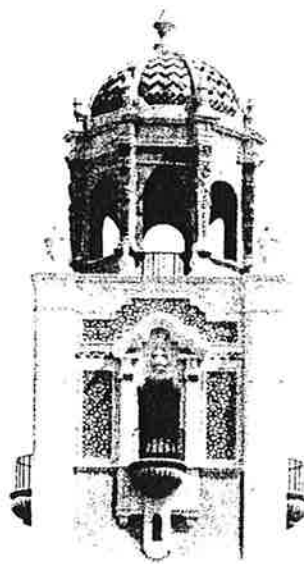


**SARASOTA COUNTY
BOARD OF COUNTY COMMISSIONERS**



RULES OF PROCEDURE

2007

EXHIBIT A

R2017-029

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SECTION I - PREPARATION OF AGENDA; ORDER OF BUSINESS

1: Preparation of Agenda. The County Administrator shall prepare the agenda according to The Sarasota County Administrative Code, Section 4. With the consent of two other Commissioners, the Chair or any Commissioner may place an item on the agenda.

- (a) Generally, the conduct of business shall be based upon the agenda created and scheduled for the specific meeting being held. Other business may be discussed at Board discretion.
- (b) Parliamentary rules as outlined in Robert's Rules of Order, as revised, are applicable unless changed in the Administrative Code or waived by the Board.

2: Agenda Material. A copy of the agenda and supporting materials shall be prepared for and delivered to the Commissioners, the public and the media before 4:00 PM on the Thursday prior to the regular Commission meeting or Public Hearing, except when legally observed holidays affect copying and distribution. The agenda, as well as lengthy reports and standard contracts that are part of agenda documentation, shall be available for review in the County Administrator's office.

3: Meeting; Order of Business. The business of all regular meetings of the Commission shall be transacted as follows; provided, however that the Chair may, by simple majority vote, re-arrange items on the agenda or continue items to a future date to more expeditiously conduct the business before the Commission:

- Nondenominational Invocation and Pledge of Allegiance
- Proclamations are generally read and presented at 9:00 a.m. They will not appear in the agenda packet and do not require Board action. The Chair or designee may read proclamations.
- Generally, awards will be presented at 9:00 a.m.
- Consent Section
 - (a) Unless an item is pulled for discussion, all matters listed under the Consent Section are considered to be routine and will be enacted by one motion.
 - (b) Appointments to Advisory Boards and Committees will be scheduled under the Consent Section of the agenda when there is only one applicant per position. If there is more than one applicant per position, it will be scheduled under the Discussion Section.
 - (c) Authorization to advertise public hearings for Ordinances may be approved on the Consent Section or the Discussion Section, at staff's discretion.
- Discussion Section

Matters which require discussion or debate are scheduled under the Discussion Section of the agenda and may include, but are not limited to:

- (a) Consideration of proposed Contracts and Resolutions.
- (b) Staff reports.
- (c) Presentations.
- (d) Consideration of authorization to advertise proposed Ordinances.
- (e) Consideration of appointments to advisory councils when there is more than one applicant per vacancy.
- (f) Advisory Board Annual Reports
- Public Hearings
 - (a) Items advertised for public hearing may be removed from the agenda only after public announcement at the public hearing time.
 - (b) Public hearings will be advertised for 9:00 a.m., 1:30 p.m., or 5:01 p.m. or as soon thereafter, and will be heard as soon as possible after the advertised time. In no event will public hearings be heard prior to the advertised time.
- Reports Section.

The Reports section is scheduled for the morning session of each Tuesday meeting, but may be heard later in the day, or the next day, as time allows. This section includes informational items or matters which require a discussion or direction from the Board, and will include the following:

 - (a) Clerk's Report.
 - (b) County Administrator's Report.
 - (c) County Attorney's Report.
 - (d) Commission and Committee Reports.
 - (e) Outstanding Board Assignments.
 - (f) Review of Board Meeting Schedule.
- Open to the Public
 - (a) Open to the Public is scheduled at regular Board of County Commissioners meetings for time certain at 1:30 p.m. for up to 30 minutes. If necessary, Open to the Public will be continued at the end of the meeting.
 - (b) Any person may address the Commission on any topic at Open to the Public.

