



AGENDA REPORT
September 5, 2019

Policy on Board Operating Procedures and AO-23

SUBJECT:

Update and consolidation of Board Policy on Operating Procedures and Administrative Order regarding agendas.

FISCAL IMPACT:

None.

DEPT/OFFICE:

County Attorney Office

REQUESTED ACTION:

Consider proposed policy regarding board operating procedures which incorporates AO-23. Request approval of proposed policy or Board direction.

SUMMARY EXPLANATION and BACKGROUND:

The Board currently has a board policy, a resolution and an administrative order relating to board meetings and agenda preparation. BCC-55 and Resolution 17-231 both address procedures at Board meetings and there are some areas where clarification is needed. BCC-55 incorporates AO-23. The proposed BCC policy, numbered BCC-97, includes language from the Resolution, the existing BCC policy and incorporates AO-23. For the Board's convenience, a version of the proposed BCC policy with underlining has been provided. Resolution 17-231 was inserted into Section III of the new policy. The underlining in that section shows the language that was not in the resolution and you can see the old numbering from the resolution for comparison purposes. In the redlined version of the proposed policy you will also find comments where BCC-55 was inserted into the language from the resolution.

The proposed policy address several areas:

1. clarifies the 3 minute rule for regular agenda items, public comment and legislative public hearings.
2. clarifies the public comment section provides one appearance per meeting, not 2.
3. addresses the citizen request process to allow citizen agenda items via commissioner sponsorship or board direction after public comments.
4. updates language regarding electronic presentations and requires the chair to be copied. The Administrative Order has been amended to conform to the proposed policy direction.

5. the quasi-judicial section was amended to address extension of time or tabling to allow the applicant to submit additional documentation in response to evidence presented by people at the public hearing. The provision regarding submission of additional information has not been used by applicants since it was created. However, in the event the procedure is requested, the policy was amended to clarify the Board could give an extension of time or table at the Board's discretion.

CLERK TO THE BOARD INSTRUCTIONS:

Have the Chair execute the policy upon approval.

ATTACHMENTS:

Description

- **BCC-97 and AO-23 redlined**
- **BCC-97 and AO-23 clean**



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September 6, 2019

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item I.3., Policy on Board Operating Procedures and AO-23

The Board of County Commissioners, in regular session on September 5, 2019, executed Policy BCC-97, Board Operating Procedures; and executed Administrative Order 23. Enclosed are a fully-executed copy of the Policy and Administrative Order.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for Donna Scott
for Tammy Rowe, Deputy Clerk

Encls. (2)

cc: County Attorney
Each Commissioner



BOARD OF COUNTY COMMISSIONERS

POLICY

Number: BCC-97

Approved: (September __, 2019)

Originator: (County Attorney's Office)

Review: (September __, 2022)

TITLE: Board Meeting Rules and Procedures

I. Objective

Provide operating rules and procedures for the Board of County Commissioners to govern the meetings and authority of the Board and its members.

II. Authority

These rules are enacted and adopted under the authority of Section 125.01(1)(a), Florida Statutes. These rules shall be construed in a manner which is consistent with applicable state and federal law and to the extent of any conflict, applicable state or federal law shall prevail.

This BCC policy is intended to supersede Resolution 17-231 of the Board of County Commissioners. This policy shall control over any conflicting provision of BCC-55.

III. Rules and Procedures

A. ***Robert's Rules of Order and Quorum Requirements***

1. The Board of County Commissioners hereby adopts The Scott, Foresman *Robert's Rules of Order*, Newly Revised, 1990 Edition and any future editions of the same, as a guideline for conducting its meetings.
2. No action taken by the Board of County Commissioners shall be deemed invalid or otherwise unlawful for failure to strictly comply with *Robert's Rules of Order*.
3. To the extent of any conflict between rules or policies adopted by the Board of County Commissioners and *Robert's Rules of Order*, the adopted rules or policies of the Board of County Commissioners shall govern.
4. These rules and *Robert's Rules of Order* are subordinate to and governed by any applicable state or federal laws governing quorums, voting, abstention, conflicts of interest, disclosure, public meetings or any other subject matter addressed in *Robert's Rules* or these rules.

5. For the purposes of meeting the requirements of *Robert's Rules of Order*, the Board of County Commissioners hereby establishes the presence of three members as a quorum for any meeting.

6. A motion to table takes priority over other pending motions.

B. Calling and Cancellation of Meetings

1. The time and place of regular meetings of the Board of County Commissioners shall be established by the Board under the authority of Section 125.01(1)(a), Florida Statutes, and Brevard County Code, Section 2-26 through 2-28 and, after January 1, 1995, Section 2.8 of the Brevard County Charter with the following exceptions

a) Zoning Board meetings shall commence no earlier than at 5:00 p.m., unless altered by the Board.

b) Any regular or special meetings shall adjourn no later than 11:00 p.m., unless extended by the Board.

2. Special meetings may be called by the Chair or two or more Commissioners. Special meetings may also be called by the Chair or Vice Chair of the Board of County Commissioners in the event of a bona fide emergency or when necessary, upon advice of counsel, in order to comply with state or federal law.

3. Notice of any regular or special meeting of the Board of County Commissioners shall be provided in accordance with applicable state law and adopted county ordinances. In the event of emergency meetings, the Board shall provide as much notice as is reasonable under the circumstances which shall include, at a minimum, a posting of notice of the meeting as much in advance of the meeting as is possible under the circumstances.

4. Any regular or special meetings may be cancelled by majority vote of the Board of County Commissioners. A special or emergency meeting may be cancelled by the Chair of the Board only under extraordinary circumstances as follows:

a) In the case of an emergency meeting, when the emergency no longer exists as determined by the Chair and the County Manager;

b) When the purpose of the special meeting cannot be fulfilled as determined by the Chair and the County Manager;

c) When holding of the special or emergency meeting would violate state or federal law, as determined by the Chair upon advice from the County Attorney.

5. All meetings must comply with Section 286.011, Florida Statutes, and all other applicable open-government laws, unless otherwise exempt under those laws.

6. Action by the Board of County Commissioners at a special meeting shall be limited to the purpose for which the special meeting was called.

C. Authority of the Chair and Vice-Chair

1. The Chair shall have the authority to conduct the meetings in the manner prescribed by *Robert's Rules of Order*, by this policy and by applicable state or federal law.

2. The Chair shall have the authority to execute such documents, agreements or ordinances as may be authorized by the Board or under applicable state or federal law.

3. The Chair shall have such other authority as may be prescribed by these rules and as may be incidental to the exercise of that authority.

4. The Vice-Chair, upon the out-of-county absence or incapacitation of the Chair, shall have and exercise the authority afforded the Chair. In the event both the Chair and Vice-Chair are absent from the County at a time when a meeting of the County Commission is necessary, due to emergency or otherwise, or in the event that it is necessary for someone to act in behalf of the absent Chair and Vice-Chair, the Chair Pro Tem is hereby declared to be the Commissioner with the lowest district number who is present in the County. In such circumstances, the temporary acting Chair shall have all authority that would otherwise have been vested in the Chair. A Chair Pro Tem can also be elected by the Commission for the purpose of exercising one or more specific functions that cannot be performed by the Chair or Vice-Chair.

D. Agenda

1. The rules governing the preparation, addition to and omissions from the agenda for any regular or special meeting shall be those established by Board of County Commissioners, Agenda Report Procedure Administrative Order Number AO-23, which is incorporated herein by reference.

2. The Chair of the Board shall have the authority to move agenda items in order to expedite the progression of a meeting, or to schedule items for a time certain.
3. The Board may approve, by single motion and a majority vote, all items included on a consent agenda. Any item removed from the consent agenda must be approved by separate motion and majority vote. Items may be removed from the consent agenda for full discussion. Removal of a consent agenda item may be requested at the Board meeting by any Board member, the County Manager, the County Attorney, or an individual filling a card seeking to speak on a specific matter at any time prior to the approval of the entire consent agenda. County Commissioners, the County Manager, and the County Attorney should make an effort, if possible, to communicate the intent to remove an item from the consent agenda before 12:00 noon on the Friday before the meeting at which the item is to be considered. Those items removed from the consent agenda shall be addressed after approval of the consent agenda.
4. Board action on matters requested by a Commissioner, individuals, groups and organizations shall be placed under New Business and identified by the specific action being requested. Citizen requests are items presented by individuals, groups or organizations, and sponsored by a county commissioner or items placed on the agenda after Public Comment and a vote by the Board to place the item on the agenda.
5. Special presentations to the Board by other governmental officials can be scheduled under New Business, or brief presentations not requiring lengthy discussion can be scheduled as a Guest Appearance under Resolutions and Awards.
6. Board meetings may begin with a moment of silence.

