Guide for Members of Boards and Committees

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CITY OF FORT LAUDERDALE

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I. INTRODUCTION

Purpose

Welcome to the City of Fort Lauderdale Better Meetings Academy Handbook. This publication is designed to inform and educate city board and committee members about their roles and responsibilities, the Florida Sunshine Law and how to properly conduct meetings.

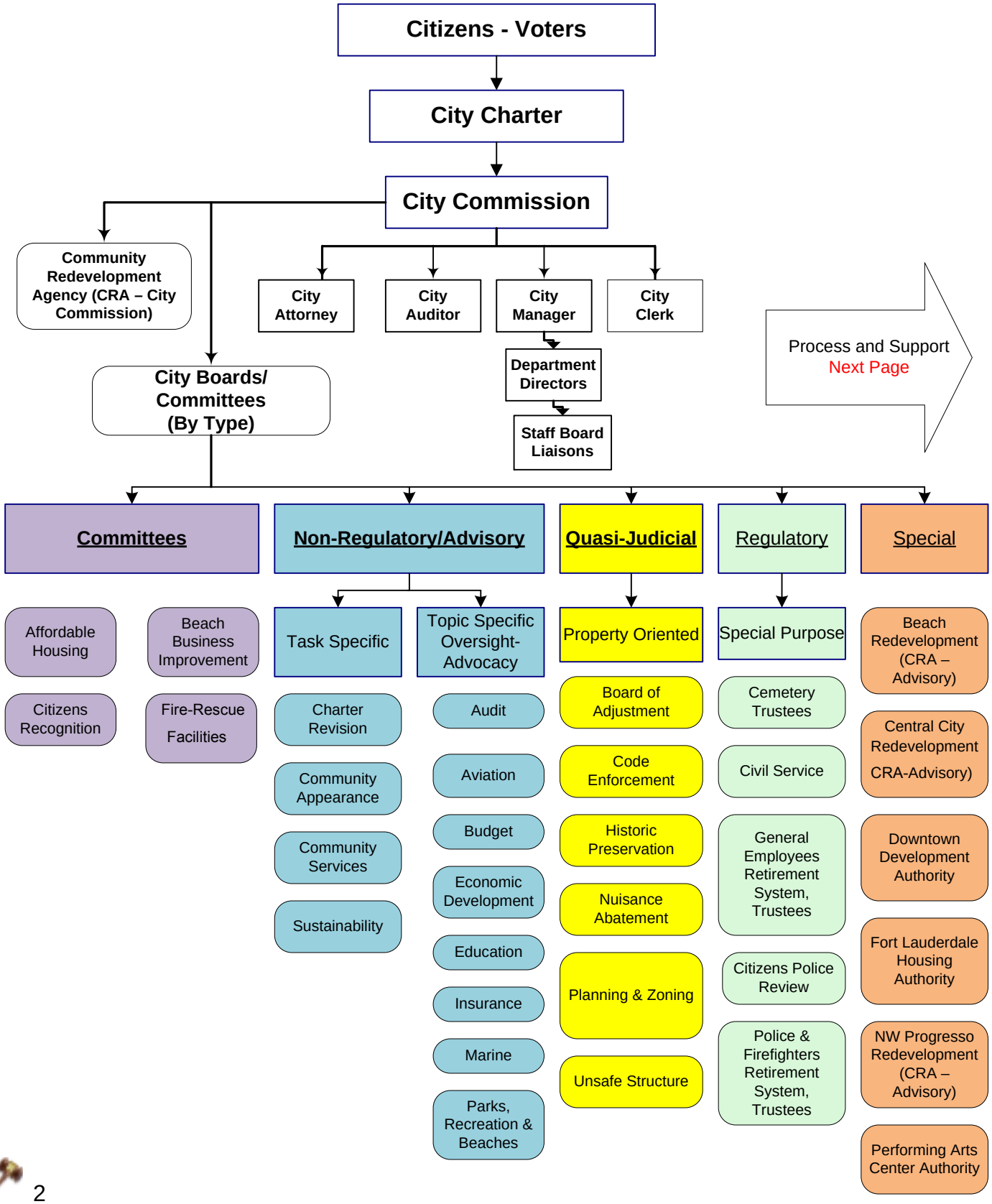
Following the procedures and requirements outlined in the pages that follow will enable boards and committees to conduct themselves in accordance with the laws of the State of Florida and the policies and procedures established by the City of Fort Lauderdale.

If you have any questions about the information included in this handbook, please contact the City of Fort Lauderdale Clerk's office at (954) 828-5002.

This handbook includes summaries and refers to statutes, ordinances and policies in order to give general direction with regard to board and committee membership. The purpose of including them in this textbook is to provide you sufficient information to alert board or committee members to issues that may arise. Particular regulations apply to in a unique manner to each situation. If an issue or question arises, please inform the board or committee staff liaison. The liaison will contact the City Attorney's office for specific advice and guidance.

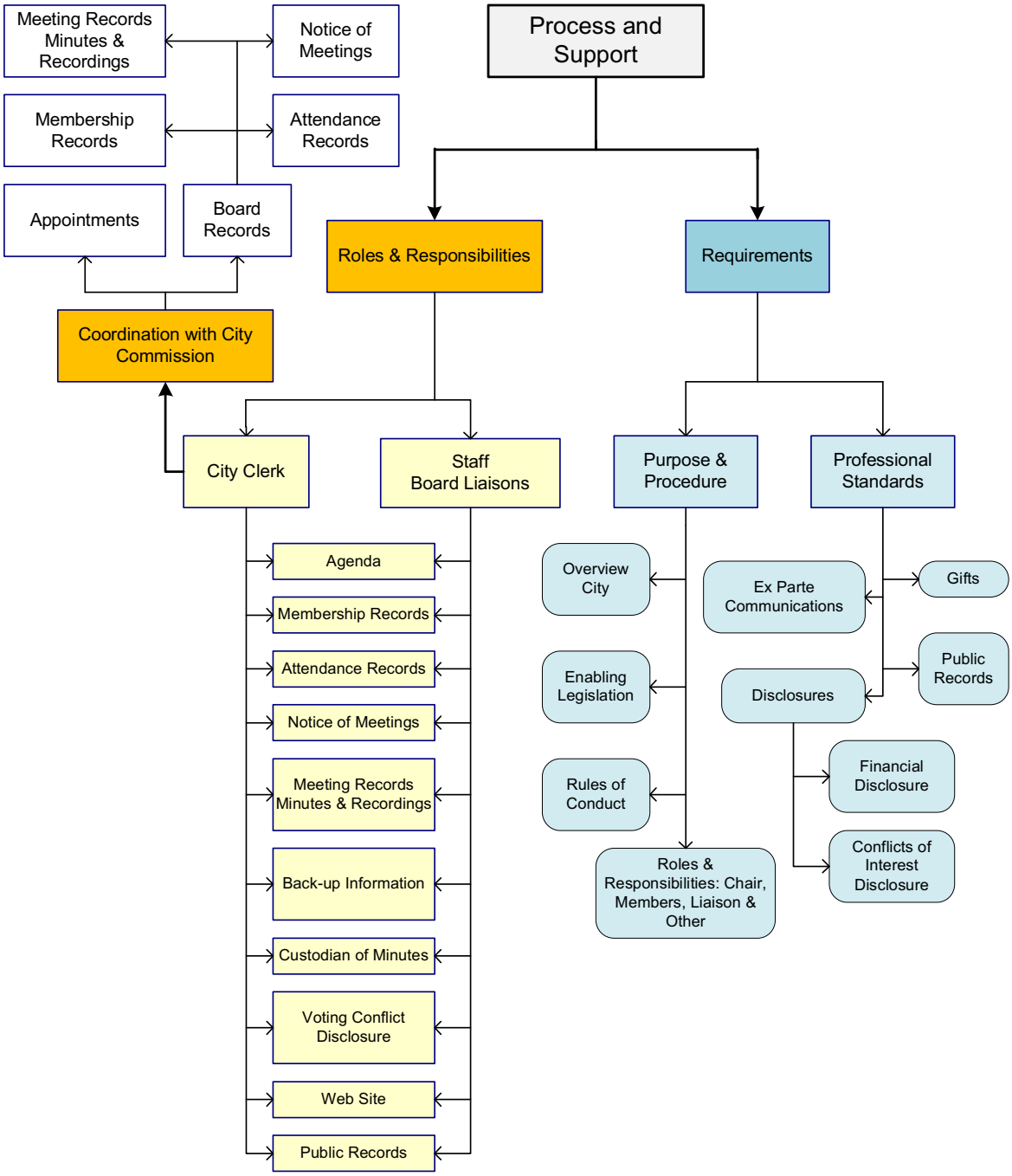
Citizen Participation

Board/Committee Structure



Citizen Participation

Board/Committee Process and Support



II. CITY OF FORT LAUDERDALE STRUCTURE

Q. What is the role of the city clerk?

A. The city clerk is appointed by and reports directly to the city commission. Generally, the city clerk assists the city commission in appointing members to boards and committees, and ensures the business conducted by the boards and committees is preserved and provided to the city commission. Moreover, the city clerk helps staff liaisons, boards and committees perform their duties. The city clerk's role is focused primarily toward the city commission and minutes secretary, with the staff liaison being the active communicator between the board and committee members and the city manager.

Q. What is a city charter?

A. A city charter is a document that establishes a foundation and basic rules under which a city operates. A charter is approved by the voters within the area that is to become a city. Many charters such as the City of Fort Lauderdale Charter also provide for the election of a mayor and city commissioners.

Q. Under what form of government does the City of Fort Lauderdale operate?

A. The City of Fort Lauderdale has been operating under a commission-manager form of government since 1925. The city commission is comprised of the mayor, who is elected at-large, and four commissioners, who are elected in non-partisan district races. Elections occur every three years and each elected official is eligible to serve three consecutive three-year terms.

Q. What is the role of the mayor and commissioners?

A. The legislative powers of the City of Fort Lauderdale are vested in and exercised by the city commission. The city commission has the power to pass ordinances, adopt resolutions and appoint officers, board and committee members, and certain employees as specified in the charter. All powers of the city, except as otherwise provided by the charter or by the Constitution of the State of Florida, are vested in the city commission.

Q. What is the role of the city manager?

A. The city manager is appointed by and reports directly to the city commission. As chief executive officer, the city manager is responsible for directing the city's day-to-day operations and carrying out the policies set forth by the commission.

III. BOARDS AND COMMITTEES

Structure

Q. What is an advisory board?

A. An advisory board is a group of individuals established by the city commission through the passing of an ordinance with the collective responsibility for providing advice and recommendations to the city commission on a particular subject matter or issue. The specific duties of the advisory board are defined in the establishing ordinance. Members of the advisory board are appointed by resolution adopted by the city commission.

Q. How are boards and committees created?

A. The city commission may at any time, by ordinance, create a board. The ordinance creating such board shall specify the powers and duties of such board, and the number and qualifications of its members. The city commission may at any time, by ordinance, abolish any existing board and transfer the duties to any other board, employee or department. The city manager shall be an ex-officio member of all boards without power to vote.

The city commission may at any time, by resolution, create a committee. All laws, regulations and rules applicable to boards apply to committees unless otherwise stated.

Q. What is the purpose/role of advisory boards and committees?

A. The role of an advisory boards is to provide advice and recommendations to the city commission on a particular subject matter or issue. A committee is established by the city commission to meet and perform a specific service or function for a limited duration of time. The ordinance or resolution creating such board or committee shall specify its powers and duties.

Q. What is a committee and what is the difference between a board and a committee?

A. A board has an ongoing purpose. It is created by an ordinance. A committee has a purpose that is limited in time and scope. A committee is established by the commission to perform a specific service or function for a limited duration. The commission may at any time abolish an existing committee and transfer their duties to any board, committee, employee or department. It is created by a resolution. Individuals may not serve on more than one board at a time, but may serve on a board and a committee or multiple committees simultaneously.

Q. What is a Quasi-judicial board?

A. **Quasi-judicial** means a board is required to hold hearings, receive evidence and make decisions in a manner similar to that of the courts. **Quasi-judicial** boards: (1) consider items that may affect an applicant's personal or property rights and (2) follow a procedure that allows evidence to be presented and a decision to be reached based on the evidence provided.

Q. What boards fall under the quasi-judicial umbrella?

A. The following boards fall under the quasi-judicial umbrella:

City Commission (certain matters)
Board of Adjustment
Code Enforcement Board Historic Preservation Board
Nuisance Abatement Board
Plannning and Zoning Board (certain matters)
Special Magistrate Hearing
Unsafe Structures Board

Serving on Boards and Committees

Q. Who is eligible to be an advisory board or committee member?

A. City Code (Section 2-217[b]) requires that members of advisory boards or committees shall be residents of, own real property in, or be employed in the city as a minimum requirement. There are some exceptions: beach business improvement district advisory committee, beach redevelopment board and the economic development board.

Candidates for public elective office will automatically forfeit his/her position on a board or committee.

City employees are not eligible to serve on advisory boards or committees, unless otherwise provided for by federal or state law, or county or city charter, ordinance or resolution.

A person may only serve on one board at a time (not including committees).

A person convicted of a felony or any crime involving a dishonest or false statement may not serve on a board or committee.

For specific eligibility requirements, please refer to the originating ordinance/resolution for the particular board or committee.

Q. How long can a person serve on a board or committee?

A. No person appointed by the city commission to serve on a board or committee may serve more than six consecutive one-year terms, three consecutive two-year terms or two consecutive three or four-year terms. This does not apply to the Performing Arts Center Authority or Beach Business Improvement District Advisory Committee. Board members appointed to the Northwest-Progresso-Flagler Heights Redevelopment Board may serve three consecutive three-year terms.

