

Heritage Harbour South CDD
Board of Supervisors Meeting Procedures
December 19, 2013

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Board of Supervisors Meeting Procedures

Section 1. GENERAL

These Rules of Procedure, as amended from time to time, shall govern the Board of Supervisor's Meetings.

Section 2. MEETINGS

Section 2.1. General. The business of the Board shall be conducted at regular or special meetings only. All meetings shall be scheduled in accordance with statutory requirements and to provide sufficient notice to the public, and shall be open to the public. At a meeting, three (3) members physically in attendance shall constitute a quorum.

Approximately fourteen (14) days prior to each meeting, the District Manager will electronically distribute a tentative agenda which would offer Board Members and staff an opportunity to provide input for agenda modification prior to the production of the final agenda. Approximately seven (7) days prior to each meeting, the District Manager will distribute the final agenda electronically and a hard-copy version will be mailed to those on the distribution list. This agenda will be published on the District web site for public viewing. The agenda will determine what is to come before the Board in what order.

The District Manager will coordinate with the Chairman regarding agenda topics for which supporting documents were not available at the time of agenda publication and whether the topic should be postponed to the next meeting or if it warrants presentation at the meeting.

For an action item (requiring a vote of Board) that was not on the agenda to be presented to the Board for consideration, a majority vote of approval will be obtained prior to the topic being presented. Requests for non-agenda items to be considered must be made by a Board member, District Counsel or the District Manager along with a brief explanation of why the item should be considered at that time. Following the request, the District Manager will ask for a motion to approve the consideration of the specific topic. If there is no motion, the consideration of the item will be postponed. If approved for consideration, the item will be discussed and once a motion is made and seconded for action and public comments are received, the Board will vote on the motion.

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- Section 2.2. Meeting Time and Location. Regular meetings of the Board shall be held at the time, date and location determined each year by a Resolution of the Board for the fiscal year meeting schedule. The time, date and location may change during the year due to circumstances and an action by the Board. The District Manager will coordinate with the Chairman to determine if a meeting should be cancelled due to a lack of business to conduct.
- Section 2.3. Board Member Attendance. All Board members are expected to attend all meetings and remain until the meetings are adjourned or continued or the member is excused by the Chairman. A request to be excused and notice of a member's intention to be absent shall be communicated to the District Manager or his or her designee assisting the Board at that time. In cases of emergency or pressing matters, a Board member with the approval of the remainder of the Board may attend by teleconference and may vote on matters before the Board. Attending by teleconference does not count towards constituting a quorum.
- Section 2.4. Compensation. Board members will be eligible for compensation as outlined in Chapter 190 F.S. and payment will be made for meetings attended in person or by teleconference. Board members will be compensated if a meeting is attended but the meeting is not called to order due to a lack of quorum or is cancelled prior to being called to order.
- Section 2.5. Meeting Duration. All meetings of the Board of Supervisors shall be limited to two (2) hours and shall automatically adjourn unless the Board of Supervisors, by majority vote, extends the meeting in ½ hour increments.
- Section 2.6. Public Comments. There will be an agenda topic titled "Public Comments" near the beginning of each meeting. Comment cards will be available at the beginning of each meeting and any member of the public who desires to comment on an item, must fill out a comment card, identifying the item on the Agenda and which must be turned into the District Manager before the portion of the agenda for Public Comment is concluded. Only those members of the public who have turned in comment cards will be afforded the opportunity to speak on an item on the Agenda. For items that are added to the Agenda by the Board of Supervisors, comment cards may be turned into the District Manager once the item is added to the Agenda and those individuals will be offered an opportunity to address the Board of Supervisors on that topic prior to Board action.

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Section 2.7 Agenda Format. The meeting agendas will follow the format below unless required to be changed for extenuating circumstances and coordinated with the Chairman:

Agenda

Call to Order / Roll Call

Public Comments

Business Administration

- (a) Review of Minutes
- (b) Review of Operation & Maintenance Expenditures
- (c) HOA Updates
- (d) Lighthouse Cove HOA Update
- (e) Golf Course Update

Staff reports

- (a) District Counsel
- (b) District Engineer
- (c) Operations Report
- (d) District Manager

Old Business Items

New Business Items

Supervisor's Requests and Comments

Adjournment

Section 3. OFFICERS

Section 3.1. Selection. At the first Board meeting held after each election or appointment where the new members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretaries and Treasurer. For a detailed description, see Heritage Harbour South CDD Rules of Procedure.

Section 4. CONDUCT OF BUSINESS

The business of the Board shall be conducted as follows:

Section 4.1 The District Manager with authorization from the Chairman and per these procedures, shall convene and conduct the meeting for the Board of Supervisors. At any time during the meeting the Chairman or in his or her absence, the Vice-Chairman may assume control of the meeting from the District Manager. The District Manager will generally:

- (A) Open all meetings at the time at which the Board is to meet and call roll to verify attendance and to verify the presence of a quorum.

