

ADOPTED 5/8/2013
REVISED 11/20/13
REVISED 12/18/13
REVISE 2/12/14

Indian Trail Improvement District

Board of Supervisors

RULES OF PROCEDURE

POLICY: It is the policy of the Indian Trail Improvement District's Board of Supervisors that these Rules of Procedure shall govern all official meetings of the Board of Supervisors. The Members of the Board, Staff and the Public shall adhere to these rules. The ultimate determination of procedural matters shall rest with the President subject to appeal by the Board Members, and, if so appealed, a majority vote of all Board Members present shall prevail.

RULES OF PROCEDURE:

1. GOVERNING RULES

Except as may be provided by these rules or by law, questions of order, the methods of organization and the conduct of business of the Board shall be governed by Roberts' Rules of Order in all cases in which they are applicable.

2. REGULAR/WORKSHOP MEETINGS

The Board will typically hold its regular meetings on the 2nd Wednesday of each month. The Board will conduct workshops on an as needed basis, and may include agenda items and other matters presented for formal action in addition to workshop presentations. Regular Meetings scheduled to be conducted the day after a legal holiday may be rescheduled. A schedule will be distributed prior to each fiscal year listing the dates of all anticipated meetings of the Board. Regular Meetings shall typically commence at 6:30 P.M. and conclude on or before 11:00 P.M. In the event the Board Meeting needs to continue beyond 11:00 P.M., a majority vote of the Board is required to continue the Board Meeting. Workshop Meetings shall typically commence at 4:30 P.M. or later. Scheduled meetings may be postponed or canceled by a motion approved at a Regular Meeting by a majority of the Board Members present or as determined by the Board President. Further notice need not be published. All meetings shall be held in the District Administrative Office or such place as may be approved by motion at a Regular Meeting by a majority of Board members present and shall be open to the public.

The Board shall hold meetings monthly for the purpose of considering such matters in which the Board is vested jurisdiction. Conduct of business at such meetings shall be governed by these rules, where applicable, except where

preempted by statute or other law. No other matters may be considered or determined unless the provisions of Rule No. 4 have been met.

3. SPECIAL MEETINGS, EMERGENCY MEETINGS

- A. Special Meeting.** A special meeting of the Board may be called by the majority of the Members of the Board or by the District Administrator. Whenever a special Meeting is called, notice shall be given stating the date, hour and place of the meeting and the purpose for which such meeting is called and no other business shall be transacted at that meeting.
- B. Emergency Meeting.** An emergency Meeting of the Board may be called by the President or District Administrator whenever in his/her opinion an emergency exists which requires immediate action by the Board. Whenever such an emergency Meeting is called, the President shall notify the District Administrator or vice versa who shall serve either verbal or written notice upon each member of the Board, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least 24 hours shall elapse between the time the District Administrator receives notice of the meeting and the time the meeting is to be held. If because of the nature of the emergency it was impossible to give notice to each Board Member or it was impossible to let 24 hours elapse between the time the District Administrator receives notice of the meeting and the time the meeting is held, such failure shall not affect the legality of the meeting. Any action taken at an Emergency Meeting shall be ratified at the next Regular Board Meeting.
- C. Minutes: Open Meetings.** The minutes of each special or emergency Meeting shall show the manner and method by which notice of such special or emergency Meeting was given. (See paragraph D. below) Minutes thereof shall be kept by the Secretary. All special or emergency Meetings shall be open to the Public and shall be held in the District's Administrative Office or other suitable public building.
- D. Notice.** No special or emergency meeting shall be held unless notice thereof shall be given in compliance with the provisions of this section. Reasonable public notice sufficient to comply with the provision and intent of Chapter 189, Florida Statutes, must be given and in no event may be waived.

4. AGENDA

There shall be an official agenda for every Meeting of the Board, which shall be determine the order of business conducted at the meeting. The agenda format shall be in substantially similar form as set forth below.

TYPICAL REGULAR BOARD MEETING AGENDA FORMAT

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL
- 4. PRESIDENT’S WELCOMING REMARKS
- 5. SUPERVISOR OPENING COMMENTS
- 6. AGENDA APPROVAL
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 7. PRESENTATIONS
- 8. PUBLIC INPUT ON NON-AGENDAED ITEMS
- 9. CONSENT AGENDA
- 10. APPROVAL OF MINUTES
- 11. REGULAR AGENDA
- 12. REPORTS
- 13. SUPERVISOR CLOSING COMMENTS
- 14. ADJOURNMENT

The Board shall not take action upon any matter, proposal, or item of business which is not listed upon the official agenda, unless a majority of the Board grants approval to the presentation thereof for consideration and action.

