

Agenda Item #: 5.A.1  
Adopted as Amended  
SV/PB  
7-0  
R2012-1938

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: December 18, 2012 [ ] Consent [X] Regular  
[ ] Public Hearing  
Department  
Submitted By: COUNTY ATTORNEY  
Submitted For: COUNTY ATTORNEY

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, establishing Rules of Procedure to be incorporated into Section 500.00 of the County's Administrative Code; rescinding the existing rules entirely; and providing for an effective date.

**Summary:** This Resolution adopts updated Rules of Procedure that more accurately reflect the custom and practice of the Board of County Commissioners (BCC) and the public participants at BCC meetings. These rules are to serve as the sole source of procedural guidance. Significant changes include: moving "Matters by the Public" from 2 P.M. to 9:45 A.M.; formalizing the two proclamations per District practice; expanding the Rules of Debate; updating the Voting Conflict section to comply with the Code of Ethics; providing for the Chair's discretion to read comment cards into the record; referencing the need to comply with the Lobbyist Registration Ordinance; recognizing that employees are members of the public and authorized to speak, but not on active personnel matters; designating the Chair as the "Mayor" and the Vice Chair as the "Vice Mayor"; formalizing the Chair/Vice-Chair election process; and authorizing Commissioner attendance by phone under extraordinary circumstances. Countywide (DMN)

**Background and Justification:** The BCC's Rules of Procedure are incorporated into the County's Administrative Code as Section 500.00. Per Section 500.00, amendments to the Rules of Procedure shall be in the form of an amendment to the County's Administrative Code and approved in accordance with Section 103.00 of the Code, which requires adoption of a resolution by a majority of the members of the BCC. The purpose of these rules is to provide for the efficient and orderly functioning of the business of the BCC; to protect the rights of each individual; to protect the right of the majority to decide; to protect the right of the minority to be heard; and to preserve the spirit of harmony within the BCC  
(Background and Justification continued on page 3)

- Attachments:**
1. Resolution/Proposed Rules of Procedure
  2. Existing Rules of Procedure

Recommended by: [Signature] 12-11-12  
County Attorney Date

Approved by: N/A  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact: N/A**

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>	<b>*</b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget?      Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.:    Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact: N/A**

**C. Departmental Fiscal Review: \*No fiscal impact.**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

  
 \_\_\_\_\_  
 OFMB

  
 \_\_\_\_\_  
 Contract Development and Control

**B. Legal Sufficiency:**

  
 \_\_\_\_\_  
 Assistant County Attorney

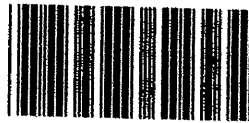
**THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.**

**Background and Justification continued**  
**page 3**

and those appearing before the BCC. It is desirable to have one set of rules governing the conduct of BCC meetings to avoid confusion and inconsistent practice. In addition to the significant changes identified in the Summary above, other existing rules were updated, clarified, simplified and, in some instances, removed as they were unnecessary or irrelevant (for example, "Events Held in County Facilities" and "District Newsletters; Other Publications"). A Table of Contents was included so the user will know where to find sections of interest easily.

R-2012-1938

# Document Type



\* P B C 0 8 \*

## R-number

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\* P B C I N T 0 \*

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Label Here →



\* P B C R D 0 \*



RESOLUTION NO. R-2012- 1938

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING RULES OF PROCEDURE TO BE INCORPORATED INTO SECTION 500.00 OF THE COUNTY'S ADMINISTRATIVE CODE; RESCINDING THE EXISTING RULES ENTIRELY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 125.87, Florida Statutes, requires the County to adopt an Administrative Code; and

WHEREAS, the Board of County Commissioners (the "BCC") previously adopted an Administrative Code on April 25, 1989, which has, from time to time, been amended by resolution; and

WHEREAS, the Board wishes to adopt new Rules of Procedure, incorporated into Section 500.00 of the Administrative Code, and rescind the existing rules entirely.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Rules of Procedure attached hereto as Exhibit "A" are hereby adopted and incorporated into Section 500.00 of the Administrative Code;
2. The existing Rules of Procedure incorporated into Section 500.00 of the Administrative Code are hereby rescinded; and
3. This Resolution shall go into effect on January 1, 2013.

The foregoing Resolution was offered by Commissioner Vana, who moved its adoption. The motion was seconded by Commissioner Burdick, and upon being put to a vote, the vote was as follows:

Commissioner Steven L. Abrams, Chairman	-	Aye
Commissioner Priscilla A. Taylor, Vice Chair	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Chair thereupon declared the Resolution duly passed and adopted this

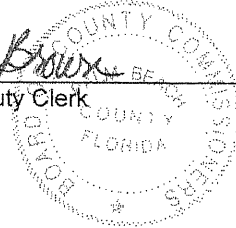
18th day of December, 2012.

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_

County Attorney

G:\WPDATA\LANDUSE\JGLASPIE\agenda\BCC Rules of Procedure Resolution 12.11.12.docx

# RULES OF PROCEDURE



*Adopted December 18, 2012*  
*Effective January 1, 2013*

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Rules of Procedure

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**Palm Beach County  
Board of County Commissioners**

**Rules of Procedure**

**I. Governing Rules.**

It is the policy of the Board of County Commissioners of Palm Beach County, Florida (hereinafter "the Board") that these Rules of Procedure shall govern all official meetings of the Board. The purpose of these rules is to provide for the efficient and orderly functioning of the business of the Board; to protect the rights of each individual; to protect the right of the majority to decide; to protect the right of the minority to be heard; and to preserve the spirit of harmony within the Board and those appearing before the Board. No other rules shall apply. The ultimate determination of procedural matters shall rest with the Chair, subject to appeal as set forth in Section IV.C. below.

