

**EXHIBIT A**

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**SARASOTA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**RULES OF PROCEDURE**

Adopted: 1/31/2023

R2023-011

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R2023-011

## **SECTION I - BOARD MEETINGS: PREPARATIONS AND PROCEDURES**

**1: Board Meeting Schedule.** The Board shall approve its Meeting Schedule for the coming year during the Organizational Session portion of its annual Retreat in December.

- (a) The Schedule shall include regular Board Meetings, Workshops, and Budget Public Hearings, any Joint or Special Meetings scheduled at that time, government holidays, and the Board's Summer Recess.
- (b) Additional meetings may be scheduled throughout the year subject to the concurrence of the majority of the Board. The County Administrator is authorized to call an emergency meeting if timing and circumstances prevent the Board from taking action directly.
- (c) The County Administrator is authorized to cancel meetings due to a lack of scheduled business.
- (d) Changes to the approved Meeting Schedule will be shared by the County Administrator, with notice provided to the Board, the Clerk to the Board, the public, and the media, via email and/or the County website.

**2: Board Meeting Agenda.** The County Administrator, or designee, shall prepare the agenda; the Board may place items on the agenda by consensus direction or vote.

- (a) Items for inclusion on the Board agenda shall be prepared according to specifications provided by the County Administrator.
- (b) The agenda shall be finalized no later than the Tuesday preceding regular Board meetings, at which time the agenda and accompanying documentation shall be posted on the County website and notification provided to the Commissioners and to the Clerk to the Board.
- (c) For joint meetings, workshops, retreats and special meetings, County Administration shall provide deadlines for participating staff, and the agenda shall be finalized at least one week prior to the meeting, at which time the agenda and accompanying documentation shall be posted on the County website and provided to the Commissioners and the Clerk to the Board.
- (d) Every effort shall be made to include all relevant information in the published agenda packet. If, however, it becomes necessary to provide supplementary information related to an agenda item after the agenda has been published, this information shall be made available to the Board and the public as soon as practicable, but no later than 4 p.m. on the Monday prior to a regular Board Meeting. A copy shall be provided to the Clerk to the Board prior to the item being heard.

**3: Order of Business.** The conduct of business shall be based upon the agenda created and scheduled for the specific meeting being held. All meeting agendas (except for Ceremonial Meetings, as noted in Section I. 25.) shall include opportunities for public comment (Open to the Public) and Board comments (Other Business). For regular meetings, the order of business shall be as follows; provided, however, that the Board may break for lunch, and as needed throughout the day, and the Chair, subject to concurrence of the majority of the Board, may rearrange, reschedule or continue items to a future date to more expeditiously conduct the business before the Board:

- (a) Non-denominational Invocation, presented by County staff, and Pledge of Allegiance
- (b) Awards and Recognitions
  - (1) Ceremonial Recognitions, including Proclamations, Certificates of Recognition, Recognition of Retirements, and Awards, are generally presented at 9:00 a.m., prior to the numbered agenda. Proclamations and Certificates of Recognition are generally limited to four per meeting.
  - (2) Proclamations and Certificates of Recognition are ceremonial documents that honor and celebrate events and achievements, and/or increase public awareness.
  - (3) Proclamations may be issued for a specific day, week, or month that holds local significance and is recognized by a state or federal government agency, notable non-profit organization, or regional trade association.
  - (4) Personal proclamations for individuals or businesses will not be accepted. Individual accomplishments of local significance or milestone celebrations may instead be recognized with a Certificate of Recognition or congratulatory letter.
  - (5) Any Sarasota County resident or group may request Board recognition using these criteria and the guidelines published on the County Commission section of the County website.
  - (6) Staff may edit provided text for clarity and to comply with published guidelines and document templates.
  - (7) An organization does not have exclusive rights to the day, week or month of a proclamation, and requests very similar to other recognitions may be declined.
  - (8) Proclamations are not automatically renewed – requests must be made on an annual basis – and multiple requests by an organization may not be honored in the same calendar year.
  - (9) Proclamations presented outside a Commission meeting (i.e. at an offsite event), will be ratified on the next Consent agenda.
  - (10) Recognitions will not be issued for the following:
    - a. Controversial or polarizing issues, ideological or religious beliefs, or individual convictions.
    - b. Anything that may suggest an official county position on a matter under consideration.
    - c. Events or organizations with no direct relationship to Sarasota County.
    - d. Matters contrary to Sarasota County policy or to the well-being of its citizens.
  - (11) Sarasota County reserves the right to deny any request and to make exceptions to these guidelines.
  - (12) Should an individual Commissioner wish to sponsor a Ceremonial Recognition that falls outside the scope of these guidelines or established practice, that Commissioner shall present the request for Board approval during the Reports Section at a prior meeting.
  - (13) Ceremonial recognitions are listed on the agenda but do not appear in the agenda packet and do not require Board action. They are presented by the Chair, a Commissioner, or the County Administrator, as appropriate.
- (c) Open to the Public – Three-minute time limit per person
  - (1) Persons desiring to address the Board must first fill out a Request to Speak card including the number of the agenda item or, if not an agenda item, the topic to be addressed, and turn it in to the Clerk to the Board.

