

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: March 11, 2025 Consent Regular
 Ordinance Public Hearing

Department: County Administration
 Submitted By: County Administration

I. EXECUTIVE BRIEF

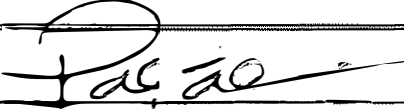

Motion and Title: Staff requests Board direction: regarding potential amendments to the Board of County Commissioners (BCC) of Palm Beach County, Florida, Rules of Procedure.

SUMMARY: Pursuant to direction given at the BCC Zoning meeting on January 30, 2025, County Administration staff was tasked with placing an agenda item on the February 11, 2025 meeting to discuss: a) the policy for quorum at all BCC meetings; b) the extent and scope of what constitutes “Board Direction”; and c) how “Board Direction” is to be raised for consideration and approved for issuance to staff. The attached memorandum provides an overview of the provisions under the current Rules of Procedures and recommends potential revisions to the same based on the discussion by the BCC during the aforementioned meeting.
Countywide (DC)

Background and Policy Issues: The County's Rules of Procedure were adopted by the BCC on December 18, 2012 and incorporated by reference in Section 500.00 of the County's Administrative Code effective January 1, 2013. The Rules of Procedure were previously revised on January 15, 2013, March 2, 2016, March 13, 2018 and May 14, 2024.

Attachments:

1. Memorandum from County Administrator
2. Rules of Procedures

Recommended by:	 Deputy County Administrator	2/10/25 Date
Approved By:	 County Administrator	2/10/25 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT					
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes ___ No ___
 Is this item using Federal Funds? Yes ___ No ___
 Is this item using State Funds? Yes ___ No ___

Budget Account No: Fund ___ Dept ___ Unit ___ Object ___
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item carries n fiscal impact.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Lara M. [Signature] 2/10/2025
 MD 2/10 OFMB AH 2/10

[Signature] 2/10/25
 Contract Dev. & Control

B. Legal Sufficiency

[Signature]
 Assistant County Attorney

C. Other Department Review

 Department Director

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



MEMORANDUM

TO: Mayor Marino, Vice Mayor Baxter and Members of the Board of County Commissioners
FROM: Verdenia C. Baker, County Administrator
DATE: February 5, 2025
RE: Revisions to the Rules of Procedure

County Administration
P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2040
FAX: (561) 355-3982
www.pbc.gov

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

Maria G. Marino, Mayor
Sara Baxter, Vice Mayor
Gregg K. Weiss
Joel Flores
Marci Woodward
Maria Sachs
Bobby Powell, Jr.

County Administrator
Verdenia C. Baker

During its January 30, 2025 Board of County Commissioners (BCC) Zoning meeting, the BCC, under Commissioner Comments, discussed a number of topics related to procedural matters for carrying out BCC meetings and tasked County staff with providing an overview and recommendations on: 1) the policy for quorum at BCC meetings; 2) the extent and scope of what constitutes "Board Direction"; and 3) how "Board Direction" is to be raised for consideration and approved for issuance to staff.

BCC proceedings are governed by the Rules of Procedure (Rules), which in turn are incorporated by reference under Section 500.00 of the County's Administrative Code.

Quorum at BCC Meetings

Exiting Provision: Section III.C of the Rules provides that a majority of the BCC shall constitute quorum, and that if quorum is not established within 30 minutes after the designated start time of a BCC meeting, or if a quorum is lost, the meeting shall adjourn. In matters of quorum, the Rules do not differentiate between the different types of BCC meetings. The Rules further provide that during the 30 minutes while the BCC awaits for quorum to be attained, the member present may open the floor to "Matters by the Public" or any similar presentation so long as no official action is taken or direction is given to staff.

Staff's Recommendation: Maintain the Rules as drafted requiring quorum be attained and sustained for all BCC meetings, and directing adjournment should quorum be lost.

