

RESOLUTION NO. 2024-R-_____

SEMINOLE COUNTY, FLORIDA

RESOLUTION

of the

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

**AMENDING THE SEMINOLE COUNTY ADMINISTRATIVE CODE BY
REVISING APPENDIX A, OPERATING POLICIES & PROCEDURES OF
THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Seminole County Administrative Code needs to be amended from time to time to reflect changes in the administration of county government; and

WHEREAS, Seminole County has established the organizational and administrative support structure for the Board of County Commissioners and operating procedures for meetings of the Board; and

WHEREAS, these matters require refinement to provide superior service to the Board of County Commissioners and residents of Seminole County; and

WHEREAS, the County is updating information regarding the duties and activities of the County Commissioners and other officers, and other operational issues; and

WHEREAS, the procedures adopted in this Resolution are necessary to safely conduct the business of the County and provide notice, fair procedure, public participation, and a sufficient opportunity to be heard in accordance with Chapter 286, Florida Statutes, and the Florida Constitution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida that:

Section 1. Incorporation of Recitals. The above recitals represent the legislative findings of the Seminole County Board of County Commissioners supporting the need for this Resolution.

Section 2. Amendment to Seminole County Administrative Code. Appendix A to the Seminole County Administrative Code is hereby amended as shown on Exhibit A, attached to this Resolution.

Section 3. Effective Date. This Resolution will become effective immediately upon adoption by the Board of County Commissioners.

ADOPTED this 14th day of May, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____
JAY ZEMBOWER, Chairman

Attachment:

Exhibit A - Appendix A - Operating Policies & Procedures of the Seminole County BOCC

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**OPERATING POLICIES & PROCEDURES
of the
SEMINOLE COUNTY
BOARD OF COUNTY COMMISSIONERS**

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INTRODUCTION

AUTHORITY.

Except as may be provided in the Seminole County Home Rule Charter (Charter), or by these Policies and Procedures, or by questions of order, the methods of organization and the conduct of business of the Board of County Commissioners shall be governed by ~~the policies and procedures set forth herein~~ these Policies and Procedures.

PURPOSE.

These Policies and Procedures are intended to provide for the efficient and orderly operation of the Board. Non-compliance of any particular policy or procedure shall not independently be grounds for the invalidation of any Board action.

AMENDMENTS.

Any Commissioner may propose amendments to the Operating Policies and Procedures. A proposed change to the Policies and Procedures must be submitted in writing to the Chairman and the County Manager. Amendments to the Policies and Procedures can be accomplished only by a formal amendment to the Seminole County Administrative Code approved by a majority vote of the full Board.

SUSPENSION OF OPERATING POLICIES & PROCEDURES.

A motion to suspend the Operating Policies and Procedures may be made by any Commissioner. A suspension is a non-debatable motion. The Operating Rules and Policies may be suspended by a majority ~~plus one vote~~ of the Commissioners present. Once suspended, the ~~policies~~ Policies and ~~procedures~~ Procedures remain suspended only for the time indicated in the motion.

DEFINITIONS.

As used herein, these enumerated terms shall be defined as follows:

1. “Board” shall mean the Seminole County Board of County Commissioners.
2. “Commissioner” shall mean the individual elected or appointed to the Board of County Commissioners.
3. “County Manager” shall mean the person appointed by the Board, and as designated in the Charter, to serve as the Chief Executive Officer in a full time or interim capacity, or his/her designee.
4. “County Attorney” shall mean the person appointed by the Board, and as designated in the Charter, in a full time or interim capacity, or his/her designee.
5. ~~“the Clerk”~~ shall mean the person elected or appointed to the position of the Clerk of the Circuit Court, or his/her designee.



SECTION 1
ORGANIZATION, POWERS, DUTIES, &
RESPONSIBILITIES OF OFFICERS



SECTION 1. ORGANIZATION, POWERS, DUTIES, AND RESPONSIBILITIES OF OFFICERS

1.5 BOARD OF COUNTY COMMISSIONERS. The Board of County Commissioners ~~shall~~has the authority to exercise all legislative authority provided by the Seminole County Home Rule Charter in addition to any other powers and duties authorized by general law or special law. The Board shall set policy by means of ordinances, resolutions, and motions; ~~assure~~ensure that there are qualified people for implementing those policies by appointing and removing the County Manager and County Attorney, and by confirming the appointment of Deputy County Managers, Assistant County Managers, Chief Administrators, and department heads.

1.10 COUNTY COMMISSIONERS. The powers, duties, and responsibilities of each Commissioner are set forth in the Constitution, the Laws of the State of Florida, and the Seminole County Home Rule Charter.

1.15 NEWLY ELECTED COMMISSIONERS. The term of Commissioners elected to office shall commence on the second Tuesday following the general election as specified in ~~Section~~section 100.41041, *Florida Statutes*. A swearing-in ceremony for newly elected Commissioners will be coordinated by the County Manager's Office. The County Manager shall develop and administer an orientation program for all new Commissioners; and their aides, with supportive documents and materials. Newly elected Commissioners are encouraged to enroll in and attend the New Commissioner Training Program offered through the Florida Association of Counties.

1.20 COMMISSIONERS SUBJECT TO STANDARDS OF CONDUCT.

A. Each Commissioner is subject to the standards of conduct set out in Part III, Chapter 112, *Florida Statutes*. By personal example and by admonition to colleagues whose behavior may threaten the honor of the Board, each Commissioner shall watchfully guard the responsibility of office. Each Commissioner will ~~attend and~~ receive annual ethics training as required by ~~Section~~section 112.3142, *Florida Statutes*.

B. The manner in which an elected County Commissioner performs his/her duties and responsibilities has a direct impact on the quality of life of the citizens in Seminole County; the morale and job performance of County staff; and the efficacy and accountability of the other Commissioners with whom they serve. Therefore, in addition to the statutorily required standards of conduct, Commissioners shall adhere to the following tenets and shall hold one another accountable for conduct inconsistent with these principles:

(1) Commissioners will remember always that their first and greatest concern must be the safety and welfare of citizens and the staff of the County.

~~(1)~~(2) **Commissioners will act collectively, not individually, when adopting and/or amending County legislation and governing policies, and when issuing decisions related to quasi-judicial matters;** and ~~acknowledge that it is~~behave as such to facilitate the role of the County Manager and staff to administer such legislation, policies, and decisions.

~~(2)~~(3) **Commissioners and their aides will not attempt to manage executive activities** (a) by intruding into daily operations or spheres of responsibility designated by Charter to the

County Manager as the chief executive officer or to administrators acting as County Manager designees; or (b) by undermining the County Manager's authority.

~~(3)~~(4) Commissioners will **represent the interests of the entire county** when making decisions and will rely upon available facts and their independent judgment, while placing significant value on objective evidence and the recommendations provided by the County Manager and other professional subject matter. Commissioners will avoid all conflicts of interest and avoid using their position as an elected County Commissioner for personal, professional, or partisan gain.

~~(4)~~(5) Commissioners will **demonstrate dignity, respect, and courtesy** toward those with whom they contact in their capacity as a Commissioner, ~~and will refrain from intimidation and ridicule of fellow Commissioners, the County Manager, staff, and other stakeholders in the county.~~

~~(5)~~(6) Commissioners will **refrain from inappropriate language** including statements that are judgmental, malicious, threatening, disparaging, mean-spirited, vulgar or abusive. All disagreements, concerns or criticisms shall be framed in language that is in keeping with the dignity and professionalism of an elected official.

~~(6)~~(7) Commissioners will **focus on solving problems**, and will maintain appropriate decorum and professional demeanor in the conduct of County business, working cooperatively and conscientiously with others as they request or receive information, examine data or weigh alternatives in the decision-making process.

~~(7)~~(8) Commissioners will **demonstrate patience** and refrain from demanding interruptive access to staff or immediate responses or services when requesting information that requires significant staff time in research, preparation, or analysis or that will result in staff neglect of more urgent duties. Such requests will be made through the County Manager for scheduling and prioritizing or through consensus of the Board.

(9) Commissioners and their aides will not call staff to meetings with constituents, vendors, or others without allowing staff time to prepare for the meeting or call.

~~(8)~~(10) Commissioners will **devote sufficient time for adequate preparation** prior to Board meetings and will be in attendance, insofar as possible, at those meetings and all other scheduled events at which Commissioner participation is required. Commissioners will prepare themselves through study, inquiry, and thought so as to be informed thoroughly about issues to be discussed in public meetings, and will be focused on the issues and discussions during those meetings and not distracted by outside influences or technology.

~~(9) Commissioners will respect diversity and encourage the open expression of divergent ideas and opinions from fellow Commissioners, staff, and citizens of the county. Commissioners will actively and objectively listen to others' concerns or constructive criticisms.~~

~~(10)~~(11) Commissioners will **refrain from any individual action that could compromise the integrity** of the County or fellow Commissioners, and will delineate clearly for any audience whether they are acting or speaking as an individual citizen or in their capacity as a representative of Seminole County.

~~(11)~~(12) Commissioners will **maintain confidentiality of privileged information** and will **abide by the Government in the Sunshine Law** in both its spirit and its intent.

Commissioners will treat any information generated, stored, or sent through electronic means in the same manner as any written document that may be subject to Florida's Public Records Act, Chapter 119, *Florida Statutes*, and ~~will not use electronic resources, including social media, to discuss with other Commissioners any matter that would be subject to the Government in the Sunshine Law, regardless of whether the communication occurs on a personal device or through a County-owned account or equipment.~~

~~(12)~~(13) _____ Commissioners will **promote constructive relations in a positive climate** with all employees as a means to ~~enhancement of productivity and morale. Commissioners will support employment of best qualified persons for staff positions, and will recognize the achievements of staff and others sharing Seminole County's mission.~~enhance of productivity and morale.

~~(13)~~(14) _____ Commissioners will **update and improve their knowledge, contributions, and value to the County** by keeping abreast of current issues and trends through reading, continuing education, and training. Commissioners will study policies and issues of the County, State, and nation and will strive to attend training programs such as those offered through the Florida Association of Counties, National Association of Counties, and other professional organizations with a continuing goal to improve their individual performance as an elected County Commissioner.

~~(14)~~(15) _____ Commissioners will **value and assist fellow Commissioners** by exchanging ideas, concerns, and knowledge gleaned from their own research or training. Commissioners will help build positive community support for the County ~~in general, and with respect to particular actions, by cooperation and mutual exchanges of praise when deserved, apologies when mistaken, and recommendations when needed.~~

~~(15)~~(16) _____ Commissioners will, **while taking a stand for their individual beliefs, remain flexible enough to understand respect others' views.** Commissioners will recognize that they share in the responsibility for all Board decisions and will accept the will of the majority.

