

# BYLAWS OF THE 2023 - 2024 ORANGE COUNTY CHARTER REVIEW COMMISSION

Adopted May 15, 2023

## **Article I. – Statement of Purpose and Applicable Law**

**Section 1.1 Purpose.** The Orange County Charter Review Commission (“OCCRC”) is an independent body mandated by Section 702 of the Orange County Charter to be appointed on a four year cycle by the Orange County Board of County Commissioners (“Board”) no later than February 1, of the year prior to a presidential election year. The OCCRC is empowered to conduct a comprehensive study of any or all phases of county government and may, during its term, place proposed amendments and revisions of the Charter on the ballot at general elections only, providing a report of the proposed changes has been delivered to the Clerk of the Board no later than the last day for qualifying for election to county office under general law. The report shall include an analysis and financial impact statement of the estimated increase or decrease in any revenues or costs to the county or local governments or to the citizens resulting from the proposed amendments or revisions. The OCCRC shall request that the Orange County Comptroller or another independent entity or agency prepare such an analysis.

**Section 1.2 Applicable Law.** OCCRC members are appointed by Board Resolution pursuant to Section 702 of the Orange County Charter. As a public commission, the OCCRC and its members are subject to Florida’s Sunshine Law (Chapter 286, Florida Statutes), Florida’s Public Records Law (Chapter 119, Florida Statutes) and the Florida Code of Ethics for Public Officers and Employees (Chapter 112 - Part III, Florida Statutes). Failure to abide by these laws specifically, as applicable, and state or federal law generally, may result in a member’s removal from the OCCRC.

## **Article II. Orientation**

The first meeting of each new cycle of the OCCRC shall be an orientation meeting for the members conducted by Orange County staff and Orange County Comptroller staff and will include information on, at minimum, the following topics:

- Florida's Sunshine Law, Public Records Law and Code of Ethics for Public Officers and Employees;
- Independence of the OCCRC;
- The history of the OCCRC;
- The roles and duties of OCCRC staff;
- Review budget of the OCCRC;
- The selection and hiring process for the OCCRC General Counsel and establishment of an RFP evaluation committee.

## **Article III. Notice and Conduct of Meetings**

**Section 3.1 Public Meetings/Notice.** All meetings of the OCCRC, including all meetings of its committees, shall be open to the public. Notice of the date, time and place of said meetings shall be made available to the public in advance of the meetings by written notice through whatever methods are required by law and by posting the date, time and place upon the OCCRC's website and by publishing a notice at least two (2) business days before the meeting. Such notice shall also be posted on all available social media and digital channels and provided by email to all members of the public requesting email notification. This shall be the responsibility of the OCCRC staff and the Office of the Orange County Clerk of the Board.

**Section 3.2 Scheduling.** The date, time and place of each regular meeting of the OCCRC shall be announced and published. Special meetings may be called by the Chair of the OCCRC, or by a majority vote of the OCCRC at a regularly scheduled meeting of the OCCRC. All notices of special meetings, shall be emailed to the members of the OCCRC at their email addresses as registered with OCCRC staff.

**Committee Chairs** – It shall be the responsibility of Committee chairs to notify OCCRC staff of all meetings in time to comply with public notice requirements. Unless such

meetings are scheduled at one of the OCCRC meetings it shall be the responsibility of staff to notify committee members of posted meetings, their dates, times and locations. All such meetings are open to the public.

**Special Meeting** – Shall include the purpose for the call of such special meeting and issues to be addressed as well as proposed committee members.

**Section 3.3 Location.** Regular meetings of the OCCRC shall be at the Orange County Administration Center or another designated location after consultation with OCCRC staff. The OCCRC will also hold at least one public hearing, which shall also be considered a regular meeting, in each of the districts of the County. The meetings and public hearings of the OCCRC and its committees shall be at facilities large enough to accommodate not only the OCCRC or committee, but also interested citizens. The meeting place chosen shall be open and accessible, and free of any admission charge or restriction to the commission and to the public. Meetings conducted by committees shall be held at an initial location selected by the Chair of the OCCRC after consultation with OCCRC staff. Thereafter, the location of committee meetings shall be selected by the majority of the committee after consultation and agreement of OCCRC staff.

**Section 3.4 Agendas.** The agenda for regular meetings and public hearings of the OCCRC shall be the responsibility of the OCCRC chair.

All agenda at a minimum will include:

- I. Call to Order
- II. Pledge
- III. Roll call vote
- IV. Verification of a quorum by the office of the The Orange County Clerk of the Board
- V. Approval of Minutes of Previous Meeting
- VI. Public Comments

Except in the event of extraordinary circumstances beyond the control of OCCRC staff, the agenda for regular meetings shall be available to the public no less than five (5) full working days before the day of the meeting.

