

RESOLUTION NO. 2017-11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CENTRAL COUNTY WATER CONTROL DISTRICT RESCINDING THE "POLICY AND PROCEDURES FOR CENTRAL COUNTY WATER CONTROL DISTRICT BOARD OF DIRECTORS" ADOPTED BY RESOLUTION ON APRIL 26, 2017; ADOPTING A NEW COMPREHENSIVE POLICY OF MEETING CONDUCT AND DECORUM, AND PUBLIC PARTICIPATION; PROVIDING A COPY OF THIS RESOLUTION AND RULES SHALL BE POSTED IN THE DISTRICT OFFICE AND MEETING ROOM; PROVIDING AN EFFECTIVE DATE AND SEVERABILITY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Supervisors of the Central County Water Control District seeks to conduct its meetings in an open, collegial, and professional atmosphere in accordance with the "Policy and Procedures for Central County Water Control District Board of Directors" adopted by a Resolution of the Board of Supervisors on April 26, 2017;

WHEREAS, the Board of Supervisors of the Central County Water Control District seeks to provide for open and active public participation at all public meetings;

WHEREAS, in order to ensure the opportunity for all members of the public to be heard, and to establish open, collegial, and professional public meetings in accordance with section 286.0114, Florida Statutes, the Board of Supervisors hereby rescinds the "Policy and Procedures for Central County Water Control District Board of Directors" and adopts new policy to provide for the efficient and orderly function of meetings of the Board of Supervisors of the Central County Water Control District and to ensure the Montura Ranch Community's ability to be heard at public meetings; and

WHEREAS, it is the intent of the Board of Supervisors to provide a smooth and orderly function of Central County Water Control District business via the following procedures, which are established for all regular, Special, Emergency and Workshop Meetings of the Board of Supervisors and any committees of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CENTRAL COUNTY WATER CONTROL DISTRICT, FLORIDA THAT:

SECTION 1: The "Policy and Procedures for Central County Water Control District Board of Directors" adopted by the Board of Supervisors on April 26, 2017 is hereby rescinded.

SECTION 2: The following Meeting, Meeting Conduct, Rules of Decorum, Procedure, and Rules of Debate policy attached and incorporated hereto as Exhibit A shall govern all business and official meetings of the Board of Supervisors:

SECTION 3: The Public Participation Policy attached and incorporated hereto as Exhibit B shall govern public participation in all official meetings of the Board of Supervisors:

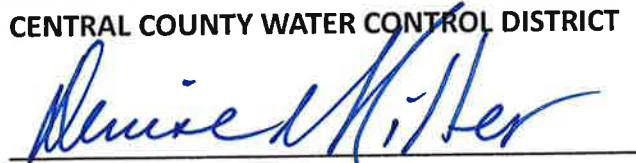
SECTION 4: A copy of this Resolution shall be posted in the District Office and District Meeting Room.

SECTION 5: This Resolution shall take effect immediately upon adoption.

SECTION 6: Should any section or provision of this Resolution or any portion thereof, any paragraph, sentence, or word be declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Resolution.

PASSED AND ADOPTED this 20th day of December 2017.

**BOARD OF SUPERVISORS
CENTRAL COUNTY WATER CONTROL DISTRICT**



By: Denise Mitter

As: Chairperson

ATTEST:



By: CAROLYN HESTER, District Manager

APPROVED AS TO LEGAL SUFFICIENCY AND FORM:



By: JOHN J. FUMERO, District Attorney

EXHIBIT A
MEETING, MEETING CONDUCT, RULES OF DECORUM, PROCEDURE, AND RULES OF DEBATE
POLICY

I. **MEETING TIMES.**

(1) Regular Meetings of the Board shall commence at six o'clock in the evening or anytime thereafter as established by the Board of Supervisors.

II. **MEETING TYPES**

(1) **Regular meetings** will occur at the regular meeting time and shall be held for the purpose conducting the general business of the district. Official action may be taken at any regular meeting.

(2) **Workshop meetings** may be called to allow consultants, invited guests, board members of District guests to make presentations and to allow questions by the Board. Public comment may be limited during the "workshop" portion of workshop meetings unless determined otherwise by a majority vote of the Board of Supervisors. Official action may not be taken on any item discussed at a workshop meeting unless it is established that the item requires immediate consideration and action.

III. **ORDER OF BUSINESS:**

(1) **Presentation Format.** Generally, the order of item presentation shall be as follows:

1. Chair announces item;
2. Staff presentation, if applicable;
3. Board asks questions of Staff;
4. Motion made;
5. Motion seconded
6. Board discussion and amendments, if any
7. Vote taken.

