

City of Port Orange



Handbook for Appointed Boards & Commissions

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INTRODUCTION

The City Council appoints members of the community to boards and commissions to act as advisors on a wide variety of topics and projects. These advisory bodies act in an advisory capacity to the City Council, the City Manager or to departments of the city government. The tasks vary depending upon the type of organizations, but generally include reviewing long range plans and suggesting changes, modifications, or additions to the plans; hearing code enforcement cases; and working with Parks & Recreation, among other duties. The advisory groups are not responsible for day-to-day operations of departments, operating policies of departments, or the business decisions of the local government.

All City of Port Orange Boards, Commissions, Committees, and Task Forces serve at the pleasure of the City Council. Each of these entities was created for a different reason and has a different relationship with both the City Council and the City support staff. Each appointed body has a specific scope of authority as provided by City Ordinance and/or State Statute. Boards, Commissions, Committees, and Task Forces may have administrative, managerial, quasi-judicial, investigatory, and/or advisory powers dependent upon the enabling legislation. These bodies do not set policy, but rather act as a collective citizen sounding board in the policy process.

The advisory bodies are an integral part of citizen participation in local government and an important asset to the city for proper growth and development and the long term stability of our city.

DEFINITIONS

What does “quasi- judicial” mean?

When a governmental body (such as the Planning Commission or the Code Enforcement Board) applies law to a particular set of facts or circumstances to reach a decision, the decision is “quasi-judicial” because the governmental body is taking an action similar to that taken by a judge. “Quasi” means nearly, almost, or *like*. Traditionally, “court like” procedures of government have come to be known as “quasi-judicial” because they are *like* those procedures used by courts.

Why does the Planning Commission conduct “quasi-judicial” proceedings?

Among other things, the Planning Commission is responsible for taking action to approve or deny certain types of site plans and for making recommendations to the City Council on zoning map amendments. These actions involve the application of law to a certain set of circumstances.

The Florida Supreme Court recognized that decisions of local government that apply law to specific circumstances such as zoning changes are judicial in nature. The Supreme Court decided these “quasi-judicial” decisions should be made in proceedings conducted with most of the same protections available to those persons who are presenting a case in court. These protections include the right to have all witnesses testify under oath, the right of opposing sides to ask questions of each other’s witnesses, and the right of each side to hear everything said to the decision maker.

Boards

Boards have more limited roles than do Commissions in most cases. Boards usually act in an advisory and/or investigatory capacity to the City Council. Boards are usually standing bodies, involved with ongoing subject areas.

Commissions

Commissions may have administrative, quasi-judicial, or advisory powers, which are stated in the enabling ordinance. For example, the Planning Commission is a quasi-judicial body. Commissions are standing or permanent bodies, involved with ongoing subject areas.

Committees

Committees are usually temporary bodies organized according to a specific goal’s accomplishment. Committees usually act in an advisory and/or investigatory capacity.

Task Force

Task Forces are specific bodies designed to aid in accomplishing a specific goal, policy, or project. Task Forces are not usually standing bodies, unless the nature of the subject area dictates otherwise.

BOARD AND COMMISSION APPOINTMENT INFORMATION

Important information a citizen would need to know regarding appointment to an Advisory Board or Commission include the following:

- (a) All appointments require formal action of the City Council. Every Board/Commission serves in an advisory capacity to the City Council.
- (b) Unless otherwise stated by City Council, term of office on most Boards/Commissions is three (3) years for regular members.
- (c) A newly formed Board/Commission will be convened by the city staff representative, and each Board/Commission will elect a chairperson and vice chairperson annually.
- (d) The size of the city Board/Commission may vary from 5 to 15 members and is established for each board/commission by the City Council.
- (e) Applications for Board/Commission appointments will be kept on file for a period of three (3) years after the term of office is abolished (or four (4) years for non-selected applicants). Applicants will be contacted to ensure their continued interest in serving on a city board/commission before submittal to the City Council for appointment.
- (f) City Advisory Boards/Commissions will reflect, to the greatest extent possible, the community's ethnic, gender, and age composition.
- (g) A staff representative will be assigned by the Deputy City Clerk to work with each Board/Commission to prepare agendas, keep minutes, and provide assistance.
- (h) Individuals appointed to Boards/Commissions must reside within the city limits, or city utility district, of Port Orange except in exceptional circumstances.
- (i) These guidelines may be waived or changed at the discretion of the City Council

Application

The City Clerk's office maintains a file of all interested citizens for boards and commissions. A citizen interested in participating should complete an application and submit it to the City Clerk. As vacancies arise, applications will be provided to the Council members, who may require interviews of candidates. An applicant will be appointed by a majority vote of the City Council. Applications can be accessed via the City of Port Orange website at www.port-orange.org, under the Department of the City Clerk, or at City Hall, 1000 City Center Circle.

