

**A RESOLUTION BY BOARD OF DIRECTORS OF SUNSET, INC.,
ESTABLISHING RULES GOVERNING RIGHT OF UNIT OWNERS TO
SPEAK AT BOARD MEETINGS AND MEMBER MEETINGS**

THAT WHEREAS, Sunset, Inc. (the “Association”) is a Florida not for profit corporation charged with the operation of Sunset, a Condominium Association, located in Lee County, Florida and governed by that certain Amended and Restated Declaration of Condominium and Articles of Incorporation and Bylaws, recorded at Instrument #2018000145806 of the Public Records of Lee County, Florida, as amended (the “Declaration”).

WHEREAS, Section 718.112, Florida Statutes, authorizes any Unit Owner to speak at meetings of the Board of Directors of the Association;

WHEREAS, Section 718.112, Florida Statutes allows the Board of Directors to establish – reasonable rules regarding the right of members to speak, as well as govern the frequency, duration, and manner of unit owner statements, as to those Unit Owner desiring to speak at such meetings; and

WHEREAS, the Board of Directors is adopting this resolution to ensure open meetings, a free exchange of ideas and concerns, while at the same time promoting the efficient operation of the Association and managing the duration of meetings so as to reduce the demands on the volunteer Board’s time (“Resolution”).

NOW THEREFORE BE IT RESOLVED by the Board of Directors of Sunset, Inc., that the rules governing the rights of Unit Owners to speak at meetings of the Board of Directors and committees of the Association (collectively referred to hereinafter as “Meetings”) be as follows:

1. Any Unit Owner desiring to speak at a Meeting of the Association shall be entitled to do so with respect to all designated agenda items. A Unit Owner does not have the right to speak with respect to items not specifically designated, but may do so at the discretion of the President or Chair of the Meeting (hereafter collectively the “Chairman”).
2. Unit Owners have the right to speak at Meetings as provided by law. No other person shall be permitted to speak at Meetings, except agents of the Association, persons otherwise legally permitted to attend, or those persons permitted to speak by the Chairman.
3. Any Unit Owner desiring to speak at a Meeting must file prior to each such meeting: a written request with the Chairman prior to the commencement of the Meeting. The request shall state the subject which the Unit Owner wishes to address. The request may be provided to the Chairman by email.

4. As an alternative to paragraph 3 above, a sign-up sheet will be made available at the Association's management office located at 6400 Estero Blvd. Fort Myers Beach, FL 33931, to register to speak at a Board of Directors or committee meeting. The sign-up sheet will be made available from 9:30 a.m. to 3:30 p.m. after the meeting notice has been posted.

5. At the Meeting, to avoid delays and to facilitate all Unit Owners who registered to speak an opportunity to do so, all registered speakers shall speak one at a time as called upon or in the order registered, and for each Agenda Item the Unit Owner is registered to speak. Speakers should speak clearly and directly into the top of the microphone at the meeting, as applicable. If the meeting is via Zoom, or other online format/service, the speaker should speak clearly and directly into the microphone of their computer or other external device. The speaker should announce his or her name and their unit number for the benefit of keeping proper minutes. When finished or when time is up, the speaker should hand the microphone to the next speaker, or if the last speaker, turn off the microphone and place it on the podium, and then return to their seat. If via Zoom, or other online format/service, the speaker should mute their microphone after they are finished speaking.

6. Unit Owners who have registered to speak will be recognized to speak by the President or Chair of the meeting, in the order that Unit Owners have registered or are called upon. Out of courtesy for one another, Unit Owners should refrain from speaking out of turn. No obscene or profane language will be permitted.

7. No Unit Owner may exceed more than three (3) minutes with respect to any subject upon which the Unit Owner is recognized to speak (the "Three Minute Rule"). At the conclusion of his or her remarks, a Unit Owner shall refrain from further comments or remarks as a courtesy to the next speaker.

8. If a Unit Owner has requested in his or her written request to speak on more than one agenda item, the Unit Owner may not exceed more than three (3) minutes with respect to each agenda item the Unit Owner is recognized to speak. If the Unit Owner has registered to speak by emailing the Chairman or on the sign-up sheet provided, the Unit Owner shall specify the Agenda Item(s) he or she wishes to speak on, so the proper time is allocated to the Unit Owner to speak.