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- (c) Each speaker must fill out a Request to Speak card and give it to the Clerk to the Board prior to speaking at Open to the Public.
 - (d) There is a three minute time limit per person per meeting.
 - (e) The Commission may refer concerns expressed by the speaker to the County Administrator or County Attorney for investigation and response.
- Adjourn

4: Quorum. A quorum for the transaction of business by the Commission consists of three (3) Commissioners. Once a quorum has been established, a majority of Commissioners present at the meeting shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority (4/5ths) of the Commission is required for approval of an item.

5: Required Attendance of Officials. In addition to Commissioners, County officials whose regular attendance shall be required at meetings of the Commission are the: Clerk of the Court, County Administrator, County Attorney, or their designees. A representative of the Sarasota County Sheriff's Office shall be present to provide security and assistance in maintaining order.

6: Parliamentarian. The Chair may request advice on a parliamentary policy or procedure from the County Administrator or County Attorney.

7: Clerk to the Board; Minutes.

- (a) The Clerk to the Board shall make accurate minutes of the proceedings of each regular, special or emergency Commission meeting or Workshop.
- (b) The Clerk to the Board is responsible for audio recordings of the meetings.
- (c) The Clerk notifies the County Administrator's office to place the minutes on the agenda for approval by the Commission. Such minutes stand confirmed at the regular Commission meeting without a reading in open meeting, unless some error is shown. In such event, an appropriate correction is made.
- (d) At the request of a Commissioner, the Clerk to the Board may be directed to "spread upon the minutes" (enter in the minutes) a portion of the discussion of an issue.
- (e) The Clerk shall be responsible for recording and preparing minutes of County Commission workshops.
- (f) The County Administrator shall update the Meetings on Demand website to provide Action Agendas and Minutes with links to the Board of County Commissioners meeting videos.
- (g) Verbatim excerpts from the meeting will be prepared by Administrative staff.

8: Sheriff's Office. The Sarasota County Sheriff's Office is authorized to assist the Chairman for the purpose of maintaining order and decorum at the Commission meeting. The following policy will provide guidance in handling disruptions:

- (a) If an individual refuses to relinquish the podium after being allowed to address the Commission, the Chair will inform the individual that their time to address the Commission has expired and the Chair will direct the individual to leave the podium.
- (b) If an individual causes disruption in the Commission meeting site, the Chair will inform the individual causing the disruption to cease the disruptive activity.
- (c) If the disruption fails to stop:
 - (1) The Chair will inform the individual causing the disruption that his/her actions are contrary to the orderly function of the meeting and that the individual is to cease such action or the Bailiff will be instructed to remove the individual from the meeting site.
 - (2) If the disruption continues, the Chair shall be authorized to take final action and request that the person be removed from the premises by the Bailiff.

9: Rules of Order and Debate. Every Commission member desiring to speak should address the Commission Chair and, upon recognition by the Chair, should be confined to the question under debate.

- (a) The maker of a motion shall be entitled to the floor first for debate.
 - (1) A member once recognized should not be interrupted when speaking. Should the Chairman determine that the speaker should be called to order, the member should then cease speaking until the question of order is determined by the Chair. If it is determined that the speaker is in order, said member will be at liberty to proceed.
 - (2) Parliamentary rules as outlined in Robert's Rules of Order, as revised, are applicable unless expressly changed herein, or waived by the Board.

10: Voting. The votes during all Commission meetings should be transacted as follows:

- (a) The Chair shall call for the vote. At the request of any Commissioner, a roll call vote shall be taken by the Clerk. The roll call vote will be conducted by District.
- (b) When the Chair calls for a vote on a motion, every member who is in the Commission chambers must vote, unless the member has indicated a voting conflict pursuant to Section 112.3143 or Section 286.011, Florida Statutes. The abstaining member must comply with the requirements of Section 112.3143 or Section 286.011, Florida Statutes, including the requirement that Ethics Form 8B must be filed with the Clerk within ten (10) days of the meeting at which the conflict was declared.

