

## **ADMINISTRATIVE POLICIES & PROCEDURES**

### **RESOLUTION NO: 15-12-03 C**

The ENGLEWOOD WATER DISTRICT was created pursuant to Florida Law to be a body corporate and politic with powers and duties as set forth in the Enabling Act as well as given by general law. In part, the Enabling Act provides that the District shall be governed and its affairs administered by a Board of Supervisors consisting of five elected members. These Administrative Policies & Procedures establish broad duties and responsibilities of the Chair, the Vice-Chair, the Attorney for the District, the Administrator, the Secretary to the Board and select senior staff; and the manner by which said duties shall be accomplished.

The Enabling Act, presently codified as Chapter 96-499, is subject to amendment and/or re-codification from time to time as required by the Florida Legislature.

### **BOARD OF SUPERVISORS**

1. Shall elect the Chair and Vice-Chair at the annual organizational meeting.
2. Three Supervisors shall constitute a quorum at any Board meeting.
3. No action of the Board may pass without three affirmative votes.
4. Be the official representative of the Board when so directed by the Board. Speak or make commitments on behalf of the Board ONLY when specifically authorized by vote of the Board.
5. Any Supervisor may sign District two-signature checks.
6. Shall be bonded as required.
7. Nothing in these Administrative Policies & Procedures shall limit a Supervisor's rights as a private citizen to travel, attend meetings, speak or write as an individual as long as the Supervisor makes absolutely clear that they are not representing the Board or the District but their individual position as a single Supervisor or as a private citizen.
8. Shall authorize the opening and closing of District bank and investment accounts.

### **CHAIR**

The Chair shall:

1. Preside at all meetings of the Board and conduct them in an orderly manner.
2. Establish committees, appoint committee members, designate the committee chair and determine committee responsibilities and authority as the Chair may desire. A majority vote of the Board is needed to change the Chair's directives in the establishment of a committee.

3. Sign contracts, bonds and correspondence when so resolved by the Board.
4. Monitor the performance of the Administrator and District's Attorney to assure compliance with resolutions and directives of the Board and Committees and provide guidance to the Administrator and the District's Attorney in the performance of their duties.
5. Advise the Board of significant recommendations in any ex parte meeting with the Administrator or the District's Attorney.
6. Be responsible to the Board in the performance of the Chair's duties.
7. In the event a permanent vacancy should occur in the Office of Vice-Chair, the Chair shall schedule an agenda item for the purpose of electing a new Vice-Chair.
8. In the event a temporary vacancy should occur in the Office of Vice-Chair, the Chair shall request a motion for the purpose of electing a temporary Vice-Chair.

#### **VICE-CHAIR**

The Vice-Chair shall:

1. Perform all the duties of the Chair in his absence.
2. In the event a permanent vacancy should occur in the Office of Chair, the Vice-Chair shall call a meeting of the Board for the purpose of electing a new Chair and preside over such meeting and further meetings until such time as a new Chair is elected.
3. In the event a temporary vacancy should occur in the Office of Chair, the Vice-Chair shall assume the duties of the Chair and request a motion for the purpose of electing a temporary Vice-Chair.
4. Administer the keeping of true and original records of meetings of the Board of Supervisors, and certify their authenticity when presented to the Board.
5. Present the minutes of Board meetings to the Board for approval.
6. Be responsible to the Board in the performance of the Vice-Chair's duties.

#### **SECRETARY TO THE BOARD**

The Secretary to the Board shall:

1. Assist the Chair and Vice Chair in the administration of their duties.
2. Assist Supervisors in the performance of their duties.
3. Draft official minutes to all Board meetings and submit to the Vice-Chair for approval to place on the next Board agenda for Board approval.

4. Affix the Seal of the Board and attest to the signature of the Chair and/or Vice Chair.
5. Be the official custodian of the Seal of the Board.
6. Be the official custodian of approved Board minutes and official documents.

### **DISTRICT'S ATTORNEY**

The District's Attorney (whether retained or employed) shall:

1. Represent, counsel and advise the District on all legal matters.
2. Provide legal representation at all regular, special, emergency meetings and public hearings.
3. Receive direction from the Board through the Chair or the Administrator.
4. Engage the services of special counsel only after Board approval.
5. Institute no law action in the name of the District, nor compromise or settle any action wherein the District is a party without the express approval or delegated approval of the Board.
6. Preside over the first order of business at the annual Board organizational meeting for the sole purpose of the Board selecting a Chair.
7. Serve as parliamentarian for the Board.

### **COMMITTEE DUTIES**

Committees shall be designated by the Chair. All committees shall be responsible to the Board for the performance of duties. A committee's function is to gather and analyze information and submit recommendations to the Board for consideration and action.