Q. What is the term of office?

A. The term of office for a board or committee is between one to four years with consecutive terms generally limited to prevent service on a board or committee that exceeds six years. With the exception of members appointed to fulfill an unexpired term, a term of office is calculated from the date of appointment or from the date specified by ordinance or resolution as the start date of a term of appointment. The originating ordinance for the board or committee will generally specify the term of office.

A board or committee member may be removed by an affirmative vote of three members of the city commission with or without cause. To remove a member of the Board of Adjustment or the Planning and Zoning Board there must be good cause and a vote of four commissioners.

Q. How are the chair and vice chair elected and how long is the term of office?

A. Unless provided in the originating ordinance/resolution, the chair and vice chair are elected from amongst the membership of their board or committee by a majority vote. The election of the chair and vice chair are scheduled on the agenda annually, generally the first meeting of the board or committee's new term. There are no term limits for being designated as a chair or vice chair.

Q. Can a board or committee create a subcommittee?

A. Any board or committee seeking to create a subcommittee by obtaining a majority vote of the board or committee must first obtain approval from the city commission. The request will be placed before the city commission at a conference meeting. The staff liaison will bring it to the attention of their department director. Subcommittees are subject to all of the rules applicable to boards and committees (i.e., public notice, minutes, open to the public, etc.).

Q. Can a board or committee authorize just two of its members to meet separately?

A. Any meeting of two or more board or committee members regarding City business would be considered a subcommittee and a "sunshine meeting". It would require city commission approval, public notice and minutes. Abbreviated minutes will be taken by the staff liaison. Although formal approval of the minutes will be unnecessary, the staff liaison will provide them to the full board or committee and to the city clerk's office.

Staff Liaisons

Q. Who assigns the staff liaison? What is the role of the staff liaison?

A. Staff is not directed by the board or committee. Staff liaison is a city staff member assigned by the city manager and department director to a board or committee who acts as a link and a communicator between the board, the city commission and the city manager. The staff liaison works closely with the minutes secretary or minutes contractor and the chair.

Q. What are the duties of the staff liaison?

A.

1. Reserve the meeting room.
2. Boards and committees that use the city's minutes contractor service will make arrangements directly with them.
3. Set up the meeting room and ensure that the digital audio recording system is operable; prepared and trained to operate the system; coordinate the audio recording with the minutes secretary or minutes contractor; turn on the television broadcasting on the government community channel (if their board is designated for broadcasting and ensure the meeting is recorded). Staff liaisons should schedule training with the city clerk's office if training is needed for any of the above duties.
4. Prepare the agenda and agenda backup materials and transmit copies to all members.

Email the agenda to Arleen Gross in the city clerk's office, three to five business days in advance of meeting and copy Jeff Modarelli, senior assistant city clerk, minutes secretary or minutes contractor and the city webmaster for public notice.

5. Ensure that a guest speaker sign-in sheet is available and that all guest speakers sign-in. Provide the sign-in sheet to the minutes secretary or minutes contractor before the end of the meeting. When the minutes are completed, the minutes secretary or minutes contractor will return the sign-in sheet to the staff liaison. The staff liaison maintains sign-in sheets in the file for each meeting. Guest speakers appear only in the minutes when they speak and are not reflected under the board's attendance at the beginning of the minutes.

6. Announce the number of members as of the date of the meeting and the number that would constitute a quorum which will be included in the minutes of each meeting, only for those boards and committees identified in Ordinance C-09-05.

7. Contact new members immediately, notify the incoming members with the next meeting date and acquaint them with the board or committee process and logistics.

8. Monitor member absences and provide written notification to any member who has reached the maximum number of absences, according to the city policy, that requires automatic removal from the board (See Appendix G, Absence Letter Template). Work with the chair to determine if the member will be recommended for reinstatement. Provide a copy of the absence notification letter and any reinstatement recommendation to the city clerk who shall inform the city commission.

9. Work with the minutes secretary or minutes contractor to ensure that a complete cumulative attendance record appears on the front of each set of minutes. The cumulative attendance record should be based on the month that the board or committee's term renews. If a regular scheduled meeting was held, even though there was no quorum, the attendance record will reflect members who attended and those who did not attend and will count as missing a meeting.

10. Ensure that a complete file for each meeting is maintained pursuant to Florida Statute (257.36) and Retention Schedule GS1-SL for local governments. This includes, but is not limited to: a) video and/or audio of the meeting; b) sign-in sheet; c) copies of all materials handed out or displayed during meeting presentations; and d) all agenda materials provided to the board or committee.

11. Ensure all appropriate staff review draft minutes and transmit any corrections to the minutes secretary or minutes contractor in one transmittal, who will return them labeled "REVISED DRAFT". Provide the "REVISED DRAFT" minutes to the board or committee with their agenda materials. Upon approval by the board or committee, transmit any board or committee corrections made during the meeting proceeding labeled "BOARD REVISED DRAFT" to the minutes secretary or minutes contractor. If there is a discrepancy, the staff liaison, in cooperation with their department director, should check the recording and work with the minutes secretary or minutes contractor.

    Note: All corrections are made by the minutes secretary or minutes contractor. Minutes include only what transpired at the meeting. Making corrections that include a board member's thoughts or intent is prohibited. Clarifications of this nature are made at the following meeting when the minutes or the particular subject is considered.

12. **Timeline for agendas and meeting cancellations:**

Email the agenda to Arleen Gross in the city clerk's office three to five business days in advance of meeting and copy Jeff Modarelli, senior assistant city clerk, minutes secretary or minutes contractor and the city webmaster for public notice.

If a meeting is canceled or rescheduled, three-day advance notice is customary. Write canceled on the face of the agenda and email Arleen Gross, city clerk's office and copy Jeff Modarelli, senior assistant city clerk, minutes secretary or minutes contractor and the city webmaster for public notice. Notify technical support contractor 48 hours in advance, if applicable. Notify minutes secretary or minutes contractor 24 hours in advance. If these timelines are not possible, there will be a charge assessed by the technical support contractor and minutes secretary or minutes contractor. At a minimum, post a notice on the doors of the room where the meeting was scheduled to be held. For rescheduled meetings, furnish a new agenda with a notation that it was rescheduled from a previous date and otherwise follow the same procedure. If these timelines are not possible, the city attorney's office should be consulted. (See "How is a meeting canceled?" on page 12).

Timeline for minutes:

Within three business days after the meeting when the minutes are approved, email a copy to city clerk's office staff and to the city webmaster for the public record.

If a meeting is canceled or if more than one month lapses between meetings, email a copy of unapproved minutes to city clerk's office staff for distribution to the city commission. The minutes should be clearly marked as unapproved or draft. Do not post unapproved minutes on the city's website.

13. **Attachments to minutes:**

Minutes should include a copy of any slide presentation instead of a summarized version of the presentation itself.

14. Assist chair and minutes secretary or minutes contractor with any roll call votes taken.

15. Furnish a memorandum of voting conflict form to any member who abstains from voting and ensure it is transmitted to the city clerk's office for attachment to the original minutes.

16. Provide a notice to the city clerk's office of any meeting date or location changes/cancellations for posting on the bulletin board at the entrance to city hall. Email a copy to the Arleen Gross, city clerk's office and copy Jeff Modarelli, senior assistant city clerk, minutes secretary or minutes contractor and the city webmaster.

17. Schedule the election of a chair and vice chair at the first meeting of the new term of the board or committee. For those boards that have multiple year terms, the election would be held on the given month they are appointed.

18. Advise the department head of any new topics or recommendations requiring staff time and funds beyond reasonable staff duties for the board or committee.

Q. Is the board or committee in charge of the staff liaison?

A. The board or committee does not supervise the staff liaison. The city manager supervises and is ultimately responsible for all city staff. Employees take direction from their immediate managers and supervisors who, in turn, report to the city manager.

The city attorney is appointed separately by the city commission. Assistant city attorneys are hired by and are under the authority of the city attorney, separate from the city manager. The city attorney may assign an assistant city attorney to attend a board or committee meeting, as he/she deems appropriate.

Q. What if a board or committee request requires staff time that goes beyond what is anticipated for that board or committee (e.g., developing a parking study or a neighborhood survey)?

A. A board or committee request that will require staff time beyond what is anticipated for the board or committee should be included in the minutes under "Communications to City Commission." The staff liaison should make the city manager aware of the request.

These types of policy decisions, which have a budgetary impact and require additional staff time, will be made by the city manager in cooperation with the city commission. Individual board and committee members may speak to a single city commissioner on a one-to-one basis to express their concerns.

IV. MEETINGS

Structure

Q. What ia a meeting?

A. A meeting is a coming together of all of the appointed members to conduct the business of the board/ committee. The ordinance/resolution creating the board or committee provides how many, when and where meetings will occur. It will also specify if and how special meetings may be called. A meeting is conducted based on an agenda prepared by the staff liaison prior to a meeting.

Quorum

Q. What is a quorum?

A. A quorum is the minimum number of voting members of a board or committee that must be present in order for the board or committee to take action on a matter. If a board member must abstain from voting on a particular matter due to a conflict and that member is required for a quorum that matter cannot be heard.

Q. How do you determine if you have a quorum?

A. The originating ordinance/resolution for the specific board or committee may specify the number of voting

members needed for a quorum. If it does not, the quorum is a majority of the number of positions on the board/committee. Quorums may vary for different boards or committees. Additionally, some boards and committees are governed by Ordinance C-09-05 that provides for a quorum based upon the number of members appointed at a given meeting.

Taking into consideration seats on boards or committees are at times vacant while qualified persons are found to be appointed, the quorum requirement for the following boards and committees is the majority of the members appointed to such board or committee on the date a meeting is held. At the beginning of every meeting, the staff liaison shall announce the number of appointed members and the number that would constitute a quorum:

Beach Redevelopment Board
Cemetery System Board of Trustees
Community Appearance Board
Community Services Board
Economic Development Advisory Board
Education Advisory Board
Fire-Rescue Facilities Bond Issue Blue Ribbon Committee
Insurance Advisory Board
Marine Advisory Board
Northwest Progresso-Flagler Heights Redevelopment Board
Parks, Recreation and Beaches Board
Sustainability Advisory Board

Non-voting members "ex officio" are not counted in determining if a quorum is present.

Q. What if there is not a quorum?

A. If there is no quorum action by the board or committee cannot take place. **"Quasi-judicial"** boards considering matters related to the property rights of an applicant, since procedural due process requirements must be followed, should not discuss matters on the agenda when a quorum is not present. Non **"Quasi- judicial"** board members may discuss matters on the agenda but they may not take action. Minutes should be prepared, submitted at the next meeting for approval. In the case of an emergency, if an important opportunity would be lost, or if there is business that cannot be delayed, those present can, at their own risk, act with the hope that their action will be ratified at a later meeting when a quorum is present.

Q. If a board or committee member momentarily leaves the room (e.g., for a drink of water) and less than a quorum remains, may business still be conducted?

A. No. The meeting must be stopped until the board or committee member returns.

Q. If a board or committee member must excuse himself because of a conflict of interest, leaving less than a quorum to vote on a matter, can the remaining members vote on the matter?

A. No. The vote will not be considered a legal vote. A quorum must be maintained for business to be conducted.

Q. How is a meeting canceled? Are there circumstances when a meeting is held even if there is not a quorum?

A. In all cases when possible, the staff liaison should post a cancellation notice on the City's website, a sign at the meeting place, email a copy to Arleen Gross, city clerk's office and copy Jeff Modarelli, senior assistant city clerk, minutes secretary or minutes contractor (24 hours in advance), technical support contractor (48 hours in advance), if applicable and the city webmaster for posting on the bulletin board at the entrance to city hall. (see staff liaison duties page 7).

For quasi-judicial boards – If the staff liaison has been notified by a sufficient number of members of the board or committee that a quorum not possible, the meeting will be held and the staff liaison shall advise the members in attendance that there is no quorum. The members in attendance should move to defer the items on the agenda to the next meeting date. When the meeting is over, a sign should be posted in the event any member of the public comes to the meeting after the meeting is adjourned. Absences will be recorded for those that have advised the staff liaison that they could not attend.

Frequency of Meetings

Q. How often do meetings take place? What happens if there is a need to continue a meeting?

A. The originating ordinance/resolution will indicate how often a board or committee meets. Generally, it is once a month. Special meetings may be called. The manner in which special meetings are called is generally outlined in the ordinance/resolution. If the originating ordinance/resolution for a particular board or committee does not provide for the calling of special meetings, the board or committee may vote at their regular meeting to set a special meeting. If there is a need for a regularly scheduled meeting to be continued to another date, a majority consensus or vote by the board or committee expressed on the record and reflected in the minutes is required. There is an understanding that the staff liaison may or may not be able to confirm a meeting room with audio recording equipment availability and minutes contractor arrangements.

Absences

Q. What happens if a board or committee member is absent from a meeting?

A. Board and committee members are expected to attend all scheduled meetings. Excessive absences may result in the member being removed from the board or committee.

Q. How many absences have to occur before a member is removed from a board or committee?

A. An automatic resignation of a board or committee member if any one of the following occurs:

1. a board or committee member is absent from three consecutive regular meetings during a term year;
2. a board or committee member is absent from four regular meetings during a term year; or from one-third of the total regular meetings in a term year, whichever is greater

The resignation is automatic. There are no excused absences provided in the regulation.