Regular Agenda. Regular Agenda Items are items which the Board will discuss individually in the order listed on the Agenda, unless otherwise reorganized upon a duly passed motion of the Board. The District Administrator shall prepare the Board Meeting Agenda with input from the District Attorney and District Engineer with approval by the President.

Public Input. Members of the Public may address the Board under "Public Input" Matters.

Supervisor Comments. The purpose of Supervisor Comments is to promote the Public discussion of matters relating to District business and to encourage the dissemination of information. Any Supervisor may submit reports and information on items relating to District business. When possible, Staff should receive information in advance. The Board may also request the preparation of resolutions, reports and legal documents, and other actions of the Board, during this portion of the agenda. All such requests shall be referred to the Administrator, the Attorney, or Engineer as appropriate, shall be properly prepared for formal consideration as soon as possible at a Regular Meeting of the Board of Supervisors or as appropriate. Official actions may be taken under comments in emergency or for other situations as may be determined by a majority of the Board.

Delivery of Agenda. The District Administrator shall make every effort to deliver a complete agenda package to the District Supervisors no later than 5:00 P.M. on the Wednesday preceding the Wednesday meeting. Agenda packages for Special and Emergency Meetings will be distributed in as timely a manner as possible.

Emergency Items. In the event of an unforeseen/emergency situation (defined as strongly relevant to the health, safety and/or welfare of the residents of Indian Trail Improvement District), where an agenda item must be presented to the Board without undergoing the normal submittal and review process, the item may be added to the agenda upon approval of the President or the District Administrator. The Board should be apprised of the issue with as much advance notice as possible preceding a scheduled Board Meeting.

Other Meeting agendas, such as for workshops, shall be produced by Administration in such format that is appropriate for the meeting.

5. PRESIDENT AS PRESIDING OFFICER; VICE-PRESIDENT; DUTIES

Duties. The President of the Board of Supervisors shall preside as Chair at all meetings at which s/he is present. In the absence of the President, the Vice-President of the Board shall preside. In the absence of the President and Vice-President, the Secretary shall determine whether a quorum is present and in that event shall call for the election of a temporary chair. Upon the arrival of the President or the Vice-President, the temporary Chair shall relinquish the Chair upon the conclusion of the business immediately before the Board. The President shall call the Board to order at the designated time for the Meeting. The presiding officer shall preserve strict order and decorum at all meetings of the Board. S/he shall state every question coming before the Board and announce the decision of the Board on all matters coming before it. A majority vote of the Board Members present shall govern and conclusively determine all questions of order not otherwise covered. The presiding officer may vote on all questions. In the absence of the President, the Vice-President shall perform the duties and functions of the President until his/her return and resumption of duty.

Signature by the President. Items reviewed and approved by the Board for the President's signature will be delivered to the President for signature. When the items have been signed, the documents will be released to the Secretary to be attested and sealed. If the President is not able to sign items, the items shall be delivered to the Vice-President for signature. If the President and Vice-President are not able to sign items in a timely manner and there is a need to obtain an immediate signature, any Board Member may sign a document which is otherwise in accordance with these Rules of Procedure and other policies and procedures of the District. Strict adherence to this procedure is necessary to ensure the integrity of the documents and particularly to expedite handling those items with time constraints.

Election, Term of Office. The President and Vice-President shall be elected from and by the members of the Board. The term of these offices shall be for approximately one year from the date of the Election of Officers. Election of Officers shall take place every December. In the event the President relinquishes his or her office, the Vice-President shall be appointed President until the term expires. In the event the office of the Vice-President becomes vacant, the board shall elect a new Vice-President to serve until the term expires.

6. ROLL CALL

Before proceeding with the business of the Board, the President or his/her designee shall call the roll of the members in attendance. The names of those Board Members present shall be entered in the Minutes.

7. QUORUM

A majority of the entire Board shall constitute a quorum. No resolution or motion shall be adopted by the Board without the affirmative vote of the majority of the Board Members present.

Should no quorum attend within a maximum of 30 minutes after the hour appointed for the meeting of the Board, the President or the Vice-President or, in their absence, the Secretary or his/her designee, may recess the meeting until the next day, unless by unanimous agreement those members may select another hour or day. The names of the members present and their action at such meeting shall be recorded in the minutes by the Secretary.

