



North Port Board & Committee Handbook

A Guide for Board & Committee Members





Table of Contents

INTRODUCTION	1
QUASI-JUDICIAL PROCEEDINGS	1
Boards	2
Committees	2
Task Forces	2
BOARD AND COMMITTEE APPOINTMENT GUIDELINES	3
Application	3
BOARD AND COMMITTEE LISTINGS	4
Art Advisory Board.....	4
Auditor Selection Committee.....	4
Beautification and Tree/Scenic Highway Committee.....	4
Charter Review Advisory Board.....	5
Citizens Tax Oversight Committee	5
Community Economic Development Advisory Board.....	5
Environmental Advisory Board.....	6
Historic and Cultural Advisory Board.....	7
Joint Management Advisory Board	7
Firefighters’ Pension Local Option Trust Fund Board of Trustees.....	8
Police Officers’ Pension Local Option Trust Fund Board of Trustees	8
North Port Youth Council.....	9
North Port Parks and Recreational Advisory Board	9
Planning and Zoning Advisory Board.....	10
Public Utility Advisory Board.....	10
Zoning Board of Appeals.....	11
ROLES & RESPONSIBILITIES.....	11
Board and Committee Members.....	11
Board and Committee Chairperson.....	12
Staff Liaisons	12
GENERAL OPERATING PROCEDURES	13
Public Input and Participation.....	13
Attendance.....	13
Quorum.....	13
Establishing Rules	13



Group Decision Making..... 13

GOVERNMENT IN THE SUNSHINE 14

CONFLICTS OF INTEREST 14

 Abstaining due to a Conflict of Interest..... 14

STEPS TO RESOLVE A CONFLICT OF INTEREST 15

 Who Must File a Form 8B?..... 15

OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES..... 16

 Meeting Procedure..... 16

 Motions..... 16



INTRODUCTION

The City Commission appoints members of the community to boards and committees to act as advisors to the City Commission on a wide variety of topics and projects. The tasks of a board or committee will vary depending on its purpose, but generally includes reviewing, recommending, and suggesting revisions to policy and long range plans. Most of these bodies do not set policy, but rather act as a collective citizen sounding board in the policy creation process. Boards and committees are not responsible for day-to-day operations of departments, operating procedures of departments, or the business decisions of the City.

All City of North Port boards and committees serve at the pleasure of the City Commission. Each was created for a specific reason, with its scope of authority established in the Code of the City of North Port, Florida; City of North Port Unified Land Development Code; and/or the Florida Statutes. Boards and committees are an integral part of citizen participation in City government, and an important asset to our City to ensure the proper growth, development, and long-term stability of North Port.

QUASI-JUDICIAL PROCEEDINGS

What does “*quasi-judicial*” mean?

Matters that are quasi-judicial in nature involve the actions of public officials who are required to investigate facts, or ascertain the existence of facts, hold hearings, weigh evidence, and draw conclusions from such facts, as a basis for their official action, and to exercise discretion of a judicial nature and any other decision involving the implementation, rather than formation, of city policy. When a board applies a law to a particular set of facts or circumstances in order to reach a decision that may impact a person or their property, the process must follow the City’s quasi-judicial procedure to ensure the parties to the action receive their due process.

Why do the Planning and Zoning Advisory Board and Zoning Board of Appeals conduct “quasi-judicial” proceedings?

Among other things, the Planning and Zoning Advisory Board serves as the Local Planning Agency and is responsible for making recommendations to the City Commission on the approval or denial of certain types of site plans, amendments to the City’s Comprehensive Plan, and other actions that affect development in the City. The Zoning Board of Appeals hears administrative appeals of and considers variances to the City’s zoning regulations. These actions involve applying the law to a certain set of facts or circumstances.

The Florida Supreme Court recognized that decisions of local governments that apply the law to specific circumstances such as zoning changes are quasi-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 a witness 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.

[Section 2-82](#) of the Code of the City of North Port, Florida identifies examples of matters that are quasi-judicial in nature. Section 2-83 sets forth the procedures for quasi-judicial proceedings.

Boards

Some boards act in an advisory and/or investigatory capacity to the City Commission. A board is established in the Code of the City of North Port, Florida or the City of North Port Unified Land Development Code and is involved in ongoing or regularly occurring subject areas.