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What Constitutes Board Direction

Existing Provision: Currently, there is no specific provision in the Rules that addresses "Board Direction". The closest reference can be found in Section III.K, Commissioner Comments, which provides:

The purpose of Commissioner Comments is to promote the public discussion of matters relating to Board Business and to encourage the dissemination of information. Any Commissioner may submit reports and information on items relating to Board Business. When possible, the other Commissioners, the County Administrator, and the County Attorney should receive such materials in advance. **Commissioners may also request the preparation of proclamations, resolutions, ordinances, reports, and other actions of the Board during this portion of the agenda, subject to majority consensus. All such requests shall be referred to the County Administrator or the County Attorney, as appropriate.** Official actions may be taken under comments in the case of an emergency or for other situations necessitating immediate action as may be determined by a majority of the Board.**(emphasis added)**

Staff's Recommendation: The matter of "Board Direction" can be procedurally addressed by means of a two-pronged approach.

First, provide a definition for "Board Direction", such as:

Board Direction. The purpose of Board Direction, when given outside the context of an agenda item under consideration by the BCC, is to provide members of the BCC an opportunity to discuss policy actions that the BCC would like to review and/or undertake, and direct staff to proceed accordingly. Through Board Direction, the BCC is asking that County resources be invested in the delivery of a given task. In providing Board Direction, the BCC is effectively setting policy guiding staff's priorities as to the tasks to be delivered. Examples of BCC directives include, but are not limited to, requesting that: presentations, reports and/or similar documents be prepared for discussion by the BCC during a public meeting; reports and/or similar documents be prepared and circulated to the BCC for its review; meetings amongst staff and specific stakeholders be coordinated; conferences, town halls or similar outreach events be developed/coordinated; capital projects be created and/or prioritized; specific procurement actions be pursued; technology tools/programs be identified/reviewed; and any action which requires an item to be added to an agenda for consideration by the BCC at a later time. Board Direction does not include requests from any Commissioner to be provided individual updates/briefings on any given topic, nor requests from the BCC to be provided updates on any given topic, when the updates will be provided at the same meeting where the request is made.



Second, define a distinct time/order in the meeting agenda to consider Board Direction. This recommendation was made by members of the BCC during the January 30, 2025 meeting. Setting a specific order on the agenda to consider Board Direction, and removing it from Commissioner Comments where it is currently occurring, will facilitate discussion of the proposed directives and tracking of the same. Staff recommends this new topic be placed on the agenda just prior to Commissioner Comments. Staff further recommends that the BCC considers utilizing an email to fellow BCC members and staff to advise of the intent to bring an item up for direction.

Approval Process for Board Direction

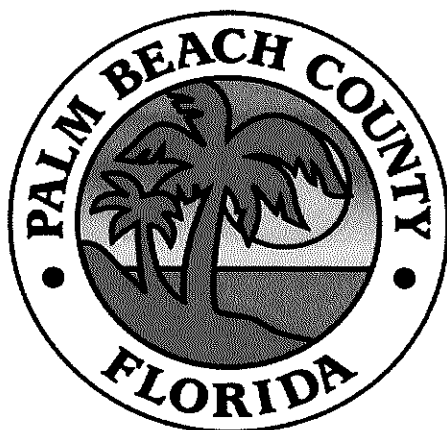
Existing Provision: As previously stated, the closest reference to Board Direction can be found in Section III.K, Commissioner Comments, of the Rules. Said section calls for a majority consensus when any Commissioner requests other actions be taken by the BCC.

Staff's Recommendation: In keeping with the existing approach of the Rules, staff recommends that any proposal for Board Direction be subject to discussion and moved forward only if approved by a majority of the BCC.

Staff remains available to provide further information as the BCC may deem appropriate.

