

RESOLUTION NO. 08-03-17

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT MODIFYING *BOARD PRACTICES AND
POLICIES*; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Board of Commissioners (“Board”) of the Key Largo Wastewater Treatment District (“District”), at a regularly scheduled meeting on January 17, 2017 adopted the *Board Practices and Policies* by resolution; and

WHEREAS, the *Board Practices and Policies* is a document that can be amended at any time; and

WHEREAS, The Board has determined that it would be in the best interest of the District to amend the Board’s *Practices and Policies* to include a Section entitled, *DRAFT AGENDA*; and

WHEREAS, the District desires, by this resolution, to modify the *Board Practices and Policies* to establish procedures governing the preparation of the draft agenda.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. Board Practices and Policies Modification. The Board’s Practices and Policies, modified to include “*DRAFT AGENDA*” on page 2 of 4 is hereby amended to read:

DRAFT AGENDA

- 1. The Clerk shall be responsible for the preparation, content, and form of the draft agenda with the assistance of the General Manager.*
- 2. Commissioners shall have the right to include items and materials in the draft agenda for dissemination to the other commissioners, to staff, and to the general public.*
- 3. In addition to Commissioners, the following persons shall have the right to include items in the draft agenda for dissemination the commissioners, the staff and the general public: 1) the General Manager, 2) the Director of Finance, 3) the District Engineer, and 4) the General Counsel.*

Section 3. Effective Date. The Board’s Practices and Policies attached hereto, as modified by this resolution, shall go into effect immediately upon the adoption of this resolution by the Board of Commissioners.

Section 4. Ratification. Except for the modification contained in DRAFT AGENDA above, all of the terms, conditions, provisions, and requirements contained in the Practices and Policies approved and adopted by the Board on January 17, 2017, are hereby ratified and shall remain in full force and effect.

Section 5. Authorization of District Officials. The General Manager and/or his designee(s) and the District General Counsel are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 14th DAY OF MARCH, 2017

The foregoing RESOLUTION was offered by Commissioner Tobin, who moved its approval. The motion was seconded by Commissioner Gibbs, and being put to a vote, the result was as follows:

	AYE	NAY
Chairman Asdourian	✓	
Commissioner Gibbs	✓	
Commissioner Heim	✓	
Commissioner Majeska	✓	
Commissioner Tobin	✓	

The Chairman thereupon declared Resolution No. 08-03-17 duly passed and adopted the 14th day of March, 2017.

KEY LARGO WASTEWATER TREATMENT DISTRICT



Chairman David Asdourian

ATTEST:
sufficiency

Approved to as to form and legal



Katherine Jackson, District Clerk



Ray Giglio, General Counsel



BOARD PRACTICES AND POLICIES

CONDUCT OF MEETINGS

1. The Board usually applies the following "Meeting Rules" to its meetings: (1) It shall not be necessary to have a motion on the floor to discuss an item; (2) Commissioners have the right to request reconsideration of any item regardless of whether a commissioner was on the winning or losing side of a prior vote; (3) A motion can be made by any Commissioner; (4) If the Chair makes a motion, it must pass the gavel to the Vice Chair; (5) A motion can be seconded by any Commissioner including the Chair, who need not pass the gavel; (6) A point of order normally take precedence over other matters; (7) On matters of extreme importance, a Commissioner may request the Board consider the matter at two separate hearings; (8) The Board should encourage full and open discussion of all items without regard to how long it takes to reach consensus; (9) The Board should not entertain items that have not been included in the Agenda; and (10) The Board should not take action on an items unless it has been provided sufficient back-up and an opportunity to review and to consider the matter.
2. The Board should update its "Meeting Rules" from time to time when appropriate.
3. The Board should be guided, but is not required to follow Robert's Rules of Order (Small Group Edition).

ROLE OF CHAIRMAN

4. The Chair should encourage full and open debate.
5. The Chair is not obliged to recognize a request to "call the question" unless and until there has been full and open discussion by the Board.
6. The Chair should discourage disrespectful comments.
7. The Chair's ruling on procedural matters is subject to a vote if challenged by any commissioner.