~~(16)~~(1) _____ ~~Commissioners will remember always that their first and greatest concern must be the safety and welfare of citizens and the staff of the County.~~

C. The Board shall formally and publicly affirm the above tenets of conduct at its annual Reorganization Meeting.

1.25 COMMISSION OFFICE. The Commission Office is an organizational division of the County government responsible for administrative support to the Board and the individual Commissioners in the performance of their legislative functions under the Constitution and Laws of the State of Florida and the Seminole County Home Rule Charter. The County Manager's Office shall coordinate the administrative support functions of the Commission Office and is responsible for ensuring the efficient procedural operations of the Office pursuant to and in accordance with the Seminole County Administrative Code.

A. EXECUTIVE ASSISTANTS. The County will provide Commission Office Executive Assistants to facilitate the performance of each Commissioner's individual duties and responsibilities.

(1) The number of Executive Assistants assigned to support the Commission Office and the Commissioners shall be established by the Board through its budgetary authorization of such positions. Authorized Executive Assistant positions may not be eliminated while occupied unless part of a formal reduction in force effort.

(2) Commission Office Executive Assistants will be deemed members of the executive branch of County Government, and will be employees of the County Manager; however, the County Manager may delegate supervisory authority over the Executive Assistant(s) to the individual Commissioners in a manner not inconsistent with the Seminole County Home Rule Charter. Such supervisory authority may include, but is not limited to, assignment of tasks, authorization of leave, approval of timesheets, and evaluation of performance. The execution of this supervisory authority must be consistent with the policies outlined within the Seminole County Administrative Code.

(3) Upon the vacancy of any authorized Commission Office Executive Assistant position, the County Manager, or his/her designee, will coordinate the recruitment of a new Executive Assistant with the Commissioner(s) to whom the Executive Assistant position is assigned. Final selection of a candidate to fill the vacancy will be at the discretion of the Commissioner(s) to whom the Executive Assistant will be assigned; however, prior to extension of a formal offer of employment, the affected Commissioner(s) shall consult with the County Manager, or his/her designee, to ensure consistency with County policies. Additionally, Commissioners shall consult with the County Manager, or his/her designee, prior to any disciplinary action or termination to ensure consistency with County policies. The Seminole County Administrative Code, including the Personnel Policies and Procedures, will apply to the Commission Office Executive Assistants in the same manner that such policies apply to all other employees of the County Manager.

(4) In the event that the Board authorizes, through the budget or other action, fewer than five (5) Commission Office Executive Assistants, the County Manager shall coordinate the assignment of Executive Assistants to individual Commissioners, and in coordination with the Chairman, ensure sufficient support for each Commissioner.

B. ADMINISTRATIVE SUPPORT OF THE CHAIRMAN'S DUTIES.

(1) In order to ensure continuity in form, process, and distribution, the County Manager's Office will provide administrative support to the Chairman with regard to correspondence that the Chairman drafts on behalf of the Board. The County Manager's Office will also assist in the coordination of the other duties and responsibilities of the Chairman's Office including, but not limited to the processing documents requiring the Chairman's signature; review of proclamations and ceremonial resolutions when prepared by others; maintenance of the schedule of Board meetings and work sessions; documentation of follow-up items from Board meetings; and coordination of Committee and Advisory Board appointments.

(2) The Executive Assistant assigned to the Commissioner who is elected to serve as Chairman will maintain the Chairman's calendar and will be responsible for disseminating information that arrives in the Chairman's Office to other Commissioners' offices, appropriate County staff, and relevant outside agencies.

1.30 COMMISSIONER CORRESPONDENCE AND COMMUNICATION.

A. FORMAL ~~CORRESPONDENCE~~.CORRESPONDENCE. All formal correspondence by a Commissioner in an official capacity shall be prepared on official Board letterhead. Official correspondence may not be prepared on unofficial letterhead or on plain paper, and official Board letterhead shall not be used for the personal correspondence of any Commissioner. All authorized communications by a Commissioner in an official capacity shall be paid for by the County as funds allow. Nothing in this rule prevents the use of email for informal correspondence. All correspondence shall be in compliance with public records laws.

B. USE OF COUNTY RESOURCES. Individual members of the Board of County Commissioners may request, through the County Manager's Office, assistance from the Office of Community Relations, as capacity permits, to develop information relating to the Board's activities, the operation of County business, or the implementation of County policies. Distributed information must be informational in nature, factual, and not contrary or detrimental to the Board's official position on a matter. Information distributed through Commission Offices must be nonpolitical, refrain from uncivil references to the personalities or opinions of any individual, and must represent the best interests of the County as a whole. All information developed in whole or in part by the Office of Community Relations on behalf of the Board or an individual Commissioner, will be distributed subsequent to review by, and approval of, the County Manager or his/her designee.

C. MASS MAILINGS.

~~(1) — When a Commissioner desires to send mail pieces that are identical or nearly identical in content, or which are to serve a common purpose, the Commissioner shall seek the approval of the Board.~~

~~(2) — Approval of the Board shall not be required to mail:~~

(1) Commissioners are authorized to mail:

- (a) Notifications of community and/or District meetings related to projects or initiatives that have been authorized by the Board and/or for which the County Manager has authorized staff engagement; or
- (b) Notifications or informational items that serve a public purpose and that are intended and necessary to communicate critical information to the public. Such items must be reviewed by the County Manager prior to mailing to ensure compliance with this policy.

~~(3)(2) This provision shall apply to mass mailings initiated by individual Commissioners,~~ and shall not be construed to restrict a Commissioner's ability to respond to communications received from his/her constituents or other persons having legitimate business with Seminole County.

D. PROHIBITED COMMUNICATIONS.

(1) Commissioners shall strictly adhere to the "blackout" period during the solicitation and procurement process.

(2) Upon receiving notice from the County Attorney, Commissioners shall not discuss pending litigation, or the threat of litigation, with any attorney, party or party's representatives.

1.35 COMMISSIONER TRAVEL.

A. Commissioners are eligible for travel reimbursement in accordance with ~~Section~~section 112.061, *Florida Statutes*, subject to the availability of funding as authorized by the Board in the annual Budget.

B. AUTHORIZED TRAVEL.

(1) Travel outside of Seminole County, including airfare, when a Commissioner is acting as an official representative of the County, or acting as the Chairman/Board appointed alternate due to the appointed Commissioner's absence.

(2) Attendance at regional, state or national conferences conducted by organizations primarily consisting of government officials such as, but not limited to, the Florida Association of Counties (FAC) and National Association of Counties (NACo).

(3) Any other travel authorized by the County-wide Travel Policy (Section 3.5 of the Administrative Code).

(4) No reimbursement is authorized when travel is confined to the territorial limits of Seminole County.

(45) Commissioners shall be entitled to mileage reimbursement in accordance with the Standard Mileage Rates issued by the Internal Revenue Service.

C. APPROVAL. Expense reports will be submitted within 30 days of incurring the expense for review and approval by the County Manager, consistent with this Section and the County-wide Travel Policy. In the event that the County Manager is unable to confirm that a requested reimbursement is in compliance with the applicable policies, he/she shall refer the request to the Board Chairman for a final determination. The County Manager will provide a report to the Board regarding the usage and status of the approved travel budget on a quarterly basis.

D. REPORTS. Annually, at the Reorganization Meeting, a Report of the previous 12 months of travel will be shared.

1.40 DUTIES OF THE CHAIRMAN AND VICE CHAIRMAN.

A. CHAIRMAN. The Board shall annually elect one Commissioner as Chairman by majority vote. This election shall be held at the annual Reorganization Meeting of the Board. In the event of a Chair vacancy, the new Chairman shall be elected no later than the next regular meeting. In addition to his/her powers and duties as a Commissioner, the Chairman shall have the additional powers and duties limited to the following:

(1) Serve as presiding officer of the Board;

(2) Call the Board into regular and special session;

(3) Sign ordinances, resolutions, and documents for the Board of County Commissioners;

(4) Serve as the official representative and ceremonial dignitary for the County government;

(5) Serve as administrator of the Commission Office with administrative authority and responsibility regarding the operation of the Commission Office. Such authority shall include the preparation and submission of the office budget, and the establishment of policies and procedures regarding the operation of the Office not in conflict with Board adopted policies and procedures.

(6) Consult with the County Manager regarding the development of Board meeting agendas and the scheduling of Board work sessions and meetings;

(7) Appoint Commissioners to local and regional boards and agencies, except where such appointment is required to be made by the Board; and

~~(8)~~ Annual performance review of County Manager and County Attorney coordinated through Human Resources.

(9) Such other duties as may be assigned from time-to-time by the Board of County Commissioners.

B. VICE CHAIRMAN. The Board shall annually elect one Commissioner as Vice Chairman. The Vice Chairman shall have all rights and duties of the Chairman during the temporary absence, disability, or conflict of the Chairman. Regular elections for vice chairman shall be held in conjunction with the election for chairman. In the event of a vacancy in the office of vice chairman, a new vice chairman shall be elected not later than the next regular scheduled meeting.

C. VACANCIES.

(1) Whenever the Chairman is unable to perform the duties as the presiding officer (i.e. death, resignation, removal from office, permanently disabled) the Vice Chairman shall become the Chairman until a successor is elected by the Board.

(2) Whenever the Vice Chairman is unable to perform his/her duties Vice Chairman (i.e. death, resignation, removal from office, permanently disabled) the Chairman shall appoint a temporary Vice Chairman to serve until the entire Board can elect a replacement. When the Board elects a new Vice Chairman of the Board, he/she shall serve for the remainder of the unexpired Vice Chairman term and until a successor is elected.

1.45 REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS.

A. REORGANIZATION MEETING. The Board shall hold a Reorganization Meeting each year at the conclusion of the regular meeting of the Board on the second Tuesday of November, except in general election years when the Reorganization Meeting shall occur on the second Tuesday following the general election. The Reorganization Meeting will be held in the Board Chambers. The newly elected Chairman and Vice Chairman shall take over their duties upon the conclusion of the Reorganization Meeting.

During an election year, the newly elected Commissioners will be sworn in before the reorganization of the Board.

B. PURPOSE OF REORGANIZATION MEETING.

(1) Administer the Oath of Office to newly elected Commissioners; ~~and~~

(2) Election of Chairman and Vice Chairman; and

~~(2)~~(3) Public affirmation of the tenets of conduct set forth in section 1.20B. of these Policies and Procedures.