Cc: Denise Coffman, County Attorney
Patrick Rutter, Deputy County Administrator
Todd J. Bonlarron, Assistant County Administrator
Reginald K. Duren, Assistant County Administrator
Isami Ayala-Collazo, Assistant County Administrator
Tammy Fields, Assistant County Administrator

RULES OF PROCEDURE



Rules of Procedure

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**Palm Beach County
Board of County Commissioners**

Rules of Procedure

I. Governing Rules.

It is the policy of the Board of County Commissioners of Palm Beach County, Florida (hereinafter "the Board") that these Rules of Procedure shall govern all official meetings of the Board. The purpose of these rules is to provide for the efficient and orderly functioning of Board Business; to protect the rights of each individual; to protect the right of the majority to decide; to protect the right of the minority to be heard; and to enhance effective government operations for the public. "Board Business" means the business and operations of the County that fall within the constitutional, statutory, and/or regulatory scope and authority of the Board. No other rules shall apply. The ultimate determination of procedural matters shall rest with the Mayor, subject to appeal as set forth in Section IV. C. below.

II. Meetings.

- A. Meetings Open to the Public.** All meetings of the Board shall be open to the public in accordance with Florida's Government-in-the-Sunshine Law, Section 286.011, Florida Statutes, with the exception of those meetings statutorily exempt such as collective bargaining and litigation sessions.
- B. Schedule.** A meeting schedule will be distributed prior to each calendar year listing the dates of all anticipated meetings of the Board. Meetings set to be conducted the day after a legal holiday may be rescheduled. Meetings may be postponed or canceled by a motion approved at any Board meeting by a majority of the members present. The Board will not meet the first and second Tuesday in August.
- C. Accessibility/Seating Capacity.** All meetings will be conducted in a building that is open and accessible to the public. Due to the need to comply with the fire code, there may be occasions when entrance by the public to the Commission Chambers or other meeting room is limited. To the extent possible, alternative seating arrangements may be made.
- D. Regular Meetings.** Unless otherwise advertised, regular meetings of the Board typically will commence at 9:30 A.M. on the first and third Tuesdays of each month, with the exception of August. The Board may hold evening meetings on an as needed basis. The meeting on the first Tuesday usually includes Special Presentations and Matters by the Public, with Public Hearings typically held on the third Tuesday. Matters by the Public will be held as set forth in Section III. J. Generally, all meetings will take place in the Governmental Center, 301 North Olive Avenue, West Palm Beach, Florida. Meeting date, time, and location may be changed by the Board.
- E. Workshops.** Workshops are held to discuss items of special importance or complexity that require longer than usual staff presentation and Board questions. These meetings are

typically held on the fourth Tuesday of each month, and may include Regular and/or Consent Agenda items, Public Hearings in the case of a timing issue, and other matters presented for formal action in addition to Workshop presentations.

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

of the notices for public hearings shall be on file with the Clerk for inspection. The Board does not have to take formal action to receive and file same.

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

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

K. Minutes. The Clerk to the Board shall take accurate minutes of the proceedings of every meeting of the Board, with the exception of statutorily closed sessions where no minutes are to be taken by the Clerk. Unless a reading of the minutes of a meeting is requested by a majority of the Board, such minutes, when approved by the Board and signed by the Mayor and the Clerk, shall be considered approved without reading; provided that the Clerk delivered a copy thereof to each member of the Board at least two full business days preceding the meeting. The minutes of prior meetings may be approved by a majority of the members present, and upon such approval, shall become the official minutes.

III. Order of Business.

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

1. CALL TO ORDER
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
2. AGENDA APPROVAL/SPECIAL PRESENTATIONS/BCC AND STAFF COMMENTS
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations—9:30 A.M. (if applicable)
 - D. Staff Comments
 - E. Commissioner Comments
3. CONSENT AGENDA
4. PUBLIC HEARINGS—9:30 A.M. (if applicable)
5. REGULAR AGENDA
6. BOARD/DISTRICT APPOINTMENTS

7. MATTERS BY THE PUBLIC—2:00 P.M./6:00 P.M. (as applicable)
8. ADJOURNMENT

*Workshop and other meeting agendas shall be prepared by Administration in an appropriate format. The format for any Board meeting, unless otherwise provided by law, may be revised by majority vote of the Board without further action required.

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

These certificates are submitted through and prepared by the Department of Public Affairs. No more than two proclamations per Commission District shall be presented at the meeting. There is no limit to off-site proclamation requests.