Other boards have direct responsibilities. For example, the Zoning Board of Appeals has final decision-making authority that is appealable directly to a court; the board of trustees for the police and firefighter pensions are entrusted with administering the pensions; and the Citizen Tax Oversight Committee provides oversight for certain City expenditures.

Committees

A committee is a body, established by the City Commission to act in an advisory and/or investigatory capacity, and to accomplish a specific goal. Committees codified in the Code of the City of North Port, Florida are standing committees. The City Commission may also create temporary committees.

Task Forces

A task force is a body established to aid in accomplishing a specific goal, policy, or project. A task force can be temporary or long term depending on the nature of its assignment.

BOARD AND COMMITTEE APPOINTMENT GUIDELINES

Unless otherwise specified in the board or committee's legislation, the following general guidelines apply to boards and committees :

- A. Appointment to a board or committee requires a majority vote of the City Commission.
- B. Most individuals appointed to a board or committee must reside or own real property in the City throughout their term, and for a period of at least one year prior to appointment.
- C. Appointment to most boards and committees for adult members is for a term of two years, with the ability for reappointment for an additional two-year term. Appointment for most youth members is for a one-year term, with the ability for reappointment for an additional one-year term.
- D. Each board and committee must elect a chairperson and vice chairperson.
- E. The number of members on a board or committee is established by the City Commission; codified in the Code of the City of North Port, Florida; or codified in the City of North Port Unified Land Development Code.
- F. The City keeps applications for membership for two years. The City Clerk's office contacts applicants to ensure their continued interest in serving on a board or committee before their application is submitted to the City Commission for appointment.
- G. A staff liaison is assigned to work with each board and committee, and prepares and distributes the agenda and backup materials.

Application

The City Clerk's office maintains a file of all interested citizens for boards and committees. A citizen interested in participating should complete an application and submit it to the City Clerk's office. As vacancies arise, the City Clerk provides applications to the City Commission; individual Commissioners may require interviews of candidates.

For further information please contact:

City Clerk's Office
City of North Port
4970 City Hall Blvd.
North Port, FL 34286
941-429-7270
boardapplications@cityofnorthport.com.

BOARD AND COMMITTEE LISTINGS

Art Advisory Board

Artistic experience is not required. An interest in art is all that is needed. Established in [Chapter 4, Article III](#) of the Code of the City of North Port, Florida, this board advises and recommends on:

- A. The rotation of an art exhibit within City Hall and the Police Department.
- B. Recommendations on the placement of artwork within public places in the City.
- C. Presentation of an art budget to the City Commission for review.

Membership consists of seven regular members, two alternate members, and two youth members. Adult members serve a two-year term, and youth members serve a one-year term.

Auditor Selection Committee

Established in [Chapter 4, Article IV](#) of the Code of the City of North Port, Florida, and as required by Florida Statutes [Section 218.391](#), this committee provides for auditor selection functions consistent with Florida law, which include:

- A. Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under Florida Statutes Chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- B. Publicly announce requests for proposals.
- C. Provide interested firms with a request for proposal.
- D. Evaluate proposals provided by qualified firms.
- E. Rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the established factors.

Membership consists of one City Commissioner who serves as the chairperson, two at-large members, and two alternate members. An alternate member may only participate in a meeting when taking the place of an at-large member. The terms of the at-large members are staggered. No youth members are permitted on this committee.

No City employee, the City Manager, or Director of the Finance Department can be a member of this committee, but any may serve in an advisory capacity.

Beautification and Tree/Scenic Highway Committee

Established in [Chapter 4, Article V](#) of the Code of the City of North Port, Florida, this committee advises the City Commission and the community on matters relating to tree planting and care, landscaping, beautification of public road rights-of-way and other public places, and special programs to assist the public. This committee also advises on the availability of grants and other sources of funding to accomplish the goals of the Florida Scenic Highway Program.

Charter Review Advisory Board

Established in [Chapter 4, Article II](#) of the Code of the City of North Port, Florida, and required pursuant to [Section 5.06](#) of the City Charter, this board must meet at least once a year. This board's responsibilities are to review the City Charter and suggested changes, and recommend amendments to the City Commission. [Click here to view the City Charter.](#)

Membership consists of seven regular members, two alternate members, and one youth member. Adult members serve a two-year term and youth members serve a one-year term.