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- (B) Announce the business before the Board in the order in which it is to be acted upon.
- (C) Recognize members entitled to the floor; to state and put to vote all questions which are regularly moved or necessarily arise in the course of business, and to announce the result of the vote. When a motion has been made and seconded it is the duty of the District Manager unless he or she rules it out of order, immediately to state the question that is before the Board for its consideration and action. If the question is debatable or amendable, the District Manager shall immediately ask, "Is there any discussion?" If no one then responds, he or she shall call for a vote and announce the results. In announcing the vote the District Manager shall state the motion passes or fails.
- D) Assist in expediting the business in every way compatible with the rights of the members, as by allowing brief comments when non-debatable motions are pending, if he or she thinks it advisable; to restrain the members when engaged in debate, within the rules of order; to enforce on all occasions the observance of order and decorum among the members.
- E) Have the right to participate in the discussions; however, he or she shall not have the right to vote on Board business nor be counted toward a quorum.

Section 4.2. Motions. Actions by or decisions of the Board shall be determined by motions duly moved and seconded and passed/approved by a majority of the members present or authorized to be attending by teleconference.

Section 4.3. Voting. It is a rule that all members shall vote on all questions. Notwithstanding, no one can vote or participate in debate or discussion on an item or a question or a proposal in which he or she has a conflict of interest, as provided by the Code of Ethics and Florida Statutes.

The method of taking a vote shall normally be by a verbal vote of "all in favor of the motion signify by saying aye - opposed nay". If requested by any Board member, the vote may be taken by roll call and vote of aye or nay as the name is called. A quorum must be physically present in order to vote and a majority of the authorized votes are necessary for the adoption of any motion. On a tie vote the motion is lost.

A motion to approve, when defeated by a vote, shall be considered as a

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motion to deny.

A motion to deny, when defeated by a vote, shall NOT be considered as a motion to approve. In this instance there must be placed before the Board a motion to approve.

Section 4.4. Minutes. Minutes of the Board shall contain a concise and accurate summary of actions taken at meetings, but shall not include verbatim comments from Board members or of persons making presentations to the Board unless requested by the Board. If a motion to continue an item is approved, the Board shall state its reasons for continuance and the minutes shall reflect the same.

Section 4.5. District Counsel. The District Counsel shall rule on all legal questions and the Board shall rely only on the advice of the District Counsel for such questions.

Section 4.6. Public Comment. The Board shall hear Public Comments as described in Section 2.6 above.

- (A) Each speaker shall be limited to three (3) minutes unless the Board by majority vote approves a longer time.
- (B) Order and decorum shall prevail and be enforced by the District Manager. The comment period shall not be allowed to be conducted as a debate or a political forum.
- (C) Upon recognition by the District Manager, a member of the Board may courteously and briefly question a speaker to gain information or assistance in reaching a decision but shall not engage in debates, disagreements or discussions with the speaker.
- (D) The purpose of the public comment is to inform the Board of the relevant views of interested persons and the general public and to present such factual information as is necessary for the Board to make a decision or recommendation. Any action, conduct or statement not reasonably in accord with this purpose may be ruled out of order by the District Manager or Chairperson.
- (E) Any person may be represented by an attorney or other spokesman. No person serving as a member of the Board shall represent a person before the Board.

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- (F) Upon the conclusion of the statements of the public, the District Manager shall thank all for their interest and attendance, and close the public comment.

- (G) For those action items (requiring a vote of Board) considered by the Board and not on the agenda and approved by a majority of the Board for consideration, the District Manager shall then open the floor for Board member discussion, motions, debate. Prior to a vote, the District Manager will open the meeting for audience comments on this specific item from those members of the public who have completed a comment card and submitted to the District Manager. Following the audience comments, the District Manager will ask for Board discussion, restate the motion and call for a vote.

Section 5. ETHICAL CONDUCT

The Heritage Harbour South Community Development District is an instrument of County Ordinance and Florida Statutes providing an important function with imposed obligations, responsibilities and duties. In accepting an appointment or being elected to serve as a member of the Board of Supervisors, one also accepts and adopts the requirements of Florida Law and the Code of Ethics as his or her standard of conduct.

In addition, members of the Board of Supervisors shall not subvert the integrity of the Board as a whole or of any member of the Board.

Section 6. AMENDMENTS

These Rules of Procedure may be amended by the Board of Supervisors by resolution and accordance with applicable law.

An amendment, having been adopted, immediately becomes effective upon its adoption, unless the motion to adopt specifies a different timing.