Q. Are there any exceptions?

A. If there are extenuating circumstances for a board or committee member's absences from meetings, the city commission may reinstate the individual to the board or committee. The staff liaison keeps a record of absences and a running tally is reflected on the first page of the minutes. When the maximum number of absences has been reached based on Resolution 08-12 (Appendix G), the staff liaison writes to the absent board or committee member requesting a statement of reason for absences and reinstatement wishes. The staff liaison then provides this information to the board or committee and to the city clerk's office for distribution to the city commission. The city commission makes a decision whether to reinstate the member upon recommendation of the board or committee's chair.

If a regularly scheduled meeting is continued to another date, the continued meeting is treated as a special meeting for attendance recording keeping purposes.

Role of the Chair and Vice Chair

Q. What is the role of the chair or vice chair?

A. What is the role of the chair or vice chair? The chair is elected by the board or committee and shall preside at all board/committee meetings. In the absence of a chair, the vice chair or other person elected by the board/committee shall preside. Boards and committees should refer to the originating ordinance/resolution for specific provisions for the chair or vice chair. Generally, the chair has no special powers over and beyond the power of any other board or committee member unless otherwise provided in the originating ordinance/resolution.
Please refer to the chair's duties on page 23

In parliamentary terms, the chair does not make motions in order to remain impartial and run an orderly meeting. It is good practice for the chair to hand over the gavel when he or she wishes to make a motion. This ensures the chair will not have two jobs at that time, 1) advocating the motion, and 2) running the meeting.

Q. How is the chair and vice chair selected and what are their terms?

A. The chair and vice chair are elected by each respective board or committee. The originating ordinance/resolution may provide a specific month for the election of a chair and vice chair. If a month is not specified, the chair usually sits for a one-year period. Therefore, elections should be held on an annual basis.

Laws, Regulations and Policies

Q. What is Florida's Government-in-the-Sunshine Law?

A. The Florida Sunshine Law is a set of rules and regulations that provides the public with a right of access to government proceedings. The Sunshine Law was designed to afford the public entrance into the process of governmental decision making. Section 286.011 of the Florida Statutes provides the regulations governments must follow when conducting a meeting and what happens to the documents and files used in conducting a meeting.

Q. What are the consequences of unintentional or intentional violations of the Sunshine Law?

A. If a government official is found guilty of an unintentional violation of the Sunshine Law, it is a non-criminal infraction punishable by a fine of up to $500. A knowing or intentional violation is a second-degree misdemeanor punishable by a fine of not more than $500 and/or a jail term of not more than sixty days and the official may be subject to suspension or removal from office. Attorney fees and court costs can be awarded in a civil suit.

Sunshine Meeting

Q. What are the requirements for a "Sunshine meeting"?

A. Meetings of two or more members of a board or committee to discuss board matters must be: (1) Open to the public; (2) noticed to the public; and (3) minutes (written) taken and recorded.

Q. What constitutes a meeting under the Sunshine Law?

A. Any time two or more persons on the same board or committee communicate about any foreseeable matter that may come before the board or committee, it is a meeting under the Sunshine Law.

Q. What types of communications qualify as a "Sunshine meeting"?

A. Communication may include the following:

1. Face-to-face
2. Written correspondence
3. Telephone
4. Email
5. Hand signals
6. Through an intermediary, a person who separately speaks to both board or committee members and tells one what the other says regarding a matter that may come up before the board or committee.

If a board or committee asks one of its members to communicate a board or committee concern to another person or bring back information to that board or committee, the action qualifies as a meeting under the Sunshine Law. Even though it is a single board or committee member going to another person (such as the city manager), the single board or committee member is acting as a "delegate" for the board or committee as if two or more members are in attendance. Under the Sunshine Law, this action would qualify as a "Sunshine meeting".

Email: A board or committee member may send an email to their fellow members and staff liaison with their thoughts about a matter of business that has or will come before their board or committee. However, no reply emails are permissible. The subject of the email could only be discussed at a future board or committee meeting. Any reply email would be dialogue outside of the "sunshine."

In these situations, it is recommended that the following footnote be added to the email:

> "PLEASE NOTE THAT AS MEMBERS OF THE _____ BOARD OR COMMITTEE, TWO-WAY COMMUNICATION BETWEEN MEMBERS IS PROHIBITED BY SUNSHINE LAW. DO NOT REPLY TO ANY BOARD OR COMMITTEE MEMBER. DISCUSSION SHOULD TAKE PLACE AT A SCHEDULED BOARD OR COMMITTEE MEETING."

Unsolicited email to private email accounts:
Quasi-judicial boards – If the email is deleted and unread, it is not considered as received in connection with the transaction of official business. If read and then deleted, the document should be treated as an ex parte communication. This requires a copy be presented by the board member to the board and staff liaison and an announcement made at the public hearing regarding the receipt of this ex parte communication. The staff liaison will attach the email document to the minutes as it is part of the record.

All other boards and committees - If the email is deleted and unread, it is not considered as received in connection with the transaction of official business. Otherwise, it is treated as a public record. The board or committee member is required to retain a copy or provide it to the staff liaison to retain.

Speaking on behalf of one's board or committee: No member will speak on behalf of their own board or committee unless that board or committee has voted to authorize that member to speak on its behalf. A notice will be posted to state that, in effect, one board or committee meeting is being held during the board or committee meeting at which the member has been asked to speak.

A board or committee member may report what his or her own board or committee did at their board or committee meeting without authorization, but he/she is advised to rely on a copy of their own minutes (draft minutes are acceptable) in order to be accurate about the board or committee proceedings. If not, the member is at risk of accidentally misrepresenting what that board or committee did at their meeting.

Q. What if two board or committee members are leaning back in their chairs chatting quietly during a presentation?

A. If the board or committee members are discussing board or committee business, it qualifies as a meeting under the Sunshine Law. Members are to refrain from this activity since it constitutes a meeting and must be done in public.

Q. What if a board or committee member comes to a neighborhood association meeting and another member of the commission, board or committee is also at the meeting and a matter that may come up before the board is up for discussion by the association, is there a violation of the Sunshine Law?

A. No, as long as members on the same board or committee do not address each other or respond to each other's statements during the meeting. Many associations are adding a statement to their notices that two or more board or committee members may be present. If discussion occurs between the members, written minutes must be taken and filed with the city clerk.

Q. Can a member of the Planning and Zoning Board and a member of the Board of Adjustment, for example, talk about a matter to come before their individual boards?

A. Yes. Since they are not on the same board or committee, the two individuals in the example above may discuss business that may come before their boards provided they are not acting as a delegate for their boards. This holds true even if the subject matter is a proposal that will be presented to both boards or committees.

Q. What if two members of a City board or committee are also members of the same homeowner association or area group, and an item that may come before the City board or committee is coming up before the homeowner association or area group? Can the board members participate and discuss the item at the homeowner association or area group meeting?

A. The two members should not participate and discuss with each other what may be business to come before their City board or committee no matter where this may take place. Each member may voice their position at the non-city group but should not respond to each other's positions either directly or indirectly. If there is concern that the non-city group will involve possible sunshine discussion, it is best to give notice of the meeting, announcing what board or committee members will be there, take minutes of the meeting and submit the minutes to the city clerk.

Open to the Public

Q. What is the difference between a public meeting and a public hearing?

A. A public hearing differs from a public meeting in that it is a meeting that the public comments become a part of the official record of the proceedings. The public is encouraged to speak at both public hearings and public meetings and everyone should be able to hear what is being said and see what is being presented.

Q. Does the public have a right to participate in a Sunshine meeting?

A. Yes. Section 286.0114 of the Florida Statutes requires a board/committee to provide the public with an opportunity to be heard on a proposition before the board. The chair will make the manner of public participation clear at the beginning of the meeting and prior to taking a vote on any official action and provide members of the public an opportunity to be heard. The chair is responsible for enforcing reasonable time limits that govern how long members may speak within the requirements of the law.

Guidelines for Public Participation in a Meeting

A board/committee may find it advantageous to adopt standing rules for public participation in its meetings. Keep in mind that the rules a board/committee might wish to adopt must be approved by the city commission. Guidelines for suggested standing rules are:

1. Anyone wishing to make a comment or ask a question shall wait for recognition from the chair before beginning to speak.

2. No individual shall speak a second time if someone who has not spoken wishes to speak.

3. Individuals from the public shall address the board or committee from the podium or designated area for public address so that their comments are properly recorded and amplified.

4. Speakers shall use the microphone or speak in a clear, strong voice so that all may hear.

5. Comments made by the public shall be relevant to the subject under consideration.

6. The public in attendance not recognized to speak shall refrain from talking among themselves while others are speaking.

7. The rules of decorum and order required under the Sunshine Law apply to public participation in a meeting and shall be observed at all times.

Please note that pursuant to rules established by the City Commission a minimum of 3 minutes shall be provided to each speakers, unless the chairperson determines that the speaker has exercised their opportunity to be heard at some other time during the decision-making process on the proposition before the board and committee. In such cases, the time of provided for speaking may be reduced. Additional time may be granted in consideration of the complexity of the proposition.

Q. What is required for a meeting to be "open to the public?"

A. For a meeting to be "open to the public" it must take place at a location large enough to accommodate public attendees. If a larger group than expected arrives, sound and/or visual projections of the meeting will be made available. If this is not possible, another room will be used or the meeting is postponed to another time and place when a larger room is available.

Q. Who decides what board or committee meetings will be broadcast on the government access Channel 78?

A. The city commission authorizes broadcasting of board and committee meetings.
The following boards have been authorized to have their meetings broadcast live on Channel 78:

Beach Redevelopment Board
Board of Adjustment
Charter Revision Board
Code Enforcement Board
Historic Preservation Board
Marine Advisory Board
Nuisance Abatement Board
Parks, Recreation and Beaches Board
Planning and Zoning Board
Special Magistrate Hearing
Unsafe Structures Board

Physical needs of a meeting place

The staff liaison ensures that the minutes secretary or minutes contractor has activated the audio digital recording system and is fully trained on operation of this system to assist when necessary. For those boards designated to be broadcast on the government community channel, the staff liaison ensures that the broadcasting equipment is turned on and that a video recording is made and maintained according to State of Florida retention requirements. No video recording is disposed without approval from the department director.

Off-site meetings

The location of board or committee meetings is not changed unless circumstances beyond the control of the board or committee require it to be moved. However, if the board or committee needs to visit a particular site or location, a tour may be scheduled. Board or committee members shall refrain from discussion until the tour is concluded and the board/committee convenes in their customary meeting place with recording equipment activated. The staff liaison consults with the city clerk's office concerning changes to meeting locations and dates. It is encouraged that changes be kept to a minimum. The staff liaison notifies and makes arrangements with the minutes secretary or minutes contractor in advance for any schedule changes.

Q. What happens if a board or committee wants to take a inspection tour?

A. If an advisory board or committee requests a tour, the mode of transportation must be big enough to accomodate a reasonable number of members of the public (to be determined on a case by case basis). Board or committee members shall not have discussions on matters which may come before the board for official action until the members get off the bus and convene in a meeting that has been noticed, is open to the public and will have minutes taken. Inspection tours are not available to a board with an ultimate decision making authority.

Q. Are microphones required at a meeting?

A. Microphones will be used so the public can hear the meeting.

Q. What if the microphones are broken and the public cannot hear?

A. If microphones are not working and board or committee members cannot speak loud enough for the public to hear, the board or committee should: (1) fix the microphones; (2) postpone the meeting to another time (requires notice); or (3) cancel the meeting.

Q. Can a member of the public be asked to leave a meeting?

A. No person can be asked to leave a meeting unless they are disrupting the proceedings with unruly behavior. For example: During selection and negotiation meeting, it cannot be recommended, courteously asked or even suggested (even if you tell them that legally they are entitled to stay) that competing proposers leave the meeting. Everyone shall be included if they so desire.

Q. Should the door be open or closed during a meeting?

A. The meeting room door should be left open at all times during the meeting unless there is loud noise or activity outside of the door that is disrupting the meeting and the noise or disruption can-not be stopped. In that instance, a sign should be posted on the door letting the public know that the meeting is going on inside the room.

Public Notice

Q. What is proper public notice?

A. The staff liaison is responsible for ensuring that proper notice of a meeting is provided. Board and committee members will review the Statutes, rules or procedures governing the type of meeting being held and follow the appropriate public notice requirements. The following footnote will be included on the face of all agendas:

> "Two or more City of Fort Lauderdale commissioners or members of a Fort Lauderdale advisory board or committee may be in attendance at this meeting.
>
> If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
>
> If you desire auxiliary services to assist in viewing or hearing the meeting or reading agendas and minutes for the meetings, please contact the City Clerk's Office at 954-828-5002 and arrangements will be made to provide these services to you."

In general, the board or committee staff liaison shall make sure the meeting notice is posted (on the bulletin board at the entrance to city hall) at least three days prior to the meeting. Additionally, the staff liaison sends the agenda to the city webmaster for posting on the city's website and to the city clerk.

If a meeting is canceled or moved to an alternate date or location, the staff liaison emails a notice to Arleen Gross, city clerk's office and copy Jeff Modarelli, senior assistant city clerk, city webmaster, and the minutes secretary or minutes contractor and technical support contractor (if applicable) for posting at least three days prior to the meeting on the bulletin board at the entrance to city hall. If there is not time to post a three-day advance notice, the staff liaison posts a notice on the doors of the room where the meeting was originally scheduled. The notice advises of the new meeting time and/or place. In addition, the notice is posted on the door of the new meeting location.

Minutes

Q. What are minutes? Who receives the minutes? Where are they kept?

A. Minutes are a written record of the activities that take place during a meeting. Florida law requires that minutes of official meetings (Florida Statute, Chapter 286) be maintained as a permanent record of the city. All board and committee meeting minutes are maintained by the city clerk on the city's website. The staff liaison is responsible for posting their minutes.

