

RESOLUTION NO. 20-162R

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, ESTABLISHING A PROCESS FOR PARTICIPATION IN COMMISSION MEETINGS TO INCLUDE SUBMITTING COMMENTS AND DOCUMENTS FOR THE RECORD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Osceola County Board of County Commissioners holds a variety of meetings throughout the year in order to conduct County business; and

WHEREAS, comments from citizens about any issue or concern regarding County business are welcomed by the Board of County Commissioners; and

WHEREAS, opinions of the citizens are valued in terms of providing input to the Board; and

WHEREAS, the Board must ensure it runs an orderly meeting while providing the public with a reasonable opportunity to be heard on County business prior to making decisions.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. OPPORTUNITY TO BE HEARD. Members of the public shall be given a reasonable opportunity to be heard on propositions before the Board of County Commissioners. This provision is intended to comply with Florida Statutes (F.S.) § 286.0114, as amended. This opportunity to be heard does not extend to those instances outlined in F.S. § 286.0014(3):

A. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;

B. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

C. A meeting that is exempt from s. 286.011; or

D. a meeting during which the Board is acting in a quasi-judicial capacity as this section does not affect the right of a person to be heard as otherwise provided by law.

SECTION 2. HEAR THE AUDIENCE. Each meeting agenda in which decisions will be made will have a “Hear the Audience” section at the beginning of a meeting. The Board will not vote on any item during this portion of the meeting. Rather, this portion of the meeting is to allow for public comments to be heard on items that are on the agenda for that meeting. Comments will be limited to three minutes. Each speaker may only speak once during Hear the Audience unless the Board requests additional clarification. Donation of speaker time may be provided to a single representative up to a total maximum of 12 minutes of speaking time. Donation of time waives the opportunity to speak individually

SECTION 3. REQUEST TO SPEAK. The Request to Speak Form will include the name, address and Agenda Item Number(s) the individual would like to address. The Form is available online via the County’s website and in-person for Public Hearing items. Handwritten forms need to be legible in order to assist the Chair in recognizing the individual wishing to speak. The deadline for registering depends on the Agenda item type.

A. Consent/Public Hearing and Public Hearing Items (includes quasi-judicial items): “Request to Speak” forms shall be submitted, online by 5:00PM the day before the meeting, or in-person 15 minutes prior to the start of the meeting. The Chair may ask the registered speaker if they would prefer to address the Board under Hear the Audience or during the Public Hearing when the Board will address the item.

B. All Remaining Agenda Items included on the Published Agenda: “Request to Speak” forms shall be submitted online by 5:00PM the day before the meeting.

C. Items Substantially Changed and/or Added to the Published Agenda: For items that are changed or added after the Agenda has been published, the Chair will provide an opportunity for members of the public to address that item during the appropriate time in the meeting.

SECTION 4. COMMENTS / DOCUMENTS SUBMITTED FOR THE RECORD. Individuals who do not wish to address the Board in a meeting, but would like to share comments and/or documents for the record are encouraged to do so through the County’s website. In addition to providing written comments, documents may also be uploaded as a part of the form or emailed directly to the email address provided. A Comments Submitted for the Record Form shall be completed and submitted online by 5:00PM the day before the meeting.

In addition, citizens may also submit comments of a general nature and/or not related to a Board meeting or agenda item via this same process. Unless the content is inappropriate, submittals will be provided to the entire Board for consideration.

SECTION 5. DECORUM. Any person addressing the Board may do so by submitting the proper form, being ready at the designated time and upon recognition by the Chair. Comments

should be addressed to the whole Board regarding the issue at hand and not be directed personally against a Commissioner, Staff member, other speaker or member of the audience. This maintains mutual respect between the participants.

Offensive, threatening or inappropriate language will not be tolerated. Discussion between the Board and the person addressing the Board will occur with the permission of the Chair. Proper decorum will be observed. If necessary, the Chair may request law enforcement and/or security to remove any person violating the provisions of this section from the meeting room.

SECTION 6. CONFLICTS. All sections or parts of sections of all resolutions or parts of resolutions in conflict with this Resolution, or any part hereof, is hereby repealed to the extent of such conflict.

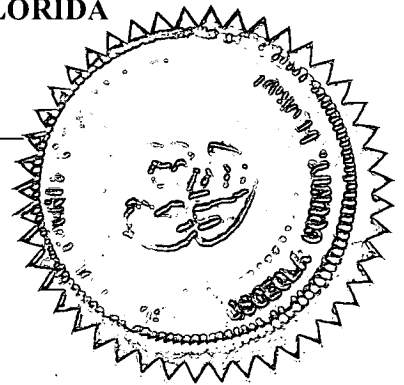
SECTION 7. SEVERABILITY. If any portion of this Resolution is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portion of this Resolution. If this Resolution or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person property or circumstances.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 02 day of November, 2020.

**BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA**

By: *Edward Jensen*
Chair/Vice Chair



ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD
By: *Elizabeth Warren*
Clerk/ Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:
November 02, 2020
Resolution # 20-162R