- H. Regular Agenda.** Items appearing on the Regular Agenda require Board direction, a policy decision, or are otherwise of great significance necessitating separate attention and action. “Add-on” items, described in the following paragraph I, also appear on this agenda. Items will be addressed individually in the order presented on the Agenda, unless reordered upon approval by a majority of the Board. Items of great public interest that are assigned a time certain should not be considered until the designated time.
- I. “Add-on” Agenda Items.** In the event of an unforeseen or emergency situation (defined as significantly relevant to the health, safety or general welfare of the residents of Palm Beach County), an item may be added to the Regular Agenda upon approval of the County Administrator, bypassing the normal submittal and review process. The Board should be given notice of any “add-on” as soon as possible prior to the scheduled Board meeting.
- J. Matters by the Public.** Members of the public may address the Board under “Matters by the Public,” which is typically scheduled for the first Tuesday of the month at 2:00 P.M. during daytime regular meetings and at 6:00 P.M. during evening regular meetings. Procedures for addressing the Board are set forth in Section VI. below. Time and date for “Matters by the Public” may be changed by the Board.
- K. Commissioner Comments.** The purpose of Commissioner Comments is to promote the public discussion of matters relating to Board Business and to encourage the dissemination of information. Any Commissioner may submit reports and information on items relating to Board Business. When possible, the other Commissioners, the County Administrator, and the County Attorney should receive such materials in advance. Commissioners may also request the preparation of proclamations, resolutions, ordinances, reports, and other actions of the Board during this portion of the agenda, subject to majority consensus. All such requests shall be referred to the County Administrator or the County Attorney, as appropriate. Official actions may be taken under comments in the case of an emergency or for other situations necessitating immediate action as may be determined by a majority of the Board.
- L. Case Settlements.** Any member of the public may comment on any proposed litigation settlement, whether appearing on the Regular or Consent Agenda, prior to the Board’s consideration of same.
- M. Appointments.**
 - 1. District Appointments.** If a Commissioner is making appointments to more than one board, committee, commission, or the like during the same meeting, the Commissioner may move all in a single motion.

2. **Board Appointments.** If there is only one nominee per seat for appointment to any board, committee, commission, and the like, the appointment agenda item shall be placed on the Consent Agenda. If there is more than one nominee for a seat, Board approval shall be made as follows:
 - a. The Mayor calls for nominations from any of the names identified in the appointment agenda item.
 - b. Nominations are made and received. No second is required.
 - c. The Mayor calls for a vote.
 - d. The nominee who receives a majority of the votes is appointed.
 - e. If no nominee receives a majority vote, the Mayor shall call the roll for a vote on the two nominees who received the most votes during the initial round.

IV. Rules of Debate.

This section sets forth the rules of debate to maintain decorum, the various motions available for use by the Board, and related matters.

- A. **Decorum.** A motion must be accepted by the Mayor before it is officially on the floor. A motion must be made, seconded, and stated by the Mayor before the merits can be debated. Every member of the Board has a right to speak in the debate and shall always be recognized by the Mayor. Non-member recognition shall be at the Mayor's discretion. The member who made the motion shall be entitled to speak first. A member shall be deemed to have yielded the floor when she/he has finished speaking. The discussion is to be related to the motion on the floor. All questions are to be directed through the Mayor.
- B. **As to the Mayor.** Upon passing the gavel, the Mayor or other presiding member of the Board may move or second a motion.
- C. **Point of Order.** Any member who believes that a breach of the rules has occurred has a right to call immediate attention to the matter by raising a "point of order." A point of order (1) may interrupt a speaker who has the floor; (2) does not need to be seconded; (3) is not debatable; and (4) is decided by the Mayor. By motion and second, a decision of the Mayor on a point of order may be appealed to the Board and, without debate, the Mayor shall submit to the Board the question, "Shall the decision of the Mayor be sustained?" and the Board shall decide by a majority vote.
- D. **Motion to Reconsider.** An action of the Board may be reconsidered at the same meeting or the very next regular Board or Workshop meeting (not a Comp Plan or Zoning meeting). A motion to reconsider can only be made by a member who voted on the prevailing side of the question, and is debatable. Such motion shall not be entertained: (1) if the approved action has been partially or fully carried out; (2) if a contract, when the party to the contract has been notified of the outcome; (3) if an ordinance or other action taken after a required public hearing; or (4) if the vote has caused something to be done that is impossible to undo. Adoption of a motion to reconsider shall rescind the original action; therefore a new motion, second, and vote is required to take formal action on the item, if desired, and may

