

## ORDINANCE NO. 2020-

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING SECTION 102.01 (BOARD OF COUNTY COMMISSIONERS MEETINGS AND PROCEDURES) AND SECTION 102.04 (ORDER OF BUSINESS) OF CHAPTER 102 (BOARD OF COUNTY COMMISSIONERS; MEETINGS AND PROCEDURES) OF THE CODE OF INDIAN RIVER COUNTY, TO UPDATE THE PROCESSES FOR BOARD OF COUNTY COMMISSIONERS MEETINGS; AND PROVIDING FOR CODIFICATION; SEVERABILITY; CONFLICT OF ORDINANCES; AND EFFECTIVE DATE OF THE ORDINANCE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:**

### **Section 1. Enactment Authority.**

Article VIII, section 1 of the Florida Constitution and chapter 125, Florida Statutes vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county. The Indian River County Board of County Commissioners specifically determines that the enactment of this ordinance is necessary to protect the health, safety and welfare of the residents of Indian River County.

### **Section 2. Amendment of Sections 102.01 (Board of County Commissioners Meetings and Procedures) and Section 102.04 (Order of Business) of Chapter 102 (Board of County Commissioners; Meetings and Procedures) of the Code of Indian River County, Florida.**

New language indicated by underline, and deleted language indicated by strikethrough.

Chapter 102 (Board of County Commissioners; Meetings and Procedures) of the Code of Indian River County, Florida is hereby amended to read as follows:

## **CHAPTER 102. – BOARD OF COUNTY COMMISSIONERS; MEETINGS AND PROCEDURES**

\* \* \*

### **Section. 102.01. – Board of county commissioners meetings and procedures.**

1. *Time.* The county commission shall generally hold regular meetings on Tuesday beginning at 9:00 a.m. There shall be no commission meeting on the last Tuesday of each month. ~~When the day fixed for any regular meeting of the commission is a holiday recognized by the county the meeting shall be held at the same time on~~

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~~the next Tuesday not a holiday unless the meeting is cancelled otherwise rescheduled by the commission.~~

2. *Place.* All meetings of the commission shall be held in the Commission Chambers, County Administration Building A, 1801 27th Street, Vero Beach, Florida, unless otherwise decided by the commission.
3. *Quorum.* A majority of the commission shall constitute a quorum.
4. *Agenda.* All matters to be placed on the agenda for a regular meeting shall be ~~delivered~~ uploaded to the County's document management system, allowing for approval chain to reach to the county administrator on or before noon of the Wednesday before the commission meeting at which the matter is to be heard. The county administrator shall then compile an agenda kit arranged according to the order of business and furnish each member of the commission, and the county attorney with a kit on or before Friday noon preceding the commission meeting. An agenda kit shall be kept for inspection by the public. Electronically, the agenda shall be emailed to the public and posted on [www.ircgov.com](http://www.ircgov.com). Once the agenda kits have been distributed no additional matters shall be presented to the county commission except with the unanimous approval of the commission.
5. *Special meetings.* Special meetings may be held at the call of the chairman, or, in his absence, at the call of the vice chairman, or at the request of a majority of the commissioners; and, whenever practicable, shall provide for not less than twelve (12) hours' notice to each member and the public.

\* \* \*

### **Section 102.04. - Order of business.**

The order of business shall appear on the agenda as follows:

1. Call to order.
2.
  - a. Moment of Silent Reflection For First Responders and Members of the Armed Forces
  - b. Invocation.
3. Pledge of Allegiance.
4. Additions or deletions to the agenda/emergency items.
5. Proclamations and presentations.
6. Approval of minutes.
7. Information items from staff or commissioners not requiring board action.
8. Consent agenda.

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9. Constitutional officers and governmental agencies.
10. Public items:
  - a. Public hearings;
  - b. Public discussion items ~~(as a general rule public discussion items should be limited to matters on which the commission may take action.)~~
  - c. Public notice items.
11. County ~~a~~AAdministrator matters.
12. Departmental matters:
  - a. Community ~~d~~Development;
  - b. Emergency ~~s~~Services;
  - c. General ~~s~~Services:
    - ~~(1) Human services;~~
    - ~~(2) Sandridge Golf Club;~~
    - ~~(3) Recreation.~~
  - d. Human ~~r~~Resources;
  - e. Information Technology
  - ~~ef.~~ Office of ~~m~~Management and ~~b~~Budget;
  - ~~fg.~~ Public ~~w~~Works;
  - ~~gh.~~ Utilities ~~s~~Services.
13. County ~~a~~Attorney matters.
14. Commissioners matters.
15. Special districts and boards.
  - a. Emergency Services District;
  - b. Solid Waste Disposal District;
  - c. Environmental Control Board.
16. Adjournment.

\* \* \*

**Section 3. Codification.** It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

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**Section 4. Severability.** If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

**Section 5. Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 6. Effective Date.** This ordinance shall become effective upon adoption by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Indian River Press Journal on the 6th day of September, 2020, for a public hearing to be held on the 22<sup>nd</sup> day of September, 2020, at which time it was moved for adoption by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and adopted by the following vote:

Chairman Susan Adams	_____
Vice-Chairman Joseph E. Flescher	_____
Commissioner Tim Zorc	_____
Commissioner Peter D. O'Bryan	_____
Commissioner Bob Solari	_____

The Chairman thereupon declared the ordinance duly passed and adopted this 22<sup>nd</sup> day of September, 2020.

**BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA**

By: \_\_\_\_\_  
Susan Adams, Chairman

**ATTEST: Jeffrey R. Smith, Clerk and Comptroller**

By: \_\_\_\_\_  
Deputy Clerk

EFFECTIVE DATE: This Ordinance was filed with the Department of State on the \_\_\_\_\_ day of September, 2020.