



# City of Pensacola

## City Council Workshop

### Agenda

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Wednesday, February 15, 2023, 5:00 PM

Hagler Mason Conference Room,  
2nd Floor

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The meeting can be watched via live stream at [cityofpensacola.com.video](http://cityofpensacola.com.video).

#### CALL TO ORDER

#### SELECTION OF CHAIR

#### DETERMINATION OF PUBLIC INPUT

#### DISCUSSION OF...

1. [23-00159](#) HANDBOOK FOR APPOINTED BOARDS, COMMISSIONS AND AUTHORITIES  
**Sponsors:** Delarian Wiggins  
**Attachments:** [BOARDS HANDBOOK \(002\)](#)
2. [23-00162](#) SHORT TERM RENTALS  
**Sponsors:** Charles Bare

#### ADJOURNMENT

*If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.*



## Memorandum

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**File #:** 23-00159

City Council Workshop

2/15/2023

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### **DISCUSSION ITEM**

**SPONSOR:** City Council President Delarian Wiggins

**SUBJECT:**

HANDBOOK FOR APPOINTED BOARDS, COMMISSIONS AND AUTHORITIES

**SUMMARY:**

The Handbook for Appointed Boards, Commissions and Authorities is designed to provide a standardized operating procedure for all of Council appointed Boards, Commissions and Authorities, unless otherwise dictated by State Law, i.e. Pension Boards.

A Standardized Rules and Procedures manual for each board is currently being developed by staff, with the handbook serving as guidance.

The goal of the handbook is to, where possible and practicable, mirror City Council's Rules and Procedures with individual adjustments, where dictated, by the nuances of an individual Board, Commission or Authority.

Recently, a set of Rules and Procedures were adopted by both the Redistricting Commission and the Charter Review Commission.

Coinciding with the approval of the Handbook, when presented for Council Consideration, will be amendments to the enabling ordinances, where required.

**PRIOR ACTION:**

June 11, 2020 - City Council discussed the handbook and provided input for suggested changes, additions, and deletions

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

1) Draft: Handbook for Appointed Boards, Commissions & Authorities

**PRESENTATION:** No



# Handbook for Appointed Boards, Commissions & Authorities



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## INTRODUCTION

The City Council appoints members to the City's Boards, Commission and Authorities. These bodies have functions from being advisory in nature to quasi-judicial in form. Each has its own function, role and responsibility that must be maintained for efficient and effective operations. Remaining focused on the roles, responsibilities and reporting tract helps to ensure that each Board, Commission or Authority is functioning in accordance with Council directives, City code and the City Charter.

All City of Pensacola Boards, Commissions, Authorities and Task Forces (hereinafter referred to a "Board") serve at the pleasure of the City Council. Each of these entities was created for a different reason and has defined relationships and responsibilities. Each appointed body has a specific scope of authority as provided by City Ordinance, State Statute or Council action. These bodies do not set policy, but rather serve as Council representatives for their specific discipline, serving as a citizen sounding board where appropriate.

## DEFINITIONS

**Quasi-Judicial** – When a governmental body (such as the Planning Board or Architectural Review Board) applies law to a particular set of facts or circumstances to reach a decision, the decision is "quasi-judicial" because the governmental body is taking an action similar to that taken by a judge. "Quasi" means nearly, almost, or like. Traditionally, "court like" procedures of government have come to be known as "quasi-judicial" because they are like those procedures used by courts.

**Quadi-Judicial proceedings** -- Among other things, Boards functioning in a quasi-judicial capacity are responsible for taking action to approve or deny certain types of site plans or other requests as required by City Code, as well as making recommendations to the City Council on Zoning map amendments. These actions involve the application of law to a certain set of circumstances.

The Florida Supreme Court recognized that decision of local government that apply law to specific circumstances such as zoning changes are judicial in nature. The Supreme Court decided these "quasi-judicial" decision should be made in proceedings conducted with most of the same protections available to those persons who are presenting a case in court. These protections include the right to have all witnesses testify under oath, the right of opposing sides to ask questions of each other's witnesses, and the right of each side to hear everything said to the decision maker.

**Boards** – Boards serve in an advisory and/or investigatory capacity to the City Council. They can also function in a quasi-judicial capacity. Boards are usually standing bodies, involved with ongoing subject areas.

