

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2021- 33

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ESTABLISHING THE BOARD'S ADVISORY BOARD AND COMMITTEE POLICY; PROVIDING THAT ANY RESOLUTION IN CONFLICT IS REPEALED; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Alachua County Board of County Commissioners (Board) believes that board-adopted policies should be utilized to facilitate the efficient transaction of the public's business; and

WHEREAS, the Board's advisory board and committee policy provides guidelines for the creation of new advisory boards and committees, the membership of advisory boards and committees, the role of the staff liaison, and the conduct of advisory boards and committees; and

WHEREAS, on September 6, 2016, the Board first adopted the Alachua County "Advisory Boards and Committees Guidelines", by approving Resolution 2016-112; and

WHEREAS, the Board wishes to update the existing Guidelines by repealing them and adopting the attached "Alachua County Advisory Boards and Committees Guidelines."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

Section 1.

1. That "advisory boards and committees" are defined as those bodies created by the Board of County Commissioners which are established by and have authority only to advise the Board of County Commissioners rather than to establish policies or make decisions for the Board of County Commissioners.
2. That Exhibit A, titled *Alachua County Advisory Boards and Committees Guidelines*, shall constitute the policies that provide direction for advisory boards and

committees as defined above.


Section 2. That any resolution in conflict with this Resolution is hereby repealed.

Section 3. That this Resolution shall take effect when signed.

DULY ADOPTED in regular session, this 13th day of April, 2021.

**BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA**

ATTEST:

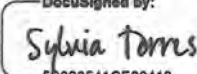


J.K. "Jess" Irby, Esq.
Clerk of Court

BY: 

Ken Cornell, Chair
Board of County Commissioners

APPROVED AS TO FORM

DocuSigned by:

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Sylvia Torres
County Attorney

(SEAL)



BOARD OF COUNTY COMMISSIONERS POLICY

Alachua County, Florida

Resolution Number: 21-
Review Date:

Effective: 04/13/2021
Last Revised Date:

This Board Policy supersedes and replaces any previous versions.

ADVISORY BOARDS AND COMMITTEES GUIDELINES

Purpose:

OVERVIEW: It shall be the policy of the Board of County Commissioners of Alachua County, Florida, that these Guidelines shall provide direction for the creation of new advisory boards and committees, the membership of advisory boards and committees, and the conduct of advisory boards and committees. It is the intent of the Board of County Commissioners that these Guidelines completely supersede any previous policies or guideline concerning advisory boards and committees.

PROVISIONS:

Except as provided in the authorizing ordinances or resolutions of specific advisory boards and committees, these Guidelines should provide direction for advisory boards and committees.

“Advisory board or committees” are those bodies created by the Board of County Commissioners, whether entitled “board,” “committee,” “commission,” “council,” or the like, which are established by and have authority only to advise the Board of County Commissioners rather than to establish policies or make decisions for the Board of County Commissioners.

Policy:

Procedure:

I. Creation of Advisory Boards and Committees.

Advisory boards and committees should be created by resolution of the Board of County Commissioners. Resolutions creating advisory boards and committees should include, at a minimum:

- (a) Legislative findings.
- (b) Express creation of the advisory board or committee.
- (c) Purpose and duties of the advisory board or committee.
- (d) Designation as “standing” (continuing until dissolved) or “special” (continuing until a specified sunset date).
- (e) Membership qualifications.
- (f) Staggered terms for initial appointment (especially for standing advisory boards and committees).

(g) Provisions for operations of the advisory board or committee.

II. Membership on Advisory Boards and Committees.

- (1) **Appointments.** The Board of County Commissioners will appoint the members of advisory boards and committees. Appointments will be made from applications of qualified potential members during a regular Board of County Commissioners meeting.
- (2) **Residence.** Members of advisory boards and committees should be residents of Alachua County unless otherwise specified by the board's founding resolution or ordinance. Non-resident members appointed prior to November 14, 2017 may complete their current terms.
- (3) **County Employees.** Employees of the Board of County Commissioners may serve on advisory boards and committees with advance written approval of the County Manager, or if the board's founding resolution or ordinance specifies that employees may serve. Employees affected by this rule who were appointed to an advisory board or committee prior to November 14, 2017 may complete their current terms.
- (4) **Regular Members.** Advisory boards and committees should have an odd number of regular members.
- (5) **Alternate Members.** All advisory boards and committees should have at least one alternate member. Attendance requirement detailed below applies to alternate members, as well as regular members. An alternate member shall serve in place of an absent regular member, and shall have all rights and responsibilities of the absent regular member, including the right to vote.
- (6) **Attendance.** Advisory board and committee members should regularly attend all meetings of their respective advisory boards and committees. Attendance is defined as being physically present at the meeting for one hour or 50% of the length of the meeting, whichever is shorter. Any regular or alternate member whose attendance is less than 50% of the last 6 consecutive meetings shall automatically be removed from the advisory board or committee. Staff liaisons shall notify members by US mail, by email or through attendance reports when they are approaching removal due to lack of attendance.
- (7) **Quorum.** A quorum for an advisory board or committee is the number of members which constitute the majority of all regular positions which are currently filled. Alternate members may make up a quorum. When less than a quorum is present at a meeting, the advisory board or committee may meet in a workshop setting, during which no vote may be taken. These workshops must be open to the public and minutes must be taken.

- (8) Hold-overs. Advisory board and committee members may continue to serve following the expirations of their terms until the Board of County Commissioners fills the position which would be vacated.
- (9) Removals. Advisory board and committee members serve at the pleasure of the Board of County Commissioners. Any board or committee member may be removed for good cause by the Board of County Commission after consideration of the issue at a Board meeting.