**Section 3.5 Citizen Participation.** The OCCRC will entertain public comments at each public meeting. The remarks of any citizen should be germane to the directive of the OCCRC as specific in the Orange County Charter. The OCCRC may impose reasonable limitations on time allotted to any citizen – not to be less than three (3) minutes per citizen - or on the total time to be allotted to public participation during the meeting, although these limitations may be waived at the discretion of the Chair for good cause. Each citizen addressing the Commission is asked to observe the general rules of courtesy and civility, and to avoid repetition of other speakers. Speaker’s time may be extended if another speaker who has completed a speaker card waives their allotted time in favor of a particular speaker. Speakers cards may be completed at any time during public comment. This shall include at the time of waiving one’s allotted time.

**Section 3.6 Quorum and Majority Action.** A majority of the members of the OCCRC, or of any committee shall constitute a quorum for transaction of business, and a majority of those present shall be sufficient to agree to any motion except as otherwise set forth in these bylaws. The OCCRC shall hold no less than four (4) public hearings prior to presenting proposed Charter revisions and amendments to the public. No proposed ballot issue shall be subject to a final vote of the OCCRC until it has been on the agenda for discussion and consideration at a minimum of two (2) OCCRC meetings and an analysis by the OCCRC legal counsel.

**Section 3.7 Attendance.** Regular attendance and attention to the business of the OCCRC is expected. Any member who fails to attend three meetings over a one-hundred and eighty (180) day period, shall be reported by the Chair to the County Commissioner who appointed the member for possible replacement of that member. There shall be an exception of sickness of a member or a family member that requires the attention of the member.

**Section 3.8. Official Rules of Order.** Except as otherwise provided in these bylaws, Robert's Rules of Order Revised (most recent edition) shall apply to the OCCRC and its committees in matters of procedural conflict. These rules may be waived by majority vote or a consensus of the membership of the OCCRC or committee, as applicable.

### **Section 3.9 Deliberations on Proposed Charter Changes.**

The approval of a proposed ballot initiative shall require a simple majority vote, by the OCCRC at a regular scheduled meeting of the OCCRC. Any meeting to consider a vote on a proposed ballot initiative shall include in the public notice that such a vote will take place at the specified meeting.

**Drafting** – Drafting of proposed Charter amendments shall be the responsibility of the Commission with input and any recommendations from legal counsel.

**Final adoption and transmittal.** Approved charter amendments shall be transmitted to the Clerk of the Board by the legal counsel to the OCCRC.

**Section 4.1 Voting Generally.** Each member present shall vote, unless a conflict of interest exists, in which case said conflict shall be publicly stated prior to the vote and the appropriate form filed in writing with the OCCRC staff as provided by law.

## **Article V. Duties of Officers**

**Section 5.1 Duties of the Chair.** The Chair shall:

- a. Preside at all regular and special meetings of the OCCRC;
- b. Establish meeting agenda for regular meetings
- c. Represent the OCCRC at all functions and activities so requiring (but without authority to state any position of the OCCRC not previously approved);
- d. Serve as ex-officio (non-voting) member of all committees and may be appointed to serve as a voting member of any committee if so appointed;
- e. Provide direction to OCCRC staff
- f. Call special meetings where necessary
- g. Coordinate publicity and press conferences
- h. Approve all disbursement requests, certifying that the disbursement has been duly approved by the entire OCCRC.
- i. Review legal counsel fee invoices

**Section 5.2 Duties of the Vice Chair.** The Vice-Chair shall perform the duties of the Chair in the event the Chair is absent, has a declared conflict of interest or is unable to serve.

## **Article VI. Committees**

**Section 6.1 Authority.** The OCCRC may authorize, by majority vote, the appointment of committees as it sees fit to plan and administer ministerial functions of the OCCRC, or to investigate and report to the OCCRC on studies of departments or functions of the existing government, or for any other lawful purpose; provided that no committee shall have any final authority vested by law in the OCCRC.

**Section 6.2 Appointment.** The majority of the members of the OCCRC shall appoint the members to any committees established by the OCCRC from the membership of the OCCRC. Committees shall consist of at least three (3) members.

## **Article VII. Public Outreach**

Every effort shall be made to ensure that proceedings of the OCCRC are made available to the news media. No attempt shall be made to inhibit the normal processes of the news media. Public statements by the OCCRC or by its committees shall be coordinated through the Chair and the OCCRC staff. Members of the OCCRC may make public or private statements of their personal feelings, attitudes or beliefs at any time. In making such statements, however, members of the OCCRC shall on every occasion make an affirmative statement that their views are not representative of the views of the OCCRC as a whole. The Chair of the OCCRC shall be responsible for announcing the adopted positions of the OCCRC.

## **Article VIII. Amendment**

These bylaws of the OCCRC may be amended by an affirmative vote of the majority of the members of the OCCRC present and voting at any posted meeting.