Citizens Tax Oversight Committee

Established by [Resolution No. 97-R-14](#) and authorized pursuant to Sarasota County Ordinance 2007-087 and [Resolution No. 2010-089](#) to continue operating through December 31, 2024, this committee must meet at least once a year. This committee provides oversight of the City's use of proceeds from the Local Government Infrastructure Sales Tax, and is responsible for:

- A. Ensuring that expenditures have been made in accordance with the City's infrastructure projects list.
- B. Ensuring that all procedural requirements have been followed for the use of sales tax proceeds.
- C. Monitoring the annual infrastructure project list reviews of the Sarasota School District and the Sarasota Board of County Commissioners' Citizen Tax Oversight Committees.
- D. Publishing a report of its findings in a newspaper of general circulation within the City.

Membership consists of seven members, each a registered voter who has lived in the City for at least one year prior to their appointment. Members serve a two-year term, and any member that is absent for two consecutive meetings is deemed to have vacated their position and a new member must be appointed by the City Commission to serve the remainder of the vacated member's term.

This committee must appoint a secretary from its membership who is responsible for preparing the minutes of the meetings. At least four members are required to have a quorum.

The membership of this committee should:

- A. Have experience and expertise in fiscal management, budget preparation, and the scheduling and implementing capital improvements.
- B. Be composed of members reflecting the demographic diversity of the City.

Community Economic Development Advisory Board

Established in [Chapter 4, Article VI](#) of the Code of the City of North Port, Florida, this board advises the City Commission on business and economic development and issues of importance to the North Port business community and citizens, and is responsible for making recommendations on:

- A. Updates to the City's business and economic development strategic plan with long-term goals and objectives.

- B. Short-term action plans and measurements.
- C. Resources allocated for economic development activity of the City.
- D. Policies and ordinances affecting economic development.

Membership consists of eleven members representing the following categories, with no alternate members:

- A. Financial Services.
- B. Real Estate.
- C. Medical and Health Care.
- D. Development, Engineering, or Planning.
- E. Higher Education or School Board Member.
- F. Homeowners' Association Board Member.
- G. Tourism.
- H. Diversified Light Industrial/Manufacturing.
- I. Public Relations.
- J. Land Use Attorney.
- K. North Port resident with no business or specific organizational affiliation.
- L. North Port City Commissioner as an ex-officio member, with no voting rights.
- M. Sarasota County Commissioner may serve as an ex-officio member, with no voting rights.

Preference is given to residents of North Port, but residency is not required. This board must meet at least quarterly.

Environmental Advisory Board

Established in [Chapter 4, Article IX](#) of the Code of the City of North Port, Florida, this board serves as an information resource to advise the City Commission on ways to protect, conserve, enhance, and raise public awareness of the City's natural and environmental resources, its wildlife habitat, its flora and fauna, and on safeguarding environmental quality for the future. This board is responsible for advising the City Commission on:

- A. Preserving and promoting clean air and water quality.
- B. Preserving and promoting wildlife and habitat protection.
- C. State and federal environmental regulations that may impact the city.
- D. Environmental concerns raised by citizens.
- E. Educational and outreach community opportunities related to preserving and protecting the environment and wildlife habitat.
- F. Grants and incentives related to preserving and protecting the environment and wildlife habitat.
- G. Preserving and protecting the environment and wildlife habitat as the City Commission may from time-to-time direct.

Membership consists of seven regular members, two alternate members, and two youth members.

Historic and Cultural Advisory Board

Established by [Chapter 4, Article X](#) of the Code of the City of North Port, Florida, this board serves as an information resource to advise the City Commission on ways to protect, conserve, preserve, enhance, and raise public awareness of the City's historic and cultural resources. This board is responsible for advising the City Commission on:

- A. Designation and regulation of historic and cultural sites, structures, and landmarks within the City.
- B. Properties and landmarks potentially eligible for listing on the local and National Register of Historic Places.
- D. The City's inventory of historic and cultural sites and landmarks.
- E. The City's comprehensive plan, codes, policies, and projects that influence historic and cultural resources.
- F. Legislation pertaining to historic and cultural resources.
- G. Increasing public awareness of the City's history, culture, and historic and cultural sites and resources.

