The action(s) desired of the Board.

Appearances before the Board shall be limited to five minutes, unless otherwise authorized by the Chairman.

Said request shall also comply with board policy.

II. Public Comments – 2 minutes in length

Background: Senate Bill 50, Chapter 2013-227 Laws of Florida, was adopted effective October 1, 2013. Senate Bill 50 governs most public meetings, requires a reasonable opportunity to be heard, provides for payment of attorney's fees in certain cases enforcing SB 50, and permits boards to adopt administrative rules in compliance with Section 286.0114(4), Florida Statutes.

The following practices shall govern Public Comments:

(a) Regular meetings. Public discussion shall be placed on each agenda at the beginning of each scheduled meeting, unless the Chair or presiding officer decides to deviate from these rules on a case-by-case basis.

(b) Special meetings. Public comments at special meetings shall be limited only to the items and matters referred to on the agenda for such special meeting. The Chair or presiding officer may disallow any and all public comments on matters not specifically referred to on the agenda for a special meeting.

(c) Order on agenda. The first agenda item at each regular meeting shall be "public discussion" for fifteen minutes. The Board, by a majority vote, may authorize the extension of time for public discussion until a "time certain."

(d) Procedure for persons wanting to speak. Members of the public who wish to speak under public discussion for either a regular or special meeting shall sign a speaker's request card containing their complete name and a brief discussion of the topic they wish to discuss. Completed cards shall be transmitted to the Chair or presiding officer prior to public discussion and shall be preserved as public records by the Board pursuant to applicable records retention policies.

(e) Time limitation. Public discussion shall be limited to two (2) minutes maximum per person during either a regular or special meeting. The Chair or presiding officer may, in his discretion, authorize the extension of such two-minute timeframe after due consideration for the substance, content and relative importance of such discussion. If the number of persons wishing to speak exceeds the time allotted for public comment, Section 286.0114, Fla. Stat. allows the Board to limit the number of speakers. In such an event, the opponents and proponents of an issue shall have the time divided between them, with each speaker limited to two (2) minutes. Speakers may not aggregate time from other speakers. In lieu of speaking, participants may have their names recorded as being in favor of or against an issue by indicating on forms prepared for that purpose.

(f) Scope. These rules shall not apply to any meeting that is exempt from Section 286.011, Florida Statutes, or to any meeting where the Board is acting in a quasi-judicial capacity.

III. Disruption of Pension Board Meetings or Pension Office Operations; Decorum during Appearances and Public Comments

No person addressing the Board during Appearance or Public Comments shall interrupt or disrupt an individual who is addressing the Board or use loud, offensive, disorderly, threatening, insulting, abusive, or foul language, or behave in an offensive, disorderly, threatening, abusive, or insulting manner, or make personal, impertinent, slanderous, or profane remarks during the meeting. To maintain decorum and order, individuals who disturb the conduct of meetings, or who refuse to conform their discussion to items set in the agenda, may be ejected by the Chair or presiding officer. All remarks shall be addressed to the Board as a body and not to any member thereof. No person other than a Board member or the person having the floor shall be permitted to enter into any discussion, without the permission of the Chair or presiding officer. All questions to the Board shall be directed through the Chair or presiding officer.

Any disruption of a board meeting or pension office operations, whether verbal or up to and including physical violence, will not be tolerated. Individuals disrupting a meeting or pension office operations will be issued a 90-day trespass warning, will be asked to leave the building, and should they refuse to leave or return to the building while the trespass warning is in effect, they will be subject to arrest for trespassing. This trespass warning is applicable at all times in the following 90 days except for attendance at a noticed public meeting.

This action will in no way inhibit any person from the ability to conduct pension business by phone, mail, fax, or email.

Appearances Before Pension Board
(Policy & Procedure 107)

Any individual (whether representing an individual or an organization) wishing to appear before the Pension Board regarding pension board business shall make a request in writing in 200 words or less. Said request shall include the following:

1. Identification of the speaker and any pertinent affiliations.

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2. The topic to be discussed.

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3. The action(s) desired of the Board

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Appearances before the board shall be limited to five minutes, unless otherwise authorized by the Chairman.

Said request shall also comply with board policy.