

Board of County Commissioners

Leon County, Florida

Policy No. 03-15

Title: Board-Appointed Citizen Committees

Date Adopted: February 13, 2018

Effective Date: February 13, 2018

Reference: Florida Statute Chap. 112, Part III, Code of Ethics for Public Officers and Employees
Florida Statute Chap 119, Public Records
Florida Statute Section 286.011, Government-in-the-Sunshine Law
Leon County Board of County Commissioners Policy No. 03-05, Code of Ethics

Policy Superseded: Policy No. 97-9, "Voting Conflicts on Boards, Committees, Councils, and Authorities"; Policy No. 00-5, "Volunteer Boards and Committees"; Policy No. 03-15, Board-Appointed Advisory Committees: Establishment, Appointment, Function, Operation, and Dissolution, adopted September 23, 2003; Policy No. 03-15 "Board-Appointed Advisory Committees" revised April 12, 2011; revised October 11, 2011

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 03-15, "Board-Appointed Advisory Committees" amended on October 11, 2011, is hereby further amended and a revised policy entitled "Board-Appointed Citizen Committees" is adopted in its place, to wit:

POLICY

1) **Intent and Purpose; Scope**

- a) Intent and Purpose: to establish a policy and procedure to govern the process and the manner in which Board appointments are made to Citizen Committees, to govern the restrictions and limitations on appointments, and to assure that all Citizen Committees appointed by the Board comply with all applicable Government-in-the-Sunshine, Public Records, and Code of Ethics Laws.
- b) Scope: governs all Board-appointed Citizen Committees in existence on the Effective Date of the Policy and to any Board-appointed Citizen Committees thereafter established;

2) **Definitions**

The following terms, when used in the Policy in their capitalized form, shall be defined as follows:

- a) Ad Hoc Citizen Committee: a Citizen Committee established for a specific task or objective, and dissolved after the completion of the task or achievement of the objective. May be a Decision Making Committee or a Focus Group.
- b) Applicant: a person who is interested in serving on a Citizen Committee and who is required to submit an Application, completed in accordance with this Policy.
- c) Application: the form to be completed and submitted by those persons interested in serving on a Citizen Committee, other than those persons whose public positions are specifically identified by statute, code, rule, policy, or other state, federal, or local law as a required member of the Citizen Committee as identified in such law.
- d) Board: the Leon County Board of County Commissioners.
- e) Bylaws: a document governing the function and operation of a Decision Making Committee.
- f) Citizen Committee: any committee or other group to which the Board makes citizen appointments including but not limited to boards, councils, authorities, task forces, commissions, and workgroups.
- g) Commissioner: a member of the Leon County Board of County Commissioners.
- h) County: Leon County, Florida.
- i) Decision Making Committee: a Citizen Committee that provides recommendations regarding matters to be considered for Board approval and is intended to become part of the Board's decision-making process or otherwise makes decisions independent of the Board in accordance with its governing documents.

- j) **Enabling Resolution:** the Resolution adopted by the Board which authorizes the creation of a Citizen Committee and which establishes the Citizen Committee as either a Decision Making Committee or a Focus Group.
- k) **Focus Group:** a Citizen Committee *not* intended to become part of the Board's decision-making process, but rather is intended, by virtue of its Enabling Resolution, to merely provide a fact-finding source of community input and technical resources for use by Staff in developing a Staff recommendation regarding a matter to be considered for Board approval.
- l) **Orientation:** the publication intended to educate Applicants about the applicability of the Government-In-The-Sunshine Laws, Code of Ethics Laws, and Public Records Laws to Citizen Committees.
- m) **Rules of Procedure:** a document governing the function and operation of a Focus Group.
- n) **Staff:** any individual(s) employed by the Leon County Board of County Commissioners.
- o) **Staff Support Person:** the member of Staff assigned by the County Administrator to assist a Citizen Committee in carrying out the Board direction as set forth in the Enabling Resolution.

3) Responsibilities

- a) County Administrator, or designee, shall be responsible for the implementation and compliance of the Policy, and shall be charged with the following responsibilities to be carried out in accordance with the Policy:
 - i) developing and implementing the application process;
 - ii) developing and implementing a process for the selection and appointment of members to Citizen Committees;
 - iii) developing and implementing an Orientation program;
 - iv) approving and executing the Bylaws or amended Bylaws for the Decision Making Committees and Rules of Procedure for the Focus Groups in a form approved by the County Attorney;
 - v) developing and implementing a custodial system for retaining minutes, Rules of Procedure, and Bylaws of Citizen Committees;
- b) County Attorney: shall be responsible for providing any legal guidance necessary for the County Administrator to carry out his/her responsibilities under the Policy.

4) Eligibility

- a) Applicant shall fully complete the application.

- b) Applicant must complete the Applicant Orientation for Membership on Citizen Committees.
- c) Applicant must be at least 18 years old and a Leon County resident unless otherwise prohibited by Federal, State or Local law.
- d) Applicant may be appointed to only one Citizen Committee at a time, except for those serving or applying to serve on Ad Hoc Committees.
- e) Limitation on Reappointment of Members: a current member of a Citizen Committee may be reappointed at the expiration of their term provided, however, that no member may serve more than **three** full consecutive terms, unless such limitation is otherwise prohibited or provided by Federal, State, local law or the Decision Making Committee's Bylaws.

5) Application Process for Citizen Committees

- a) Application Form: The County Administrator shall develop and maintain an Application in a form to be approved by County Attorney.
- b) Preliminary Application Review:
 - i) the County Administrator, or designee, shall review all Applications for completeness.
 - ii) in the event that any Application is found to be incomplete, or that any Applicant is found to not reside in Leon County, the Applicant shall be notified of such deficiency in the Application.
 - iii) upon approval of the eligibility of the Applicant, the Application will be maintained, on file, for a period of two years.

