

**TAYLOR COASTAL  
WATER AND SEWER DISTRICT**

**RULES OF PROCEDURE  
AND  
COMMISSIONERS CODE OF CONDUCT**

**FISCAL YEAR 2020-2021**

**Adopted May 25, 2021**

The Taylor Coastal Water and Sewer District recognizes that as a deliberative body it needs agreed upon procedures by which the behavior of the body and of individual members is to be governed. An orderly process is necessary not only for the District Board but also for members of the staff and public or persons doing business with the District.

Although there are several Florida statutes which, in effect, specify certain rules, many of the rules of a Dependent Special District Board are not specified by state statute. The intent is that various boards develop rules that fit their specific situation. Florida Statute Chapter 189.02-189.022.

In compiling our board rules, we had three major considerations. The first is that the rules adopted should reflect procedures that enhance our District's ability to operate. Second, the District adopts rules to operate as required by law. Third, the rules adopted should be internally consistent.

The Taylor Coastal Water and Sewer District Rules of Procedure as herein adopted are intended to include most of the relevant procedural topics that the District faces; topics which, for the most part, have been gleaned from several special districts, counties, and cities. It is important to note that while the Districts' Rules of Procedures should be readopted annually at the first fiscal year meeting in October or as soon as practical thereafter, the Board can change or amend its rules not governed by statute by a simple majority vote during any meeting.

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## **SECTION I - PUBLIC PARTICIPATION IN DISTRICT GOVERNMENT**

1. **Board Meetings Open to the Public.** All meetings of the Taylor Coastal Water and Sewer District shall be open to the public in accordance with the Florida Government in the Sunshine Law, Section 286.011, F.S.
  - a. Because of the need to comply with seating capacity requirements of the fire code, there may be occasions when entrance by the public to the District Office or other meeting rooms shall be limited. At the sole discretion of the District, when an unusually large crowd is anticipated, the District may consider holding the meeting in an alternate location.
  - b. Regular, as well as Special meetings of the District will be conducted in a District owned or controlled building. All meetings will be held in a building that is open to the public.
  - c. For public-safety purposes, no signs or placards mounted on sticks, posts, poles, or similar structures will be allowed in District meeting rooms.
  - d. All persons with disabilities shall be provided the assistance that is necessary to enable them to effectively participate in District meetings.
  
2. **Appearance before the District.** Persons desiring to address the District on a matter pending before it, or which needs the attention of the Board may do so upon being recognized by the Chair. To ensure that everyone has a fair opportunity to participate, these procedures will be followed:
  - a. After being recognized, the person shall step up to the speaker's rostrum and give her/his name and home address; unless further time is granted by the Chair, limit the comments to three minutes; address all remarks to the District as a body, and not a member thereof; and make comments and present documents to the Chair and to the Secretary.
  - b. Speakers shall make comments concise and to the point and present any data or evidence they wish the District to consider. No person may speak more than once on the same subject unless granted permission by the Chair.
  - c. The District may discuss the matter, assign it to a committee, or refer it to the District Office Staff and/or District Attorney for review and comment.

- d. No person other than a member of the Board, and the person having the floor, may be permitted to enter any discussion, either directly or through a member of the Board, without permission of the Chair. No question may be asked except through the Chair.
- e. A person may not interfere with, or interrupt, the orderly procedure of the Board. The speaker must be properly recognized by the Chair.
- f. If the Chair declares an individual out-of-order, they will be requested to relinquish the speaker's rostrum. If the person does not do so, they are subject to removal.
- g. Prior to the beginning of a meeting or public hearing, the Chair may require that all persons who wish to be heard sign in with the Secretary, give their name and home address, the agenda item and whether they wish to speak as a proponent, opponent, or otherwise. If a sign-in sheet is required, any person who does not sign in may be permitted to speak after all those who signed in have done so.
- h. The Chair, subject to concurrence by the majority of the Board, is authorized to establish speaker time limits and otherwise control presentations to avoid repetition.
- i. Employees of the District may address the District on matters of public concern. Employee comments that address an active grievance/arbitration, employee appeal matter or a personnel dispute will not be entertained as a part of Citizen Comments. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

**3. Public Comments and Inquiries for Non Agendaed Items.** The District shall not take final action on public comment items presented at the same meeting unless it waives its Rules of Procedure. When inquiries and comments are brought before the District, other than for items already on an agenda, the Chair may first determine whether the issue is legislative or administrative in nature and then:

- a. If legislative, and the complaint is about the letter or intent of legislative acts or suggestions for changes to such acts, and if the District finds consideration of such suggestions advisable, the District may refer the matter to a committee, to

the District Attorney and/or the District Office Staff for review and recommendation or may take other actions it deems appropriate.

