



To: Mayor and Board of County Commissioners

From: Commissioner Emily Bonilla, District 5

Date: April 9, 2021

Subject: Commissioner's Report for BCC Meeting 4/27: Update to Public Comment/Testimony Process

Background:

The purpose of this memorandum is to improve the Public Comment/Testimony Process. Several years ago we had an issue with a land use applicant paying people to testify at the BCC meeting and they acted as if they were concerned members of the public who even provided crocodile tears to influence the board. From that experience the board decided to implement a way to have speakers provide the information of payment for speaking at the meetings by adding a checkbox on the speaker forms.

Problem:

However, this is not solving the problem that it was meant to solve, which is alerting the board members of the knowledge that someone is being paid to speak on an issue rather than a concerned member of the public who would be impacted by the decision.

Solution:

My request is to add to the required information before they speak such as their name and address, whether they were paid to speak and by whom. For example, we would ask, "please state your name, address, if you were paid to speak, and if yes, by whom." This is a very simple update to our process and shouldn't take much time to implement.

Benefits:

We would be able to make our decisions based on transparent information.

Cc: Byron Brooks, County Administrator and Danny Banks, Assistant County Administrator

shall be recorded for each such Board member present, except when, with respect to any such member, there is or appears to be a possible conflict of interest, in which case the Board member shall comply with the requirements of Section 112.3143, Florida Statutes, or other applicable law.

E. Votes on Appointments. When the Board appoints persons to its various boards and authorities, it may deviate from the normal procedure of motions and votes and, instead, allow any Board member to nominate a prospective appointee provided that, in accordance with agenda deadlines, the prospective nominee's name has been submitted to the Mayor for inclusion on the official agenda of the Board. Nominations need no second. After nominations have ceased, the Presiding Officer shall announce each nominee, and Board members shall vote for nominees in the order the nominations were made, with each Board member casting one vote for each vacancy. Appointments shall occur only when a nominee receives a vote of a majority of the Board members present.

F. Vote to Draft an Ordinance. Prior to an ordinance being drafted, a Commissioner shall present to the Board a Commissioner's Report which explains the concept of the ordinance. Unless a majority of the entire membership of the Board objects to the drafting of such ordinance, the County Attorney shall draft the proposed ordinance. The County Attorney, when requested by the Board, shall prepare and deliver ordinances to the Mayor for inclusion in the agenda. Copies of all proposed ordinances shall be furnished to each Commissioner and shall be made available to all interested parties.

Section 2.11 Public Participation in Meetings, Hearings and Appeals.

A. General.

1. These rules seek to balance the opportunity for all citizens to participate in the local government process with the responsibility of the Board to conduct orderly and efficient meetings and to complete the County's business in a timely manner. Citizens are encouraged to follow the rules on public participation. Citizens are also encouraged to make initial inquiries through County staff when such inquiries are practical.

2. When legislative Board action is foreseeable, public comment is allowed. Public commentary at meetings, worksessions and public hearings shall be according to any time limits set by the Presiding Officer or Board.

3. The person shall limit his/her remarks to the time limits set by these Rules or otherwise by the Presiding Officer or the Board, except that such time limits are not applicable to county staff.

4. Speakers must focus on relevant facts and issues. The Presiding Officer

may curtail irrelevant or repetitious comments. The Presiding Officer may also declare an end to one side of a debate when that viewpoint has been adequately repeated and no new information is being offered.

5. All persons, other than salaried members of the county staff, shall address the Board, whether in public hearing or otherwise, in the following manner:

- a. State his/her name and address.
- b. If requested by the Board state:
 - i. whether he/she speaks for himself/herself or for another.
 - ii. whether the person represents an organization or represents a policy established by the organization or governing body.
 - iii. whether he/she is being compensated by the person(s) for whom he/she speaks.
 - iv. whether he/she or any member of his/her immediate family has a personal interest in the pending matter.

6. All remarks shall be made to the Board as a body and to the Presiding Officer and not to a particular member of the Board, unless permission has been given by the Presiding Officer.

7. No person, other than salaried county staff and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without permission of the Presiding Officer.

8. Speakers shall be courteous and non-disruptive. If a person continues disruptive behavior after being asked to stop, these results may apply:

a. The Presiding Officer may declare the person's conduct to be out of order and the Presiding Officer, with a concurrence of a majority of the Board, may refuse to permit the person from further speaking before the Board for the remainder of that meeting.

b. A person, once denied the floor due to such improper conduct, shall not be permitted to continue or again address the Board in that meeting unless a majority vote of the Board allows.

c. The Presiding Officer may order ejected from the meeting any person whose conduct is hostile or threatening. He or she may be readmitted only by a majority vote of the Board.

BOARD APPEARANCE REQUEST



THIS FORM SHALL BE USED FOR REQUESTING APPEARANCES BEFORE THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS (PLEASE PRINT LEGIBLY)

[Note: Appearances are limited to three (3) minutes]

TODAY'S DATE:	REQUESTED BOARD DATE:
NAME:	PHONE (optional):
ADDRESS:	EMAIL (optional):
CITY, STATE & ZIP:	
PREVIOUS CONTACT WITH ORANGE COUNTY STAFF (IF ANY) REGARDING THIS MATTER (NAME/DEPARTMENT):	
SUBJECT (ATTACH ANY RELEVANT BACKGROUND MATERIALS):	
Have you received or been promised any compensation or anything else of value, including money or gifts, related to the topic you are appearing and speaking about at public comment? Yes ____ No ____	
SIGNATURE:	

Deliver to:
 Agenda Development Office
 County Administration Bldg. 3rd Floor,
 201 S. Rosalind Ave.
 Orlando, FL 32801

Or mail to:
 Agenda Development
 P.O. Box 1393
 Orlando, FL 32802-1393

 Or FAX: 407-836-2899

PLEASE NOTE: Florida has a very broad public records law (F. S. 119). This document is a public record and may be disclosed to the public and media at any time.