- (2) Public comment related to items scheduled on the Consent, Discussion, or Reports sections will be heard first. (Testimony on Public Hearing items will be heard as part of the individual Public Hearing.)
  - (3) Following public comment on scheduled agenda items, the Board will hear up to 5 speakers on topics not on the published agenda, but which may be appropriate for the Board's future consideration.
  - (4) Any remaining cards will be held for the final Open to the Public segment at the end of the meeting to ensure advertised agenda items are heard in a timely manner.
  - (5) The Board, at its discretion, may direct the County Administrator to research and report back on any topic raised during Open to the Public, request a discussion be scheduled on a future agenda, or decline to take action.
- (d) Consent Section – Unless pulled for discussion, all matters listed under the Consent Section are considered to be routine and will be enacted by one motion.
- (1) Appointments to Advisory Councils and Appointed Boards will be scheduled under the Consent Section of the agenda when there is only one applicant per position; otherwise, they will be scheduled under the Discussion Section.
  - (2) Authorization to advertise Public Hearings for Ordinances may be included in the Consent Section or the Discussion Section, at the County Administrator's discretion.
- (e) Discussion Section – Matters which require discussion or debate; these may include, but are not limited to:
- (1) Consideration of proposed Contracts and Resolutions;
  - (2) Staff reports;
  - (3) Presentations that may require Board direction or action;
  - (4) Authorization to advertise Public Hearings for Ordinances may be included in the Consent Section or the Discussion Section, at the County Administrator's discretion;
  - (5) Consideration of appointments to advisory councils when there is more than one applicant per vacancy;
  - (6) Advisory Council Annual Report Presentations.
- (f) Public Hearings
- (1) Items advertised for Public Hearing may be removed from the agenda only after public announcement at the Public Hearing time.
  - (2) Public Hearings will be advertised for 9:00 a.m. or soon thereafter, or evening (generally commences at 5:01 p.m.). In no event will Public Hearings be heard prior to the advertised time.
- (g) Reports Section – The Reports Section is generally scheduled for the Tuesday meeting. This section will include the following:
- (1) Clerk's Report;
  - (2) County Administrator's Report;
  - (3) County Attorney's Report;
  - (4) Commission and Committee Reports;
  - (5) Outstanding Board Assignments;
  - (6) Review of Board Meeting Schedule.

- (h) Continuation of Discussion Section and Public Hearings (if needed).
- (i) Open to the Public – Three-minute time limit per person. Follows the same procedures described in Section I. 3. (c), except speakers may address any topic which may be appropriate for the Board’s future consideration. Includes any remaining cards held over from the morning session.
- (j) Other Business
- (k) Adjourn

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**4: Quorum.** A quorum for the transaction of business by the Board consists of three Commissioners. Once a quorum has been established, a majority of Commissioners present shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority (four-fifths) or supermajority (five of five) of the Board 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 Board are the: Clerk of the Circuit Court and County Comptroller, County Administrator, County Attorney, or their designees.