**II. Meetings.**

- A. Meetings Open to the Public.** All meetings of the Board shall be open to the public in accordance with Florida's Government-in-the-Sunshine Law, Section 286.011, Florida Statutes, with the exception of those meetings statutorily exempt such as collective bargaining and litigation sessions.
- B. Schedule.** A meeting schedule will be distributed prior to each 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 a motion approved at any Board meeting by a majority of the members present. The Board will not meet the first and second Tuesday in August.
- C. 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 Commission Chambers or other meeting room is limited. To the extent possible, alternative seating arrangements may be made.
- D. Regular Meetings.** Unless otherwise advertised, all regular meetings of the Board will commence at 9:30 A.M. on the first and third Tuesdays of each month, with the exception of August. The meeting on the first Tuesday usually includes Special Presentations and Matters by the Public, with Public Hearings typically held on the third Tuesday. Generally, all meetings will take place in the Governmental Center, 301 North Olive Avenue, West Palm Beach, Florida. Meeting time and location may be adjusted by the Board.
- E. Workshops.** Workshops are held to discuss items of special importance or complexity that require longer than usual staff presentation and Board questions. These meetings are typically held on the fourth Tuesday of each month, and may include Regular and/or

Consent Agenda items, Public Hearings in the case of a timing issue, and other matters presented for formal action in addition to Workshop presentations.

- F. Zoning/Other Meetings.** The Board shall hold meetings monthly for the purpose of considering and determining zoning matters. In addition, as necessary, the Board shall hold meetings sitting as the Environmental Control Board, the Child Care Facilities Board, and in other capacities where the Board is vested jurisdiction to transact business pertaining to the respective body's function. Conduct of business at such meetings shall be governed by these rules, as applicable, except where preempted by statute, ordinance, or other law, including those specifically pertaining to quasi-judicial proceedings.
- G. Special Meetings.** A special meeting of the Board may be called by a majority of the members. Written notice signed by the members calling such meeting shall be given to the Clerk. The Clerk shall notify each member of the Board in writing or verbally of the date, time, and place of the meeting and the purpose for which it is called, and no other business shall be transacted. At least 24 hours shall elapse between the time the Clerk receives notice of the meeting and the time the meeting is to be held. If after reasonable diligence it was not possible to give notice to each Commissioner or to allow 24 hours to elapse between the time the Clerk receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting if a quorum is in attendance. Reasonable public notice of the special meeting sufficient to comply with Section 286.011, Florida Statutes, shall be given. If a determination to hold a special meeting is reflected in the record of any Board meeting, no additional notice is required.
- H. Emergency Meetings.** An emergency meeting of the Board may be called by the Chair whenever in his/her opinion an emergency exists which requires immediate action by the Board. Whenever an emergency meeting is called, the Chair shall notify the Clerk, who shall notify each member of the Board in writing or verbally of the date, time and place of the meeting and the purpose for which it is called, and no other business shall be transacted. At least 24 hours shall elapse between the time the Clerk receives notice of the meeting and the time the meeting is to be held. If because of the nature of the emergency it is not possible to give notice to each Commissioner or it is impossible to allow 24 hours to elapse between the time the Clerk receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting if a quorum is in attendance. Reasonable public notice of any emergency meeting sufficient to comply with Section 286.011, Florida Statutes, shall be given.
- I. Public Hearings.** Public hearings shall be held as prescribed by law and may be held to receive public comments on matters of great public importance. Generally, public hearings will be held at 9:30 A.M. on the third Tuesday of each month. Public hearings will commence at or as soon as possible after the advertised time. In no event will public hearings commence prior to the advertised time. Public hearings may be continued from a prior meeting, or scheduled at times and on days or evenings in lieu of or in addition to the third Tuesday of the month. Proof of Publication of the notices for public hearings shall be on file with the Clerk for inspection. The Board does not have to take formal action to receive and file same.

**J. Presentation Format.** As a general rule, the order of item presentation during most meetings of the Board shall be as follows, subject to change depending on the item under consideration:

1. Chair announces item
2. Staff presentation, if any
3. Board asks only questions of staff (no debate)
4. Public comment, if any
5. Public comment is closed
6. Motion made
7. Board discussion and amendments, if any
8. Vote taken (no discussion/debate during vote)

**K. Minutes.** The Clerk to the Board 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 Chair 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.

### **III. Order of Business.**

**A. Official Agenda.** There shall be an official agenda for every meeting of the Board, which shall set forth the order of business to be conducted at the meeting. The agenda format for a typical Regular\* Board meeting shall be substantially as follows:

1. CALL TO ORDER
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
2. AGENDA APPROVAL/SPECIAL PRESENTATIONS
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  - C. Special Presentations—9:30A.M (if applicable)
3. CONSENT AGENDA
4. PUBLIC HEARINGS—9:30 A.M. (if applicable)
5. MATTERS BY THE PUBLIC—2:00 P.M. (if applicable)
6. REGULAR AGENDA
7. BOARD/DISTRICT APPOINTMENTS
8. STAFF COMMENTS
9. COMMISSIONER COMMENTS
10. ADJOURNMENT

\*Workshop and other meeting agendas shall be prepared by Administration in an appropriate format.

