

**PELICAN MARSH COMMUNITY DEVELOPMENT DISTRICT  
PROTOCOL AND MEETING PROCEDURES  
[As Revised, January 15, 2014]**

A. General:

1. Quorum and Voting. At all regular or special meetings of the Board of Supervisors of the District [the "Board"], a majority of the membership of the Board physically present shall constitute a quorum. Upon approval by a majority of the physically present quorum finding that special, exceptional or extraordinary circumstances exist, a Board member not physically present may participate telephonically. Voting shall be by voice unless a member of the Board requests a roll call. The roll shall be in alphabetical order with the first name called rotating with each motion upon which the vote is called. The Chairman shall always vote last. A record of the roll call shall be kept as part of the minutes.
2. Notice and Publication. The District Manager shall give notice and keep record of such notice of the Board's meetings and the meeting of any subcommittees including the date, time, and location of each regular and special meeting. Notice of meetings of the Board shall be provided as required by Florida law. All regularly scheduled monthly Board meetings shall be held unless the Board determines at a public meeting that there is not sufficient business to be conducted to warrant the holding of a meeting.
3. Meeting Agenda. There shall be an agenda for each meeting of the Board which shall determine the order of business conducted. The Board shall not take action on any matter, proposal, report or item of business not listed upon the official agenda unless a majority of the Board present consents to consideration of such additional matter(s).

Regular Agenda Items are items which the Board will discuss individually in the order and approximate time frame listed on the agenda. NOTE: Items may be moved during the meeting at the sole discretion of The Board.

Consent Items are items which are not discussed individually and are voted on as a group. The Consent Items consider items that are non-controversial, have no policy implications, and are typically approved without discussion. NOTE: A Board Member may remove an item from the consent items in order that it may be considered for further discussion by the Board. Should that occur, the discussion of the "pulled" item(s) will follow the approval of non-pulled items, and completed by Board vote.

4. Order of Business. The order of business at regular meetings shall generally be:
  - a. Roll Call
  - b. Approval of the Agenda
  - c. Approval of Minutes from Prior Meeting(s)
  - d. Financials
  - e. Manager's Report
  - f. Attorney's Reports
  - g. Engineer's Report
  - h. Supervisor's Requests
  - i. Public Comment
  - j. Miscellaneous Correspondence
  - k. Adjourn

The Board reserves the right to modify or amend the order of business or to add items to the Agenda.

- B. Order and Subject of Appearance: To the extent possible, the following shall be the order of the proceeding:

1. Preliminary Statement. The Chairman shall read the title of the main Agenda item.
2. Presentation of Agenda Item. The appropriate District staff person or consultant, or the Petitioner or Proposer of the Agenda item shall make the presentation to the Board regarding the particular Agenda item under consideration. After completion of the presentation, the Board may make appropriate inquiries of staff.
3. Speakers. After Board inquiry, speakers shall be allowed to speak based on the time limitation guidelines outlined in the subsection C below. During and after a speaker's presentation, the Board shall have an opportunity to comment or ask questions of or seek clarification from such speaker. The Board may also allow staff to comment, ask questions of or seek clarification from speakers.

- C. Citizen's Rights Right to be Heard:

1. Members of the public shall be given a reasonable opportunity to be heard on each Agenda item except as provided for below. All members of the public who address the Board will be requested to speak in a manner that allows their comments to be heard and recorded, and shall identify themselves as outlined below. If a microphone or speaker's podium is available, the Chairman may direct that the speaker use the microphone or speaker's podium. On behalf of groups containing more than 5 individuals who share a similar opinion and/or comment, a delegation speaker will be selected by the Chairman to address the board. Any speaker speaking on behalf of an organization or

group of individuals (exceeding five) shall indicate such and shall cite the source of such authority whether by request, petition, vote, or otherwise. Public input shall be limited to five (5) minutes with the Chair having the option to allow an additional minute.

This right does not apply to:

- 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;
- B. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- C. A meeting that is exempt from §286.011; or
- D. A meeting during which the Board is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

2. Manner of Addressing the Board – Time Limit: Each person addressing the Board shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Board, shall limit his/her address to four (5) minutes with the Chair having the right to extend an additional minute of time. All remarks shall be addressed to the Board as a body, and not to any member thereof. No person, other than members of the Board and the person having the floor shall be permitted to enter into any discussion, either directly or through the members of the Board. When requested by any member of the Board the District Manager, District Attorney, as well as other staff, may enter into any discussion. No questions shall be asked of the Supervisors, except through the presiding officer. The District Manager and the District Attorney may ask the Chair for permission to speak at any time.

3. Personal and Slanderous Remarks/Interference with meeting: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Board or who interferes with the business of the Board, may be requested or directed to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Board at the meeting from which ejected. In such an event, if a person, after being requested or directed to leave the meeting, refuses to leave, the presiding officer may request the assistance of law enforcement officers.

4. Restrictions on Comments Deemed Not Germane to the Item. Notwithstanding any provisions herein, any Board member may interrupt and/or stop any presentation that discusses matters that need not be considered in deciding the matter then before the Board for consideration. At any Board proceeding, the Chairman, unless overruled by majority of the Board members present, may restrict or terminate presentations which in the Chairman's judgment are frivolous, unduly repetitive or out of order.

D. Rules of Debate and consideration of Motions: The following rules of debate and consideration of Motions shall be observed by the Board.

1. Motion 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, or to amend until the question is decided. These countermotions 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 the next meeting by majority of the members present.
2. Chairman participation. The presiding Chairman may move, second and debate from the chair, and shall not be deprived of any of the rights and privileges of a board member by reason of being the presiding Chairman.
3. Form of address. Each member shall address only the presiding officer for recognition, shall confine himself to the question under debate, and shall avoid personalities and indecorous language.
4. Interruption. A member, once recognized, shall not be interrupted except by the Chairman if the Chairman determines that the member's participation is irrelevant, frivolous or out of order. Any member may appeal the decision of the Chairman to the Board for decision by majority vote.
5. The question. Upon the closing of debate, any member may require a roll call vote. Any member may give a brief statement or file a written explanation of his vote.

E. Public Comment on Non-Agenda Items and Audience Comment:

Any member of the public may speak on general topics under the Non-Agenda Items and Audience Comment portions of the agenda, subject to the provisions of subsection C above.

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