**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 Board meeting held within Sarasota County, including regular, special, joint, and emergency meetings, workshops and retreats. For joint meetings held outside the county, the agenda, minutes and audio recording prepared by the other jurisdiction will be filed with the Clerk to the Board as part of the official record.
- (b) The Clerk to the Board is responsible for the audio recordings of the Board meetings, as the official record.
- (c) The Clerk to the Board places the draft minutes in the Consent Section of the agenda for approval by the Board. Such minutes stand confirmed at the regular Board meeting without a reading in an open meeting, unless some necessary revision is shown. In such event, an appropriate revision 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 to the Board shall update the meetings section of the County website to post action agendas and minutes which link to the Board meeting videos.
- (f) Upon request of the Board, verbatim excerpts from the meeting will be prepared by County Administrative staff.

**8: Sergeant-at-Arms.** The County Administrator or designee shall serve as Sergeant-at-Arms at Board meetings for the purpose of maintaining order and decorum. The Sarasota County Sheriff's Office is authorized to assist the County Administrator in performing this duty and the County Administrator or the Chair, at their discretion, may request a representative of the Sheriff's Office be present at any Board meeting. The following policy will provide guidance in handling disruptions:

- (a) The Chair has the authority to stop the meeting until order has been restored.
- (b) If an individual refuses to relinquish the podium after being allowed to address the Board, the Chair will inform the individual that his/her time has expired and will direct the individual to leave the podium.
- (c) If an individual causes disruption in the Board meeting site, the Chair will inform the individual causing the disruption to cease the disruptive activity.
- (d) 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 Sergeant-at-Arms 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.
  - (3) If a law enforcement officer is the person removing the member of the public, the decision of whether to take further action shall be made by the law enforcement deputy based on State and Federal law.

**9: Rules of Order and Debate.** Parliamentary rules as outlined in Robert's Rules of Order, as revised, are applicable unless expressly changed herein or waived by the Board.

- (a) Every Board member desiring to speak shall address the Chair and, upon recognition by the Chair, shall be confined to the question under debate.
- (b) The maker of a motion shall be entitled to the floor first for debate.
- (c) A member, once recognized, should not be interrupted when speaking. Should the Chair determine that the speaker should be called to order, the member shall 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.

**10: Voting.** The votes during all Board 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 to the Board. 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 chamber 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 Form 8B

– Conflict of Interest must be filed with the Clerk to the Board within ten days of the meeting at which the conflict was declared.

- (c) Generally, the passage of any motion, policy or resolution requires the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote.
  - (d) Any Commissioner shall have the right to express dissent from or protests against any ordinance, resolution or policy of the Board, 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.
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### **11: Policy Determination.**

- (a) Adoption of policy requires the affirmative vote of three Commissioners.
- (b) Enactment of policy may be accomplished by adoption of an ordinance, resolution, or motion of the Board.
  - (1) Documents shall be considered and approved or adopted by the Board in substantially the form presented in the Board Agenda Packet, unless specifically directed otherwise by the Board in public meeting assembled.
  - (2) It is expressly recognized that non-material scrivener's errors discovered subsequent to publication and/or Board approval are authorized to be corrected on these documents prior to execution.
- (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.
- (b) Emergency Ordinances. By super-majority vote, the Board may without public notice 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), Florida Statutes.

**13: Resolutions.** A resolution is an established policy of the Board. Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. A resolution generally does not require a Public Hearing.

**14: Contracts.** Various contracts come before the Board for approval. Those related to the contracting of services and goods follow procedures set forth in the Procurement Code, which is adopted by the Board pursuant to Florida Statutes.

**15: Motions.** An enacted motion is a form of action taken by the Board 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 the motion without the Board's permission, and any member or the Chair may request that the maker withdraw a motion.