E. Public Meetings

1. The procedure and content for conducting all public meetings shall be governed by applicable provisions of state or federal law.
2. Public hearings on items which required advertisement prior to the public meeting may be continued to a date and time certain upon majority vote approving a motion to that effect.
3. All persons wishing to address the Board of County Commissioners regarding an agenda item or public comment at a public meeting shall address the commission by abiding by the following requirements:

- a) Each person shall fill out a card indicating his/her desire to appear on a specified agenda item or public comment and present the card to the person designated by the Board to collect those cards, prior to the discussion of the item.
- b) Every person addressing the Board shall have three minutes to complete his/her remarks on public comment or each agenda item for which he/she has filled out a card. The Chair has the discretion to determine or alter time limits on any item which is not a quasi-judicial public hearing. The Board may vote to amend time limits on public meeting items which are legislative in nature and not quasi-judicial zoning procedures. The time limit shall include any time allocated for video, Power Point or other electronic presentation as described in the section entitled Video, Power Point and other Electronic Presentations.
- c) No person may share or transfer his/her allotted time period on any agenda item to any other person.
- d) All remarks shall be made to the Board as a body. Any questions raised shall be addressed to the Chair and no speaker shall address any individual Commissioner without obtaining the permission of the Chair. All questions directed to members of the Board shall be addressed through the chair, unless the speaker has been asked a direct question by a particular Commissioner.
- e) Personal, obscene or slanderous remarks shall not be permitted.
- f) Any speaker may supplement his/her presentation by presenting written comments to the Board.
- g) All new evidence or documentation which is not presented to the Planning & Zoning Board shall be submitted to the County staff at least two weeks prior to the date of the public hearing at which the Board of County Commissioners will consider the matter. In the event new materials are submitted at the public hearing, the new materials shall constitute grounds for the Board of County Commissioners to continue the item to the next zoning meeting or for a minimum of thirty (30) days to consider the new evidence submitted.

h) In cases of appeals of administrative interpretations and vested rights determinations and zoning cases, as determined by the Board, where it is apparent that a particular issue is controversial and subject to objections or opposing evidence, or is denied, the Board of County Commissioners may adopt a resolution stating its determination. The resolution shall be drafted upon the vote of the Board of County Commissioners after the close of the public hearing and returned to the Board of County Commissioners for final adoption at a publicly advertised meeting as a consent item. Any party affected by the Board of County Commissioners decision on an appeal of an administrative interpretation, vested rights determination, or zoning case shall have 30 days from the date the resolution is executed to file an appeal in the circuit court.

4. Quasi-judicial Hearings, or public hearings at which applications for rezoning, site-specific land use amendments or other site-specific development orders are considered shall be governed by the procedures set forth above under Public meetings and as supplemented by the following procedures. The time limits provided for quasi-judicial hearings are in lieu of the time limits provided under Section E (3) (b) above. Video, Power Point and electronic presentations shall be included within the time limits provided below.

a) The administrative staff shall present a summary of the application.

b) The applicant shall have a choice of being given a total of 15 minutes to present its application or dividing the 15 minutes between multiple persons. If the applicant chooses the 15 minutes option, the applicant may, in any manner it deems appropriate, divide the 15 minutes between its initial application and any rebuttal it may wish to present. The applicant shall be allowed to cross examine other speakers at the end of the speaker's presentation on material and relevant issues. The time required for the cross examination shall be deducted from the total amount of time allotted to the applicant. If the applicant chooses to use the entire 15 minutes for the initial presentation, the applicant will be deemed to have waived any right or opportunity for cross examination of other speakers. In addition to, or in lieu of cross examination, the applicant may request an additional seven (7) days beyond the date of the hearing to submit evidence in rebuttal of testimony presented by persons presenting evidence in opposition to the applicants and tabling of the item to allow consideration of the submission. The Board has the discretion to allow additional time for cross examination or tabling.

c) Any person who has filled out a card, as provided for above, and who is interested in addressing the Board of County Commissioners on the matter under consideration, shall be given five minutes within which to make his/her presentation.

d) At the conclusion of the five-minute presentations by all persons filling out cards, the applicant shall be given whatever time period has been reserved within which to rebut any arguments, facts or positions presented during the public hearing.

e) At the conclusion of the presentations made by the staff, the applicant and any speakers, the Board of County Commissioners shall submit the matter under consideration to discussion among the Board members. Any Board member may ask any question of the applicant or staff or any other person. At the conclusion of the discussion of the matter, the applicant shall be given an additional two minutes to rebut any facts, positions or information presented in response to questions posed during the discussion.

f) Any documentary or physical evidence presented to the Board of County Commissioners in support of, or in opposition to, an application shall be offered into the record by submitting a copy of the same to the Clerk to the Board, who shall keep such documentary and physical evidence as part of the record of the proceeding. It shall be the responsibility of the party offering the evidence to make sure that it is received by the Clerk to the Board as part of the record. The staff report presented on any application and all applicable Brevard County codes and ordinances shall be deemed part of the record in all applications considered by the Board.

g) In cases of appeals of administrative interpretations and vested rights determinations and zoning cases as determined by the Board, the Board of County Commissioners may adopt a resolution stating its determination. The resolution shall be drafted upon the vote of the Board of County Commissioners after the close of the public hearing and returned to the Board of County Commissioners for final adoption at a continuation of the public hearing. Any party affected by the Board of County Commissioners decision on an appeal of an administrative interpretation shall have 30 days from the date the resolution is executed to file an appeal in the circuit court.

h) It shall be the responsibility of any person deciding to appeal any decision made by the Board of County Commissioners with respect to any matter considered at a public hearing under this section, to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which any such appeal is to be based. It shall further be the responsibility of any such person to ensure that the Clerk to the Board receives copies of any such transcript or evidence.

5. Any person, not otherwise prohibited by statute, Charter provision, or ordinance, may discuss, with any Board member, any matter on which action may be taken by the Board of County Commissioners whether the matter is quasi-judicial in nature or not. If the matter is quasi-judicial (rezoning, site specific plan amendment, development of regional impact or appeal of administrative interpretation) the following procedures must be complied with in order to remove any presumption of prejudice which may arise from the ex parte communication with the County Commission member. In addition, as to appeals of administrative interpretations, staff conferences shall be disclosed as described below.

a) the subject of the communication and the identity of the person, group, or entity with whom the communication took place, must be disclosed and made a part of the record before the final action on the matter.

b) written communications must be made a part of the record before final action on the matter;

c) the existence of investigations, site visits, or expert opinions obtained on a particular matter must be made a part of the record before final action on the matter;

d) the law requires the disclosures made pursuant to paragraphs (a), (b), and (c) to be made before or during the public meeting at which the vote is taken on such matters so that persons who have opinions contrary to those expressed in the ex parte communications are given reasonable opportunity to refute or respond to the communication. The Board chooses to use a uniform system for reporting and disclosing such contacts. Prior to the meeting, all commissioners shall provide a written summary of any ex parte contact with any applicants or citizens on any item on the agenda. The summary shall contain the names of the people who met with the commissioner, the location of the meeting and the topics discussed in the meetings. The written summary shall be sent to the Zoning Director to be placed in the official zoning file. In the event such disclosure is not provided prior to the meeting, the disclosure may

be made at the public hearing immediately before the item is heard by the Board of County Commissioners.

F. Resolutions, Awards and Presentations

1. Requests for presentation of resolutions and/or awards must be made with a Commission Office or the County Manager and scheduled as part of the agenda under the heading of Resolutions, Awards and Presentations. Requests should be directed to a Commission Office or County Manager. A written summary, with appropriate supporting or background material, is required to be included.
2. A Guest Appearance may be scheduled for an individual to make a brief presentation under Resolutions, Awards and Presentations by a Commissioner, County Manager or County Attorney.

G. Public Comments

1. The agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each Regular County Commission Meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a pink card asking to be heard. Any speaker not heard during the first thirty minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment period. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report.

H. Rules of Decorum for Members of the Public Addressing the Board.

1. **Addressing the Board/Subject Matter.** Speakers who wish to address the Board, whether on an agenda item or under public comment, shall fill out a card specifying the agenda item or subject they wish to address.
 - a) Any person addressing the Board on an agenda item shall limit his or her comments to the agenda item that has been specified in the card filled out by the speaker.

b) A speaker shall limit comments made during public comment to matters that are within the control, authority and jurisdiction of the County Commission and to those items where the Board has traditionally expressed a position for the betterment of the community interest.

