

ORANGE COUNTY LIBRARY SYSTEM
Public Comment and Conduct of Meetings Policy and Procedures

Effective Date: October 1, 2013 (Approved by the Board of Trustees on September 11, 2013)

Objective: The objective of this policy is to establish standard procedures to ensure an opportunity for broad public participation in decision-making.

Policy Statement: It is the intent of this policy that the deliberations and actions of the Board of Trustees of the Orange County Library System (“OCLS”) be conducted and taken openly in order that the public and relevant stakeholders may be fully informed and intelligently advised as to the conduct of public business by the Board of Trustees.

Definitions: For the purpose of this policy, the following definitions shall prevail:

1. A “meeting” is a gathering of a quorum of the membership of the Board of Trustees, or any board or commission of OCLS for the purpose of receiving information relating to public business, or for discussion of public business, or for official action upon a proposition related to public business.
2. A “regular meeting” is a meeting held pursuant to a schedule of such meetings as approved by a board or commission to conduct public business or otherwise discuss or act upon matters of public interest.
3. A “special meeting” is any meeting other than a regular meeting held by a board or commission. A “special meeting” is held for the purpose of addressing matters requiring the immediate attention of a board or commission or for the purpose of addressing matters which the board or commission has determined are best addressed at a special meeting. When a special meeting is called, the presiding officer of the board or commission shall specifically state the purpose of the meeting and the board or commission shall address only those matters for which the meeting was called.
4. A “board or commission” shall refer to the Board of Trustees of OCLS and any other board or commission now existing or created in the future by the Board of Trustees or OCLS.
5. The “presiding officer” shall mean, in the case of the Board of the Directors the chair and in all other cases shall be the chair of a particular OCLS board or commission.
6. “Board of Trustees” shall refer to the Board of Trustees of OCLS.

Meetings:

1. **Location.** All meetings of the Board of Trustees and any other board or commission shall be held in a suitable location and shall be open to the public as required by law. The only exception to the requirement that meetings be open to the public shall be an executive session scheduled for those purposes expressly recognized by law.
2. **Regular Meetings.** The Board of Trustees and the other boards and commissions shall hold regular monthly meetings as designated by the Board of Trustees or the other boards and commissions.

Public Notice. OCLS shall give public notice of the schedule of meetings and shall state the dates, times and places for such meetings. Public notice of any special meeting or of any reconvened meeting shall be given before such meeting. Public notice shall be given by posting the date and time of the meetings on the OCLS website, the public bulletin boards at all OCLS locations and the Orange County Administration Building. Notice will also be published in the Orlando Sentinel as required by Section 189.417 of the Florida Statutes.

Conduct of Meetings:

1. The presiding officer shall preserve order and decorum at all meetings.
2. When considering matters upon which the board or commission will take action the presiding officer shall receive comments from the public.
3. During any board or commission meeting, board and commission members shall maintain order and decorum.

4. OCLS staff and citizens must be recognized by the presiding officer before speaking or asking questions. The purpose of this requirement is so that there is order and so that the recording equipment will properly record all comments made by individuals wishing to comment on a specific subject.
5. All comments must be made from the podium which is located in the OCLS meeting room or by other reasonable accommodations in any other location in which a board or commission meeting is held, and shall address the subject of the agenda item. Individuals that appear before any board or commission are required to state their legal name and their actual address for the public record. The purpose of this requirement is so that they are properly reflected in any board or commission minutes and are available for future reference.
6. As a board or commission considers consent agenda items, emergency items, items involving official acts that involve no more than a ministerial act, approval of minutes, ceremonial proclamations and other similar items, the presiding officer may, at his discretion, or at the direction of a majority of the board or commission, accept comments from those in attendance.