Q. What should minutes include?

A. At a minimum, minutes should include:

1. a written record of the time the meeting starts and ends;
2. meeting location;
3. names of board or committee members in attendance;
4. the full name for any acronyms;
5. official actions taken by the board or committee;
6. a brief summary of meeting activities, including an attachment of any presentation slides used;
7. announcement by staff liaison of the number of appointed members as of the date of the meeting and the number of members that would constitute a quorum (for boards and committees identified in Ordinance C-09-05).

Minutes may also include:

1. requests made that may not necessarily be made in the form of a motion; (These may require follow-up after the meeting or may be in the form of questions that are answered at the same meeting where they are posed.)
2. comments made by applicants;
3. clarifying comments by applicants or staff concerning requests or petitions before the city;
4. policies or procedures announced by staff;
5. opinions about the subject matter before the board or within the scope of the board or committee that warrant recording for historical purposes and to convey to the city commission.

An electronic recording does not replace the requirement for minutes pursuant to state law. Written minutes must be taken. Minutes should include an attachment of any presentation slides used in place of detailed narrative.

Q. What is an official action?

A. An official action results when a main motion, the basic device by which a matter is presented for possible action, is made. The minutes should reflect the following:

1. the name of the maker of the motion;
2. the name of the member who seconded the motion;
3. the wording of each motion as adopted or otherwise disposed of;
4. the disposition of the motion (adopted, defeated, deferred, or laid on the table);
5. final disposition (adopted or defeated) the record of each member's vote, for or against

Q. Who can take minutes (minutes secretary)?

A. Minutes can be taken by a city employee designated by their department director or in some cases the City's minutes contractor. If the regularly scheduled individual fails to appear, the staff liaison may also take the minutes.

Q. How are minutes corrected?

A. The staff liaison coordinates corrections to minutes. Board or committee members may make corrections to the minutes when approval of the minutes is scheduled on the agenda. The corrections are approved by a majority vote of the board or committee. For boards and committees that use the City's minutes contractor, the contractor makes all corrections to minutes at the direction of the staff liaison.

Q. What if someone intended to say something or thought they said something and wants to change or add to the minutes?

A. Making corrections that include what one thought or intended to say is not permitted. Clarifications of this nature are made at the following meeting when the minutes or the particular subject is considered. As such, the individual makes that clarification and it is then reflected in the following meeting minutes.

Q. Do minutes have to be approved by a board or committee to be valid?

A. The rules governing the validation of minutes depend on the board or committee and the type of matter involved. Minutes are provided to boards and committees for any corrections to be announced at the meeting and approved by a majority vote of the board or committee.

Q. What if a board or committee authorizes two or more of its members to meet separately? Is this permissible? Are minutes taken?

A. Any board or committee that wishes to create a subcommittee shall first get approval from the city commission. By a majority vote of the board or committee, the request is placed before the city commission as a communication to the city commission. (Refer to "How boards and committees communicate to the city commission" page 22) The staff liaison brings this request to the attention of their department director.

Abbreviated minutes are taken by the staff liaison and provided to the board or committee and the city clerk. If the staff liaison is not present at the subcommittee meeting, the subcommittee shall designate one of its members to take the minutes. (Refer to "What should minutes include" page 20)

Rules for Conducting a Meeting

Meeting Agenda

Q. What is an agenda and who prepares the board or committee meeting agenda?

A. The physical structure of the meeting is determined by the agenda, a list of items to be considered at the board/committee meeting. After opening ceremonies, if any, the agenda includes approval of the minutes of the prior meeting.

The staff liaison prepares the agenda based on matters the board/committee is authorized to consider. The originating ordinance/resolution contains information related to matters that can be considered by a board or committee. In addition, a board or committee may have requested at a prior meeting for an item to be placed on a future agenda. The city commission may also propose matters for consideration by a board or committee. Items of business not completed or postponed from the prior meeting will also be included on the agenda. (See public notice – page 19)

Q. May the board/committee bring up new topics or recommendations?

A. Yes and no. The proper place on the agenda to bring up new topics or recommendations is under the heading of “New Business.” For new topics other than those of a purely general nature, notice is required. The new topic should appear on the agenda for the next meeting. New topics, other than something of a general nature, may not be discussed at the present meeting because they have not been properly noticed to the public. The discussion is limited to the rationale for consideration and whether it is appropriate to consider the topic or recommendation at all. Such items, if approved, appear on future agendas.

A majority of board or committee members may vote to have an item within their authority placed on the agenda for their own discussion. If staff time and funds are required to do research or report on the topic and it goes beyond reasonable staff duties for that board, the staff liaison shall inform the city manager and await direction from the city manager. The city commission is advised through the minutes.

Q. How can boards and committees communicate to the city commission?

A. On the agenda under the heading of "Communications to City Commission," boards and commit-tees may highlight anything out of the ordinary to the city commission that they wish to bring to the city commission's attention over and above what is already set out in the minutes including some action they would like the city commission to consider taking.

Communications must be adopted by a motion and majority vote or a clear consensus of a majority of the board or committee.

Q. What if a board or committee does not follow the agenda?

A. Failure to follow the published agenda may raise legal issues about public notice (i.e., the public is not made aware or not prepared to listen to the discussion and respond to a certain matter).

Q. Can the agenda be reordered?

A. Several boards and committees consider matters on a first come, first serve basis. For example, in the case of development permits Applicants that have a completed and submitted an application to the Planning and Zoning Department first, get placed on an agenda first. Reordering the agenda should only be done for a public purpose based on a majority vote of the board or committee.

Q. What are the steps to change the order of the agenda?

A. An item on the agenda can be moved by making a motion. For example:

"I move to take up agenda item 6 after item 2."
"I move to consider item number 7 first."
"I move to make item number 4 the last item for consideration on the agenda."

These motions require a second and a majority vote for adoption. To expedite business, the chair may use unanimous consent to reorder the agenda.

"If there is no objection, item number 3 will be considered first."

When adopted, the items are taken up as reordered.

Conducting Business

Q. How is board and committee business generally conducted?

A. The primary method by which board and committee business is generally conducted is by motion. Business may also be conducted by discussions, reports submitted or made, and requests by board or staff in response to the board or city commission.

Q. What are the rules for conducting a meeting?

A. Parliamentary procedure is generally regarded and accepted as a set of rules for the orderly conduct of business at meetings. These written rules of order allow everyone to be heard and to make decisions with-out confusion. Examples of parliamentary rules are:

1. A quorum must be present for business to be legally conducted.
2. Every member has the right to make motions, speak in debate and vote.
3. A member must be recognized by the chair before speaking or making a motion.
4. Before a motion is brought before the board/committee, it must be seconded.
5. Only one question or motion can be considered at a time.
6. The basic principle of decision is that a proposition must be adopted by a majority vote.
7. Once a motion is seconded and before the board/committee, it must be adopted or rejected by a vote, or be disposed of in some other way, before any other subject can be introduced.

Although the city commission has not officially adopted Robert's Rules of Order Newly Revised as a parliamentary authority, many of the basic principles of common parliamentary law are so widely accepted that Robert's Rules of Order are followed without formal adoption.

Q. What are the chair's duties in conducting a meeting?

A. It is the duty and responsibility of the chair to see that the rules for conducting a meeting are followed. A summary of those duties include but are not necessarily limited to those listed below:

1. He or she opens the meeting at the appointed time by calling the meeting to order, having determined that a quorum is present. For those boards and committees identified in Ordinance C-09-05, the quorum requirement fluctuates according to the number of appointed members. The staff liaison shall announce the number of appointed members as of the date of the meeting and the number that constitutes a quorum.

2. Announce that all speakers, including City staff, should sign-in.
3. Ask minutes secretary, or minutes contractor to call the roll.
4. Announce the arrival of any and all members who arrive late.
5. Announce in proper sequence the business that comes before the board/committee.
6. Recognize members who are entitled to the floor.
7. State and put to vote all questions that legitimately come before the board/committee.
8. Restate all motions and amendments to motions.
9. Announce the name of the member who made the motion and the seconder and announce the name of those members, if any, voting no.
10. Ask the minutes secretary or minutes contractor to call the roll to vote if a roll call vote is necessary.
11. Protect the board/committee from obvious frivolous or dilatory motions by refusing to recognize them.
12. Enforce the rules relating to debate and those relating to order and decorum within the board or committee and with the public in attendance.
13. Open the floor to public comment.
14. Expedite business in every way compatible with the rights of members.
15. Decide all questions of order, subject to appeal, unless submitted to board/committee for a decision.
16. Respond to inquiries of members relating to parliamentary procedure or factual information.
17. Declare the meeting adjourned when the board/committee so votes or at the time prescribed on the agenda.

Q. How does the chair conduct an organized and orderly meeting?

A. 1. The organization of the meeting is determined by the agenda. The chair keeps the meeting on track by adhering to one subject or one main motion at a time. If a board or committee member (or a member of the public) who has been recognized deviates to an unrelated topic, the chair will interrupt and tactfully restate the topic or motion under discussion.

2. The chair recognizes one member at a time.
3. During public hearings, in the interest of time, the chair may ask that a few speakers gather in the area of the podium. The chair then calls upon them one by one.
4. The chair enforces the rule that a member shall be recognized by the chair before speaking. In other words, only one person speaks at a time.

Q. Who chairs the meeting if the chair and vice chair are absent?

A. A motion should be made by any member of the board or committee, seconded and considered by the board or committee, nominating a member to temporarily serve in the absence of the chair and vice chair. This temporary position is called chair pro tem.

Q. What are the responsibilities of members in a meeting?

A. Members also have responsibilities not the least of which is to understand and follow all of the laws, rules or policies that apply to their respective board/committee. Additionally, every member has the responsibility to:

1. Learn the correct way to make motions to carry on the business of the board/committee;
2. Amend motions if they don't express the need of the majority;
3. Know and observe the rules of debate and decorum in debate;
4. Call a point of order when a rule has been broken; (must be called attention to immediately.)
5. Appeal from the decision of the chair on a point of order if not in agreement with the decision of the chair;
6. Know the difference between the use of the motions "Lay on the Table" and "Postpone to a Certain Time";
7. Understand when one should consider abstaining from voting, step off the dais when abstaining and file a memorandum of voting conflict;
8. Know that motions that limit or take away a privilege require a two-thirds vote; and finally,
9. To participate by contributing ideas, voicing meaningful concerns and opinions in debate, and voting for principle.

Q. Can order and decorum be maintained while debating or discussing a controversial issue?

A. Absolutely. Order and decorum is assured if the rules of debate and decorum are observed. Debate "is the essential element in the making of rational decisions of consequence by intelligent people." (RONR 10th ed. p. 373) The basic rules of debate and decorum in debate are:

1. A board or committee member (or a member of the public) shall be recognized by the chair before speaking in debate.
2. Remarks must be confined to the merits of the pending question or topic under consideration. von Goethe said: *"We should quietly hear both sides."*
3. When speaking in debate, a member shall refrain from attacking motives and avoid name calling. Mahatma Gandhi said: *"Honest disagreement is often a good sign of progress."*
4. All remarks shall be addressed through the chair. Members do not address one another directly.
5. Makers of a motion are not permitted to speak against their own motion, although they may vote against it. Mark Twain said: *"It is not best that we all should think alike, it is differences of opinion that make horse races."*
6. Do not interrupt anyone who is speaking except in special situations where the urgency justifies the interruption.
7. Obtain permission of the board/committee to read from any paper or book.
8. Members of the board/committee or the public shall not disturb the meeting by whispering or in any other way.

Q. What if a board or committee member or member of the public interrupts another board or committee member or a member of the public, causing a smooth meeting to be interrupted?

A. The chair shall ask that member of the public or board or committee member to hold his or her questions and comments until he or she is recognized by the chair.

Steps in handling an agenda item in a board or committee

Step	Action
Chair announces the item of business	"The next item of business is item number 5 on the agenda which is related to… Is there any discussion?
Item introduced is open for informal discussion.	Reports may be given related to the matter, members may bring up several proposals, ideas or recommendations.
Developments or conclusions reached from open discussion.	The discussion and debate may develop in two possible ways: 1. An unspoken general consensus is reached that a specific conclusion or action is the proper course or recommendation for the board to pursue. 2. Two or more conflicting proposals may result and passions are hard and fast on all sides.
A member or the chair makes a main motion putting the conclusion (or one of the conclusions) into a formal motion.	"I move that the board recommend to the city commission…" OR "I move that the board request approval for an additional study to determine…"
The motion is seconded.	"I second the motion." or "Second."
The chair states the motion.	"It is moved and seconded that the board Recommend to the city commission…" OR "It is moved and seconded that the board request approval for an additional study to determine…"
The motion made is open to debate.	"I speak in favor of the motion…" "I speak in opposition to the motion…"
The motion is also open to amendments or other disposition.	"I move to amend the motion by striking out the word_____and inserting the word_____." "I move to defer the motion to the next meeting."
The chair puts the question to a vote (the wording of the motion should be repeated)	Voice Vote: "The question is on the adoption of the motion to …[e.g., recommend to the city commission…, request approval for an additional study to determine…] Those in favor, say aye…Those opposed, say no… Roll call vote: "This vote will be taken by roll call. Those in favor of adopting the motion to… will answer yes; those opposed will answer no. The staff liaison or minutes secretary will call the roll." A roll call vote is encouraged and is considered good practice whenever there are any no votes. It provides a clear record of those in favor and those opposed.
Chair announces the result of the vote.	"The ayes have it and the motion is adopted." Or, "The noes have it and the motion is defeated.
Chair makes an announcement of the next item of business.	"The next business in order is….." Or, "The next item on the agenda is…..:"

Q. What if a board/committee member wanders away from the topic of discussion on the table?

A. If a board or committee member is speaking on a topic that is not within the authority of the board or committee to discuss, another board or committee member may ask the chair for a point of order to bring the meeting back to a topic within the authority of the board/committee.