2. Rules of Decorum

a) The County Commission declares it to be Board policy to promote the maximum participation in County affairs by affected or interested citizens in accordance with the First Amendment protections guaranteed under the United States Constitution. However, it is also the Board policy, to the fullest extent possible, to protect individuals from comments that assault their character. In furtherance of that policy, no person who addresses the County Commission shall make slanderous, profane or other remarks that are not protected by the First Amendment, with full recognition that public figures are not subject to the same degree of protection from critical comments as other individuals.

b) In the event serious allegations of misconduct or incompetence are alleged against any County employee, the Board may abate the matter and request the County Manager to investigate the allegations. The Board shall also offer the employee, at the employee's discretion, the opportunity to be present during the proceeding in order to address the allegations. The County Manager may offer the County employee administrative leave to allow the employee the opportunity to investigate the allegation and appear at a subsequent meeting to address such allegations.

c) Persons speaking under the public comment portion of the agenda may address topics or issues under the jurisdiction or control of the County Commission or that are relevant to business of the County Commission.

d) It is the policy of the Board of County Commissioners to respect minority views as well as differing opinions conclusions backgrounds and beliefs. The Board finds that input from differing perspectives enriches public discussion and helps to build a better consensus. It is therefore the objective of the Board to conduct business in a manner that facilitates and encourages the presentation of diverse views while maintaining civility during all Board proceedings.

e) Since the County Commission has no jurisdiction or authority over the charging of prosecution of criminal violations any allegation of criminal behavior against a person or organization should be presented to the State Attorney, Sheriff or other law enforcement agency with jurisdiction. The foregoing sentence shall not be construed to restrict, prohibit or affect the ability of any person to bring to the attention of the County Commission possible violations of the Code of Ethics for Public Officers and Employees, the Florida Sunshine Law, the Florida Public Records Law, other laws relating to county business, or violations of other laws over which the Commission has jurisdiction or authority to take corrective action.

I. Video, Power Point and other Electronic Presentations

Video, Power Point and other electronic presentations are to be limited to no longer than three minutes, and must be reviewed by County production staff, the Chair and the County Manager no less than twenty-four (24) hours prior to the meeting to ensure that the Board, live and broadcast audiences are not subjected to unsuitable videos which could contain material considered in conflict with accepted community standards regarding obscenity and pornography.

1. Only a separately stored video, Power Point or electronic presentation, of no more than three (3) minutes in length, will be accepted. Lengthy presentations for more than one presenter that require stopping and starting the same tape will not be accepted.
2. A person presenting a video, Power Point or other electronic presentation must state so on the speaker's card. The presenter must be familiar with the content of the presentation or video and be able to address any questions relating to the presentation or video that may be raised by the Board, staff, or other citizens.
3. Any video, Power Point or other presentation that contains news footage, broadcast or organization/ agency/ commercial programming will not be shown unless presenter provides a written waiver for re-broadcast use from the entity holding the copyright.
4. No video, Power Point, or other electronic presentation promoting a commercial enterprise will be shown unless related to relevant agenda items.

J. Ordinances and Resolutions

1. All ordinances and resolutions shall be adopted in the manner prescribed by law.
2. All notices required to be published for re-zonings or site-specific land use amendments shall state the specific action being requested of the Board. Such notice shall also indicate that the Board may grant "such other less intense zoning or land use classification as may be deemed appropriate.

K. Suspension of Rules

1. Any provision of these rules, including the provisions of Robert's Rules of Order as incorporated by these rules, may be suspended by majority vote of the Board of County Commissioners to the extent that such a suspension would not be inconsistent with applicable law.

L. By-Laws

These procedures shall be considered by-laws for the purposes of Robert's Rules of Order.

M. Reservation of Authority

The authority to issue and/or to revise or waive this policy is reserved to the Board of County Commissioners.

ATTEST:



Scott Ellis, Clerk



Kristine Isnardi, Chair

Board of County Commissioners

As approved by the Board on September 5,
2019



ADMINISTRATIVE ORDER

TITLE: AGENDA REPORT PROCEDURE

NUMBER: A0-23

CANCELS: 03/01/2018

APPROVED: 09/05/2019

ORIGINATOR: County Manager

REVIEW: 09/05/2022

I. PURPOSE AND SCOPE

To ensure proper preparation and distribution of Agenda Report Forms, Agendas, and back-up information for all Board of County Commissioners meetings. To ensure that Agenda information is provided in a uniform format.

II. DEFINITIONS AND REFERENCES

- A. Form BCC-149, Agenda Report Form (see Exhibit A).
- B. A0-29 Contract Administration Initial Contract Form (see Exhibit B).
- C. Agenda - Final list of items to be considered by Board of County Commissioners, available at the Board meeting (see Exhibit C).
- D. Advanced Agenda - Initial generated list of items to be considered by Board of County Commissioners, generally available one week prior to Board meeting.
- E. Agenda Package - Agenda Reports assembled in approved format for one specific Board meeting.
- F. Approved Agenda Format - Board approved order of the Agenda sections and the Department/Offices.
- G. Legistar Agenda - Agenda Software used to create and approve/review agenda items and build the final Agenda.

III. RESPONSIBILITY

- A. It shall be the responsibility of the County Manager or designee to approve all Agenda Reports, assemble the Agenda in the approved format and notify the Clerk to the Board.
- B. It shall be the responsibility of the County Manager or designee to submit a yearly schedule for Board meetings in advance and obtain Board approval for such schedule.
- C. It shall be the responsibility of the Department/Office Director to ensure that Agenda Reports for all Departments and Offices are reviewed, free from grammatical and spelling errors, and entered into the Agenda Software on or before the established due date and time.
- D. The Clerk to the Board shall be responsible for:
 - 1. Distribution of Board Minutes to designated Departments/Offices and others.
 - 2. Recording and distribution of actions taken on Agenda Items.

IV. AGENDA REPORT FORM

- A. Agenda Category: This section should be completed by the Department or Office originating the Agenda Report. One of the following designations should be used:
- a. **Board Reports** - Used by the Commission Offices, County Attorney, and/or the County Manager to inform the Board on items of business that is not a part of the regular agenda. Department/Offices **do not** use this designation without the approval of the appropriate person listed above.
 - b. **Resolutions, Awards, and Presentations** - This section of the Agenda is used for presentation of awards and resolutions in which an individual or group personally appears before the Board. A written summary, with appropriate supporting or background material, must be included. Write the resolution to state the Board or supports the resolution. (Do not use the term unanimously approves or unanimously supports) The Department/ Office is responsible for providing draft resolutions for the Clerk to the Board to process and an Agenda report to accompany any Resolution/ Award and the correct District that will be sponsoring the resolution.
 - c. **Consent** - Used for routine matters requiring Board approval. Consent items are approved at one time. Items requiring discussion should not be scheduled here. Those items which list options for the Board to consider cannot be placed under Consent and must be placed under new Business. Departments must select the correct consent (CA) category that matches their department, i.e. CA - <department name>.
 - d. **Public Hearings** - Used for any Board action legally requiring a Public Hearing. Originating Departments/Offices are required to obtain prior Board or County Manager approval to advertise a Public Hearing. The Agenda Report is submitted during the regular submittal period for all Public Hearings, with proof of advertisement and the memo from the Clerk to the Board's office authorizing the Public Hearing by the Board of County Commissioners attached. The Notice of Intent to advertise must be faxed to the Clerk to the Board at the same time it is faxed or forwarded to the newspaper. The proof of advertisement must be forwarded to the Clerk to the Board as soon as received.
 - e. **New Business** - Used for any new items or matters that will require discussion by the Board, staff, or others prior to approval, denial or other action. Also used for any Add-On items and Citizen's requests. To be placed on the agenda, citizen requests must be sponsored by a county commissioner. Citizen requests shall be placed on the agenda if the County Manager finds the item relates to County business. A citizen may request permission to place an item rejected by the County Manager or not sponsored by a county commissioner by making an appearance under Public Comment. If the Board votes to approve placement of the Citizen Request on the next Board agenda, the County Manager shall do so. Any items for any projects that exceed the cost of \$250,000 shall be put on the Agenda under New Business. Departments must select the correct new business (NB) category that matches their group, i.e. NB – Community Services Group.
 - f. **Unfinished Business** - Used when the Board tables or defers action on any Agenda Report from a previous meeting excluding Public Hearing items. The County Manager's Office or designee will automatically schedule such items in the Unfinished Business Section when tabled to a specific meeting. The Agenda Report and exhibits from the previous meeting will be used again unless the originating Department or Office prepares a new Report. The originator of the Agenda Report will send updated information before the Agenda Report deadline for the meeting the item was tabled to.
 - g. **Public Comments** - The agenda shall provide two sections for public comment for the purpose of allowing comment on any topic of County business by individuals on matters not on the meeting agenda, Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. The Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.

- B. Title: This should be short, as it will appear on the agenda just as it is entered in the Agenda Software. The title should not be in all capital letters or bold fonts and should not use acronyms.
- C. Subject: The subject is a brief description of the item to be considered by the Board including the District, and should correlate with the "Requested Action". The subject should not be in all capital letters or bold fonts and should not use acronyms. The subject should follow this format: (Item before the Board), Re: (Brief description of program services, etc.)