**16: Reconsideration of Action Previously Taken.** A motion to reconsider may be made pursuant to Robert's Rules of Order.

**17: 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 an agenda item related to these other entities, the Chair will recess as the Board of County Commissioners and convene as the appropriate authority. When the action has been taken, the Chair will recess as the other governmental entity and reconvene as the Board of County Commissioners.

**18: Board Meetings – Regular.** Unless otherwise advertised, 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, meetings will be held at the Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, with the exception of the first Tuesday meeting of the month, which shall be held at the Robert L. Anderson Administration Center, 4000 South Tamiami Trail, Venice.

- (a) Meeting times and locations may be adjusted to accommodate a holiday schedule or other special circumstances. Prior notice of such change shall be provided to the public, the Clerk to the Board and the media.
- (b) The time and place of meetings will be published as required by Florida Statutes.
- (c) An agenda outlining business to be conducted will be prepared by the County Administrator and made available prior to the meeting as detailed in Section I. 2.b.
- (d) Public input will be scheduled as detailed in Section I. 3.

**19: Public Hearings.** Generally, Public Hearings shall be held on the second and fourth Tuesday and Wednesday of the month, during regular Board Meetings. Unless otherwise advertised, 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.

- (a) Public hearings shall be advertised for 9 a.m. or soon thereafter or evening (generally commences at 5:01 p.m.). Matters under consideration shall be heard at the designated time or as soon thereafter as practicable.
- (b) Public Comment – The public is always invited to speak at a Public Hearing; however, the following time limits shall apply. (These times may vary due to subject matter; i.e. there may be no petitioner or applicant):
  - Petitioner presentation – 20 minutes
  - Citizen comments – 5 minutes per speaker
  - Petitioner rebuttal – 5 minutes
- (c) 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 reads the description of the agenda item(s) to be considered and opens the Public Hearing.
  - (3) Presentations Upon Request
    - The Chair inquires if any Commissioner desires staff or applicant presentations or if any updates need to be brought to the Board’s attention. If any Commissioner requests presentations, the hearing will proceed as in (d) below.
    - The Chair inquires if any Commissioner has questions or comments on the item(s).
    - The Chair inquires if anyone from the public would like to present testimony.
    - The Chair closes the Public Hearing and calls for a motion.
  - (4) Presentations Scheduled
    - Staff provides a brief overview of the public hearing item, addresses any logistical issues, and introduces the petitioner.
    - The petitioner makes a presentation for the agenda item being considered limiting the time to 20 minutes.
    - The Chair inquires whether there is any discussion or questions of the petitioner.
    - Staff makes a presentation for the agenda item being considered, limiting the time to 20 minutes, unless otherwise deferred by staff.
    - The Chair inquires whether there is discussion or questions for the petitioner or staff.
    - 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.
    - The Chair closes the Public Hearing and inquires if there is any discussion.
    - Special provisions may be made at the discretion of the Chair to adjust the order of presentations. For example, if the applicant does not have a professional planner or attorney representation.
  - (5) The vote is taken.
- (d) Quasi-Judicial Hearings – The procedures to be followed for quasi-judicial hearings are generally the same as for Public Hearings, as provided above:
- (1) Florida law requires that the Board’s decision in a quasi-judicial action be supported by competent substantial evidence presented to the Board during the hearing on the application.
  - (2) 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 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 are 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 a quasi-judicial action pending before the Board (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 Board, such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit or expert opinion is made a part of the record before final action on the matter.