C. OATH OF OFFICE FOR NEWLY ELECTED COMMISSIONERS. The newly elected Commissioners will receive the oath of office by the judge or other official who has been selected by the incoming Commissioner to perform this duty. New Commissioners shall take an oath to support the Constitution of the United States and of the State of Florida, and to truly and faithfully discharge the duties of their office to the best of their knowledge and ability.

D. OFFICERS. The elected officers of the Board shall be a Chairman and a Vice Chairman, who shall assume office immediately upon ~~election~~the conclusion of the Reorganizational Meeting, and shall serve for a period of one (1) year unless otherwise designated by vote of the Board. During an election year, these officers shall be elected after the new Board has been seated.

E. METHOD OF ELECTION OF OFFICERS. The Chairman and Vice Chairman shall be elected one at a time beginning with the Chairman. The County Attorney shall preside over the nominations and the election of the Chairman. The newly elected Chairman shall preside over the nominations and election of the Vice Chairman. Each nomination for office serves as a motion. The nomination need not be seconded. The different names shall be repeated by the presiding officer as they are moved. The vote shall be taken after the presiding officer declares that nominations are closed and shall be taken on each nominee in the order in which they were nominated until one is elected by a majority of the votes. No vote is required if only one candidate is nominated.

1.50 METHOD OF BOARD AND CHAIRMAN COMMITTEE APPOINTMENTS. ~~After the election~~Within 10 days of the Vice Chairman Reorganizational Meeting, each Commissioner shall submit to the Chairman ~~his/her requests for committee appointments~~a written request identifying those boards or committees to which he or she desires appointment as Commissioner Liaison. The Chairman shall appoint ~~members of the~~Commissioners as Commissioner Liaison to those boards and committees over which he/she has appointment authority and shall seek ~~confirmation~~confirmation from the Board for ~~committee~~Commissioner Liaison appointments that require such approval. Alternate appointments are only made when required by the Board's governing documents. Necessary ~~committee~~Commissioner Liaison appointments shall be accomplished no later than the first Board meeting/work session in December of each year except for representation on the Value Adjustment Board. Annual appointments to the Value Adjustment Board shall take effect on May 1st of each year. The Chairman may remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his/her stead at any time for a particular committee, board, authority, or council over which he/she has appointment authority.

1.55 BOARD MEMBER REPRESENTATION AT OTHER MEETINGS. Unless otherwise directed by the Board or established by committee assignment, the Chairman will represent the Board at meetings, conferences, or other occasions involving other governmental entities, agencies, officials, or groups, or nongovernmental organizations, departments, agencies, or officials, and report back to the Board anything of significance. The Chairman may designate

another Commissioner to represent the Board. Neither the Chairman, nor his/her designee, shall have the power to act for or on behalf of the Board or the County, unless previously authorized to do so.

1.60 COMMISSIONER BOARD COMMITTEE APPOINTMENTS.

A. Commissioners may be appointed and removed from time to time as Commissioner Liaison to various committees, boards, authorities, and councils by the Chairman or the Board, depending on the appointment requirements for the specific committee, board, authority, or council. In the event that a majority of the Board should desire that a different Commissioner serve as the Commissioner Liaison to a particular committee, board, authority, or council over which the Board has appointment authority, the Board, upon the affirmative majority vote, may remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his/her stead. ~~The Chairman may remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his/her stead at any time for a particular committee, board, authority, or council over which he/she has appointment authority.~~

B. Duties of each Commissioner Liaison include, but are not limited to:

(1) Reasonably attempt to attend each meeting of the committee, board, authority, or council to which he/she is assigned as Liaison, and ensure that his/her Alternant (if one exists) attends in his/her stead if he/she is unable to;

(2) Become knowledgeable with the procedures, authority and functions for the committee, board, authority, or council to which he/she is assigned;

(3) Enhance and implement communication between the assigned committee, board, authority, or council and the Board; and

(4) As part of the Commissioner's regular District Report, brief the rest of the Board on important matters related to the assigned committee, board, authority, or council.

C. A Commissioner Liaison is not authorized to act on behalf of or in the place of the Board in relation to an assigned committee, board, authority, or council without specific and particular instructions by the Board. This provision shall not be interpreted to restrict the right of any Commissioner Liaison to exercise his/her right of free speech by informing any committee, board, authority, or council of the personal opinions or views of that Commissioner. In communicating with a committee, board, authority, or council, each Commissioner shall clearly state whether he/she is acting pursuant to a specific instruction from the Board or is speaking in his/her individual capacity with no authorization from the Board to influence, bind, or direct such committee, board, authority, or council.

D. When a Commissioner is assigned to a committee, board, authority, or council and that liaison position is established by virtue of a statute, ordinance, or resolution, the Commissioner shall participate on that body as required by the respective statute, ordinance, or resolution. As an appointed member to a committee, board, authority, or council, a Commissioner Liaison will, as a representative of the Board, in good faith support the position the Board has taken, if any, on a particular matter. Where the Board has not taken a specific position on a particular matter, the appointed Commissioner Liaison will consider any prior Board consensus discussions or associated formal action as a guideline for feedback and decisions. If appointed to a committee,

board, authority, or council that is an advisory body to the Board, a Commissioner while sitting as a member of the Board is not restricted to voting the same way as the Commissioner voted on the advisory body in his/her liaison capacity.

1.65 REPLACEMENT OF CHAIRMAN AND VICE CHAIRMAN.

The Chairman and Vice Chairman serve at the pleasure of the majority of the Board and may be removed and replaced at the pleasure of a majority of the full membership of the Board.

1.70 COUNTY MANAGER. The County Manager is the chief executive officer of the County and is responsible for departments and executive offices reflected herein. The County Manager serves at the pleasure of the Board and shall be responsible to the Board for the performance of such duties as prescribed by the Seminole County Home Rule Charter, County ordinances, direction from the Board and the laws of the State of Florida.

A. DUTIES AND RESPONSIBILITIES. All executive responsibilities and ~~power~~powers shall be assigned to and vested in the County Manager, and consists of the following powers and duties:

(1) Carries out the directives and policies of the Board; enforces all orders, resolutions, ordinances, and regulations of the Board; and exercises all executive authority provided by the Seminole County Home Rule Charter, in addition to all powers and duties authorized by general or special law;

(2) Selects, appoints, and directs the Deputy County Managers, Assistant County Managers, Department Directors, ~~and Chief Administrators,~~ and department heads.

(3) Reports annually to the Board and to the citizens on the state of the County, the work of the previous year, recommendations for action or programs for improvement of the County, and the welfare of its residents;

(4) Prepares and submits the annual budget and capital programs to the Board and executes the budget and capital programs in accordance with appropriations and ordinances enacted by the Board;

(5) Ensures that all ordinances, resolutions, and orders of the Board and all laws of the State which are subject to enforcement by the County Manager, or by officers who are subject under the Charter to the County Manager's direction and supervision, are faithfully executed; and

(6) Supervises, directs, and controls the operations of the executive branch of County Government consisting of the following departments and executive offices:

- (a) Communications Department
- (b) Community Services Department
- (~~b~~c) Development Services Department
- (~~e~~)—(d) Emergency Management Department
- (e) Environmental Services Department
- (~~d~~f) Fire /EMS Department

- ~~(g)~~ Fleet and Facilities Department
- ~~(h)~~ Human Resources Department
- ~~(i)~~ Information Services~~Technology~~ Department
- ~~(e)~~ ~~Leisure Services~~j) Innovation and Strategic Initiatives Department
- ~~(f)~~ ~~Fire~~(k) Management and Budget Department
- ~~(g)~~(l) Parks and Recreation Department
- ~~(m)~~ Public Works Department
- ~~(h)~~n) Resource Management Department
- ~~(i)~~ Office of Economic Development and Community Relations
- ~~(j)~~ Office of Emergency Management
- ~~(k)~~ Office of Human Resources
- ~~(l)~~ Office of Organizational Excellence
- ~~(m)~~(o) Utilities Department

(p) The County Manager has the authority to reorganize, restructure, and rename any department or executive office within the executive branch of the County Government, within the confines of the authorized budgetary resources, in order to maximize the efficiency and efficacy of the delivery of County services.

- (7) Ensures the proper management of County ~~personal~~personnel matters as follows:
 - (a) Recommends to the Board a current position classification and pay plan for all positions funded by the Board;
 - (b) Selects, employs, and supervises all non-legal personnel and fills all non-legal vacancies and positions of employment under the jurisdiction of the County Manager. The employment of Deputy County Managers, Assistant County Managers, Chief Administrators, and all department directors shall require confirmation by the Board. As used herein, the term “non-legal” shall refer to County personnel or functions that are not part of the Office of the County Attorney; and
 - (c) ~~Suspend, discharge~~Suspends, discharges, or ~~remove~~removes any non-legal employee under the jurisdiction of the County Manager pursuant to administrative procedures and policies.
 - (d) Follows established personnel policies.

(8) Carries into execution such other powers or duties as required by the Seminole County Home Rule Charter or prescribed by the Board including, by way of enumeration, but not ~~limitation~~limited, those powers and duties prescribed in ~~Section~~section 125.85, *Florida Statutes*.

(9) Provides an annual report to the Board on Key Strategic Priorities.

1.75 COUNTY ATTORNEY. The County Attorney is the chief legal counsel to the County and is the head of the County Attorney's Office. The County Attorney serves at the pleasure of the Board, shall provide legal services to the Board, County Manager, County departments and County boards and agencies as specified by County ordinances.

A. DUTIES AND RESPONSIBILITIES. The duties and responsibilities of the County Attorney include:

- (1) Provides advice and representation for the legislative branch;
- (2) Provides advice and representation for the executive branch;
- (3) Provides advice and representation for Constitutional Officers created under Section 1(d) of Article VIII of the Florida Constitution, if requested by such officers and approved by the Board;
- (4) Prosecutes and defends all legal actions by and against the County as approved by the Board, or as directed by the Board; provided, however, the County Attorney is authorized and directed to take action on behalf of the County to protect the rights of the County in any legal action pending an appropriate opportunity to request required approval of the Board; and
- (5) Selects, employs and directs Deputy, Senior Assistant, and Assistant County Attorneys; the Legal Services Manager; and other paralegal and clerical positions as required to properly perform the duties of the office of County Attorney as funded by the budget adopted by the Board.
- (6) Ensures proper management of County legal personnel matters by recommending to the Board a current position classifications and pay plans for all positions funded by the Board

1.80 DEPUTY COUNTY MANAGER.

A. The powers, duties and responsibilities of the Deputy County Manager shall include the following:

- (1) Coordinates and carries out administrative and operational functions of the County to meet the goals, objectives, and projects of the County working under the supervision of the County Manager;
- (2) Recommends hiring and termination of Department Directors for departments under assigned organizational responsibility;
- (3) ~~Supervises~~Supports and coordinates the activities of assigned departments and executive offices to ~~assure~~ensure compliance with County ordinances, policies, resolutions and directives;
- (4) Recommends courses of action to the County Manager;
- (5) Assumes delegated executive and administrative duties as assigned by the County Manager;
- (6) Undertakes tasks assigned by the County Manager;

(7) Serves as Acting County Manager during absence as designated by the County Manager. If so designated, the County Manager shall provide notification of his/her delegation of authority to the Board, Department Heads, and Chief Administrators; and

(8) Represents the County at functions assigned by the County Manager.