Examples:

- Discussion, Re: Impact Fee Program
- Agreement with CH2m Hill, Re: Resource Recovery Program Resolution, Re: Establishing Indigent Health Program Fees.
- Ordinance, Re: Swimming Pool Set Back Requirements
- Award of Bid# b-5-8-1 and agreement, Re: Construction of Fire Station 21
- Permission to advertise Public Hearing, Re: Revised Rules to the Aluminum Construction Manual.
- Citizen Request/ Miscellaneous/ (insert name) District Number. Also, include the Contact person / business subject of the Citizen Request if the request relates to a 2nd party. A Citizen Request should have a staff report attached.

Originators of Agenda Reports should ensure that the Report refers to the proper title of the attached document; i.e., a contract not an agreement. If there are two or more documents, such as a resolution and an agreement, all should be identified in the title. Additionally, if there are two subjects that require action of the Board they should be referenced.

- D. Fiscal Impact: If the action requires approval of funding, the Agenda Report form must specify the Fund/Account and Cost Code, as well as the "name" of the Fund and Account, and the fund balance of the account. All Agenda Reports shall contain a Fiscal Impact Statement and all Agenda Reports should include the "Fiscal Impact Analysis"
- E. Requested Action: This section shall include the action that is necessary for the Board to take in order to meet the intent of the agenda item. This must be specific and include the following, if applicable.

It is requested that the Board of County Commissioners...

SPECIFIC ACTION	SPECIFIC DOCUMENTS OR NAME	SPECIFIC SERVICES/PROGRAM
Approve	An agreement with Brevard Community College	For use of Classroom space for 1997098 in the amount o \$50,000.
Authorize	Grant application to Florida Dept. of Transportation	For Public Transit Block Grant funding of \$250,000
Award of Bid	B-5-9-57 (Name of Service/Commodity)	For...
Appoint	John Smith	To the Resource Recover Advisory Board
Request by Board	A follow up action	\$

The requested action should also include the following when applicable:

- Approval for the Chair or County Manager to execute the document
- Appropriate date and time frames

- If the item is a renewal of existing agreement
- Approval of any items or documents that the Chair or County Manager must sign after the item is approved

The Requested Action section of the Agenda Report cannot be continued in an attachment. Ensure that the action is clear and concise.

The requested action is the beginning point of Board discussion and often results in the language used by the Clerk to the Board in the official minutes.

- F. Summary Explanation and Background: In this area, all background information, analysis of the issue, and justification for the recommendation should be included. The questions of who, what, when, where, why and how much should be answered. If a Contact Person is different from the Department/Office Director, the appropriate telephone number and e-mail address should be placed at the end of this section.
- G. Clerk to the Board Instructions: Special instructions to the Clerk to the Board (e.g. need two original signed copies) should also be noted in this section.
- H. Meeting Date: This section should be completed by the Department or Office originating the Agenda Report.
- I. Attachments: All exhibits attached to the agenda form should be itemized in this area. Any table data must be an attachment and not included in any of the above sections.
- J. Agenda Item Number: This section will be automatically calculated by the Agenda Software. The designations will be assigned according to the Board approved format (See Exhibit C).
- K. Reviewed By: This section will be automatically created by the Agenda Software. The designations will be generated according to the routing selected by the department/office.
1. County Manager's Office - The County Manager or designee's approval will be noted at the end of each agenda report. Where applicable the Assistant County Manager's names will be noted at the end of each agenda report.
 2. Department - The Department/Office Directors and/or Managers will be noted at the end of each agenda report.
- L. Other Information:
1. All original documents requiring signatures by the Chair of the Board of County Commissioners and the Clerk of the Courts should be provided to the Agenda Coordinator before the meeting with "sign here" and corresponding Agenda number.
 2. If a document is not available at the time the Board approves and authorizes the Chair to execute, the document shall be forwarded to the County Manager, with a memo requesting the Chair's signature. All requests for the Chair's signature after the date of the Board Meeting should include a memo from the Clerk to the Board, authorizing execution. The County Manager or designee shall arrange for signature. All documents will be forwarded to the Clerk to the Board after the Chair signs. If other handling is required, the memo shall state the specific handling requested. Requests to the Chair to sign documents will proceed after coordination with the County Manager's and the County Attorney's Offices.
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5. All documents should be completely filled out, including Chair and Clerk's names for signature and the expected approval date. The line "as approved by the Board On _____" shall be added to all documents requiring Chair's signature. This shall be placed immediately below the signature line.
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V. THE AGENDA PROCESS

- A. Deadlines for Agenda Reports: The Board of County Commissioners approves a yearly calendar of Regular Meetings, Workshops, and Zoning meetings. Deadlines for Agenda Reports to be in the County Manager's Office shall be published and distributed to Department/Office Directors. Department/Office Directors shall establish, publish and distribute a list of deadline dates for all programs based on the County Manager's list.

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VI. RESERVATION OF AUTHORITY

The authority to issue and/or revise this Administrative Order is reserved for the County Manager.



Frank Abbate, County Manager Date

EXHIBIT A



AGENDA REPORT

Meeting Date

Category:	<input type="text" value="Select Category"/>
Title:	<input type="text"/>
Subject:	<input type="text"/>
Fiscal Impact:	<input type="text"/>
Dept/Office:	<input type="text"/>
Requested Action:	<input type="text"/>
Summary Explanation and Background:	<input type="text"/>
Clerk to the Board Instructions:	<input type="text"/>
Attachment Descriptions:	<input type="text"/>
Department Reviewer:	<input type="text"/>
ACM Reviewer:	<input type="text"/>
County Manager Reviewer:	<input type="text"/>
County Attorney Reviewer:	<input type="text"/>

EXHIBIT B

BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

EMAIL FORM

INITIAL CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor:	
2. Fund/Account #:	3. Department Name:
4. Contract Description:	
5. Contract Monitor:	7. Contract Type:
6. Dept/Office Director:	Select from pulldown: <input type="text"/>

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

SECTION III - REVIEW AND APPROVAL TO EXECUTE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status	<input type="checkbox"/>
Contract Title	<input type="checkbox"/>
Contract Type	<input type="checkbox"/>
Contract Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date	<input type="checkbox"/>
Contract Effective Date	<input type="checkbox"/>
Contract Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Initial Contract Form with County Attorney/ Risk Management Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored Items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>

EXHIBIT C

AGENDA

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
GOVERNING BOARD OF THE BREVARD MOSQUITO CONTROL DISTRICT
GOVERNING BOARD OF THE BAREFOOT BAY WATER AND SEWER DISTRICT
Government Center Commission Room, Building C
2725 Judge Fran Jamieson Way
Viera, Florida

DATE

IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE THREE (3) MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.

THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIR TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT AND OTHER AGENDA ITEMS THAT ARE NOT QUASI-JUDICIAL PUBLIC HEARINGS

IN QUASI-JUDICIAL PROCEEDINGS, FIFTEEN (15) MINUTES SHALL BE ALLOWED FOR APPLICANTS AND FIVE (5) MINUTES FOR OTHER SPEAKERS.

- 9:00 a.m. A. CALL TO ORDER
- B. MOMENT OF SILENCE
- C. PLEDGE OF ALLEGIANCE:
- D. MINUTES FOR APPROVAL: <http://brevardclerk.us/meeting-minutes>
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS (LESS THAN 5 MINUTES)
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)

Development and Environmental Services Group

Merritt Island Redevelopment Agency

Mosquito Control

Natural Resources Management Department

North Brevard Economic Development Zone

Planning and Development Department

Public Works Department

Solid Waste Management Department

AGENDA

-2-

DATE

Utility Services Department

Valkaria Airport

Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

Tourism Development Department

Transit Services Department

University of Florida; Brevard County Extension

Public Safety Services

Emergency Management

Fire Rescue

Medical Examiner

Public Safety Office

Support Services Group

Budget

Central Services

Communications/ SCGTV

Human Resources

Information Technology

Administrative Services Group

County Attorney

County Manager

Miscellaneous

G. PUBLIC COMMENTS (30 minutes)

H. PUBLIC HEARINGS

I. UNFINISHED BUSINESS

AGENDA

-3-

DATE

J. NEW BUSINESS

Development and Environmental Services Group

Community Services Group

Public Safety Group

Support Services Group

County Attorney

County Manager

Miscellaneous

K. PUBLIC COMMENTS (Comments may not address subsequent Agenda Items. Speakers are allowed 3 minutes.)

L. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)

1. Frank Abbate, County Manager
2. Eden Bentley, County Attorney
3. Rita Pritchett, District 1 Commissioner
4. Bryan Lober, District 2 Commissioner, Vice-Chair
5. John Tobia, District 3 Commissioner
6. Kristine Isnardi, District 5 Commissioner, Chair
7. Curt Smith, District 4 Commissioner

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010. Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Bright House Networks Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at www.brevardfl.gov The Advanced Agenda may be viewed at: www.BrevardFL.gov/onlineagendas

In accordance with Resolution 92014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to

AGENDA

-4-

DATE

comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of Business specified on the regular Commission agenda. With the exception of emergency items, The Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.



