

RULES OF VOTING/PROCEDURE

FOR

2006 BROWARD COUNTY CHARTER REVIEW COMMISSION

Rule 1. NOTICE OF ABSENCES. In the event a Commissioner is unable to attend any scheduled meeting, the Commissioner shall provide notice of the absence, in advance if possible, to the Executive Director or her designee. The Executive Director or her designee shall keep an accurate record of all such notices received from Commissioners.

Rule 2. QUORUM. At any meeting of the Commission, a quorum shall consist of a majority of the Commissioners, which shall consist of ten (10) members present. A super majority shall be defined as two-thirds (2/3) of the designated members, which shall be thirteen (13) members present.

Rule 3. ATTENDANCE AND VOTING. Unless a Commissioner has submitted the notice required by BCCRC Rule 1 regarding Notice of Absences, every Commissioner shall be within the designated location during its sessions and shall vote on each question during its sessions, and shall vote on each question unless the Commissioner has a conflict of interest pursuant to Chapter 112, Florida Statutes, as amended from time to time.

Rule 4. CASTING VOTES FOR ANOTHER. No Commissioner shall cast a vote for another Commissioner, nor shall any person not a Commissioner cast a vote for a Commissioner.

Rule 5. MAJORITY ACTION. Unless otherwise indicated by these rules, all action by the Commission shall be by majority vote of those members present upon determination by the Chair that a quorum is then present.

Rule 6. CERTAIN MAJORITIES REQUIRED.

6.1 A prospective charter amendment shall be any change to the charter suggested by either a member of the public, public official or Commissioner and presented to the Commission by a duly qualified commission member through either oral or written testimony during any meeting of the Commission. The Executive Director or recording secretary to the Commission shall keep a running list of prospective Charter amendments.

6.1.1 All prospective Charter amendments shall be presented to the Commission by a **“Motion to Discuss”** to determine whether such prospective amendments merit consideration by the Commission to become proposed amendments. Any Motion to Discuss a prospective amendment must be supported by an affirmative vote of ten (10) or greater

of all Commission members which shall be subject to consideration by the Commission. Any Motion to Discuss a prospective amendment failing to be supported by an affirmative vote of ten (10) or greater of all Commission members shall not be subject to further consideration by the Commission, except upon a successful Motion for Reconsideration and a renewed motion for further consideration which is supported by ten (10) or greater of all Commission members. Any Motion to Discuss supported by an affirmative vote of ten (10) or greater of all Commission members shall be considered by the Commission.

6.2 All prospective Charter amendments considered by the Commission, shall be presented to the Commission by a Motion to Approve to determine whether such prospective amendments shall be sent to the Commission's General Counsel for drafting the proposed amended Charter language. Before a proposed Charter amendment shall be sent to the Commissions' General Counsel for drafting the proposed amended Charter language, such proposed amendment must be subject to a Motion to Approve and receive an affirmative vote of ten (10) or greater of all Commission members.

6.3 Pursuant to Section 8.03 of the Broward County Charter, after two (2) public hearings and by a vote of thirteen (13) of the members of the full Charter Review Commission, the Charter Review Commission may submit a proposal to amend or revise the Charter to the County Commission. The Charter Review Commission must submit any proposed Charter amendments or revisions no later than the 1st Tuesday in June of the year in which the term of the Charter Review Commission shall expire.

Rule 7. CHANGING OF VOTES. After a vote is taken on any matter before the Commission, a Commission member may not change that member's vote after the vote is taken and recorded by the Chairman except to correct an inaccurate recording of the vote as cast by the Commissioner, and except as otherwise provided for in Rule 8 regarding Motions for Reconsideration. Errors in voting as contemplated by Rule 7 shall be disposed of at the same meeting at which the erroneous vote may have been recorded.

Rule 8. RECONSIDERATION. When a main question has been made and carried or lost, a Commissioner voting with the prevailing side may move for reconsideration of the question at any time. Consideration of a motion to reconsider shall be a continuing order of business for the full Commission. When a majority of the Commissioners present vote in the affirmative on any question but the proposition is lost because it is one in which thirteen (13) members are necessary for adoption or passage, any Commissioner may move for reconsideration. It is the express purpose and intent of this Commission to liberally permit motions for reconsideration at any time to best permit and to provide matters for review and debate by the Commission.

Motions to Rescind, as otherwise provided for in Robert's Rules of Order, as amended, shall continue to be available and the implementation of same shall be in accordance with such Rules.

Rule 9. INTERPRETATION OF RULES. Robert's Rules of Order, as amended, shall govern the Commission and any committees established pursuant to the Commission's

rules in all cases in which they are applicable. It shall be the duty of the Commission Chair, or the then presiding officer, to interpret all rules, subject to appeal by any member.

Rule 10. TELEPHONE CONVERSATIONS AND MEETINGS. The Commission may permit members to participate by telephone and to vote at meetings based upon the following:

- A. A quorum must otherwise be present at that meeting;
- B. The Commission shall adopt rules which will include the use of Electronic Media Technology by an absent member;
- C. In all instances, an absent member shall be present through the use of Electronic Media Technology throughout the discussion on that specific matter then pending before the Charter Review Commission.
- D. The Chair, or in his/her absence, the Vice Chair, shall determine with the concurrence of a majority of the quorum, the number of members who may be present via Electronic Media Technology given the technical challenges and physical ability to coordinate the presence of such absent members by the use of Electronic Media Technology. It is the intention of these Rules to make every reasonable effort to permit absent members to be present by the use of Electronic Media Technology; however, such presence shall in all cases be dictated by available technology to preserve and protect the Commissions' public records under Chapter 119, Florida Statutes, and integrity of the Commissions' continuing compliance with the Florida Sunshine Law contained in Chapter 286, Florida Statutes. Hence, the Chair or Vice Chair may limit the number of members participating to maintain decorum, order and the ability to maintain inter-active communications between and among all members.
- E. To the extent that a member of the Charter Review Commission is unable to physically attend a meeting of the Commission, such member shall provide as much advance notice as possible to the Executive Director, or her designee, such that the Chair and/or Vice-Chair can accommodate, where possible, the absent member and his/her intention to be present via Electronic Media Technology.

Rule 11. REPRESENTATION OF THE CHARTER REVIEW COMMISSION. The Chair of the Charter Review Commission shall be the official spokesperson of the Charter Review Commission, and shall act as the official designated to execute agreements and resolutions on behalf of the Charter Review Commission. Other members of the Charter Review Commission may respond to inquiries on behalf of the Charter Review Commission so long as their statements are consistent with the Charter Review Commission's actions, decisions, and

representations. In the event the Chair is unavailable, the Executive Director shall be authorized to respond to all inquiries to the Charter Review Commission.

ADOPTED this ____ day of October, 2006.

BROWARD COUNTY
CHARTER REVIEW COMMISSION

BY: _____
MAYOR LORI C. MOSELEY, CHAIR

ATTEST:

PATRICIA G. WEST,
Executive Director

APPROVED AS TO LEGAL FORM:

SAMUEL S. GOREN,
General Counsel

DATED: _____

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