

# Broward County Advisory Board Member Handbook



Intergovernmental Affairs/  
Boards Section

# TABLE OF CONTENTS

---

- Advisory Boards: A General Overview.....ii
- Serving on Boards and Committees .....1
- Board Coordinator Functions .....1
- Meetings.....3
  - Public Notice.....3
  - Public Records .....4
  - Quorum .....4
  - Minutes.....6
  - Rules for Conducting a Meeting.....6
  - Conducting Advisory Board Business .....7
  - Decorum and Debate .....9
  - Motions ..... 11
  - Voting ..... 12
- Appointments, Terms, and Attendance ..... 13
- Public Participation in a Meeting ..... 15
- Ethics ..... 16
- Sunset Review ..... 17
- Additional FAQ..... 20

## Advisory Boards: A General Overview

Advisory boards, committees, authorities, agencies, commissions, councils, and task forces (“advisory boards”) are groups of individuals established by the County Commission through charter, ordinance, or resolution. Advisory boards provide recommendations to the County Commission on various subject matters. The enacting legislation of an advisory board specifies its powers, duties, makeup, and duration. Members of an advisory board (“members or appointees”) are generally appointed by the County Commission, unless otherwise provided in the charter, ordinance, or resolution.

Additionally, pursuant to federal or state law, Broward County Charter, or interlocal agreements, the Board of County Commissioners has created agencies, development and redevelopment authorities, and regulatory and adjustment boards, some of which have quasi-judicial functions. The County Commission has designated duties, powers, and functions to be carried out in compliance with the enabling acts of these boards.

Each advisory board is overseen by a Department, Division, or Office assigned by County Administration, and each Director assigns a staff person to serve as the board’s coordinator. The board coordinator is responsible for all administrative duties required to appropriately staff the board including preparing for and attending meetings. The County Attorney assigns a board attorney to each board to provide legal guidance to the board coordinator, the board members, and provide legal opinions when required.

County Administration, through the Intergovernmental Affairs/Boards Section, administers appointments and responds to general questions of board coordinators, advisory board members, and other interested parties. All general questions can be submitted to [boards@broward.org](mailto:boards@broward.org).

The application for, and a full list of, advisory boards, including vacancies and categories, can be found at the Intergovernmental Affairs/Boards Section [website](#).

## Serving on Boards and Committees

Generally, each appointee must be a resident of Broward County and maintain residency in Broward County during the term of appointment unless otherwise stated in the enacting legislation. Any appointee who fails to meet the requirements of their appointment, including residency if required to live in the district, is automatically disqualified, their appointment shall immediately cease, and their position shall be deemed vacant.

There are several boards which require appointees to meet specific categories - by profession, occupation, demonstrated interest, or other specification such as registered voter - to serve on the advisory board. Any appointee who fails to meet the categorical requirements of their appointment is automatically disqualified, their appointment shall immediately cease, and their position shall be deemed vacant.

A county employee may serve as an appointee if they are appointed by a body other than the County Commission. No county employee shall be appointed by the County Commission unless an exemption exists.

For specific eligibility requirements, refer to the enacting ordinance or resolution for the board or contact the Boards Administrator at [boards@broward.org](mailto:boards@broward.org).

All appointees must keep contact information up to date such as address, phone number, email, employer or contractual relationship, and name change. In the event that an appointee does need to update their information, simply go to the following [link](#) and press apply. After entering the appointee's email address, the system will send a new link via email to securely update their information.

## Board Coordinator Functions

All advisory boards are assigned county staff for official administrative functions and an attorney from the Office of the County Attorney for legal guidance unless otherwise stated in the charter, ordinance, or resolution. The board coordinator is the county staff member assigned by the overseeing department, division, or office in which the advisory board is housed. The board coordinator acts as a link and communicator between the advisory board, County Administration, the Board of County Commissioners, and the Boards Administrator. All general questions related to a member's advisory board should be submitted to the assigned Board Coordinator.

### Duties

1. Publicly notice the meeting and reserve the meeting room. Reasonably accommodate meeting room for teleconference ability.
2. Prepare the agenda and agenda backup materials and transmit copies to all members. This is preferably done 10 days in advance of the meeting.
3. Announce the number of members as of the date of the meeting and the number that would constitute a physical quorum which will be included in the minutes of each meeting.