**Commissions** -- Commission may have administrative, quasi-judicial or advisory powers based on the enabling ordinance or council action. Commissions are standing or permanent bodies, involved with ongoing subject areas.

**Committees** – Committees are usually temporary bodies organized according to specific goal's accomplishment. Committees usually act in an advisory and/or investigatory capacity.

**Task Force** -- Task Forces are specific bodies designed to aid in accomplishing a specific goal, policy, or project. Task Forces are not usually standing bodies, unless the nature of the subject area dictates otherwise.

## **BOARD, COMMISSION AND AUTHORITY APPOINTMENT INFORMATION**

Important information a citizen would need to know regarding appointment to a Board, Commission, Authority or Task Force:

- (a) All appointments require formal action of the City Council.
- (b) Terms of office for individual Boards will be set forth in the enabling legislation or council action. Based on the term of office, in no event shall an individual board member serve more than twelve (12) years on a single board.
- (c) The City Clerk's Office will send out notices for openings for Boards. Incumbent members will be required to file an application of interest to the City Clerk, prospective new members will need to file an application of interest and will be required to be nominated by a City Council member.  
  
\*\* Please note – a request by an incumbent to remain on a board is not a guarantee of reappointment, that determination is solely at the discretion of the City Council
- (d) The size of any Board will be set forth within the enabling legislation or council action.
- (e) City Boards will reflect, to the greatest extent possible, diversity in makeup.

- (f) Where the City Code or Council action is silent to residency, individuals appointed to Boards must reside within the city limits of Pensacola; excepting those specialty positions set forth in the enabling legislation or council action.

## **APPLICATION**

The City Clerk's office maintains a file of all interested citizens for boards. An interested citizen should complete an application of interest and submit it to the City Clerk. As vacancies arise, notice will be provided to the City Council and general public. An applicant meeting all the qualifications and who, where required have been nominated by a member of the City Council, will be presented to the City Council as a body. To be appointed an applicant must receive a majority vote of the existing membership of City Council. Applications can be accessed via the City of Pensacola website at [www.cityofpensacola.com](http://www.cityofpensacola.com), under the City Government – Boards & Commission tab. Or by contacting the City Clerk's Office:

City Clerk's Office  
222 W. Main St.  
Pensacola, FL 32502  
(850) 435-1606

## BOARDS, COMMISSIONS, AND AUTHORITY'S LISTING

### **Architectural Review Board**

**Description** The Architectural Review Board approves or disapproves plans for buildings to be erected, renovated, or razed which are located, or to be located, within the historic districts, preservation districts, and the Governmental Center District.

**Membership** Seven members, appointed by the City Council. Two (2) members are nominated by West Florida Historic Preservation, Inc., each of whom shall be a resident of the City of Pensacola; one (1) member shall be either a member of the City Planning Board, or a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; two (2) members shall be registered architects, each of whom shall be a City resident; one (1) member who is a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; and one (1) member who is a property or business owner in the Palafox Historic Business District or the Governmental Center District.

**Term of Office** Two years

### **Code Enforcement Authority**

**Description** Louis F. Ray, Jr. is the Special Magistrate Judge for the City of Pensacola's Code Enforcement Authority.

### **Construction Board of Adjustment & Appeals**

**Description** The Construction Board of Adjustment and Appeals reviews and grants or denies applications for variances and waivers of all technical codes, including the building code, the plumbing code, the gas code, the mechanical code, the electrical code, the minimum housing code, the unsafe building abatement code, and the swimming pool code; however, not the life safety and fire prevention codes. Serves as the regulation and discipline board for holders of City plumbing and gas certificates of competency. Reviews the appeals of the interpretation of the Building Official in regards to technical codes.

**Membership** Seven members and two alternates, appointed by the City Council. The board shall be comprised as follows: one (1) registered architect, one (1) registered professional engineer, one (1) general or building contractor, one (1) electrical contractor, one (1) plumbing and gas contractor, one (1) mechanical contractor and one (1) member at large from the public. Alternates shall be one (1) member at large from

the construction industry and one (1) member at large from the public. Board members are not required to be City residents

**Term of Office** Three years (alternates serve two-year terms)

### **Eastside Redevelopment Board**

**Description** The Eastside Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas. (Ord. #09-13 adopted 3/14/13)

**Membership** The Eastside Redevelopment Board shall consist of five (5) members: Two (2) homeowners and one (1) owner of a business located within the Eastside Neighborhood TIF District area appointed by the City Council; one (1) representative of the Eastside Neighborhood Improvement Association designated by the association; and one (1) member of City Council.