The Committee Chair shall:

1. Call and preside over committee meetings and insure official minutes to all committee meetings are kept. All committee meetings will be advertised consistent with time available. All committee meetings will be open to the public.
2. Coordinate with the Administrator those items delegated by the Board or directed by the Chair.
3. Present committee recommendations to the Board at a regularly scheduled meeting for discussion and vote.

## ADMINISTRATOR

The Administrator is the executive head of the District and shall:

1. Interpret and implement the policies, rules, regulations, and procedures established by resolutions and directives of the Board. He shall be responsible to, and receive authority from the Board in the performance of duties. The Administrator shall attend all Board and committee meetings unless an absence is authorized by the Chair.
2. Administer, direct, control, organize, plan and program all activities and functions of the District while maintaining expenditures within the limits of the budget approved by the Board.
3. Develop and maintain an effective and harmonious organization for conducting the affairs of the District, and serve as Personnel Officer of the District with authority to hire, fire, promote, transfer and reassign personnel to meet the operating needs of the District, including changes in pay of District employees within the range approved by the Board for that job classification.
4. Make recommendations regarding engineering or consulting services.
5. Make recommendations to committees on action necessary to fulfill duties.
6. Authorize expenditure of funds in accordance with Purchasing and Inventory Control Policy or as delegated by the Board on specific expenditures.
7. Be authorized to execute and submit all permit applications for projects authorized by the Board, and to sign or have signed on behalf of the District, statements of water and wastewater availability and statements on plant capacity.
8. Be authorized to be the primary signatory of District issued checks.
9. Be authorized to approve change orders in construction projects, provided that the aggregate of such changes not previously presented to the Board, do not exceed 10% of the project cost and report to the Board the basis of and reasons for any change order where he has acted.
10. Be responsible for the presentation of the Annual Capital Budget and Operational Budget for the District. Upon budget approval by the Board, the Administrator will be responsible to the Board that all requirements of that budget are fulfilled.
11. As part of the budget process, annually present an organizational chart for all employees of the District to the Board for approval.
12. Be authorized to sign those operational contracts and/or agreements of a continuing nature when they come up for renewal and are provided for within the Board approved budget, be authorized to make progress payments on those contracts within budget and advise the Board at regular Board meetings of any significant events.

13. Be authorized to approve or delegate approval for capital project progress payments on those contracts and/or agreements which have been approved and awarded by the Board.
14. Cooperate with committees in fulfilling their responsibilities.

### **TECHNICAL SUPPORT MANAGER**

The Technical Support Manager shall:

1. In the absence of the Administrator, assume his duties and responsibilities.
  - a. In such case the Finance Director will be reporting directly to the Board of Supervisors.
2. Manage the District's infrastructure program, capital budget, Geographical Information System, information technology and general support services.
3. Maintain infrastructure record drawings.
4. Maintain records to support the available capacity of water and wastewater and reuse service.
5. Have authority as further delegated by the Administrator from the Board.

### **FINANCE DIRECTOR**

The Finance Director shall:

1. Manage the Finance Department, Customer Service Section, Business Office, Purchasing and Warehouse.
2. Be responsible for all accounting, audit and bookkeeping functions.
3. In the absence of the Administrator, Technical/Operations Support Manager, assume the Administrator's duties and responsibilities.
4. Be authorized to sign checks for the medical reimbursement and pension accounts.
5. Manage the business and administrative portions of the budget.
6. Manage the investments of the District to obtain maximum return on investment with lowest possible risk consistent with state law and the District's investment policy.
7. Manage the property inventory control program.
8. Have authority as further delegated by the Administrator from the Board.
9. Prepare monthly financial reports to inform the Board of financial activities and conditions. Reports shall include but not be limited to investments, balance sheets and income statements.

## **ORDER OF CONDUCT**

The Chair shall establish the agenda of all Board meetings in coordination with the Administrator and Secretary to the Board, prior to publication. A packet of information supporting each agenda item shall be compiled and provided to each Supervisor in a timely fashion for their review in preparation for the meeting.

1. At the scheduled time for the meeting to begin, a roll call shall be taken to ascertain the presence of a quorum, which shall be three Supervisors.
2. Except as otherwise provided by federal and state statutes or by these Administrative Policies and Procedures, Robert's Rules of Order, revised, shall guide the conduct of the meeting.
3. Should there be less than three (3) Board members present for a quorum, the meeting may continue, but any motions or resolutions introduced shall be deemed a recommendation to the Board for consideration when a quorum is present.
4. Motions and resolutions shall carry by three (3) affirmative Supervisor votes.
5. Those persons wishing to address the Board of Supervisors at a regular meeting, and requiring time longer than that established for general public input, may request to be placed on the agenda. Appropriate forms are available from the Secretary to the Board, and must be completed and submitted to the Administrator, or his designee, and Chair, no less than ten (10) days prior to the date of the meeting. Approval of the request will be at the sole discretion of the Chair.

