



ADVISORY BOARD HANDBOOK

CITY OF BARTOW, FLORIDA

Congratulations on your appointment to a City of Bartow Advisory Board!

The City of Bartow City Commission is pleased that you are willing to serve in this important advisory capacity. We have confidence in your ability to study all sides of the issues and make recommendations based on your insight and experience as a concerned member of the community. You are about to begin a challenging and rewarding experience and we want to thank you in advance for all the time, thought and effort you undoubtedly will devote to this appointment.

The City's staff provides a thorough analysis of the issues so that decisions can be made based on the best information available. The City Commission and its advisory boards are concerned about the City and want to have a hand in shaping its future.

Membership on an advisory board is a satisfying and challenging experience, as well as a responsibility. Advisory board members are responsible for regularly attending all meetings, understanding their functions, and consistently working and voting in a manner that will contribute to the betterment of the community.

As an advisory board member, you are part of a team. It is your job to assist the City Commission and staff in carrying out their obligations to the citizens of the City of Bartow. Advisory board members serve as a vital link in providing citizen input on decisions. Your attendance at each board meeting is critical in carrying out your responsibilities. A quorum of your board is necessary to hold a meeting and if members are absent the meeting must be postponed, re-advertised and noticed which is costly for both the city and the citizen whose issue is to come before the board. Thank you for taking on these responsibilities.

You are probably eager to get to work immediately. This handbook has been prepared to make your new assignment easier. It presents information about operating departments and lets you know about other advisory boards. We hope that you will find it helpful.

Cordially,

City of Bartow

INTRODUCTION

Welcome to public service!

While you will find that your role requires time, effort, and some long meetings, it also provides an opportunity for genuine public service. You will be able to help shape the future of the City of Bartow and to make decisions affecting every citizen's satisfaction with the City. The City needs your personal resources and enthusiasm to maintain the qualities of the City which are enjoyed by its residents.

As will be seen, a large share of community effort is accomplished by volunteers like you who serve as advisors to the City in the formulation of policy. The performance of public service brings with it the feeling of contribution and you will most likely develop a close relationship with other volunteers, all working towards a common goal of providing for the community, its citizens and its future.

As a board member, you are essential to the City's commitment to developing policies and services which reflect the needs and values of the community. In carrying out your responsibilities, you will work closely with your fellow board members, the City Commission, and staff – all of whom play a critical role in the City's organization.

The purpose of this handbook is to provide you with information on the City and its government and to introduce you to your role as a board member. It includes a general history of the City and a description of its government and administration. Most of the handbook is directed specifically to board members and discusses the specific role, operating procedure, and the responsibilities of board members.

We think that you will enjoy your role as a board member and that at the end of your term, you will find that you have played an important part in shaping the City of Bartow's future.

HISTORY

The City now called Bartow was founded in October 1851 as Fort Blount, a stockade established by Readding Blount and his family. In the 1850's the first permanent new settlers came to the area near the headwaters of the Peas River or Peace River and established Fort Blount. This settlement was somewhat stalled by the American Civil War a decade later, although the Polk County government, named after President James Polk, was established in 1861.

After the war, in 1867, the county commissioners decided the county seat should be named after General Frances Bartow, the first Confederate officer to die in the war, and so, the name of Fort Blount was changed to Bartow. A bronze marker at the corner of Main Street and Floral Avenue, about a quarter mile west of the old Polk County Historical Museum and Genealogical Library, commemorates the fort. Much of the community's history is attested to by the graves in the old Historic Oak Hill Cemetery. Many of the graves have Confederate

markers, reminders of this nation's Civil War. Gravesites include those of Readding Blount and Jacob Summerlin.

It has been suggested that few cities since Jamestown have produced as many prominent leaders per capita as Bartow. Among them are Spessard L. Holland, who served as governor of Florida and a United States Senator. Holland authored and secured passage of the 24th amendment to the United States Constitution, which outlawed the poll tax.

One of Holland's childhood classmates was James A. Van Fleet, who would become a four-star general and commander of the United Nations forces during the Korean War. At the time of this death at the age of 100, General Van Fleet was the nation's senior general officer.

Bartow was the site of the first brick schoolhouse south of Jacksonville. Named Summerlin Institute in honor of its benefactor, Jacob Summerlin, it opened in 1887. Summerlin, a cattle baron known as the King of the Crackers, gave 40 acres to be used for an institution of learning, 40 acres to be used for the establishment of a county seat, and 20 acres for each of the town's first two churches: the Methodist Church and the Baptist Church. The acreage given for county purposes was to ensure that Bartow would be the county seat.

