

CAPTIVA EROSION PREVENTION DISTRICT

RESOLUTION 2022-02

AMENDING THE STANDARD OPERATING PROCEDURE FOR APPOINTING COMMISSIONERS TO VACANT SEATS

A RESOLUTION OF THE CAPTIVA EROSION PREVENTION DISTRICT AMENDING THE STANDARD OPERATING PROCEDURE FOR APPOINTING COMMISSIONERS TO VACANT SEATS.

WHEREAS, the CEPD Board has published on a duly noticed agenda, reviewed, discussed and taken public comment on amending the standard operating procedure for appointing commissioners.

WHEREAS, the CEPD Board desires to approve or approve with conditions the following attachments and course of action

NOW THEREFORE, BE IT RESOLVED by the CAPTIVA EROSION PREVENTION DISTRICT:

Section 1. The CEPD Board resolves and approves the following:

Amending the Standard Operating Procedure (SOP) for appointing commissioners to vacant seats as proposed and set forth in the document attached to this Resolution, Exhibit A.

Section 2. This Resolution shall take effect immediately upon adoption.

DULY INTRODUCED, PASSED AND ENACTED by the CEPD Board of Commissioners of the CAPTIVA EROSION PREVENTION DISTRICT, on Captiva Island, in Lee County, Florida on January 24, 2022.

DocuSigned by:
John Silvia
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CEPD Chair

ATTEST: DocuSigned by:
Jennifer I. Nelson
799F04DDC56F44E...
CEPD Administrator

Approved as to legal sufficiency:
DocuSigned by:
[Signature]
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Exhibit A



Captiva Erosion Prevention District (CEPD)

Board of Commissioners

Standard Operating Procedure

for

Appointing a Commissioner to a Vacant Seat

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DOCUMENT HISTORY

Revision date	What was revised	Effective date	Author
1/27/2022	See <u>underlined</u> text	2/07/2022	James Elston

BACKGROUND AND DESCRIPTION

The CEPD Board consists of five Commissioners. Commissioners are elected to serve a four-year term. When a Board seat becomes vacant prior to an election, the remaining Commissioners appoint someone to fill the seat.

PURPOSE

The purpose of this SOP is to establish a standard procedure for appointing a Commissioner.

PROCEDURE PARTICIPANTS

The following are participants in this SOP:

- CEPD Administrative Director and delegated staff members
- CEPD Commissioners

FREQUENCY

The steps in this SOP are performed when there is a vacancy on the Board of Commissioners due to resignation, death, or removal.

STEPS

The CEPD shall solicit applications to fill a Commissioner's position.

Solicitation shall be made as follows:

1. Announce vacancy at the next Board meeting.
2. Send a Beach Brief announcing vacancy within 2 days.
3. Announce vacancy at next Captiva Community Panel meeting.
4. Place an advertisement in the local newspaper for a minimum 2 weeks.

Applicants will be requested to submit an application, as well as a resume/c. vitae, or other background information.

Upon receipt of all applications, submitted information will be distributed to current Commissioners.

Place appointment on the agenda as soon as practicable.

Each applicant will be requested to attend a scheduled board meeting to present their qualifications. Each Commissioner will then have time to ask the individual any questions. Each applicant will be provided an equal amount of time at the discretion of the Chairman.

If more than one seat is vacant, the following steps should be done separately for each vacant seat.

Upon completion of the interviews, each Commissioner shall rank the applicants in order of preference with the top applicant receiving the numerical value of one (1) and the next highest applicant receiving the numerical value of two (2) and the ranking process continuing through the remaining number of applicants. These rankings shall be signed by each commissioner and provided to the Board Secretary (or an appointee) who will verbally read the results as required by Sunshine Law and will rank each as follows:

- The person with the most first place votes is announced and the call for motion, second, and vote will be taken.
- In the case of a tie, remove all candidates that are not included in the tie.
- Tally the total numbers for the two candidates that tied.
- The candidate with the lowest total is announced and the call for motion, second and vote is taken.
- If there is still a tie, discussion should ensue, and a vote taken again.
- Re-tally with the most first place votes.

Should the motion fail, subsequent motion(s) shall be considered until the Board fills the vacancy.

Once the Board has voted on a commissioner, send the Board Minutes, copy of the Oath, and 2019 Form 1 Statement of Financial Interests to the Supervisor of Elections office (tliipa@lee.vote) and to the Florida Division of Elections in Tallahassee.

MONITORING

The CEPD Administrative Director has overall responsibility for gathering information for the Board of Commissioners.

All votes are to be kept and become public record.

The CEPD Commissioners are responsible for appointing the new Commissioner.

PERFORMANCE MEASURES

1. Public solicitations were made.
2. Resumes and contact information was received and distributed.
3. Board Secretary confirms tally and announces at meeting.