## **CORRESPONDENCE**

Supervisors will issue correspondence on behalf of the District only when so authorized by the Board. The Administrator may issue District correspondence or if it is in the routine performance of the staff's duties, by staff. All correspondence issued by staff shall be the responsibility of the Administrator. All District correspondence will be issued through the District offices.

## **RECORDS**

All minutes, papers, and records of the District may be viewed (or listened to if on tape or recorded) by any person in the presence and at the convenience of the Secretary to the Board or designated representative. Reproduction of any minutes, paper, and records will be provided upon written request. A nominal charge to cover administrative costs will be levied and paid prior to reproduction and delivery of requested documents.

## **PRESS RELEASES & PUBLIC MEETINGS**

All press releases are the responsibility of the Administrator. Supervisors will only speak as an individual to the press or public unless specifically authorized to speak for the District by vote of the Board.

## MEETINGS

1. At the organizational meeting the Board shall elect the Chair and Vice-Chair and shall designate the time and date for regular Board meetings for purposes of advertisement to the public.
2. The organizational meeting shall be convened per the Enabling Act.
3. Special, executive or emergency Board meetings may be held at the call of the Chair or at the request of any three (3) Supervisors. Public notice shall be provided as required by law consistent with time available.
4. Committee meetings may be held at the call of the Committee Chair, or at the request of a majority of the Committee members.
5. Permanent, official minutes shall be kept of all Board and Committee meetings.
6. All Board and Committee meetings shall be open to the public.
7. Meetings may be opened for comments from the public at such time, and for such duration as the Chair may reasonably determine, and the Chair may limit the time allotted each member of the public to be heard.

## NOTICE OF MEETINGS

Notice of meetings, which are attended by more than one (1) Supervisor, shall be posted in the newspapers of general circulation in Charlotte and Sarasota Counties in accordance with state statutes.

If a meeting is recessed at a time certain, notice of reconvened meeting shall be given at the meeting and posted in the District's administrative offices in a location conspicuous to the public.

## AGENDA

Notice of meetings shall list agenda items scheduled for consideration, and the sequence in which such items are to be discussed. The Board may accept additional items for consideration at a meeting under "New Business". Any Board member may request an item be placed on the agenda for the next meeting. Agendas will include any committee reports.

## REIMBURSEMENT OF EXPENSES

Supervisors and employees shall be reimbursed for money expended in the conduct of their official duties with prior Board approval. Such expenditures shall be limited to State of Florida established allowance: 1) Per mile for use of personal vehicle; 2) per diem for meals and lodging, and 3) miscellaneous expenses, evidenced by receipts, incurred in the conduct of District affairs.

## **VACANCIES OF THE BOARD**

If a Supervisor vacancy occurs for any reason, such vacancy shall be handled as provided for in the Enabling Act.

## **MAINTENANCE OF DOCUMENTS**

All letters, contracts, reports or other papers received by, or belonging to the District shall be placed in files and maintained. The original of any document, or the legal equivalent of an original, is not to be removed from the District offices except as may be required for legal purposes, in which event a copy will be retained in the files, carrying a notation as to the location of the original. Nothing in this section shall prohibit the electronic filing of documents as may become accepted practice with the advancement of technologies.

## **LEGAL SERVICES – SUPERVISORS AND EMPLOYEES**

Upon Board of Supervisor approval, the District shall provide and pay for legal services for the defense of any present or former Supervisor and/or employee against whom legal action is instituted or threatened as a result of acts performed in fulfilling of duties and responsibilities for the District – fraud, embezzlement and willful neglect excepted.

## **TRAVEL**

A Supervisor will request Board approval in advance of official travel on behalf of the District. The request shall include date, location, purpose of travel, estimated cost and benefits to the District. At the Board meeting following the travel, the Supervisor will report on the benefits to the District resulting from the travel. A Supervisor on approved, official travel will only speak or represent the Board as specifically authorized by vote of the Board.

## **COMMUNICATIONS WITH EMPLOYEES**

Members of the Board of Supervisors shall not interfere with the performance of duties of any employee who is under direct or indirect supervision of the Administrator.

Any member of the Board of Supervisors may, for the purpose of information, ask questions of any employee of the District. However, no member of the Board of Supervisors shall issue any orders or directives to an employee of the District, other than by Board action to the Administrator.

## **PARLIAMENTARIAN**

The District's Attorney or designee shall act as parliamentarian and shall advise and assist the presiding officer in matters of parliamentary law. In the absence of a procedure as provided for by the Enabling Act, these Policies & Procedures, the parliamentarian shall refer to Robert's Rule of Order on all rulings.