Chesterfield H. Smith, one of the state's most prominent lawyers, lived in Bartow for most of his adult life. He was chairman of the Constitutional Revision Commission which wrote Florida's present State Constitution and was the moving force in what is now the Holland and Knight law firm. He also served as president of the American Bar Association. One of his law partners, Stephen H. Grimes, became chief Justice of the Florida Supreme Court. Grimes also lived much of his adult life in Bartow.

Bartow was also the home, for much of his life, of Major General Evander McIvor Law, a military leader in the Confederate Army who later established the South Florida Military Institute in Bartow. The institute later became a part of what is now the University of Florida.

At the time of his death in Bartow in 1979, Charles Smith was generally acknowledged to be the oldest living American. Brought to the United States as a young slave boy before the Civil War, he was believed to be 137 years old when he died.

Bartow appropriately named "City of Oaks and Azaleas," contains many historic homes built in the late 19th and 20th centuries.

With a population of more than 17,000, Bartow remains the county seat of one of Florida's geographically largest counties. Polk County has more than 585,000 residents. Thousands of governments and private business employees commute to Bartow daily. Production of phosphate, citrus and cattle are among the mainstays of the county's economy.

Bartow is 40 miles east of Tampa and 60 miles southwest of Orlando. It is strategically located at the intersection of U.S. 98 and State Road 60.

CITY GOVERNMENT

The City of Bartow operates under a Commission/Manager form of government. It provides the municipal government with both public direction from the City Commission and professional administration through the City Manager and staff.

A primary reason for the existence of municipal government is to provide services to the taxpayers that the taxpayers cannot provide for themselves, such as police and fire protection and water and sewer service. The services of municipal government can be readily observed in action, but the typical citizen is generally unaware of their scope. It is to this task of providing service that the City of Bartow addresses itself.

A. CITY COMMISSION

As a municipality, certain powers are placed in the hands of the elected City Commission. This authority comes directly from the Florida State Statutes and the City's Charter. The City Commission can declare certain acts illegal; it can tax and set costs for services rendered; it can condemn property for essential public needs; and it can regulate and determine how property can be used.

The City Commission acts as the governing body of the city, with all the regulatory and corporate powers of a municipal corporation and consists of five (5) members who are elected for three-year terms. Three (3) Commissioners are elected to represent the district in which they live but are elected by all the residents. Two (2) Commissioners are elected at large and can reside anywhere inside the city limits, elected by all the residents. The Mayor is chosen annually by the City Commissioners at the first meeting in May which is when any new Commissioners are installed into his/her office.

The City Commission is the policy-making body of the City and is held ultimately responsible for implementation of all programs and services provided by the city. The Commission approves all ordinances, resolutions and reviews, modifies, and approves the annual budget as prepared by the City Manager. The Commission reviews proposals for community needs, initiates actions for new programs and determines the ability to provide financing.

B. ADVISORY BOARDS/COMMITTEES/ COMMISSIONS

Advisory Boards/Committees/Commissions (hereinafter referred to as advisory boards) are standing bodies established and appointed by the City Commission to provide citizen input. The responsibilities of the members include but not limited to:

1. Providing recommendations to the City Commission and staff regarding special program areas.
2. Holding public hearings to solicit community input on current issues.
3. Identifying issues which the board believes should be addressed by the City Commission or staff.

The City Commission benefits by using advisory boards in their decision-making process by relying on these bodies to:

1. Focus attention on specific issues.
2. Encourage broad citizen participation through public hearings.
3. Weigh community values in making recommendations to the City Commission.

C. **STAFF**

The City's staff, under the direction of the City Manager, is responsible for carrying out the policies of the City Commission and implementing programs and services. As the City's chief executive officer, the City Manager is responsible for the day-to-day administrative affairs of the City, including assigning staff liaisons to assist the various advisory boards in carrying out their responsibilities. These liaisons, by virtue of their technical training and experience, are competent to provide such assistance. Advisory boards work closely with the staff liaisons.

D. **CHARTER OFFICERS**

A general explanation of the responsibilities of the appointed officials and departments is provided below.

