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RESOLUTION NO. 2012-55

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ADVISORY BOARDS; CREATING RULES AND REGULATIONS FOR ALL ADVISORY BOARDS; PROVIDING AN EFFECTIVE DATE. (Sponsored by Councilman Howard Tendrich.)

WHEREAS, the Village Council of the Village of Palmetto Bay has created numerous advisory committees and boards; and,

WHEREAS, it is appropriate to review the procedures followed by the advisory committees and boards to reflect the changing needs of the committees and boards and to ensure compliance with Chapter 119 and 286, Florida Statutes; and

WHEREAS, the Village Council desires to amend and create uniform rules and regulations applicable to all its committees.

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

Section 1. The above whereas clauses are incorporated by reference.

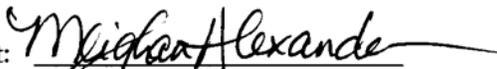
Section 2. The Mayor and Village Council adopts the Advisory Board Rules and Regulations attached hereto and incorporated herein as Exhibit "A".

Section 3. The Advisory Rules and Regulations adopted in this Resolution shall apply uniformly to all non-statutorily created Advisory Committees and Boards. In the event of a conflict between any existing Committee or Board rules and regulations, the attached Advisory Board Rules and Regulations shall apply. Any Committee or Board created subsequent to the adoption of this Resolution shall also adhere to these Advisory Board Rules and Regulations.

Section 4. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 9th day of July, 2012.

Attest:


Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

APPROVED AS TO FORM:


Eze A. Boutsis,
Village Attorney

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2 FINAL VOTE AT ADOPTION:
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4 Council Member Patrick Fiore YES
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6 Council Member Howard Tendrich YES
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8 Council Member Joan Lindsay YES
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10 Vice Mayor Brian Pariser YES
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12 Mayor Shelley Stanczyk YES
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ADVISORY BOARD RULES AND REGULATIONS

The Advisory Rules and Regulations ("Rules") shall apply uniformly to all Village Boards and Committees. The Board and Committee Rules are intended to supplement matters not covered in existing or future Resolutions or Ordinances creating any Village of Palmetto Bay advisory committees.

For the purpose of these Rules, "Boards" or "Committees" shall include all non-statutory committees and advisory boards established by the Village Council to make recommendations, advise the Council, and initiate programs in the Village.

Section 1. Public Meetings.

All meetings and business of the Committees shall comply with the requirements of Chapters 119 (Public Records) and 286 (Sunshine), Florida Statutes. All meetings of the Boards and Committees shall be open to the public at all times. Meetings shall be conducted in accordance with Robert's Rules of Order.

Approval of the minutes of the previous meeting shall be included in each agenda of a regular committee meeting and the draft minutes shall be presented to the Village Clerk's Office for dissemination to each committee member no later than three (3) business days prior to the meeting. Regular committee meetings will be canceled by the Village Clerk if the meeting minutes of the prior regular committee meeting (or any other previously pending minutes at the time of approval of these rules, regulations & procedures) are not submitted for committee approval by the established deadline.

Rescheduling of canceled regular committee meetings shall take place upon the submission of minutes of the prior meeting for approval.

Section 2. Regular Meetings.

Each Committee shall hold at least one regular publicly noticed meeting each quarter at a location open to the public within the Village.

During the initial (organizational) meeting of a committee and during the first meeting of a committee of each calendar year, the committees shall, by a majority vote, set a meeting schedule for regular meetings throughout the year. The committee meeting schedule shall include the date, time, and location of the meetings and must receive approval from the Village Clerk to avoid scheduling conflicts. Changes in the schedule may be made and will be properly published in accordance with the Sunshine Law.

Section 3. Special Meetings.

Special meetings may be held upon the call of the Chairperson or a majority of the advisory board or committee. Notice of special meetings shall be by sent via e-mail to the Committee member's e-mail address on file with the Village Clerk's Office and shall be received by the committee member with a minimum of 24 hours' notice before the meeting. Special meetings shall be publicly noticed in compliance with Ch. 286 F.S. and held at a public location within the Village, as set by the Chairperson with coordination by the Village Clerk.

Section 4. Agenda.