**Term of Office** Three years

### **Environmental Advisory Board**

**Description** The Environmental Advisory Board may review and make recommendations to the City Council and Mayor on environmental policy issues as follows:

- (1) Proposed ordinances and codes of an environmental nature.
- (2) Proposed changes to existing environmental ordinances and codes.
- (3) Other environmental matters affecting the city referred to the Board by the City Council and Mayor.
- (4) Other environmental matters affecting the City that are initiated by the Board and approved by the City Council and/or Mayor.

**Membership** The Board shall be composed of nine (9) members appointed by the City Council: Five (5) members who are employed or retired environmental professionals, or members of local environmental organizations or businesses with an interest in City environmental issues. To the extent practicable, members will be residents or property owners of the City. Four (4) at-large members who are residents or property owners of the City.

**Term of Office** Two years

### **Fire Pension Board of Trustees**

**Description** The Board of Trustees for the Firemen's Relief and Pension Fund oversees the administration of the Firemen's Pension Plan and investment of Pension Funds.

**Membership** Five members; two (2) appointed by the City Council; two (2) elected by firefighters; and one (1) appointed by other four members.

**Term of Office** Two years – Term limits shall not apply to Pension Board Trustees.

### **Fire Prevention Board of Appeals**

**Description** The Fire Prevention Board of Appeals was established by Council ordinance as a Board of Appeals to review grievance regarding the decisions of the Fire Marshal.

**Membership** Five members and two alternates, appointed by the City Council. Members shall have expertise in building construction and fire safety standards. No more than one member or alternate shall be engaged in the same business profession, or line of endeavor.

**Term of Office** Three years

### **General Pension Board of Trustees**

**Description** The General Pension Board of Trustees oversees administration of the General Pension Plan and investment of Pension Funds.

**Membership** Six members; three (3) are appointed by City Council and one (1) by the Council President. The remaining two (2) members are elected by employees participating in the general pension plan.

**Term of Office** Six years (Council appointees); Two years (Employee representatives); The Council President's appointee serves at the Council President's pleasure. Term limits shall not apply to Pension Board Trustees.

### **International Relations Advisory Board**

**Description** The International Relations Advisory Board serves as a clearing house for the City with its six sister cities, international communities and organizations. The IRAB will assist elected officials and staff to coordinate contracts with international guests,

coordinate official dignitary visits with foreign offices of protocol, promote positive community relations with international trade, economic and community development through educational and cultural exchanges and serve as official ambassadors for the City with foreign dignitaries and other official international visitors.

**Membership** Five members, appointed by the City Council. Members are not required to be City residents.

**Term of Office** Two years

### **Parks & Recreation Board**

**Description** ~~The Parks and Recreation Board shall advise and make recommendations to the City Council and shall advise the Mayor's office via the Director of Parks and Recreation on matters concerning the establishment, maintenance and operation of parks and recreation within the city. The board shall provide input on master plan updates and improvements, and policy development for the use of recreational facilities.~~

Members of the parks and recreation board shall engage with the citizens of Pensacola and be liaisons to the public, participate in city events, attend neighborhood meetings, and encourage recreational activities across our park system. The parks and recreation board shall review developing plans and budgets and advise and make recommendations to the city council with timely reports, and shall advise the mayor on matters concerning the establishment, maintenance and operation of parks and recreational activities within the city. The board, based on informed review, shall also provide input to staff, council and mayor on master plan updates and improvements, and policy development for the use of recreational facilities.

**Membership** Nine members, appointed by the City Council.

**Term of Office** Three years

### **Planning Board**

**Description** The Board advises the City Council concerning the preparation, adoption, and amendment of the Comprehensive Plan; reviews and recommends to Council ordinances designed to promote orderly development as set forth in the Comprehensive Plan; hears applications and submits recommendations to Council on the following land use matters: proposed zoning changes, proposed amendments to zoning ordinance, proposed subdivision plats and proposed street/alley vacations. Board initiates studies on the location, condition, and adequacy of specific facilities of the area, i.e., housing, parks, public buildings. Board schedules and conducts public meetings and hearings

pertaining to land development and hears variance requests within the Gateway Redevelopment District and the Waterfront Redevelopment District.