- B. Preparation/Delivery of Agenda.** The County Administrator shall prepare the agenda and make every effort to deliver a complete agenda kit to the Commissioners no later than 1:00 P.M. on the Friday prior to the regular meeting. Agenda kits for special and emergency meetings will be distributed in as timely a manner as possible. The agenda, as well as lengthy reports and standard contracts that are part of the agenda's back-up documentation, shall be available for review in County Administration.
- C. Quorum.** A majority of the Board shall constitute a quorum. 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 Chair or the Vice Chair 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. The members present may, during the 30-minute period, open the floor for "Matters by the Public" or any similar presentation so long as no official action is taken or direction to staff is given.
- D. Call to Order.** If a quorum exists, the Chair shall call the meeting to order. In the absence of the Chair, the Vice Chair shall call the meeting to order. If both are absent, the Clerk shall call for the election of a temporary chair. Upon arrival of the Chair or the Vice Chair, the temporary Chair shall relinquish the gavel upon conclusion of the business immediately before the Board at that time. Before proceeding with the business of the Board, the Clerk or his/her designee shall call the roll of the members in alphabetical order, and the names of those members present and absent shall be entered into the minutes.
- E. Agenda Approval.** Only items listed on the official agenda will be acted upon unless additional items are authorized by a majority of the Board.
- F. Special Presentations.** This is the segment of the meeting where positive recognition is expressed. Proclamations are typically presented at the first meeting of the month at the beginning of the meeting. Should a Commissioner desire a proclamation that will be delivered elsewhere, it should be brought up under their comments for Board authorization. A proclamation should always "proclaim" a day, week, or month as something specific. Certificates of Appreciation and Commendation should be done when honoring an individual or accomplishment. Whenever practical, the use of certificates is encouraged. These certificates are submitted through and prepared by the Department of Public Affairs. No more than two proclamations per Commission District shall be presented at the meeting. There is no limit to off-site proclamation requests.
- G. Consent Agenda.** Consent Agenda items are typically routine in nature, non-controversial, and do not deviate from past Board direction or policy. They usually do not require Board comment and are voted on as a group. Any item may be pulled by a Commissioner for discussion. Members of the public may speak to any consent item in accordance with Section VI.I. below.

- H. 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. "Add-on" items, described in the following paragraph I, also appear on this agenda. Items will be addressed individually in the order presented on the Agenda, unless reordered upon approval by a majority of the Board. Items of great public interest that are assigned a time certain should not be considered until the designated time.
- I. "Add-on" Agenda Items.** In the event of an unforeseen or emergency situation (defined as significantly relevant to the health, safety or general welfare of the residents of Palm Beach County), an item may be added to the Regular Agenda upon approval of the County Administrator, bypassing the normal submittal and review process. The Board should be given notice of any "add-on" as soon as possible prior to the scheduled Board meeting.
- J. Matters by the Public.** Members of the public may address the Board under "Matters by the Public," which is typically scheduled for the first Tuesday of the month at 2:00 P.M. Procedures for addressing the Board are set forth in Section VI. below.
- K. Commissioner Comments.** The purpose of Commissioner Comments is to promote the public discussion of matters relating to County business and to encourage the dissemination of information. Any Commissioner may submit reports and information on items relating to County business. When possible, the other Commissioners, the County Administrator, and the County Attorney should receive such materials in advance. Commissioners may also request the preparation of proclamations, resolutions, ordinances, reports, and other actions of the Board during this portion of the agenda, subject to majority consensus. All such requests shall be referred to the Administrator or the Attorney, as appropriate. Official actions may be taken under comments in the case of an emergency or for other situations necessitating immediate action as may be determined by a majority of the Board.
- L. Case Settlements.** Any member of the public may comment on any proposed litigation settlement, whether appearing on the Regular or Consent Agenda, prior to the Board's consideration of same.
- M. Appointments.**
1. **District Appointments.** If a Commissioner is making appointments to more than one board, committee, commission, or the like during the same meeting, the Commissioner may move all in a single motion.
  2. **Board Appointments.** If there is only one nominee per seat for appointment to any board, committee, commission, and the like, the appointment agenda item shall be placed on the Consent Agenda. If there is more than one nominee for a seat, Board approval shall be made as follows:

- a. The Chair calls for nominations from any of the names identified in the appointment agenda item.
- b. Nominations are made and received. No second is required.
- c. The Chair calls for a vote.
- d. The nominee who receives a majority of the votes is appointed.
- e. If no nominee receives a majority vote, the Chair shall call the roll for a vote on the two nominees who received the most votes during the initial round.

#### **IV. Rules of 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. Decorum.** A motion must be accepted by the Chair before it is officially on the floor. A motion must be made, seconded, and stated by the Chair before the merits can be debated. Every member of the Board has a right to speak in the debate and shall always be recognized by the Chair. Non-member recognition shall be at the Chair's discretion. The member who made the motion shall be entitled to speak first. A member shall be deemed to have yielded the floor when she/he has finished speaking. The discussion is to be related to the motion on the floor. All questions are to be directed through the Chair.
- B. As to the Chair.** Upon passing the gavel, the Chair or other presiding member of the Board may move or second a motion.
- C. Point of Order.** Any member who believes that a breach of the rules has occurred 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 Chair. By motion and second, a decision of the Chair on a point of order may be appealed to the Board and, without debate, the Chair shall submit to the Board the question, "Shall the decision of the Chair be sustained?" and the Board shall decide by a majority vote.
- D. Motion to Reconsider.** An action of the Board may be reconsidered at the same meeting or the very next regular Board or Workshop meeting (not a Comp Plan or Zoning meeting). A motion to reconsider can only be made by a member who voted on the prevailing side of the question, and is debatable. Such motion 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. Adoption of a motion to reconsider 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 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 exist.

- E. Substitute Motion.** A member may make a substitute motion if he/she is not in agreement with the motion on the floor. This motion is debatable. No more than three motions shall be on the floor at any given time.
  - F. Motion to Postpone.** If a member would like to defer consideration of a matter, a motion to postpone is in order, which may include a time and date to continue the discussion. When postponing an advertised public hearing, a time and date certain must be included in the motion. This motion is debatable.
  - G. Motion to Close Debate/Call the Question.** Any Commissioner may move to close debate/call the question on the motion being considered. This motion is not debatable and requires a two-thirds vote of the members. If the motion passes, all discussion ends and a vote is taken on the motion on the floor.
  - H. Adjournment.** No motion is required to end the meeting. The Chair declares the meeting adjourned without objection.
- V. Voting.**
- A. Motions.** Motions require a majority vote of those members present for passage. If a supermajority vote is required, the motion must receive an affirmative vote of a majority of those present and voting, plus one, unless otherwise required by charter, special or general law, or county ordinance. Final action on a pending motion may be postponed in accordance with paragraph F. above.
  - B. Method.** The vote may be by voice, show of hands, or roll call as decided by the Chair. The maker and seconder of the motion need not be present in Chambers when the vote is taken. The Chair shall call for the vote and announce the results, which will be recorded by the Clerk. Every member who is in the Commission Chambers must vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest pursuant to Sections 112.3143 or 286.012, Florida Statutes. (*See* "C. Voting Conflict.") A Commissioner's silence will be counted as an "aye" vote.
  - C. Voting Conflict.** No Commissioner shall vote on a matter when the Commissioner has a voting conflict pursuant to Sections 112.3143 or 286.011, Florida Statutes. Further, in accordance with the County's Code of Ethics, any Commissioner with a conflict shall not participate in the discussion of the item. The abstaining member shall comply with the requirements of the referenced state law as applicable, including the filing of Form 8B "Memorandum of Voting Conflict" with the Clerk within ten (10) days of the meeting at which the conflict was declared. A copy of Form 8B shall also be filed with the Palm Beach County Commission on Ethics.