Membership consists of seven members, with the following makeup:

- A. At least four year-round residents of the City.
- B. Three residents-at-large.
- C. One non-resident may serve in the place of a resident-at-large, provided that non-resident currently owns real property in the City, or has owned real property in the City, for at least one-year prior to appointment.

Four Members must be practicing or retired professionals from any of the following disciplines with a demonstrated commitment to historic and cultural preservation, and no more than two members can be from the same discipline:

- A. Anthropology.
- B. Real estate, land development, or finance.
- C. History, culture, folklore, or architectural history or culture.
- D. Conservation or curation.
- E. Architecture or historic or cultural architecture.
- F. Historic or cultural preservation.
- G. Land use planning or historic or cultural preservation planning.
- H. Historic or cultural landscape architecture.
- I. General or building contractor.
- J. Professional engineering.

Joint Management Advisory Board

Established through an Interlocal Agreement with the School Board of Sarasota County, this board serves to foster cooperation between the City of North Port and the School Board of Sarasota County for the cooperative management of the North Port Performing Arts Center located at the North Port High School.

Membership consists of the following four members: the North Port High School Principal or designee, the North Port City Manager or designee, one City resident, and one Sarasota County resident. This board must meet at least once a year.

Firefighters' Pension Local Option Trust Fund Board of Trustees

Established in [Section 2-307](#) of the Code of the City of North Port, Florida, this board must meet at least quarterly and is responsible for the proper operation and management of the City of North Port Firefighters' Pension - Local Option Trust Fund, as follows:

- A. Construing the provisions of the system and determining all questions arising thereunder.
- B. Determining all questions relating to eligibility and membership.
- C. Determining and certifying the amount of all retirement allowances or other benefits.
- D. Establishing uniform rules and procedures for administrative purposes, benefit applications, and all matters required to administer the system.
- E. Distribution of information concerning the system to its members.
- F. Receive and process all applications for benefits.
- G. Authorize all payments whatsoever from the fund and to notify the disbursing agent of approved benefit payments and other expenditures arising through operation of the system and fund.
- H. Perform actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
- I. Perform such other duties as are required to prudently administer the system.

Membership consists of the following five trustees, who serve two-year terms: two City residents appointed by the City Commission, two actively employed firefighter members of the trust fund elected by a majority of the trust fund membership, and one trustee chosen by the other trustees and appointed by the City Commission.

The board must elect a chairman and a secretary. The secretary must keep a complete minute book of the actions, proceedings, or hearings of the board. Although the trustees do not receive any compensation, they may receive expenses and per diem as provided by law.

Police Officers' Pension Local Option Trust Fund Board of Trustees

Established in [Section 2-257](#) of the Code of the City of North Port, Florida, this board must meet at least quarterly and is responsible for the proper operation and management of the City of North Port Police Officers' Pension - Local Option Trust Fund, as follows:

- A. Construing the provisions of the system and determining all questions arising thereunder.
- B. Determining all questions relating to eligibility and membership.
- C. Determining and certifying the amount of all retirement allowances or other benefits.
- D. Establishing uniform rules and procedures for administrative purposes, benefit applications, and all matters required to administer the system.
- E. Distributing information concerning the system to its members.
- F. Receiving and processing all applications for benefits.

- G. Authorizing all payments whatsoever from the fund and to notify the disbursing agent of approved benefit payments and other expenditures arising through operation of the system and fund.
- H. Perform actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
- I. Perform such other duties as are required to prudently administer the system.

Membership consists of the following five trustees, who serve two-year terms: two City residents appointed by the City Commission, two actively employed police officer members of the trust fund elected by a majority of the trust fund membership, and one trustee chosen by the other trustees and appointed by the City Commission.

North Port Youth Council

Established in [Chapter 4, Article XI](#) of the Code of the City of North Port, Florida, this board provides the City Commission a youth perspective on issues that affect the City and to provide youth an opportunity to be active and make a difference in their community.

Membership consists of seven to eleven members, who have successfully completed the 6th grade and are enrolled and attending middle school, high school, or are home schooled, and under the age of 20. Members serve a one-year term. This board must meet no less than quarterly.