4. Set up the meeting room and ensure that the digital audio recording system is operable (if necessary) and coordinate the audio recording with the minutes secretary or minutes contractor (if applicable).
5. Ensure a sign-in sheet is available for all guests and speakers. The board coordinator maintains sign-in sheets in the file for each meeting. Guest speakers appear only in the minutes when they speak and are not reflected under the board's attendance at the beginning of the minutes (guest speaker sign-in sheet is for guests not members).
6. Notify new members of the next meeting date and acquaint them with the advisory board process and rules.
7. Direct the member to update any relevant changes in a member's contact information, employment or contractual relationship, or residency status. [Link](#)
8. Maintain accurate information pertaining to changes in the advisory board's enacting ordinance or resolution. Ensure the Board Overview Document is updated on the Boards and Committees website.
9. Submit attendance into the Granicus system within 2 weeks after the meeting is held.
10. Ensure that a complete and cumulative attendance record appears on the front of each set of minutes. If a regular scheduled meeting was held, the attendance record will reflect members who attended and those who did not attend.
11. Ensure that a complete file for each meeting is maintained. This includes video and/or audio of the meeting; member and guest sign-in sheet; copies of all material handed out or displayed during meeting presentations; and all agenda materials provided to the advisory board.
12. Distribute information to members (i.e., board member sends you information to distribute to other members).
13. Upload minutes to the assigned advisory board website found within the overseeing agency page, if applicable. The upload should include agenda/minutes (together), handouts, and presentations. Contact your public information officer if you have questions on how to upload the documents and ensure compliance with ADA accessibility.

#### Notification Requirement

An appointee shall notify the board coordinator at least two (2) business days prior to the scheduled meeting date as to whether they will or will not attend the meeting unless the occurrence of an excused absence makes notice impracticable. Failure to notify the board coordinator within that time shall be considered an absence. This notification requirement will allow time for cancellation if it is determined the meeting will not meet quorum requirements.

## Meetings

A meeting is when all the members of a board meet to conduct the business of the board. The enacting ordinance or resolution may provide for the location and the frequency of meetings. It will also specify if and how special meetings may be called. A meeting is conducted based on an agenda prepared by the board coordinator prior to a meeting.

The Sunshine Law is a set of laws and rules which provide the public with a right of access to government proceedings. The Sunshine Law affords the public entrance into the process of governmental decision making. Section 286.011, Florida Statutes, provides the framework which governments must follow when conducting a meeting and what happens to the documents and files used in conducting a meeting.

The Sunshine Law provides that an advisory board meeting occurs any time two or more members of the same advisory board communicate about any matter that may foreseeably come before the advisory board (this includes advisory board committees and subcommittees). To comply with the Sunshine Law all meetings of advisory boards must be: (1) open to the public; (2) publicly noticed; and (3) with minutes taken and recorded.

Members of the same advisory board must not communicate with one another about matters that may foreseeably come before the board unless they are in a meeting that meets all three requirements of the Sunshine Law described above. Members of the same advisory board should generally not discuss advisory board matters through any of the following means or settings:

- Electronic communication, including but not limited to:
  - Email
  - Telephone calls
  - Text messages
  - Social media messages
  - Web-based document editor i.e. Google Docs
- Events hosted by outside organizations, such as community forums or panel discussions

Additionally, members of the same board should not use "Reply All" in responding to e-mails that have been sent to more than one member of that board. Likewise, members are not permitted to work together on draft documents that will later be presented to the board for approval using platforms such as Google Docs or circulating drafts among board members for revision. If a committee of a board wishes to work collaboratively on a document, they must do so at a meeting that is publicly noticed, open to the public, and where minutes are taken.

### Public Notice

All meetings must be properly noticed at least 10 days prior to the meeting date. Board coordinators will find the advertising form while on the county network (or VPN) at:

<https://sunshine.broward.org/Pages/landingpage.aspx>.

The sunshine advertisement public facing page is found at:

<http://www.broward.org/Commission/Pages/SunshineMeetings.aspx>.

If a meeting was not properly noticed, do not move forward with a scheduled meeting. In such cases, speak with the board attorney for guidance.

## **Public Records**

Public records include all documents, papers, letters, maps, books, videos, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made, or received pursuant to law or ordinance or in connection with the transaction of official business of the county.

One copy of the agenda, minutes, and notes circulated to staff or others must be retained. Such records must be kept for two years after the minutes have been adopted. Additionally, all advisory board member notes circulated to staff or others are subject to the public records and are to be maintained for two years. If a member's term expires prior to the two-year period, they should submit their notes to the board coordinator or assistant.

## **Quorum**

The enabling ordinance or resolution for the specific advisory board may specify the number of voting members needed for a quorum. Quorum requirements updated as needed in Section 1-233 of the Broward County Code of Ordinances relating to requirements.

“Unless otherwise required by Florida law, the number of members needed to constitute a quorum on any advisory or other board shall be a majority of the total appointed board members, provided that at either the presiding member or least three (3) members are physically present at the meeting.”

If there is no quorum, the advisory board cannot meet.

Please note that meetings permitting a quorum to be established by counting members whether they are physically present should be used only for advisory boards that are taking nonbinding action. If a board action is binding, quasi-judicial, or directly impacts anyone's rights, privileges, or liabilities (such as decisions with monetary consequences), then a quorum should continue to be established and maintained through the physical presence of a quorum as provided by the board's enabling legislation. If in doubt as to whether a particular advisory board meeting may utilize the amended quorum rule, please provide the meeting agenda to, and consult with, the attorney assigned to the advisory board.

(Please see Recommendations for Conducting Hybrid Meetings found in this Handbook.)