## **CALL TO ORDER**

The Chair shall convene the meeting at the advertised hour for the meeting and shall call the Board to order. In the absence of the Chair and Vice-Chair, the Administrator shall then determine whether a quorum is present, and in that event the Administrator shall call the meeting to order and call for the election of a temporary Chair. Once selected, the temporary Chair will request a motion to appoint a temporary Vice-Chair. Upon the arrival of the Chair or the Vice-Chair, the temporary Chair shall relinquish the chair and the temporary Vice-Chair will be retained. Upon the arrival of both the Chair and the Vice-Chair, the temporary Chair and temporary Vice-Chair will be relinquished.

## **QUORUM**

The presence of three (3) Supervisors shall be a quorum. No resolution or motion shall be adopted by the Board without the affirmative vote of three (3) Supervisors. Any member of the Board who announces a conflict of interest on a particular matter and a decision to refrain from voting or otherwise participating in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum. The Board may entertain motions for continuances and may in its discretion grant such motions upon a showing of good cause.

Should no quorum attend within 15 (fifteen) minutes after the hour advertised for the meeting of the Board, the Chair or the Vice-Chair, or in their absence, the Administrator or his designee, may adjourn the meeting. The names of the members present and their action at such meeting shall be recorded in the minutes.

Committee Meetings – The presence of at least half of the committee members shall be a quorum. If there is a quorum but not a full contingent of committee members at any committee meeting, motions and recommendations made during such meeting shall require a ‘second’ when presented to the Board.

## **ADDRESSING THE BOARD**

Supervisors, the District’s Attorney, the Administrator or staff members present desiring to speak shall address the presiding officer and upon recognition, shall confine their comments to the question under debate.

## **INTERRUPTION**

Once a speaker has been recognized and given the floor, the speaker shall not be interrupted when speaking unless it is to call him to order or as herein otherwise provided. If the speaker is called to order, he shall cease speaking until the question of order is determined by the presiding officer, and, if in order, he shall be permitted to proceed. Any Supervisor may appeal to the Board from the decision of the Chair upon any question of order, whereupon without debate the Chair shall submit to the Board the question, "Shall the decision of the Chair be sustained?" and the Board shall decide by a majority vote.

## **PRIVILEGE OF CLOSING DEBATE**

Any Supervisor may move to close debate and call the question on the motion being considered which shall be non-debatable. By request of a Supervisor, members of the Board shall be polled to decide whether debate may be reopened. The Supervisor moving the adoption of a resolution or motion shall have the privilege of closing the debate.

## **VOTING**

The normal vote upon any resolution, motion or other matter will be voice vote. The Supervisor shall vote “yes” or “no”. Any Supervisor upon voting may give a brief statement to explain his vote. A Supervisor shall have the privilege of filing with the minutes a written explanation of his vote. A roll call vote may be requested by the Chair or any Supervisor. The Chair will grant such a request without debate. Upon every roll call vote, the names of the Supervisors shall be called alphabetically by surname; however, the presiding officer shall always cast his vote last. The Secretary to the Board or designee shall call the roll, tabulate the votes and announce the results. In the event this process is not followed, the outcome of the resulting vote shall not be affected.

## **MEMBERS OF THE PUBLIC ADDRESSING THE BOARD**

Any member of the public who desires to address the Board shall complete an application to address the Board and sign the Civility agreement. The application will be given to the Secretary to the Board to review for completeness. The Secretary will submit all properly completed applications to the presiding official. When called by the presiding officer, the recognized speaker shall approach the speaker’s lectern and shall give the following information in an audible tone of voice for the minutes:

- a. Name;
- b. Address;
- c. Whether he speaks for himself, a group of persons, or a third party; if the person says that he represents an organization, whether the view expressed by the speaker represents an established policy of the organization approved by its board or governing council;
- d. The person shall limit his address to the time limits set by the Chair. All remarks shall be addressed to the Board as a body and not to any member thereof. No person, other than Supervisors 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 Supervisor except through the presiding officer.

## **DECORUM**

Any person making impertinent or slanderous remarks or who becomes boisterous and disrupts the Board meeting may be immediately removed from the meeting and further audience before the Board by the presiding officer. Permission to continue by such person may be granted by a majority vote of the Board members present.

## **REVISIONS**

These Administrative Policies and Procedures may be revised, altered, or rescinded at any time by three affirmative votes of the Board of Supervisors holding office at time of such vote.

The Board of Supervisors may adopt and make or amend policies, procedures, rules and regulations or make exceptions under extenuating circumstance consistent with the Laws of Florida which the Board may deem necessary respecting the conduct of its affairs and the governing and administration of the District.

## **GENERAL**

Whenever these Administrative Policies and Procedures so require, the masculine shall include the feminine and the neuter, and the singular shall include the plural and vice versa, unless the context clearly requires a different interpretation.

**Resolution No: 04-03-18-CS-D**

**Superseded 10-10-07 CS B**

**Superseded 11-05-05 B**

**Superseded 15-06-25 A**

**Superseded 15-12-03 B**