D. **Vote Change.** Any Commissioner may change his/her vote before the next item is called for consideration.

E. **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. Any member of the Board 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.

**VI. Public Participation in County Government.**

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. **Accessibility.** All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.

C. **Comment Cards.** 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 "comment card" and present the card to staff in the Commission Chambers for forwarding to the Chair. Only those individuals who have submitted comment cards and who have been recognized by the Chair may address the Board. Any member of the public who has filled out a card must be present when the Chair announces the person's name if they desire to be recognized. If an individual does not wish to speak and instead submits a card with his/her comment noted, it is within the Chair's discretion to read the comment into the record. If the Chair does not read the comment, the comment card is nonetheless submitted as part of the official record. In any event, a comment card 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, comment cards will not be accepted after presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. Comment cards are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns.

D. **Civility.** All public comments and any multimedia shown or material distributed shall avoid personal attacks, abusive language, and redundancy. The Chair 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 Commission Chambers by County security/Sheriff deputy, or such other action as may be appropriate, and barred from making any additional comments during the meeting by the Chair, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

- E. Relevancy.** Comments shall be limited to the subject being considered by the Board and, if there is a motion on the floor, shall be limited to the motion. Comments during “Matters by the Public” should be directed to County issues. Comments on any matter appearing on the agenda the same day are to be made at the time the item is considered under the Consent or Regular Agenda and not under “Matters by the Public.”
- F. Manner.** Each person addressing the Board shall step up to the 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 Chair. All remarks shall be addressed to the Board as a body and not to any individual member or the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. No question shall be directed to a Commissioner or staff except through the Chair. No persons other than members of the Board, County staff, individuals participating in an agenda item presentation at the staff table, or persons authorized by the Chair, are allowed beyond the podiums.
- G. Allotted Time.** Each member of the public shall be granted three minutes to speak. The Chair may extend the maximum speaking time. Allowing the use of a speaker’s time by another individual is within the Chair’s discretion. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Chair may establish a maximum time limit, not to exceed one hour, for public comments. The Chair may also assign time limits for proponents and opponents to address an item. In any event, the Chair shall have the discretion to adjust speaking time limits as he/she deems appropriate.
- H. Lobbyists.** Any person defined as a “lobbyist” under the County’s Lobbyist Registration Ordinance shall register before addressing the Board unless an exception set forth in the ordinance applies.
- I. Consent Agenda.** Prior to Board approval of the Consent Agenda, public comment will be accepted. One comment card identifying all items of interest shall be submitted to County staff who will pass it on to the Chair. If more than one item is identified, the three-minute allotment may be extended at the Chair’s discretion.
- J. 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; the Chair may “accept without objection” providing there is none. 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. Multimedia is to be submitted to the County’s Public Affairs Department five (5) working days prior to the Board meeting.

- K. Employees.** Employees of the County have every right as any other member of the public to address the Board. However, comments pertaining to an active grievance, arbitration, or other personnel dispute are not appropriate for this forum.

**VII. County Commission.**

- A. Chair/Vice Chair Duties.** The Chair presides over Board meetings and is recognized as the ceremonial dignitary who serves as the County's official representative. The Chair's responsibilities include, but are not limited to, the following:

1. Calling the meeting to order after ascertaining that a quorum is present.
2. Preserving order and deciding points of order.
3. Expediting business in a way that is compatible with the rights of members of the Board.
4. Executing documents as provided in paragraph D. below.
5. Declaring the meeting adjourned.

The Vice Chair acts in the absence of the Chair or, in the event of his/her inability to serve by reason of illness or accident, shall perform the duties and functions of the Chair until his/her return.

- B. Chair/Vice Chair Election; Term of Office.** The Chair and Vice Chair shall be elected from and by the members of the Board at the first Board meeting following the November election and the swearing-in of the newly-elected County Commissioners or, in years in which no swearing-in takes place, at the first Board meeting after the first Tuesday in November. The term shall be for one year from the date of the election, unless a different time period is approved by a majority of the Board. The Board may remove the individual from the position of Chair by majority vote. In the event the Chair relinquishes his/her office, the Vice Chair shall be automatically appointed Chair for the remainder of the term. In the event the office of Vice Chair becomes vacant, the Board shall elect a new Vice Chair to serve until the term expires. The election process shall be as follows:

1. The Clerk, in the case of the Chair's election, and the Chair, in the case of the Vice Chair's election, calls for nominations.
2. Nominations are made and received. A member may nominate himself or herself. No second is required.
3. The Clerk/Chair asks if there are any further nominations. If none, the Clerk/Chair declares that nominations are closed. No motion to close nominations is required.
4. The Clerk/Chair calls for a vote.
5. The nominee who receives a majority of the votes is elected.