- (c) 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. In case of a tie, the proposal shall be considered denied.
- (d) 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 spread upon the minutes.
- (e) If a motion is not carried by at least a majority of Commissioners present, the proposal shall be considered denied.

11: Policy Determination.

- (a) Adoption of policy requires the affirmative vote of three (3) Commissioners.
- (b) Enactment of policy may be accomplished by adoption of an ordinance, resolution, or a motion of the Board.
- (c) Implementation of adopted policy shall be the responsibility of the County Administrator.

12: Ordinances.

- (a) An enacted ordinance is a legislative act which prescribes the rules and regulations of the County. Commission action shall be taken by ordinance when required by law, or to prescribe rules or regulations which continue in force until repealed or amended. All ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.
- (b) Emergency Ordinances. By super-majority vote, the Commission 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 125.66(3), F.S.

13: Resolutions. A Resolution is an established policy of the Board. Commission 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. A resolution generally does not require a public hearing.

14. Contracts. The County Commission adopts a Procurement Code pursuant to Florida Statute. The Procurement Code sets forth the procedures associated with contracting for services and goods.

15: Motions. An enacted motion is a form of action taken by the Commission to direct that a specific action be taken on behalf of the County. 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.

Before a motion has been stated by the Chair, its proposer may change, withdraw, substitute, or amend it without the Commission's permission, and any member or the Chair may request that the maker withdraw it.

16: Reconsideration of Action Previously Taken: A motion to reconsider must be made by a member of the prevailing side on the same day the original motion is made. It can be seconded by anyone on either side and suspends all action on the original motion. The maker of the motion has the right to defer action on the motion to no later than the end of the next meeting. The motion to reconsider can be called up by anyone, although it is usually done by the maker of the motion. If the motion to reconsider is not called up by the end of the next meeting, the situation becomes the same as if there had been no such motion, and the vote which was proposed to be reconsidered comes into full force as if in effect from the time the vote was originally made.

SECTION II - PUBLIC PARTICIPATION IN COUNTY GOVERNMENT

1: Commission Meetings - Open to the Public. All meetings of the Sarasota County Commission, and of committees thereof, shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, F.S.

- (a) The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions - Section 447.605(1), F.S.; meetings regarding risk management claims - Section 768.28(15), F.S.; and litigation meetings pursuant to Section 286.011(8) F.S. The Commission shall follow all statutory requirements for exempt meetings.
- (b) Because of the need to comply with seating capacity requirements of the fire code, there may be occasions when entrance by the public to the Commission Chambers or other meeting rooms shall be limited. In those instances, the Commission will make other rooms available for those who desire to participate in the meeting or adjourn and reschedule the meeting to a location to accommodate the public.
- (c) All meetings of the Commissioners will be held in a building that is open to the public and will be held at a facility that in no way would exclude any members of the public. No fee can be charged.
- (d) For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in County Commission meeting rooms. Other signs, placards, or banners shall not disrupt meetings or interfere with a person's ability to observe the meeting. If disruptive, the person will be asked to remove the signs or leave the meeting.
- (e) All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Commission meetings.

2: Civility Code. Resolution No. 2001-145 was adopted on July 10, 2001 creating a Civility Code to govern all proceedings held before the Sarasota Board of County Commissioners as follows:

- (a) All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
- (b) Prolonged conversations shall be conducted outside Commission Chambers.
- (c) Clapping, whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
- (d) Only those individuals who have submitted speaker cards and who have been recognized by the Chairman may address comments to the Board.
- (e) Comments at public hearings shall be limited to the subject being considered by the Board.
- (f) Comments at Open to the Public shall be directed to County issues.
- (g) All public comments shall avoid personal attacks, abusive language and redundancy.
- (h) No person attending a board meeting is to harass, annoy or otherwise disturb any other person in the room.
- (i) Any member of the public whose behavior is disruptive and violates the Sarasota County Civility Code is subject to removal from the Board meeting by the bailiff and such other action as may be appropriate.