Q. What is the procedure for handling an item of business on the agenda?

A. Generally, to handle an item of business on the agenda, a motion is made prior to discussion. In small boards or committees, informal discussion of a topic is permitted without a motion. The board/committee may need to fully explore an issue or proposed action before deciding on the course of action to be taken.

Steps in handling an agenda item in a board or committee meeting are outlined in the chart on page 26.

Motions

Q. What is a motion?

A. A main motion is a formal proposal by a member in a meeting that the board or committee take certain action. A motion may bring its subject to the attention of the board or committee or the motion may follow upon the presentation of a report or other communication. There are many other parliamentary motions which involve procedural steps related to the main motion already under consideration. These are called secondary motions. However, they do not bring business to the meeting as a main motion does. A main motion is made only when no other motion is pending while a secondary motion is made and considered while a main motion is pending because of its relationship to the main motion or because of the procedural or emergency character of the specific secondary motion.

Q. How are motions made?

A. Board and committee members refer to Robert's Rules of Order when making motions.

Q. Can the chair make a motion?

A. In parliamentary terms, the chair does not make motions in order to remain impartial and run an orderly meeting. It is good practice for the chair to hand over the gavel when he or she wishes to make a motion, so that the chair would not have two jobs at that time, 1) advocating the motion, and 2) running the meeting.

Q. What is it you want to do? Are motions ever made in the negative tense?

A. Knowing what motion to make as well as how and when to make it will result in better meetings. Using the motions in the following table will help board and committee members have more effective meetings.

WHAT IS IT YOU WANT TO DO?

The workhorse of introducing and handling business in a meeting is a motion. This summary of motions will not tell you everything you need to know but, for more effective meetings, you need to know what motion to make to accomplish what you want.

Your Objective	Motion to Use
Bring up business; propose an idea for action	**MAIN MOTION.** Can only be made when no business is pending. "I move that…"
Kill a main motion	**DEFER INDEFINITELY.** Avoids a direct Vote on the main motion and "kills" it.
Make a main motion better, perfect the wording.	**AMEND** the main motion. You may add, delete, change or even substitute one motion for another.
Put off the vote on a main motion.	**POSTPONE** the main motion to a later time or to another meeting. The time must be **DEFINITELY** specified.
Call the question, close debate / stop amendments	**PREVIOUS QUESTION.** This requires a two-thirds vote and, if adopted, the vote is taken immediately on the pending motion.
Take a break	**RECESS.** A recess is a short intermission; the interrupted business is resumed after the recess.
Need to know something	**POINT OF INFORMATION.** Ask the chairman.
Point out a violation of the rules	**POINT OF ORDER.** Calls the attention of the chair to the problem. The point of order must be made immediately at the time the infraction occurs. The chair must rule at once if the point of order is well taken or not well taken.

Generally, motions are made in the positive and the vote then reflects the decision of the board or committee. If a board or committee is discussing a petition or application and it appears there is not a majority in favor, any member wishing to bring the discussion to a close should make a motion to approve while explaining that he or she simply wishes to bring it to a vote. The vote reflects the decision.

Voting

A vote is a formal expression of the will or opinion or preference of the members of a board/committee in regard to a matter submitted to it.

Q. What is a majority vote?

A. Majority vote is the vote required for approval of an action or choice by a board or committee. Majority means more than half of the votes cast by persons legally entitled to vote at a properly called meeting with a quorum.

Q. What is the outcome of a tie vote?

A. For **Quasi-judicial** boards, an item needs to be approved or denied by an affirmative vote. That means that a majority must vote for a motion to approve or a motion to deny. If there is no majority vote then it is neither approved nor denied. For all other boards and committees, a motion is made to approve and if a tie vote occurs, the motion is defeated.

Q. What is a two-thirds vote?

A. When a decision based on more than a majority, the requirement most commonly specified is a two-thirds vote. To easily determine if a two-thirds vote has been obtained, multiply the negative vote times two. The motion is adopted if the affirmative vote is greater than or equal to two times the negative vote. For example: Assume 32 votes cast with 22 votes in the affirmative and 10 in the negative. The affirmative vote of 22 is greater than the negative 10 votes times 2 (that's 20), therefore, two thirds is achieved.

Q. When is a two-thirds vote required?

A. In order to balance the rights of the individual and the rights of a board or committee as a whole, the established principle is that a two-thirds vote is required to adopt any motion that: (1) suspends or modifies a rule of order previously adopted; (2) prevents the introduction of a question for consideration; or (3) closes, limits or extends the limits of debate.

Q. What is the correct way for the chair to take a vote?

A. Taking any vote begins with repeating the question or motion which is to be decided. For example, "The question is on the adoption of the motion recommending the city commission approve the rezoning application…" or, "The question is on the adoption of the motion postponing the rezoning application to the next meeting." Refer to **Appendix A** for the proper wording for taking a vote. Time can often be saved by the procedure of unanimous consent (also known as general consent). It can be used to adopt a motion without the steps of stating the question and putting the motion to a formal vote. To obtain unanimous consent, the chair states,

> "If there is no objection, the minutes are approved as corrected."

"Without objection, public participation in this meeting is extended for 10 more minutes."

"Is there any objection to requesting the city commission to call for a parking lot study? [pause] Since there is no objection, the request from this board/committee will appear in the minutes and the staff liaison will apprise the city manager of this request."

If any member objects, the chair must state the question on the motion and take a formal vote.

Q. Is it necessary to record how each member voted on every motion? What about a roll-call vote?

A. The vote of each member is recorded on every main motion or recommendation decided by the board or committee. There is a roll call vote on all matters specifically listed on the agenda if there is any member dissenting. The chair calls for the vote and if there are no dissenting members, a voice vote is sufficient. If there are any dissenting votes, the chair asks the staff liaison or minutes secretary to call the roll for a roll call vote. Other motions which are secondary to handling the main motion (i.e., Amend, Postpone to a Certain Time, etc.) or a motion to recess or adjourn or other motions incidental to the business are taken by a voice vote.

Q. Can there be a secret vote on anything? For example, if a board or committee does not want to hurt someone's feelings, can they write their votes on a paper ballot?

A. No. There can be no secret votes. Votes can be written, but the written vote is a public record.

Q. What if a board or committee member is a professional architect and wants to represent a client in front of a board or committee on which he or she serves?

A. A board or committee member may not represent an application for a client in front of his or her own board or committee. The board or committee member may represent himself or herself personally regarding their own application in front of their own board or committee.

Voting Conflicts

Q. If a board or committee member has a conflict, what should they do?

A. If a board or committee member has a conflict, the member should announce the nature of the conflict and get the required memorandum of voting conflict form (refer to Appendix F; also see http://www.fortlauderdale.gov/home/showdocument?id=660) from the staff liaison. The board or committee member should remove himself or herself from the table or dais and sit with the general public. If the member wishes to address the board or committee, he or she must do so as a member of the general public. The memorandum of voting conflict shall be filed within 15 days after the vote with the staff liaison. If no staff liaison is available, the form is filed with the city clerk. The board or committee staff liaison attaches the original memorandum to the minutes. Certain exceptions and waivers may be available. Please contact the city attorney's office at 954-828-5940 for more details.

Q. What if a board or committee member is not sure whether he or she has a voting conflict?

A. The member informs the staff liaison and/or calls the city attorney's office at 954-828-5940.

Q. May a board/committee member vote "absentee" or by proxy when the member cannot attend a meeting?

A. No. The right to vote is limited to board/committee members who are actually present at the time a vote is taken.

Q. What if a board or committee member was absent when a topic was discussed and does not want to vote at the subsequent meeting when the topic is scheduled for a vote?

A. Absence from a prior meeting is not a recognized exception to the voting requirement provided in Florida statute 286.012. The board or committee member may listen to the audio recording or read the minutes of the meeting discussion.

Q. What if a board or committee member does not like the motion being discussed (e.g., "It will make my neighbor mad.")? Can the board or committee member abstain from voting?

A. No. Florida Statute 286.012 states that board and committee members must vote unless there is a legal conflict or if the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

Order and Decorum

Decorum directly relates to the Sunshine Law. The purpose of the Sunshine Law in part is to provide the public with a right to attend a meeting and hear the proceedings and that a record of what happened at the meeting is documented and available for those who could not attend the meeting.

The Sunshine Law also states that all meetings shall be subject to order and decorum. "Order" is defined as customary or prescribed methods used in the conduct of deliberative, legislative or public meetings, (i.e., parliamentary rules of order). "Decorum" is defined as customs of formality that are followed by a presiding officer and members of a board/committee; propriety and good taste in conduct or appearance.

Q. What happens if there is disorder at a meeting?

A. If a member of the public is shouting, talking off the topic or talking repeatedly about a point, thereby impeding "public" access to the meeting, there is disorder. The person exhibiting the unruly behavior may be asked to leave.

Adopting Rules of Conduct

Q. Can a board or committee adopt rules of conduct?

A. For general conduct of business, boards and committees should first refer to the following laws and regulations to determine if a rule of conduct is already in place: (1) Florida Constitution or Statute; (2) City ordinance; or (3) Resolution or ordinance by city commission.

If rules are not in place and the board believes a standard rule should be in place, the proposed change should be presented to the city commission for approval.

To be effective, all rules and regulations of boards and committees appointed by the city commission shall be approved by resolution of the city commission. A copy of such rules and regulations are attached to the resolution approving them and available for public inspection at any time. If a board or committee would like to establish a rule, the staff liaison submits a request to the city commission and the city manager schedules the matter on the commission agenda.

Q. Can a board or committee set a special rule appropriate for the moment?

A. Yes, refer to "Guidelines for Public Participation in Meetings" on page 17.

Q. What are some examples of special rules?

A. The electricity goes out during the middle of a meeting. What is done?

> The chair asks those in attendance to remain at ease for a few minutes to see if the electricity comes back on. The chair may also recess the meeting for a few minutes to see if the power comes back. If the power does not come back, a motion is made to move or to adjourn the meeting.

A representative for an item has not arrived at the time the item is ready to be heard. What is done?

> The chair announces that fact and proceeds to the next item of business on the agenda.

The chair inadvertently strays from the agenda. What is done?

> A member "Calls for the Orders of the Day" which requires the chair to immediately return to business as listed on the agenda.

When necessary, the chair takes action without a formal motion, provided no member of the board/ committee objects. If there is an objection, the chair will take a vote to obtain approval of the action proposed.

V. RESPONSIBILITIES OUTSIDE OF A MEETING

Rules and Regulations

Q. Are board and committee members considered public officers?

A. Yes. According to Chapter 112, Part III of the Code of Ethics for Public Officers and Employees, a public officer "includes any person elected or appointed to hold office in any agency including any person serving." This includes all board and committee members.

Q. What laws apply to board and committee members when they are not conducting a meeting?

A. Certain laws apply to board and committee members when not participating strictly as a board or committee member. Most of these laws deal with conflict of interest in business relationships and can be found in Section 112.313 (3) and (7) of the Florida Constitution.

Conflict of Interest

A board or committee member possibly may have an interest with participating agencies seeking a grant or contract from the city.

Conflict of Business Interest

Board or committee members shall not rent or sell the city services, goods or property that they or

their employer are providing without first checking to see if there is an exception. Board or committee member may not be able to serve on a board or committee and do business with the city at the same time. A board or committee member may request a waiver from the city commission. The city commission will review the request and decide if a waiver is warranted.

Dual Office Holding (Section 5(a) Article II, Florida Constitution)

An individual is precluded from holding two incompatible offices at the same time in order to assure the actuality of undivided loyalty. For example, the mayor of the City of Fort Lauderdale would be prohibited from serving simultaneously as the sheriff of Broward County.

Public Records

Q. What is a public record?

A. Public records include all documents, papers, letters, maps, books, videos, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the city.

Q. Does this include my email on official business sent from my personal computer?

A. Yes.

Q. When may I destroy my board and committee meeting agenda and backup?

A. An exact duplicate of the official document such as an agenda may be destroyed. All notes made about anything that may eventually be deliberated at a board or committee meeting are public records and are retained for two anniversary years after the meeting minutes are adopted.

Q. What if my notes are jotted on scrap paper at home?

A. All board and committee member notes are public records and are retained for two anniversary years.

Q. When my term on a board or committee expires, what should I do with my notes?

A. At the end of a term, board and committee members submit their notes to the staff liaison and if there is a question they may contact their staff liaison.

Gifts

Q. Can a board or committee member accept gifts?

A. A board or committee member is prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor or service that is based on an understanding that their vote, official action, or judgment would be influenced by such gift.

Certain board members, specified by statute, must file a statement with the Commission on Ethics on the last day of each calendar quarter for the previous calendar quarter containing a list of gifts which he or she believes to be in excess of $100 in value. There are exceptions. Board members that need to file include:

Board of Adjustment
Code Enforcement Board
Historic Preservation Board
Nuisance Abatement Board
Planning and Zoning Board
Unsafe Structures Board

Q. What if a board or committee member receives a gift from a sister or brother for their anniversary? Does it need to be reported?