The agenda for all meetings of the Committee shall be prepared by the Chairperson or in the absence of the Chairperson, the Vice Chairperson. Additional agenda items may be proposed at any time by any member of the Committee either during a committee meeting or by request to the Village Clerk's Office. If requested through the Village Clerk's office, the Village Clerk's office will notify the Chairperson and other committee members of the request to add an agenda item and the item will be added.

Items proposed after the agenda is distributed may only be heard under "New Business" and upon an affirmative vote of the majority of the Committee members present at the meeting. Public comment shall be allowed at all meetings.

All agenda materials including back-up material and minutes shall be provided to the Village Clerk's Office no later than three (3) business days prior to a regularly scheduled committee meeting.

Section 5. Quorum.

Fifty percent (50%) of the Committee members appointed to the Committee shall constitute a quorum. Provided there is a quorum, a majority of those present and voting shall be required to adopt any motion or take any action. No actions may be taken without a quorum present although those in attendance may still have discussion.

Section 6. Voting.

Each Committee member shall be entitled to one (1) vote on matters coming before the Committee. The Committee shall act as a body in making its decisions. No member present at a meeting may abstain from voting except in cases of a conflict of interest, as provided in Florida Statutes and the Miami-Dade County Code of Ethics. A member must be present to vote. Proxy votes shall not be permitted.

Section 7. Attendance.

In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year, without excuse and without prior notice to the chairperson, the Committee member will automatically be removed from the Committee and the Council will be notified of the vacancy.

Section 8. Appointments, Vacancies and Resignations.

Each person appointed to a Committee shall be appointed consistent with the Village Charter resolution authorizing the committee.

Section 9. Membership Requirement.

Members of Committees shall either:

- a. be a resident of the Village; or
- b. be employed in the Village; or
- c. own a business located in the Village.
- d. be an individual with special qualification, knowledge, experience or expertise not available in the above as defined by the resolution creating the committee.
- e. no person appointed to a committee shall be related to the Village Council members. Related shall mean: spouse, child, sister, brother, parent or in-laws.

Section 10. Membership Limitation.

No individual shall serve on more than one (1) Committee at the same time. All Committee members shall serve without compensation and shall not otherwise obtain direct or indirect financial gain from their service in the Committee.

Section 11. Oath Requirement.

All Committee members shall be required to subscribe to an oath or affirmation to be filed by the Village Clerk, swearing to support, protect and defend the Constitution and laws of the United States, and of the State, the Charter and all ordinances of the Village of Palmetto Bay and in all respects to faithfully discharge their duties.

Section 12. Applicability and Explanation of Laws.

All Committee members shall be subject to the State of Florida, Miami-Dade County Code of Ethics and all rules, resolutions and regulations present and future of Palmetto Bay regarding committees including decorum, ban on political activity and advocacy in committees and public comment. Upon appointment, a Village representative shall provide Committee members with a copy of the applicable ethics laws and provide an explanation of the State of Florida and Miami-Dade County Code of Ethics (sunshine law, public records law, conflict of interest policy), and the Committee Rules to the Committee member.

Section 13. Officers and Elections.

Every Committee shall elect a Chairperson, Vice Chairperson and Secretary annually, or as vacancies occur, at the first meeting conducted to serve for a term of one (1) year.

Section 14. Records.

Minutes of all Committee meetings shall be recorded by the Secretary and shall be available for public inspection. The Secretary shall forward all approved minutes to the Village Clerk's Office within five (5) days following the meeting. Once approved, the Village Clerk shall archive all meeting minutes and post same on the Village's website until at least three months post sunseting of the committee.

Section 15. Committee Reports.

The Chairperson or his/her designee shall present a quarterly report to the Village Council, which shall be submitted in writing to the Village Clerk's Office. All reports shall be approved by the Committee prior to submission to the Village Clerk's Office or presentation to the Village Council. The quarterly report shall be part of the Village Council official Agenda, under Item 8, Board and Committee Reports. Complete inclusion of all minutes to date may be sufficient for presentation, or the Committee chair or his/her designee may supplement the report through oral presentation to the public and Village Council at the regular council meeting.

In any event, no committee shall be permitted to meet or otherwise conduct business during any period that the committee is not in compliance with all document requirements and is up to date on its minutes and/or quarterly reports to the Village Council. The only exception to this is any action required to bring minutes and/or quarterly reports up to date and to have such documents properly transmitted to the Village Clerk and Village Council.