### Basic Quorum Rules

Appointees who have notified the board coordinator that they cannot attend the meeting will be considered absent. The Chair of the board shall, in their discretion, determine whether the appointee's absence meets any of the criteria outlined in 1-233, Broward Code for an excused absence.

If a meeting is scheduled and enough members to constitute a quorum confirmed that they will be physically present at the meeting:

- Members present will be marked as attending.

- Members who are present virtually, when a virtual quorum may be established, will be marked as attending.
- Members not present will be marked absent.
- Members who did not confirm they were attending but were physically present at the meeting will be marked as attending.

If a meeting is scheduled and enough members to have quorum did not confirm that they will be physically present at the meeting, the meeting will be cancelled prior to the meeting date.

If a meeting is scheduled and enough members to constitute a quorum confirmed that they will be physically present at the meeting, but quorum was not present at the meeting, the meeting will be cancelled:

- Members present will be marked as attending but it will be noted that the meeting was cancelled.
- Members not present will be marked absent.
- Members joining virtually will be marked absent.
- Members who did not confirm that they were attending but were physically present at the meeting will be marked as attending.

If a member excuses themselves because of a conflict of interest, leaving less than a quorum to vote on a matter, can the remaining members vote on the matter?

No. A quorum must be maintained for business to be conducted.

If a member momentarily leaves the room (e.g., for a drink of water) and less than a quorum remains, may business still be conducted?

No. The meeting must be stopped until the member returns.

How often do meetings take place? What happens if there is a need to continue a meeting?

The enabling ordinance or resolution will indicate how often an advisory board meets. Advisory boards shall meet quarterly unless any enacting legislation determines that meetings are required more or less frequently.

Special meetings may be called but are subject to 1-233. The method for calling special meetings is generally outlined in the enabling ordinance or resolution or advisory board bylaws. If the enabling ordinance or resolution for a particular advisory board does not provide for the calling of special meetings, the advisory board may vote at a regular meeting to set a special meeting.

If there is a need for a regularly scheduled meeting to be continued to another date, a majority consensus or vote by the advisory board expressed on the record and reflected in the minutes is required. There is an understanding that the board coordinator may or may not be able to confirm a meeting room with audio recording equipment availability and minutes contractor arrangements.



## **Minutes**

Minutes are a written record of the activities that take place during a meeting. Florida law requires minutes of official meetings (Chapter 286, Florida Statutes) be maintained as a permanent record of the county. All advisory board meeting minutes are maintained by the board coordinator.

### What should minutes include?

At a minimum, minutes should include:

1. A written record of the location and state and end time;
2. Names of the members in attendance;
3. Official actions taken by the advisory board;
4. A summary of meeting activities, including an attachment of any presentation slides used; and
5. Any announcement by board coordinator of the number of appointed members as of the date of the meeting and the number of members that would constitute a quorum.

An electronic recording does not replace the requirement for minutes pursuant to state law. Written minutes must be taken and should include an attachment of any presentation slides used in place of detailed narrative.

### Who can take minutes?

Minutes are taken by the secretary or board coordinator designated by their department director. Minutes can also be taken by the board member appointed to the secretary role. If necessary, minutes can be taken by a contractor.

### How are minutes corrected?

The board coordinator coordinates corrections to minutes. Members may make corrections to the minutes when approval of the minutes is scheduled on a subsequent agenda. The corrections are approved by a majority vote of the advisory board at the next meeting.

### What if someone intended to say something or thought they said something and wants to change or add to the minutes?

Making corrections that include what one thought or intended to say is not permitted. Clarifications of this nature are made at the following meeting when the minutes or the subject is considered. As such, the individual makes that clarification, and it is then reflected in the following meeting minutes.

## **Rules for Conducting a Meeting**

### Meeting Agenda

The physical structure of the meeting is determined by the agenda, a list of items to be considered at the advisory board meeting. After opening ceremonies, if any, the agenda includes approval of the minutes of the prior meeting.

The board coordinator, with input from the advisory board Chairperson, prepares the agenda based on matters the advisory board is authorized to consider. The enabling ordinance or resolution contains

information related to matters that can be considered by a board or committee. In addition, an advisory board may have requested at a prior meeting for an item to be placed on a future agenda. The County commission may also propose matters for consideration by advisory boards. Items of business not completed or postponed from the prior meeting will also be included on the agenda.

#### May the board or committee bring up new topics or recommendations?

The proper place on the agenda to bring up new topics or recommendations is under the heading of "New Business." For new topics other than those of a purely general nature, notice is required. The new topic should appear on the agenda for the next meeting.

#### Communications to the County Commission

In all cases, when the advisory board has voted affirmatively to recommend issues for action or consideration by the Board of County Commissioners, the following process should be followed:

- A majority of the advisory board's members present at the meeting must vote affirmatively to send an issue to the County Commission for consideration, information, or action.
- The assigned board coordinator communicates the request of the advisory board to the Intergovernmental Affairs/Boars Section of County Administration.
- Upon final approval of County Administration, the board coordinator communicates the request to the mayor and members of the Broward County Commission either through resolution or transmittal letter signed by the Chair of the advisory board.
- The Board of County Commissioners may choose to act. If action is taken, the advisory board will be informed, usually through a letter from the Mayor or County Administrator to the Chair of the advisory board, indicating the action taken.