- b. If administrative, and the complaint is regarding the performance of administrative staff, administrative interpretation of legislative policy, or administrative policy within the authority of the District Manager; the Chair shall then refer the complaint directly to the District Manager for their review, if said complaint has not been so reviewed. The Board may direct that the District Manager report to the Board when their review is completed.
- c. The Chair may also assign to a Commissioner, issues that require additional examination. If so assigned, the Commissioner shall provide a report to the District when the examination is complete.

**4. District Meetings -Regular.** Unless otherwise advertised, all regular meetings of the District Board of District Commission are conducted at 3:00 p.m. on the 4<sup>th</sup> Tuesday of the month in the District Office at 18820 Beach Road, Perry, Florida. The Board Meeting Calendar is approved each year at the first meeting of the new fiscal year.

- a. From time-to-time, regular meetings may be adjusted by the Board to accommodate a holiday schedule or other special circumstances. Prior notice of such change shall be provided to the public as soon as possible. While a minimum notice of 24 hours is required, the District will provide as much advance notice of a regular meeting as is feasible.

**5. District Meetings - Special (Requires a Minimum of 24 hours Notice).** The Chair or the District Manager may call a special meeting.

- a. The call for a special meeting shall be in writing and shall contain time, place, and business to be conducted. The notice of a special meeting shall be posted at the District Office and posted on the District's website. The time and place of the special meeting will be added to the meetings list. Special meetings may be held upon no less than twenty-four (24) hours public notice.
- b. Each Board Member shall be given 24 hours prior notice of the special meeting. Such notice shall be provided by any reasonable means, including telephone, email or facsimile transmission to the person's residence, place of employment, or other location, which ever site is most likely to ensure the person's receipt of the notice.

- c. Twenty-four hours prior notice of the special meeting shall be provided to the business office of each local media organization that has on file a written request for notice of special meetings. Such notice shall be provided by any reasonable means, including telephone, email, or facsimile transmission.
- d. An agenda outlining the business to be conducted will be available prior to the meeting. No business other than items listed on the agenda shall be conducted. Public comment shall be allowed on items on the agenda.
- e. If there is no longer a need for a special meeting, the person(s) who called the meeting is/are authorized to cancel the meeting.

6. **District Meetings -Emergency.** The Board Chair or the District Manager may call, orally or in writing, an emergency meeting. An Emergency Meeting is a time sensitive meeting of such a nature that a 24-hour notice would be detrimental to the action to be addressed at the meeting.

- a. The call for an emergency meeting shall contain the time, place, and business to be conducted. Emergency meetings may be held, when practicable, upon the most reasonable notice allowable under the circumstances.
- b. Each Board Member and the District shall be given the most reasonable notice allowable under the circumstances. Such notice shall be provided by any reasonable means, including telephone, email, or facsimile transmission to the person's residence, place of employment, or other location, whichever site is most likely to ensure the person's receipt of the notice.
- c. An agenda outlining the business to be conducted will be available prior to the meeting. No business shall be conducted other than items listed on the agenda. Public comment shall be allowed on items on the agenda.
- d. If there is no longer a need for an emergency meeting, the person(s) who called the meeting is/are authorized to cancel the meeting.

7. **Board Workshops**

The Chair or District Manager may schedule workshops to gain new information, request clarification and in general improve communication between elected officials, and the

public. Advance notice of these meetings shall be given in the same manner as special meetings. Minutes of these meetings shall be made by District staff.

## **8. Public Hearings; Time; Location**

- a. Public hearings shall be held as part of the regularly scheduled District meetings and will be so agendaed by the District Manager and are normally scheduled to begin at 3:00 p.m.
- b. The matters under consideration shall be heard at the designated time, or as soon thereafter as practicable. Public hearings may be continued from a prior meeting.
- c. Prior to the beginning of any meeting or public hearing, the Chair may require that all persons that wish to be heard sign in with the Secretary, give their name and home address, the agenda item, and whether they wish to speak as a proponent, opponent, or otherwise. If a sign- in sheet is required, any person who does not sign in may be permitted to speak after all those who signed in have done so. The Chair, subject to concurrence of a majority of the District, is authorized to establish speaker time limits and otherwise control presentations to avoid repetition.