(2) **Agenda.** There will be an agenda for every meeting of the Board of Supervisors (the "Board") of the Central County Water Control District (the "District"), which shall set forth the order of business conducted at the meeting and be in the following format:

1. CALL TO ORDER
 - A. ROLL CALL
 - B. PLEDGE OF ALLEGIANCE
2. APPROVAL OF MEETING AGENDA.
 - A. ADDITIONS, DELETIONS, AND SUBSTITUTIONS OF AGENDA ITEMS.
 - B. ADOPTION OF AGENDA.
 - C. APPROVAL OF PRIOR MINUTES OF PRIOR MEETING.

EX. A: MEETING, MEETING CONDUCT, RULES OF DECORUM, PROCEDURE, & RULES OF DEBATE POLICY

3. PUBLIC COMMENT.

REGULAR AGENDA

DISCUSSION ITEMS

4. STAFF REPORTS.

- A. DISTRICT MANAGER'S REPORT
- B. DISTRICT ENGINEER'S REPORT
- C. DISTRICT TREASURER'S REPORT
- D. DISTRICT ATTORNEY'S REPORT
- E. CLUBHOUSE REPORT

5. BOARD OF SUPERVISOR'S REPORTS.

6. NEW & OLD BUSINESS.

ACTION ITEMS

7. ADJOURNMENT.

- (3) **Call to Order.** The Chair shall call the meeting to order. In the absence of the Chairperson, the Vice Chairperson shall call the meeting to order. If both are absent, the District Attorney shall call for the election of a temporary chairperson. Upon arrival of the Chairperson or Vice Chairperson, the temporary chairperson shall relinquish the gavel upon conclusion of the business before the Board at the time of the Chairperson or Vice Chairperson's arrival. Before proceeding with the business of the Board, the District Manager shall call the roll of the Board, and the names of the Supervisors present and absent shall be entered into the minutes.
- (4) **Approval of Meeting Agenda.** Only items listed on the official agenda will be acted upon unless additional items are authorized by a majority of the Board present. Any Supervisor may add, delete, or substitute an item from the meeting agenda. Following any additions, deletions, and substitutions of the items on the Board's agenda, the Board shall approve the agenda by motion, which must be properly seconded and voted upon by a majority of the Board present.
- (5) **Public Comment.** Members of the public may address the Board, subject to the Public Participation Policy setout below, during this portion of the meeting.
- (6) **Staff Reports.** During this portion of the meeting, District Staff and District Attorney, District Engineer, and District Treasurer will provide reports to the Board and may request Board direction or action.
- (7) **Board of Supervisor's Comments & Reports.** This time is provided in order to allow individual members of the Board to bring forward items to be considered on subsequent agenda if there is sufficient interest and to report or comment on general matters faced by the District. If there is a consensus of the Board to add an item requested by a Supervisor to the agenda of a future meeting, the item will be added.

EX. A: MEETING, MEETING CONDUCT, RULES OF DECORUM, PROCEDURE, & RULES OF DEBATE POLICY

- (8) **New & Old Business.** Items appearing under this portion of the meeting require Board direction or a policy discussion. Items raised by a Board Member, District Manager, District Attorney, District Engineer, or District Treasurer will be addressed individually in the order presented on the agenda and may be scheduled at the direction of the Board to a future meeting at a time certain.
- (9) **Adjournment.** A motion is required to end the meeting.

IV. **RULES OF VOTING, PROCEDURE, & DEBATE**

(1) **Voting.**

- (a) Unless prescribed otherwise by law, when the Board of Supervisors, committee, or staff has finished discussion and is ready to vote, the presiding Supervisor shall call for a vote and discussion shall cease. Each Supervisor shall vote yes or no, unless a conflict of interest prevents the Supervisor from voting. Absent a conflict of interest, silence by a member of the Board of Supervisors shall be considered a “yes” vote.

- (2) **Issues of law and matters of procedure.** The District Attorney shall advise and assist the presiding Supervisor on issues of law and matters of procedure. The rules contained in Robert's Rules of Order Newly Revised, 11th ed. (Da Capo Press, 2011) shall govern all CCWCD meetings to the extent they are not inconsistent with the policies and rules contained in this Resolution and any other policies and rules the Board of Supervisors may adopt.

(3) **Rules of Debate.**

- (a) The Chairperson or presiding Supervisor may not make a motion unless they relinquish the chair (“pass the gavel”). In the event the presiding Supervisor relinquishes the chair, the presiding officer may not return to the status of meeting chairperson until the Board of Supervisors has voted upon or taken action on the matter.
- (b) Every member of the Board of Supervisors, District Staff, and public must address the Chairperson in order to speak. Upon recognition by the Chairperson, a speaker may discuss the matter currently under debate.
- (c) No person shall interrupt a speaker that has been recognized by the Chairperson or presiding Supervisor unless it is to call a point of order. If a recognized speaker is called to order while speaking, the person shall cease from speaking until the question of order is determined by the Chairperson or presiding supervisor.

