

RESOLUTION
R-02-2019
A resolution adopting a policy for public comment during
Citilink Board meetings

PREAMBLE

The Fort Wayne Public Transportation Corporation (“Citilink”) has a long-standing policy of allowing public comment at the regularly scheduled meetings of its Board of Directors (“Board”). Though it is not required by law to maintain this public comment opportunity, Citilink wishes to continue its policy, subject to the terms of this Resolution.

Citilink views “Public Comment” at its regularly scheduled Board meetings as “limited public fora” within the definition set out by the United States Supreme Court. As such, Citilink may impose restrictions on the time, place and manner of speech during “Public Comment,” and may also limit “Public Comment” to subject matters that are relevant to the Board’s agenda.

Citilink may also postpone the hearing of employment-related matters from a current or former employee while that individual has an unresolved employment or administrative related concern or grievance currently pending with Citilink. Citilink believes that handling such matters internally or through the grievance process is a more appropriate way to manage current or former employee’s concerns.

This Policy has a two-fold purpose:

1. Ensure that the public’s opportunity to express ideas, comments, and concerns to the Board is maintained; and
2. Maximize the efficiency of Board meetings by imposing reasonable restrictions on verbal comments made by members of the public during regularly scheduled Board meetings.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of Fort Wayne Public Transportation Corporation adopts the following policy.

Section One: Public Comments at Citilink Board Meetings

Effective March 14, 2019, Citilink shall continue to allow individuals to address the Board at regularly scheduled Board meetings during that portion of the meeting entitled “Open Discussion by the Board.” Any such comments, however, will be subject to the following regulations:

- (a) **Time limit.** Comments will be limited to five (5) minutes per person, per Board meeting, and all “Public Comment” shall be limited to 20 minutes per meeting. An individual’s time allotment may be reduced pro rata by the

Chairperson of the Board (“the Chair”) if numerous people wish to speak at a Board meeting.

- (b) **Preregistration.** An individual who wishes to speak at a Board meeting must first contact the General Manager no later than 10:00 a.m. the day of the Board meeting. Potential speakers should complete the attached form, which can be found on the Citilink website or at Customer Service located at 801 Leesburg Road, Fort Wayne, Indiana and email that form to the contact person listed on the form no later than 10:00 a.m. the day of the Board meeting. Potential speakers must include the individual’s name, address, phone number, and the subject matter of intended comments.
- (c) **Speaker Identification.** In addition to completing and signing the form referenced above, each potential speaker must arrive five minutes before the Board meeting is scheduled to begin and sign-in with the Board Secretary. Failure to arrive and sign-in at least five minutes before the Board meeting is scheduled to begin will result in the speaker losing his or her speaking reservation.
- (d) **“Public Comment” Procedure.** During that portion of the Board meeting where public comment is permitted, the Chair will recognize each individual who has submitted a form, in accordance with subsection (b). However, it is within the Chair’s discretion to deny or further limit public comment on the following grounds:
 - (1) the subject matter of the individual’s proposed comments, as provided on the submitted form, is outside the scope of the Board’s agenda;
 - (2) the individual has previously spoken about the proposed subject matter during a previous Board meeting; or
 - (3) the individual is a current or former employee of Citilink who wishes to address a matter related to his or her employment with Citilink, and the individual has either failed to follow standing policy and procedure with regard to reporting concerns to his or her supervisor or has an employment-related claim against Citilink currently pending or threatened.
- (e) **Rules.** “Public Comment” is intended to consist of statements from individuals only. Individuals do not have a right to engage the Board in a question-and-answer exchange. The Board encourages civility in public discourse and requests that individuals refrain from language which would incite an immediate breach of the peace. Individuals will also refrain from undue repetition, extended discussion of irrelevancies, obscenity, personal attacks, or otherwise disrupting the business to be conducted at the meeting.

- (f) **Enforcement of Policy.** This policy is intended to foster a fair, respectful, and productive meeting. If an individual's comments exceed five (5) minutes in length, if the individual strays from the subject matter indicated on the submitted form, or if the individual otherwise violates this policy, the Chair may require the individual to stop speaking. If the individual does not comply with the Chair's directions, the individual may be removed from the Board meeting.

Section Two: Written Comments to the Citilink Board


Any individual wishing to bring any matter to the attention of the Board is encouraged to submit written comments at any time. Such comments may be submitted in either of the following ways:

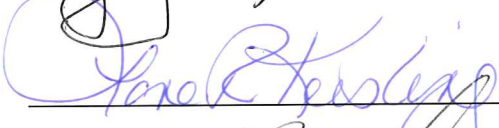
- (a) Hand-delivery to the Chair at the close of any Citilink Board meeting;
- or
- (b) Sending mail to the following address:


Citilink Board of Directors
Attn: Board President / Chairperson
801 Leesburg Road
Fort Wayne, IN 46808-2529

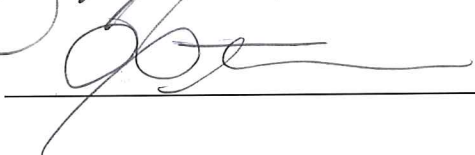
Upon receiving any such written comments, the Board President shall distribute the comments to the members of the Board.

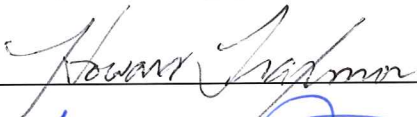
This resolution adopted/rejected 3/14, 2019 by a vote of 6 ayes and 0 nays.

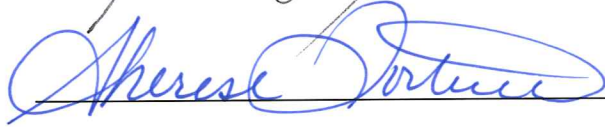












Citilink's Public Comment Speaker's Form

The address and phone number that you provide below will remain confidential.

Date:

Name:

Street Address:

City, State, Zip Code:

Phone Number:

Topic of Comments:

Speaker's Authorization:

I have read Citilink's public comment policy, and I understand that the failure to agree to and follow the terms of that policy will disqualify me from addressing the Citilink Board of Directors at this meeting. I also understand that the failure to abide by the terms of the policy may result in my expulsion from the proceedings.

Furthermore, I hereby certify that the following three statements are true and that I agree to them as the terms under which I may address the Citilink Board of Directors during the Board meeting.

1. I have not filed, participated in, or had an interest in a claim or lawsuit involving Citilink within the past 12 months.
2. I will not address any matter which is the subject of a bid, contract, claim, or lawsuit involving or referencing Citilink.
3. If I am an employee of Citilink, I have followed the standing policy and procedure with regard to reporting concerns to my supervisor and do not have an employment-related claim against Citilink currently pending or threatened.

Signature

Date

RETURN FORM TO:
Citilink HR Manager at jmb@FWCitilink.com