This process applies to most active advisory boards except for those organized under the Charter or with quasi-judicial powers. Advisory board members shall not take it upon themselves to relay the advisory board's position to entities outside county government, without the approval of County Administration.

#### **Conducting Advisory Board Business**

There are no official rules outlined within Broward County's Administrative Code or Ordinances. However, it is recommended that parliamentary procedure or Robert's Rules of Order Newly Revised be used to orderly conduct business at meetings.

These "written" rules of order allow everyone to be heard and to make decisions without confusion. Examples of parliamentary rules are:

1. A quorum must be present for business to be legally conducted.
2. Every member has the right to make motions, speak in debate, and vote.
3. A member must be recognized by the Chair before speaking or making a motion.

4. Before a motion is considered by the board or committee, it must be seconded.
5. Only one question or motion can be considered at a time.
6. The basic principle of decision is that a proposition must be adopted by a majority vote, unless the board's enabling legislation provides otherwise.
7. Once a motion is seconded, it must be adopted, amended, or rejected by a vote before any other subject can be introduced.

#### What if a board or committee does not follow the agenda?

Failure to follow the published agenda may raise legal issues about public notice. Generally, the public has a right to notice of a board's proposed action, a right to observe the board's discussion, and a right to be heard on the matter before the board acts. New business not included in the agenda may be considered at the next meeting.

#### Duties of the Advisory Board Chair

It is the duty and responsibility of the Chair to ensure the rules for conducting a meeting are followed. The duties of the Chair are outlined either in the advisory board's enacting legislation, bylaws, or both. Examples of the Chair's responsibilities include:

1. Enforce meeting rules.
2. Opens the meeting at the appointed time by calling the meeting to order, having determined that a quorum is present.
3. Announce that all speakers and guests should sign-in.
4. Ask minutes secretary or minutes contractor to call the roll.
5. Announce the arrival of all members who arrive late.
6. Announce in proper sequence the business that comes before the advisory board.
7. Recognize members who are entitled to the floor.
8. State and put to vote all questions that legitimately come before the advisory board.
9. Restate all motions and amendments to motions.
10. Announce the name of the member who made the motion and the seconder and announce the name of those members, if any, voting no.
11. Ask the minutes secretary or minutes contractor to call the roll to vote if a roll call vote is necessary.
12. Protect the advisory board from obvious frivolous or dilatory motions by refusing to recognize them.
13. Enforce the rules relating to debate and those relating to order and decorum within the advisory board and with the public in attendance.
14. Open the floor to public comment.
15. Expedite business in every way compatible with the rights of members.
16. Decide all questions of order, subject to appeal, unless submitted to the advisory board for a decision.
17. Respond to inquiries of members relating to parliamentary procedure or information.
18. Declare the meeting adjourned when the advisory board votes or at the time prescribed on the agenda.

Should the Chair fail to follow the agenda, both the board coordinator and board attorney must intervene to correct them. Additionally, staff time and each individual member's time should not be wasted.

### Member's Responsibilities

Members must understand and follow the laws, rules, or policies that apply to their respective advisory board. Additionally, every member has the responsibility to:

1. Know how to make motions and carry on the business of the advisory board.
2. Amend motions if appropriate.
3. Know and observe the rules of debate and decorum in debate.
4. Immediately call a point of order when a rule has been broken.
5. Appeal from the decision of the Chair on a point of order if not in agreement with the decision of the Chair.
6. Know the difference between the use of the motions.
7. Understand when one should consider abstaining from voting, step out of the room when abstaining and file a memorandum of voting conflict.
8. Participate by contributing ideas, voicing meaningful concerns and opinions in debate, and voting for principle.

## **Decorum and Debate**

### Decorum

*"Decorum"* is defined as customs of formality that are followed by a presiding officer and members of a board or committee, propriety and good taste in conduct or appearance. The Chair of the advisory board runs the meeting according to the agenda and recognizes members to speak when its their turn. Members may not interrupt other members when they are not recognized and wait to be recognized by the Chair.

*"Debate"* is defined as a formal discussion on a particular topic in a public meeting where agreeing or opposing arguments are put forward in relation to a specific issue.

### Robert's Rules of Order

Robert's Rules of Order is the standard for facilitating discussions and group decision- making. Although they may seem long and involved, having an agreed-upon set of rules makes meetings run more efficiently.