3: Appearance Before the Commission. Persons are allowed to speak before the Commission at either a public hearing or during the Open to the Public portion of the meeting. Persons desiring to address the Commission must first fill out a Request to Speak card and turn it in to the Clerk to the Board. Upon recognition and introduction by the Chair, the person may speak. Comments made during a public hearing must be under oath and limited to the topic of the public hearing. Any topic may be addressed at Open to the Public. To ensure that everyone has a fair opportunity to participate, the following procedures are in effect:

- (a) After being recognized, the person shall:
 - step up to the speaker's rostrum and give his/her name;
 - unless modified by consensus of the Commission, limit the comments to:
 - three minutes for Open to the Public
 - five minutes for public hearings
 - address all remarks to the Commission as a body, and not a member thereof;
 - make comments and present documents to the Commission and the Clerk to the Board.
 - Speakers should make comments concise and to the point, and present any data or evidence they wish the Commission to consider. No person may speak more than once on the same subject at the same meeting unless granted permission by the Chair.

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- (b) At the Chair's discretion, a person who has not previously submitted a Request to Speak card may be permitted to speak, but will be required to fill out a Request to Speak card and turn it into the Clerk to the Board prior to speaking.
- (c) The Commission may discuss the matter raised and take appropriate action if deemed necessary.
- (d) No person other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chair. No question may be asked except through the Chair.
- (e) Speakers should refrain from disruptive conduct, pursuant to the aforementioned Civility Code.
- (f) A person may not interfere with, or interrupt, the orderly procedure of the Commission, any Commissioner, or the person speaking who has been properly recognized by the Chair.
- (g) If the Chair or the Commission declares an individual out-of-order, s/he will be requested to relinquish the speaker's rostrum. If the person does not do so, s/he is subject to removal pursuant to Resolution No. 2001-009 Sarasota County Civility Code.
- (h) The Chair, subject to concurrence of the majority of the Commission, is authorized to modify speaker time limits and otherwise control presentations to avoid repetition.
- (i) Employees of the County may address the Commission. However, employee comments that address an active grievance/arbitration, employee appeal matter or a personnel dispute will not be entertained as a part of Open to the Public. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

4: Commission Meetings - Regular. Unless otherwise advertised, all regular meetings of the Sarasota County Commission are conducted at 9:00 A.M. on the second and fourth Tuesdays and Wednesdays of the month. Generally, the meetings will be held at the Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, with the exception of the meeting on the fourth Tuesday of the month which shall be held at the Robert L. Anderson Administration Center, 4000 South Tamiami Trail, Venice, FL. From time-to-time, regular meeting times and locations may be adjusted by the Commission to accommodate a holiday schedule or other special circumstances. Prior notice of such change shall be provided to the public, the Clerk and the media. While a minimum notice of 24 hours is required, the Commission will provide as much advance notice of a regular meeting as is feasible.

5: Commission Meetings – Special. Meetings may be held on call of the Chairman.

- (a) The time and place of the special meeting will be added to the Sarasota County Government County Calendar advertisement. Meetings may be held upon no less than twenty-four (24) hours public notice.

- (b) Each Commissioner, the Clerk of the Circuit Court, the Sheriff, the County Administrator and the County Attorney shall be given 24 hours prior notice of the meeting. Such notice shall be provided by any reasonable means, including telephone, cell phone, email or facsimile transmission to the person's residence, place of employment, or other location, whichever site is most likely to ensure the person's receipt of the notice.
- (c) At least twenty-four hours prior to the meeting, notice shall be provided to the business office of each local media organization that has on file a written request for notice of special meetings. Such notice shall be provided by any reasonable means, including telephone, email or facsimile transmission.
- (d) Meetings may be scheduled on days or evenings in addition to the second and fourth Tuesday and Wednesday of the month.
- (e) An agenda outlining the business to be conducted will be available prior to the meeting. Open to the Public will be scheduled at the end of each Special Meeting.