- C. Signature by the Chair.** Generally, all items approved by the Board will be hand delivered to the Chair's office by the Minutes Department for signature. Documents may

also be signed in other offices as appropriate. When the items have been signed, the documents will be released only to a Deputy Clerk to be attested, sealed and distributed. The Vice Chair, if available, shall execute items if the Chair is unavailable. If the Chair and Vice Chair are not available, and there is a need to obtain an immediate signature, any Commissioner may sign a document providing the County Attorney's Office has signed for legal sufficiency. Strict adherence to this procedure is necessary to ensure the integrity of the documents and particularly to expedite handling those items with time constraints. Only documents received from a Deputy Clerk will be signed by the Chair or Vice Chair who, in turn, will release them only to the Clerk's custody.

- D. **Facsimile Signatures.** Upon election, the Chair and Vice Chair shall execute Affidavits of Manual Signature and Authorization to fix Facsimile Signature (rubber-stamped signature) for filing with the Secretary of State. Use of a facsimile signature is limited to instruments of payment, official orders, proclamations, and any public security or instrument of conveyance to which at least one required signature has been manually subscribed. Facsimile signatures cannot be used on contracts or ordinances.
- E. **Newly Elected Commissioners.** The term of County Commissioners elected to office shall commence on the second Tuesday following the general election as specified in Section 100.41, Florida Statutes. A swearing-in ceremony for newly elected commissioners will be coordinated by the County Administrator. The County Administrator shall provide an orientation program for all new Commissioners.

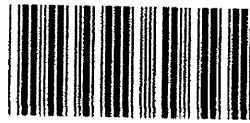
### VIII. General Provisions.

- A. **Commissioner Attendance by Telephone.** There may be times when a Commissioner is physically unable to attend a Board meeting. If a majority of the members of the Board present in the Commission Chambers determines that extraordinary circumstances exist to justify the absence of a County Commissioner from a meeting, the Board may allow the absent Commissioner to participate by telephone conference or other interactive electronic technology. While the determination of whether an extraordinary circumstance exists is left to the Board's good judgment, the Attorney General's Office, acknowledging that the Board makes the ultimate decision, has opined that a serious medical condition is an extraordinary circumstance and a scheduling conflict is not. The absent Commissioner does not count towards a quorum. In instances in which the physically absent Commissioner participates in a meeting, the Commissioner shall be allowed to cast his/her vote.
- B. **Board Member Representation at Other Meetings.** The Chair 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 Chair may designate another member to represent the Board. The Chair or his/her designee shall have no power to act for or on behalf of the Board or the County, unless previously authorized to do so.

- C. Amendment, Suspension, and Construction of Rules.** Any amendment of these rules shall be in accordance with the Administrative Code. The Board may temporarily suspend any rule during a meeting with an affirmative vote of a majority of the Board. These rules are for the efficient and orderly conduct of Commission business only; no violation of such rules shall invalidate any action of the Board when approved by a majority vote.
- D. Effective Date.** These rules shall go into effect on January 1, 2013, and shall supersede all other rules previously adopted by the Board.

5.A1

# Document Type



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## Agenda Item Backup

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REVISED 05/17/2011

**Palm Beach County**  
**Board of County Commissioners**

**RULES OF PROCEDURE**

**POLICY:** It is the policy of the Palm Beach County Board of County Commissioners that these Rules of Procedure shall govern all official meetings of the Board of County Commissioners. The members of the Board, staff and the public shall adhere to these rules. The ultimate determination of procedural matters shall rest with the Chair subject to appeal by the members, and, if so appealed, a majority vote of all members present shall prevail.

**RULES OF PROCEDURE:**

**1. GOVERNING RULES**

Except as may be provided by these rules or by law, questions of order, the methods of organization and the conduct of business of the Board shall be governed by Roberts' Rules of Order in all cases in which they are applicable.

**2. REGULAR/WORKSHOP MEETINGS**

The Board will typically hold its regular meetings on the first and third Tuesdays of each month. The meeting on the first Tuesday will include Special Presentations and Matters by the Public and the third Tuesday will include Public Hearings. The Board will typically conduct workshops on the fourth Tuesday of each month, and may include regular and/or consent agenda items and other matters presented for formal action in addition to workshop presentations. Regular meetings scheduled to be conducted the day after a legal holiday may be rescheduled. A schedule will be distributed prior to each calendar year listing the dates of all anticipated meetings of the Board. Meetings shall typically commence at 9:30 A.M. Scheduled meetings may be postponed or canceled by a motion approved at a regular or workshop meeting by a majority of the Board members present. The Board will not meet the first and second Tuesday in August. Further notice need not be published. All meetings shall be held in the Governmental Center or such place as may be approved by motion at a regular or workshop meeting by a majority of Board members present and shall be open to the public and all news media.

The Board shall hold meetings monthly for the purpose of considering and determining zoning matters. In addition, on such dates as may from time to time be determined, the Board shall hold meetings for considering and determining environmental matters as the Environmental Control Board; for consideration of consistency of Development Regulations with the comprehensive plan as the Land Development Regulation Commission; for considering the child care needs of the county as the Child Care Facilities Board, for considering such other matters in which the Board is vested jurisdiction. Conduct of business at such meetings shall be governed



by these rules, where applicable, except where preempted by statute, ordinance or other law. No other matters may be considered or determined unless the provisions of Rule No. 4 have been met.