The basic elements of Robert's Rules are as follows:

**1. Motion:** To introduce a new piece of business or propose a decision or action, a motion must be made by a group member ("I move that.....") The motion must then be seconded (raise your hand and say, "I second it.") After limited discussion the group then votes on the motion. A majority vote is required for the motion to pass (or quorum as specified in your bylaws.) **\*This will be further discussed later in the "Motion" section.**

**2. Postpone Indefinitely:** This tactic is used to end a motion for the duration of the meeting. If passed, the motion cannot be reintroduced at that meeting. It may be brought up at a later meeting. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.

**3. Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion on the floor." This also requires a second. After the motion to amend is seconded, a majority vote is needed to decide whether the amendment is accepted. Then a vote is taken on the amended motion. In some organizations, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, the amended motion may be voted on without a separate vote to approve the amendment.

**4. Commit:** This is used to place a motion in committee. It requires a second. A majority vote is required to approve a motion to commit. At the next meeting, the committee is required to prepare a report on the motion committed. If an appropriate committee exists, the motion goes to that committee. If not, a new committee is established.

**5. Call the Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately to call the question (no further discussion is allowed). A two-thirds vote is required for passage. If passed, the motion on the floor is voted on immediately.

**6. Table:** When the advisory board does not want to continue discussion on a certain topic, a motion to table is appropriate. ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.

**7. Adjourn:** A motion is made to end the meeting. A second is required. A majority vote is then required for the meeting to be adjourned (ended).

### Debate

1. A member, or member of the public, shall be recognized by the Chair before speaking in debate.
2. Remarks must be confined to the merits of the pending question or topic under consideration.
3. When speaking in debate, a member shall refrain from attacking other members and avoid name calling.
4. All remarks shall be addressed through the Chair. Members do not address one another directly.
5. Makers of a motion are not permitted to speak against their own motion, although they may vote against it.
6. Do not interrupt anyone who is speaking. Any point of order should be addressed to the Chair.
7. Obtain permission from the advisory board to read from any paper or book.
8. Members of the advisory board or the public shall not disturb the meeting by whispering or creating other ambient sounds.

What if an advisory board member or member of the public interrupts a member or a member of the public causes a meeting to be interrupted?

The Chair shall ask the member of the public or board member to hold their questions and comments until recognized by the Chair.

What if a board or committee member walks away from the topic of discussion on the table?

If a member is speaking on a topic that is not within the authority of the advisory board or committee to discuss, another member may ask the Chair for a point of order to bring the meeting back to a topic within the authority of the advisory board.

What is the procedure for handling an item of business on the agenda?

Generally, the agenda topic is recognized by the Chair. A motion may be made prior to discussion. In small boards or committees, informal discussion of a topic is permitted without a motion. The board or committee may need to fully explore an issue or proposed action before deciding on the course of action to be taken.

## **Motions**

*Main motion* – a formal proposal by a member in a meeting to take certain action. A motion may bring its subject to the attention of the members, or the motion may follow upon the presentation of a report or other communication. A main motion is made only when no other motion is pending.

*Secondary motion* – this is made and considered while a main motion is pending because of its relationship to the main motion or because of the procedural or emergency character of the specific secondary motion.

*Substitute Motion* – is used to propose an alternative action to the main motion. Up to one main and two substitute motions may be on the floor at one time. If a substitute motion passes, it does away with the prior motions. If it fails, the previous motion comes back up for consideration.

*Friendly amendments* – editorial changes that may be allowed if nobody objects. Any member may object and deny such requests.

*Call the question* – is used to end debate and vote on the motion at hand. If seconded and passed, the main motion is then voted on. If no second or fails, discussion continues.

*Motion to table* – this is non-debatable. If seconded, discussion ends and must be voted on immediately. A subsequent motion to take from the table is required to reopen discussion.

*Motion to reconsider* – this can only be made by a member on the prevailing side of a previous vote. If seconded and passed, it rescinds the previous vote and brings the motion back for discussion.

### Can the Chair make a motion?

In parliamentary terms, the Chair does not make motions to remain impartial and run an orderly meeting. It is good practice for the Chair to hand over the gavel when he or she wishes to make a motion, so that the Chair would not have two jobs at that time, (1) advocating the motion, and (2) running the meeting.

### **Voting**

A vote is a formal action of the advisory board members relating to a pending matter. Generally, a majority vote is required for approval of an action or choice by the advisory board. Majority means more than half of the votes cast by persons legally entitled to vote at a properly noticed meeting with a quorum.

### Is it necessary to record how each member voted on every motion? What about a roll-call vote?

The vote of each member is recorded on every main motion or recommendation decided by the advisory board. The Chair asks for a roll call vote on all matters specifically listed on the agenda if any member dissents. If there are no dissenting members a voice vote is sufficient. If there are any dissenting votes, the Chair asks the board coordinator or minutes secretary to call the roll for a roll call vote.

### Can there be a secret vote?

There can be no secret votes. Votes can be written, but the written vote is a public record.

### **Voting Conflicts**

#### What should a member do if they believe they have a conflict of interest?

If a board member believes they may have a voting conflict on an item being considered by the board, they should discuss it with the board coordinator and attorney assigned to the board before the meeting where the vote will occur.