**Membership** Seven members, appointed by the City Council.

**Term of Office** Two years

### **Police Pension Board of Trustees**

**Description** The Board of Trustees of the Police Officer's Retirement Fund oversees the administration of the Police Pension Plan and investment of Pension Funds.

**Membership** Five members; two (2) appointed by City Council; two (2) elected by police officers; one (1) appointed by other four members.

**Term of Office** Two years -- Terms limits shall not apply to Pension Board Trustees.

### **Urban Core Redevelopment Board**

**Description** The Urban Core Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas.

**Membership** The Urban Core Redevelopment Board shall consist of members appointed by the City Council. One member shall be a member of City Council. The following areas shall each have a member representing it on the Board: Belmont DeVilliers Area (one seat); Central Business Area (one seat); East Hill Area (one seat); Gateway Area (one seat); Historic District – Aragon Area (one seat); Long Hollow Area (one seat); North Hill Area (one seat); Old East Hill Area (one seat); Tanyard Area (one seat); Waterfront Area (one seat). Members appointed to these seats shall be residents or owners or operators of businesses located within the Urban Core CRA neighborhood in which they represent. No member shall be a paid employee of the City. No Area may be represented by more than one member at a time; should no eligible person be identified to serve for a particular Area, then that seat shall remain empty until such time as an eligible person is appointed to serve.

**Term of Office** Three years

## **Westside Redevelopment Board**

**Description** The Westside Redevelopment Board was established pursuant to the requirements of Florida Statute 163.2517 (2)(a)(b) regarding a community participation process that provides for the ongoing involvement of stakeholder groups in urban infill and redevelopment areas. (Ord. #33-14 adopted 9/11/14)

**Membership** The Westside Redevelopment Board consists of seven (7) members: Six (6) members who are redevelopment area residents, members of area neighborhood associations, or owners or operators of businesses located in the redevelopment area; and one (1) member of City Council.

**Term of Office** Three years

## **Zoning Board of Adjustment**

**Description** The Zoning Board of Adjustments reviews and grants or denies applications for variances, waivers, and special exceptions to the Land Development Code. The Board hears and decides on appeals when it is alleged that there is error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the Land Development Code.

**Membership** Nine members, appointed by the City Council. Members must be residents or freeholders of the City.

**Term of Office** Three years

## **GENERAL OPERATING PROCEDURES**

### **Selection of a Chairperson**

The Chairperson (Chair) of any board is crucial to an efficiently run meeting. The board shall elect a chairperson and vice-chairperson from among its members on an annual basis. A nomination of a board member will be made, an affirmative vote of a majority of the existing membership is necessary for approval.

### **Powers of the Chairperson**

The chair is responsible for conducting the meeting and acting as liaison between staff and the board. The chair also has the power to limit discussion during the meeting to the main issue under consideration and to end debate when it ceases to be productive. The presiding officer has the right to make and second motions, participate in debate and vote on all matters before the board. Robert's Rules of Order will be used as a guide for parliamentary procedures by all boards.

### **Attendance**

At the beginning of each meeting, roll call shall be taken and absences noted. In order to be an effective board, regular attendance by the members is expected. The following governs attendance at meetings:

- (a) Regardless of the meeting frequency of the board, no member shall miss in excess of 25% of the boards meetings within a twelve (12) month period ~~When a member has been absent for three (3) or more meetings within a six (6) month period (for boards meeting monthly) or two (2) meetings within a twelve (12) month period (for boards meeting quarterly),~~ attendance information shall be communicated to the Council Executive by the Board Chair or city staffing member of that board. The Council Executive will contact the board member to ensure their status and desire to remain on the board has not changed and to ascertain the reasons for the absences. This information will be relayed to City Council who may, at their discretion, treat such absences as the member's resignation.

- (b) Resignations shall be submitted, in writing, to the City Clerk and Council Executive. Resignations shall be effective when submitted or on the date requested by the board member to become effective. Upon notice of vacancy, the City Clerk will follow the normal process for filling a vacancy.