(9) Develops Key Performance Indicators that align with Key Strategic Priorities.

1.85 ASSISTANT COUNTY MANAGER.

A. The powers, duties and responsibilities of the Assistant County Manager shall include the following:

(1) Coordinates and carries out administrative and operational functions of the County to meet the goals, objectives and projects of the County working under the supervision of the County Manager;

(2) Recommends courses of action to the County Manager;

(3) Assumes delegated executive and administrative duties as assigned by the County Manager;

(4) Undertakes tasks assigned by the County Manager; and

(5) Represents the County at functions assigned by the County Manager.

(6) Develops Key Performance Indicators that align with Key Strategic Priorities.

1.90 DEPARTMENT DIRECTORS AND CHIEF ADMINISTRATORS. Department Directors and Chief Administrators serve as part of the County Manager's executive leadership team.

A. The powers, duties and responsibilities of each department director or chief administrator shall include the following:

(1) Hires, terminates and directs employees within their department or executive office according to Personnel Policies;

(2) Carries out the functions of the department or executive office and is responsible for meeting its short-range and long-range goals, objectives and projects; reports directly to the County Manager, the Deputy County Manager, or Assistant County Manager.

(3) Undertakes any task of another department or executive office on a temporary basis as directed by the County Manager;

(4) Delegates executive duties and responsibilities within the department or executive office as necessary provided that, except in the absence of the department director or chief administrator, overall responsibility shall not be delegated or relinquished by the department director or chief administrator;

(5) Advises and assists other members of the executive leadership team on matters relating to the department/executive offices' responsibility and on matters of mutual responsibility;

(6) Prepares and submits reports requested by the County Manager or the Deputy County Manager;

(7) Prepares and maintains records, statistics, and reports as required by the County Manager or the Deputy County Manager;

(8) Preserves and maintains all records, books and property in custody or under control of the department or executive office;


(9) Prepares an annual budget for the department or executive office for review and processing in accordance with procedures established by the County Manager and administers the expenditures of the department or executive office within their approved budget;

(10) Provides training of employees and maintenance of employee skills; provides for monitoring, and where appropriate for the adoption, of the latest improvements and developments in the department's area of responsibility; establishes, with the approval of the County Manager, such innovations and changes as may be of benefit to County government and the general public; and


(11) Performs other functions, responsibilities, powers, and duties as directed by the County Manager or Deputy County Manager.

(12) Develops Key Performance Indicators that align with Key Strategic Priorities.

1.95 COMMISSIONERS' RELATIONSHIP TO EMPLOYEES. Individual Commissioners are prohibited from interfering with, or giving direction to, employees, officers, or agents under direct or indirect supervision of the County Manager or the County Attorney. This provision shall not be interpreted to prevent Commissioners, who are accountable to the citizens of Seminole County, from making, in the performance of their duties, reasonable inquiries and requests for information from County employees, officers or agents. Neither the County Manager, the County Attorney, nor any other County officer or employee shall interfere with rights of Commissioners hereunder. Commissioners will give staff, consultants, and vendors ample time to prepare for meetings and ample notice including the purpose and intended goal for meetings to facilitate the most efficient and effective outcome. The application, interpretation, or adjudication of any questions arising under this provision shall be the responsibility of the Board, whose determination shall be final.



**SECTION 2
LEGISLATION AND MEETING
PROCEDURES**



SECTION 2. LEGISLATION AND MEETING PROCEDURES

2.5 MANNER OF LEGISLATION. The Board shall take official action only by means of ordinances, resolutions, or motions.

A. ORDINANCES.

(1) For the purposes of these procedures, “ordinance” means an official legislative action of the Board, which action is a regulation of a general and permanent nature and enforceable as a local law.

(2) Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

(3) All ordinances shall be introduced in writing and scheduled for public hearing after advertisement consistent with the requirements of law.

(4) Emergency Ordinances. By vote of ~~one more than simple~~ the majority, the Board may, without notice or hearing, adopt an emergency ordinance. The emergency ordinance shall contain a declaration describing the emergency, and shall be passed in accordance with ~~Section~~section 125.66(3), *Florida Statutes*.

B. RESOLUTIONS.

(1) For the purposes of these procedures, “resolution” means a legislative act of the Board concerning matters of County business and is formal statement of policy concerning matters of temporary or advisory character or a provision for the disposition of a particular item of the business of the Board.

(2) Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. A resolution may be put to its final passage on the same day on which it was introduced.

C. MOTIONS.

(1) For the purposes of these procedures, “motion” means a proposal that certain action shall be taken or shall not be taken or a certain view be expressed.

(2) A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.

2.10 PREPARATION OF LEGISLATION. Legislation, in the form of ordinances or resolutions will usually be prepared by the County Attorney’s Office. With the exception of ordinances dealing with individual land use or zoning matters, the preparation of any ordinance may be pursued only upon an affirmative consensus by a majority of the Board. Any ordinance or resolution not prepared by the County Attorney’s Office shall be reviewed by the County Attorney’s Office before presentation to the Board for consideration. All ordinances and resolutions prepared by or submitted to the County Attorney’s Office shall be approved by his/her office as to form. “Honorary” resolutions do not require review by the County Attorney’s Office.

2.15 GENERAL FORMAT OF LEGISLATION. Every ordinance or resolution shall embrace but one subject matter, and the subject shall be briefly expressed in the title. The title should be a general “table of contents” for the ordinance or resolution in order to assist with computer searches. No ordinance or resolution shall be revised or amended by reference to its title only. Ordinances and resolutions to revise or amend shall set out in full the revised or amended section, subsection or paragraph of a subsection, and revisions shall be clearly demonstrated through the use of mechanisms such as “strike-throughs” for deleted content, and “underlines” for added content.

2.20 BUSINESS AND ECONOMIC IMPACT STATEMENT.

A. PURPOSE. The purpose of the Business and Economic Impact Statement (EIS) is for use as a tool in the decision-making process that provides estimating of direct, quantifiable economic impacts upon citizens and taxpayers.

B. EIS BUSINESS AND ECONOMIC IMPACT STATEMENT PREPARATION.

(1) ~~An~~ Section 125.66(3)(a), Florida Statutes, requires a Business and Economic Impact Statement (EIS) shall be prepared by staff in conjunction with all ordinances presented to the Board, with the exception of those ordinances which adopt land use plan amendments and those ordinances that the BCC might specifically exempt from the EIS requirement. Text amendments to the comprehensive plan shall require an EIS listed in Section 125.66 (3)(c).

(2) The EIS Business and Economic Impact Statement will be included within the staff report provided to the Board and shall substantially follow the form attached as Exhibit 1.

(3) The EIS Business and Economic Impact Statement will include staff’s best efforts a summary of the proposed ordinance, including a statement of the public purpose to quantify be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the county.

(4) The Business and Economic Impact Statement will also include staff’s best efforts to estimate the direct economic impacts (i.e. estimated impact on the county’s regulatory costs², including revenues to County, from new charges or fees and an estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the county, including the following:

- a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.
- b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.
- c. As estimate of the county’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

(5) The Business and Economic Impact Statement will provide the direct economic impact of the project/proposal by providing a good faith estimate of the number of businesses likely to be impacted, providing the property owners, (taxpayers, etc.) of implementing each ordinance proposal/citizens who are expected to be affected, and the impact to non-profit businesses.

~~(4) The EIS will also include staff's best efforts to identify, but not quantify, the Business and Economic Impact Statement identifies any potential indirect economic impacts (i.e. perceived, positive/ or negative impacts on property values, etc.) of each ordinance, that might occur as a result of the project proposal-~~

~~(6) (5) In no event shall staff utilize paid consultants to aid in the preparation of an EIS without prior approval of the Board/adoption of the ordinance.~~

2.25 PROCLAMATIONS.

A. PURPOSE. The Board values the importance of taking the time to recognize and honor organizations, initiatives, and individuals who have made a positive impact on our community. Those honors are presented in the form of proclamations. A proclamation is an official document endorsed by the entire Board to commemorate a specific time period, event, or accomplishment impacting a large number of County residents. They may also be given for the purpose of raising awareness about an issue, to celebrate a milestone, or serve as an expression of support for individuals, community organizations, and businesses.

B. REQUESTING A PROCLAMATION. Proclamations may be requested through the County Manager's Office as follows:

(1) Requests should be submitted a minimum of four weeks in advance in order to allow adequate time for the request to be reviewed and approved.

(2) All requests should clearly include the name, address and telephone number of the person making the request, as well as who will be present to accept the proclamation, including name and title.

(3) Parties requesting a proclamation are required to provide a draft of the requested proclamation.

(4) Proclamations must be of significance, interest, or relevance to County residents, businesses, initiatives, or programs.

(5) Individuals requesting proclamations must be clearly associated with the entity, person, or subject matter being honored.

(6) Only one recognition/proclamation will be issued per year per organization, individual and/or event.

(7) The County reserves the right to edit for size and content; modify as to form; or deny any proclamation.

C. APPROVAL AND PRESENTATION.

(1) Proclamation and presentation requests are approved at the discretion of the Chairman.

(2) Reasonable attempts will be made to accommodate all requested dates.