## **9. Public Hearing; Procedures**

- a. General Public Hearings - The procedures to be followed for public hearings are, generally, as follows:
- b. The District Manager or his/her designee shall describe the agenda item to be considered and provide the staff recommendation. The Chair shall then inquire as to whether any Commissioners have questions for administration. After Commissioners questions are answered, the Chair then opens the public hearing.
- c. Following public comment (if any), the Chair closes the public hearing and inquires if any Commissioner wishes to put forth a motion. If a motion and a second are made, the Chair then calls for discussion among Commissioners.
- d. The Chair inquires if there is any further discussion by the Commissioners and any final comments or recommendations from administration. The Chair restates the motion.



- e. The Chair inquires of the Commissioners as to whether they are ready for the question, calls for the vote and after the vote restates the vote.

**10. Public Records; Inspection; Duplication.** Pursuant to Chapter 119, F.S., all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, email messages, or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business by any agency, are public records. A public record (including information stored in computers) is open to public inspection and duplication, unless exempted by law. The District Manager is the official records Custodian of public records for the District.

- a. If the purpose of a document prepared in connection with the official business of the agency is to perpetuate, communicate or formalize knowledge, then it is a public record regardless of whether it is in final form, or the ultimate product of an agency.
- b. Requests for copies of public information (including the Chair's mail) shall be fulfilled pursuant to the Board's policy specifically addressing the handling of public records requests.
- c. Any and every media conference officially sponsored by District will be open to all media representatives and to the public. Press conferences will be conducted in a location that is publicly accessible.

**11. District Mail; Circulation; Public Review and Duplication.** All mail addressed to the Chair and the Commissioners which is received pursuant to law or in connection with the transaction of official District business, is a public record. The public may review and duplicate these records as allowed by law.

- a. Each Commissioner may be provided a copy of the Chair's mail. The originals with attachments will remain in the Chair's mail file. Items of considerable length (such as petitions) will not be copied; instead, a memorandum will be distributed which announces the availability and location of the item in the office. Publications and lengthy agenda materials for other boards on which Commissioners serve will not be copied; only the agenda will be circulated.

- b. Each Commissioner will receive the original of items addressed to her/him. Mail with the words like "Personal", "Confidential" or "For the Addressee Only", shall be delivered unopened to the addressee.
  
- c. The Chair and Commissioners who receive individually addressed mail will be responsible for replying. Asking the District Manager to draft a response for their signature or requesting that the item be agendaed for formal District consideration is also appropriate. The District Manager shall be responsible for ensuring that mail addressed to the Chair or the District is properly answered or placed on an agenda.

## **SECTION II - PREPARATION OF AGENDA: ORDER OF BUSINESS**

1. **Preparation of Agenda.** The District Manager is responsible for the final preparation of the suggested agenda. The Chair, any Commissioner or the District Manager, or the District's Attorney may place an item on the agenda. The Chair and District Manager may meet to discuss each agenda.
  - a. As a general practice, all supporting documentation (original plus five copies) must be provided to the District Manager no later than 10:00 A.M. on Monday a week prior to the scheduled District Meeting. Item(s) may not be included on the suggested agenda if the supporting documentation is not provided by the deadline unless approved by the Chair.
  - b. Presentations will not exceed fifteen (15) minutes in length.
  
2. **Agenda Material.** The District Office ensures a copy of the suggested agenda and supporting materials are ready to be distributed to each Board Member, the District Manager, and the public by 5:00 P.M. on the Wednesday prior to the scheduled District meeting or Public Hearing, except when legally observed holidays affect copying and distribution. The agenda, as well as lengthy reports that are part of agenda documentation, will be available for public review in the District Office located at 18820 Beach Road, Perry, Florida and is made available on the District's website.
  - a. Each Commissioner should carefully review the Agenda and supporting information prior to the District Meeting.
  
3. **Meeting; Order of Business.**

The business of all regular meetings of the District should be transacted as follows - provided, however that the Chair may, by simple majority vote or consensus of the Commission, re-arrange items on the suggested agenda to conduct the business more expeditiously before the District.

- a. Invocation and Pledge of Allegiance – Members of the Commission as well as others may also be designated to present the invocation. The Chair shall lead the pledge.