**20: Board Meetings – Special.** Special meetings may be held on call of the Chair or County Administrator.

- (a) If possible, the time and place of the special meeting will be added to the Sarasota County Government County Calendar advertisement.
- (b) If there is insufficient time to advertise the meeting, each Commissioner, the Clerk of the Circuit Court and County Comptroller, the Sheriff, the County Administrator and the County Attorney shall be given prior notice of the meeting. Such notice shall be provided by any reasonable means, including phone, email or facsimile transmission to the person's residence, place of employment, or other location, whichever is most likely to ensure the person's receipt of the notice.
- (c) If there is insufficient time to advertise the meeting, notice shall also be provided to the business office of each local media organization that has on file a written request for notice of special meetings by any reasonable means, including phone, email or facsimile transmission.
- (d) Special meetings may be scheduled on days or evenings in addition to the second and fourth Tuesday and Wednesday of the month.

**21: Board Meetings – Joint.** Joint meetings may be held on the approval of the Board or recommended by the County Administrator.

- (a) In accordance with Section 380.115, Florida Statutes:
  - (1) The Board may hold a joint meeting with the governing body or bodies of one or more adjacent counties or municipalities to discuss matters of mutual interest;
  - (2) A joint meeting may be held at any appropriate public place within the jurisdiction of any participating county or municipality, provided that Sarasota County citizens have a reasonable opportunity to attend;
  - (3) Due public notice must be provided within the jurisdictions of all participants;
  - (4) The Board must first adopt a resolution authorizing its participation in the joint meeting;
  - (5) No official vote may be taken at a joint meeting;
  - (6) A joint meeting may not take the place of any Public Hearing required by law.
- (b) Joint meetings may be scheduled on any day or evening of the week.
- (c) An agenda outlining the business to be conducted will be prepared jointly and agreed upon by the Administrator or Manager of each jurisdiction.
- (d) Public input (three-minute time limit per person) will be scheduled prior to the conclusion of the meeting and may include any topics appropriate for the Boards' future consideration.

**22: Board Meetings – State of Emergency.** Chapter 252, Florida Statutes authorizes the waiver of procedures and formalities otherwise required to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in the event of a State of Emergency.

Sarasota County's Comprehensive Emergency Management Plan (CEMP) is developed consistent with the statutory requirements and provides the authority and process to activate the CEMP and declare a State of Emergency.

As part of this process, the County Administrator may declare a State of Emergency, authorize expenditure of public funds, and provide authorization to apply for State and Federal financial assistance, or may call for an emergency meeting of the Board to adopt a resolution. If an emergency meeting is called, the following provisions apply.

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- (a) The call for an emergency meeting requires reasonable notice; e.g., posting the time and place of the meeting at the location of the meeting and on Access Sarasota TV.
  - (b) Each Commissioner, the Clerk of the Circuit Court and County Comptroller, the Sheriff, the County Administrator and the County Attorney shall be given the most reasonable notice available under the circumstances, including notification by phone, email, facsimile transmission or hand delivery.
  - (c) The most reasonable notice available 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 phone, 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, it will be made available as soon as possible prior to the start of the meeting.
  - (f) Public input is not required at an emergency meeting.

**23: Board Meetings – Retreats.** The Board will hold an annual Retreat in the month of December.

- (a) The time and place of the Retreat will be advertised.
- (b) Additional Retreats may be scheduled as needed.
- (c) The Retreat may be continued to another date, time and place.
- (d) An agenda outlining the business to be conducted will be prepared by the County Administrator, reviewed with the Commissioners and made available prior to the meeting as detailed in Section I. 2. (c).
- (e) In addition to items scheduled by the County Administrator or requested by the Board, the annual Retreat agenda will include an Organizational Session with the following items for the Board's approval. These items may be moved to a regular meeting if necessary.
  - The election of a Chair, Vice Chair and Pro Tem for the upcoming calendar year, which take effect as of January 1;
  - Board Meeting Schedule for the upcoming calendar year;

- Travel and associated expenses for the upcoming calendar year;
- Committee Appointments for the upcoming calendar year.

(f) Public comment will be scheduled at the beginning and end of the Retreat, in accordance with the procedure for regular Board Meetings, Section I. 3. (c).

**24: Board Workshops.** Board Workshops will be scheduled by the County Administrator to accommodate larger policy discussions, such as budget preparations or growth planning.