take place at a future meeting. If a motion to reconsider is not brought forward in a timely manner, yet a Commissioner would like to revisit the issue, the item may be placed on a future agenda provided that (1) new information has been discovered that if known at the time of the original vote, the outcome may have been different; (2) a majority of the Board approves; and (3) none of the instances set forth above that would prohibit a motion to reconsider exist.

E. Substitute Motion. A member may make a substitute motion if he/she is not in agreement with the motion on the floor. This motion is debatable. No more than three motions shall be on the floor at any given time.

F. Motion to Postpone. If a member would like to defer consideration of a matter, a motion to postpone is in order, which may include a time and date to continue the discussion. When postponing an advertised public hearing, a time and date certain must be included in the motion. This motion is debatable.

G. Motion to Close Debate/Call the Question. Any Commissioner may move to close debate/call the question on the motion being considered. This motion is not debatable and requires a two-thirds vote of the members. If the motion passes, all discussion ends and a vote is taken on the motion on the floor.

H. Adjournment. No motion is required to end the meeting. The Mayor declares the meeting adjourned without objection.

V. Voting.

A. Motions. Motions require a majority vote of those members present for passage. If a supermajority vote is required, the motion must receive an affirmative vote of a majority of those present and voting, plus one, unless otherwise required by charter, special or general law, or county ordinance. Final action on a pending motion may be postponed in accordance with paragraph F. above.

B. Method. The vote may be by voice, show of hands, or roll call as decided by the Mayor. The maker and seconder of the motion need not be present in Chambers when the vote is taken. The Mayor shall call for the vote and announce the results, which will be recorded by the Clerk. Every member who is in the Commission Chambers must vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest pursuant to Sections 112.3143 or 286.012, Florida Statutes. (See "C. Voting Conflict.") A Commissioner's silence will be counted as an "aye" vote.

C. Voting Conflict. No Commissioner shall vote on a matter when the Commissioner has a voting conflict pursuant to Sections 112.3143 or 286.011, Florida Statutes. Further, in accordance with the County's Code of Ethics, any Commissioner with a conflict shall not participate in the discussion of the item. The abstaining member shall comply with the requirements of the referenced state law as applicable, including the filing of Form 8B "Memorandum of Voting Conflict" with the Clerk within ten (10) days of the meeting at

which the conflict was declared. A copy of Form 8B shall also be filed with the Palm Beach County Commission on Ethics.

- D. **Vote Change.** Any Commissioner may change his/her vote before the next item is called for consideration.
- E. **Tie Vote.** A tie vote shall result in the failure of the motion; however, there is no prevailing side for the purposes of a Motion to Reconsider. Any member of the Board may, at the next regular meeting and with approval by a majority of the Board, request that the item be placed on a future agenda for consideration.