For further information, contact:

City Clerk's Office
1000 City Center Circle
Port Orange, FL 32129
386-506-5563

BOARDS & COMMISSION LISTING

Charter Review Board

The purpose of the Charter Review Board is to advise and assist the City Council in reviewing and analyzing the city charter and potential amendments to the charter to best serve the citizens and proper organization of city government.

The Charter Review Board consists of five (5) members appointed by the City Council to staggered three (3) year terms. Members must be residents of the City and should have good working knowledge of state laws pertaining to municipal home rule government. Members cannot hold any elective public office but may serve on other advisory boards in the City.

The Charter Review Board meets on an as-needed basis.

Civil Service Board

The Civil Service Board reviews appeals brought forth by any City employee who has completed their probationary period and who has the right of appeal regarding disciplinary action resulting in dismissal, suspension without pay for three days or more, or demotion resulting in a more than ten percent loss of base pay. Upon hearing the appeal, the Board shall, within five days, render its written advisory opinion to the City Manager. The City Manager shall then make a final determination in the case.

The Civil Service Board is composed of three (3) members appointed to three (3) year terms by the City Council. The members must reside in the City and cannot hold any elective public office or be employees of the City. The members may serve on other advisory boards of the City.

The Civil Service Board meets on an as-needed basis.

Code Enforcement Board

The Code Enforcement Board is comprised of seven (7) members which, whenever possible, shall consist of an architect, businessman, engineer, general contractor, sub-contractor, and a realtor. The candidates are appointed to three (3) year terms by the City Council. City residency and Financial Disclosure is required.

The Code Enforcement Board operates according to Chapter 7, Section 7-4 of the Port Orange Code of Ordinances. The Code Enforcement Board shall have jurisdiction over all City codes and ordinances and has the power to issue orders, fines, and or liens in order to bring a violation into compliance.

The bylaws are available from the Code Enforcement Department. Definitions listed in the bylaws are very helpful and should be reviewed before reading the other provisions. The bylaws contain the principle rules of proceedings of the Code Enforcement Board.

The Code Enforcement Board meets the first Wednesday of each month and may call special meetings as necessary.

Construction Regulation Board

The Construction Regulation Board was created to review the Building, Fire, and other related codes and policies as provided by State Law, Code of Ordinances, and the City of Port Orange Land Development Code; to hear appeals of those policies; and provide recommendations to the City Council on building and construction related matters.

The Board is comprised of five (5) members appointed by the City Council for a staggered period of two (2) years. One member must be an architect or engineer, one member must be a licensed contractor, and three members are at-large from the Building Industry. Members must provide a financial disclosure and be registered with the City or residing within the City.

This Board meets on the third Wednesday of each month as needed by the Port Orange Building Official or the Board Chairman.

Dangerous Dog Board

The Dangerous Dog Board was established by Resolution No. 04-18 and adopted by the City Council on March 2, 2004 per Florida State Statute Chapter 767 to set guidelines on the ownership of dogs living in the City limits and to certify and register dogs declared dangerous by the City.

The Dangerous Dog Board shall consist of at least a three member panel, one of which should be a veterinarian. A Chairman is elected at the beginning of each hearing. The panel Members are selected by the City Manager and approved by Council. Members serve until further notice.

The Dangerous Dog Board meets as required.

Districing Commission

The Districing Commission was established to review the City districts following the official certification of the decennial census to the State. The City Council appoints ten (10) city electors determined from the registration for the last statewide general election. Each member is appointed for a ten (10) year term.

Upon review of the census data, the Districing Commission may recommend an increase or decrease in the number of districts and/or redefine the boundaries of the districts to ensure equal and effective representation as required by the United States Constitution. Within 120 days of appointment the Districing Commission must present their recommendations to the City Council for review and approval.

The Districting Commission meets on an as needed basis after receipt of the census data.