8. ORDER OF BUSINESS

All meetings of the Board shall be open to the Public. Promptly at the hour set for each meeting, the Members of the Board, the District Administrator or his/her designee, the Attorney and the District Engineer, shall take their place in the District Administrative Meeting Room and the business of the Board shall be taken up for consideration and

disposition in accordance with the Agenda for the Meeting. Any departure from the order of business set forth in the official Agenda shall be made only upon majority vote of the Members of the Board present at the meeting.

9. RULES OF DEBATE

- A. Question Under Consideration. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, to substitute, or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned and the first two shall be decided without debate. Final action upon a pending motion may be deferred until a date certain by a majority of the members present.
- B. As To The Chair. Upon relinquishing the Chair, the President or such other members of the Board as may be presiding may move and second, subject only to such limitations of debate as are by these rules imposed upon all Members.
- C. Getting The Floor, Decorum. A Board Member shall be deemed to have yielded the floor when s/he has finished speaking. A member may claim the floor only when no one else has it. A Board Member who claims the floor first shall be recognized first, unless another member claiming the floor presented the motion and has not yet spoken. The President shall always recognize other members. Other recognition shall be at the President's discretion. Members shall refrain from speaking adversely on a prior motion not pending and from speaking against their own motions. All Board Members shall maintain decorum.
- D. Interruption. A Board Member may request, to or through the President, a Point of Information to obtain relevant information, subject to the consent of the speaking member. A Member may make a Parliamentary Inquiry requesting information or the President's opinion on the rules. A member may make a Point of Order challenging a breach of the rules or a ruling of the President. If a member is speaking when a Point of Order is made, s/he shall cease speaking until the President rules or submits the decision to the Board. By motion and second, a decision of the President on a Point of Order may be appealed to the Board and, without debate, the President shall submit to the Board the question, "Shall the decision of the President be sustained?", and the Board shall decide by a majority vote.
- E. Reconsideration. Action of the Board may be reconsidered at the same meeting or the very next meeting of the Board sitting in the same capacity or a like capacity when the principal action was taken. A motion for reconsideration may only be made by a member who voted on the prevailing side of the question and with the

concurrence of a majority of those present on the date that the reconsideration was requested. A motion for reconsideration may not be entertained (1) at a subsequent meeting in the event of an affirmative vote, whose provisions have been partly carried out; (2) in the case of an affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome; or (3) in the case of any vote which has caused something to be done that it is impossible to undo. Adoption of a motion to reconsider shall rescind the action reconsidered.

10. MINUTES

The minutes of a Meeting, when approved by the Board and signed by the President and the Secretary, shall be considered approved. The minutes of prior meetings may be approved by a majority of the members present, and upon such approval, shall become the official minutes.

11. VOTING

- A. Method. The President shall ask the members whether they are in favor or opposed to the motion on the floor and shall announce the results which will be recorded by the Secretary. The vote upon any resolution, motion, or other matter may be by voice vote, provided that the President or any Board Members may ask a roll call vote to be taken. A silent vote of the Board indicates approval of the Agenda item. The maker of the motion must be present when a vote is taken on the motion.
- B. Conflict of Interest. No Board Member shall participate in the discussion or vote upon any matter under consideration wherein s/he has a conflict of interest as defined in Chapter 112 of the Florida Statutes, as amended.
- C. Vote Change. Any Board Member may change his/her vote before the next item is called for consideration or before a recess or adjournment is called, whichever occurs first.
- D. Tie Votes. A tie vote shall result in the failure of the motion; however, the results of the vote shall not be considered an outcome in favor of or opposed to the item before the Board.

12. ADDRESSING THE BOARD OF THE BOARD OF SUPERVISORS

The Board recognizes the importance of protecting the right of the public to express their opinions on the operation of district government and encourages public participation in the local government process. The Board also recognizes the necessity for conducting orderly and efficient meetings so that District business may be completed in a timely manner. Members of the Public shall be given a reasonable opportunity to be heard on each Board agenda item except as provided herein. The opportunity to be heard need not

occur at the same meeting at which the Board takes official action on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the Board takes the official action. The Public is encouraged to utilize other available channels of communication to express their opinions and comments. Members of the Public wishing to speak at public meetings, either under general "Public Input" or regarding Agendaed items, shall comply with the procedures set forth below.

Exceptions to Right of Public Comment:

- A. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Board to act; or
- B. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations; or
- C. A meeting that is exempt from §286.011, Florida Statutes.