- (a) Workshops may focus on a single theme or topic or may include multiple discussion topics.
- (b) The time and place of the workshop will be advertised.
- (c) An agenda outlining business to be conducted will be prepared by the County Administrator and made available prior to the meeting as detailed in Section I. 2. (c).
- (d) Public comment will be scheduled at the beginning and end of the Workshop, in accordance with the procedures for regular Board Meetings, Section I. 3. (c).

**25: Ceremonial Meetings.** Meetings may be scheduled for ceremonial purposes, such as the swearing in of newly elected or re-elected Commissioners and Constitutional Officers. Such ceremonial meetings will be advertised in accordance with the requirements for special meetings. If the meeting is limited to the ceremonial purpose, no agenda nor public comment will be required.

**26: Board Meetings – Accessibility.** All meetings of the Sarasota County Commission shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes.

- (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 Board 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 is at capacity. In those instances, the Board 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 Board will be held in a building that is open to all members of the public. No fee may be charged.
- (d) For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in Board meeting rooms. Any signs, placards, or banners that are disruptive or interfere with a person's ability to observe the meeting shall be removed.
- (e) All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.

**27: Civility Code.** The Board-adopted Civility Code governs all proceedings held before the Sarasota Board of County Commissioners:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
  2. Prolonged conversations shall be conducted outside Commission Chambers.
  3. Clapping, whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
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4. Only those individuals who have submitted speaker cards and who have been recognized by the Chairman may address comments to the Board.
  5. Comments at Public Hearings shall be limited to the subject being considered by the Board.
  6. Comments at Open to the Public shall be directed to County issues.
  7. All public comments shall avoid personal attacks, abusive language and redundancy.
  8. No person attending a board meeting is to harass, annoy or otherwise disturb any other person in the room.

No person, except County officers or their representatives, shall be permitted beyond the podium or staff desks, or on the dais during the course of a meeting.

Any member of the public whose behavior is disruptive and violates the Sarasota County Civility Code is subject to removal from the Board meeting and such other action as may be appropriate. If a law enforcement officer is the person removing the member of the public, the decision of whether to take further action shall be made by the law enforcement deputy based on State and Federal law.

**28: Opportunity to be Heard.** Persons desiring to address the Board must first fill out a Request to Speak card and turn it in to the Clerk to the Board. County employees providing information on Consent or Discussion Section items as part of their official duties are not required to complete a Request to Speak card. Upon recognition and introduction by the Chair, the person may speak. Comments made during a Public Hearing must be under oath or affirmation and limited to the topic of the Public Hearing. Comments on Consent or Discussion items, or other topics that may be appropriate for the Board's future consideration, may be addressed at Open to the Public in accordance with the procedures in Section I. 3. In compliance with Section 286.0114, Florida Statutes, to ensure that everyone has a fair opportunity to participate, the following policies are in effect:

- (a) After being recognized, the person shall:
  - step up to the speaker's rostrum and state his/her name;
  - limit comments to three minutes for Open to the Public and five minutes for Public Hearings (unless modified by consensus of the Board);
  - address all remarks to the Board as a body, and not a member thereof, nor the audience;
  - make comments concise and to the point;

- to submit data or evidence into the record, hand these materials to the Sheriff's Deputy to be distributed to the Board and the Clerk to the Board.

- (b) No person may speak more than once on the same subject at the same meeting unless granted permission by the Board.
- (c) 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 in to the Clerk to the Board immediately after speaking.
- (d) A person may not complete a Request to Speak card and then allocate their time to another speaker, such that a single speaker is allotted more time than the designated three- or five-minute limit per speaker.
- (e) No person other than a member of the Board and the person having the floor may be permitted to enter into any discussion, either directly or through a member of the Board, without permission of the Chair. No question may be asked except through the Chair.
- (f) The Chair, subject to concurrence of the majority of the Board, is authorized to modify speaker time limits and otherwise control presentations to avoid repetition.