ABSTAINING FROM VOTING

8. A Commissioner should not abstain from voting unless, there is, or appears to be, a possible conflict of interest or unless a Commissioner lacks sufficient information to cast an informed vote.

RESOLUTIONS

9. Matters of importance should be resolved by a vote rather than by "giving direction."
10. Commissioners may request a formal vote on any issue.
11. The Board should adopt written resolutions on matters of importance.

THE RIGHT TO DISSENT

12. While a majority of the Board shall represent the official policy of the Key Largo Wastewater District. Notwithstanding any such vote, individual Commissioners shall have the right to publicly disagree with any vote or policy.

ELECTION OF OFFICERS

13. The Board elects a chairman, vice chairman, and treasurer annually. In years in which general elections are held pursuant to s. 189.405(2)(a), F.S, the Board elects officers at the first meeting following certification of results by the Supervisor of Elections. In non-election years, the election of officers is held on the second meeting in November.
14. Commissioners may nominate themselves for office.
15. No second is required for nominations.
16. Contested elections for Board officers may be held by signed ballots, which shall be opened by the Clerk and made a part of the record.

DRAFT AGENDA

17. The Clerk shall be responsible for the preparation, content, and form of the draft agenda with the assistance of the General Manager.

18. Commissioners shall have the right to include items and materials in the draft agenda for dissemination to the other commissioners, to staff, and to the general public.
19. In addition to Commissioners, the following persons shall have the right to include items in the draft agenda for dissemination to the commissioners, the staff, and the general public: 1) the General Manager, 2) the Director of Finance, 3) the District Engineer, and 4) the General Counsel.

PUBLIC COMMENTS

20. The Board should welcome public participation and comments at all meetings.
21. A person who desires to speak should register his or her request with the Clerk.
22. The public may speak on any item, including "Bulk" items, during the public comment period, or may defer making comments until the item is called for discussion.
23. Public Comment is usually limited to three (3) minutes for an individual and five (5) minutes for representatives of organizations, unless the Board believes additional time is appropriate.
24. Public speakers may provide written material to the Board and request that the material be included in minutes; however, the Chair may decline the request for inclusion if the material is unduly voluminous or is offensive.
25. Commissioners and Staff should refrain from responding to public speakers but may do so with the consent of the Chair.

THE MINUTES OF THE MEETING

26. The minutes should be promptly recorded and should summarize the events of the meeting.
27. All motions made during the course of a meeting should be recorded in the minutes, including motions that fail to receive a second.
28. At the very least, the minutes should reflect the maker of the motion; the nature of the motion; the second, and the Commissioners voting yea/nay.

APPROVAL OF THE MINUTES

29. The draft minutes should be presented to the board for adoption at the next meeting.
30. The adoption of the minutes is *prima facie* evidence of the Board's decision, resolutions, and acts only. Comments included in the minutes are not to be considered as exact quotes
31. Commissioners have the right to request corrections to the minutes.

LENGTH OF MEETING

32. The Board should endeavor to complete business within two (2) hours.
33. A meeting can be extended by a motion duly made and adopted.

MOTIONS

34. A vote can only be called by the Chair after a motion has been made and seconded.
35. Motions that do not receive a second shall automatically fail.
36. When a motion has been moved and seconded, and following the end of the discussion of an item, the Chair must:
 - Restate the motion, and
 - Call for a vote by yeas and nays or by roll
37. Any Commissioner may request a roll call vote.
38. Only one motion at a time may be considered.
39. The Board may table a motion to the next meeting, at which time the Board shall resume debate.

ROUNDTABLE DISCUSSION

40. The Roundtable portion of the meeting is where Commissioners may have open and free discussions among themselves.
41. No motion shall be required for a matter to be raised and discussed.

42. The regular rules of conduct and procedure, including Roberts *Rules of Order*, shall not be in effect.

STAFF SUPPORT & LEGAL ADVICE

43. In order to carry out their legislative duties, Commissioners may request information, research or support from the General Manager, Senior Staff Members, Department Managers, or the District's Attorneys and Consultants provided that any such request is not unduly burdensome or excessive, i.e., will not take more than 1 hour per month. The District's staff shall have the right (but is not obligated) to ask the full board to authorize the request if the request is unduly burdensome.