~~(3) — Generally, no more than four (4) recognitions/Unless authorized by the Chairman, proclamations will be presented during a meeting.~~

~~(4)(3) If a representative is not present, the proclamation will not be recognized during placed on the Board meeting Consent Agenda.~~

~~(5)(4) Proclamations will not be placed upon the agenda for:~~

- ~~(a) Matters of political controversy, ideological or religious beliefs, or individual convictions.~~
- ~~(b) Events, individuals or organizations with no direct relationship to Seminole County.~~
- ~~(c) Campaigns, organizations, individuals or events contrary to Seminole County Government policies.~~
- ~~(d) Groups, organizations, individuals, dates, events or causes that are associated with anything deemed immoral, unlawful, hateful, unjust or injurious to others by the Board.~~
- ~~(e) Posthumous.~~

2.30 MEETINGS GENERALLY.

A. VENUE. Unless otherwise noticed, all regularly scheduled Board meetings shall be held in the Board Chambers located at 1101 East First Street, Sanford, or such place or time as may be approved by a majority consensus of the Board, and shall be open to the public and all news media. In case of special meetings, emergency meetings, or work sessions, the Board may select another meeting location within the County.

B. SCHEDULE. A meeting schedule will be distributed ~~at to the start of each~~ Board during the December Board meeting for the next calendar year listing the dates of all anticipated meetings of the Board. Meetings set to be conducted the day after a legal holiday may be rescheduled. Meetings may be postponed or canceled by consensus of the Board. Although a generalized schedule of regular and work session meetings is included herein, the Board has the discretion to revise the generalized schedule by consensus to ensure the orderly and efficient execution of county business. The County Manager's Office shall maintain an on-going calendar of upcoming regular and work session meetings.

2.35 REGULAR MEETINGS. Unless otherwise noticed, the Board shall hold regular business meetings on the second and fourth Tuesdays of each month ~~commencing at 9:30 am.~~ Regular meetings may be otherwise postponed or canceled by a majority consensus of the Board. When a regular meeting day falls on a legal holiday observed by the County, the regular meeting of the Board shall be held on the following day at the same time and place or on such date, time and place approved by the Board and noticed accordingly.

2.40 WORK SESSION MEETINGS. In order to build consensus among the Commissioners, it is frequently advantageous for the Board to discuss in detail an issue or issues under its consideration without taking action. In such situations, the Board may hold a work session meeting.

A. ~~Unless otherwise noticed, work session meetings shall generally occur on the third Tuesday of the month, commencing at 9:30 am. Work session meetings may be postponed or canceled at the discretion of the County Manager, in consultation with the Chairman, or by a majority consensus of the Board.~~ The County Manager and/or the Board may designate additional work session meetings at any time during the month, including regular meetings days. When so designated, that meeting date, or portion thereof, shall be publicly noticed as a work session meeting.

B. Although the primary purpose of a work session meeting is open discussion, fact finding and consensus building, formal action may be taken by the Board at work session meetings, provided the subject matter of the proposed action is specifically noticed as a work session topic or that the specific action item was included in the work session meeting notice.

C. The conduct of public comment at a work session meeting shall follow that prescribed by Section 2.175 of these procedures, unless modified by the Chairman.

D. An agenda of the order of business at the work session meeting shall be prepared by the County Manager and made available to the public ~~at least seven (7) calendar days~~ before the work session meeting.

2.45 SPECIAL MEETINGS. The Chairman or a majority of the Commissioners may call a special meeting of the Board upon not less than twenty-four (24) hours' notice. Written notice of the call of such special meeting shall be given by the County Manager to each Commissioner, the Clerk, the County Attorney, any persons entitled, as a matter of law, to written or verbal notice, and the press, stating the date, hour, and place of the meeting and the business to be transacted at such meeting, including "all other business that may come before the Board."

2.50 EMERGENCY MEETINGS. The Chairman, County Manager, or County Attorney may call an emergency meeting of the Board at any time to consider and take action upon a public emergency. No action shall be taken by the Board unless the Board first declares by motion or resolution that an emergency exists and the action taken directly pertains to the emergency. Prior notice of the emergency meeting shall be given by the most appropriate and effective method(s) available under the circumstances. Continuity of government issues shall prevail. No other business shall be transacted at the meeting, and the minutes of each emergency meeting shall show the nature of the emergency and the manner and method of notice.

2.55 MEETINGS MEETING CANCELLATION. On occasion a need may arise that requires the cancellation of a previously scheduled Board meeting. The Chairman, the County Manager, or the County Attorney may exercise authority and cancel a Board meeting. Each local media organization shall be notified of a Board meeting cancellation. The Notice of Cancellation must also be posted on the County's website, social media sites, and in the notice display case of the First Floor of the County Services Building.

2.60 MINUTES. The Clerk shall take accurate minutes of the proceedings of every meeting of the Board, with the exception of statutorily closed sessions where no minutes are to be taken.

Unless a reading of the minutes of a meeting is requested by a majority of the Board, such minutes, when approved by the Board and signed by the Chairman and the Clerk, shall be considered approved without reading; provided that the Clerk delivered a copy thereof to each member of the Board at least two full business days preceding the meeting. The minutes of prior meetings may be approved by a majority of the members present, and upon such approval, shall become the official minutes.

2.65 BOARD MEETINGS OPEN TO THE PUBLIC. All meetings of the Board shall be open to the public in accordance with the *Florida Government in the Sunshine Law*, ~~Section~~section 286.011, *Florida Statutes*.

A. EXCEPTIONS. The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions (~~Section~~(§ 447.605(1), *Florida Statutes*); Fla. Stat.); meetings regarding risk management claims (~~Section~~(§ 768.28(15), *Florida Statutes*); 16), Fla. Stat.); and litigation meetings pursuant to ~~Section~~section 286.011(8), *Florida Statutes*. The Board shall follow all statutory requirements for exempt meetings.

B. ACCESSIBILITY/SEATING CAPACITY. All meetings will be conducted in a building that is open and accessible to the public. Due to the need to comply with the fire code, there may be occasions when entrance by the public to the Board Chambers or other meeting room is limited. To the extent possible, alternative seating arrangements may be made.

C. PROHIBITED ITEMS. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in Board meeting rooms. Other signs, placards, or banners shall not disrupt meetings or interfere with a person's ability to observe the meeting.

2.70 PHYSICAL PRESENCE OF COMMISSIONERS.

A. A Commissioner may be physically absent from a Board meeting but participate and vote in the meeting only when the following conditions exist:

(1) The absent Commissioner is not needed for a quorum to be physically present at the meeting;

(2) The absent Commissioner can hear the proceedings, and when appropriate equipment is available, can see the proceedings, for the entirety of the meeting;

(3) The absent Commissioner can clearly be heard, and when the appropriate equipment is available, be seen, in the meeting room, for the entirety of the meeting; and

(4) The Commissioner is physically unable to attend the meeting and either:

(a) The Commissioner is undergoing medical treatment or experiencing physical infirmity; or

(b) An immediate family member (spouse, parent, child or sibling) is undergoing dramatic medical treatment or experiencing grave physical infirmity.

The Attorney General generally advises against allowing Commissioners to attend a meeting remotely.

B. A Commissioner seeking to participate in a meeting of the Board who must be physically absent due to the conditions outlined above shall provide notice to the County Manager in advance of such absence so that the installation of appropriate equipment can occur to enable that Commissioner to participate in that meeting. The County Manager shall inform the other members of the Board of the planned absence.

C. The requirement that Commissioners be physically present in order to participate and/or vote at a Board meeting may be waived during a declared Local State of Emergency to the extent permitted by law.

2.75 MEETING AGENDA.

A. There shall be an official agenda for every meeting of the Board, which shall determine the order of business conducted at the meeting. All proceedings and the order of business shall be conducted in accordance with the official agenda.

B. Any departure from the order of business set forth in the official agenda may occur upon consensus among a majority of the Commissioners present at the meeting.

C. Additions, deletions, or corrections to the agenda may be considered by the Board and may be accepted through majority consensus. Items may be added to the agenda by four-fifths vote of the Board or when deemed necessary by the majority in emergency situations when the issues are time critical to the County. Non-agenda matters shall be confined to items that are informational only.

2.80 SETTING THE AGENDA.

A. The County Manager shall, in consultation with the Chairman, prepare the agenda in an appropriate form approved by the Board. In order to conduct efficient meetings, the County Manager shall have broad discretion in managing the items to be placed on the agenda, including the authority to add or delete items, except for those items specifically directed for placement on the agenda by the Board.

~~**B.** Each regular meeting agenda shall provide for a discussion of Future Agenda Items. Individual Commissioners wishing to place items on a future agenda shall submit a request to the County Manager at least fifteen (15) days before a regular meeting. The request shall identify the requesting Commissioner, and contain a brief description of the subject matter. County staff may assist in framing the request. Upon presentation of any request under the Future Agenda Items portion of a meeting, the Board will consider only whether staff time and County resources should be expended on preparation of a formal item for consideration at a subsequent Board meeting; the substance of the matter shall be debated if and when the item is placed on a future agenda. It shall take an affirmative vote of a majority of the Board to place the requested item on a future agenda. Any such item deemed by the County Manager to be of an urgent nature may be placed directly on the agenda.~~

~~**C.B.** The County Manager shall make every effort to make the agenda and supporting materials available to the Commissioners, the public, and the media no less than ten (10) days prior to in advance of the next regular Board meeting or Public Hearing, except when legally observed holidays affect copying and distribution with ample time to review. The County Manager and~~

County Attorney shall have the authority to add agenda items up to the time of the meeting when it is essential, necessary, and in the County's best interest to do so.

C. Nothing shall prevent a Commissioner from bringing an item before the Board at a public meeting for consideration and action by the Board; should staff require time to research the item, the Board shall designate a time certain to bring the matter back to the Board.

2.85 CONTINUING AGENDA ITEMS.

A. APPLICANT CONTINUANCE REQUESTS.

(1) Any request from an applicant to continue a public hearing or other agenda item must be made in writing, with justification, and submitted by the applicant (or the appellant in the case of an appeal) to the County Manager's Office not later than 48 hours before the scheduled public hearing or other agenda item.

(2) A maximum of two continuances may be granted by request of the applicant/appellant. If the applicant/appellant is not prepared to present after two continuances, the application must be withdrawn and resubmitted to start the process over, including a new application fee. The Board may, by a majority vote, waive this limitation when it finds extenuating circumstances exist.

(3) Requests for continuances are not automatically granted, and the applicant/appellant, or its representative, should be in attendance at the meeting at which the public hearing or other agenda item is scheduled and be prepared for the Board to consider and act upon the item in question.

(4) The County may, either by a majority vote of the Board or through the issuance of an Executive Order, waive any of the provisions contained herein governing applicant continuance requests in conjunction with a declared Local state of Emergency.

B. ADMINISTRATIVE CONTINUANCES. The Board may on the recommendation of the County Manager, the recommendation of the County Attorney, or on its own, determine that circumstances exist which make the continuation of a public hearing or other agenda item in the best interest of the public.

