



To: Mayor Jerry Demings -AND- County Commissioners

From: Commissioner Emily Bonilla, District 5

Date: July 18, 2022

Subject: Commissioner's Report For July 26, 2022 on Rules of Procedures Preventing Legislative Action of Future Boards

I would like to express the urgency of this request. Upon experiencing our board's hands being tied from taking Legislative actions and consulting with my District 5 Neighborhood Advisory Board, I was advised that a Legislative body is not allowed to prevent Future Legislative bodies from taking Legislative action. I did more research on the matter. Below are a couple of links to the research. The language in the Rules of Procedures as amended by the prior Board of County Commissioners specifically did so with the intent of restricting Future Members and Boards from taking action on Legislation. This is in violation of general law.

Research:

<https://ij.org/cje-post/state-con-law-case-of-the-week-can-one-legislature-bind-the-next/>

<https://mrsc.org/Home/Stay-Informed/MRSC-Insight/May-2012/New-Attorney-General-Opinion-on-Binding-Future-Loc.aspx>

<https://www.atg.wa.gov/ago-opinions/power-county-legislative-authority-enter-contract-binds-county-legislative-authority>

Action Requested:

I am asking that the Board of County Commissioners vote to remove this language from the BCC Rules of Procedures.

/s/
Commissioner Emily Bonilla

Cc: Byron W. Brooks, County Administrator, Cheryl Gillespie, Supervisor, Agenda Development, County Attorney's Office