

Sarasota County

10: Policy Determination.

- (a) Adoption of policy requires the affirmative vote of three Commissioners.
- (b) Enactment of policy may be accomplished by adoption of an ordinance, resolution, or motion of the Board.
- (c) Implementation of adopted policy shall be the responsibility of the County Administrator.

11: Ordinances.

- (a) An enacted ordinance is a legislative act which prescribes the rules and regulations of the County.
- (b) Emergency Ordinances. By super-majority vote, the Board may without public notice adopt an emergency ordinance. The emergency ordinance shall contain a declaration describing the emergency, and shall be passed in accordance with Section 125.66(3), Florida Statutes.

12: Resolutions. A resolution is an established policy of the Board. Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. A resolution generally does not require a public hearing.

13. Contracts. Various contracts come before the Board for approval. Those related to the contracting of services and goods follow procedures set forth in the Procurement Code, which is adopted by the Board pursuant to Florida Statutes.

14: Motions. An enacted motion is a form of action taken by the Board to direct that a specific action be taken on behalf of the County. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate. Before a motion has been stated by the Chair, its proposer may change, withdraw, substitute, or amend the motion without the Board's permission, and any member or the Chair may request that the maker withdraw a motion.

15: Reconsideration of Action Previously Taken. A motion to reconsider may be made pursuant to Robert's Rules of Order.

16: Board Meetings – Regular. Unless otherwise advertised, all regular meetings of the Sarasota County Commission are conducted at 9:00 a.m. on the second and fourth Tuesdays and Wednesdays of the month. Generally, meetings will be held at the Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, with the exception of the meeting on the first Tuesday of the month, which shall be held at the Robert L. Anderson Administration Center, 4000 South Tamiami Trail, Venice, Florida. Regular meeting times and locations may be adjusted by the Board to accommodate a holiday schedule or other special circumstances. Prior notice of such change shall be provided to the public, the Clerk to the Board and the media.

17: Public Hearings. Generally, public hearings shall be held on the second and fourth Tuesday and Wednesday of the month. Unless otherwise advertised, public hearings are conducted in either the Sarasota County Administration Center or the Robert L. Anderson Administration Center. Public

hearings may be continued from a prior meeting, or scheduled on days or evenings in addition to the second and fourth Tuesday and Wednesday of each month.

- (a) Agenda items under consideration shall be scheduled for the morning (generally commences at 9:00 a.m.), afternoon (generally commences at 1:30 p.m.) or evening (generally commences at 5:01 p.m.). Matters under consideration shall be heard at the designated time: 9:00 a.m., 1:30 p.m. or 5:01 p.m. or as soon thereafter as practicable.
- (b) Public Comment – The public is always invited to speak at a public hearing; however, the following time limits shall apply. (These times may vary due to subject matter; i.e. there may be no petitioner or applicant.)
 - (1) Petitioner presentation – 20 minutes
 - (2) Citizen comments – 5 minutes per speaker
 - (3) Petitioner rebuttal – 5 minutes
- (c) **Public Hearings – Presentations Scheduled**
 - (1) The Chair reads the statement, “The Sarasota County Charter requires that evidence and testimony presented during public hearings shall be under oath. Persons presenting evidence and/or testimony are required to complete and sign the Request to Speak card.”
 - (2) The Chair reads the description of the agenda item(s) to be considered and opens the public hearing.
 - (3) The staff makes a presentation for the agenda item being considered.
 - (4) The Chair inquires whether there is any discussion or questions of staff.
 - (5) The petitioner makes a presentation, limiting the time to 20 minutes.
 - (6) The Chair inquires whether there is discussion or questions for the petitioner or staff.
 - (7) Public comment follows and unless otherwise determined by the Chair, shall be limited to 5 minutes per speaker. Petitioner rebuttal is limited to 5 minutes.
 - (8) The Chair closes the public hearing and inquires if there is any discussion.
 - (9) The vote is taken.
- (d) Public Hearings – Presentations Upon Request
 - (1) The Chair reads the statement, “The Sarasota County Charter requires that evidence and testimony presented during public hearings shall be under oath. Persons presenting evidence and/or testimony are required to complete and sign the Request to Speak card.”
 - (2) The Chair reads the description of the agenda item(s) to be considered and opens the public hearing.
 - (3) The Chair inquires if any Commissioner desires staff or applicant presentations or if any updates need to be brought to the Board’s attention. If any Commissioner requests presentations, the hearing will proceed as in (c) above.
 - (4) The Chair inquires if any Commissioner has questions or comments on the item(s).
 - (5) The Chair inquires if anyone from the public would like to speak on the item(s).
 - (6) The Chair closes the public hearing and calls for a motion.
 - (7) The vote is taken.

(e) **Quasi-Judicial Hearings – The procedures to be followed for quasi-judicial hearings are generally the same as for Public Hearings, as provided above:**

- (1) Florida law requires that the Board’s decision in a quasi-judicial action be supported by competent substantial evidence presented to the Board during the hearing on the application.
- (2) Ex-parte Communications
 - i. Definition: Written or oral communications regarding quasi-judicial matters pending before the Board received outside the record of the related public hearing.
 - ii. The County Attorney suggests that Commissioners refrain from participating in ex-parte communication whenever possible regarding a quasi-judicial matter to avoid the creation of the presumption of prejudice.
 - iii. The presumption of prejudice may be overcome if the context of the ex-parte communication and the identity of the person are disclosed and made a part of the record at the public meeting before the final action on the matter.
 - iv. A written communication that relates to a quasi-judicial action pending before the Board (such as a zoning decision) shall be made a part of the record before final action on the matter.
 - v. If a Commissioner conducts an investigation or site visit or receives expert opinions regarding a quasi-judicial action pending before the Board, such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit or expert opinion is made a part of the record before final action on the matter.

(e) **Convening as other Governmental Entities**

In addition to convening as the Sarasota Board of County Commissioners, the Board also sits as numerous other governmental entities, such as the Sarasota County Transportation Authority and the Community Redevelopment Agency. Prior to considering an agenda item related to these other entities, the Chair will recess as the Board of County Commissioners and convene as the appropriate authority. When the action has been taken, the Chair will recess as the other governmental entity and reconvene as the Board.

18: Board Meetings – Special. Special meetings may be held on call of the Chair or County Administrator.

- (a) If possible, the time and place of the special meeting will be added to the Sarasota County Government County Calendar advertisement.
- (b) If there is insufficient time to advertise the meeting, each Commissioner, the Clerk of the Circuit Court and County Comptroller, the Sheriff, the County Administrator and the County Attorney shall be given prior notice of the meeting. Such notice shall be provided by any reasonable means, including telephone, cell phone, email or facsimile transmission to the person’s residence, place of employment, or other location, whichever site is most likely to ensure the person’s receipt of the notice.
- (c) If there is insufficient time to advertise the meeting, notice shall also be provided to the business office of each local media organization that has on file a written request for notice of