ADMINISTRATIVE ORDER

TITLE: AGENDA REPORT PROCEDURE **NUMBER:** A0-23
CANCELS: 03/01/2018~~08/28/2017~~
APPROVED: 09/05/2019~~03/01/2018~~
ORIGINATOR: County Manager
REVIEW: 09/05/2022~~03/01/2021~~

I. PURPOSE AND SCOPE

To ensure proper preparation and distribution of Agenda Report Forms, Agendas, and back-up information for all Board of County Commissioners meetings. To ensure that Agenda information is provided in a uniform format.

II. DEFINITIONS AND REFERENCES

- A. ~~Resolution 2016-101~~
- B. ~~Resolution 2014-210~~
- G.A. Form BCC-149, Agenda Report Form (see Exhibit A).
- D.B. A0-29 Contract Administration Initial Contract Form (see Exhibit B).
- E.C. Agenda - Final list of items to be considered by Board of County Commissioners, available at the Board meeting (see Exhibit C).
- F.D. Advanced Agenda - Initial generated list of items to be considered by Board of County Commissioners, generally available one week prior to Board meeting.
- G.E. Agenda Package - Agenda Reports assembled in approved format for one specific Board meeting.
- H.F. Approved Agenda Format - Board approved order of the Agenda sections and the Department/Offices.
- I.G. ~~Legistar~~ News Agenda - Agenda Software used to create and approve/review agenda items and build the final Agenda.

III. RESPONSIBILITY

- A. It shall be the responsibility of the County Manager or designee to approve all Agenda Reports, assemble the Agenda in the approved format and notify the Clerk to the Board.
- B. It shall be the responsibility of the County Manager or designee to submit a yearly schedule for Board meetings in advance and obtain Board approval for such schedule.
- C. It shall be the responsibility of the Department/Office Director to ensure that Agenda Reports for all Departments and Offices are reviewed, free from grammatical and spelling errors, and entered into the Agenda Software on or before the established due date and time.
- D. The Clerk to the Board shall be responsible for:
 - 1. Distribution of Board Minutes to designated Departments/Offices and others.
 - 2. Recording and distribution of actions taken on Agenda Items.

IV. AGENDA REPORT FORM

- A. Agenda Category: This section should be completed by the Department or Office originating the Agenda Report. One of the following designations should be used:
- a. **Board Reports** - Used by the Commission Offices, County Attorney, and/or the County Manager to inform the Board on items of business that is not a part of the regular agenda. Department/Offices **do not** use this designation without the approval of the appropriate person listed above.
 - b. **Resolutions, Awards, and Presentations** - This section of the Agenda is used for presentation of awards and resolutions in which an individual or group personally appears before the Board. A written summary, with appropriate supporting or background material, must be included. Write the resolution to state the Board or supports the resolution. (Do not use the term unanimously approves or unanimously supports) The Department/ Office is responsible for providing draft resolutions for the Clerk to the Board to process and an Agenda report to accompany any Resolution/ Award and the correct District that will be sponsoring the resolution.
 - c. **Consent** - Used for routine matters requiring Board approval. Consent items are approved at one time. Items requiring discussion should not be scheduled here. Those items which list options for the Board to consider cannot be placed under Consent and must be placed under new Business. Departments must select the correct consent (CA) category that matches their department, i.e. CA - <department name>.
 - d. **Public Hearings** - Used for any Board action legally requiring a Public Hearing. Originating Departments/Offices are required to obtain prior Board or County Manager approval to advertise a Public Hearing. The Agenda Report is submitted during the regular submittal period for all Public Hearings, with proof of advertisement and the memo from the Clerk to the Board's office authorizing the Public Hearing by the Board of County Commissioners attached. The Notice of Intent to advertise must be faxed to the Clerk to the Board at the same time it is faxed or forwarded to the newspaper. The proof of advertisement must be forwarded to the Clerk to the Board as soon as received.
 - e. **New Business** - Used for any new items or matters that will require discussion by the Board, staff, or others prior to approval, denial or other action. Also used for any Add-On items and Citizen's requests. To be placed on the agenda, citizen requests must be sponsored by a county commissioner. Citizen requests shall be placed on the agenda if the County Manager finds the item relates to County business. A citizen may request permission to place an item rejected by the County Manager or not sponsored by a county commissioner by making an appearance under Public Comment. If the Board votes to approve placement of the Citizen Request on the next Board agenda, the County Manager shall do so. Any items for any projects that exceed the cost of \$250,000 shall be put on the Agenda under New Business. Departments must select the correct new business (NB) category that matches their group, i.e. NB – Community Services Group.
 - f. **Unfinished Business** - Used when the Board tables or defers action on any Agenda Report from a previous meeting excluding Public Hearing items. The County Manager's Office or designee will automatically schedule such items in the Unfinished Business Section when tabled to a specific meeting. The Agenda Report and exhibits from the previous meeting will be used again unless the originating Department or Office prepares a new Report. The originator of the Agenda Report will send updated information before the Agenda Report deadline for the meeting the item was tabled to.
 - g. **Public Comments** - The agenda shall provide two sections for public comment for the purpose of allowing comment on any topic of County business by individuals on matters not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. The Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.
- B. Title: This should be short, as it will appear on the agenda just as it is entered in the Agenda Software. The title should not be in all capital letters or bold fonts and should not use acronyms.

- C. Subject: The subject is a brief description of the item to be considered by the Board including the District, and should correlate with the "Requested Action". The subject should not be in all capital letters or bold fonts and should not use acronyms. The subject should follow this format: (Item before the Board), Re: (Brief description of program services, etc.)

Examples:

- Discussion, Re: Impact Fee Program
- Agreement with CH2m Hill, Re: Resource Recovery Program Resolution, Re: Establishing Indigent Health Program Fees.
- Ordinance, Re: Swimming Pool Set Back Requirements
- Award of Bid# b-5-8-1 and agreement, Re: Construction of Fire Station 21
- Permission to advertise Public Hearing, Re: Revised Rules to the Aluminum Construction Manual.
- Citizen Request/ Miscellaneous/ (insert name) District Number. Also, include the Contact person / business subject of the Citizen Request if the request relates to a 2nd party. A Citizen Request should have a staff report attached.

Originators of Agenda Reports should ensure that the Report refers to the proper title of the attached document; i.e., a contract not an agreement. If there are two or more documents, such as a resolution and an agreement, all should be identified in the title. Additionally, if there are two subjects that require action of the Board they should be referenced.

- D. Fiscal Impact: If the action requires approval of funding, the Agenda Report form must specify the Fund/Account and Cost Code, as well as the "name" of the Fund and Account, and the fund balance of the account. All Agenda Reports shall contain a Fiscal Impact Statement and all Agenda Reports should include the "Fiscal Impact Analysis"
- E. Requested Action: This section shall include the action that is necessary for the Board to take in order to meet the intent of the agenda item. This must be specific and include the following, if applicable.

It is requested that the Board of County Commissioners...

SPECIFIC ACTION	SPECIFIC DOCUMENTS OR NAME	SPECIFIC SERVICES/PROGRAM
Approve	An agreement with Brevard Community College	For use of Classroom space for 1997098 in the amount of \$50,000.
Authorize	Grant application to Florida Dept. of Transportation	For Public Transit Block Grant funding of \$250,000
Award of Bid	B-5-9-57 (Name of Service/Commodity)	For...
Appoint	John Smith	To the Resource Recover Advisory Board
Request by Board	A follow up action	\$

The requested action should also include the following when applicable:

- Approval for the Chair or County Manager to execute the document
- Appropriate date and time frames
- If the item is a renewal of existing agreement
- Approval of any items or documents that the Chair or County Manager must sign after the item is

approved

The Requested Action section of the Agenda Report cannot be continued in an attachment. Ensure that the action is clear and concise.

The requested action is the beginning point of Board discussion and often results in the language used by the Clerk to the Board in the official minutes.

- F. Summary Explanation and Background: In this area, all background information, analysis of the issue, and justification for the recommendation should be included. The questions of who, what, when, where, why and how much should be answered. If a Contact Person is different from the Department/Office Director, the appropriate telephone number and e-mail address should be placed at the end of this section.
- G. Clerk to the Board Instructions: Special Instructions to the Clerk to the Board (e.g. need two original signed copies) should also be noted in this section.
- H. Meeting Date: This section should be completed by the Department or Office originating the Agenda Report.
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VI. RESERVATION OF AUTHORITY

The authority to issue and/or revise this Administrative Order is reserved for the County Manager.