- b. Welcoming of Guests
  - c. Open Floor for Comments on Non-Agendaed Items.
  - d. Bids/Public Hearings (If Agendaed)
  - e. Staff and Committee Reports
  - f. New Business
  - g. Old Business
  - h. District Manager Items
  - i. Closing Remarks Commissioners/Staff
  - j. Motion to Adjourn.
- k. Any items not listed on the printed agenda, for which a Commissioner will request District action, should be in writing, and should be provided to the Board and the District Manager not later than the beginning of the meeting. The exceptions are items of an emergency nature or those that do not require a written explanation.
4. **Quorum.** A quorum for the transaction of business by the District consists of (3) three Commissioners plus the Chairman. Once a quorum has been established, a majority of Commissioners present at the meeting shall be required to carry a motion.
5. **Office Staff/Board Secretary - Minutes.** The Board Secretary or their designee shall make correct minutes of the proceedings of each regular, special, or emergency District meeting and District Workshops. The draft minutes are reviewed by the Board. The Office Staff copies of the draft minutes to each Commissioner for their reading.
- a. The District Office Staff places the minutes on the agenda for approval by the District. Such minutes are then confirmed at the regular District meeting without a reading in open meeting unless some error is shown. In such event, an appropriate correction is made.
6. **Rules of Order and Debate.** Every District member desiring to speak should address the Commission Chair and, upon recognition by the Chair, the speaker shall confine their comments to the question under debate.
- a. The maker of a motion shall be entitled to the floor first for debate.
  - b. A member once recognized shall not be interrupted when speaking unless to call said member to order. The member should then cease speaking until the

question of order is determined, without debate, by the Chair. If in order, said member will be at liberty to proceed.

- c. If the Chair wishes to put forth or second a motion, they shall relinquish the chair to (1), the Vice Chair, (2), the senior Board member (if the Vice Chair is absent), (3) another District member who has remained impartial or (4), the Board Secretary, until the main motion on which the presiding officer spoke has been disposed.

**7. Voting.** The votes during all Commission meetings should be transacted as follows:

- a. To expedite business, the Chair shall determine whether to call a simple vote (all in favor of) or by roll call. At the request of any Commissioner, a roll call vote shall be taken by the Secretary. The roll call vote may be determined in alphabetical order, with the Chair voting only if there is a tie.
- b. When the Chair calls for a vote on a motion, every member, who is present in the District chambers must give his/her vote, unless the member has publicly stated that they are abstaining from voting due to a conflict of interest. If any Commissioner declines to vote "aye" or "nay" by voice, their vote shall be counted as an "aye" vote.
- c. The passage of any motion, policy or resolution shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote. In case of a tie in votes on any proposal, the Chair will be required to cast the final vote.
- d. Any Commissioner shall have the right to express dissent from or protests against any ordinance, resolution, or policy of the District, and to have the reason therefore entered in the minutes.

**8. Florida Statutes, Conflict of Interest as Specified in 112.3143 or Section 286.011, No Commissioner shall vote in her/his official capacity on a matter which would inure to his/her special private gain, or which the Commissioner knows would inure to the special private gain of any principal by whom s/he is retained, of the parent organization or subsidiary of a corporate principal by which s/he is retained, or a relative or of a business associate. Within fifteen (15) days following that District meeting, they shall file with the District Office a Form 8B**

which describes the nature of her/his interest in the matter. The Form 8B shall be received by the District Office and incorporated into the minutes of the meeting.

9. **Ordinances.** An enacted ordinance is a legislative act which prescribes general, uniform, and permanent rules of conduct relating to the corporate affairs of the District. District action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. All ordinances shall be introduced in writing and scheduled for public hearing after advertisement.
10. **Emergency Ordinances.** By vote of one more than the majority, the District may without notice or hearing adopt an emergency ordinance. The emergency ordinance shall contain a declaration describing the emergency.
11. **Resolutions.** Generally, an enacted resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. District action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. A resolution may be put to its final passage on the same day on which it was introduced. Resolutions are to be assigned numbers and recorded with the number by the Office Staff.
12. **Policies.** Generally, an enacted policy is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Policies shall be in writing and presented for review and approval at a regularly held Board meeting. Resolutions are to be assigned numbers and recorded with the number by the Office Staff.
13. **Motions.** An enacted motion is a form of action taken by the District to direct that a specific action be taken on behalf of the District. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.
  - a. Before a motion has been stated by the Chair, its proposer may change or withdraw it without the District's permission, and any member or the Chair may request that the maker withdraw it. Once the motion has received a second and has been stated by the Chair, the District must vote on the motion.

### **SECTION III-GENERAL PROVISIONS**

1. **Appointed Commissioners.** The term of District Commissioners appointed to office shall commence on May 3<sup>rd</sup> of each year unless the appointment is to fill a vacancy of a previous board member. A Commissioner is to serve a four-year term.
  