North Port Parks and Recreational Advisory Board

Established in [Chapter 4, Article VII](#) of the Code of the City of North Port, Florida, this board advises the City Commission on parks and recreation matters including:

- A. Use and condition of all public recreation facilities and recommending changes.
- B. Recreational programs to ensure that all public recreational facilities are properly and efficiently operated, and each facility is utilized to its optimum to the benefit of all citizens.
- C. Sources of grant funds that may be available for recreational programs and/or facilities and assist in development of an application for such funds.
- D. An annual action plan for play, and implementing initiatives for improving the quality, quantity, and access to play opportunities within the community.
- E. A play space audit and recommendations regarding the play space database.
- F. Financial and civic investment and resources available to the City for play.
- G. Celebration of an annual play day.

A representative from this board serves on the Sarasota County Parks Advisory and Recreation Council.

Membership consists of seven regular members, two alternate members, and two youth members. Members must include representatives of the community at large and the business community, with at least one member from each sector.



Planning and Zoning Advisory Board

Established in [Section 1-29](#) of the City of North Port Unified Land Development Code, this board serves as the Local Planning Agency pursuant to Florida Statutes Chapter 163, with the function, power, and duty to:

- A. Acquire and maintain such information and materials as are necessary to an understanding of past development trends, present development conditions and forces at work to cause changes in these conditions.
- B. Prepare and recommend to the City Commission for adoption and from time to time recommend amendments and revisions to the City's Comprehensive Plan for meeting present requirements and such future requirements as may be foreseen.
- C. Recommend principles and policies for guiding action affecting development in the City.
- D. Prepare and recommend to the City Commission ordinances, regulations, and other proposals promoting orderly development along the lines indicated as desirable by the Comprehensive Plan.
- E. Determine whether specific proposed developments conform to the principles and requirements of the Comprehensive Plan.
- F. Conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the Comprehensive Plan and ordinances, codes, and regulations related to it, and to establish public committees when deemed necessary for the purpose of collecting and compiling information necessary for the plan or for the purpose of promoting the accomplishment of the plan in whole or in part.
- G. Make or cause to be made any necessary special studies of the location, adequacy, and condition of specific facilities in the City.
- H. Keep the City Commission and the public informed and advised on these matters.
- I. Perform such other duties as may be lawfully assigned to it or which may have bearing on the preparation or implementation of the Comprehensive Plan.

Membership consists of seven regular members and two alternate members. No more than two members, including alternate members, can be of the same business, trade, or profession. To the greatest extent possible, at least three members must have experience and expertise in planning, zoning, land use, and related topics.

Public Utility Advisory Board

Established in [Chapter 4, Article VIII](#) of the Code of the City of North Port, Florida, this board advises the City Commission on water and sewer utilities issues, such as:

- A. Capital improvement projects to be included in the utility department's capital improvement program.
- B. Water and sewer master plans.
- C. Purchase of additional utility facilities.
- D. Rate review and recommendations.
- E. Utility ordinances.
- F. Federal, state, and regional utility matters that may affect the City.
- G. Other duties relating to water and sewer utilities as the City Commission may from time-to-time direct.

Membership consists of seven regular members and two alternate members. One non-resident member who receives City water and wastewater utility services and represents extraterritorial customers may also be appointed. To the greatest extent possible, members must have experience and expertise in water and/or sewer services, utility management and/or operations, utility rate setting, utility engineering, utility construction, utility regulation, public health and/or environmental engineering.

Zoning Board of Appeals

Established in [Section 1-28](#) of the City of North Port Unified Land Development Code, this board hears appeals concerning interpretation or administration of the City's zoning regulations and requests for variances from the City's zoning regulations.

Membership consists of seven regular members and two alternate members, each serving a three-year term. To the greatest extent possible, at least three members must have experience and expertise in zoning, land use, and related topics. A quorum for this board to conduct business requires four members to be present.

ROLES & RESPONSIBILITIES

The roles and responsibilities listed below are general guidelines. It is important that dialogue take place in a public meeting among members, chairpersons, and staff liaisons on how a specific board can function at its optimum. Board members are volunteers and staff liaisons are City employees with other job responsibilities.