Public Participation and Comment: In order to comply with Section 286.0114 of the Florida Statutes, OCLS hereby establishes a Public Comment Policy applicable to all boards and commissions to allow members of the public an opportunity to address boards and commissions. In addition to public hearings, a special time is hereby set aside at all board and commission meetings for the purpose of receiving comments and suggestions from members of the public. All comments made during any Public Comment period shall be subject to the following procedures:

1. OCLS allocates up to 30 minutes at the end of each board or commission meeting for citizens who wish to appear before that board or commission to make a request of that board or commission, voice a complaint or concern, express an opinion, or for some other type of recognition. The presiding officer will divide the time equally between all who have signed up to speak; but in no case may a citizen speak longer than three minutes. A Public Comment period not to exceed 30 minutes will be held during any board or commission meeting. The presiding officer may permit additional time to a given speaker on a case-by-case basis.
2. Public comments of items listed on the agenda will occur just prior to the Board's discussion and action of the agenda item. Public comments of items not listed on the agenda will occur at the end of the meeting agenda.
3. When a board or commission considers matters during a public meeting upon which it will take action, no action shall be taken until the presiding officer requests and receives comments from the public.
4. Persons who wish to make a statement during the Public Comment period will register on a Notice of Intent to Speak Form which will be available 30 minutes before the start of the meeting. Information included on the Notice of Intent to Speak forms will be included in the Board Meeting Minutes and thus become public record. No one will be allowed to have his or her name placed on the list by telephone request to OCLS staff.
5. Each person who signed up to speak will have up to three minutes to make his or her statement. Speakers will be acknowledged by the presiding officer in the order which the Notice of Intent to Speak Form was received by the Board of Trustee's administrative assistant. Speakers shall address that board or commission from the podium, and not approach that board or commission or OCLS staff. Speakers will begin their statement by first stating their legal name and actual address.
6. Statements are to be directed to the board or commission as a whole, and not to individuals. Public comment is not intended to require a board or commission to provide an answer to the speaker. Discussions between speakers and members of the audience will not be allowed.
7. Speakers will be courteous in their language and presentation.
8. Only one speaker will be acknowledged at a time. In the event a group of persons supporting or opposing the same position desires to be heard, in the interest of time, a spokesperson shall be designated to express the group's concerns. Likewise, in the event the number of persons wishing to attend the hearing exceeds the capacity of the meeting place, one or more delegates shall be selected to speak on behalf of each group. If the time period expires before all persons who have signed up get to speak, those names will be carried over to the next Public Comment period, or if the presiding officer consents, these comments can be heard at that meeting.

9. Any action on items brought up during the Public Comment period will be at the discretion of that board or commission. No board or commission will take any action on subject matter for which it has not had the opportunity to fully investigate and gather complete information.
10. These same rules shall apply to all boards and commissions.

Decorum: The presiding officer shall preserve strict order and decorum at all meetings.

1. In conducting business, boards and commissions are committed to the principles of civility, honor, and dignity. Individuals appearing before boards and commission are requested to observe the same principles when making comments on items and issues presented to a given board or commission for its consideration.
2. Staff members and citizens are required to use proper language when addressing a board or commission or the audience. Staff members and citizens shall not use profanity or cursing, aggressive or threatening behavior when addressing the board or commission or other participants. All comments are directed to the presiding officer and not to individual members of the board or commission or to the audience. No personal verbal attacks toward any individual will be allowed during the conduct of a board or commission meeting. The presiding officer may have individual(s) removed from the podium and/or meeting chambers if such conduct persists after a warning has been issued.
3. All members of a board or commission shall accord the utmost courtesy to each other, staff, and the public members appearing before the board or commission and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities. During board or commission meetings, cell phones are to be turned off or silenced. Use of cell phones by board or commission members and staff for talking, texting, emailing or otherwise will not be allowed during meetings while at the dais, except for emergency communications, research, or during breaks.

Waiver of Rules: The board or commission may, at any time, waive all or a portion of these rules of procedure during the course of a meeting. Provided however, that any such waiver shall only be done upon a motion and majority approval of the waiver by members of the board or commission present and voting. Such waivers shall only be granted to insure the protection of the right of members of the public to be given a reasonable opportunity to be heard before a board or commission takes official action on a proposition.

Training: Periodic training for Sunshine Law requirements will be scheduled by OCLS for board and commission members.

Penalties: Any action taken at a meeting not open to the public, whether intentional or unintentional, is void. The law provides penalties for not complying with the Sunshine Law including criminal penalties, removal from the board position, fines up to \$500, and an award of reasonable attorney's fees against the board found to have violated the Sunshine Law.