A. No. Florida Statute 112.3148 provides an exception for gifts from a relative.

Q. If someone buys lunch for a board or committee member, does it need to be reported?

A. It depends on who is buying the lunch and how much it costs. If the lunch costs under $100, it will not have to be reported. However, the board or committee member needs to be sure the person buying lunch is not a lobbyist trying to influence a vote on a particular matter. Board and committee members are encouraged to check the register of City of Fort Lauderdale Lobbyists that is maintained by the city clerk's office by logging on to http://www.fortlauderdale.gov/departments/city-clerk/lobbyist-registration/registered-lobbyists.

Financial Disclosure

Q. Do all board and committee members have to file a financial disclosure form?

A. Board of Adjustment
Code Enforcement Board
General Employees Retirement System, Board of Trustees
Historic Preservation Board
Nuisance Abatement Board
Planning and Zoning Board
Police and Firefighters Retirement System, Board of Trustees
Unsafe Structures Board

The county supervisor of elections office mails a Limited Financial Disclosure form (see **Appendix D**) to the permanent residence of each of these board members no later than June 1st of each year.

Q. When do I file and what form should I use?

A. All specified board members shall file a Limited Financial Disclosure form (**Appendix D**) with the supervisor of elections office of the county in which they permanently reside by July 1st of each year. The form may be found at the following link http://www.ethics.state.fl.us/FORMS/Form%201_2014i.pdf.

Q. What must be disclosed? What is the local officer designation?

A. A member of a board that is required to file a Limited Financial Disclosure form, is considered a local officer. Please see pages 15 and 16 of the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" provided in the materials. The Limited Financial Disclosure form is included in this publication as **Appendix D**.

Lobbying

Q. What is the city commission's position on lobbying?

A. The city commission of the City of Fort Lauderdale, Florida, hereby determines and declares that the operation of responsible government requires that the fullest opportunity be afforded to the people to petition their city government for the redress of grievances and to express freely to the elected officials their opinions on legislation and other actions and issues; and that to preserve and maintain the integrity of the governmental decision making process, it is necessary that the identity and activities of certain persons who engage in efforts to influence covered individuals, as set forth in the Broward County Code of Ordinances, Section 1-19, Code of Ethics for Elected Officials, be publicly and regularly disclosed.

Q. What is lobbying?

A. "Lobbying" or "Lobbying Activities" shall be defined as in the Broward County Code of Ordinances, Section 1-19, Code of Ethics for Elected Officials.

"Lobbying" or "Lobbying Activities" means a communication, by any means, from a lobbyist to a covered individual regarding any item that will foreseeably be decided by a final decision-making authority, which communication seeks to influence, convince, or persuade the covered individual to support or oppose the item. Lobbying does not include communications:

a. Made on the record at a duly-noticed public meeting or hearing; or

b. From an attorney to an attorney representing Broward County or any municipality within Broward County regarding a pending or imminent judicial or adversarial administrative proceeding against Broward County or against any municipality within Broward County.

Q. What is a lobbyist?

A. "Lobbyist" shall be defined as in the Broward County Code of Ordinances, Section 1-19, Code of Ethics for Elected Officials.

"Lobbyist" means a person who is retained, with or without compensation, for the purpose of lobbying, or a person who is employed by another person or entity, on a full-time or part-time basis, principally to lobby on behalf of that other person or entity. "Lobbyist" does not include a person who is:

a. An Elected Official, employee, or appointee of Broward County or of any municipality within Broward County communicating in his or her official capacity.

b. An individual who communicates on his or her own behalf, or on behalf of a person or entity employing the individual on a full-time or part-time basis, unless the individual is principally employed by that person or entity to lobby.

c. Any employee, officer, or board member of a homeowners' association, condominium association, or neighborhood association when addressing, in his or her capacity as an employee, officer, or board member of such association, an issue impacting the association or its members; or

d. Any employee, an officer, or a board member of a nonprofit public interest entity (e.g., Sierra Club, NAACP, ACLU) when addressing an issue impacting a constituent of that entity.

Q. What information are lobbyists asked to provide?

A. Every lobbyist files with the city clerk and provides under oath the following:

1. The lobbyist's full name, business address and name and nature of the business, occupation or profession.
2. The name, business address and name and nature of the business, occupation or profession of each of the lobbyist principals.
3. The general and specific subject matters that the lobbyist seeks to influence.
4. The extent of any direct business association by the lobbyist with any current elected or appointed official or employee of the city.
5. A lobbyist representing a person shall, prior to engaging in lobbying, receive appropriate written authorization from said person to lobby on that person's behalf upon a particular subject matter. A copy of the applicable documentation, including but not limited to letters, agreements, minutes, motions or other evidence of action authorizing the lobbyist to lobby on behalf of the person shall be provided to the city clerk.

Q. Is there a current listing of registered city lobbyists?

A. Yes. A current list of registered lobbyists is available on the city's website at http://www.fortlauderdale.gov/departments/city-clerk/lobbyist-registration/registered-lobbyists. The list is maintained by the city clerk's office.

Q. What is a statement of representation?

A. All persons engaging in lobbying activities must make a statement of representation at the beginning of their conversation, presentation, letter, telephone call, email or facsimile transmission or other method of communication with the city commission, city board or committee or any member thereof or the city manager or city staff, stating the name of the principal for whom he or she is lobbying.

Q. Who is not required to register as a lobbyist?

A. The following individuals do not need to register as lobbyists:

1. An Elected Official, employee, or appointee of Broward County or of any municipality within Broward County communicating in his or her official capacity;
2. An individual who communicates on his or her own behalf, or on behalf of a person or entity employing the individual on a full-time or part-time basis, unless the individual is principally employed by that person or entity to lobby;
3. Any employee, officer, or board member of a homeowners' association, condominium association, or neighborhood association when addressing, in his or her capacity as an employee, officer, or board member of such association, an issue impacting the association or its members; or
4. Any employee, an officer, or a board member of a nonprofit public interest entity (e.g., Sierra Club, NAACP, ACLU) when addressing an issue impacting a constituent of that entity.

VI. INDEMNIFICATION AND INSURANCE

Q. What is indemnification?

A. Section 2-42 of the City of Fort Lauderdale Code of Ordinances entitled “Indemnification of City Officials,” defines and covers “officials” of the city which includes board and committee members. The code outlines the guidelines under which city “officials” are indemnified in the performance of their official duties on behalf of the city in a dispute, proceeding or litigation. The code states that: The city shall promptly preserve, protect, defend, aid and assist such officials and hold them harmless from expenses, liabilities, losses counsel fees, etc.

VII. PENALTIES

Possible consequences for violation of the Sunshine Law, conflict of interest, gift and public records laws include:

1. criminal penalties for a "knowing" violation;
2. fines;
3. removal from office;
4. action taken out of the Sunshine is void (may take corrective action by rehearing the item);
5. payment of attorney fees of person seeking redress for the violation.

Appendix A

Introduction

The procedures outlined below have been modified as applicable to municipal boards and committees. This appendix provides the chair and members of a board or committee with two important summaries:

> **How to Conduct a Meeting** – provides the script for the chair in presiding at a meeting and includes all the steps from calling the meeting to order, approval of the minutes, announcement of the rules for public participation (if applicable), announcing an item of business on the agenda and adjourning the meeting without a motion.
>
> **Motions** – leads the chair (and members) through the eight steps in making and handling a motion and includes various methods of taking a vote and announcing the result of a vote.

The chair who masters these steps and learns the correct wording will earn the respect and cooperation of fellow board/committee members.

HOW TO CONDUCT A MEETING

Order of Business	Script for Presiding Officer
Call to Order	"The meeting will come to order" -Or- "The meeting will be in order."
Opening Ceremonies (e.g. Pledge of Allegiance)	"The chair recognizes… for…"
Roll Call	"The minutes secretary [or staff liaison] will call the roll."
Approval of Minutes	"The minutes were previously distributed to all board/committee members. Are there any corrections to the minutes?" [Pause] "If there are no corrections, the minutes are approved as distributed." -Or- "Are there any additional corrections to the minutes?" [Pause] "If there are no further corrections, the minutes are approved as corrected."
Announce Rules for Public Participation (if applicable)	"Several items on the agenda for this evening are of greater than normal concern for members of the public here this evening. The chair has received several requests to permit public participation. If there is no objection, each individual from the public who wishes to speak will be permitted three minutes to speak and may not speak a second time until all who wish to speak once have spoken."
Announce an item of business on the agenda	"The first [or "next"] item on the agenda is the request from the city commission for a recommendation on…"
New Business	"Is there any new business?" "Is there any further new business?"
General Good and Welfare	"Does any member have any item of a general nature relative to the work of this board/committee that needs to be discussed?"
Announcements	"The chair or staff liaison would like to make the following announcements…Are there any other announcements?"
Adjournment	"Is there any further business?" [pause] "Since there is no further business, the meeting is adjourned."

MOTIONS

1. **MEMBER ADDRESSES THE CHAIR** Member seeks recognition by raising hand or pushing call button when no one else has the floor, and says…	"Mr. Chairman" (Madam Chairman, etc.)
2. **CHAIR RECOGNIZES MEMBER** If the member is entitled to the floor at the time, the chair recognizes him by saying…	"The chair recognizes…" (person's title, place or area he represents, or name)
3. **MEMBER MAKES MOTION** After the chair recognizes the member, the member makes the motion…(Note: The maker of the motion has the right to speak first in debate, after the chair has stated the question.)	"I move that…" (Note: not "I make a motion that…" and not "I so move…")
4. **ANOTHER MEMBER SECONDS THE MOTION** Another member without obtaining the floor or waiting for recognition says… (Note: A second merely implies that the seconder agrees that the motion should come before the meeting; not that they are in favor of the motion.)	"I second the motion." Or "I second it" or "Second"
5. **CHAIR STATES QUESTION** The chair formally places the motion before the board/committee by stating the question; that is, he repeats or states the exact motion.	"It is moved and seconded that…"
6. **DEBATE THE QUESTION** If debatable, after stating the question, the chair should turn toward the maker of the motion to see if the member wishes to be assigned the floor first in debate. Debate must be confined to the merits of the pending question.	CHAIR "Are you ready for the question?" MEMBER: "Mr. Chairman, (waits for recognition) I speak in favor of (or against) the motion…"
7. **PUTTING THE QUESTION TO VOTE** When debate appears to have closed, if no one claims the floor, the chair proceeds to put the question - that is, he/she takes the vote. Voice Vote (majority) Roll Call Vote	"The question is on the adoption of the motion to…" "Those in favor of the motion say aye… [Pause] Those opposed, say no…" "Those in favor of the adoption of this motion will, as their names are called, answer aye [or yes]; those opposed will answer no [or nay]. The secretary [or staff liaison] will call the roll."
8. **CHAIR ANNOUNCES RESULT** The chair announces the result of the vote, declares that the motion is adopted or defeated, states the effect of the vote and announces the next item of business. Voice or Roll Call Vote Two-thirds Vote (Counted)	"The ayes have it and the motion is adopted." or "The noes have it and the motion is defeated." "There are ___ in the affirmative and ___ in the negative. The affirmative has it and the motion is adopted." or "The negative has it and the motion is defeated." "There are ___ in the affirmative and ___ in the negative. There are two thirds in the affirmative and the motion is adopted." or "There are less than two thirds in the affirmative and the motion is defeated."

Appendix B

GLOSSARY OF PARLIAMENTARY AND MEETING TERMS

Introduction

Accountants have their jargon; airline pilots speak a language that is way out there; football, soccer, basketball and baseball all have rules and terms that are unique to each sport. Academic, religious, legal and scientific organizations all speak about rules and protocols unknown to most of us. Why should parliamentary procedure, which applies to them all, be any different?

Some terms are not "parliamentary" but they are important to understand because of their common usage in clubs, boards and various other organizations. Some words are new to the scene and tend to confuse the terminology generally accepted in parliamentary circles (e.g., a new meaning for "chair" and a "super" majority).

The source for most of the definitions is Robert's Rules of Order Newly Revised, 10th edition. Some definitions have been expanded with material from the Merriam-Webster online dictionary. Some definitions have been modified for use or application to municipal boards or committees and some definitions have been omitted because they do not apply.

abstain. To refrain deliberately from voting.

adopt. Formal acceptance of what a motion proposes usually established by a vote.

agenda. A list or outline of things to be done at a meeting; the most important of which is the items of business.

call (or notice) of a meeting. A written notice of the time and place for a meeting; to invite or command to meet.

call (meeting) to order. The opening action of a presiding officer or chair that officially starts a meeting.