Board and Committee Members

Members are an important part of the City of North Port government process. They are volunteers and are selected to be part of the government and participate in pertinent issues, policy-making, project development, and implementation. This can be accomplished in the following ways:

- A. Each member must be aware of the time, energy, and commitment that is involved in being part of a board or committee.
- B. Most activity is accomplished during regular meetings, so all members should attend and contribute to the problem-solving process by working in the spirit of compromise and negotiation in order to reach consensus whenever possible.
- C. Individual members are encouraged to prepare materials that are substantive and meet required deadlines.
- D. Members may be asked by the chairperson to complete specific tasks which may include serving on subcommittees.
- E. All members must vote unless a potential conflict of interest exists.
- F. Notifying the City Clerk's office or their staff liaison when they cannot attend a meeting.
- G. Keeping up-to-date on information relating to board or committee interest areas.
- H. Not representing their individual views as being representative of the full board or committee unless an official position has been taken on the matter through a vote.

Board and Committee Chairperson

The chairperson may be appointed by the City Commission or elected the members of their respective board or committee, and in addition to chairing meetings, acts as a link between the City Commission, members, and the community. The chairperson's responsibilities include the following:

- A. Advising the City Commission upon request or as otherwise required.
- B. Delegating assignments to members, recognizing skill, experience, and interest of individuals, making sure all members get a chance to participate, and using subcommittees as much as possible to empower the group.
- C. Seeking input of members on the formulation of work programs and agendas.
- D. Presiding over meetings and acting as facilitator to keep meetings moving forward.
- E. When a topic is first introduced or a main motion is made, allowing all questions for information purposes to be asked before opening debate.
- F. Discouraging the repetition of arguments.
- G. Recognizing members who have not yet spoken before those who have already spoken and discouraging dialogues that start up between two individuals in debate.
- H. Imposing time limits on speakers when necessary.
- I. Discouraging people from using abbreviations and technical jargon.
- J. Ensuring that resident input is reflected in the group's recommendations.
- K. Using consensus-building techniques to find optimum recommendations.
- L. Coordinating with members and the staff liaison to prepare timetables for the completion of projects.
- M. Working with members and the staff liaison to develop annual reports for the City Commission.
- N. Keeping the City Commission apprised of all significant issues, either directly or through the staff liaison.

Staff Liaisons

Staff liaisons provide important resources to board and committee members by:

- A. Implementing the directions of the City Manager related to requests or needs of their assigned board or committee.
- B. Helping to clarify the role, power, and duties of the board or committee, and assisting with routine issues such as meeting times, quorums, etc.
- C. Gathering information and making it available to the board or committee.
- D. Providing technical expertise.
- E. Preparing draft reports and correspondence as directed by the City Manager, and ensuring that presentations to the City Commission are prepared in the appropriate format.
- F. Keeping their supervisor and department director informed about the work of their assigned board or committee.

GENERAL OPERATING PROCEDURES

Public Input and Participation

All board and committee meetings must be noticed and open to the public, and public comments must be accepted at the beginning and the end of the meeting, and on any specific item.

Attendance

To be effective, all boards and committees must have regular attendance. The City Clerk's office tracks vacancies due to resignation, multiple absences, and other reasons. Pursuant to [Section 4-4](#) of the Code of the City of North Port, Florida, a member is deemed to have resigned their seat if they have unexcused absences from four consecutive regular meetings, or if they are absent without excuse from 25 percent or more regular meetings in a calendar year. Upon resignation, the City Clerk notifies the remaining board or committee members that the member has resigned.

Quorum

A majority of the appointed members of a board or committee constitute a quorum for the transaction of business, and a quorum must be present in order for a meeting to take place. If no quorum is present at the scheduled starting time of the meeting, the chairperson should call the meeting to order, announce the absence of a quorum for the record, and adjourn the meeting.

A quorum for the Zoning Board of Appeals consists of four members. If there are not enough appointed members of the Zoning Board of Appeals to constitute a quorum, the City's Zoning Hearing Officer has the same jurisdiction and authority as the board and may exercise all powers of the board pursuant to [Section 1-30](#) of the City of North Port Unified Land Development Code.

Establishing Rules

Each board and committee is obligated to follow the rules of order and decorum established in [Section 4-5](#) of the Code of the City of North Port, Florida. Additional rules can be established by vote of the members. Members are expected to respect these rules, which are intended to prevent misunderstandings and disagreements and to keep order.