(1) In such instances, the Board may:

- (a) Continue the public hearing or other agenda item to a date certain; or
- (b) Continue the public hearing or other agenda item indefinitely.

C. CONTINUANCE OF THE ENTIRE AGENDA. In cases of emergency or other extenuating circumstances, the Board may determine that all scheduled agenda item(s) will be continued. Under such circumstances, the County Manager or the County Attorney, as agreed between them on a case by case basis, are authorized to convene the Board meeting and announce its continuance to the alternative date and adjourn the meeting.

D. The County Manager is directed to ensure that additional and supplemental notice of continued items occurs, when deemed appropriate, in order that the public will be fully advised of any continuances that may occur under the factual scenarios described in this Section.

2.90 QUORUM.

A. A quorum for the transaction of business by the Board requires the physical presence of three (3) Commissioners. Except as provided in Section 242.70C of these Policies and Procedures, a quorum cannot be established with remote/virtual participation. Once a quorum has been established, a majority of Commissioners present at the meeting and eligible to vote shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority (4/5th) of the Board is required for approval of an item.

B. If no quorum exists within thirty (30) minutes after the time designated for the meeting of the Board to commence or if a quorum is lost, the Chairman, or the Vice Chairman or, in their absence, the Commissioner with the most seniority, shall adjourn the meeting. The names of the members present and the time of adjournment shall be recorded in the minutes by the Clerk.

C. Any member of the Board who announces a conflict of interest on a particular matter and a decision to refrain from voting or otherwise participating in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum.

2.95 PRESIDING OFFICER.

A. CHAIRMAN TO SERVE. The Chairman shall serve as the Presiding Officer unless unable to serve.

B. DUTIES OF PRESIDING OFFICER. The duties of the presiding officer shall include the following:

- (1) Call the meeting to order, having ascertained that a quorum is present;
- (2) Announce the order of business and insure the orderly disposition of the items on the agenda;
- (3) State every question coming before the Board;
- (4) Open and close all public hearings;
- (5) Invite public comment;
- (6) Announce the results of every vote;
- (7) Record the vote on all matters wherein the recording of the ayes and nays is required or requested;
- (8) Recognize all Commissioners who seek the floor under correct procedure;
- (9) Preserve order and enforce the rules of decorum and discipline;
- (10) Manage the meeting; including fair and efficient use of time and encouraging public participation throughout the meeting;
- (11) Expedite business in every way compatible with the rights of Commissioners;
- (12) Declare the meeting adjourned at the conclusion of the agenda, or at any time in the event of an emergency affecting the safety of those present; and

(13) Sign each written measure passed by the Board during the meeting at which he/she is presiding officer.

C. MOTIONS BY THE CHAIRMAN. The Chairman shall have the same rights in debate as any other member.

2.100 RULINGS BY THE CHAIRMAN, APPEALS.

The County Attorney shall serve as the parliamentarian and advise and assist the Chairman on parliamentary issues, including questions of order and priority of debate. Any Commissioner may appeal the decision of the Chairman in which event a majority vote of the Board present shall conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.

2.105 ORDER OF BUSINESS FOR BOARD MEETINGS.

A. The business of all Regular Meetings of the Board should be transacted as follows unless the Board, by majority consensus, re-arranges agenda items to more expeditiously conduct the business before the Board:

- (1) Call to Order by the Chairman.
- (2) Invocation – when available. If no invocation is offered, a moment of silence will be observed.
- (3) Pledge of Allegiance – to be led by a Commissioner as designated by the Chairman.
- (4) Proclamations, awards, recognitions, and special presentations.
 - (a) Unless authorized by the Chairman, ~~there will be a limit of four (4) proclamations/recognitions per meeting.~~ resolutions will be placed on the Consent Agenda.
 - (b) Requests and Special Presentations. A request or special presentation by a member of the public, another governmental agency, or a non-governmental organization or entity that requires discussion by the Board shall be limited to no more than (15) minutes for presentation prior to questions from the Board. The provisions of general law and these operating procedures shall govern whether prior notice of the request or special presentation must be published. Upon conclusion of the request or presentation, the Board may take action. Unless otherwise authorized by the Chairman, the number of requests and special presentations during a Regular Meeting shall be limited to three (3).
- (5) Announcements by the Chairman and presentation of amendments to the Agenda. An amendment to the agenda is a necessary addition to the regular or consent agenda and consists of items that are submitted for agenda consideration after the established deadline. Examples of such items include grant applications. Amendments will be permitted only when warranted.
- (6) Approval of the Consent Agenda.
 - (a) Prior to a vote on the motion to adopt the Consent Agenda, the public shall have the opportunity to provide comments on any item on the Consent

Agenda. Public comment will be consistent with the rules for appearance before the Board as detailed herein. Politicking is prohibited during public comment.

- (b) Following the public comment on the Consent Agenda items, the Chairman shall inquire if any Commissioner wishes any item to be withdrawn from the Consent Agenda. If any member of the ~~Commission Board~~ requests an item be pulled from the Consent Agenda and discussed separately, the Chairman shall place the item at an appropriate place on the agenda for the current or a future meeting. If two Commissioners remove the same item from the agenda, the first Commissioner to indicate the removal will be the first to speak.
- (c) A motion to approve the Consent Agenda will have the effect of adopting all items on the Consent Agenda except the items that were pulled. Consent Agenda Items that are pulled for discussion will be approved separately.

(7) Consideration of Regular Agenda Items. The County Manager shall schedule all Regular Agenda items so that they may be acted on in the timeliest manner. Consideration of a Regular Agenda item may not last more than one hour ~~unless the Board rules by majority consensus or passes a motion to extend the one hour limit.~~

~~(8) Informational Staff Briefings.~~

~~(a) County Manager Staff Briefings.~~

~~(b) County Attorney Staff Briefings.~~

~~(9)~~(8) Public Hearings. Public Hearings and Quasi-Judicial Public Hearings are conducted by the Board on matters as required by Florida law (e.g. adoption of an ordinance, consideration of a re-zoning).

- (a) Unless otherwise noticed, Public Hearings shall commence at 1:30 p.m.
- (b) Public Hearings will not be scheduled on a “first come, first served” basis on the agenda, but rather the County Manager shall schedule Public Hearings so that they can be conducted in the most expeditious and timely manner.

~~(10)~~(9) Staff Reports.

(a) County Manager’s Report.

(b) County Attorney’s Report.

~~(11) Future Agenda Items. Requests by individual Commissioners for placement of items on future agendas shall be considered by the Board at this time consistent with the procedures included herein.~~

~~(12)~~(10) Public Comment on Non-Agenda Items. A thirty (30) minute ~~time~~ period will be provided for discussion of items NOT on the agenda. Speakers will be called in the order speaking request forms are received. There is a three (3) minute ~~time~~ limit for all speakers, unless an individual has written documentation that they are representing a group, in which case six (6) minutes will be provided. Public comment will be consistent with the rules for appearance before

the Board as detailed herein. ~~Politicking is prohibited during public comment~~ in these Policies and Procedures, which includes that all comments solely pertain to County business. Any comments that do not pertain to County business, including harassment, politicking, and deliberate disruption, are strictly prohibited. If a speaker deviates from comments related to County business, the Chairman may interrupt or remove the speaker in accordance with Section 21.75D of these Policies and Procedures to ensure the meeting continues in an orderly manner.

(~~43~~11) District Reports. This time allotment shall be available for Commissioners to share announcements such as future community events, suggest future agenda items, report on Commissioner Liaison matters, propose advisory board appointments, or introduce an item of concern. Formal action may be taken on matters during District Reports upon consent of a majority of the Board.

(~~44~~12) Adjournment.

2.110 APPEALS OF BOARD DECISIONS; MEETING RECORD. If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, a record of the proceedings may be needed and, for such purposes, the person will need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based.

2.115 CONSIDERATION OF REGULAR AGENDA ITEMS. Non- public hearing items that do not appear on the Consent Agenda shall be presented on the Regular Agenda. Items appearing on the Regular Agenda require Board direction, a policy decision, or are otherwise of great significance necessitating separate attention and action.

A. Regular Agenda items shall be considered individually and the order of presentation shall generally be as follows:

- (1) Chairman announces item.
- (2) Staff presentation describing the agenda item to be considered, and providing the staff recommendation, if any.
- (3) Commissioner questions for staff (no debate).
- (4) Applicant presentation (if applicable).
- (5) Commissioner questions for the Applicant (no debate).
- (6) Public comment, if any. Public comment will be consistent with the rules for public participation before the Board as detailed herein.
- (7) Public comment is closed.
- (8) Applicant rebuttal (if applicable).
- (9) Board follow-up.
- (10) Motion made.
- (11) Board discussion and amendments, if any.
- (12) Vote taken at the conclusion of the Board discussion.

2.120 PUBLIC HEARINGS. ~~Public hearings are normally scheduled during Regular Meetings of the Board. Public Hearings.~~ Unless otherwise required by law or specifically directed by a majority vote of the Board, all public hearings will be scheduled for the afternoon session, and will be heard in the order as they appear on the agenda.

A. The procedures to be followed for public hearings are, generally, as follows:

(1) The Chairman shall announce the Public Hearing and the topic being considered; ~~and shall request that the Board accept the proof of publication of the item..~~

(2) Staff presentation describing the agenda item to be considered, and providing the staff recommendation, if any.

(3) Commissioner questions for staff (no debate).

(4) Applicant presentation (if applicable).

(5) Commissioner questions for the Applicant (no debate).

(6) After Commissioners' questions are answered, the Chairman opens the public hearing. Public comment will be consistent with the rules for public participation before the Board as detailed herein.

(7) Campaign rhetoric is prohibited during public comment.

(8) Following public comment (if any), the Chairman closes the public hearing.

(9) Board follow-up, if necessary.

(10) Motion made.

(11) Board discussion and amendments, if any.

(12) Vote taken upon the conclusion of the Board discussion.

2.125 QUASI-JUDICIAL HEARINGS.

A. **QUASI-JUDICIAL POLICY STATEMENT.** It shall be the general policy of the Board that the following statement of intent shall be applicable to all quasi-judicial public hearings, and that the Chairman or designee read this statement into the record prior to the commencement of any quasi-judicial proceeding before the Board: "While the Board welcomes comments from all persons with an interest in this proceeding, Florida law requires that the Board's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Board during the hearing on the application. Competent substantial evidence is such evidence as a reasonable mind would accept as adequate to support a conclusion. There must be a factual basis in the record to support opinion testimony from both expert and non-expert witnesses. Persons presenting testimony may rely on factual information that they present, that is presented by a County staff, that the applicant presented, or on factual information included in the County staff report to support their testimony. All persons who present written materials to Board for consideration must ensure that a copy of such materials is provided to the Clerk for inclusion in the Board's record of proceeding and official minutes."