6: Commission Meetings – Joint. Joint meetings may be held on the vote of the Board.

- (a) Joint meetings may be held with other public bodies at any public place within or without Sarasota County, provided that Sarasota County citizens have a reasonable opportunity to attend.
- (b) Meetings may be scheduled on any day or evening of the week.
- (c) The time and place of the joint meeting will be added to the Sarasota County Government County Calendar advertisement. Meetings may be held upon no less than twenty-four (24) hours public notice.
- (d) An agenda outlining the business to be conducted will be prepared jointly and agreed upon by both entities. It shall be made available prior to the meeting, along with any supporting documentation to both boards and appropriate staff no later than two business days prior to the meeting.
- (e) Open to the Public comment will be scheduled at the end of the meeting, or such other time as the Board determines.

7: Commission Meetings - Emergency. In the event of a State of Emergency declared by the Governor of Florida due to the threat of imminent harm to Sarasota County citizens or other instances presenting a threat of imminent harm, the County Administrator shall call for an Emergency Meeting of the Board to adopt a Resolution that declares a State of Emergency, authorizes expenditure of public funds, and provides for authorization to apply for State and Federal financial assistance.

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- (a) The call for an emergency meeting requires reasonable notice, i.e., posting the time and place of the emergency meeting at the location of the meeting and on Access Sarasota TV.
- (b) Each Commissioner, the Clerk of the Circuit Court, the Sheriff, the County Administrator and the County Attorney shall be given the most reasonable notice allowable under the circumstances. Such notice shall be provided by any reasonable means, including telephone, cell phone, email, or facsimile transmission to the person's residence, place of employment, or other location, whichever site is most likely to ensure the person's receipt of the notice.
- (c) The most reasonable notice allowable under the circumstances of the emergency meeting shall be provided to the business office of each local media organization that has on file a written request for notice of emergency meetings. Such notice shall be provided by any reasonable means, including telephone, email or facsimile transmission.
- (d) Emergency meetings may be scheduled at any time.
- (e) An agenda is not required for an Emergency Meeting. However, if an agenda is prepared outlining the business to be conducted at the meeting, it will be made available as soon as possible prior to the start of the meeting.

8: Retreats. The Board will hold an annual Retreat at a special meeting in the month of December.

- (a) Agenda items for consideration at the Retreat shall include:
 - (1) The election of a Chair, Vice Chair and Pro Tem for the upcoming calendar year.
 - (2) Committee Appointments for the upcoming calendar year.
 - (3) Board meeting schedule for the upcoming calendar year.
 - (4) Travel and associated expenses for the upcoming calendar year.
 - (5) Other items may be added to the agenda as appropriate.
- (b) The time and place of the special meeting will be added to the Sarasota County Government Weekly Calendar advertisement.
- (c) The Retreats may be scheduled at any time.
- (d) Additional Retreats may be scheduled as needed.
- (e) Minutes of the Retreat shall be made by the Clerk to the Board.
- (f) The Retreat may be continued to another date, time and place.

9: Inspection Trips. The County Administrator or the Board may schedule inspection trips as needed. Advance notice of these meetings shall be given in the same manner as special meetings. However, if the inspection trips are fact-finding only, no notice shall be required. Unless fact-finding only, County staff will produce minutes.

10: Public Hearings; Time; Location. Generally, public hearings shall be held on the second and fourth Tuesday and Wednesday of the month. Unless advertised otherwise, public hearings are conducted in either the Sarasota County Administration Center or the Robert L. Anderson Administration Center. Public hearings may be continued from a prior meeting, or scheduled on days or evenings in addition to the second and fourth Tuesday and Wednesday of each month.

The agenda items under consideration shall be scheduled for the morning (generally commences at 9:00 a.m.,) the afternoon (generally commences at 1:30 p.m.,) or the evening (generally commences at 5:01 p.m.). Matters under consideration shall be heard at the designated time: 9:00 a.m.; 1:30 p.m. or 5:01 p.m. or as soon thereafter as practicable.

