

RESOLUTION NO. 2019-09

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING VILLAGE COUNCIL PROCEDURES; REPEALING RESOLUTION NO. 2017-126, WHICH PROVIDED THAT COUNCILMEMBERS SUBMIT MEMORANDUM PROPOSING CERTAIN ACTION BY THE VILLAGE COUNCIL FOR REVIEW BY THE VILLAGE COUNCIL PRIOR TO SUCH PROPOSED ACTION BEING DRAFTED IN LEGAL FORM BY VILLAGE STAFF; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham and Councilmember Marsha Matson)*

WHEREAS, Village Council procedures currently require that Councilmembers submit memorandum proposing certain action by the Village Council for review by the Village Council prior to such proposed action being drafted in legal form by the Village staff; and

WHEREAS, such procedures have proven to be cumbersome and time-consuming without providing the benefits originally anticipated to be derived from the procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:

Section 1. Resolution 2017-126 requiring that Councilmembers submit memorandum proposing certain action by the Village Council for review by the Village Council prior to such proposed action being drafted in legal form by the Village staff and other procedures, is hereby repealed.

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

PASSED and ADOPTED this 7th day of January 2019.

1 Attest:

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3 DocuSigned by:

4 *Missy Arocha*

5 Missy Arocha
6 Village Clerk

DocuSigned by:

Karyn Cunningham

Karyn Cunningham
Mayor

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8 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
9 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA
10 ONLY:

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13 DocuSigned by:

14 *Dexter W. Lehtinen*

15 Dexter W. Lehtinen
16 Village Attorney

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19 **FINAL VOTE AT ADOPTION:**

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21 Council Member Patrick Fiore YES

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23 Council Member David Singer NO

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25 Council Member Marsha Matson YES

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27 Vice-Mayor John DuBois YES

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29 Mayor Karyn Cunningham YES

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RESOLUTION NO. 2017-126

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO FISCAL IMPACT OF PROPOSALS AND TO VILLAGE COUNCIL PROCEDURES IN CONNECTION THEREWITH; PROVIDING THAT ALL PROPOSALS FOR ACTION BY THE VILLAGE COUNCIL SHALL BE ACCOMPANIED BY AN ANALYSIS BY ADMINISTRATION OF THE FISCAL IMPACT TO PALMETTO BAY; PROVIDING FURTHER THAT PROPOSALS FROM COUNCIL MEMBERS FOR ACTION BY THE VILLAGE COUNCIL SHALL BE NOTICED AT A PRIOR COUNCIL MEETING IN ORDER TO PROVIDE TIME FOR THE FISCAL IMPACT TO BE PREPARED; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember David Singer)

WHEREAS, the estimated fiscal impact of any proposed Village Council action is an important factor in determining whether to adopt such proposal; and

WHEREAS, procedures to provide for a fiscal impact analysis on all proposed Village Council actions are needed in order to provide Councilmembers with such fiscal impact information.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA,

Section 1. Fiscal Impact Analysis. Each proposal for action on the agenda of a Village Council meeting shall be accompanied by a brief estimate of the fiscal impact to the Village of such proposal, prepared by Administration based upon experience and such limited research as may be appropriate without incurring substantial additional costs.

Section 2. Procedures for Proposing Action. (a) Village Councilmembers who desire to initiate any proposed action by the Village Council (whether by Resolution or Ordinance) shall place on the agenda of a preceding Council meeting, under "Other Business", a

1 signed, written memorandum indicating the general nature of the
2 proposed action, including the following:

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- 4 (i) the purpose of the proposed action;
- 5 (ii) the major points to be covered;
- 6 (iii) the reasons or necessity for the proposed action;
- 7 (iv) a preliminary estimate of the likely cost of implementation; and
- 8 (v) the source of the funds to pay such costs.

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10 (b) The proposed action item shall be separately listed by the
11 Village Clerk as an item under "Requests, Petitions, and Public
12 Comments".

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14 (c) If, after consideration by the Village Council, the proposed
15 action item is not rejected by majority vote of the Council, the Village
16 Administration and the Village Attorney shall thereafter draft the
17 proposed action item in proper form, and the Administration shall prepare
18 the required fiscal impact analysis. Thereafter, the proposed action item
19 shall be placed on the agenda of the next appropriate Village Council
20 meeting (that is, the next regular meeting or zoning meeting, depending
21 upon the nature of the proposed action item).

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23 (d) Proposed action items from Village Councilmembers with
24 respect to which the procedures specified herein have not been followed
25 shall not be placed on a Council meeting agenda by the Village Clerk.

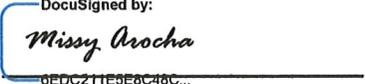
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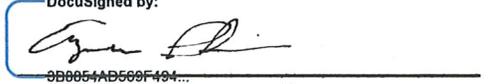
27 **Section 3.** This Resolution shall take effect immediately upon
28 adoption.

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30 PASSED AND ADOPTED this 6th day of November 2017.

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Attest: 
Missel Arocha
Village Clerk


Eugene Flinn
Mayor

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

DocuSigned by:
Dexter W. Lehtinen
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Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

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|------------------------------------|------------|
| Council Member Karyn Cunningham | <u>YES</u> |
| Council Member David Singer | <u>YES</u> |
| Council Member Larissa Siegel Lara | <u>YES</u> |
| Vice-Mayor John DuBois | <u>YES</u> |
| Mayor Eugene Flinn | <u>YES</u> |