III. Conduct of Advisory Boards and Committees.

- (1) Governing Rules. Except as may be provided by these Rules or by law, questions of order, the methods of organization and the conduct of business of the advisory boards and committees shall be governed by *The Standard Code of Parliamentary Procedure* (formerly known as *Sturgis Standard Code of Parliamentary Procedure*) in all cases for which they are applicable.
- (2) Open to the Public.
 - a. Meetings Open to Public. All meetings of advisory boards and committees shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes (Fla. Stat.). Being open to the public may be accomplished through communications media technology (“CMT”) or hybrid-CMT. CMT, for purposes of these Rules, shall include, but is not limited to, electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video which meets the intent of permitting attendance at public meetings. CMT workshops, where no quorum is physically-present, may occur provided that 1) no action is taken at CMT workshops; 2) there is both virtual and in-person options for public participation; and 3) the workshops are recorded and those recordings are posted to the County website. Comment offered by the public attending through CMT will be given as much weight and consideration as comment offered by public attending physically. Advisory board and committee members should consult their staff liaisons with any questions regarding open meetings or to request a presentation on the Florida Sunshine Law.
 - b. Signs, Placards, Banners. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures shall be allowed in advisory board and committee meeting rooms. Other signs, placards, banners or other similar items shall not disrupt meetings or interfere with others' visual rights.
 - c. Persons with Disabilities. All persons with disabilities shall be provided with the assistance necessary to enable them to effectively participate in advisory boards and committee meetings, consistent with Section 286.26, Fla. Stat.

(3) Public Comment. Members of the public shall be given a reasonable opportunity to be heard on a proposition before advisory boards and committees. The opportunity to be heard need not occur at the same meeting at which an advisory board or committee takes official action on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the advisory board or committee takes the official action.¹ Public comment may be accomplished through CMT or hybrid-CMT.

(4) Voting Conflicts.

No member of an advisory board or committee shall vote on a matter when the member has a voting conflict of interest as specified in Section 112.3143 or Section 286.012, Fla. Stat. Prior to participating in a discussion, members abstaining from voting due to a voting conflict shall publicly announce the conflict, shall disclose the nature of their conflict, and file a written memorandum (Ethics Commission Form 8A or 8B) to the staff liaison.

If a member recognizes that a voting conflict exists during the course of a discussion, the member shall immediately publicly announce the conflict, disclose the nature of the conflict and abstain from voting. Within 15 calendar days following that advisory board or committee meeting, the member shall file a written memorandum (Ethics Commission Form 8A and 8B) with the staff liaison.

The written memorandum shall be incorporated into the meeting minutes as an exhibit. Advisory board and committee members who believe that they may have a voting conflict should consult their board or committee's staff liaison before the meeting at which members will be asked to vote on an item upon which they may have a conflict.

(5) Work Plans and Reports of Accomplishments. Advisory boards and committees shall prepare and update work plans and reports of accomplishments annually. Work plans and reports of accomplishments should be on-file with staff liaisons by October 1 of each year. Staff liaisons shall submit advisory board and committee work plans and reports of accomplishments to the Board of County Commissioners. Advisory board and committee chairpersons are encouraged to present the work plans and reports of accomplishments to the Board of County Commissioners at a Board meeting. The Board of County Commissioners encourages and welcomes issues of the advisory board and committees' own initiative to be brought to the attention of the Board of County Commissioners.

(6) Public Records. The public has the right to access public records. Public records are:

"all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics,

¹ Consistent with Section 286.0114, Fla, Stat. (2015).

or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." Sec.119.011(12), Fla. Stat.

Most records created by or provided to advisory boards and committees, or their members in their capacity as members, are public records which must be made available to a person requesting them. There are many exceptions for records or for certain information contained in those records. Advisory board and committee members should consult their staff liaisons with any questions regarding public records or to request a presentation on the Florida Public Records Law.

- (7) Coordination with Other Governments. Advisory boards and committees should, when appropriate, coordinate with other local governments and boards or committees created by other local governments. To protect the public's right to participate in open meetings, this coordination shall be affected through the respective staff liaison or the advisory board or committee chairperson (or designee).

IV. Staff Liaisons. A staff liaison is a county staff member whose duty is to help to administer the meetings of the advisory boards or committees and to serve as a link between the advisory board, the County Manager, the County Attorney and the Board of County Commissioners. The staff liaison's tasks are:

- (1) Publicly noticing the advisory board or committee meeting and reserving the meeting room.
- (2) Reminding members of an up-coming meeting.
- (3) Ensuring that all persons with disabilities are provided with the assistance necessary to enable them to effectively participate in the meetings.
- (4) Preparing the agenda and agenda backup materials, and providing copies of the materials to members.
- (5) Introducing new members to the board or committee and informing new members of the rules and process which governs the board or committee.
- (6) Ensuring that minutes of the meetings are kept.
- (7) Keeping attendance records of the meetings.
- (8) Maintaining public records of the board or committee.
- (9) Providing the work plans and reports of accomplishments to the Board of County Commissioners annually.

Staff liaisons may perform a task not listed above if requested by an advisory board or committee if the task takes the staff liaison 30 minutes or less to perform. If the task takes more than 30 minutes, the staff liaison may perform the task if the staff liaison's department director preauthorizes the work.

V. Construction of These Guidelines.

These Guidelines provide direction only. No action taken inconsistent with these Guidelines shall be invalid solely because it was taken inconsistent with these Guidelines.

AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
RESOLUTION 21-33
DATED 04/13/2021