2. **Election of Chair and Vice-Chair.** The Secretary shall preside over the election of officers. Procedures for electing officers are as follows:
  - a. At the first scheduled District meeting following the beginning of the new fiscal year (October 1<sup>st</sup>) or as soon thereafter as practicable. The Board elects a Chairperson from among its members. The Secretary calls for nominations for Chair, nominations do not require a second. A roll-call vote is conducted by the Clerk if there is more than one nomination. If a vacancy occurs in the office of the Chair, the Commission shall, at its next meeting, select a Chair for the remainder of the term.
  
  - b. In conjunction with the above election, a Vice-Chair is also elected in a like manner.
  
  - c. In case of the absence or temporary disability of the Chair, the Vice-Chair serves as Chair during the absence. In case of the absence or temporary disability of the Chair and the Vice-Chair, an Acting Chair and Vice-Chair, selected by members of the Board, serves during the continuance of the absences or disabilities.
  
3. **District Chair; Presiding Officer.** The Presiding Officer (the Chair) presides at all meetings of the District and is recognized as the head of the District for all ceremonial purposes. In addition to the powers conferred upon them as Chair, they continue to have all the rights, privileges, and immunities of a member of the Commission. The Chair's responsibilities include:
  - a. Call the meeting to order, having ascertained that a quorum is present.
  
  - b. Recognize all Commissioners who seek the floor under correct procedure. All questions and comments are to be directed through the Chair and restated by them, and they declare all votes.

- c. Preserve order and call to order any member of the Board who violates any of these procedures; and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal.
- d. Expedite business in every way compatible with the rights of members.
- e. Remain objective while enjoying the same rights in debate as any other member; but the impartiality required of the Chair in an assembly precludes exercising these rights while presiding. The Chair shall have nothing to say on the merits of pending questions until the Commissioners and citizens have fully debated the question. On certain occasions which should be extremely rare the Chair may believe that a crucial factor relating to such a question has been overlooked and that his/her obligation as a member to call attention to the point outweighs the duty to preside at that time. If the Chair wishes to place a motion, the gavel must be relinquished.
- f. Based upon these Rules of Procedure, the gavel will be relinquished in the following order:
  - 1) Vice Chair.
  - 2) Other Commissioners based upon seniority.
  - 3) Another District member who has remained impartial.
  - 4) Board Secretary.
- g. The presiding officer who relinquished the chair should not return to it until the pending main question has been disposed of, since they have expressed partisanship as far as that matter is concerned.
- h. Declare the meeting adjourned when the District so votes, or at any time in the event of an emergency affecting the safety of those present.
- i. When time constraints dictate, the Chair is authorized to approve authorizations to advertise for public hearings.



- j. Assign Commissioner's seats in the District chambers.
  
- k. For time-sensitive matters only, send letters to the District's State and Federal Legislative Delegations and other government officials in support of District or community-based organization initiatives, such as legislative changes and grant requests, provided the District Commissioners have taken a position in support of the initiative in its legislative agenda or by some other action expressed its position on the issue presented.

**4. Suspension and Construction of Rules.** Temporary suspension of these procedures shall permit the Commission to take some action that would otherwise be prevented by a procedural rule already adopted. These Rules of Procedure may be amended or temporarily suspended at any Commission meeting with an affirmative vote of a majority of the Commission. These rules are for the efficient and orderly conduct of Commission business only; no violation of such rules shall invalidate any action of the District when approved by a majority vote required by law.

This set of Rules of Procedure shall be reviewed and if applicable, adopted no later than the first meeting each October or as soon thereafter as practicable.

## COMMISSIONERS CODE OF CONDUCT

Commissioners shall be held to the same standard of conduct that is expected of the public and the staff during board meetings, workshops, or any special meetings. The following Commissioner Code of Conduct shall be followed:

1. Commissioners shall be recognized by the Chair before speaking, commenting, or asking a question.
2. Commissioners shall not interrupt or interfere with any person who has the floor.
3. Commissioners shall always be respectful of other Commissioners, staff, and members of the public. This shall include the tone, volume, and context of what is being stated.
4. Commissioners shall not engage in unprofessional debate with another Commissioners, staff, or member of the public.
5. Commissioners shall not display negative facial expressions or any other unprofessional behavior such as negative sounds.
6. Commissioners shall not threaten another Commissioner, staff member or member of the public.
7. A Commissioner that is called out-of-order shall refrain from debate or continuing to speak until recognized by the Chair to speak.
8. A Commissioner that is declared out-of-order and does not comply with the Commissioner Code of Conduct is subject to a verbal warning from the Chair and if the behavior continues, is subject to removal from the meeting.
9. Commissioners shall not conduct business on behalf of the District without permission of the Board.
10. Commissioners shall not interfere with day-to-day operations of the District.
11. Commissioners shall not directly make requests to Employees other than the District Manager.