RELATED SOP'S

SOP for Supporting General Elections

SOP for Regular Board Meeting Support

SOP for Special Board Meeting and Emergency Board Meeting

SOP for Providing Administrative Assistance to CEPD Commissioners

Appendix A: Requirements and Expectations

Appendix B: Why Become a Commissioner of the Captiva Erosion Prevention District?

APPENDIX A

Captiva Erosion Prevention District Board of Commissioners Requirements and Expectations

Requirements, as stated in the Legislature of the State of Florida, Chapter 2000-399, House Bill No. 927.

The Board of Five Commissioners, who shall constitute the Captiva Erosion Prevention District Board, shall be:

- Qualified electors residing within the District.
- Shall each serve a period of 4 years (unless removed for cause by the Governor of Florida).
- Shall receive no compensation.
- Shall be elected by the qualified electors residing within the District.
- Candidates seeking election to the District Board shall qualify between noon of the 50th day and noon of the 46th day prior to the election.
- A candidate seeking election to the District Board must qualify by paying a filing fee of \$25 or by obtaining the signatures of at least 3 percent of the qualified electors residing within the District on a petition to be verified by the Lee County Supervisor of Elections.
- Any candidates seeking election to the District Board will open a depository and appoint a campaign treasurer before accepting any contributions or expending any funds for the purpose of seeking election to the District Board. However, if the only campaign expenditure of a candidate seeking election to the District Board is the fee required for the checking of signatures on the petition for filing, and the candidate accepts no contributions and expends no other campaign funds, it will not be necessary to open a campaign depository.
- If a vacancy occurs on the Board due to the resignation, death, or removal of a Board member, the remaining members may appoint a qualified person to fill out the remainder of the unexpired term. Notification of all resignations, vacancies, or appointments and the Oath of Office shall be filed with the Lee County Supervisor of Elections and the State of Florida Division of Elections in Tallahassee, Florida.

Expectations:

- Attendance at the monthly Board meeting, and the following (as listed in the Rules and Regulations):
 1. Must vote on every motion in which he/she has no personal interest. A commissioner may not abstain unless he/she has a bona fide conflict of interest as defined in Section 112.3143, F.S., as amended.
 2. May, only after recognition by the Chair, introduce motions, discuss subjects and vote.
 3. May request to consider a subject informally, if no objection. If there is objection, he/she

is obliged to put a motion which must be seconded to determine the result by a majority vote. This is debatable, but not amendable.

4. May appeal a decision of the Chair without a second. This is debatable if the question was debatable, is not amendable and is decided by a majority vote.
 5. May move to refer the subject to the next regular meeting. This is seconded, decided by a majority vote, is debatable and amendable.
 6. May informally request a recess in a meeting for a reasonable time. If there is an objection, the Commissioner shall state the request in the form of a motion, which must be seconded, to determine the result by a majority vote. The length of time of the recess and the time the meeting will be reconvened must be announced before recessing. A meeting may not be recessed for more than five hours and must be reconvened the same day.
 7. If no motion is pending, may move to adjourn. Upon the completion of the agenda, an adjourned meeting may be "moved" by specifying time and date of the next regular meeting. These motions are seconded and decided by a majority vote. They are not debatable, but are amendable as to time.
- Attendance at the weekly workshop (on Thursdays at 1:00PM) is expected whenever possible if there is a workshop scheduled. ~~These meetings are often cancelled.~~

APPENDIX B

Why Become a Commissioner of the Captiva Erosion Prevention District?

- Because you are community-oriented
- Because you care about preserving and sustaining the coastal environment
- Because you recognize the benefits beach renourishment bring to both the community and local economy.
- Because you want to make sure Captiva is a viable and thriving community well into the future

How to Become a Commissioner?

Elected

You must be a registered Captiva voter residing within the District.
You are elected by the qualified electors residing within the District.
Positions come up for election every two years.

Appointed

If a vacancy occurs on the Board due to the resignation, death, or removal of a Board member, the remaining members may appoint a qualified person to fill out the remainder of the unexpired term.

What is Expected of a Commissioner?

- Attendance at the monthly Board meeting.
- Attendance at the Briefing Meetings, if possible. (These are often cancelled and are not mandatory.)
- Vote on every motion in which there is no personal interest or conflict of interest.
- Request items be placed on the meeting agenda, introduce motions and resolutions, and discuss subjects.
- Attend CEPD public hearings, emergency meetings, special meetings, and workshops..
- Any commissioner can serve as an officer (Chair, Vice-Chair, Secretary, or Treasurer) if and when elected by the other commissioners.

Other

Commissioners serve a four-year term.
Commissioners receive no compensation.