9. Those Unit Owners who comply with this Resolution will be provided an opportunity to speak on each Agenda Item as the Board takes up such items for consideration before the Chair calls for a vote on a motion made relative to the Agenda Item, if any. In other words, a motion will not be voted upon unless Unit Owners who have duly registered to speak have had an opportunity to speak on the Agenda Item the motion relates.

10. A Unit Owner may not assign or yield his or her time to speak on an Agenda Item to another Unit Owner. Time may not be carried from Agenda Item to another Agenda Item if the

Unit Owner did not utilize the amount of time allotted for a particular Agenda Item. Unit Owners with more than one unit are only entitled to speak at meetings for no more than three minutes per agenda item, the time provided to speak is non-cumulative regardless of how many units a Unit Owner owns.

11. The Chair's determination shall be conclusive and final concerning whether the amount of time has been exceeded by a Unit Owner to speak on an Agenda Item. The Chair may designate a director or the property manager to be the official timekeeper, whose responsibility it will be to time each Unit Owner speaking. If requested by the speaker, the timekeeper shall give a thirty second warning to notify the speaker to conclude their comments.

12. Unit Owners shall be respectful of the Three Minute Rule. As such, regardless of whether the Unit Owner has voiced all of his or her comments, the Unit Owner shall stop speaking when notified by the timekeeper. If the speaker refuses to yield the floor to the next speaker, then the speaker will be dismissed from the meeting for violation of this Resolution.

13. To allow an orderly presentation of comments from Unit Owners, Directors will refrain from responding to any comments made by Unit Owners until all Unit Owners have spoken that have registered to speak on the Agenda Item up for consideration. After all Unit Owners have spoken on the Agenda Item up for consideration, at the discretion of the Chair, Directors and management may respond to comments made.

14. Meetings shall be adjourned no more than two hours after the meeting begins, unless the Board authorizes by majority vote to extend the time for the meeting. If a large number of Unit Owners have registered to speak and a large number of Unit Owners have not yet been recognized to speak at the conclusion of the two hour time limit, the Board of Directors may adjourn the Meeting and resume business at a later date and time as determined by the Board, which shall be duly noticed. With regard to Member Meetings, Members shall vote whether to extend the meeting, and if so, for how long.

15. The Secretary of the Association shall have a sufficient number of copies of this Resolution available to provide to Unit Owners at Meetings so that Unit owners understand the meeting procedures and the procedures' purpose.

16. Directors shall assist the Association's President's efforts to chair the meeting. Directors shall refrain from raising matters not on the agenda, and to the extent that a Unit Owner raises a matter that is out of order, the Directors will support the Chair's efforts to restore order to the Meeting, or adjourn the Meeting.

17. Unit Owners shall conduct themselves with civility and respect for the members of the Board of Directors, management, and other Unit Owners present at a meeting. Failure to comply with this requirement, as determined by the Chair, shall constitute cause for dismissal of the Unit Owner from the meeting.

18. Owners may record Meetings as permitted by law. An Owner desiring to record a Meeting shall submit written notice to the Secretary, Meeting Chairman or Manager at least five (5) minutes prior to the start of the meeting. Owners recording the meeting shall not interfere or obstruct the meeting with the recording equipment.

19. Owners and other persons may not post or permit posting recordings of Meetings on any website or other media which can be readily viewed by persons who are not Members of the Association.

20. Fines. The Board of Directors may, in accordance with the fining and suspension authority and procedures set forth in the Act and/or Declaration, levy a fine or impose a suspension against any person who fails to comply with this Resolution.

21. Legal Action. The Board of Directors may take whatever appropriate legal action is available against any person who fails to comply with this Resolution.

22. Other Remedies. Nothing in this Resolution shall be construed as a limitation or restriction upon any of the Association's rights or remedies, or act as an election of remedies, including but not limited to enforcement under this Resolution. All rights and remedies available to the Association shall be cumulative.

This Resolution was adopted by the Board at a properly noticed Board meeting at which a quorum was present held on the 28th day of December, 2023.

Sunset, Inc.

By: Linda M. Durst
Secretary