After discussion with the board coordinator and attorney, if it is determined the member has an **actual** voting conflict, the member must:

- Announce the nature of the conflict at the meeting before any discussion of the matter to be voted on.
- Leave the meeting room.
- Abstain from voting.
- After the vote is taken, return to the meeting room and verify that the minutes reflect they abstained from voting.
- Complete the appropriate Memorandum of Voting Conflict Form, which can be found on the Commission on Ethics site at: <http://www.ethics.state.fl.us/forms/> or request an electronic copy from the Boards Administrator.
- Submit the completed form to the board coordinator within 15 days after the vote.

The board coordinator attaches the original memorandum to the minutes. Certain exceptions and waivers may be available. The attorney assigned to the advisory board should be present during the vote to guide staff and members through the process.

The board coordinator should contact the attorney assigned to the board or committee if a member is unsure as to whether there is a conflict. If the attorney is unavailable, staff may contact the Intergovernmental Affairs/Boards Section of County Administration at [boards@broward.org](mailto:boards@broward.org) or 954-357-7575.

#### Can a board member abstain from voting?

Section 286.012, Florida Statutes, states that members must vote unless there is a legal conflict. If there is a legal conflict, the member must file a Form 8B – Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers and abstain from voting, as explained above.

## Appointments, Terms, and Attendance

### Rules and Regulations

The Code of Ethics for Public Officers and Employees (Part III, Chapter 112, Florida Statutes) applies to members of County boards and committees. Typically, the attorney assigned to the board will provide an annual training of ethics, Sunshine, and public records law for advisory board members on an annual basis.

### Dual Officeholding

Section 5(a) Article II, Florida Constitution prohibits a person from holding more than one public office. Generally, membership on a county board that has been delegated sovereign authority by the County Commission is considered an office for the purpose of the dual officeholding prohibition. Members of County boards that are purely advisory in nature are not considered to be holding an office. There are exceptions that can apply to the dual officeholding prohibition. If a board member has questions about dual officeholding they should contact the board coordinator and the attorney assigned to the board for further review.

Boards that are subject to the dual officeholding prohibition include:

- Central Examining Board
- Consumer Protection Board
- Health and Sanitary Control Board
- Housing Finance Authority
- Human Rights Board
- Unsafe Structures Board

### General Terms of Appointment

**The general terms of appointment for County boards can be found in Section 1-233(a), County Code of Ordinances and read as follows:**

1. A **fixed-term appointment** shall expire on the last day of the fixed term unless the appointee is removed for cause under applicable law.
2. If the appointment is **not for a fixed term**, the appointee shall serve until:



- a. The appointee is removed by the appointing/nominating Commissioner or other appointing/nominating authority; or
- b. The sooner of (1) or (2) below:
  1. A successor is appointed, or the incumbent appointee is reappointed, by a newly elected or newly appointed Commissioner; or
  2. Six (6) months after the official date on which a newly elected or newly appointed Commissioner enters office.

If a newly elected or newly appointed Commissioner fails to appoint a successor, or reappoint the incumbent appointee, within six (6) months of entering office, the County Administrator or their designee shall notify the appointee of the expiration of their term, and the board seat shall remain vacant until filled.

### **Attendance Requirements**

Members are expected to attend all scheduled meetings. Unless the enabling legislation of a board provides otherwise, Section 1-233(e), County Code of Ordinances, provides for board attendance requirements.

#### Removal from an advisory board

The board coordinator shall notify the Boards Administrator when a member resigns from a board.

#### *Removal from boards based upon attendance:*

When an advisory board whose enacting ordinance or resolution adopts the attendance requirements of this subsection meets on a **quarterly or less frequent basis**, an appointee shall be automatically removed as a member if they have two (2) consecutive unexcused absences or has two (2) unexcused absences of properly noticed meetings in one (1) calendar year.

If any such advisory board meets **more frequently than quarterly**, an appointee shall be automatically removed as a member if they have three (3) consecutive unexcused absences or has four (4) unexcused absences of properly noticed meetings in one (1) calendar year.

#### *Other removal reasons:*

- Term ends
- Commissioner term ends
- Resignation
- Death
- Disqualification

#### *Effective date of Removal*

The automatic removal of an appointee is deemed effective when written notice of the reason for the removal has been sent by the County Administrator or their designee to the appointee.

## Excused Absences

The following are guidelines the Chair must use to determine an excused absence:

- a. When the member is performing an authorized alternative activity relating to outside advisory board business that directly conflicts with the properly noticed meeting.
- b. The death of an immediate family member, defined as a spouse, father, mother, stepparent, one who has stood in the place of a parent (in loco parentis), child, or stepchild domiciled in the member's household.
- c. The death of a member's domestic partner, or the death of a child, stepchild, parent, grandparent, or grandchild of a member's domestic partner.
- d. The member's hospitalization or receipt of necessary emergency medical treatment at or around the time of a properly noticed meeting.
- e. When the member is summoned to jury duty.
- f. When the member is attending a deposition, hearing, trial, or other legal proceeding for which attendance is required by a subpoena or by order of a court of competent jurisdiction.
- g. During the 12-week period after the birth of a member's or their domestic partner's child or after placement of a child with a member or their domestic partner for adoption or foster care.

