

RESOLUTION NO. 23-1885

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE COMMITTEE RULES, REGULATIONS AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes, Florida (hereinafter, the “Town”) has created numerous advisory committees, boards and task forces, including the Neighborhood Service Districts’ Advisory Boards (collectively, “Committees”); and

WHEREAS, on June 8, 2004, by way of Resolution No. 04-233, the Town Council adopted Committee Rules, Regulations and Procedures which have been amended throughout the years (collectively, the “Committee Rules”); and

WHEREAS, on January 20, 2020, by way of Resolution 20-1654, the Town created Rules and Regulations for the Neighborhood Service Districts’ Advisory Boards; and

WHEREAS, in 2021, the Town Council revised and consolidate the Rules and Regulations for the Neighborhood Service Districts’ Advisory Boards, and Committee Rules, Regulations and Procedures via Resolution 21-1724; and

WHEREAS, during several 2021 Committee Chair Quarterly Meetings, various requests for changes to Committee Rules were made, which were incorporated and adopted in Resolution 22-1812; and

WHEREAS, during the December 2022, Committee Chair Quarterly Meeting, several changes to the rules were discussed, and are incorporated in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Amending Committee Rules, Regulations and Procedures. The Town Council hereby amends the Committee Rules, Regulations and Procedures and replaces them in their entirety in the form attached hereto as Exhibit “A” incorporated herein by reference.

Section 3. Conflicting Resolutions. The Committee Rules amended in this resolution shall apply uniformly to all non-statutorily created Town Committees, including the Neighborhood

Service District Committees. In the event of a conflict between any existing Committee Rule, Regulation or Procedure and the attached Committee Rules, the attached Committee Rules shall apply. Any Town Committees created subsequent to the passage of this resolution shall also adhere to these amended Committee Rules.


Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 10th day of January 2023.

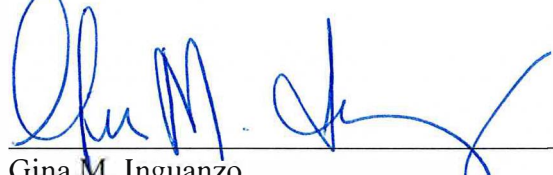
The foregoing resolution was offered by Councilmember Dieguez who moved its adoption. The motion was seconded by Councilmember Ruano and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Yes
Vice Mayor Carlos O. Alvarez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes



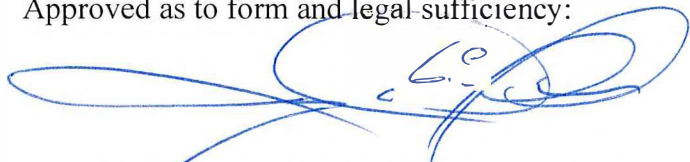
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Lorenzo Cobiella Esq.
Gastesi, Lopez and Mestre, PLLC
DEP. TOWN ATTORNEY

EXHIBIT “A”

Committee Rules, Regulations and Procedures

These Committee Rules, Regulations and Procedures (“Committee Rules”) shall apply uniformly to all Town of Miami Lakes (the “Town”) Committees. The Committee Rules are intended to supplement matters not covered in existing resolutions creating any Town Committees.

For the purpose of these rules, “Committees” shall include all non-statutory committees, task forces and advisory boards, including the Neighborhood Service District Advisory Board established by the Town Council to make recommendations, advise the council and initiate programs in the Town.

Section 1. Sunset Provisions.

All Committees will be created for an initial one (1) year period. At the conclusion of the first year, the Town Council will review the performance of the Committee and evaluate the need to retain the Committee on a permanent basis. Once a committee is re-authorized, the Committee will have a sunset review every year in September. Nothing herein prohibits the Town Council from terminating any Committee at any time.

Section 2. Public Meetings.

All meetings and business of the Committees shall comply with the requirements of Chapters 119 and 286 of the Florida Statutes. All meetings of the Committees shall be open to the public at all times. Meetings shall be conducted in accordance with the latest version of Robert’s Rules of Order, unless they are superseded by the Committee Rules. Audio or video with audio recordings shall be made of all meetings where formal actions will be taken and shall be turned over to the Town Committee Liaison~~Town Clerk~~ in a timely manner.

Section 3. Regular Meetings.

The Committees shall hold at least one regular publicly noticed meeting each month at Town Hall, unless waived by the Chairperson or superseded by resolution ~~at a Town-owned or leased facility, as set by the chairperson.~~

Section 4. Special Meetings.

Special meetings may be held upon the call of the Chairperson, or a majority of the Committee upon providing 48 hours’ notice, and a copy of the agenda for publication. Special meetings shall be publicly noticed and held at Town Hall, ~~a Town-owned or leased facility, as set by the Chairperson.~~

Additions to rule appear underlined or ~~stricken~~ as applicable.

Section 5. Chairperson Meetings.

All Committee Chairpersons shall meet quarterly with the Town Manager and/or, his or her, designee at a publicly noticed meeting to coordinate activities and to strengthen communication among Committees.

Section 6. Subcommittees.

Subcommittees of a particular Committee may be created by the Chairperson for a specified time period for an issue/ matter with the approval of a majority vote of the Committee's members. Subcommittees shall select a Chairperson and a Secretary for the Subcommittee who shall take and file the Town minutes of the meeting. ~~and shall meet at the call of the Subcommittee Chairperson, or as directed by majority vote of the Subcommittee.~~ Subcommittee meetings shall be publicly noticed and held at a Town owned or leased facility. Subcommittees shall report back their findings and recommendations to the full committee at the next available regularly scheduled Committee Meeting for consideration and action by the Committee. Committee then may take any action.