### **Voting and Quorum**

A majority of the existing membership as designated by Ordinance or Council Action shall constitute a quorum for the transaction of business. For each board meeting, the determination of a quorum should follow immediately after the roll call. If there is not a quorum present, the Chair can call the meeting to order, announce the absence of a quorum and share information without formal action, pending the establishment of a quorum or adjourn the meeting.

For an item to pass, it must obtain the affirmative vote of the majority of the existing membership of the board. In accordance with guidance from the Attorney General's Office, if a board member is present (within the building) and no conflict of interest exists, the board member must cast a vote on items coming before them.

Vote results should be announced and recorded in a way that reflects the vote of those present. For example, if 5 board members are present on a 7-member board, the results should reflect that the item passes 5-0 with two members absent. It should not be reflected as the item passes unanimously, as not all members were present. If all members are present and an item passes 7-0, then a unanimous result is appropriate.

## **PUBLIC INPUT AND PARTICIPATION**

All meetings of Boards must be open to the public. All boards shall allow for full and ample opportunities to receive public input at board meetings. The public shall be afforded a reasonable opportunity to provide input on any agenda item or action item prior to a vote or action being taken. In addition, there shall be an Open Forum opportunity for members of the public to provide input on items not on the agenda, in a reasonable and orderly manner.

## **RULES AND PROCEDURES**

Each board will have a set of rules and procedures which have been approved by the City Council, these rules and procedures will supersede any existing rules, guidelines, or bylaws. Any proposed amendments to the rules and procedures must be approved by the City Council before becoming effective. When an issue arises that the boards rules and procedures are silent on, the City Council rules and procedures shall take precedence.

## **CODE OF ETHICS**

All board members shall be subject to the Code of Ethics established and incorporated by Chapter 2-6 of the Code of Ordinances of the City, as amended from time to time, and as authorized by the Charter of the City and contemplated by Sec. 2-6-3 of the Code of Ordinances. Further, board members shall be provided with annual ethics and Sunshine Law training by a member of Council staff or the City Attorney's Office.

## **REMOVAL OF BOARD MEMBERS**

Removal of board members shall be in accordance with Florida Statute Sec. 112.501 and/or the policy and procedures set forth by the City Council.

## **PENSACOLA IN THE SUNSHINE**

Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. The law is equally applicable to elected and appointed Boards and has been applied to any gathering of two (2) or more members of the same Board to discuss some matter which will foreseeably come before that Board for action. There are three basic requirements of §286.011, Florida Statutes:

1. Meetings of public Boards and Commissions must be open to the public;
2. Reasonable notice of such meetings must be given; and
3. Minutes of the meeting must be taken.

The law applies to elected and appointed Boards of any government agency in the state of Florida. It equally binds advisory boards whose powers are limited to making recommendations to a public agency and which possess no authority to bind that agency.

Even though an Advisory Board must submit their recommendations for review by an elected body it does not exempt them from the provisions of this law.

Meetings are defined as any gathering whether formal or casual of two (2) or more members of the same Board to discuss some matter on which foreseeable action will be taken by the public board. This rule extends to telephone conversations and e-mail

communication, and even instant messaging conversations, whether on person or public devices. This can extend further to a casual lunch between two (2) members of a Board – if they discuss some issue that the appointed body to which they belong, that lunch becomes a public meeting and is subject to all the provisions of the Sunshine Law.

While this may seem very restrictive, it is not the case. Appointed members of Boards must remain aware of with whom they are communicating and what is being discussed. The safest course of action is to avoid discussion about matters that will come before the advisory body, with other members of the body, except when attending a meeting of that body. Should questions arise about this law, contact staff with your concern.

## **CONFLICT OF INTEREST**

*Generally, a conflict of interest exists when a board member influences a decision of the board that will (or has the potential to) materially affect the individual's financial interest. Questions involving conflicts of interest are each unique unto themselves, and each potential conflict must be considered individually in order for proper legal guidance to be given. Any Board member who has a question concerning a possible conflict of interest may contact the City Attorney's Office or a private attorney, and should do so immediately.*

## **DEFINITIONS**

### **Breach of public trust –**

A violation of a provision of the State Constitution or Florida Statutes which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests.

### **Business Associate –**

Any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venture, co-owner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### **Conflict or conflict of interest –**

A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

### **Material interest—**

A direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.