1. **CITY MANAGER**

The City Manager is a charter officer appointed by the City Commission and serves for an indefinite period. S/He serves at the pleasure of the City Commission and is a non-elected, salaried position. The City Manager is the chief executive and administrative officer of the City government in all capacities, including the City's proprietary and governmental functions. The City Manager shall be responsible to the City Commission for the administration of all City affairs placed in the Manager's charge by the City Commission or the Charter. The City Manager's powers and duties include: 1) when necessary, appoint, suspend, demote, or dismiss a City employee or the Clerk or designee in accordance with law and the personnel rules of the City, and may authorize any department head to exercise these powers with respect to subordinates in that department; 2) direct and supervise the administration of all departments of the City except the offices of the City Auditor and City Attorney and shall attend all City Commission meetings unless excused by the Commission and shall have the right to take part in City Commission discussions, but not vote; 3) see that all laws, Charter provisions, ordinances, resolutions, and other acts of the City Commission subject to enforcement are faithfully executed; 4) execute contracts on behalf of the City pursuant to provisions of appropriate Ordinances or Resolutions; 5) prepare and submit the annual budget and capital program to the City Commission, and shall keep the City Commission fully advised as to the financial condition and future needs of the City, and shall make such recommendations to the City Commission concerning the affairs of the City as deemed desirable; 6) perform such other duties as are specified in the

Charter, as may be required by the City Commission, or as may be prescribed by Ordinance or Resolution.

2. CITY ATTORNEY

The City Attorney is a charter officer appointed by the City Commission. The City Attorney shall be a member in good standing of the Florida Bar and serves for an indefinite period. The City Attorney's powers and duties include: 1) be an attorney at law and a member in good standing of the Florida Bar; 2) be the legal advisor of and attorney and counselor for the City and for all officers in the departments thereof in matters relating to their official duties; 3) attend all regular and special called meetings of the City Commission; 4) when required to do so by the City Manager or City Commission, the City Attorney shall prosecute or defend for and in behalf of the City all complaints, suits and controversies in which the city is a party; 5) prepare all contracts, bonds and other instruments in writing in which the City is concerned and shall endorse approval of the form and correctness thereof on each; 6) perform such other professional duties as may be required by motion, Ordinance or Resolution of the City Commission, or as are prescribed for the City Attorneys under general law.

3. CITY CLERK

The City Clerk is a charter officer appointed by the City Manager and serves as the Clerk to the City Commission. The City Clerk shall also be the official records keeper of the City and custodian of the Charter, original copies of all Ordinances and Resolutions, and original copies of other City documents. The City Clerk's powers and duties include: 1) give notice of all meetings of the City Commission to members and the public as required by general law and shall attend all such meetings in person or by designee and shall keep minutes of the City Commission's meetings for recording in the City Commission's journal of proceedings; 2) authenticate by signature all documents of the City and shall perform such other duties as required by law or by the City Commission; 3) develop and keep a code of the Ordinances enacted by the City Commission and be the supervisor of elections for the City; 4) appoint, suspend, demote, or dismiss any employee in the office of the City Clerk in accordance with law and the personnel rules of the City; 5) prepare an annual budget for the operations of the office of the City Clerk and shall submit this budget to the City Manager for inclusion in the annual City budget upon the request of the City Manager or in accordance with the standard procedures of the City; 6) perform such other duties as are specified in the Charter, as may be required by the City Manager, or as may be prescribed by Ordinance or Resolution.

ADVISORY BOARDS, COMMISSIONS and COMMITTEES

BOARD DESCRIPTIONS

The City Commission appoints members to various boards, commissions and committees to encourage citizen involvement in the City's government for the purpose of formulating City

policy. The strength and success of the City of Bartow, to a large degree, is reflective of the quality of service performed by those who choose to get involved in the City government through volunteerism. Each advisory board is provided with staff members who are responsible for presentation of the issues, the preparation of agenda and transcribing minutes.

a. **BEAUTIFICATION ADVSIORY BOARD** (advisory)

Consists of five members who have staggered three-year terms. During the September 27 2023 meeting, this board acted to change the meeting schedule to meet quarterly (January, April, July & October) on the fourth Wednesday at 5:30 p.m. in the Commission Chambers located at City Hall. The powers and duties of the Beautification Board include: 1) continually study and make recommendations to the city commission, supported by plats and sketches when appropriate, regarding plantings and other related ways to beautify city-owned or controlled property and rights-of-way and new construction on private property classified as nonresidential; 2) perform such other duties with reference to beautification, not inconsistent with the Charter, as the City Commission may require. There is no special education or training to hold a position on this board.

b. **BUILDING AND HOUSING BOARD OF APPEALS** (quasi-judicial)

Consists of five members: one engineer, one architect and three members at-large from the construction industry, who have staggered three-year terms. The Board meets at the call of the chairman as needed in the Commission Chambers located at City Hall. The powers and duties of the Building and Housing Board of Appeals include: 1) providing the final interpretation of the provisions of the Standard Unsafe Building Abatement Code; 2) consider and determine appeals whenever it is claimed that the true intent and meaning of the Standard Housing Code or any of its regulations have been misconstrued or wrongly interpreted; 3) permit, in appropriate cases where the application of the requirement of this code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner, one or more extensions of time, not to exceed 120 days each, from the date of such decision of the board. Applications for additional extensions of time shall be heard by the board. Such requests for additional extensions of time shall be filed with the housing official not less than 30 days prior to the expiration of the current extension. The members of the Board do not have to file an annual Statement of Financial Interest.