Environmental Advisory Board

The Environmental Advisory Board was formed to represent the City Council on environmental matters, to represent the community's interests, and to serve as an informational resource relating to the planting and preservation of trees in the City. The Board is also to assist the city forester in developing and updating the comprehensive urban forestry plan.

The Environmental Board consists of seven (7) members appointed to three (3) year terms by the City Council. Each member must be a qualified elector residing in the City and cannot hold any elective office. They may serve on other advisory boards of the City.

The Environmental Advisory Board meets quarterly on the third Wednesday of the month. The City Staff Liaison is the City Landscape Architect.

General Employees Retirement Board

This is a seven (7) member Board that oversees the various affairs of the General Employees' Pension Plan. This Board meets on the last Monday of each month.

Members are appointed or elected to two (2) year terms, depending on the type of member. Three (3) members are elected by the majority of actively employed members of the retirement system, one (1) member is a public member appointed by the City Council, one (1) member is the City Finance Director, (1) one member is the City Manager or his designee, and (1) one member is a member of the City Council.

Golf Course Advisory Board

The Golf Course Advisory Board was established in the Bylaws of the Golf Club at Cypress Head, a for profit corporation established by the City Of Port Orange to manage the municipal golf course.

The members of the Board are the persons holding the offices of Mayor and City Manager of Port Orange. The Golf Course Advisory Board meets at least annually and at other times as called by the Chairman of the Golf Course Advisory Board.

Library Board

The Library Board consists of seven (7) members to be chosen from persons who reside within the City or the area bordered by the Atlantic Ocean on the east, the municipal boundaries of the City of Daytona Beach on the north, Tomoka Farms Road on the west, and the city's municipal service area, including the Town of Ponce Inlet, the City of Daytona Beach Shores, and the City of South Daytona and serve terms of 3 years. The City Council appoints members from a pool of qualified applicants.

This purpose of this Board shall be to represent the community's interest and to serve as an information resource in planning the community public library service programs for discussion and review with the county library advisory board. The Board shall make recommendations to the City Council as to the best usage and improvements of and to the Port Orange Regional Public Library and shall work with the County Library Board to ensure that the library services provided meet the true needs of the community.

The Board meets bi-monthly on the first Thursday in January, March, May, July, September, and November, and may call special meetings as necessary.

Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board was established to advise and assist the City Council in establishing a comprehensive system of supervised recreation and to make recommendations to the Council regarding the best usage of facilities and funds and suggest improvements to or acquisition of City recreational facilities.

The Board consists of seven members appointed by the City Council to three (3) year staggered terms. Members shall be a qualified elector residing in the City and cannot hold any elective public office. Members may serve on other advisory boards, pension boards, or other non-appointive boards except the City Code Enforcement Board.

The Parks and Recreation Advisory Board meets quarterly. The Staff Liaison is the Parks and Recreation Director.

Planning Commission

The Planning Commission is made up of seven (7) members appointed from a pool of candidates by the City Council to 2 year staggered terms, to make decisions on planning matters or make recommendations to the City Council. An eighth member may be appointed by the Volusia County School Board to serve on the commission in a non-voting capacity. The duties of the Planning Commission can be found in the City Code of Ordinances at www.municode.com.

The Planning Commission operates according to the bylaws and the ordinances of the City of Port Orange. The bylaws are available from the Community Development Department. Definitions listed in the bylaws are very helpful and should be reviewed before reading the other provisions. The bylaws contain the principle rules of quasi-judicial proceedings of the Planning Commission.

The Commission is responsible for studying the needs, resources and possibilities of the city, planning for growth and development, and recommending appropriate action to the City Council of all proposals. Their responsibilities may include: reviewing plans for developments; reviewing and amending zoning regulations; and ensuring the best use of resources within the City of Port Orange.

The Planning Commission meets on the fourth Thursday of each month, and may call special meetings as necessary.

Port Orange Fire and Rescue Pension Fund Board

This is a five (5) member Board that oversees the various affairs of the Port Orange Fire & Rescue Pension Plan. This Board meets at least quarterly.

Members are appointed or elected to two (2) year terms, depending on the type of member. Two (2) members are members of the pension system selected by the fire fighters and two (2) members are legal residents of the City appointed by the City Council. One member is appointed by the City Council based on a majority recommendation of the other four (4) trustees. The City Council reconsiders its Council Member appointee each January.