## **Public Participation in a Meeting**

### **Open to the Public**

Section 286.0114, Florida Statutes, requires an advisory board to provide the public with an opportunity to be heard on a proposal before the board acts on the proposal. The Chair will announce the manner of public participation at the beginning of the meeting and prior to a vote on any official action and provide members of the public an opportunity to be heard. The Chair is responsible for enforcing reasonable time limits that govern how long members may speak within the requirements of the law.

### **Guidelines for Public Participation in a Meeting**

When recognized by the Advisory Board Chair each speaker shall state their name, who they represent, and if asked, whether he or she is being compensated by the person(s) or organization(s) for which he or she speaks. A participant shall be required to complete a speaker form prior to addressing the advisory board.

Members of the public may be allocated up to 3 minutes to speak on an agenda item. However, the Chair may reduce the amount of time if such reduction is required due to the total number of persons desiring to speak regarding the agenda item, the remaining meeting time, and other agenda items remaining to be considered by the advisory board.

The opportunity for public participation is not available in emergency situations (affecting the public health, welfare, or safety), official acts involving no more than ministerial acts (e.g. approval of minutes), meetings exempt from Section 286.011, Florida Statutes, and meetings where the advisory board is acting in a quasi-judicial capacity.

## Ethics

The Code of Ethics for Public Officers and Employees is found in Chapter 112, Part III, Florida Statutes. The Code promotes the public interest and maintains the respect of the people for their government. The Code is also intended to ensure public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

### Gifts and Lobbying Prohibitions

#### Gifts

Section 26-70.31, Broward Code of Ordinances prohibits advisory board members from accepting a gift directly or indirectly, regardless of value, from any lobbyist registered with Broward County, or from any principal or employer of any registered lobbyist, or from a vendor or contractor of Broward County (“prohibited donors”).

No advisory board member shall accept a gift, directly or indirectly, regardless of value, from any lobbyist registered with Broward County or from any prohibited donors. No advisory board member shall accept a gift with a value more than \$100 per occurrence from sources other than prohibited donors, when such gift is given to the member in their official capacity.

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. (Sec. 112.313(2), Fla. Stat.)

#### Lobbying

Chapter 26, Broward County Code, Article V: Conflicts of Interest, including the lobbying prohibitions in Section 26-70, Broward County Code specify the following:

Any person appointed to an advisory board is prohibited during their term of appointment and for a period of two (2) years after the appointment, from lobbying the division, office, or department that oversees the advisory board on which the individual served.

Any board member who lobbies or engages in lobbying activities with a county division, office, or department overseeing or affiliated with the board upon which the member currently serves, shall be disqualified as a member of the advisory board and their appointment shall immediately cease.

A public officer cannot vote on any matter that would inure to their special private gain or loss, or the gain or loss of any relative, principle or business associate.

A current or former public officer may not disclose or use information not available to members of the public and gained by reason of their official position, for their personal gain or loss, or the gain or loss of any other person or business entity.

## **Financial Disclosures**

### Who files a financial disclosure?

Certain advisory board members must file a Form 1 – Statement of Financial Interests because they are considered a local officer. Form 1 – Statement of Financial Interests is to be filed within 30 days of appointment to the board. Please file electronically using this [link](#). Members are required to file no later than June 1<sup>st</sup> of each year.

## **Sunset Review**

Pursuant to Section 2.09(F), Charter, the County Commission shall adopt procedures to provide for the review of the performance of all boards, committees, authorities, and agencies at least once every four (4) years. As part of its review, the County Commission shall determine by resolution or ordinance that the applicable board, committee, authority, or agency (excluding those created by Charter) is needed to serve the public interest and that the cost of its existence to the taxpayers is justified.

The following process is used during the sunset review period:

1. The Intergovernmental Affairs/Boards Section (IABS) contacts the County Attorney's Office to generate a list of boards that are subject to sunset review.
2. IABS schedules meetings to review the status of the advisory board and recommend changes, if necessary, with the board coordinator, agency director or designee, assigned assistant county attorney, IABS staff, and Chair of the advisory board.
3. The recommendations are brought before the advisory board at their soonest scheduled meeting through the board coordinator. Input from the members is requested and documented.
4. After all the advisory boards have met and given their input, the draft recommendations are brought before County Administration for relevant changes and input.
5. The recommendations with the suggested changes from County Administration are then brought back to the advisory boards for their final review.
6. The draft recommendations are then brought before the Board of County Commissioners through an agenda item generated by IABS.
7. The Board of County Commissioners either approves the recommendations as is or sends specific directive(s) to the advisory boards with their recommended changes.
8. After final changes are made, the recommendations are set to be heard at the public hearing.