## **SECTION II - 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 and re-elected Commissioners shall be coordinated by the County Administrator. The County Administrator shall provide an orientation program and additional information as requested for newly elected Commissioners.

**2: Board Chair; Presiding Officer.** The Chair is elected by vote of the Board at the Annual Retreat in December, and the office is effective January 1. The Chair presides at all meetings of the Board 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 Board. The Chair shall:

- (a) Call the meeting to order, having ascertained that a quorum is present;
- (b) Recognize all questions and comments to the Board;
- (c) Preserve order and call to order any member of the Board 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) Reserve comment until the other Commissioners have had an opportunity to discuss the matter pending. If the Chair wishes to make a motion, the gavel must be relinquished. Based upon Robert's Rules of Order, the gavel will be relinquished first to the Vice Chair, then to the Pro Tem, if needed. The gavel shall be returned to the Chair following the disposition of the pending motion.
- (g) Declare the meeting recessed or as appropriate;
- (h) Upon direction of the full Board, 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.~~
- (i) Sign all documents following approval/Board action, with such signing attested by the Clerk to the Board.

**3. Facsimile Signatures.** Upon election of Chair and Vice Chair, they shall execute Affidavits of Manual Signature and Authorization to Affix Facsimile Signature (rubber stamp signature) for filing with the Secretary of State and with the Clerk to the Board. 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 are prohibited on legislative bills and cannot be used on resolutions, contracts or ordinances.

**4: Legislative Program and Communication with Lobbyists.** The County Administrator shall submit annually to the Board a proposed State and Federal Legislative Program. This program shall be based on Board priorities and legislative concerns submitted to the County Administrator by Sarasota County officials and member municipalities. The County will coordinate with the Florida Association of Counties, the Florida League of Cities, legislative and agency staff, as well as other appropriate and relevant associations, to protect the interests of Sarasota County.

- (a) The final State and Federal Legislative Program will be approved at a Board meeting. Copies of the approved Legislative Program shall be submitted to the appropriate Federal and State Legislative Delegation in order to seek favorable legislation and appropriations to further the priorities and goals of Sarasota County. The Chair is authorized to sign correspondence in support of items that appear in the Board-approved Legislative Program.
- (b) As authorized by the Board, the County Administrator or designee 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 Board when such services are to be rendered.
- (c) Professional registered lobbyists and county staff members authorized by the County Administrator to advance the County's Legislative Program shall meet all Federal and State legal requirements and conduct themselves ethically and without 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 Board for inclusion in the adopted Legislative Program.

- (d) In the event of emergency or circumstances of the legislative amendment process, the County Administrator or designee may direct the County staff or lobbyist(s) to take representative action on bills or amendments that would have a favorable impact on Sarasota County. Such emergency authorizations will be reported to the Board in a timely manner. The County Administrator may assign County employees to the legislative tasks (including attendance in Washington, D.C. or Tallahassee, or appearance before legislative or administrative bodies) to promote the Legislative Program.

**5: Board Appointments to Boards and Committees.** Members of the Board serve on various boards and committees (e.g., Tourist Development Council, Regional Planning Council, etc.). Appointments are reviewed and made at the Annual Retreat, held in the month of December.

- (a) A list of previous year appointments will be disseminated to the Board in advance of the meeting so that each Commissioner can determine his/her interest in serving on various boards/committees.
- (b) If there is no nominee or volunteer or if there is more than one volunteer for a vacancy, the Chair will appoint a Commissioner to serve. The Board 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 and Committee Reports.

**6: Creation of Advisory Councils and Appointed Boards.**

- (a) The Board shall have the power to designate or create by ordinance or resolution such advisory commissions, committees, task forces, councils, and appointed boards ("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.
- (b) Members of these Councils shall serve without compensation, unless otherwise specified by ordinance or resolution, and all such Councils shall operate in compliance with Florida's Open Government and Public Records laws.
- (c) All such Councils shall be part of the County government and shall utilize the services of the department most closely concerned with the activity assigned to the Council.

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