B. ORDER OF PROCEDURE FOR CONDUCTING THE HEARING. The order of procedure to be followed for quasi-judicial hearings shall generally be as follows:

(1) **Ex-Parte Disclosure Statement by the Chairman.** The Chairman shall make the following inquiry of the Commissioners: “Has any Commissioner received any oral or written communications regarding the quasi-judicial item? If so, please disclose the substance of the communication and identify the person making the communication.” Disclosure must be made before or during the public meeting at which a vote is taken on quasi-judicial matters, so that persons who have opinions contrary to those expressed in the ex-parte communication are given a reasonable opportunity to refute or respond to the communication. Documented ex-parte communications will be available during the public hearing, in writing or electronically.

(2) **Staff Presentation of Application.** County staff shall describe the quasi-judicial item to be considered and will make a presentation pertaining to the item. Unless otherwise authorized by the Chairman, staff shall not exceed ten (10) minutes during its presentation. The Chairman shall then inquire as to whether the Commissioners have questions for the staff members who made the presentation.

(3) **Applicant Presentation.** The applicant or his/her representative shall make a presentation pertaining to the application. The applicant will generally have up to fifteen (15) minutes to present the application unless this time is extended by consensus of the Board. Upon conclusion of the applicant’s presentation, The Chairman shall inquire as to whether Commissioners have questions of the applicant and the applicant’s representatives.

(4) **Proponent and Opponent Presentations.** The Chairman shall next ask if any members in the audience in favor of the application wish to present evidence and testimony. The Chairman shall then invite all members of the public who are opposed to the application to present his/her testimony and evidence in support of his/her position. Public testimony will be consistent with the rules for public participation before the Board as detailed ~~herein~~ in these Policies and Procedures. At the conclusion of the testimony, the Chairman shall ask if any of the Commissioners have questions of the witness.

(5) **Applicant Rebuttal.** There shall be an opportunity for applicant rebuttal.

(6) **Board Motions to Approve or Deny.** The Chairman shall then inquire if any of the Commissioners wish to put forth a motion. If there is a second to the motion, the Commissioners may discuss the motion after which the Chairman shall call the vote. No motions shall be accepted by the Chairman until the close of the applicant’s rebuttal and the public hearing portion of the hearing.

(7) **Notice to the Applicant if Application is Not Approved.** If a motion is not passed in favor of the application, the application shall be deemed to be denied and the applicant shall be so notified by the Chairman.

C. EX-PARTE COMMUNICATIONS. Section 286.0115, *Florida Statutes*, provides that any person who is not otherwise prohibited by statute, charter provision or ordinance may discuss with any Commissioner the merits of any matter on which the Board may take action. The following procedures, which remove the presumption of prejudice, shall be followed for ex-parte communication:

(1) The substance of any ex-parte communication with a Commissioner which relates to a quasi-judicial action pending before the Board (such as a zoning decision) is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

(2) A Commissioner may read a written communication from any person. A written communication that relates to quasi-judicial action pending before the Board (such as a zoning decision) shall not be presumed prejudicial to the action. Such written communication shall be made a part of the record before final action on the matter.

(3) Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before the Board. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit or expert opinion is made a part of the record before final action on the matter.

2.130 BOARD TO PROMOTE AND PRESERVE DECORUM AND CIVILITY. The Board expressly recognizes that promoting and preserving decorum and civility best enables the Board to fairly and expeditiously conduct the business of the County. While the Board is in session, the Chairman shall preserve order and decorum. A Commissioner shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Board, nor disturb any Commissioner while speaking or refuse to obey the orders of the Board or its Chairman.

2.135 MANNER OF SPEAKING.

A. COMMISSIONERS. No Commissioner shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first being recognized by the Chairman. When two or more Commissioners seek recognition by the Chairman, the Chairman shall name the Commissioner who is to speak first. No Commissioner shall be interrupted by another without the consent of the Commissioner who has the floor, except by rising to a question of order. A Commissioner, in speaking on any matter, shall confine him/herself to the question, or matter before the Board, shall not use abusive language, and shall avoid commenting on personalities or character of other Commissioners, former Commissioners, other officials, staff, or the public.

B. THE PUBLIC. Members of the public and designated representatives shall address their comments to the Board as a whole and not to any Commissioner individually, any group of Commissioners, or to County staff. Imposing a demand for an immediate response from the Board, and Commissioner, or County staff, during public comment shall be considered out of order. Persons shall not address the Board with personal, impertinent or slanderous remarks, or become boisterous. Individuals participating in County proceedings must limit their comments to matters related to County business. Comments unrelated to County business, including harassment, politicking, and deliberate disruption, are strictly prohibited. A Commissioner shall not engage in dialogue with persons making public comment unless the question or comment is directed through the Chairman or made with the permission of the Chairman.

2.140 DISRUPTION OF MEETING. Any person disrupting a Board meeting by making personal, impertinent, or slanderous remarks or through boisterous behavior while the Board is in session, may be removed from the meeting. Such removal may be requested by the Chairman in his/her discretion, by consensus of the Board, or by the Sheriff's office if there is perceived to be

an immediate threat to any person. No demonstrations of approval or disapproval from the audience shall be permitted; and if, after warning by the Chairman, such demonstrations are made and result in a disruption of the meeting, the person(s) creating such disruption may be removed from the meeting. Alternatively, the Chairman may recess the meeting until order is restored.

2.145 PROMPTNESS OF ATTENDANCE; ABSENCE FROM MEETINGS. Board members are expected to observe timely appearance at Board regular, work session, special meeting, or other official Board functions. Any member who is unable to timely attend any such meeting or function shall notify either the Chairman or the County Manager, prior to the meeting, if possible so that notice may be conveyed to all Board members. Any member present at any meeting of the Board will give notice to the Chairman if leaving the meeting for an extended period of time. Board members should schedule to allow for very short lunch breaks and the possibility of the meeting running long.

2.150 MOTIONS. A motion is a proposal that the Board (1) take certain action; (2) direct that a specific action be taken on behalf of the County; or (3) express itself as holding certain views. A motion should be seconded before debate. The Chairman may allow the meeting to proceed without waiting for a second. A motion must have a second before being considered for a vote by the Board. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

2.155 MOTIONS: HOW MADE, WITHDRAWAL.

A. Every motion shall be made orally, unless the Chairman requests that it be reduced to writing. When a motion is made and seconded, it shall be stated by the presiding officer or, his/her designee, and the mover shall have the floor. After a motion has been stated or read, it shall be deemed to be in the possession of the Board and shall be disposed of by vote of the Board.

B. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended or before a vote shall have commenced, if a majority of the Board present consents.

2.160 MOTIONS TO RECONSIDER A VOTE.

A. GENERALLY. A motion to reconsider a vote of the Board may be made at the same meeting or the next regular meeting held thereafter provided the next meeting is not more than thirty (30) days after the meeting at which the original vote occurred. A motion to reconsider may be made only by a Commissioner who voted on the prevailing side of the original vote or who was absent from the meeting when the original vote occurred. When a majority of the Commissioners present vote in the affirmative but the question is lost because the concurrence of a greater number is necessary for adoption or passage, any Commissioner may move for a re-consideration. If a motion to reconsider is lost, it shall not be renewed again.

B. ELIGIBILITY FOR CONSIDERATION. A motion to reconsider a vote shall not be entertained:

- (1) If the approved action has been partially or fully carried out;
- (2) If a contract, when the party to the contract has been notified of the outcome;
- (3) If an ordinance or other action taken after a required public hearing; or

(4) If the vote has caused something to be done that is impossible to undo.

C. DISPOSITION. If a motion to reconsider the vote on a main question is made immediately after such vote is taken, it may, at the option of the mover, be decided immediately or left pending. If it is made other than immediately after such vote is taken, it shall be left pending for consideration by the Board and the item will need to be noticed prior to reconsidering. All motions to reconsider a particular vote not immediately disposed of shall be considered and disposed of at the same hearing or meeting.

D. EFFECT. Adoption of a motion to reconsider a vote shall rescind the original action; therefore a new motion, second, and vote is required to take formal action on the item, if desired, and may take place at a future meeting. If a motion to reconsider a vote is not brought forward in a timely manner, yet a Commissioner would like to revisit the issue, the item may be placed on a future agenda provided that (1) new information has been discovered that if known at the time of the original vote, the outcome may have been different; (2) a majority of the Board approves; and (3) none of the instances set forth above that would prohibit a motion to reconsider a vote exist.

2.165 RULES OF ORDER AND DEBATE. This section sets forth the rules of debate to maintain decorum, the various motions available for use by the Board, and related matters.

A. OBTAINING THE FLOOR. A Commissioner desiring to speak should address the Chairman and, upon being recognized by the Chairman to speak, should address his/her remarks and inquiries to the question under debate.

(1) A motion must be accepted by the Chairman before it is officially on the floor and eligible for debate.

(2) When a motion is made and seconded, it is under consideration and no other motion shall be received thereafter, except: (a) to continue to a date certain, (b) to substitute, (c) to amend until the question is decided, or (d) to call the question. These motions listed in this paragraph shall have preference in the order in which they are listed.

(3) The maker of a motion shall be entitled to the floor first for debate.

(4) A Commissioner recognized by the Chairman to speak should not be interrupted when speaking unless to call said Commissioner to order. In such an event, the Commissioner should cease speaking until the question of order is determined, without debate, by the Chairman. If in order, the Commissioner may continue speaking.

(5) A Commissioner shall be deemed to have yielded the floor when the Commissioner has finished speaking.

(6) Non-member recognition shall be at the Chairman's discretion.

B. POINT OF ORDER. Any member who believes that there has been a breach of the Board meeting procedures has a right to call immediate attention to the matter by raising a "point of order." A point of order (1) may interrupt a speaker who has the floor; (2) does not need to be seconded; (3) is not debatable; and (4) is decided by the Chairman. By motion and second, a decision of the Chairman on a point of order may be appealed to the Board and, without debate, the Chairman shall submit to the Board the question, "Shall the decision of the Chairman be sustained?" and the Board shall decide by a majority vote.

C. CHAIRMAN MAY PARTICIPATE IN PROCEEDINGS. The Chairman may make motions, second motions, and debate, subject only to such limitations of debate as are enforced by these rules on all Commissioners and Section 2.95C. of these ~~procedures~~ Policies and Procedures.