Allotted time. Each member of the Public shall be limited to a maximum speaking time of three minutes. The Chair may allow a member of the Public to extend the maximum speaking time, but to no more than ten minutes, by the use of another speaker's allotted time. In the event more than a total of twenty members of the Public indicate their desire to speak on the same or related subject, the Chair may establish a maximum time limit, not to exceed one hour, for public comments. In the interest of maintaining the efficient and orderly conduct of District business, the Chair may also assign time limits for groups or factions supporting, opposing or expressing neutrality on any item to address the Board. Members of a group for faction are encouraged to appoint one or more persons to speak on their behalf during the time allotted for the item at issue. Notwithstanding the provisions of this section, the Chair shall have the discretion to adjust speaking time limits as he or she deems appropriate and necessary to fit the amount of time allotted for discussion of an item.

Relevancy. Each Public comment must be relevant to the agenda item/motion at issue. The presiding officer may curtail inappropriate, irrelevant or repetitious comments.

Public Comment Cards. Any member of the general public wishing to speak before the Board shall complete a "comment card" and present the card to staff located in the District Board Meeting Room who will then forward the card to the Chair. These "comment cards" are considered public documents. Comment cards will be accepted until an Agenda Item is up for discussion. Lack of response to public comment "from the Board, Staff or Consultants" does not constitute agreement.

Dissemination of Information. Any member of the Public desiring to submit information to the Board may do so only when they are recognized to speak and are at the podium. Only information relevant to an agenda item will be received and filed. Due to time

constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting, but rather, same will be received and filed and become part of the record. Early submission of information relevant to an item appearing for Board consideration is encouraged.

Manner. Each person addressing the Board shall step up to the podium, and shall give his/her name and address in an audible tone of voice for the Minutes. All remarks shall be addressed to the Board as a body and not to any Board Member thereof. No person other than Board Members and the person having the floor shall be permitted to enter into any discussion, either directly or through a Member of the Board, without the permission of the presiding officer. No question shall be asked a Board Member or Staff except through the presiding officer.

Workshops. Public comment will be accepted at the discretion of the Board.

Presentation Format. As a general rule, when the Board considers issues during which the general Public is invited to offer comment, the order of presentation shall be as follows:

1. District Staff presents detail of the issue
2. Comments by the Public
3. Board discussion and official action

Decorum. Members of the Public shall at all times maintain orderly conduct and proper decorum in a meeting. Any person making angry, personal, vulgar, impertinent or slanderous remarks or who becomes boisterous, belligerent or disruptive while addressing the Board shall be barred from further audience before the Board, unless permission to continue or again address the Board is granted by the majority vote of the Board Members present.

Persons Authorized Beyond the Podium. No person, except District officers or their representatives, shall be permitted to advance upon the Board beyond the podiums in front of the Board's dais. Any person who advances beyond this delineated area without permission from the presiding officer may be subject to removal from the District Administration Meeting Room by District security/Sheriff deputy.

Reasonable Use of Personal Mobile Devices. – The Board and Public should be mindful of the use of personal mobile devices during the Board and the Workshop Meetings.

13. COMMITTEES

Whenever the Board deems it necessary or desirable that the Board shall be represented at meetings, conferences or other occasions involving other governmental entities, agencies, officials or groups, or nongovernmental organizations, departments, agencies or officials of the District, the Board may designate members of the Board or the President, in the absence of a Board Meeting, may designate another Board Member or him/herself to represent the Board at

such meetings, conferences or other occasions. Such representatives shall have no power to act for or on behalf of the Board, unless previously so authorized. Such representative shall report to the Board with regard to such meeting, conference, or other occasion.

14. RESOLUTIONS AND MOTIONS

When Action To Be Taken By Motion or Resolution. All actions of the Board shall be taken by motion or resolution. Actions on routine administrative matters may be taken by motion duly approved and recorded in the minutes of the meeting.

Preparation of Resolutions For Presentation To The Board. The appropriate Staff when requested by the Board shall prepare Resolutions to be placed on the Board's agenda for adoption.

Numbering of Resolutions. All resolutions shall be numbered consecutively upon their passage.

Procedures for New or Amended Resolutions. If a need for a new or amended resolution is deemed necessary, the appropriate Staff will be directed to draft the resolution which will be scheduled for Board consideration.

Certifications of Appreciation should be done when honoring an individual or general accomplishment.

15. DISTRICT EVENTS HELD IN OR ON DISTRICT FACILITIES/PROPERTY

The President will preside at all events at which s/he is present held in or on District Facilities/Property. In the absence of the President, the Vice-President of the District Board shall preside; in their absence or with their concurrence, the appropriate District Board Member may preside.