Frank Abbate, County Manager Date

EXHIBIT A



AGENDA REPORT

Meeting Date:

Category:	<input type="text" value="Select Category"/>
Title:	<input type="text"/>
Subject:	<input type="text"/>
Fiscal Impact:	<input type="text"/>
Department:	<input type="text"/>
Requested Action:	<input type="text"/>
Summary Explanation and Background:	<input type="text"/>
Clerk to the Board Instructions:	<input type="text"/>
Attachment Descriptions:	<input type="text"/>
Department Reviewer:	<input type="text"/>
ACM Reviewer:	<input type="text"/>
County Manager Reviewer:	<input type="text"/>
County Attorney Reviewer:	<input type="text"/>

EXHIBIT B

BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

EMAIL FORM

INITIAL CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor	
2. Fund/Account #:	3. Department Name:
4. Contract Description:	
5. Contract Monitor:	7. Contract Type:
6. Dept/Office Director:	Select from pull-down: <input type="text"/>

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

SECTION III - REVIEW AND APPROVAL TO EXECUTE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete <input checked="" type="checkbox"/>
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contract Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status	<input type="checkbox"/>
Contract Title	<input type="checkbox"/>
Contract Type	<input type="checkbox"/>
Contract Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date	<input type="checkbox"/>
Contract Effective Date	<input type="checkbox"/>
Contract Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Initial Contract Form w/ County Attorney/ Risk Management Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right to Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored Items; Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>

EXHIBIT C.



Board of County Commissioners Meeting
AGENDA
Commission Chambers
2725 Judge Fran Jamieson Way
Viera, FL
September 12, 2017

IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE ~~FIVE~~ THREE (3) MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.

THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIRMAN TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT.

AND OTHER AGENDA ITEMS THAT ARE NOT QUASI-JUDICIAL PUBLIC HEARINGS.

IN QUASI-JUDICIAL PROCEEDINGS, FIFTEEN (15) MINUTES SHALL BE ALLOWED FOR APPLICANTS AND FIVE (5) MINUTES FOR OTHER SPEAKERS.

9:00 a.m.

- A. CALL TO ORDER
- B. INVOCATION District 5
- C. PLEDGE OF ALLEGIANCE
- D. MINUTES FOR APPROVAL
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS
- F. CONSENT AGENDA - (The entire Consent Agenda will be passed in one motion to include everything under Section II.)
 - Development and Environmental Services Group
 - Natural Resources Management
 - Planning and Development
 - Public Works Department
 - Solid Waste Management
 - Utility Services Department

Note for clarification - Groups and Departments reordered due to agenda software.

Valkaria Airport

~~6~~

Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

Tourism

Transit Services Department

University of Florida; Brevard County Extension

~~8~~

Public Safety and Support Services Group

Central Services

Emergency Management

Fire Rescue

Human Resources

Information Technology

SCGTV

~~9~~

Administrative Services Group

Budget

County Attorney

County Manager

Miscellaneous

~~6~~

PUBLIC COMMENTS

~~6~~

PUBLIC HEARINGS

~~6~~

UNFINISHED BUSINESS

~~6~~

NEW BUSINESS

~~6~~

Development and Environmental Services Group

~~6~~

Community Services Group

~~6~~

Public Safety and Support Services Group

~~6~~

County Attorney

County Manager
Miscellaneous
K. PUBLIC COMMENTS (Comments may not address subsequent Agenda Items. Speakers are allowed 3 minutes.)

BOARD REPORTS AND PRESENTATIONS

In accordance with the Americans with Disabilities Act and Section 288.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 400, Comcast (North Brevard) Cable Channel 81, and Comcast (South Brevard) Cable Channel 13. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at <https://brevardfl.gov/agenda>

In accordance with Resolution 2014-210 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.



BOARD OF COUNTY COMMISSIONERS

POLICY

Number: BCC-97

Approved: (September August __, 2019)

Originator: (County Attorney's Office)

Review: (September August __, 2022)

TITLE: Board Meeting Rules and Procedures

A.I. ~~I.~~ Objective

Provide operating rules and procedures for the Board of County Commissioners to govern the meetings and authority of the Board and its members.

B.II. ~~II.~~ Authority

These rules are enacted and adopted under the authority of Section 125.01(1)(a), Florida Statutes. These rules shall be construed in a manner which is consistent with applicable state and federal law and to the extent of any conflict, applicable state or federal law shall prevail.

This BCC policy is intended to supersede Resolution 17-231 of the Board of County Commissioners. This policy shall control over any conflicting provision of BCC-55.

C.III. ~~III.~~ Rules and -Procedures

~~I.A.~~ Robert's Rules of Order and Quorum Requirements

~~1.~~ 2.1 The Board of County Commissioners hereby adopts ~~the~~ The Scott, Foresman *Robert's Rules of Order*, Newly Revised, 1990 Edition and any future editions of the same, as a guideline for conducting its meetings.

~~2.~~ 2.2 No action taken by the Board of County Commissioners shall be deemed invalid or otherwise unlawful for failure to strictly comply with *Robert's Rules of Order*.

~~3.~~ 2.3 To the extent of any conflict between rules or policies adopted by the Board of County Commissioners and *Robert's Rules of Order*, the adopted rules or policies of the Board of County Commissioners shall govern.

4. ~~2.4~~ These rules and *Robert's Rules of Order* are subordinate to and governed by any applicable state or federal laws governing quorums, voting, abstention, conflicts of interest, disclosure, public meetings or any other subject matter addressed in *Robert's Rules* or these rules.

5. ~~2.5~~ For the purposes of meeting the requirements of *Robert's Rules of Order*, the Board of County Commissioners hereby establishes the presence of three members as a quorum for any meeting.

6. ~~2.6~~ A motion to table takes priority over other pending motions.

H.B. ~~Calling and Cancellation of Meetings~~

1. ~~3.1~~ The time and place of regular meetings of the Board of County Commissioners shall be established by the Board under the authority of Section 125.01(1)(a), Florida Statutes, and Brevard County Code, Section 2-26 through 2-28 and, after January 1, 1995, Section 2.8 of the Brevard County Charter with the following exceptions

(a) ~~3.1(a)~~ Zoning Board meetings shall commence no earlier than at 5:00 pm unless altered by the Board.

(b) ~~3.1(b)~~ Any regular or special meetings shall adjourn no later than 11:00 p.m., unless extended by the Board.

2. ~~3.2~~ Special meetings may be called by the Chair or two or more Commissioners. Special meetings may also be called by the Chair or Vice Chair of the Board of County Commissioners in the event of a bona fide emergency or when necessary, upon advice of counsel, in order to comply with state or federal law.

3. ~~3.3~~ Notice of any regular or special meeting of the Board of County Commissioners shall be provided in accordance with applicable state law and adopted county ordinances. In the event of emergency meetings, the Board shall provide as much notice as is reasonable under the circumstances which shall include, at a minimum, a posting of notice of the meeting as much in advance of the meeting as is possible under the circumstances.

4. ~~3.4~~ Any regular or special meetings may be cancelled by majority vote of the Board of County Commissioners. A special or emergency meeting may be cancelled by the Chair of the Board only under extraordinary circumstances as follows:

a) (a) — In the case of an emergency meeting, when the emergency no longer exists as determined by the Chair and the County Manager;

b) (b) — When the purpose of the special meeting cannot be fulfilled as determined by the Chair and the County Manager;

(c) (c) — When holding of the special or emergency meeting would violate state or federal law, as determined by the Chair upon advice from the County Attorney.

5. 3.5 — All meetings must comply with Section 286.011, Florida Statutes, and all other applicable open-government laws, unless otherwise exempt under those laws.

6. 3.6 — Action by the Board of County Commissioners at a special meeting shall be limited to the purpose for which the special meeting was called.

D.C. Authority of the Chair and Vice-Chair

1. 4.1 — The Chair shall have the authority to conduct the meetings in the manner prescribed by *Robert's Rules of Order*, by this policy these rules and by applicable state or federal law.

2. 4.2 — The Chair shall have the authority to execute such documents, agreements or ordinances as may be authorized by the Board or under applicable state or federal law.

3. 4.3 — The Chair shall have such other authority as may be prescribed by these rules and as may be incidental to the exercise of that authority.

4. 4.4 — The Vice-Chair, upon the out-of-county absence or incapacitation of the Chair, shall have and exercise the authority afforded the Chair. In the event both the Chair and Vice-Chair are absent from the County at a time when a meeting of the County Commission is necessary, due to emergency or otherwise, or in the event that it is necessary for someone to act in behalf of the absent Chair and Vice-Chair, the Chair Pro Tem is hereby declared to be the Commissioner with the lowest district number who is present in the County. In such circumstances, the temporary acting Chair shall have all authority that would otherwise have been vested in the Chair. A Chair Pro Tem can also be elected by the Commission for the purpose of exercising one or more specific functions that cannot be performed by the Chair or Vice-Chair.