2.170 VOTING.

A. The votes during all Board meetings should be transacted as follows:

(1) All votes with the exception of the Board shall be taken by voice. In the case of any vote, if the Chairman is in doubt as to the outcome, or upon the request of a Commissioner for any reason, the Chairman shall call for a roll-call vote.

(2) When the Chairman calls for a vote on a motion, every member, who was in the Commission chambers must give their vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest, pursuant to ~~Section~~section 112.3143 or ~~Section~~section 286.012, *Florida Statutes*, or other Florida law.

(3) The passage of any motion, policy or resolution shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote, unless otherwise required by statute or ordinance.

(4) Any Commissioner shall have the right to express dissent from or protests against any ordinance, resolution or policy of the Commission, and to have the reason therefore entered in the minutes.

B. CHANGE OF VOTE. After announcement of the results of a vote, no vote may be changed unless a motion to reconsider the vote is approved.

C. PROXY VOTING PROHIBITED. A Commissioner shall not vote for another Commissioner, nor shall any person not a Commissioner cast a vote for a Commissioner. Commissioners must be present and cast their own vote.

D. TIE VOTE. A tie vote shall result in the failure of the motion; however, there is no prevailing side for the purposes of a motion to reconsider the vote. Any Commissioner may, at the next regular meeting and with approval by a majority of the Board, request that the item be placed on a future agenda for consideration.

E. VOTING CONFLICTS. No Commissioner shall vote on a matter when the Commissioner has a voting conflict pursuant to ~~Sections~~sections 112.3143 or 286.011, *Florida Statutes*. If a Commissioner abstains from voting to avoid a legal conflict of interest, he/she shall file a Form 8B with the Clerk describing the nature of his/her interest in the matter. The Clerk will and incorporate the Form 8B into the minutes of the meeting. This form must be filed within fifteen (15) days following the Board meeting.

2.175 PUBLIC PARTICIPATION BEFORE THE BOARD.

A. CITIZEN INPUT. The Board recognizes the important right of all citizens to express their opinions on the operation of County government and encourages citizen participation in the local government process. The Board also recognizes the necessity for conducting orderly and efficient meetings so that County business may be completed efficiently, effectively, and timely.

Members of the public wishing to speak at Board meetings shall comply with the procedures set forth below.

B. DESIGNATED TIME FOR PUBLIC COMMENTS. Members of the public are provided two opportunities to address the Board:

(1) Public comments on items appearing on the agenda. Citizens may address the Board regarding items appearing on the agenda for that meeting. These comments will be made during the time period in which that agenda item is before the Board and be limited to the agenda Item under consideration.

- (a) Consent Agenda. Prior to Board approval of the Consent Agenda, public comment will be accepted. One speaker form identifying all ~~items~~item(s) of interest shall be submitted to County staff ~~who will pass it on prior to the beginning of public comment. The Chairman will ask staff to call the name of each speaker.~~ If more than one item is identified, the three--minute allotment may be extended at the Chair's discretion.

(2) Public comments on non-agenda items. Citizens may address Board regarding items not on the agenda during the Public Comment portion of the meeting, typically occurring at the end of the meeting, following District Reports. This comment period shall be limited to 30 minutes in total. Individuals participating in County proceedings must limit their comments to matters related to County business. Comments unrelated to County business, including harassment, politicking, and deliberate disruption, are strictly prohibited. In most cases, the Board shall not take final action on public comment items presented at the same meeting, but may refer the item to the County Manager or County Attorney for action or input.

(3) The Board is not required to give members of the public an opportunity to be heard on a proposition under the following circumstances (*see* §286.0114(3), ~~Florida Statutes~~:Fla. Stat.):

- (a) When an official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if providing an opportunity to be heard would cause an unreasonable delay in the ability of the Board to act;
- (b) When an official act of the Board involves no more than a ministerial act including, but not limited to, approval of the agenda, approval of the minutes, and ceremonial proclamations; or
- (c) When an Agenda Item or portion of a meeting is exempt from public observation or participation pursuant to §section 286.011, Florida Statutes, including, but not limited to, Attorney-Client Sessions, Executive Sessions, and Risk Management Program Sessions.

BC. MANNER. Upon recognition by the Chairman, each person addressing the Board shall step up to the speakers' podium and give his/her name and address for the record. No person other than a member of the Board and the person having the floor shall be permitted to enter into any discussion without the permission of the Chairman. All remarks shall be addressed to the Board as a body and not to any individual Commissioner, County staff, or the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. Question

shall not be directed to a Commissioner or staff except through the Chairman. Generally, public comment from an individual on a single matter will be limited to one comment opportunity per meeting.

CD. SPEAKER FORMS. Any member of the public wishing to speak before the Board or who wants to make their position known but does not want to address the Board shall complete a “speaker form” and present the card to staff in the Board Chambers for forwarding to the Chairman prior to the start of public comment. All speaker forms must be presented to staff prior to the opening of public comment, no forms will be accepted after public comment has begun. Only those individuals who have submitted speaker forms and who have been recognized by the Chairman may address the Board. Any member of the public who has filled out a form must be present when the Chairman announces the person’s name if they desire to be recognized. If an individual does not wish to speak and instead submits a form with his/her comment noted, it is within the Chairman’s discretion to read the comment into the record. If the Chairman does not read the comment, the speaker form is nonetheless submitted as part of the official record. In any event, a speaker form will not be read into the record if the citizen submitting same is not present when the item is being discussed. As a general practice, speaker forms will not be accepted after presentation of an agenda item has begun; however, the Chairman has the discretion to accept additional speaker forms. Speaker forms are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns. A member of the public may be allowed to address the Board prior to completing a speaker form, at the discretion of the Chairman, but must complete and submit a speaker form afterwards.

DE. CIVILITY. All public comments and any multimedia shown or material distributed shall avoid personal attacks, abusive language, and redundancy. The Chairman may curtail repetitious comments. No person attending a Board meeting is to harass or otherwise disturb any other person in the room. Any person making impertinent or slanderous remarks or whose behavior is disruptive shall be subject to removal from the Board Chambers, or such other action as may be appropriate, and barred from making any additional comments during the meeting by the Chairman, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

EF. RELEVANCY. Comments shall be limited to the subject being considered by the Board. Comments involving non-agenda items should be ~~directed~~ related to issues under the purview of the Board of County issues/Commissioners.

G. ALLOTTED TIME. Each member of the public shall be granted three (3) minutes to speak. The Chairman may adjust maximum speaking time up or down as the circumstances may dictate; the Chairman may also provide an additional three (3) minutes to an individual who can demonstrate that he/she is an official representative of a formally established entity such as a homeowners association or advocacy group. Such representative shall be able to demonstrate that he/she is the official designated individual to speak on behalf of that entity and its members. This authorization will be in the form of a letter from the HOA/organization, or a copy of the current entity’s business license/current registration with the Florida Division of Corporations. As such, it will be agreed such person is speaking for that entity and its members. Allowing the use of a speaker’s time by another individual will not be permitted. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Chairman may establish a maximum time limit, not to exceed one hour, for public comments. The Chairman may also

assign time limits for proponents and opponents to address an item. In any event, the Chairman shall have the discretion to adjust speaking time limits as he/she deems appropriate.

H. DISSEMINATION OF INFORMATION/USE OF MULTIMEDIA. Any member of the public desiring to submit information to the Board relevant to the item may do so only when they are at the podium and recognized to speak. No motion to receive and file any submission by the public is necessary to make same a part of the record as all items presented to the Board at the meeting shall automatically be placed into the record. Speakers should be prepared to leave all submitted documents, photos, presentations, etc. with the Clerk for incorporation into the record. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting. Early submission of information relevant to an item appearing for Board consideration is encouraged. The public is authorized to use multimedia supportive of their comments. In order to ensure accommodation of technical needs, multimedia is to be submitted to the County Manager's Office five (5) working days prior to the Board meeting.

I. EMPLOYEES. Employees of the County may address the Board on matters of public concern in their capacity as a private citizen. Employees or those speaking on their behalf shall not be permitted to address a grievance/arbitration or employee appeal matter during the public comment period. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

J. ACCESSIBILITY. All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board ~~meetings~~meeting



Topic:

In accordance with Section 125.66(3)(c), Florida Statutes, and Section 2.2.D of the Seminole County Home Rule Charter, before the enactment of a proposed ordinance or resolution, the Board of County Commissioners shall prepare or cause to be prepared a business impact estimate in accordance with the statute and the Charter. The business impact estimate must be posted on the county's website no later than the date that the notice of proposed enactment is published, pursuant to paragraph (2)(a) of the statute, and must include all of the following:

Describe Project/Proposal, including the Public Purpose.

- *Summary of proposed ordinance or resolution.*
- *Statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the county.*

Ordinances and resolutions are exempt from the completion of a Business and Economic Impact Statement form if the ordinance does not have an economic cost to the taxpayers of Seminole County. (Per, Seminole County Home Charter Section 2.2 D.)

The following types of ordinances are exempt from the Business and Economic Statement requirement under F.S. 125.66(3)(c). As such, if one or more boxes are checked below, Seminole County believes that a Business and Economic Impact Statement is not required by state law for the proposed ordinance referenced above.

Seminole County reserves the right to revise this Business and Economic Impact Statement following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- The proposed ordinance is required for compliance with Federal or State law or regulation;*
- The proposed ordinance relates to the issuance or refinancing of debt;*
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;*
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government;*
- The ordinance is an emergency ordinance;*
- The ordinance relates to procurement or*
- The ordinance is enacted to implement the following:*
 - a. *Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;*
 - b. *Sections 190.005 and 190.046, regarding community development districts;*
 - c. *Section 553.73, relating to the Florida Building Code; or*
 - d. *Section 633.202, relating to the Florida Fire Prevention Code.*

Describe the Direct Economic Impact of the Project/Proposal upon the Operation of the County.

- *An estimation of the direct economic impact on the county's regulatory costs, including revenues from new charges or fees*
- *An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the county, including the following, if any:*
 - o *An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.*
 - o *Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.*
 - o *An estimate of the county's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.*

Describe the Direct Economic Impact of the Project/Proposal.

- *A good faith estimate of the number of businesses likely to be impacted by the ordinance.*
- *To the Property Owners/Tax Payers/Citizens who are Expected to be Affected*
- *To Non Profit Businesses*

Identify any potential Indirect Economic Impacts, Positive or Negative, which might occur as a Result of the Project Proposal/Adoption of the Ordinance or Resolution.