Call or put the question to vote. A motion; a subject or point of debate or a proposition to be voted on in a meeting; the bringing of such to a vote; the specific point at issue. The "question" is whether the board/committee/assembly agrees to or will adopt the immediately pending motion.

carried. The same as "adopted."

chair. The person presiding; the station in the meeting room from which the person presides.

chairman. Means the person in the chair or the one presiding.

chairman pro tem (pro tempore). The individual appointed or elected to preside on a temporary basis. **chairperson.** A recent variant of "chairman."

con. On the negative side; against; in opposition to (as in pro and con).

consensus. General agreement; unanimity; a group decision-making process where substantial agree-ment is reached by all concerned parties.

custom. A long established practice considered as unwritten law.

debate. Discussion on the merits of a motion; the formal discussion on the reasons for or against a pro-posed action.

decorum. Customs of formality that are followed by the presiding officer and members of a board/ committee/assembly; propriety and good taste in conduct or appearance.

dilatory. Tending or intended to cause delay.

elect. Choose by vote for an office, position or membership.

executive session. Any meeting of a deliberative assembly, or a portion of a meeting at which the proceedings are secret.

ex officio. By virtue of an office or chairmanship held in the society or in the state or national society or federation. An ex-officio member, is an individual who is a member of boards/committees by virtue of an office held.

floor. The exclusive right to speak in a meeting.

gavel. A mallet used by a presiding officer for commanding attention or confirming an action.

general consent. A time-saving procedure whereby routine business or questions of little importance are decided/approved without putting a formal vote; a form of voting in which no objection is voiced (considered unanimous consent).

germane. Closely related to (used in relation to amendments and debate which must be germane to the motion being amended or debated).

good of the order (general good and welfare). An agenda item under which open and informal discussion is permitted on a varying range of topics related to the organization as a whole.

hearing. An open meeting of a board or committee in which members of the society have the opportunity to appear before the committee and present their views on a subject.

indecorum. Lack of decorum; a breach of order; a violation of the rules or customs of formality in a meeting.

in order. Appropriate in the current environment according to parliamentary or other rules of a society.

law. a: A binding custom or practice of a community; a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority; b: The whole body of such customs, practices, or rules.

legislative body. Refers to a constitutionally established public lawmaking body of representatives.

defeated motion. A motion which has been defeated.

main motion. A formal proposal by a member, in a meeting, that the board/committee take certain action; the lowest ranking of the thirteen ranking motions.

majority. More than half; a number greater than half a total.

majority vote. The basic requirement for approval of an action or choice by a deliberative board/committee; without qualification it means more than half of the votes cast by members legally entitled to vote who are present and voting.

meeting. A single official gathering of the members of a board/committee/organization in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a short recess.

member. A person who has the right to participate in a meeting and whose opinion has equal weight with other members as expressed by a vote. A member has the right to make motions, to speak in debate and to vote.

minority. The smaller in number of two groups constituting a whole; specifically: a group having less than the number of votes necessary for control.

minutes. The official record of the proceedings of a deliberative board/committee/assembly which contain mainly a record of what was done at the meeting, not what was said by the members.

Minutes secretary. City employee designated by department director or City's minutes contractor serves as the recording officer.

motion. A formal proposal for action made to a deliberative board/committee/assembly; a question.

nay. A vote against; a negative reply or vote.

negative vote. A vote against the adoption of a motion.

new business. New items of business or matters which may be brought up to a board/committee/assembly for consideration.

notice of meetings. See **call [or notice] of a meeting.**

notice of motions. See **previous notice.**

null and void. Having no legal or binding force or effect.

objection (object). A formal expression of opposition to a proposed or pending action or motion; to oppose something firmly and usually with words or arguments.

obtain the floor. Secure recognition in order to speak or to make a motion.

officer. One who holds an office of trust, authority, or command in an organization.

opening ceremony. A series of acts prescribed by protocol which immediately follow the meeting call to order and may include the Invocation, the singing of the National Anthem, the reciting of the Pledge of Allegiance, a ritual briefly recalling the objects or ideals of the organization, or the like.

opposed. To be hostile or adverse to; to be against the adoption of the pending motion.

order. The customary or prescribed mode of proceeding in debates or in the conduct of deliberative or legislative bodies, public meetings, etc., (i.e., parliamentary rules of order).

order of business. An established sequence in which certain types or classes of business are to be brought up or permitted to be introduced at sessions of a given board/committee/assembly.

out of order. A motion, request, or behavior which is in violation of the rules of an organization.

outrank. Take precedence of; to rank higher than.

parliamentarian. A consultant, commonly a professional, who advises the president and other officers, committees and members on matters of parliamentary procedure. The role of the parliamentarian during a meeting is purely an advisory and consultative one.

parliamentary authority. Any accepted manual of parliamentary law which an organization may adopt as the rules of order the organization will follow; e.g., *Robert's Rules of Order Newly Revised.*

parliamentary law. The rules and precedents governing the proceedings of deliberative assemblies and other organizations.

parliamentary procedure. A set of rules for the orderly conduct of business at meetings that allows everyone to be heard and to make decisions without confusion.

pass/passed. (with reference to a motion) The same as adopted or carried.

pending motion (pending question). A motion which has been stated by the chair but has not yet been disposed of permanently or temporarily.

personal privilege. A right or immunity granted as a peculiar benefit, advantage or favor of an individual in a society. A question of personal privilege, may relate to an incorrect record of a member's participation or to charges circulated against a member's character.

Pledge of Allegiance to the Flag of the United States of America. A solemn oath of allegiance or fidelity to the United States which forms part of many opening ceremonies of deliberative assemblies in the United States.

podium. (plural: podiums or podia) A dais especially for a presiding officer; lectern.

policy. A high-level overall plan embracing the general goals and acceptable procedures in and for a society.

preamble. Usually refers to the statement(s) of the reasons for the action being proposed in a resolution. The preamble begins with the word "Whereas".

precedence (or rank). Briefly, priority or rank of motions; the rules whereby secondary motions take precedence (may be made while a main motion or secondary motions of lower rank are pending).

precedent. Something done or said that may serve as an example or rule to authorize or justify a subsequent act of the same or an analogous kind.

preside. To exercise guidance, direction or control of a meeting; to occupy the place of authority; act as president, chairman, or moderator.

presiding officer. The person conducting a meeting; the individual who has the responsibility of exercising guidance, direction and control of a meeting of a deliberative board/committee/assembly.

prevailing side. The winning side, whether affirmative or negative.

previous notice. An announcement of intent to introduce a proposal - indicating its exact content - given at the preceding meeting or in the call of the meeting at which the proposal is to be brought up.

pro. On the affirmative side; in favor of (as in pro and con).

pro tem (pro tempore). For the time being; temporarily.

protocol. A code prescribing strict adherence to correct etiquette and precedence.

quorum. The minimum number of voting members who must be present at a meeting of a deliberative board/committee/assembly for business to be legally transacted.

rank. The same as precedence.

ratify. To approve and sanction formally. In a parliamentary sense, it means to confirm or make.

recognition. The chair's formal acknowledgment that a member is assigned the floor.

recognize. The process by which the presiding officer assigns the floor to a member for the purpose of making a motion, to speak in debate or to make a proper inquiry permitted under the rules.

regular meeting. The periodic business meeting of a permanent society, local branch or board, held at weekly, monthly, quarterly or similar intervals, for which the day should be prescribed by the bylaws and the hour should be fixed by a standing rule of the society.

resignation. The formal act of giving up one's office or position.

resolution. A main motion which either because of its importance or because of its length or complexity is presented (usually in writing) in a formal format. A resolution begins with "Resolved" and may have a preamble (begins with "Whereas") which includes a brief statement(s) of the background and/or the reasons/rational for adoption of the resolution.

Robert's Rules of Order. The most widely used manual on parliamentary procedure written by General Henry M. Robert; originally published in 1876.

Robert's Rules of Order Newly Revised. The current edition of the parliamentary manual written by General Henry M. Robert with material from his other books incorporated into the original Robert's Rules of Order.

roll call. The procedure (usually by the minutes secretary or staff liaison) of calling off a list of names (as for checking attendance).

roll call vote. The process of voting by each member responding "yea" or "nay" as their names are called by the minutes secretary or staff liaison. It has the opposite effect of a ballot vote.

RONR. Acronym for *Robert's Rules of Order Newly Revised.*

ROR. Acronym for Robert's Rules of Order Revised, editions of General Robert's manual published between 1915 and 1951.

rules of order. Refers to the written rules of parliamentary procedure; such rules relate to the orderly transaction of business in meetings and to the duties of officers in that connection.

ruling. A decision of the chair on questions of parliamentary law usually rendered in response to a point of order.

second. A verbal, sometimes written, indication made by any member of a board/committee/assembly that he agrees that a motion made should come before the meeting (not that he necessarily favors the motion).

secretary pro tem. The person elected or appointed to serve as secretary on a temporary basis, as in the case where the secretary may not be present at a meeting.

special meeting (or called meeting). A separate session of a society held at a time different from that of any regular meeting and convened only to consider one or more items of business specified in the call of the meeting.

special rules of order. Parliamentary rules adopted by an organization which it finds are needed at that moment in order to address a situation that arises and there is no existing rule to address it.

standing rules (except in the case of conventions). Rules which are related to the details of the administration of a society rather than to parliamentary procedure.

stating the question. After a motion is made and seconded the presiding officer repeats the motion so there will be no doubt what is to be considered.

subcommittee. A subdivision of a committee usually organized for a specific purpose. A sub-committee is responsible to and reports to the board/committee which organized it.

substitute motion. The motion proposed to be substituted for the pending motion.

super majority (a fairly recent term). A majority that must represent some percentage more than a simple majority (more than half), e.g., a two-thirds or a three-fifths vote.

sustain. To uphold or support as true, legal or just. When a point of order or any ruling of the chair is appealed, a presiding officer may ask the assembly to decide if the decision of the chair should stand as the judgment of the assembly. If the board/committee votes "yes," they are said to sustain the decision of the chair.

table. A colloquial term for disposing of a motion by putting it aside temporarily.

tie vote. An equal number of affirmative and negative votes; since a tie vote is not a majority, a motion requiring a majority vote for adoption is lost.

timekeeper. Appointed by the presiding officer (mostly at conventions) to monitor the time each speaker is allotted for debate.

two-thirds vote (when the term is unqualified). At least two-thirds of the votes cast by persons legally entitled to vote, excluding blanks and abstentions, at a regular or properly called meeting at which a quorum is present.

unanimous consent. A time-saving procedure whereby routine business or questions of little importance are decided/approved without taking a formal vote. See **general consent.**

undebatable motion. A motion on which discussion is not permitted.

unfinished business. Matters not completed at the previous meeting, which are included on the agenda of the current meeting.

vacancy. An office or position which has not been filled or which is otherwise not occupied by an incumbent.

vacate the chair. The process whereby the regular presiding officer leaves the chair and another individual presides.

voice vote. The process of voting by voice where an “Aye” vote indicates for or in favor and a “No” vote means against or not in favor.

vote. A formal expression of the will, or opinion, or preference of the members of an assembly in regard to a matter submitted to it.

withdraw (as a motion). To take back or remove from consideration.

yeas and nays. Another term for a roll call vote.

yield. Give precedence to; give way to. A lower ranking motion yields to a motion of higher rank.

yield the floor. When a member who has been recognized as “having the floor” finishes speaking, he is said to “yield the floor” after he sits down.

Appendix C

SAMPLE FORMS USED IN MAKING AND HANDLING MOTIONS

Introduction

The summary of motions included in the tables that follow gives the standard format for making the most frequently encountered motions. The standard form for stating the motion by the chair and the chair's words for putting the question to a vote are also shown. Learn the words as presented in these steps of making and handling a motion and fellow board/committee members will begin to recognize the professionalism of your participation in the meeting.

A careful review of the rules outlined in the chart will show that some motions require a second while others do not. Most motions are debatable while others are. Not all motions are amendable. Finally, the chart shows the vote required to adopt a motion - in some cases the vote required is a majority vote and in others it is a two-thirds vote.

The motions included are not inclusive of all possible motions or of all variations in usage of those that are included. The motions that are omitted do not lend themselves to city boards or committees. A few have been modified in the manner that applies to municipal boards and committees. For the complete list of possibilities, refer to the tinted pages of Robert's Rules of Order Newly Revised.

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
1. Main Motion	a. Second required b. Debatable c. Amendable d. Majority vote	"I move that…."	"It is moved and seconded that…."	"The question is on the adoption of the motion that…."
2. Adjourn, ordinary case	a. Second required b. Majority vote	"I move to adjourn."	"It is moved and seconded to adjourn."	"The question is on the adoption of the motion to
3. Adjourn, at or to a future time, or in advance of time already set	a. Second required b. Debatable c. Amendable d. Majority vote	"I move to adjourn at 4 P.M."	"It is moved and seconded to adjourn at 4 P.M."	"The question is on the adoption of the motion to adjourn at 4 P.M."
		"I move that the meeting adjourn to meet at 7 P.M. Wednesday."	"It is moved and seconded that the meeting adjourn to meet at 7 P.M. Wednesday."	"The question is on the adoption of the motion that the meeting adjourn to meet at 7 P.M. Wednesday."
		"I move to adjourn."	"It is moved and seconded to amend by adding the words…."	"The question is on the adoption of the motion to
4. Amend, a pending motion [Primary]	a. Second required b. Debatable c. Amendable d. Majority vote			
a. <u>by adding words</u>		"I move to amend by adding the words…"	"It is moved and seconded to amend by adding the words…"	"The question is on the adoption of the motion to amend by adding the words…"
b. <u>by striking out words</u> (or a paragraph)		"I move to amend by striking out the words (s)…"	"It is moved and seconded to amend by striking out the word(s)…"	"The question is on the adoption of the motion to amend by striking out the

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
4. c. <u>by striking out and inserting words</u> (or a paragraph) d. <u>by substitution</u>	a. Second required b. Debatable c. Amendable d. Majority vote	"I move to amend by striking out the word(s)…and inserting the word(s)…" "I move to substitute for the pending motion the following motion."	"It is moved and seconded to amend by striking out the word(s)…and inserting the word(s)…" "It is moved and seconded to amend by substituting for the pending motion the following: [repeat proposed substitute]. The motion to substitute proposes that the motion just read shall come before the board/committee in place of the pending motion."	"The question is on the adoption of the motion to amend by striking out the word(s)…and inserting the "The question is on the adoption of the motion to substitute. The chair will read the pending motion first, then the motion proposed as a substitute. The pending motion is…"The motion proposed as a substitute is...The question is: Shall the motion last read be substituted for the pending
5. Amend an amendment of a pending motion [Secondary amendment]	a. Second required b. Debatable c. Amendable d. Majority vote	"I move to insert in the pending amendment the word… before the word…" "I move to amend the pending amendment by … [may use insert, add, strike out or strike out and insert]."	"It is moved and seconded to insert in the pending amendment the word… before the word…"	"The question is on the adoption of the motion to insert in the pending amendment the word… before the word…"
6. Appeal, general case	a. Second required b. Debatable c. Majority vote[1]	"I appeal from the decision of the chair."	"The question is: Shall the decision of the chair be sustained?" [Explain if necessary.]	"The question is: "Shall the decision of the chair be sustained?" Those in favor of sustaining the chair's decision, say *aye* … Those opposed to sustaining this decision, say *no* …" The ayes have it and the chair's decision is sustained." or "The noes have it and the chair's decision is not sustained."