Group Decision Making

Just as the function of each board and committee is different, so are the ways in which each board or committee reaches a decision. After a discussion, some groups may vote; others may prioritize and select the decision which emerged as a priority; and still others may use consensus as a way to reach a decision. It is important for members to be aware of the type of decisions-making process their board or committee uses and to become familiar with it.

GOVERNMENT 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, committees, and their members, and has been applied to any discussion between two or more members of the same board or committee where they communicate about some matter which could foreseeably come before their board or committee. [Chapter 286 of the Florida Statutes](#) provides three basic requirements for public meetings:

- A. Meetings must be open to the public;
- B. Reasonable notice of such meetings must be given; and
- C. Minutes of the meeting must be taken.

The law on public meetings extends to telephone conversations, e-mail communication, and even text or instant messaging conversations, whether on personal or public devices. This can even extend to a casual lunch between two members of a board or committee if they discuss some issue that may come before their board or committee. Such a communication, or even the lunch, becomes a public meeting subject to all the provisions of Florida's Sunshine Law.

Appointed members 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 may come before the advisory body with other members of the advisory body, except during a publicly noticed meeting of that body. Questions about this law should be directed to the advisory body's staff liaison.

CONFLICTS OF INTEREST

[Section 112.3143, Florida Statutes](#), prohibits members from voting on any item for which they may have a conflict of interest. A conflict of interest exists where the vote of a board or committee member will or may result in a personal benefit to the member, usually resulting in some financial benefit to themselves, their family member, or business associate. Questions involving conflicts of interest are unique and fact specific for each individual and situation. Each potential conflict must be considered individually for proper legal guidance to be given. Any board or committee member having a question concerning a possible conflict of interest should contact their staff liaison, the Florida Commission on Ethics at (850) 488-7864, or a private attorney immediately.

Abstaining due to a Conflict of Interest

[Florida law](#) requires that all board and committee members disclose any financial interest they have in an item before them, file disclosure forms, and abstain from participating on the item. 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 the members not participate in the proceedings, or the individual will be in violation of the law. Additionally, members of boards and committees are required to abstain from voting when a conflict of interest is present. 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.

Although you must abstain from voting where a conflict of interest exists, you otherwise may participate in the discussion. 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.

STEPS TO RESOLVE A CONFLICT OF INTEREST

If you believe you have a possible conflict of interest in any matter before your advisory body, contact your staff liaison or the City Clerk before taking any official action on the matter.

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 vote taking place. The form will become a part of the official minutes of the meeting.

Who Must File a Form 8B?

This form is for use by any person serving at the county, city, or other local level of government of 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 Florida Statutes [Section 112.3143](#).

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

- A. 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.
- B. A copy of the form must be provided immediately to the other members.
- C. 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:

- A. You must disclose orally the nature of your conflict in the measure before participating.
- B. 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 for form is filed.

A copy of the official form is attached to the end of this handbook. You should consult the City Clerk for the most recent edition of the form. The Florida Commission on Ethics may change the format and/or content without notice. All Commission of Ethics forms are available on its [website](#).

OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES

Meeting Procedure

It is important that all organizations have underlying organizational structure and procedures. The following provides guidance for members and the general public. This list has been created to provide a framework for board and committee procedures.

The following three points are always in order:

- A. 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.
- B. 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.
- C. 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, and may be made only if no motion of equal or higher precedence is before the body (i.e., don’t do a number 4 (move to end debate) when the body is discussing a number 3 (move to suspend rules).

- A. Motion to Recess: not debatable. May be for a specific time.
- B. 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.
- C. Motion to Suspend the Rules: suspends formal process for dealing with a specific question. Debatable; requires simple majority vote.
- D. Motion to End Debate and Vote or Call the Question: applies only to the motion on the floor. Not debatable; requires simple majority vote.
- E. Motion to Extend Debate: can be general, or for a specific time or number of speakers. Not debatable.
- F. Motion to Study: applies only to the main motion. Refers question to a specific group with a specific time and charge.
- G. 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 property of the body to amend.
- H. Main Motion: what it is you’re debating and amending.
- I. 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.

- J. 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 call and the clerk records their vote. Upon completion of the roll the clerk reads the names of those who voted in the affirmative and then the names of those who voted in the negative. The total is then given to the chair who announces the result. 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.

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	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> 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.