**3. SPECIAL MEETINGS, EMERGENCY MEETINGS**

- A. Special Meeting. A special meeting of the Board may be called by the majority of the members of the Board. Whenever a special meeting is called, notice shall be given to the Clerk in writing, signed by a majority of Board members. The Clerk shall serve either verbal or written notice upon each member of the Board stating the date, hour and place of the meeting and the purpose for which such meeting is called and no other business shall be transacted at that meeting. At least 24 hours must elapse between the time the Clerk receives notice in writing and the time the meeting is held. However, if a determination to hold a special meeting is reflected upon the record of any Board meeting, no additional notice is necessary. If after reasonable diligence, it was impossible to give notice to each Commissioner or it was impossible to let 24 hours elapse between the time the Clerk receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting if a quorum is in attendance.
  - B. Emergency Meeting. An emergency meeting of the Board may be called by the Chair whenever in his/her opinion an emergency exists which requires immediate action by the Board. Whenever such an emergency meeting is called, the Chair shall notify the Clerk who shall serve either verbal or written notice upon each member of the Board, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least 24 hours shall elapse between the time the Clerk receives notice of the meeting and the time the meeting is to be held. If because of the nature of the emergency it was impossible to give notice to each Commissioner or it was impossible to let 24 hours elapse between the time the Clerk receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting if a quorum is in attendance.
  - C. Minutes: Open Meetings. The minutes of each special or emergency meeting shall show the manner and method by which notice of such special or emergency meeting was given to each member of the Board, or shall show a waiver of notice. (See paragraph D. below) Minutes thereof shall be kept by the Clerk. All special or emergency meetings shall be open to the public and shall be held conducted in the Palm Beach County Governmental Center or other suitable County building.
  - D. Waiver of Notice. Notice of any special or emergency meeting of the County Commission shall be waived only by a majority of the entire membership of the Board. No special or emergency meeting shall be held unless notice thereof shall be given in compliance with the provisions of this section, or notice thereof is waived by a majority
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of the entire membership of the Board. Reasonable public notice sufficient to comply with the provision and intent of Section 286.011, Florida Statutes, must be given and in no event may be waived.

**4. AGENDA**

There shall be an official agenda for every meeting of the Board, which shall determine the order of business conducted at the meeting. The agenda format shall be in substantially similar form as set forth below.

**TYPICAL REGULAR COMMISSION MEETING AGENDA FORMAT**

1. CALL TO ORDER
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
2. AGENDA APPROVAL
  - A. Additions, Deletions, Substitutions
  - B. Adoption
3. CONSENT AGENDA APPROVAL
4. SPECIAL PRESENTATIONS - 9:30 A.M.
5. PUBLIC HEARINGS - 9:30 A.M.
6. REGULAR AGENDA
7. DISTRICT APPOINTMENTS
8. BOARD APPOINTMENTS
9. MATTERS BY THE PUBLIC - 2:00 P.M.
10. STAFF COMMENTS
11. COMMISSIONER COMMENTS
12. ADJOURNMENT

The Board shall not take action upon any matter, proposal, or item of business which is not listed upon the official agenda, unless a majority of the Board grants approval to the presentation thereof for consideration and action.

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Consent Agenda. Consent Agenda Items are items which the Board does not need to discuss individually and which are voted on as a group. Any items may be pulled by a Commissioner for discussion.

Regular Agenda. Regular Agenda Items are items which the Board will discuss individually in the order listed on the Agenda, unless otherwise reorganized upon a duly passed motion of the Board.

Case Settlements. Any member of the public may comment on any proposed settlement of a litigation matter, whether appearing on the regular or consent agenda, prior to the Board's consideration of same.

Matters by the Public. Members of the public may address the Board under "Matters by the Public" which will typically be agendaed for the first Tuesday of the month at 2:00 p.m. Matters that will appear before the Board for consideration within 60 days of the scheduled "Matters by the Public" or that have been addressed by the Board in the preceding 60 days shall not be discussed. Procedures for addressing the Board are set forth in Rule No. 12.

Commissioner Comments. The purpose of Commissioner Comments is to promote the public discussion of matters relating to County business and to encourage the dissemination of information. Any Commissioner may submit reports and information on items relating to County business. When possible, appropriate staff should receive information in advance. Commissioners may also request the preparation of proclamations, resolutions, ordinances, reports and legal documents, and other actions of the Board, during this portion of the agenda. All such requests shall be referred to the Administrator or the Attorney, as appropriate, shall be properly prepared for formal consideration as soon as possible at a regular meeting of the County Commission. Official actions may be taken under comments in emergency or for other situations as may be determined by a majority of the Board.

Delivery of Agenda. The County Administrator shall make every effort to deliver a complete agenda kit to the County Commissioners no later than 1:00 P.M. on the Friday preceding the Tuesday meeting. Agenda kits for Special and Emergency Meetings will be distributed in as timely a manner as possible.

Emergency Items. In the event of an unforeseen/emergency situation (defined as strongly relevant to the health, safety and/or welfare of the residents of Palm Beach County), where an agenda item must be presented to the Board without undergoing the normal submittal and review process, the item may be added to the agenda upon approval of the County Administrator. The Board should be apprised of the issue with as much advance notice as possible preceding a scheduled Board meeting.

Other meeting agendas, such as for workshops, shall be produced by Administration in such format that is appropriate for the meeting.

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5. **CHAIR AS PRESIDING OFFICER; VICE-CHAIR; DUTIES**

Duties. The Chair of the Commission shall preside at all meetings at which s/he is present. In the absence of the Chair, the Vice-Chair of the Commission shall preside. In the absence of the Chair and Vice-Chair, the Clerk shall determine whether a quorum is present and in that event shall call for the election of a temporary chair. Upon the arrival of the Chair or the Vice-Chair, the temporary Chair shall relinquish the chair upon the conclusion of the business immediately before the Commission. The Chair shall call the Board to order at the designated time for the meeting. The presiding officer shall preserve strict order and decorum at all meetings of the Commission. S/he shall state every question coming before the Commission and announce the decision of the Commission on all matters coming before it. A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered. The presiding officer may vote on all questions. In the absence of the Chair from Palm Beach County or in the event of his/her inability to serve by reason of illness or accident, the Vice-Chair shall perform the duties and functions of the Chair until his/her return to the County or recovery and resumption of duty.