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

- A. **Citizen Input.** The Board recognizes the important right of all citizens to express their opinions on the operation of County government and encourages citizen participation in the local government process by expressing opinions on Board Business. The Board also recognizes the necessity for conducting orderly and efficient meetings so that Board Business may be completed efficiently, effectively, and timely. Members of the public wishing to speak at Board meetings shall comply with the procedures set forth below.
- B. **Accessibility.** All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.
- C. **Comment Cards.** The purpose of public comment at Board of County Commissioners' (the "Board") meetings is to afford speakers an opportunity to provide the Board with input and feedback on Board Business. Any member of the public wishing to speak before the Board or who wants to make their position known but does not want to address the Board shall complete a "comment card" and present the card to staff in the Commission Chambers for forwarding to the Mayor. Only those individuals who have submitted comment cards and who have been recognized by the Mayor may address the Board. Any member of the public who has filled out a card must be present when the Mayor announces the person's name if they desire to be recognized. If an individual does not wish to speak and instead submits a card with his/her comment noted, it is within the Mayor's discretion to read the comment into the record. If the Mayor does not read the comment, the comment card is nonetheless submitted as part of the official record. As a general practice, comment cards will not be accepted after presentation of an agenda item has begun; however, the Mayor has the discretion to accept additional comment cards. Comment cards are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns.
- D. **Civility.** The content of all public comment shall be limited to Board Business. Comments relating to agenda items appearing on the regular or consent agenda shall be relevant to the item and addressed when the item is considered. Comments during Matters by the Public must relate to Board Business. All multimedia, materials distributed, signage, and hand-outs shall pertain to Board Business and shall be presented only during the relevant agenda discussion or during the allotted comment time according to these rules. Anyone not in compliance with the above rules, or if a person is repetitious, disorderly, disruptive,

exceeds the allotted time, is truculent, or obstructs the meeting progress, may have further comments curtailed and/or the microphone silenced and/or be escorted from Chambers by the Sheriff's Office at the direction of the Mayor, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

- E. Relevancy.** Comments shall be limited to the subject being considered by the Board and, if there is a motion on the floor, shall be limited to the motion. Comments during "Matters by the Public" should be germane to Board Business. Comments on any matter appearing on the agenda the same day are to be made at the time the item is considered under the Consent or Regular Agenda and not under "Matters by the Public."
- F. Manner.** Each person addressing the Board shall step up to the podium and give his/her name and address for the record. No person other than a member of the Board and the person having the floor shall be permitted to enter into any discussion without the permission of the Mayor. All remarks shall be addressed to the Board as a body and not to any individual member, or to any person in the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. No question shall be directed to a Commissioner or staff except through the Mayor. No persons other than members of the Board, County staff, individuals participating in an agenda item presentation at the staff table, or persons authorized by the Mayor, are allowed beyond the podiums.
- G. Allotted Time.** Each member of the public shall be granted three (3) minutes to speak. The Mayor has the discretion to extend the maximum speaking time or allow the use of a speaker's time by another individual. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Mayor may establish time limits to ensure the progress of the meeting and resolution of the issue. In any event, the Mayor shall have the discretion to increase or reduce speaking time limits as may be necessary.
- H. Lobbyists.** Any person defined as a "lobbyist" under the County's Lobbyist Registration Ordinance shall register before addressing the Board unless an exception set forth in the ordinance applies.
- I. Consent Agenda.** Prior to Board approval of the Consent Agenda, public comment will be accepted. One comment card identifying all items of interest shall be submitted to County staff who will pass it on to the Mayor. If more than one item is identified, the three-minute allotment may be extended at the Mayor's discretion.
- J. Dissemination of Information/Use of Multimedia.** Any member of the public desiring to submit information to the Board relevant to the item may do so only when they are at the podium and recognized to speak. No motion to receive and file any submission by the public is necessary to make same a part of the record; the Mayor may "accept without objection" providing there is none. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting. Early submission of information relevant to an item appearing for Board consideration is encouraged. The public is authorized to use multimedia related to Board Business or an agenda item

supportive of their comments. Multimedia is to be submitted to the County's Public Affairs Department five (5) working days prior to the Board meeting.

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

VII. County Commission.

- A. Designation as Mayor/Vice Mayor.** The member elected as Chair shall be known as the Mayor of Palm Beach County, and the member elected Vice Chair shall be known as the Vice Mayor.

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

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

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

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

1. The Clerk, in the case of the Mayor's election, and the Mayor, in the case of the Vice Mayor's election, calls for nominations.
2. Nominations are made and received. A member may nominate himself or herself. No second is required.

3. The Clerk/Mayor asks if there are any further nominations. If none, the Clerk/Mayor declares that nominations are closed. No motion to close nominations is required.
4. The Clerk/Mayor calls for a vote.
5. The nominee who receives a majority of the votes is elected.