c. **CITIZENS ADVISORY COMMITTEE** (advisory)

Consists of nine members who have staggered three-year terms. The Committee meets annually at the call of the chairperson in the Commission Chambers of City Hall. The Citizens Advisory Committee was formed to meet the requirement of the Community Development Block Grant program to provide citizen input for use of these funds. The grantee must develop and follow a detailed plan which provides for, and encourages, citizen participation and which emphasizes participation by persons of low-or-moderate

income, particularly residents of predominantly low-and-moderate income neighborhoods, slum or blighted areas, areas not meeting ADA compliance and areas in which the grantee proposes to use CDBG funds. The plan must: 1) provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds; 2) provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance; 3) provide for timely written answers to written complaints and grievances. Members of this Board do not have to file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board.

d. **COMMUNITY REDEVELOPMENT AGENCY** (administrative/advisory)

Consists of seven members who have staggered four-year terms. Term is limited to 2 consecutive terms. Meets the fourth Wednesday of each month at 8:00 a.m. in the City Commission Chambers located at City Hall. The Agency was created to promote redevelopment of slum and blighted areas as established by the Community Redevelopment Area and Plan. Funds are provided through increases in the valuation of taxable real property in both the City and County after the establishment of a base year tax value. The Agency is established for a 30-year period. The Agency has an executive director who administers the day-to-day operations. Members of this Agency must file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board.

Qualifications to Serve on CRA Board

The City of Bartow values all our residents, especially the ones who choose to volunteer for one of our boards. The Bartow Community Redevelopment Agency (CRA) Board is a special board and requires individuals focused on improving the lives and businesses in Bartow. The CRA Board is a seven-member board appointed by the City Commission, tasked with identifying redevelopment and reinvestment opportunities that will improve our communities.

You are qualified to serve as a Commissioner of the Bartow CRA pursuant to the Community Redevelopment Act of 1969 (Section 163.356(3)(b) of the Florida Statutes) if you reside or are engaged in business, which means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the City of Bartow, Florida. A successful candidate for appointment to the CRA Board typically both resides in Bartow and is engaged in business in Bartow.

CRA Board Member Expectations

The CRA Board is one of the most influential boards within the City of Bartow. The Bartow CRA is the only board that manages its own budget annually. The City Commission is tasked with finding community minded individuals that care about Bartow

and the long-term growth of this city. Here are some of the expectations that we expect from a CRA Board Member:

- Ability to: listen, analyze, think clearly and creatively, work well with people individually and in a group, provide constructive feedback
- Willing to: prepare for and attend board meetings; ask questions; share ideas, opinions, and experiences
- Possess: honesty; openness to differing views; a friendly, responsive, and patient approach; engagement skills; personal integrity; a developed sense of values; concern for and interest in the agency's development

CRA Board Meetings

The Bartow CRA meets generally once a month on the fourth Wednesday of the month. Typically, we skip July, due to many board members are having family vacations. The Bartow CRA combines the November and December meetings into one meeting that is held on the first Wednesday of December. A full list of meeting dates can be found on the CRA's webpage.

These monthly meetings are where we discuss important matters and make decisions on how we use the CRA's dollars. CRA staff will have recommendations, but ultimately the decision is the CRA Board's to make. The hope is that every CRA Board Member makes the best decision for the community based on the information provided.

All CRA Board meetings are subject to the Sunshine Law. All meetings are open to the public and will be advertised.

The meetings are typically held in the City Commission Chambers in City Hall. If the location is changed, that location will be advertised.

CRA Board Member Compensation

There is no formal compensation for CRA Board Members. The Bartow CRA will cover some or all training, travel, food, mileage, and lodging expenses for redevelopment related conferences.

e. **GENERAL EMPLOYEES' PENSION TRUST FUND BOARD OF TRUSTEES**
(administrative)