H.D. Agenda

1. ~~5-1~~ The rules governing the preparation, addition to and omissions from the agenda for any regular or special meeting shall be those established by Board of County Commissioners, Agenda Report Procedure Administrative Order Number AO-23, which is incorporated herein by reference.

2. ~~5-2~~ The Chair of the Board shall have the authority to move agenda items in order to expedite the progression of a meeting, or to schedule items of high public interest for a time certain.

3. ~~5-3~~ The Board may approve, by single motion and a majority vote, all items included on a consent agenda. Any item removed from the consent agenda must be approved by separate motion and majority vote. Items may be removed from the consent agenda for full discussion. Removal of a consent agenda item may be requested at the Board meeting by any Board member, the County Manager, the County Attorney, or an individual filling a card seeking to speak on a specific matter at any time prior to the approval of the entire consent agenda, ~~provided that anybody requesting removal of a consent agenda item shall~~ County Commissioners, the County Manager, and the County Attorney should make an effort, if possible, to communicate the intent to remove an item from the consent agenda before 12:00 noon on the Friday before the meeting at which the item is to be considered. Those items removed from the consent agenda shall be addressed after approval of the consent agenda.

4. ~~5-4~~ Board action on matters requested by a Commissioner, individuals, groups and organizations shall be placed under New Business and identified by the specific action being requested. Citizen requests are items presented by individuals, groups or organizations, and sponsored by a county commissioner or items placed on the agenda after Public Comment and a vote by the Board to place the item on the agenda.

5. ~~5-5~~ Special presentations to the Board by other governmental officials can be scheduled under New Business, or brief presentations not requiring lengthy discussion can be scheduled as a Guest Appearance under Resolutions and Awards.

6. Board meetings may begin with a moment of silence.

IV.E. Public Meetings Hearings

1. ~~6-1~~ The procedure and content for conducting all public hearings meetings shall be governed by applicable provisions of state or federal law.

Commented [BE1]: This change is due to the federal litigation known as the Willimason case and the injunction

Commented [BE2]: All board meetings are public meetings. There was some confusion about public hearings which are advertised items on the public meeting agenda, public comment and regular agenda items, so that language was clarified

2. ~~6.2~~ 6.2 Public hearings on items which required advertisement prior to the public meeting may be continued to a date and time certain upon majority vote approving a motion to that effect.

3. ~~6.3~~ 6.3 All persons wishing to address the Board of County Commissioners regarding an agenda item or public comment at a public meeting hearing shall address the commission by abiding by the following requirements:

(a)a) Each person shall fill out a card indicating his/her desire to appear on a specified agenda item or public comment and present the card to the person designated by the Board to collect those cards, prior to the discussion of the item.

(b)b) Every person addressing the Board shall have five ~~three~~ minutes to complete his/her remarks on public comment or each agenda item for which he/she has filled out a card, in the public hearing segment. The time limit for any other speaker is 3 minutes. The Chair has the discretion to determine or alter time limits on any item which is not a quasi-judicial public hearing. The Board may vote to amend time limits on public hearing meeting items which are legislative in nature and not quasi-judicial zoning procedures. The time limit shall include any time allocated for video, Power Point or other electronic presentation as described in the section entitled Video, Power Point and other Electronic Presentations.

Commented [BE3]: BCC-55 had 5 minutes with the Board reserving the right to alter the time and the Chair also having the right to adjust for purposes of meeting management. The time has been reduced frequently

(c)c) No person may share or transfer his/her allotted time period on any agenda item to any other person.

Commented [BE4]: The inclusion of the electronic presentation in the three minutes is an interpretation of the Board's intent. This item was not specifically spelled out in the Resolution or BCC 55

d) ~~(d)~~ All remarks shall be made to the Board as a body. Any questions raised shall be addressed to the Chair and no speaker shall address any individual Commissioner without obtaining the permission of the Chair. All questions directed to members of the Board shall be addressed through the presiding officer, the chair, unless the speaker has been asked a direct question by a particular Commissioner.

Commented [CC5]: BCC-55 used presiding officer. Changed for simplicity

~~(d)~~ e) Personal, obscene or slanderous remarks shall not be permitted.

Commented [BE6]: Added the highlighted language to name the presiding officer.

(e) f) Any speaker may supplement his/her presentation by presenting written comments to the Board.

Commented [BE7]: This provision was in BCC-55 although it did not appear in Resolution 17-231

Commented [BE8]: Direct quote from BCC-55

(f) g) All new evidence or documentation which is not presented to the Planning & Zoning Board shall be submitted to the County staff at least two weeks prior to the date of the public hearing at which the Board of County Commissioners will consider the matter. In the event new materials are submitted at the public hearing, the new materials shall constitute grounds for the Board of County Commissioners to continue the item to the next zoning meeting or for a minimum of thirty (30) days to consider the new evidence submitted.

(e) h) In cases of appeals of administrative interpretations and vested rights determinations and zoning cases, as determined by the Board, where it is apparent that a particular issue is controversial and subject to objections or opposing evidence, or is denied, the Board of County Commissioners may adopt a resolution stating its determination. The resolution shall be drafted upon the vote of the Board of County Commissioners after the close of the public hearing and returned to the Board of County Commissioners for final adoption at a publicly advertised meeting as a consent item. Any party affected by the Board of County Commissioners decision on an appeal of an administrative interpretation, vested rights determination, or zoning case shall have 30 days from the date the resolution is executed to file an appeal in the circuit court.

4. ~~6.4-Quasi-judicial Hearings, or~~ public hearings at which applications for rezoning, site-specific land use amendments or other site-specific development orders are considered shall be governed by the procedures set forth above under Public meetings Hearings and in Section 6.3 as supplemented by the following procedures. The time limits provided for quasi-judicial hearings are in lieu of the time limits provided under Section E (3) (b) above. Video, Power Point and electronic presentations shall be included within the time limits provided below.

(e) a) The administrative staff shall present a summary of the application, ~~and its findings or recommendation on that application.~~

a)b) _____ The applicant shall have a choice of being given a total of 15 minutes to present its application or dividing the 15 minutes between multiple persons. If the applicant chooses the 15 minutes option, the applicant may, in any manner it deems appropriate, divide the 15 minutes between its initial application and any rebuttal it may wish to present. The applicant shall be allowed to cross examine other speakers at the end of the speaker's presentation on material and relevant issues. The time required for the cross examination shall be deducted from the total amount of time allotted to the applicant. If the applicant chooses to use the entire 15 minutes for the initial presentation, the applicant will be deemed to have waived any right or opportunity for cross examination of other speakers. In addition to, or in lieu of cross examination, the applicant may request an additional seven (7) days beyond the date of the hearing to submit evidence in rebuttal of testimony presented by persons presenting evidence in opposition to the applicants and tabling of the item to allow consideration of the submission. The Board has the discretion to allow additional time for cross examination or tabling.

(b)c) _____ Any person who has filled out a card, as provided for above, n Section 6.3, and who is interested in addressing the Board of County Commissioners on the matter under consideration, shall be given five minutes within which to make his/her presentation.

(d) _____ At the conclusion of the five-minute presentations by all persons filling out cards, the applicant shall be given whatever time period has been reserved within which to rebut any arguments, facts or positions presented during the public hearing.

(d)e) _____ At the conclusion of the presentations made by the staff, the applicant and any speakers, the Board of County Commissioners shall submit the matter under consideration to discussion among the Board members. Any Board member may ask any question of the applicant or staff or any other person. At the conclusion of the discussion of the matter, the applicant shall be given an additional two minutes to rebut any facts, positions or information presented in response to questions posed during the discussion.

(e)f) _____ Any documentary or physical evidence presented to the Board of County Commissioners in support of, or in opposition to, an application shall be offered into the record by submitting a copy of the same to the Clerk to the Board, who shall keep such documentary and physical evidence as part of the record of the proceeding. It shall be the responsibility of the party offering the evidence to make sure that it is received by the Clerk to the Board as part of the record. The staff report presented on any application and all applicable Brevard County codes and ordinances shall be deemed part of the record in all applications considered by the Board.

(e)g) _____ In cases of appeals of administrative interpretations and vested rights determinations and zoning cases as determined by the Board, the Board of County Commissioners may adopt a resolution stating its determination. The resolution shall be drafted upon the vote of the Board of County Commissioners after the close of the public hearing and returned to the Board of County Commissioners for final adoption at a continuation of the public hearing. Any party affected by the Board of County Commissioners decision on an appeal of an administrative interpretation shall have 30 days from the date the resolution is executed to file an appeal in the circuit court.

(e)h) _____ It shall be the responsibility of any person deciding to appeal any decision made by the Board of County Commissioners with respect to any matter considered at a public hearing under this section, to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which any such appeal is to be based. It shall further be the responsibility of any such person to ensure that the Clerk to the Board receives copies of any such transcript or evidence.