6) Appointment of Members to Citizen Committees

- a) Appointment of Members to Citizen Committees by Individual Commissioners: upon review of the Applications, the County Administrator, or designee, shall coordinate the selection of Applicants as follows:
 - i) the list of Applicants available and eligible for selection, together with the required Application shall be provided to each Commissioner;
 - ii) selections shall be made by the individual Commissioners from the list of Applicants, provided by the County Administrator, or designee, and staff shall prepare a Consent Agenda Item to ratify the selections at a Board meeting; and place the matter, as soon as reasonably possible, on the Board's agenda for appointment of each selected Applicant to the Citizen Committee.
- b) Appointment of Members to Citizen Committees by full Board: the selection of Applicants by the Full Board shall be approved by a majority vote of the Board, and selection of the Applicants shall be as follows:

- i) the list of Applicants available and eligible for selection, together with the required Application shall be provided to each Commissioner;
- ii) selections shall be made from the list of Applicants, provided by the County Administrator, or designee, to the full Board in a General Business Agenda Item; and shall be placed, as soon as reasonably possible, on the Board's agenda for appointment by the full Board of each selected Applicant to the Citizen Committee;

7) Orientation

- a) Availability to Applicants: the County Administrator shall assure that the Orientation is made available to all Applicants in an easily accessible manner; and made available on the County's Citizens Committees' website.
- b) Updates and Revisions to Orientation: the County Administrator, in conjunction with the County Attorney, or their designees, shall be responsible for updating and revising the Orientation, as necessary, to reflect any changes in the applicable laws.

8) Board-Established Focus Groups - Function and Operation

- a) Rules of Procedure: the County Administrator, in conjunction with the County Attorney, or their designees, shall develop, maintain and amend as needed, the Rules of Procedure, which shall govern the function and operation of a Board-Established Focus Group.
- b) Staff Support Person: each Citizen Committee shall have a Staff Support Person assigned by either the County Administrator or appropriate agency;
- c) Staff Responsibility: upon the adoption of an Enabling Resolution identifying the Citizen Committee as a Focus Group, the Staff Support Person shall be responsible for the following:
 - i) assuring that all members of the Focus Group, after having completed the Orientation, understand the Public Records Law and Code of Ethics - Standard of Conduct before being allowed to participate in any meeting of the Focus Group;
 - ii) coordinating and providing Staff assistance, as necessary, for the meetings of the Focus Group; and conducting each meeting of the Focus Group;
 - iii) at or before the first meeting, providing a copy of the Rules of Procedure to all members of the Focus Group and to the Rules of Procedure custodian, as designated by the County Administrator;
 - iv) assuring that the Focus Group functions and operates in accordance with the Rules of Procedure for the Focus Group and the Enabling Resolution;
 - v) reviewing Citizen Committees' purpose and function to ensure the Citizen Committee is meeting the Board's intended goals; and

- vi) notifying the County Administrator and/or the County Attorney, as soon as reasonably possible, of any violations of any law applicable to the Focus Group and any other problems encountered with the function and operation of the Focus Group.

9) Board-Established Decision Making Committees Function and Operation

- a) Bylaws and Amendments to Bylaws: the County Administrator in conjunction with the County Attorney, or their designees, shall develop, maintain and amend as needed, Bylaws, which shall govern the function and operation of a Board-established Decision Making Committee. Unless otherwise prohibited or Federal, State or local law, Bylaws and amendments to bylaws must be approved by the County Administrator and County Attorney and, if required in the Citizen Committee's governing documents, by the Board.
- b) Staff Support Person: each Citizen Committee shall have a Staff Support Person assigned by the County Administrator or designee.
- c) Staff Responsibility: upon the adoption of an Enabling Resolution identifying the Citizen Committee as a Decision Making Committee, the Staff Support Person shall be responsible for the following:
 - i) assuring that all members of the Decision Making Committee after having completed Orientation, understand the Public Records Law, the Sunshine Law and the Code of Ethics, before being allowed to participate in any meeting of the Decision Making Committee;
 - ii) coordinating and providing Staff assistance, as necessary, for the meetings of the Decision Making Committee; and conduct each meeting of the Decision Making Committee;
 - iii) assuring that reasonable notice to the public is given for each meeting of the Decision Making Committee;
 - iv) assuring that, at the first meeting of the Decision Making Committee, a Chairperson is elected and that the Bylaws are provided to each member and a copy of the adopted Bylaws is provided to the Bylaws custodian as designated by the County Administrator;
 - v) assuring that minutes of each meeting of the Decision Making Committee are prepared, per Statute 286.011 Government-in-the-Sunshine Law, as soon as reasonably possible after each meeting, and ensuring that copies of such minutes are retained in a secure area. Staff Support Person shall be considered the minutes custodian for the Decision Making Committee;
 - vi) assuring that the Decision Making Committee functions and operates in accordance with the Bylaws for the Decision Making Committee and the Enabling Resolution;
 - vii) reviewing Citizen Committees' purpose and function to ensure the Citizen Committee is meeting the Board's intended goals;

- viii) preparing an agenda item, as necessary, to advise the Board of the recommendations of the Decision Making Committee with regard to the matter for which the Decision Making Committee was established; and
- ix) notifying the County Administrator and the County Attorney as soon as reasonably possible of any violations of any law applicable to the Decision Making Committee and of any other problems encountered with the function and operation of the Decision Making Committee.

10) Dissolution of Citizen Committees

- a) The Citizen Committee shall be dissolved only as directed by the Board.

Revised 2/13/18