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

E. Facsimile Signatures. Upon election, the Mayor and Vice Mayor shall execute Affidavits of Manual Signature and Authorization to fix Facsimile Signature (rubber-stamped signature) for filing with the Secretary of State. Use of a facsimile signature is limited to instruments of payment, official orders, proclamations, and any public security or instrument of conveyance to which at least one required signature has been manually subscribed. Facsimile signatures cannot be used on contracts or ordinances.

F. Newly Elected Commissioners. The term of County Commissioners elected to office shall commence on the second Tuesday following the general election as specified in Section 100.41, Florida Statutes. A swearing-in ceremony for newly elected commissioners will be coordinated by the County Administrator. The County Administrator shall provide an orientation program for all new Commissioners.

VIII. General Provisions.

A. Commissioner Attendance by Telephone. There may be times when a Commissioner is physically unable to attend a Board meeting. If a majority of the members of the Board present in the Commission Chambers determines that extraordinary circumstances exist to justify the absence of a County Commissioner from a meeting, the Board may allow the absent Commissioner to participate by telephone conference or other interactive electronic technology. While the determination of whether an extraordinary circumstance exists is left to the Board's good judgment, the Attorney General's Office, acknowledging that the Board makes the ultimate decision, has opined that a serious medical condition is an extraordinary circumstance and a scheduling conflict is not. The absent Commissioner does not count towards a quorum. In instances in which the physically absent Commissioner participates in a meeting, the Commissioner shall be allowed to cast his/her vote.

- B. Board Member Representation at Other Meetings.** The Mayor will represent the Board at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or nongovernmental organizations, departments, agencies or officials, and report back to the Board anything of significance. The Mayor may designate another member to represent the Board. The Mayor or his/her designee shall have no power to act for or on behalf of the Board or the County, unless previously authorized to do so.
- C. Amendment, Suspension, and Construction of Rules.** Any amendment of these rules shall be in accordance with the Administrative Code. The Board may temporarily suspend any rule during a meeting with an affirmative vote of a majority of the Board. These rules are for the efficient and orderly conduct of Board Business only; no violation of a rule shall invalidate any action of the Board when approved by a majority vote.
- D. Severability.** If any part(s), term(s), section(s), or provision(s) of these Rules are held to be illegal or in conflict with any law or otherwise invalid, the remaining parts, terms, sections, and provisions shall be considered severable and not be affected by such determination, and the rights and obligations of the parties shall be construed and enforced to effectuate the intent of the Rules to the furthest extent possible as if the Rules did not contain the particular part(s), term(s), section(s) or provision(s) held to be illegal, invalid, or unenforceable.
- E. Effective Date.** These rules shall go into effect on _____ - _____, 2024, and shall supersede all other rules previously adopted by the Board.

Adopted December 18, 2012
Effective January 1, 2013
Revised January 15, 2013
Revised March 2, 2016
Revised March 13, 2018
Revised December 18, 2023
Revised May 14, 2024



Revisions to the Rules of Procedure



Tuesday, February 11th, 2025



Revisions to the Rules of Procedure

- BCC direction at the 1/30/25 Zoning hearing
- Board wanted to discuss 3 items related to quorum and staff direction
- Receive Board direction today and return with resolution amending rules



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Quorum at BCC meetings

- Current rules provide that majority of BCC constitutes quorum
- If a quorum is not established within 30 minutes of meeting start time or is lost the meeting shall adjourn
- Recommend maintaining current rules



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What constitutes BCC direction

- No specific definition currently
- Staff is always available to provide any Commissioner information or review subject matter
- We would understand direction to be distinct from subject matter being discussed by the BCC in the context of an agenda item. Information or questions requiring research in this instance will be accomplished.
- Staff would recommend considering potential direction distinct from requests for additional information in the context of a specific agenda item.



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Approval process for Board direction

- Historically, the Board has provided direction throughout meetings
- Staff would recommend amending the rules to include a distinct section of the meeting, prior to BCC comments, to provide direction.
- The Board might also consider providing these directions in advance when possible.
- We would further recommend the Board approve such direction items by either vote or affirmative response (without objection) from the Board.



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