### **Guidance for Conducting Hybrid Meetings for Board Coordinators**

## **Quorum**

Section 1-233 of the Broward County Code of Ordinance was amended to reflect that for some boards a quorum may be achieved by the majority of the total appointed board members with either the presiding member (chair) or at least three members being physically present at the meeting.

## Recommendations for Hybrid Meetings

Managing a hybrid meeting may be more laborious than fully in-person or fully virtual meetings. In speaking with board coordinators who have administered hybrid meetings, the following set of recommendations have been proffered:

### Staff

- Using at least one additional staff member available to assist in coordinating the meetings make the process smoother and more efficient.

## Technology

- **Video Conferencing Platform**
  - o While Zoom is the preferred platform, Microsoft Teams or WebEx may be used subject to your agency's security measures.
  - o Designating a technology coordinator/producer to run the online meeting, monitor participants, and watch the chat can allow the board coordinator to focus on content, take the attendance and minutes, and answer questions.
- **Audio-Visual**
  - o The meeting room should be equipped with enough high-quality microphones so remote participants can hear clearly.
  - o If not possible, supplement audio input by having in-person attendees pass around a hand-held microphone before speaking.
  - o If/when possible, have remote participants use headsets or earbuds instead of relying solely on the built-in microphones and speakers on their laptops.
  - o Cameras and Monitors/Projector should be available.
- **Internet**
  - o The meeting room should have fast internet feed to secure connection

## Meeting Sites

Broward County offers several conference rooms that are fully equipped with audio-visual capabilities. You may reserve a room by accessing the room's Outlook handle in the Contacts of the County's Global Contact List and placing a hold on its calendar, if available.

## Before the Meeting

- **Email documents and presentations ahead of time**
  - o Some board members may be joining the meeting through a mobile device.
- **Test technology in advance**

- Prior to Board meeting, test the audio-visual set up — both in-room and for the remote attendees. Schedule a 30-minute dry run to test internet connection and speed, audio, cameras, and monitors.
- **Assign Roles to Staff**
  - A facilitator should draw the remote participants in, keep them engaged and ensure their voices are heard, not interrupted, or talked over. At times, the facilitator may need to call on in-room or remote participants to ensure that all voices are heard.
  - Use a technology coordinator/producer. Have someone in the role of “producer” in the physical room, and for larger meetings, another that is remote. They should be experienced with both the technology being used for the meeting, and how to help handle the physical hardware in the room (e.g., cameras, laptops, etc.) and the online platforms involved (video conferencing and/or audio dial-in systems). Ensure that these two producers are aligned on all expectations and individual responsibilities for how the meeting will run.

### During the Meeting

Hybrid meetings will work best if staff focus on both the needs of the remote and in-person participants equally.

- **Display remote participants**
- Use a big screen in the front of the room with as many of the remote attendees showing on video as possible.
- **Display the presenters**
- Ensure the in-person presenters are the main visuals the remote employees see. That is where the attention of the in-person attendees is focused, so provide the same experience for the remote attendees.
- Remote attendees should remain muted when not speaking and be encouraged to keep their cameras on so that they can be seen on the room projector by in-person attendees.
- **Enable chat**
- Ensure the chat functionality is turned on for those who are remote. Monitor the chat and the Q&A section so that they can be shared with the rest of the group.
- **Presentations**
- Being able to see remote participants while sharing will make the experience more interactive for everyone. To accomplish this, you may need an enhanced solution that allows you to present documents, view or make notes, and see your remote participants at the same time.

### Staying engaged

- **Group Polls**
  - Use a phone-based survey tool like Poll Everywhere/Survey Monkey to collect everyone’s input in real time. This puts remote participants on an equal footing, versus a show-of-

hands or relying on verbal feedback. To capture meeting notes, use an online whiteboard (or focus a remote camera on a flip chart) so everyone can see what's being written as it happens.

## Additional FAQ

Are members allowed to use proxies or alternates? If a member sends a representative in their place, can the representative vote? Is the representative counted towards quorum?

Unless authorized in the advisory board's enabling legislation, members cannot use a proxy or alternate. If a member chooses to send a representative in their place, the individual will not be able to vote or count towards quorum.

Can advisory board members communicate on any subject, not related to the advisory board?

Yes. Advisory board members may speak to each other about anything NOT related to the advisory board or anything that will come up for a vote by the advisory board. Members may speak at city commission meetings or homeowner association meetings in the capacity of a private resident or citizen and not as a board member, unless authorized by the advisory board.

Advisory board members are prohibited from speaking to each other about advisory board business unless present at a properly noticed meeting that is open to the public and where minutes are taken.

Is the advisory board in charge of the board coordinator or attorney?

The advisory board does not control the board coordinator or attorney. The board coordinator helps meet the required objectives of the advisory board. A representative from the County Attorney's Office will attend a meeting as deemed appropriate. This assigned attorney is considered the board attorney and may also attend meetings where legal questions may arise during a meeting.

---

Note this handbook is subject to change. Amended: 3/14/24