Consists of seven Trustees, one of whom shall be a resident of Bartow appointed by the other six Trustees and affirmed by the Bartow City Commission. One shall be the Finance Director of the City of Bartow whose term as Trustee shall be continuous, one shall be elected by the Department Heads of the City of Bartow, two shall be Members of the System who are elected by majority of the General Employees who are non-bargaining unit Members of the System, and two shall be Members of the System, who shall be elected by majority of the General Employees who are bargaining unit Members of the System. The term is three years. The Board meets quarterly in the Commission Chambers of City Hall. The duties and responsibilities of the Board shall include, but not be limited to: 1) construing the provisions of the System and determining all questions arising thereunder; 2) determining all questions relating to

eligibility and membership; 3) determining and certifying the amount of all retirement allowances or other benefits hereunder; 4) establishing uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the System; 5) distributing to Members, at regular intervals, information concerning the System; 6) receiving and processing all applications for benefits; 7) authorizing all payments whatsoever from the Fund, and to notify the disbursing agent, in writing, of approved benefit payments and other expenditures arising through operation of the System and Fund; 8) having performed actuarial studies and valuations, at least as often as required by law, and making recommendations regarding any and all changes in the provisions of the System; and 9) performing such other duties as are required to prudently administer the System. The Members are required to file an annual Statement of Financial Interests. There is no special education or training to hold a position on this board; however, Trustees are encouraged to attend training sessions as they become available.

f. **HOUSING AUTHORITY OF BARTOW** (administrative)

Consists of five members who have staggered four-year terms, one of whom must live in one of the complexes. Members are appointed by the City Commission. Meets every two months at 5:00 p.m. at the Carver Village office building. The Authority operates under the rules and regulations of the Federal Department of Housing and Urban Development. There are two housing complexes under the Authority, Woodlawn Village and Carver Village. Special meetings are at the call of the chairman. The members are required to file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board.

g. **MUNICIPAL FIREMEN'S PENSION TRUST FUND BOARD OF TRUSTEES** (administrative)

Consists of five members with staggered two-year terms. Three of the members are selected by the Pension Board Trustees and two of the members are appointed by the City Commission. Meets quarterly. The Board was established to be administer the provisions under Chapter 175, Florida Statutes. Members are required to file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board; however, Trustees are encouraged to attend training sessions as they become available.

h. **MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND BOARD OF TRUSTEES** (administrative)

Consists of five members with staggered two-year terms. Three of the members are selected by the Pension Board Trustees and two of the members are appointed by the City Commission. Meets quarterly. The Board was established to be administer the provisions under Chapter 185, Florida Statutes. Members are required to file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board; however, Trustees are encouraged to attend training sessions as they become available.

i. **PLANNING AND ZONING COMMISSION** (advisory/administrative/quasi-judicial)

Consists of five members with staggered three-year terms. Meets monthly on the fourth Monday as necessary at 5:30 p.m. in the City Hall Commission Chambers. The Planning and Zoning Commission was established as the Local Government Comprehensive Planning and Land Development agency in compliance with Florida Statute Chapter 163 Part II and perform all functions and duties prescribed in the statute. The Commission also 1)will obtain and maintain information on population, property values, the land economy, land use and other information necessary to assess the amount, direction and type of development to be expected in the city; 2) advise and make recommendations to the City Commission regarding applications for amendments to the Official Zoning Map and requests for Conditional Uses or other special designations on property within the City; 3) interpret and determine the intent of provisions of the Land Development Code that are unclear or in conflict with other regulations; 4) consider the need for revision or addition of regulations in the Land Development Code and recommend changes to the City Commission; 5) consider the need for changes to the Comprehensive Plan and recommend changes to the City Commission; and 6) any other duties assigned by the City Commission. Members must file an annual Statement of Financial Interests. There is no special education or training to hold a position on this board; however, Commissioners are encouraged to attend training sessions as they become available.

j. **RECREATION ADVISORY BOARD** (advisory)

Consists of five members who have staggered three-year terms. Meets monthly at 5:30 p.m. in the City Hall Commission Chambers. The Board will: 1) advise the City Commission and City Manager on problems concerning recreation and prepare such reports relative to recreation as may be requested by the city commission; 2) perform such other duties with reference to recreation, not inconsistent with the Charter, as the City Commission may require; and 3) make such bylaws, rules, regulations and fee schedules for the government and control of the recreation facilities as it may desire, but the same shall be subject to the approval of the City Commission by motion. The members are not required to file an annual Statement of Financial Interests. There is no special education or training to hold a position on this board.

k. **ZONING BOARD OF ADJUSTMENT** (quasi-judicial)

Consists of six members and two alternates who have staggered three-year terms. Meets the fourth Thursday monthly as necessary at 5:30 p.m. in the Commission Chambers located at City Hall. The Board of Adjustment shall have power to: 1) hear and decide on applications for special exception use permits in order to allow the property integrations into the community of uses that are specifically designated in the ordinance but which may be suitable only if certain conditions are met; 2) hear and decide on appeals where it is alleged there is an error in any order, requirement, decision or determination made by the administrative official in the enforcement of the

ordinance; 3) hear and decide on appeals for dimensional variances where, by reason of the exception narrowness, shallowness or unusual shape of a site or by reason of exceptional topographic conditions, or some other extraordinary requirements (height or width of building or size of yards, but not dwelling unit or population density) that would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same zoning district. The Board members are required to file an annual Statement of Financial Interest. There is no special education or training to hold a position on this board.