Port Orange Police Pension Board

This is a five (5) member board that oversees the various affairs of the Port Orange Police Pension Plan. This board meets at least quarterly.

Members are appointed or elected to two (2) year terms, depending on the type of member. Two (2) members are full-time police officers selected by the police officers participating in this Plan and two (2) members are legal residents of the City appointed by the City Council. One member is appointed by the City Council based on a majority recommendation of the other four (4) trustees.

Town Center and Eastport Community Redevelopment Agency

The Town Center CRA and Eastport CRA board members consist of all City Council Members and an additional two members each.

The CRA board members work on projects to revive their areas within the City.

Youth Advisory Board

The Youth Advisory Board is comprised of students from middle and high schools within the City of Port Orange who have an interest in learning about their City government, participating in City events, and who would make good ambassadors for the City of Port Orange.

This Board meets on the first Tuesday of each month and provides a Youth Achievement Award to a local high school student who goes above and beyond to promote good leadership, who volunteers in the community, and who succeeds in their school studies.

GENERAL OPERATING PROCEDURES

Selection of a Chairperson

The Chairperson (Chair) of any board, commission, committee, or task force is crucial to efficiently run meetings. Boards and commissions usually select their own chair and vice-chair in accordance with the legislation governing that board or commission. If the chair is absent, the vice-chair usually presides. In the absence of chair and vice-chair, the commission or board designates an acting chair if a quorum is present.

Powers of the Chairperson

The chair is responsible for conducting the meeting and acting as liaison between staff and the board or commission. The chair also has the power to limit discussion during a meeting to the main issue under consideration and to end debate when it ceases to be productive. The chair's rulings must be followed unless overruled by the Council or are contrary to City ordinances, Board rules or other established policy. The presiding officer has the right to make and second motions, participate in debate, and vote on all matters before the board, commission, committee or task force.

Attendance

To be effective all boards, commissions, committees, and task forces must have regular attendance. The following governs attendance at meetings:

- (a) When a member has been absent for three (3) or more consecutive meetings (or 25% of the annual meetings), such absences and the reasons therefore, if known, shall be communicated to the Mayor and the City Council by the chair of the relative board or commission. The City Council may elect to treat such absences as the member's resignation.
- (b) Resignations shall be effective when accepted by the City Council. Upon acceptance of the resignation, the position on the board, commission, committee, or task force shall be deemed vacant. The City Council shall then notify the members of the relative body when any resignation has been accepted.

Quorum

A majority of the members of a Commission, Committee, Board or Task Force shall constitute a quorum for the transaction of business. If there is not a quorum present within fifteen (15) minutes following the scheduled starting time of the Commission, Committee, Board or Task Force, the chairman can call the meeting to order, announce the absence of a quorum and adjourn the meeting. The chairman can also call the meeting to order and then entertain a motion to adjourn, to fix the time to adjourn, to recess, or to take measures to obtain a quorum.

PUBLIC INPUT AND PARTICIPATION

All meetings of Boards, Commissions, Committees, Authorities and Task Forces must be open to the public. There is, however, no obligation under the Sunshine laws, that an advisory body is required to permit public input at any meeting. Public input is at the sole discretion of the advisory body, upon a general consensus of the members. The only exception to this general rule is the Planning Commission, which operates under specific legal requirements described in the Florida Statutes.

The Planning Commission meetings are quasi-judicial in nature, and therefore must provide an opportunity for participation in the process by an aggrieved or adversely affected party, allowing a reasonable time for the party to prepare and present a case. The process must provide an opportunity for the disclosure of witnesses and exhibits prior to hearing and an opportunity for the depositions of witnesses to be taken. At the hearing, all parties must have the opportunity to respond, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence. Public testimony must be allowed.

PORT ORANGE IN THE SUNSHINE

Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. The law is equally applicable to elected and appointed Boards and Commissions, and has been applied to any gathering of two (2) or more members of the same Board to discuss some matter which will foreseeably come before that Board for action. There are three basic requirements of §286.011, Florida Statutes:

1. Meetings of public Boards and Commissions must be open to the public;
2. Reasonable notice of such meetings must be given; and
3. Minutes of the meetings must be taken.

The law applies to elected and appointed Boards, Commissions, Committees, and Authorities of any government agency in the state of Florida. It equally binds advisory boards whose powers are limited to making recommendations to a public agency and which possess no authority to bind that agency.