[1]Majority in negative required to reverse chair's decision.

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
7. Appeal, relating to indecorum, rules of speaking, priority of business…	a. Second required b. Majority vote	"I appeal from the decision of the chair."	"The question is: Shall the decision of the chair be sustained?" [Explain if necessary.]	Same as appeal, general case above.
8. Division of a Question	a. Second required b. Amendable c. Majority vote	"I move to divide the motion into two parts as follows: [specify first part] and [specify second part].	"It is moved and seconded to divide the motion so as to consider separately [first part] and [second part]."	"Without objection, the motion will be divided into two parts as follows: [first part] and [second part]."
9. Limit or Extend Limits of, on a pending question	a. Second required b. Amendable c. Two-thirds vote	"I move that debate be limited to one speech of three minutes for each member."	"It is moved and seconded that debate be limited to one speech of three minutes for each member."	"The question is on the adoption of the motion that debate be limited to one speech of three minutes for each
10. Limit or Extend Limits of Debate, for the duration of a meeting	a. Second required b. Debatable c. Amendable d. Two-thirds vote	"I move that during this meeting debate be limited to one speech of two minutes for each member."	"It is moved and seconded that during this meeting debate be limited to one speech of two minutes for each member."	"The question is on the adoption of the motion that during this meeting debate be limited to one speech of two minutes for each member."
11. Minutes, to approve (when done by a motion)	a. Second required b. Debatable c. Amendable d. Majority vote	[Normally done by unanimous consent:] "I move that the minutes be approved as read [or 'as corrected']."	"It is moved and seconded that minutes be approved as read."	"The question is on the adoption of the motion that the minutes be approved as read."
12. Minutes, to correct before adoption (when done by a motion)	a. Second required b. Debatable c. Amendable d. Majority vote	[Usually suggested informally and done by unanimous consent except in cases of disagreement.] "I move to amend the minutes by…"	"It is moved and seconded to amend the minutes by…"	"The question is on the adoption of the motion to amend the minutes by…"
13. Objection to the Consideration of a Question	a. Two-thirds vote	"I object to the consideration of the question."	"The consideration of the question is objected to."	"Shall the question be considered? Those in favor of considering it, say aye... those opposed to considering the question, say nay."

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
14. Point of Information		"Mr. Chairman or Madam Chair, point of information." "Point of information!" "Will the member yield for a question?"	"The member will state the point."	[Chair responds with information requested, directs another member or officer to do so or asks the current speaker if he will yield for a question.]
15. Point of Order	a. Majority vote	"Point of order!"	"State your point of order." [Member explains breach of rules.] [Is ruled upon by chair unless the chair submits question to the judgment of a majority in assembly.]	"The point of order is [is not] well taken."
16. Defer to No Time Certain	a. Second required b. Debatable c. Amendable d. Majority vote	"I move that the motion be deferred to no time certain."	"It is moved and seconded that the motion be deferred to no time certain."	"The question is on the adoption of the motion that the pending question be deferred indefinitely."
17. Defer to a Time Certain (Defer Definitely), applied to a pending question	a. Second required b. Debatable c. Amendable d. Majority vote e. Two-thirds vote	"I move to defer the question to the next meeting." "I move to defer the question until after [some event in this meeting.]"	"It is moved and seconded to defer the question to the next meeting." "It is moved and seconded to defer the question until after [some event in this meeting]."	"The question is on the adoption of the motion to defer the question to the next meeting." "The question is on the adoption of the motion to defer the question until after [some

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
18. Previous Question (immediately to close debate and making of subsidiary motions except the motion to Table)	a. Second required b. Two-thirds vote	"I move the previous question." [Unqualified, applies only to the immediately pending question.]	"The previous question is moved."	"Those in favor of ordering the previous question, say aye…"
		"I move the previous question on all pending motions." [Qualified, unlimited application]	"The previous question is moved on all pending motions."	"Those in favor of ordering the previous question on all pending motions, say aye…"
		"I move the previous question on the motion to [name motion] and its pending amendments." [Qualified, but limited]	"The previous question is moved on the motion to [name motion] and its pending amendments."	"Those in favor of ordering the previous question on the motion to [name motion] and its pending amendments, say
				[announcing the result of the vote: "There are two thirds in the affirmative and the previous question is ordered on…" or "There are less than two-thirds in the affirmative and the motion for the previous question is defeated. The question is now on…"]
19. Ratify	a. Second required b. Debatable c. Amendable d. Majority vote	"I move that the action of [individual, officer or committee] on [give specifics] … be ratified."	"It is moved and seconded that the action of [individual, officer or committee] on [repeat specifics] be ratified."	"The question is on the adoption of the motion that the action of [individual, officer or committee] on [repeat specifics]
20. Recess, if moved while business is pending	a. Second required b. Amendable c. Majority vote	"I move to recess for ten minutes."	"It is moved and seconded to recess for ten minutes."	"The question is on the adoption of the motion to recess for ten minutes."
		"I move to recess until called to order by the chair."	"It is moved and seconded to recess until called to order by the chair."	"The question is on the adoption of the motion to recess until called to order by

Sample Forms Used in Making and Handling Motions				
Motion	**Rules**	**Making the Motion**	**Stating the Motion**	**Chairs Script for Putting the Question to Vote**
21. Reconsider	a. Second required b. Debatable c. Majority vote	"I move to reconsider the vote on the motion relating to… I voted for [or "against"] the motion."	"It is moved and seconded to reconsider the vote on the motion relating to…"	"The question is on the adoption of the motion to reconsider the vote on the [If reconsider is adopted:] "The question is now on the motion relating to… which is…"
22. Withdraw or Modify a Motion, to grant maker permission to, after motion has been stated by the chair	a. Second required b. Debatable c. Majority vote	[Usually done by unanimous consent. When done by a motion:]		

APPENDIX D: Limited Financial Disclosure (Form 1)

FORM 1 | **STATEMENT OF FINANCIAL INTERESTS** | **2014**

Please print or type your name, mailing address, agency name, and position below:

FOR OFFICE USE ONLY:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

MAILING ADDRESS :

CITY : ZIP : COUNTY :

NAME OF AGENCY :

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF ☐ CANDIDATE OR ☐ NEW EMPLOYEE OR APPOINTEE

****** BOTH PARTS OF THIS SECTION MUST BE COMPLETED ******

DISCLOSURE PERIOD:
THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

☐ DECEMBER 31, 2014 OR ☐ SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR:_____

MANNER OF CALCULATING REPORTABLE INTERESTS:
FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING:

☐ **COMPARATIVE (PERCENTAGE) THRESHOLDS** OR ☐ **DOLLAR VALUE THRESHOLDS**

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

PART B -- SECONDARY SOURCES OF INCOME
[Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

CE FORM 1 - Effective: January 1, 2015
Adopted by reference in Rule 34-8.202(1), F.A.C.

(Continued on reverse side)

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]
(If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

PART E — LIABILITIES [Major debts - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR

PART F — INTERESTS IN SPECIFIED BUSINESSES **[Ownership or positions in certain types of businesses - See instructions]**
(If you have nothing to report, write "none" or "n/a")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ❑

SIGNATURE OF FILER:

Signature:

_____

Date Signed:

_____

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature _____

Date Signed _____

FILING INSTRUCTIONS:

WHAT TO FILE:

After completing all parts of this form, **including signing and dating it,** send back only the first sheet (pages 1 and 2) for filing.

If you have nothing to report in a particular section, you must write "none" or "n/a" in that section(s).

NOTE:
MULTIPLE FILING UNNECESSARY:
A candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original Form 1 when qualifying. A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.

WHERE TO FILE:

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

State officers **or** ***specified state employees*** file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303.

Candidates file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

Facsimiles will not be accepted.

WHEN TO FILE:

Initially, each local officer/employee, state officer, and specified state employee must file ***within 30 days*** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates for publicly-elected local office must file at the same time they file their qualifying papers.

Thereafter, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions.

Finally, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment. However, filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if he or she was in their position on December 31, 2014.

APPENDIX E: Final Statement of Financial Interests (Form 1F)

FORM 1 F **FINAL STATEMENT OF FINANCIAL INTERESTS** **2015**

(TO BE FILED WITHIN 60 DAYS OF LEAVING PUBLIC OFFICE OR EMPLOYMENT)

LAST NAME — FIRST NAME — MIDDLE NAME:

MAILING ADDRESS:

CITY: ZIP: COUNTY:

NAME OF REPORTING PERSON'S AGENCY:

CHECK ONE OF THE FOLLOWING (see "Who Must File" on page 3):

❑ LOCAL OFFICER ❑ STATE OFFICER
❑ SPECIFIED STATE EMPLOYEE

LIST OFFICE OR POSITION HELD: _____

*****BOTH PARTS OF THIS SECTION MUST BE COMPLETED*****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS MY FINANCIAL INTERESTS FOR THE PERIOD BETWEEN JANUARY 1, 2015 AND THE LAST DATE I HELD THE PUBLIC OFFICE OR EMPLOYMENT DESCRIBED ABOVE, WHICH DATE WAS _____, 2015. **(Date must be prior to 12/31/15)**

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REFLECTS EITHER **(must check one):**

❑ COMPARATIVE (PERCENTAGE) THRESHOLDS OR ❑ DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

PART B -- SECONDARY SOURCES OF INCOME
[Major customers, clients, and other sources of income to businesses owned by reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions]
(If you have nothing to report, write "none" or "n/a")

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3 of this packet.

CE Form 1F Effective: January 1, 2015
Adopted by reference in Rule 34-8.208(2), F.A.C.

(Continued on reverse side)

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]
(If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

PART E — LIABILITIES [Major debts - See instructions]
(If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]
(If you have nothing to report, write "none" or "n/a")

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
NAME OF BUSINESS ENTITY		
ADDRESS OF BUSINESS ENTITY		
PRINCIPAL BUSINESS ACTIVITY		
POSITION HELD WITH ENTITY		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS		
NATURE OF MY OWNERSHIP INTEREST		

IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ❑

SIGNATURE OF FILER:

Signature:

_____

Date Signed:

_____

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I,_____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature _____

Date Signed _____

FILING INSTRUCTIONS:

WHAT TO FILE:

After completing all parts of this form on pages 1 and 2, including signing and dating it, send back only pages 1 and 2 for filing (you need not return any of the instruction pages). **Facsimiles will not be accepted.**

WHEN TO FILE:

At the end of office or employment each local officer, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment, unless he or she takes another position within the 60-day period that requires filing financial disclosure on Form 1 or Form 6.

WHERE TO FILE:

Local officers: file with the Supervisor of Elections of the county in which you permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

State officers or specified state employees: file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, Florida 32303.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

NOTE:

If you are leaving office or employment during the first half of 2015, you may not have filed Form 1 for 2014. In that case, this is not the last form you will file, even though the Form 1F covers the final portion of your term of office or employment. You will be required to file Form 1 for 2014 by July 1, 2015, and risk being fined if you do not file Form 1 by the filing deadline, even if you have already filed the CE Form 1F.

APPENDIX F: Memorandum of Voting Conflict (Form 8B)

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ❑ CITY ❑ COUNTY ❑ OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: ❑ ELECTIVE ❑ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I,_____, hereby disclose that on_____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____ ;

___ inured to the special gain or loss of my relative,_____ ;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____ , which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

_____ _____

Date Filed Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

APPENDIX G: Absence Letter Template

(DATE)

Dear X:

We noticed you were absent from the last (NAME OF ADVISORY BOARD) meeting held (DATE OF BOARD MEETING).

According to Resolution 08-12 of the City of Fort Lauderdale, if any one of the following occurs, an automatic resignation of that board member occurs:

1. a board or committee member is absent from three consecutive regular meetings during a term year;

2. a board or committee member is absent from four regular meetings during a term year; or from one-third of the total regular meetings in a term year, whichever is greater

Our records show that your absence at the past meeting was (YOUR THIRD CONSECUTIVE ABSENCE IN THIS TERM YEAR OR YOUR FOURTH ABSENCE FROM REGULAR MEETINGS IN THIS TERM YEAR, OR ONE-THIRD OF THE TOTAL REGULAR MEETINGS IN THIS TERM YEAR, WHICHEVER IS GREATER).

The resignation is automatic. There are no excused absences provided in the regulation. However, if there are good reasons for your absences, it may be possible for you to be reinstated.

The City Commission, City staff, and your fellow board members believe you are an integral part of this board, and we are certain there is a valid explanation for your absences. If you would like to be considered for reinstatement, please explain in writing the reason for the absences and forward it to (STAFF LIAISON). Your information will be provided to the Board and City Commission. I will advise you of the City Commission's decision.

If you have any questions or require further information, please feel free to contact me at (STAFF LIAISON PHONE) or the City Clerk, Jonda K. Joseph, at 828-5002.

Sincerely,

STAFF LIAISON

C: NAME OF BOARD CHAIR
Jonda K. Joseph, City Clerk