OPERATING PROCEDURES

A. GENERAL GUIDELINES

Regular board and commission meetings are held according to an adopted schedule.

Special meetings may be called by the Chair or staff liaison when needed for the transaction of business.

Sunshine Law

Florida Statute 286.011 requires that all meetings of any board at which official acts are to be taken be declared public meetings, open to the public always, and no rule or formal action shall be considered binding except as taken at or made at such meeting. Board members are not allowed to discuss topics that will come before the board unless the topic is discussed at a scheduled and posted public board meeting.

When a board meeting is held, the meeting must be open to the public, reasonable notice of the meeting must be given, and minutes of the meeting must be taken. The Sunshine Law applies to any gathering, whether formal or casual, of two or more members of the same board to discuss some matter on which foreseeable action will be taken by the board. The Sunshine Law does not typically apply to discussions which concern matters that are not likely to come before the board for its consideration.

A violation of the Sunshine Law may result in criminal or civil penalties to the violators and the validity of the actions taken in violation of the Sunshine Law are void.

Agendas

An agenda for all board meetings is prepared in advance of the meeting by the staff liaison or clerk and is generally available at least 48 hours before the meeting.

The following are the types of meetings that are scheduled:

REGULAR MEETINGS - items not specifically listed on the agenda may be added, discussed and acted on from time to time when it was not known at the time of

publication of the agenda that the item needed action that could not wait for a later meeting.

SPECIAL MEETINGS - only items listed on the agenda may be discussed; action may be taken on these items.

WORK SESSION MEETINGS - items which need further information or review are typically discussed. Action may not be taken.

Meeting Attendance

If a board member is unable to attend a meeting, s/he should notify the clerk. If board members are unable to continue to serve due to health, business requirements, or personal reasons, a formal letter of resignation must be submitted to the clerk who will place the vacant seat on the city commission agenda for appointment to the vacancy. Three (3) unexcused absences will constitute a vacation of the seat on the board.

Quorum

Business may only take place at a meeting if a quorum of the board is present. A quorum is typically one more than one-half of the members on the board or commission. Attendance is critical to each meeting.

Public Meetings vs. Public Hearings

All board meetings are open to the public (public meetings); however, not all meetings accept public input (public hearings).

A public meeting is any meeting of a governmental body at which public business is discussed, decided or policy formulated.

A public hearing provides citizens the opportunity to express their position on a specific issue as mandated by either Florida Statutes or by order of the proper authority after due notice.

B. ROLE OF THE CHAIR

The chair is the key to the proper functioning of a board meeting. The chair has the important responsibility of ensuring that the meetings operate efficiently and for maintaining the unity of the board. Consequently, the election of the chair should be viewed as an important board task. The chair is elected for a one-year term by the board members.

There are some general rules for an effective chair:

1. The chair must ensure that the meetings are run by Robert's Rules of Order and that meetings move along without delay but be fair and open enough to allow individuals to speak without being unfairly restricted or cut off in an arbitrary way.
2. The chair should see that the board considers the major issues and does not become sidetracked by insignificant concerns.
3. The chair should attempt to educate the public as to the process and policies of the City.
4. The chair should attempt to bridge the differences that may exist among the opinions of the board members to reach a consensus.
5. The chair should be the last member to give his/her opinion after all others have spoken.
6. The chair should be capable of representing the board effectively to other groups.

The selection of a vice-chair is as equally important, and this person should be an effective leader since he/she will perform the chair's duties in his/her absence.

C. **PUBLIC HEARING PROCEDURES**

Public hearings may be held at any board meeting, but most commonly take place at the Planning and Zoning Commission and City Commission meetings. Public hearings are legally required prior to recommendations on ordinances, rezoning, land use applications and amendments, special permits, and variances. Public hearings are conducted as follows:

1. The title of the application to be reviewed is stated for the record by the chair.
2. The board members will make a motion to open the discussion.
3. Staff gives an oral report explaining the action requested, the facts and issues, and the staff recommendation.
4. Applicants and/or their representatives present their case.
5. The public hearing is opened, and all interested speakers are given the opportunity to speak for or against the request. Speakers need to give their name and address for the record and to submit to the clerk the completed Speakers Information Form. Speakers are given the opportunity to speak for five (5) minutes.
6. The chair closes the public hearing.
7. Applicants and/or their representatives are given the opportunity to rebut earlier comments.
8. The chair asks for any comments from the board.
9. The chair will call for a vote to the motion.
10. The clerk will call the roll.