11: Public Hearing; Procedures. The public is always invited to speak at a Public Hearing, however, the following time limits shall apply in accordance with Resolution No. 91-022: petitioner presentation – 20 minutes; citizens comments – 5 minutes per speaker; petitioner rebuttal – 5 minutes. These times may vary due to subject matter (for example, there may be no petitioner or applicant.)

(a) General Public Hearings

- (1) The Chair reads the statement “The Sarasota County Charter requires that evidence and testimony presented during Public Hearings shall be under oath. Persons presenting evidence and/or testimony are required to complete and sign the Request to Speak card.”
- (2) The Chair then reads the description of the agenda item(s) to be considered.
- (3) The Chair opens the Public Hearing.
- (4) The staff will then make a presentation for the agenda item being considered.
- (5) The Chair then inquires as to whether there is any discussion or questions of staff.
- (6) The petitioner then makes its presentation, limiting the time to 20 minutes in accordance with Resolution No. 91-022.
- (7) Public comment follows and unless otherwise determined by the Chair, shall be limited to 5 minutes per speaker. Petitioner rebuttal is limited to 5 minutes in accordance with Resolution No. 91-022.
- (8) A Commissioner will make a motion to close the public hearing.

(9) After a second to the motion, the Chair closes the public hearing and inquires if there is any discussion.

(10) The vote is taken.

(b) Quasi-Judicial Hearings

The procedures to be followed for quasi-judicial hearings are generally the same as given above for General Public Hearings:

(1) Florida law requires that the County Commission's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Commission 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. All testimony must rely on factual information.

(2) Disclosure must be made before or during the public meeting at which a vote is taken if any Commissioner received any oral or written communications regarding the matter. The substance of the communication and identity of the person making the communication must be disclosed, allowing reasonable opportunity for others to refute or respond to the communication.

(3) Ex-parte Communications

- i. Definition: Written or oral communications regarding quasi-judicial matters pending before the Board received outside the record of the related public hearing.
- ii. The County Attorney's office suggests that Commissioners refrain from participating in ex-parte communication whenever possible regarding a quasi-judicial matter to avoid the creation of the presumption of prejudice.
- iii. The presumption of prejudice may be overcome if the context of the ex-parte communication and the identity of the person is disclosed and made a part of the record at the public meeting before the final action on the matter.
- iv. A written communication that relates to quasi-judicial action pending before the Commission (such as a zoning decision) shall be made a part of the record before final action on the matter.
- v. If a Commissioner conducts an investigation or site visit or receives expert opinions regarding a quasi-judicial action pending before the Commission, 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.

(c) Convening as other Governmental Entities

In addition to convening as the Sarasota Board of County Commissioners, the Board also sits as numerous other governmental entities, such as the Sarasota County Transportation Authority and the Community Redevelopment Agency. Prior to considering the item, the Chairman will recess the Commission as the Board of County Commissioners and reconvene as the appropriate authority. When the action has been taken, the Chairman will recess as the authority and reconvene as the commission.

12: Public Records; Inspection; Duplication. Pursuant to Chapter 119, F.S., all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, email messages, or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business by any agency, unless expressly exempt by statute, are public records. A public record (including information stored in computers) is open to public inspection and duplication.

13: Commission Mail; Circulation; Public Review and Duplication. All mail addressed to the Chair and the Commissioners, which is received pursuant to law or in connection with the transaction of official County business, is a public record (Chapter 119, F.S.). The public may review and duplicate these records.

- (a) Each Commissioner will be provided a copy of the Chair's mail, which may be done by circulating the original with attachments or by circulating a copy of the correspondence. If the document is time sensitive, copies will be made for each commissioner. Items of considerable length (such as petitions) will not be copied; instead, a memorandum or email will be distributed which announces the availability and location of the item in the office. Publications, invitations and lengthy agenda materials for other boards on which Commissioners serve will not be copied; only the agenda will be circulated.
- (b) Each Commissioner will receive the original of items addressed to them. Mail with the words similar to "Personal", "Confidential" or "For the Addressee Only", shall be deemed County correspondence and opened under the provisions of the Florida Sunshine Law.
- (b) The Chair and Commissioners who receive individually-addressed mail will be responsible for replying and may ask the County Administrator to draft a response for their signature or request that the item be placed on the agenda for formal Commission consideration. The County Administrator shall be responsible for ensuring that mail addressed to the Chair or the Commission and referred to him is properly answered or placed on an agenda.