Signature by the Chair. The Chair will be responsible for the custody of Board approved documents delivered to the Chair's office and will release those documents only to a Deputy Clerk. Items reviewed and approved by the Board for the Chair's signature will be hand delivered to the Chair's office by the Minutes Department for signature. When the items have been signed, the documents will be released to a Deputy Clerk to be attested, sealed, and distributed. If the Chair is not able to sign items, the items shall be delivered to the Vice-Chair by the Minutes Department for signature. If the Chair and Vice-Chair are not able to sign items and there is a need to obtain an immediate signature, any Commissioner may sign a document which is otherwise in accordance with this Administrative Code and other policies and procedures of the County. Strict adherence to this procedure is necessary to ensure the integrity of the documents and particularly to expedite handling those items with time constraints. Only documents received from a Deputy Clerk will be signed by the Chair or Vice-Chair who, in turn, will release them only to the Clerks' custody.

Election, Term of Office. The Chair and Vice-Chair shall be elected from and by the members of the Board. The term of these offices shall be for one year from the date of the election. Election of officers shall take place every year following the November election and the swearing in of the newly-elected County Commissioners, or, in years in which no swearing in takes place, at the first Board meeting after the first Tuesday in November. In the event the Chair relinquishes his or her office, the Vice-Chair shall be appointed Chair until the term expires. In the event the office of Vice-Chair becomes vacant, the Board shall elect a new Vice-Chair to serve until the term expires.

6. **ROLL CALL**



Before proceeding with the business of the Commission, the Clerk or his/her designee shall call the roll of the members in alphabetical order, and the names of those members present shall be entered in the minutes.

**7. QUORUM**

A majority of the entire Board shall constitute a quorum. No ordinance, resolution, or motion shall be adopted by the Board without the affirmative vote of the majority of the members present.

Should no quorum attend within 30 minutes after the hour appointed for the meeting of the Board, the Chair or the Vice-Chair or, in their absence, the Clerk or his/her designee, may recess the meeting until the next day, unless by unanimous agreement those members may select another hour or day. The names of the members present and their action at such meeting shall be recorded in the minutes by the Clerk.

**8. ORDER OF BUSINESS**

All meetings of the Board shall be open to the public. Promptly at the hour set for each meeting, the members of the Board, the County Administrator or his/her designee, and the County Attorney or his/her designee, shall take their regular stations in the Commission Chambers and the business of the Board shall be taken up for consideration and disposition in accordance with the agenda for the meeting. Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Board present at the meeting.

**9. RULES OF DEBATE**

- A. Question Under Consideration. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, to substitute, or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned and the first two shall be decided without debate. Final action upon a pending motion may be deferred until a date certain by a majority of the members present.
  - B. As To The Chair. Upon relinquishing the chair, the Chair or such other member of the Board as may be presiding may move and second, subject only to such limitations of debate as are by these rules imposed upon all members.
  - C. Getting The Floor, Decorum. A member shall be deemed to have yielded the floor when s/he has finished speaking. A member may claim the floor only when no one else has it. A member who claims the floor first shall be recognized first, unless another member claiming the floor presented the motion and has not yet spoken. The Chair shall always recognize other members. Other recognition shall be at the Chair's discretion. Members
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shall refrain from speaking adversely on a prior motion not pending and from speaking against their own motions. All members shall maintain decorum.

- D. Interruption. A member may request, to or through the Chair, a Point of Information to obtain relevant information, subject to the consent of the speaking member. A member may make a Parliamentary Inquiry requesting information or the Chair's opinion on the rules. A member may make a Point of Order challenging a breach of the rules or a ruling of the Chair. If a member is speaking when a Point of Order is made, s/he shall cease speaking until the Chair rules or submits the decision to the Board. By motion and second, a decision of the Chair on a Point of Order may be appealed to the Board and, without debate, the Chair shall submit to the Board the question, "Shall the decision of the Chair be sustained?", and the Board shall decide by a majority vote.
- E. Reconsideration. Action of the Board may be reconsidered at the same meeting or the very next meeting of the Board sitting in the same capacity or a like capacity when the principal action was taken. A motion for reconsideration may only be made by a member who voted on the prevailing side of the question and with the concurrence of a majority of those present on the date that the reconsideration was requested. A motion for reconsideration may not be entertained (1) at a subsequent meeting in the event of an affirmative vote, whose provisions have been partly carried out; (2) in the case of an affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome; or (3) in the case of any vote which has caused something to be done that it is impossible to undo. Adoption of a motion to reconsider shall rescind the action reconsidered.

#### 10. **READING MINUTES**

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 Chair 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 working days preceding the meeting. The minutes or prior meetings may be approved by a majority of the members present, and upon such approval, shall become the official minutes.

#### 11. **VOTING**

- A. Method. The Chair shall ask the members whether they are in favor or opposed to the motion on the floor and shall announce the results which will be recorded by the Clerk. The vote upon any ordinance, resolution, motion, or other matter may be by voice vote, provided that the Chair or any Commissioner may ask a roll call vote to be taken. A silent vote of the Board indicates approval of the agenda item. The maker of the motion must be present when a vote is taken on the motion.

- B. Conflict of Interest. No member shall participate in the discussion or vote upon any matter under consideration wherein s/he has a conflict of interest as defined in Chapter 112 of the Florida Statutes, as amended.
- C. Vote Change. Any Commissioner may change his/her vote before the next item is called for consideration, or before a recess or adjournment is called, whichever occurs first.
- D. Tie Votes. A tie vote shall result in the failure of the motion; however, the results of the vote shall not be considered an outcome in favor of or opposed to the item before the Board.

**12. ADDRESSING THE BOARD OF COUNTY COMMISSIONERS**

The Board recognizes the importance of protecting the 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 in a timely manner. Citizens are also encouraged to utilize other available channels of communication to express their opinions and comments. Members of the public wishing to speak at public hearings, under "Matters by the Public", or to consent or regular agenda items, shall comply with the procedures set forth below.

Allotted time. Each citizen shall be limited to a maximum speaking time of three minutes. The Chair may allow a citizen to extend the maximum speaking time, but to no more than ten minutes by the use of another speaker's allotted time. In the event more than twenty citizens indicate their desire to speak on the same or related subject, the Chair may establish a maximum time limit, not to exceed one hour, for citizen comments. The Chair may also assign time limits for proponents and opponents to address an item. Notwithstanding the provisions of this section, the Chair shall have the discretion to adjust speaking time limits as he or she deems appropriate and necessary.

