

RESOLUTION NO. 2020-05

A RESOLUTION OF THE TAMPA BAY AREA REGIONAL TRANSIT AUTHORITY ADOPTING PROCEDURES FOR PUBLIC COMMENT AT PUBLIC SPACE MEETINGS OF THE GOVERNING BOARD AND COMMITTEES AND MEETINGS HELD BY COMMUNICATIONS MEDIA TECHNOLOGY BY THE GOVERNING BOARD AND COMMITTEES

WHEREAS, the Tampa Bay Area Regional Transit Authority (“TBARTA”) is an agency of the State of Florida created to improve mobility and to plan, develop, finance, construct, own, purchase, operate, maintain, relocate, equip, repair, manage, and expand multimodal transportation systems and options for passengers and freight in its five-county region, consisting of Hernando, Pasco, Pinellas, Hillsborough, and Manatee Counties; and

WHEREAS, the Governing Board of TBARTA wishes to adopt procedures governing the process for public comment at public space meetings and meetings held by communications media technology.

NOW, THEREFORE, BE IT RESOLVED by the TBARTA Governing Board that:

1. TBARTA hereby adopts the following procedures governing public comment for Governing Board and committee meetings:

TBARTA Public Comment Procedures

TBARTA welcomes public comment on all official acts at all Governing Board and TBARTA committee meetings, excluding ceremonial and ministerial items, and has developed procedures for public comment at meetings held in public spaces, as well as meetings conducted by communications media technology.

Public space meetings:

To speak: TBARTA will set aside up to 30 minutes, if needed, at the beginning of regular Board meetings providing members of the public the opportunity to speak on items not on the agenda or on the consent agenda.

At TBARTA committee meetings this period will be up to 15 minutes, if needed. This will be referred to as the Public Comment Section throughout these procedures.

Public comment cards will be made available at every meeting. Speakers must complete a card, providing their name, address, organization and topic or agenda item. When recognized by the Board or committee chairperson, speakers will approach the podium unless physically unable to do so, and

state their name before commencing their comments. Any comments regarding a consent agenda item must be provided during the Public Comment Section. Each member of the public who speaks under the Public Comment Section or regarding an agenda item shall be limited to three (3) minutes. A spokesperson for a group may address the Board for three (3) minutes. However, for each member of the group present in the audience who waives their right to speak, the spokesperson will be given an additional three (3) minutes up to a maximum of ten (10) minutes. Each person shall not comment more than once on the same agenda item, or during the Public Comment Section, at the same meeting, unless the Board grants an exception. Statements during the Public Comment Section must regard transit, transportation, or other TBARTA business that relates to the Board or committee. The Board or committee chairperson may stop any member of the public who speaks about any item or matter that does not regard transit, transportation or other TBARTA business. With regard to agenda items, members of the public shall limit their comment to the specified subject matter of the agenda item. Any comments which are inappropriate or irrelevant will be ruled out of order by the chairperson.

Public comment is not intended to require any Board or staff member response. Discussion between speakers and members of the audience is not allowed. Comments are to be directed to the TBARTA Board or committee as a whole and not individual members.

When 10 or more speakers wish to speak during the Public Comment Section, the Board or committee may reduce the time per speaker. The Board or committee reserves the right to modify speaking time based on the circumstances of any meeting.

Members of the public speaking at a Board or committee meeting, whether on an agenda item or under the Public Comment Section shall not:

- (1) Engage in loud, boisterous and/or disruptive speech or conduct;
- (2) Use profanity or obscenity;
- (3) Use "fighting words" (e.g. words likely to cause a fight, threatening or profane words, words tending to cause a breach of the peace) and/or speech that threatens harm or slanderous remarks;
- (4) Engage in commercial speech (advertising); or
- (5) Engage in personal attacks on or insults of members of the Board, committee, TBARTA staff or others.

Any speaker that continues with inappropriate or irrelevant comments will be requested to relinquish the podium by the chairperson.

Meetings by Communications Media Technology:

When TBARTA meetings are held by communications media technology, these additional procedures are provided to accommodate the public's opportunity to observe and participate through public comment.

A phone line will be dedicated to public comment at every meeting held by communications media technology, and this line will open at least 30 minutes prior to the meeting start time. The phone number for public comment will be posted on TBARTA's website at least seven (7) days prior to the meeting. Those who wish to speak at meetings held by communications media technology should call no later than 10 minutes prior to the meeting time. When a member of the public calls, a TBARTA staff member will ask their name, address, organization and topic or agenda item, and they will be placed in a cue to speak during the appropriate portion of the meeting. During public comment, the members of the public will be recognized by name and have up to three (3) minutes to address the Board or committee.

All other rules pertaining to public comment set out above apply to public comment at meetings held by communications media technology.

Written Comments: TBARTA will also accept written comments up to 400 words to be entered into the record during a meeting held at a public space or by communications media technology. Written comments must be emailed to PublicComment@TBARTA.com and received no later than the day before the meeting. Comments must include the name, address, organization and topic or agenda item.

All written comments must also comply with the provisions above related to public comment at public space meetings.

Speakers will be given first priority to address the Board or committee during the Public Comment Section, and with regard to agenda items. After the members of the public who are present either at the public space or by communications media technology have completed their comments, or the time set aside for public comment has expired, TBARTA's Executive Assistant will report to the chair the status of written comments. If time remains in the public comment period, that time will be used to read written comments into the record. Comments will be read in the order received. If the comment period expires before all written comments are read, the remainder will be entered into the record and written copies will be provided to all Board or committee members.

2. This resolution shall become effective immediately upon its approval and adoption.

APPROVED AND ADOPTED by the Governing Board of TBARTA on this ____ day of May 2020.

FOR THE BOARD:

ATTEST:

JIM HOLTON, Chairman

Commissioner Janet Long, Secretary-Treasurer

Reviewed and Approved:

By: _____
General Counsel