14: Board Appointment of Additional Boards, Commissions, Committees and Councils. The following procedures shall be implemented regarding the creation of boards, commissions, committees and councils (herein called "Councils.")

- (a) The Board shall have the power to designate or create by ordinance or resolution such Councils as may be necessary for the administration of the affairs of the County, and shall provide the duties and powers of the officers and members of such Councils. Members of these Councils shall serve without compensation unless otherwise specified by ordinance

or resolution. All such Councils shall be part of the County government and shall utilize the services of the Business Center most closely concerned with the activity assigned to the Councils.

- (b) The term of office of appointees and method of appointment shall be specified in the enacting ordinance or resolution. Vacancies occurring in the membership of any Council shall be filled for the remainder of the unexpired term in the manner providing for the original appointment. Members of the Councils may be removed for cause by vote of the Board.
- (c) Public Communications shall be responsible for maintaining an accurate and up-to-date roster of all boards, commissions and their respective memberships.
- (d) The Board shall have the power to designate or create by motion such special committees or task forces as the Board deems necessary to investigate and report back to the Board on subjects of special concern.
- (e) When councils are created and applicants are needed to fill such appointments or vacancies, Public Communications shall advertise these vacancies in a newspaper of general circulation in the County. Interested applicants should submit a completed application to the Advisory Council Liaison by the advertised due date for consideration by the Board.

SECTION III - GENERAL PROVISIONS

1: 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 at the request of the commissioner.

2: Election of Chair, Vice-Chair and Pro Tem. Procedures for electing officers are as follows:

- (a) The Board shall elect one of its members as Chairman by majority vote. The election shall be held in the month of December of each calendar year. In the event of a Chair vacancy, the new Chairman shall be elected at the next regular meeting.
- (c) In conjunction with the above election, a Vice-Chair is also elected in a like manner. The Vice-Chair continues to have all the rights and duties of the Chairman during the absence of the Chairman.
- (d) In case of the absence or temporary disability of the Chair, the duties of the Chair will be assumed as follows:

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- (1) The Vice-Chair serves as Chair during the continuance of the absence or disability.
- (2) In case of the absence or temporary disability of both the Chair and the Vice-Chair, the Pro Tem serves as Chair during the continuance of the absences or disabilities.

3: Commission Chair; Presiding Officer. The Chair presides at all meetings of the Commission, and is recognized as the head of the County for all ceremonial purposes. In addition to the powers conferred upon the Chair, s/he continues to have all the rights, privileges and immunities of a member of the Commission. The Chair's responsibilities include:

- (a) Call the meeting to order, having ascertained that a quorum is present;
- (b) All questions and comments are to be directed through and restated by the Chair;
- (c) Preserve order and call to order any member of the Commission who violates any of these procedures; and, when presiding, decide questions of order, subject to a majority vote;
- (d) Expedite business in every way compatible with the rights of members;
- (e) Maintain or delegate control of the time clock used to impose time limits on speaker presentations and testimony for public hearings and Open to the Public;
- (f) The Chair should reserve comment until the other Commissioners have had an opportunity to discuss the matter pending. If the Chair wishes to place a motion, the gavel must be relinquished. Based upon these Rules of Procedure, the gavel will be relinquished in the following order:
 - (1) Vice-Chair;
 - (2) Pro Tem

The presiding officer who relinquished the Chair should not return to it until the disposition of the pending main question.
- (g) Declare the meeting adjourned when the Commission so votes, or at any time in the event of an emergency affecting the safety of those present;
- (h) Send letters to the Sarasota County State and Federal Legislative Delegations and other governmental officials in support of Sarasota County municipality or community-based organization initiatives, such as legislative changes and grant requests, provided the Board of County Commissioners has taken a position in support of the initiative in its legislative agenda or by some other action expressed its position on the issue presented.
- (i) Sign all documents following approval/Board action taken place at Board meetings of any kind.