E. **SUGGESTIONS FOR SPEAKERS**

1. Names and Addresses. All speakers are required to submit the Speaker's Information Sheet to the clerk for the record and are also asked to state his/her name and address clearly.

2. Questions. Questions for the board members and staff should be directed through the chair rather than directly at the person.
3. Presentation by the Petitioner and Audience Comments. As much as possible, speakers should express their comments concisely and briefly. In general, ten (10) minutes is a good rule of thumb for the maximum length of a speech and five (5) minutes for supporting statements. Speakers should try not to repeat earlier statements. Groups of three (3) or more are urged to choose a spokesperson for the group and the spokesperson will be allowed to have a maximum of fifteen (15) minutes for presentation of support or opposition to the question.
4. Relevancy. Remarks should be directed to the merits of the petition and not to the character of the petitioner or other speakers.

RESPONSIBILITIES OF BOARD MEMBERS

Being selected as a member of a city board is an honor and provides an opportunity for genuine public service. Although the duties of each advisory board vary, there are certain responsibilities that are common to all board members. The following is a summary of the important responsibilities of board members:

A. THE ROLE AND RESPONSIBILITIES OF THE BOARD

One of the first responsibilities of a new board member is to understand the board's scope of responsibility and operating procedures. This information is provided in this handbook. The Planning and Zoning Commission needs to be familiar with the Land Development Regulations, which will be issued upon a board member's appointment.

The department head, or staff liaison, responsible for the programs within each board's scope of interest is available to assist new members in becoming familiar with their roles and duties and will provide information about city policies and other helpful data.

B. OPEN COMMUNICATION

As an influential member of the community, a board member is in the unique position of serving as a liaison between the city and the public in helping reconcile contradictory viewpoints and building consensus around common goals and objectives. A board member must serve as a link between the community, staff and city, by presenting city programs and recommendations and providing a channel for citizen expression.

C. MAKING RECOMMENDATIONS

Board members, in connection with their role, often spend hours researching a particular problem. Board members should be familiar with portions of the City Code and Comprehensive Plan applicable to their areas of responsibility and should thoroughly review staff reports, plans and material submitted by the applicant in advance of meetings.

D. RELATIONSHIP BETWEEN THE CITY COMMISSION, OTHER CITY BOARDS, AND CITY STAFF

Relations with the City Commission and staff are basic for the successful operation of any board. The board is not a substitute for regularly constituted government. The responsibility for allocating scarce public resources rests with the community's elected representatives – the City Commission – and cannot be designated to an outside group, however capable and interested it might be.

Boards should review City policies related to programs under their scope of interest and make recommendations for changes. However, boards must adhere to the policies approved by the City Commission and the City's Code.

The City's staff works for the City Manager – staff does not work for board members. Therefore, it is not appropriate for board members to direct staff or become involved in the administrative or operational concerns of City departments. While staff can provide routine information about on-going projects, a formal request to the City Manager must be made for staff involvement in major projects.

If board members have questions or are concerned with the services provided to the board, the appropriate department head should be contacted immediately to review the matter.

Staff is required by the City Manager to make professional recommendations which may, or may not, agree with those of the board. Staff is also required to fairly present the board's recommendations and explain them but will not defend them if in disagreement. When appropriate, the board's chair or delegated representative should be present at the City Commission meeting to report on the board's recommendations.

E. RELATIONSHIP WITH OTHER BOARD MEMBERS

On many occasions, the success or failure of a board is largely dependent on the degree of cooperation among the individual members of the board. To help build a consensus around common goals and objectives, board members will often have to reconcile contradictory viewpoints. Each board member should do his/her part to ensure that meetings proceed in an orderly and constructive manner. The chair is primarily responsible for seeing that consideration of items on the agenda move along without delay, but with reasonable time allocated to each item. Each board member can assist the chair by adequately preparing any presentations s/he makes to the board.

MEETINGS AND HOW TO CONTROL THEM

Advisory boards operate by meeting and discussing issues. The key is to make sure that meetings are not unnecessarily scheduled and discussions not unduly long-winded. Everyone has something valuable to contribute but knowing when and how to control discussions can make a difference between a sidetracked dialogue or an insightful observation. All too often, the impressions the public gets are negative because the

boards commit one or more of the following fundamental errors of running a public meeting:

A. **NOT STARTING ON TIME**

All meetings have a starting time. Don't penalize those who arrived on time by waiting for those arriving late.