**Public Officer –**

Any person elected or appointed to hold office in any agency, including an advisory body.

**Relative –**

Means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, or wife.

Section 112.3143(3)(a), Florida Statute, prohibits a county, municipal or other local public officer from voting on any measure which inures to his or her special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal or parent organization or subsidiary of a corporate principal, other than a public agency, by who he or she is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the officer. An exception exists for a commissioner of a community redevelopment agency created or designated pursuant to Sec. 163.356 F.F. or Sec 163.357 F. S. or an officer of an independent special tax district elected on a one-acre, one-vote basis. Section 112.3143(3) (b), F.S.

Florida law requires that all persons appointed to boards disclose any financial interests they have by filing disclosure forms and must abstain from participating in any matters before their board that may have an impact on their financial interest. In effect, if a board member does business with a person or business coming before the board, it is essential for that member to not participate in the proceedings, or the individual will be in violation of the law. In addition, members of boards are required to abstain from voting when a conflict of interest is involved. This means that they may not vote on any matter which may have an impact on themselves, a family member, or someone who retains their services.

When an individual abstains from voting, a voting conflict form 8B provided by the City, must be completed and returned within 14 days after the vote occurs. This form must be attached to the official minutes of the meeting.

If you believe you have a possible conflict of interest in any matter before your advisory body, contact the City Attorney's officer or City Clerk's office before taking any official action on the matter where the conflict may exist.

## **STEPS TO RESOLVE A CONFLICT OF INTEREST**

Notwithstanding the provision of Sec. 112.3143, Florida Statutes, or subsequent superseding legislation, a board member required to abstain from a vote by Florida law shall make his or her disclosure at the commencement of the discussion of the conflicted item and shall not participate in the discussion. The board member must complete a FORM 8B and submit it to the City Clerk's Office within 15 days of the abstention. The requirement for board members to vote, minus a required abstention, shall be consistent with Attorney General's opinions regarding this matter.

### **Who Must File Form 8B**

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, committee or task force. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

<b>IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:</b>
--

1. You must complete and file Form 8B (before making any attempt to influence the decision) with the person responsible for recording the minutes or the meeting, who will incorporate the form in the minutes.
2. A copy of the form must be provided immediately to the other members.

3. The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete Form 8B and file it within 14 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## EXPECTATIONS FOR BOARD MEMBERS

Citizen input on City programs and services are vital to ensuring their relevance, efficiency and effectiveness to the community. Using citizen Boards on various issues is an important way for the City Council and City of Pensacola administration to receive and consider citizen input.

Serving on a City of Pensacola Board is always challenging and rewarding. The information given below should help board members understand some of the expectations the City of Pensacola has for them in their respective roles.

1. Every member has a valuable contribution to make and each member should respect and consider each other's input in a particular subject. Boards are expected and encouraged to respect the diversity of opinions of each member.
2. Members are expected to seek out and consider input from citizens interested in an issue or parties impacted by actions of the body prior to making a final determination on an issue.
3. Boards represent the City of Pensacola and the Pensacola City Council, in their appointed roles. All members are expected to conduct themselves in a manner that demonstrates **respect, integrity, teamwork, and competence**.
4. Members should periodically take the time to set realistic and achievable goals and allow enough time to do a good job on each issue.
5. Board members are asked to regularly attend all meetings. Members should notify staff prior to the meeting about potential absences.
6. All persons involved in Boards should treat each other with fairness and respect. Interactions between Board members and City staff not meeting this standard should be brought to the attention of the Council Executive.

7. Board members are expected to stay within the guidelines and roles set forth for their particular board.

## **EXPECTATIONS FOR BOARD CHAIRPERSONS**

Chairpersons of Boards have several important responsibilities, which are essential to the effectiveness of the respective group. These responsibilities include:

1. Conduct meetings in an efficient manner, focusing on the issues relevant to the functions and mission.
2. Regulate and facilitate discussion among board members to ensure that all viewpoints are represented. Give each member the opportunity to express ideas and/or concerns on issues that are being considered by the Board.
3. Provide an opportunity for the public to be heard both during the open forum portion of the meeting and prior to a vote being taken on any given item.
4. Ensure compliance with the “Government in the Sunshine” laws.
5. Ensure compliance with appropriate rules and procedures.
6. Assist in orienting new board members about the function, role and mission of the board.
7. Assist in mediating conflicts or disputes between members during meetings.
8. Serve and primary contact with staff.

## OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES

1. When an item or topic is first introduced or a main motion is made, allow all question for information purposes to be asked before opening to debate.
2. Discourage the repetition of arguments. Attempt to call on people what have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate. Members are not recognized to speak but through the Chairperson.
3. If debate carries on too long, impose time limits on speakers.

## MEETING PROCEDURE

It is important that all organizations have underlying organizational structure and procedures. Robert's Rules of Order will be a guide for all boards. The guidelines below provide guidance for members and the general public. Some City boards currently use a similar format that is given below. This list has been created to provide a framework for board procedures:

The following three (3) points are always in order:

1. **Point of Order:** a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process. Can only be called by a Board member.
2. **Point of Information:** a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know.
3. **Point of Personal Privilege:** a comment addressing a person need – a direct response to a comment defaming one's character, a plea to open the windows, etc.

## MOTIONS

All motions must be seconded and are adopted by a majority vote of the existing membership of the board. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e. don't do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules)).

1. **Motion to Adjourn:** not debatable; goes to immediate majority vote. If all business has concluded, the Chairperson may adjourn the meeting without a motion.
2. **Motion to Recess:** not debatable. May be for a specific time.
3. **Motion to Appeal the Facilitator's Decision:** Not debatable; goes to immediate vote and allows the body to overrule a decision made by the chair.
4. **Motion to Suspend the Rules:** suspends formal process for dealing with a specific question. Debatable; requires simple majority vote.
5. **Motion to End Debate and Vote or Call the Question:** applies only to the motion on the floor. Not debatable; requires simple majority vote.
6. **Motion to Extend Debate:** can be general, or for a specific time or number of speakers. Not debatable.
7. **Motion to Amend:** must be voted for by a majority to be considered and by a simple majority to be passed: If amendment is accepted as "friendly" by the proposer of the amendment then many bodies will allow it to be accepted without formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.
8. **Main Motion:** what it is you're debating and amending.
9. **Voice Vote:** The form of voting on a motion by which the Chairperson asks those in favor to respond to the motion in question by saying "aye" and then asks those opposed to the motion to say "no." If the "ayes" have the majority, the Chairperson will state that the motion has passed. If the prevailing side is negative, the Chairperson will state that the motion has failed. The vote should be announced and recorded according to the number of members present. (I.e.

If 5 members of a 7-member board are present and a motion passes 5-0, the vote should be recorded as passing 5-0 with two (2) absent).

- 10. Roll Call Vote:** The form of voting on a motion by which the Chairperson request staff to conduct a vote by calling the roll. Each member answers as their name is called and staff records their vote. An entry must be made in the minutes of each member and how they voted. This method of voting is very time consuming and is not normally used.

## **HELPFUL LINKS**

City of Pensacola website, calendar, forms, information:

[www.Cityofpensacola.com](http://www.Cityofpensacola.com)

Code of Ordinances and Land Development Code:

[www.municode.com](http://www.municode.com)

State of Florida Ethics

[www.ethics.state.fl.us](http://www.ethics.state.fl.us)



Memorandum

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**File #:** 23-00162

City Council Workshop

2/15/2023

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**DISCUSSION ITEM**

**SPONSOR:** City Council Member Charles Bare

**SUBJECT:**

SHORT TERM RENTALS

**SUMMARY:**

The rapid growth of short-term rentals in cities and towns across Florida and the U.S. has been the topic of much debate.

As short-term rentals have become more accessible to both hosts and users, the prevalence of short-term rentals in cities has increased over a short period. But the quick success of short-term rental platforms has not always been welcomed by everyone.

Some common complaints seen nationwide are that short-term rentals can drive up local rents, limit the availability of longer-term residential rentals, and have an effect on available housing stock. The challenge for local leaders seems to be the balancing of competing priorities - housing affordability and availability, neighborhood wellbeing and health and safety, resident and short-term rental owners competing interests (at times) makes considering appropriate regulations, along with this balancing act, difficult.

This workshop allows the City Council to begin this discussion.

**PRIOR ACTION:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

None

**PRESENTATION:** No