V. **DECORUM POLICY**

- (1) Meetings of the Board are the official meetings of Central County Water Control District and shall be conducted in a business-like manner. Decorum and courtesy shall be observed by all in attendance including individual members of the Board of Supervisors, District Staff, the District Attorney, District Engineer, and District Treasurer.

EX. A: MEETING, MEETING CONDUCT, RULES OF DECORUM, PROCEDURE, & RULES OF DEBATE POLICY

- (2) All speakers shall use polite and appropriate decorum and language in addressing the Board, District Staff, District Attorney, District Engineer, and District Treasurer and other individuals participating in a Board meeting. Profanity or language presented in an aggressive or threatening manner is strictly prohibited. Unauthorized remarks, including but not limited to outbursts and yelling from the audience, shall not be tolerated. The Board of Supervisors reserves the right to have unruly participants removed from any Board of Supervisors meeting.
- (3) All comments shall be directed to the Chairperson or the presiding Supervisor of the meeting, and not to an individual member of the Board, District Staff, District Attorney, District Engineer, and District Treasurer, or members of the public. Personal verbal attacks directed at any member of the Board, District Staff, District Consultant, or any other person attending a District meeting is prohibited, and may result in removal from the meeting.
- (4) Members of the Board and public shall limit their comments to the agenda item under consideration to avoid redundancy and ensure thoughtful and relevant discussion.
- (5) Reading documents verbatim aloud at meetings for the purpose of making them “part of the record” is discouraged. Documents may be summarized aloud for debate by the speaker and the actual document may be submitted to the District Manager to be included in the record.
- (6) Cell phones and other electronic devices that create sound shall be silenced when entering the District meeting room. Violators of this policy shall be warned. In the event of continued non-compliance, the owner or user of the device shall be directed to leave or removed from the District meeting room.
- (7) The use of cameras and recording equipment, other than those used by the District, is restricted to the rear of the District Meeting Room, behind all rows of seating, at the last five feet of the room.
- (8) Any person who violates this decorum policy, becomes boisterous, or interferes with the continuation of any District meeting shall be warned and directed to cease the violative behavior. Any continuation of such behavior shall result in the removal of the individual by a Hendry County Sheriff’s Deputy, or other appropriate personnel, at the direction of the presiding Supervisor of the meeting.

EXHIBIT B
PUBLIC PARTICIPATION POLICY

- I. **Opportunity to be heard.** The District welcomes comments from the public, who shall be given a reasonable opportunity to be heard on matters before the District in accordance with section 286.0114, Florida Statutes. According to section 286.0114(3), Florida Statutes, a speaker's right to be heard does not apply to the following:
- a. An official act that must be taken by the Board to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with these requirements would cause an unreasonable delay in the ability of the Board to act;
 - b. An official act of the Board involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
 - c. A meeting that is exempt from section 286.011, Florida Statutes; and
 - d. A meeting during which the Board is acting in a quasi-judicial capacity.

This paragraph does not affect the right of a person to be heard as otherwise provided by law.

- II. **Time to speak.** Each member of the public is allowed the opportunity to speak for a maximum of three minutes during "Public Comments" for each identified agenda item unless allowed additional time by a majority vote of the Board and a finding of "good cause". A speaker may not give his or her allotted three minutes to another person in order to allow them to speak for six minutes.
- III. **Comment Cards.** Any member of the public who wishes to speak or make their position known to the Board shall complete a "comment card" and present it to the District Attorney or District Manager in the District Meeting Room prior to making Public Comment. Only individuals who have submitted comment cards and have been recognized by the Chairperson, Vice Chairperson or presiding Supervisor may address the Board. Any member of the public who has filled out a comment card and desires to be recognized must be present when the Chairperson, Vice Chairperson or presiding Supervisor calls the individual's name. As a general practice, comment cards will not be accepted after presentation of an agenda item has begun; however, the Chairperson, Vice Chairperson or presiding Supervisor has the discretion to accept additional comment cards. Comment cards are public records.
- IV. **Addressing the board.**
- a. Any person desiring to speak at a meeting of the Board shall identify him or herself by name and address, and, if the speaker is speaking for a group, the speaker shall so state. Public comments shall be directed to the Board through

EX. B: PUBLIC PARTICIPATION POLICY

the Chairperson, Vice Chairperson, or presiding Supervisor. **Public comment should not be addressed to a single member of the Board or District Staff unless otherwise agreed by a majority of the Supervisors present for the meeting.**

- b. Speakers shall not attempt to engage members of the Board, District Staff, or District Attorney, District Engineer, and District Treasurer in a debate of the issue raised, but shall simply make their statement and request the Board consider the comment.
- c. No person shall be permitted to enter into any discussion, directly or indirectly, with another speaker, District Staff, or a member of the Board of Supervisors without permission of the Chairperson, Vice Chairperson or presiding Supervisor.
- d. No question shall be asked of another speaker, District Staff, or a member of the Board of Supervisors except through the Chairperson, Vice Chairperson, or presiding Supervisor.