Relevancy. Each citizen's comments must be relevant to the agenda item/motion at issue. The presiding officer may curtail irrelevant or repetitious comments.

Public Comment Cards. Any member of the general public wishing to speak before the Board shall complete a "comment card" and present the card to staff located in the Commission Chambers who will then forward the card to the Chair. These "comment cards" are considered public documents and should be submitted to the Minutes Clerk before the meeting adjourns. Any member of the public who has filled out a card must be present when the Chair announces the citizen's name if they desire to be recognized. Comment cards will not be read into the record if the citizen submitting same is not in the Commission Chambers. As a general practice, comment cards will not be accepted after presentation of an agenda item has begun; however, the Chair shall have the discretion to accept additional comment cards as he or she deems appropriate and necessary.

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Dissemination of Information. Any member of the public desiring to submit information to the Board may do so only when they are recognized to speak and are at the podium. Only information relevant to an agendaed item will be received and filed. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting, but rather, same will be received and filed and become part of the record. Early submission of information relevant to an item appearing for Board consideration is encouraged.

Manner. Each person addressing the Board shall step up to the podium, and shall give his/her name and address in an audible tone of voice for the minutes. All remarks shall be addressed to the Board as a body and not to any member thereof. No person other than Board members and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the presiding officer. No question shall be asked a Commissioner or staff except through the presiding officer.

Workshops. Public comment will be accepted at the discretion of the Chair.

Consent Agenda. Prior to Board approval of the consent agenda, public comment will be accepted on said agenda.

Presentation Format. As a general rule, when the Board considers issues during which the general public is invited to offer comment, the order of presentation shall be as follows:

1. County staff presents detail of the issue
2. Comments by the public
3. Board discussion and official action

Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Board shall be barred from further audience before the Board by the presiding officer, unless permission to continue or again address the Board is granted by the majority vote of the Board members present.

Sergeant-at-Arms. The Board may designate a sergeant-at-arms of the Board meeting. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the meetings.

Persons Authorized Beyond the Podium. No person, except County officers or their representatives shall be permitted beyond the podiums in front of the Board's dais and staff person. Any person who goes beyond this area shall be subject to removal from the Commission Chambers by County security/Sheriff deputy.

### 13. COMMITTEES

The Board may resolve itself into a committee of the whole at any regular or special meeting and select a Chair to preside over such meeting of the committee of the whole. The Board is further authorized to appoint standing committees which shall continue in existence until

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dissolved by vote of a majority of the Board members present at any regular meeting, or at a special or emergency meeting called for that purpose. Whenever the Board deems it necessary or desirable that the Board shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or nongovernmental organizations, departments, agencies or officials of the County Government, the Chair may designate members of the Board or him/herself to represent the Board at such meetings, conferences or other occasions. Such representatives shall have no power to act for or on behalf of the Board or the County, unless previously so authorized. Such representative shall report to the Board with regard to such meeting, conference, or other occasion.

**14. ORDINANCES, RESOLUTIONS, MOTIONS, PROCLAMATIONS**

When Action To Be Taken By Motion, Resolution or Ordinance. All actions of the Board shall be taken by motion, resolution, or ordinance. Actions on routine administrative matters may be taken by motion duly approved and recorded in the minutes of the meeting. Any action of the Board which provides a penalty or establishes a rule or regulation for the violation of which a penalty is imposed shall be by ordinance.

Preparation of Resolutions For Presentation To The Board. The appropriate staff when requested by the Board shall prepare resolutions to be placed on the Board's agenda for adoption.

Numbering of Resolutions. All resolutions shall be numbered consecutively by the Clerk upon their passage.

Procedures for New or Amended Ordinances. If a need for a new or amended ordinance is deemed necessary, the appropriate staff will be directed to draft the ordinance which will be scheduled for Board consideration. The ordinance will be presented to the Board for first reading and scheduling of a public hearing, with adoption to occur at the public hearing.

Proclamations. Proclamations that are to be presented at a Board meeting will be presented at the first meeting of the month at the beginning of the meeting. Proclamations will not be presented at other times during Board meetings. Should a Commissioner desire a proclamation that will be delivered elsewhere, it should be brought up under their comments so that the Board can authorize it. A proclamation should always "proclaim" either a day, week, or month as something specific. Certifications of Appreciation and Commendation should be done when honoring an individual or general accomplishment. These certificates are submitted through and prepared by the Department of Public Affairs. Certificates of Appreciation and Commendation can be prepared quickly and customized to the requestor's specifications. Whenever practical, the use of certificates is encouraged.

**15. EVENTS HELD IN COUNTY FACILITIES**

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All members of the Board should be invited to attend all events that are held in County facilities. The Chair will preside at all events at which s/he is present. In the absence of the Chair, the Vice-Chair of the Board shall preside; in their absence or with their concurrence, the appropriate District Commissioner may preside.

**16. DISTRICT NEWSLETTERS; OTHER PUBLICATIONS**

County Commissioners may publish District newsletters or other publications, non-partisan in content, for periodic communication of District information. Assistance from the Public Affairs Department or County staff will be limited to design, editing and technical aid; production and copying shall be charged to the budget of the Commissioner originating the newsletter or publication. Newsletters or publications shall be hand-distributed and in no cases shall they be distributed through the U.S. Mail at County cost. Special newsletters or publications for Countywide distribution which involve staff participation may be requested by a Commissioner for communication of Countywide topical or urgent issues. Such requests must be approved by the Board with staff assistance determined by the County Administrator. Newsletters and publications shall not be printed or distributed during a preelection (three months prior to primary or general election date) period.

**Originally enacted: May 4, 1976**

**Prior revision: January 8, 2002**

**Last Revision May 17, 2011**

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