5. _____ 6-5 Any person, not otherwise prohibited by statute, Charter provision, or ordinance, may discuss, with any Board member, any matter on which action may be taken by the Board of County Commissioners whether the matter is quasi-judicial in nature or not. If the matter is quasi-judicial (rezoning, site specific plan amendment, development of regional impact or appeal of administrative interpretation) the following procedures must be complied with in order to remove any presumption of prejudice which may arise from the ex parte communication with the County Commission member. In addition, as to appeals of administrative interpretations, staff conferences shall be disclosed as described below.

(a)a) _____ the subject of the communication and the identity of the person, group, or entity with whom the communication took place, must be disclosed and made a part of the record before the final action on the matter.

(b)b) _____ written communications must be made a part of the record before final action on the matter;

(c) _____ the existence of investigations, site visits, or expert opinions obtained on a particular matter must be made a part of the record before final action on the matter;

d) ~~(d)~~ the law requires the disclosures made pursuant to paragraphs (a), (b), and (c) to be made before or during the public meeting at which the vote is taken on such matters so that persons who have opinions contrary to those expressed in the ex parte communications are given reasonable opportunity to refute or respond to the communication. The Board chooses to use a uniform system for reporting and disclosing such contacts. Prior to the meeting, all commissioners shall provide a written summary of any ex parte contact with any applicants or citizens on any item on the agenda. The summary shall contain the names of the people who met with the commissioner, the location of the meeting and the topics discussed in the meetings. The written summary shall be sent to the Zoning Director to be placed in the official zoning file. In the event such disclosure is not provided prior to the meeting, the disclosure may be made at the public hearing immediately before the item is heard by the Board of County Commissioners.

V.F. _____ Resolutions, Awards and Presentations

1. ~~7.1~~ Requests for presentation of resolutions and/or awards must be made with a Commission Office or the County Manager and scheduled as part of the agenda under the heading of Resolutions, Awards and Presentations. Requests should be directed to a Commission Office or County Manager. A written summary, with appropriate supporting or background material, is required to be included.

2. ~~7.2~~ A Guest Appearance may be scheduled for an individual to make a brief presentation under Resolutions, Awards and Presentations by a Commissioner, County Manager or County Attorney.

G. _____ VII. Public Comments

E.

1. 8-1 The agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each Regular County Commission Meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a pink card asking to be heard. Any speaker not heard during the first thirty minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first- and second public comment period. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report.

VI.H. Rules of Decorum fFor Members of the Public Addressing the Board.-Public Comment

1. 9-1 **Addressing the Board/Subject Matter.** Speakers who wish to address the Board, whether on an agenda item or under public comment, shall fill out a card specifying the agenda item or subject they wish to address.

(a) a) Any person addressing the Board on an agenda item shall limit his or her comments to the agenda item that has been specified in the card filled out by the speaker.

(b) b) ~~Public comment shall be scheduled at the beginning of the meeting after the Resolutions, Awards and Presentations portion of the agenda of each regular meeting.~~ A speaker shall limit comments made during public comment to matters that are within the control, authority and jurisdiction of the County Commission and to those items where the Board has traditionally expressed a position for the betterment of the community interest.

Commented [BE9]: This information is in the Public Comment section

~~Formal Policy Relating to Traditional Ceremonial Pre-Meeting Prayer, enacted on July 7, 2015, are hereby incorporated into this policy. In view of the requests by secular, humanist, atheist and Secular Humanist organizations to provide a secular, Secular Humanist or an atheist invocation, the Board hereby clarifies the intent of the Board's existing policies allowing Public Comment to include individual or representative comments intended to instruct the Board; to petition for redress of grievances; to comment upon matters within the control, authority and jurisdiction of the Board; and to comment on matters that are relevant to business of the County Commission, as well as matters upon which the Board has traditionally expressed a position for the betterment of the community interest. Secular invocations and supplications from any organization whose precepts, tenets or principles espouse or promote reason, science, environmental factors, nature or ethics as guiding forces, ideologies, and philosophies that should be observed in the secular business or secular decision-making process involving Brevard County employees, elected officials, or decision makers including the Board of County Commissioners, fall within the current policies pertaining to Public Comment and must be placed on the Public Comment section of the secular business agenda. Pre-meeting invocations shall continue to be delivered by persons from the faith-based community in perpetuation of the Board's tradition for over forty years.~~

Commented [BE10]: Removed due to Williamson

2. ~~9.2~~ Rules of Decorum

(a) ~~a~~ The County Commission declares it to be Board policy to promote the maximum participation in County affairs by affected or interested citizens in accordance with the First Amendment protections guaranteed under the United States Constitution. However, it is also the Board policy, to the fullest extent possible, to protect individuals from comments that assault their character. In furtherance of that policy, no person who addresses the County Commission shall make slanderous, profane or other remarks that are not protected by the First Amendment, with full recognition that public figures are not subject to the same degree of protection from critical comments as other individuals.

(b) ~~b~~ In the event serious allegations of misconduct or incompetence are alleged against any County employee, the Board may abate the matter and request the County Manager to investigate the allegations. The Board shall also offer the employee, at the employee's discretion, the opportunity to be present during the proceeding in order to address the allegations. The County Manager may offer the County employee administrative leave to allow the employee the opportunity to investigate the allegation and appear at a subsequent meeting to address such allegations.

(e)c) _____ Persons speaking under the public comment portion of the agenda may address topics or issues under the jurisdiction or control of the County Commission or that are relevant to business of the County Commission.

(d)d) _____ It is the policy of the Board of County Commissioners to respect minority views as well as differing opinions conclusions backgrounds and beliefs. The Board finds that input from differing perspectives enriches public discussion and helps to build a better consensus. It is therefore the objective of the Board to conduct business in a manner that facilitates and encourages the presentation of diverse views while maintaining civility during all Board proceedings.

(e)e) _____ Since the County Commission has no jurisdiction or authority over the charging of prosecution- of- criminal- violations any allegation of criminal behavior against- a person or organization should be presented to the State Attorney, Sheriff or other law enforcement -agency with jurisdiction. -The foregoing -sentence -shall not -be -construed -to -restrict, -prohibit -or -affect -the ability -of -any -person -to bring to -the attention of the County Commission possible violations -of the -Code of -Ethics for -Public Officers -and -Employees, the Florida Sunshine Law, -the Florida Public -Records -Law, other -laws -relating to county business, -or -violations -of other -laws over which the Commission has jurisdiction or authority to take corrective -action.

F.I. ~~IX~~ **Video, Power Point and other Electronic Presentations**

~~10.1~~—Video, Power Point and other electronic presentations are to be limited to no longer than ~~five~~ three minutes, and must be reviewed by County production staff, the Chair and the County Manager no less than twenty-four (24) hours prior to the meeting to ensure that the Board, live and broadcast audiences are not subjected to unsuitable videos which could contain material considered in conflict with accepted community standards regarding obscenity and pornography.

1. ~~10.2~~—Only a separately stored video, Power Point or electronic presentation-, of no more than ~~three~~ five (35) minutes in length, will be accepted. Lengthy presentations -for more than one presenter that require stopping and starting the same tape will not be accepted.

2. ~~10.3~~—A person presenting a video, Power Point or other electronic presentation must state so on the speaker's card. The presenter must be familiar with the content of the presentation or -video and be able to address any questions relating to the presentation or video that may be raised by the Board, staff, or other citizens.

3. ~~10.4~~ Any video, ~~Power Point~~ or other presentation that contains news footage, broadcast or organization/ agency/ commercial programming will not be shown unless presenter provides a written waiver for re-broadcast use from the entity holding the copyright.

4. ~~10.5~~ No video, ~~Power Point~~, or other electronic presentation promoting a commercial enterprise will be shown unless related to relevant agenda items.

VII.J. Ordinances and Resolutions

1. ~~11.1~~ All ordinances and resolutions shall be adopted in the manner prescribed by law.

2. ~~11.2~~ All notices required to be published for re-zonings or site-specific land use amendments shall state the specific action being requested of the Board. Such notice shall also indicate that the Board may grant "such other less intense zoning or land use classification as may be deemed appropriate.

K. XII — Suspension of Rules

1. ~~12.1~~ Any provision of these rules, including the provisions of Robert's Rules of Order as incorporated by these rules, may be suspended by majority vote of the Board of County Commissioners to the extent that such a suspension would not be inconsistent with applicable law.

L. XIII — By-Laws

These procedures shall be considered by-laws for the purposes of Robert's Rules of Order.

G.M. Reservation of Authority

H.

The authority to issue and/or to revise or waive this policy is reserved to the Board of County Commissioners.

Kristine Isnardi, Chair
Board of County Commissioners
As approved by the Board on September
2019