Even though an Advisory Board, Committee or Commission must submit their recommendations for review by an elected body it does not exempt them from the provisions of this law.

Meetings are defined as any gathering whether formal or casual of two (2) or more members of the same Board, Committee, or Commission to discuss some matter on which foreseeable action will be taken by the public board or commission. This rule extends to telephone conversations and e-mail communication, and even instant messaging conversations, whether on personal or public devices. This can extend further to a casual lunch between two (2) members of a Committee – if they discuss some issue that the appointed body to which they belong, that lunch becomes a public meeting and is subject to all of the provisions of the *Sunshine Law*.

While this may seem very restrictive, it is not the case. Appointed members of Boards, Committees, and Commissions must remain aware of with whom they are communicating and what is being discussed. The safest course of action is to avoid discussion about matters that will come before the advisory body, with other members of your advisory body, except when attending a meeting of that body. Should you have any questions about this law, contact the advisory body's staff representative with your concern.

CONFLICT OF INTEREST

Generally, a conflict of interest exists when a board member influences a decision of the board that will (or has the potential to) materially affect the individual's financial interest. Questions involving conflicts of interest are each unique unto themselves, and each potential conflict must be considered individually in order for proper legal guidance to be given. Any Board or Commission member who has a question concerning a possible conflict of interest may contact the City Attorney's office, City Clerk's office, or a private attorney, and should do so immediately.

Definitions

Breach of the public trust -

A violation of a provision of the State Constitution or Florida Statutes which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests.

Business Associate –

Any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, co-owner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

Conflict or conflict of interest -

A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Material interest –

A direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.

Public Officer –

Any person elected or appointed to hold office in any agency, including an advisory body.

Relative –

Means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, or wife.

Section 112.3143(3)(a), F.S., prohibits a county, municipal, or other local public officer from voting on any measure which inures to his or her special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal or parent organization or subsidiary of a corporate principal, other than a public agency, by whom he or she is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the officer. An exception exists for a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356, F.S., or s. 163.357, F.S., or an officer of an independent special tax district elected on a one-acre, one-vote basis. Section 112.3143(3)(b), F.S.

Florida law requires that all persons appointed to boards or committees disclose any financial interests they have by filing disclosure forms, and must abstain from participating in any matters before their board or committee that may have an impact on their financial interest. In effect, if a board or committee member does business with a person or business coming before the board or committee, it is essential for that member to not participate in the proceedings, or the individual will be in violation of the law. In addition, members of boards and committees are required to abstain from voting when a conflict of interest is involved. This means that they may not vote on any matter which may have an impact on themselves, a family member, or someone who retains their services.

When an individual abstains from voting, a voting conflict form provided by the City, must be completed and returned within 15 days after the vote occurs. This form must be attached to the official minutes of the meeting.

If you believe you have a possible conflict of interest in any matter before your advisory body, contact the City Attorney's office or City Clerk's office before taking any official action on the matter where the conflict may exist.

STEPS TO RESOLVE A CONFLICT OF INTEREST

When a person abstains from voting due to a conflict of interest, the individual must complete FORM 8B and submit it to the City Clerk's Office within 15 days of the abstention. The form must become a part of the official minutes of the meeting.

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 equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Although you must abstain from voting in the situations described above, you otherwise may participate 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:

1. You must complete and file Form 8B (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.
2. A copy of the form must be provided immediately to the other members.
3. 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 Form 8B 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.

A copy of the official form is attached to the end of this publication. You should consult the City Clerk for the most recent edition of the form. The Florida Ethics Committee may change the format and/or content without notice.

EXPECTATIONS FOR BOARD AND COMMISSION MEMBERS

Citizen input on City programs and services are vital to ensuring their relevance, efficiency and effectiveness to the community. Using citizen Boards and Commissions on various issues is an important way for the City Council and City of Port Orange administration to receive and consider citizen input.

Serving on a City of Port Orange Board or Commission is always challenging and rewarding. The information given below should help board members understand some of the expectations the City of Port Orange has for them in their respective roles.