- (j) **Facsimile Signatures:** Upon election of Chairman and Vice-Chairman, they shall execute Affidavits of Manual Signature and Authorization to Affix 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 or resolutions, and any public security or instrument of conveyance to which at least one required signature has been manually subscribed. Facsimile signatures are prohibited on legislative bills and cannot be used on resolutions, contracts or ordinances.

4: Legislative Program and Communication with Lobbyists. Each year, prior to the Legislative Session, the County Administrator shall submit to the Commission a proposed legislative program for the State Legislature and the Federal Government. This program shall be based on legislative concerns submitted by Sarasota County and its member municipalities. The County will coordinate with the Florida Association of Counties, the Florida League of Cities and other relevant associations, as is appropriate, to protect the interests of Sarasota County in the legislative process.

- (a) The final State and Federal Legislative Program will be approved at a County Commission meeting. Copies of the approved Legislative Program shall be submitted to the appropriate Legislative Delegation in order to seek favorable legislation and appropriations to further the goals of Sarasota County. The Legislative Program and lobbying efforts should be developed to coordinate and leverage federal and state appropriations.
- (b) As deemed necessary by the County Commission, the County Administrator may solicit and obtain the services of professional lobbyists to gain approval or favorable consideration of issues within the Legislative Program, or to intercede on behalf of Sarasota County before governmental administrative agencies. The County Administrator shall notify the County Commission when such services are to be rendered.
- (c) Professional registered lobbyists or county staff members assigned to advance the County's Legislative Program shall meet all legal requirements of the State of Florida and conduct themselves ethically to eliminate any conflict of interest, as they represent the citizens of Sarasota County. Firms or individuals lobbying on behalf of the County will use the approved Sarasota County Legislative Program as a guide for their activities. New issues shall be approved by the County Commission for inclusion in the adopted Legislative Program.
- (d) In the event of emergency or in the changing climate of the legislative amendment process, the County Administrator may direct the County Lobbyist to take action on bills or amendments that would have a favorable impact on Sarasota County. Such emergency authorizations will be reported to the County Commission in a timely manner. The County Administrator may, at his/her discretion, assign county employees to the legislative tasks (including attendance in Tallahassee, or appearance before legislative or administrative bodies) to promote the Legislative Program.

5: Commission Appointments to Boards and Committees. Members of the County Commission serve on various boards and committees (e.g., Tourist Development Council,

Regional Planning Council, etc.). Appointments are reviewed and made at the Annual Board Retreat scheduled in December of each year, or as soon thereafter as practicable.

- (a) A listing of previous-year appointments will be disseminated to the County Commission in advance of the appropriate meeting so that each Commissioner can determine his/her interest in serving on various boards/committees.
- (b) If there is no nominee or no volunteer or more than one volunteer for a vacancy, the Chair will appoint a Commissioner to serve. The Commission shall ratify the appointments to boards and committees.
- (c) Employees shall serve as support staff for the various committees as directed by the County Administrator.
- (d) Reports on Boards and Committees on which Commissioners serve are carried out under Commission Reports and may become the responsibility of the County Administrator to schedule on the Commission agenda in a timely manner.

6. Commission Calendar. The Commission shall set the meeting calendar for the upcoming year annually. The County calendar will be updated as necessary and included in agenda packets for discussion.

7: Suspension and Construction of Rules. Temporary suspension of these procedures by consensus or majority vote shall permit the Commission to take some action that would otherwise be prevented by a procedural rule already adopted. These Rules of Procedure may be amended or temporarily suspended at any Commission meeting with an affirmative vote of a majority of the Commission. These rules are for the efficient and orderly conduct of Commission business only; no violation of such rules shall invalidate any action of the Commission when approved by a majority vote required by law.