Orange County Public Hearing NOTICE OF INTENT TO SPEAK AT PUBLIC HEARING

Public Hearing Date: _____
 Public Hearing #: _____
 Name: _____
 Address: _____
 City: _____ State: _____
 Zip Code: _____
 E-mail Address: _____
 Subject To Be Addressed: _____

☐ FOR ☐ AGAINST ☐ INFORMATION

Have you received or been promised any compensation or anything else of value, including money or gifts, related to the topic or project you are appearing and speaking about at today's public hearing? ☐ YES ☐ NO

Public Comments

The Orange County Board of County Commissioners meets on Tuesdays beginning at 9 a.m. in the Commission Chambers located on the first floor of the Orange County Administration Center, and sets time aside for public comments.



Orange County Government
201 S. Rosalind Avenue
Orlando, FL 32801

407.836.5426
www.orangecountyfl.net

Orange County Board of County Commissioners

PUBLIC COMMENTS

Public Comment Procedures

- During the Public Comment period, citizens may offer comments on matters of public interest under the authority and jurisdiction of the Board, except for pending land use or procurement items.
- Each person seeking to make a public comment must first complete a Board Appearance Request Form.
- Each speaker will be given 2 or 3 minutes to speak, depending on the number of speakers.
- When your name is called, go to the podium and state your name and address for the record – your time will then begin. When the timer flashes red and the beeper sounds, your allotted time has expired.
- You cannot donate your time to other speakers.

Thank you for your cooperation!

Public Hearings

The Orange County Board of County Commissioners meets on Tuesdays at 2 p.m. to conduct public hearings in the Commission Chambers located on the first floor of the Orange County Administration Center.



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Orange County Board of County Commissioners

PUBLIC HEARING COMMENTS

Public Hearing Appearance Procedures

- Citizens may offer comments at any public hearing being heard by the Board that day.
- Each person seeking to speak before the Board on a particular hearing must first complete the Notice of Intent to Speak card.
- Each speaker will be given 2 or 3 minutes to speak, depending on the number of speakers.
- When your name is called, please go to the podium and state your name and address for the record – your time will then begin. When the timer flashes red and the beeper sounds, your allotted time has expired.
- If you wish to donate your time to another speaker, you must indicate the name of the designated speaker on the sign-in card. By doing so, you allot one additional minute to the designated speaker and forfeit your remaining time. You must be present when the designated speaker is called. A designated speaker is limited to a maximum of 10 minutes.

Thank you for your cooperation!

Comentarios Públicos

La Junta de Comisionados del Condado de Orange se reúne los martes desde las 9 a.m. en la Cámara de la Comisión localizada en el primer piso del Centro de Administración del Condado de Orange, y establece un tiempo para comentarios públicos.



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JUNTA DE COMISIONADOS DEL CONDADO DE ORANGE

COMENTARIOS PÚBLICOS

Procedimientos

- Durante el período de comentarios públicos, los ciudadanos pueden ofrecer comentarios sobre asuntos de interés público bajo la autoridad y jurisdicción de la Junta, con excepción de asuntos pendientes relativos al uso del terreno ó adquisiciones y/o contrataciones públicas.
- Cada persona que desee hacer un comentario público debe completar primero un *Formulario de Solicitud de Presentación ante la Comisión*.
- Cada persona tendrá de 2 a 3 minutos para hablar, dependiendo del número de personas interesadas en hablar.
- Cuando llamen su nombre, vaya al podio e indique su nombre y dirección para que conste en acta – su tiempo comenzará a partir de ese momento. Cuando la luz roja parpadee y suene el indicador, su tiempo asignado ha concluido.
- Usted no puede donar su tiempo a otras personas.

POR FAVOR, REGÍSTRESE EN EL MOSTRADOR DE INFORMACIÓN

Audiencias Públicas

La Junta de Comisionados del Condado de Orange se reúne los martes a las 2 p.m. para llevar a cabo audiencias públicas en la Cámara de la Comisión localizada en el primer piso del Centro de Administración del Condado de Orange.



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JUNTA DE COMISIONADOS DEL CONDADO DE ORANGE

COMENTARIOS DE AUDIENCIA PÚBLICA

Procedimientos

- Los ciudadanos pueden ofrecer comentarios en cualquier audiencia pública celebrada ante la Junta ese día.
- Cada persona que desee hablar ante la Junta sobre una audiencia en particular deberá primeramente completar una tarjeta de *Aviso de Intención de Comparecer*.
- Cada orador tendrá 2 o 3 minutos para hablar, dependiendo del número de personas interesadas en hablar.
- Cuando llamen su nombre, vaya al podio e indique su nombre y dirección para que conste en acta – su tiempo comenzará a partir de ese momento. Cuando la luz roja parpadee y suene el indicador, su tiempo asignado ha concluido.
- Si usted desea donar su tiempo a otro orador, deberá indicar el nombre de la persona designada en la tarjeta de registro. Al hacer esto, usted concede un minuto adicional a la persona designada y pierde el resto del tiempo asignado. Usted deberá estar presente cuando la persona designada para utilizar su tiempo sea llamada. Un orador designado está limitado a un máximo de 10 minutos.

POR FAVOR, REGÍSTRESE EN EL MOSTRADOR DE INFORMACIÓN