B. **NOT CONTROLLING THE MEETING**

If several people want to speak, speaking time should be limited so that all may be heard. A helpful method is requesting a show of hands of those who wish to speak on a particular subject, then making a time allocation and sticking to it. Three (2) to five (5) minutes is an acceptable amount of time to be given to all speakers. It is not necessary to permit second and third opportunities to speak. However, a statement concerning this should be made at the onset.

C. **APPEARING TO SEEM UNFAIR**

Board members should never bring up the pros and cons of an agenda item before all testimony and evidence have been presented. The discussion should then stay on the facts presented, not on the presenters.

D. **FAILURE TO BRING ISSUES TO A VOTE**

Many boards get bogged down in petty details, endless searches for new data and procedural distractions that matters brought before the board never seem to get resolved. Sometimes by the time a decision is reached conditions have changed that affect the proposal and recommendations are obsolete.

E. **WASTING PEOPLE'S TIME**

If possible, do not make people who have come at the appointed time wait hours to be heard or, worse yet, make them come back again because there was not enough time. Stick to the schedule listed on the agenda. Since the board usually has the time to make decisions after the public hearing, don't fear holding the board's discussion until the end of the meeting or even the next meeting. If needed, an extra meeting can be scheduled to clear any backlog of items that need to be considered. This is far better than trying to make everyone stay up until the wee hours of the morning to watch the board heroically fight off sleep as it tries to finish an overlong list of agenda items.

A word of advice ... avoid all appearance of impropriety. Currently, there appears to be less trust in government than ever before. Board members who have business or financial interests, or who have relatives or close friends which would stand to profit from a decision obviously should not participate in the decision-making and need to abstain from voting. (For more information on voting conflicts, enclosed in this packet

is a synopsis of conflicts of interest. You may also see Florida Statutes Chapter 112.3143.

CONFLICT OF INTEREST LAWS

A. DISCLOSURE STATEMENT OF FINANCIAL INTEREST

When a new City Commissioner is elected, or a new board member for certain boards is appointed, the City Clerk's office provides a financial disclosure form (Form 1) which must be filed with the Polk County Supervisor of Elections Office at 250 S. Broadway within 30 days of election or appointment. The determination of which boards are required to file the disclosure statements is made by the State of Florida Commission on Ethics.

The City Commission and certain board members are also required to file an annual financial disclosure statement. These forms are mailed each year by the State of Florida Commission on Ethics and must be filed with the Polk County Supervisor of Elections Office by July 1st.

The City Commission and certain board members are also required to file a final statement of financial interests (Form 1F) within 60 days after leaving office. These forms are provided by the City Clerk's office.

B. GENERAL PROHIBITIONS

Although there are several statutes and common law rules governing conflict of interest, only two are likely to apply to board members.

1. Common law generally prohibits public officers, including board members, from engaging in activities in which their private interest's conflict with their public duty.
2. Part III of Chapter 112 of the Florida Statutes known as the Code of Ethics for Public Officers and Employees provides that no local official, including a board member, shall make, participate in making, or in any way attempt to use his/her official position to influence a government decision in which s/he knows, or has reason to know s/he has a financial interest. The act requires that board members disclose certain financial interests through the filing of disclosure statements and abstain from participating in any matter before their board which will have a material effect on their financial interest.
3. The laws and regulations regarding conflicts of interest are rapidly changing. If a board member has any questions about the possibility of a conflict of interest, s/he is urged to contact the board liaison who will obtain clarification.

C. VOTING ABSTENTION POLICY

A person holding an appointive municipal office must abstain from voting on any measure which insures to his/her special gain. S/He is also prohibited from knowingly voting on a measure which insures to the special gain of a principal by whom s/he is retained. A person holding an appointive municipal office may otherwise participate in a matter in which s/he has a conflict of interest but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication. Once a board member abstains from voting, s/he will be provided with a voting conflict of interest form (Form 8B) which is required to be completed and returned to the clerk within 15 days after a vote occurs. Once completed, the form will be attached to the minutes of the meeting.

A board member may not abstain from voting on a set of minutes. A new member, or a current member who was absent from a meeting, may not abstain from voting because they were not present at the meeting and did not know what occurred. The member has several options in these cases:

- Request a copy of the audio or video recording; or
- Speak to the staff liaison or clerk; or
- Vote no

IN CLOSING

If you have read this far, you may assume that you are now fully prepared to handle every situation that might come up. If only that were true. This handbook is only meant to be a guide and to give a hint of what the City of Bartow is all about.

Feel free to ask questions. There is much to learn before you may feel confident that you are approaching an issue in the proper manner. Staff is always available to help you in this education process.

Finally, thank you for being so willing to serve our community by giving your time and talents to help make our city an attractive, inviting place to live.