1. Every member has a valuable contribution to make and each member should respect and consider each other's input in a particular subject. Boards and Commissions are expected and encouraged to respect the diversity of opinions of each member.
2. Members are expected to seek out and consider input from citizens interested in an issue or parties impacted by actions of the body prior to making a final determination on an issue.
3. Boards and Commissions represent the City of Port Orange in their appointed roles. All members are expected to conduct themselves in a manner that demonstrates **respect, integrity, teamwork, and competence**.
4. Members should periodically take the time to set realistic and achievable goals and allow enough time to do a good job on each issue.
5. Board/Commission members are asked to regularly attend all meetings. Members should notify the staff liaison or chairperson of planned absences prior to meetings.
6. All persons involved in Boards and Commissions should treat each other with fairness and respect. Interactions between Board and Commission members and City staff not meeting this standard should be brought to the attention of the City Manager immediately.

EXPECTATIONS FOR BOARD AND COMMISSION CHAIRPERSONS

Chairpersons of Board and Commissions have several important responsibilities, which are essential to the effectiveness of the respective group. These responsibilities include:

1. Conduct meetings in an efficient manner, focusing on the issues relevant to the functions and mission.
2. Regulate and facilitate discussion among board members to ensure that all viewpoints are represented. Give each member the opportunity to express ideas and/or concerns on issues that are being considered by the board or commission.
3. Ensure compliance with the “Government in the Sunshine” laws.
4. Assist in orienting new board members about the function, role and mission of the board/commission.
5. Assist in mediating conflicts or disputes between board/commission members.
6. Serve as primary contact with administrative staff.

OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES

1. When a topic is first introduced or a main motion is made, allow all questions for information purposes to be asked before opening to debate.
2. Discourage the repetition of arguments. Attempt to call on people who have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate.
3. If debate carries on too long, impose time limits on speakers.
4. Discourage people from talking in initials - spell them out.

Meeting Procedure

It is important that all organizations have underlying organizational structure and procedures. The guidelines below provide guidance for members and the general public. Some of Port Orange's Boards and Commissions currently use a similar format that is given below. This list has been created to provide a framework for board and commission procedures:

The following three points are always in order:

1. **Point of Order:** a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process.
2. **Point of Information:** a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know.
3. **Point of Personal Privilege:** a comment addressing a personal need - a direct response to a comment defaming one's character, a plea to open the windows, etc.

Motions

All motions must be seconded, and are adopted by a majority vote unless otherwise noted. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e., don't do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules)).

1. **Motion to Adjourn:** not debatable; goes to immediate majority vote.
2. **Motion to Recess:** not debatable. May be for a specific time.
3. **Motion to Appeal the Facilitator's Decision:** Not debatable; goes to immediate vote, and allows the body to overrule a decision made by the chair.
4. **Motion to Suspend the Rules:** suspends formal process for dealing with a specific question. Debatable; requires simple majority vote.
5. **Motion to End Debate and Vote or Call the Question:** applies only to the motion on the floor. Not debatable; requires simple majority vote.

6. **Motion to Extend Debate:** can be general, or for a specific time or number of speakers. Not debatable.
7. **Motion to Study:** applies only to the main motion. Refers question to a specific group with a specific time and charge.
8. **Motion to Amend:** must be voted for by a majority to be considered and by a simple majority to be passed. If amendment is accepted as "friendly" by the proposer of the amendment then many bodies will allow it to be accepted without a formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.
9. **Main Motion:** what it is you're debating and amending.
10. **Voice Vote:** The form of voting on a motion by which the chairman asks those in favor to respond to the motion in question by saying "aye" and then asks those opposed to the motion to say "no". If the "ayes" have the majority, the chairman will state that the motion has passed. If the prevailing side is negative, the chairman will state that the motion is lost.
11. **Roll Call Vote:** The form of voting on a motion by which the chair states both sides of then directs the clerk to call the roll. Each member answers as their name is called and the clerk records their vote. An entry must be made in the minutes of each member and how they voted. This method of voting is very time consuming and is not ordinarily used.

HELPFUL LINKS

City of Port Orange calendar, forms, information: www.port-orange.org.

Code of Ordinances and Land Development Code: www.municode.com The City of Port Orange Code of Ordinances and Land Development Code (LDC) may be found at this website. Once the Codes have been adopted by Council, they are sent to Municode Corporation and are updated periodically throughout the year.

Form 1 Financial Statement: www.ethics.state.fl.us The Financial Statement is not required to be filed by every board member, but must be filed by appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a board of adjustment; a planning or zoning board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.

Form 8B Memorandum of Voting Conflict: www.ethics.state.fl.us The Memorandum of Voting Conflict is filed by a person holding elective or appointive county, municipal, or other local public office who MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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.