Section 7. Public Comment.

Any Town resident, organization or member of the public shall be given a reasonable opportunity to be heard on a proposition before the Committee during the public comment portion of any Committee meeting. Members of the public shall advise the Chairperson of their desire to be heard at any time prior to the public comments portion of the meeting. An individual shall have three minutes to address the Committee, or such other period of time as the Chairperson deems reasonable under the circumstances of the meeting.

Section 8. Quorum.

A majority, which shall mean fifty-percent (50%) plus one (1), of the Committee members appointed and duly sworn in by the Town Clerk or designee, 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. Unless provided by resolution or emergency order, electronic mediums, including teleconferencing for committee participation shall not be allowed.

Section 9. 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 Committee Member present at a meeting may abstain from voting except in cases of conflict of interest, as provided by Florida Law and all applicable Code of Ethics adopted by Miami-Dade County and/or the Town. A Committee Member must be physically present to vote. Proxy votes shall not be permitted.

Section 10. Attendance.

Additions to rule appear underlined or ~~stricken~~ as applicable.

Attendance at all regularly scheduled meetings is the responsibility of each Committee Member. Absences, that are requested to be excused, must be provided to the Committee Secretary who shall duly reflect the requested excused absence in the meeting minutes. It is the responsibility of the Committee Secretary to take minutes and accurately reflect attendance at all Committee Meetings. Attendance reports shall be included in the Chairpersons Semi-Annual Report to the Town Council. Excessive absences may result in removal of the committee member by the Town Council.

~~In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year and participates in less than 50% of all budgeted and scheduled Committee events, the Committee member will automatically be removed from the Committee and the Councilmember who appointed that person will be notified by the Town Clerk of the removal. It shall be the duty of the Town Clerk to strictly~~

~~enforce the removal of Committee members due to absence. Absences due to medical reasons shall be excused and shall not count as a failure to attend a meeting.~~

~~A Committee member who will be absent from a meeting shall notify the Town's Committee Liaison in writing of his or her anticipated absence as soon as possible. Upon receipt the Town's Committee Liaison shall provide a copy of the absence notification to the Secretary who shall make it a part of the record.~~

Section 11. Appointments, Vacancies and Resignations.

Each person appointed to a Committee shall be appointed by the Town Council in the following manner:

- (a) Any qualified person, wishing to serve on a Committee shall, prior to submittal of an application, attend one regularly scheduled committee meeting and discuss his desire to join the Committee with the Committee Chair. ~~submit his or her name, a brief resume, and a letter of intent to serve to the Town Clerk.~~
- (b) -Any qualified person who has completed the requirement of subsection (a), shall submit a complete application to the Town Clerk.
- (c) Town Clerk, or Town Clerk's designee, shall notify the Town Council, in writing, of vacancies on Committees, and provide completed applications.
- (d) Appointments shall be made in accordance with Section 2.2 of the Town Charter.
- (e) If a Councilmember's appointment vacates office, that Councilmember shall be permitted to submit a replacement appointment.
- (f) If any Committee member has qualified for the office of Mayor or Town Councilmember, they shall resign from the Committee by the qualification date.

Section 12 Qualifications.

Members of the Committees shall either:

- (a) Be a resident of the Town, or;
- (b) Be employed in the Town, or;
- (c) Own a business or property located in the Town,
- (d) Unless amended by the resolution creating or amending a Committee, the minimum allowable age for member shall be the age of majority, eighteen (18) years of age.
- (e) For Neighborhood Service Districts the following qualifications shall apply:

(e1) Own and reside in a home located within the Special Taxing District for which the Advisory Committee was created. For purposes of this section, reside shall mean that the person has established their home as their homestead as defined by Florida Law, and evidenced through tax rolls as available and published through the Miami-Dade County Property Appraiser's Office.

(e2) Adhere to all requirements established by the Committee's enacting resolution.

Section 13. Term of Office.

The term of each Committee member shall coincide with the term of the appointing Councilmember, or the Mayor, in the case of the Mayor's appointee. Notwithstanding the preceding sentence, a sitting Committee member shall continue to serve until an appointment is made after either an election or a vacancy in a Town office. The appointing Councilmember, or the Mayor in the case of the Mayor's appointment, may remove his or her appointed Committee member at any regularly scheduled Town Council meeting, ~~subject to confirmation of a majority of the Town Council.~~

There shall be no term limits.

Section 14. Membership Limitation.

No Committee member shall:

- (a) serve on more than two (2) Committees.
- (b) hold more than one elected office in any Committee.

Section 15. Compensation.

All Committee members shall serve without compensation and shall not otherwise obtain direct or indirect financial gain from their service in the Committee.

Additions to rule appear underlined or ~~stricken~~ as applicable.

Section 16. Oath Requirement.

All Committee members shall be required to subscribe to an oath or affirmation to be filed by the Town Clerk, swearing to support, protect and defend the Constitution and laws of the United States, and the State of Florida, the Town of Miami Lakes' Charter and all ordinances of the Town and Miami Dade County and in all respects to faithfully discharge their duties.

Appointed, but not sworn, committee members shall be responsible to an oath or affirmation before the Town Clerk, or designee, within thirty (30) days from appointment. Failure to subscribe to an oath or affirmation within the thirty (30) day period shall result in automatic forfeiture of appointment.

Section 17. Applicability of Florida Law and Committee Rules.

All Committee members shall be subject to applicable Florida Laws, Miami-Dade County Code of Ethics, Town Charter, Town Ordinances, Town Resolutions, and Committee Rules. Failure to abide by any of these may result in a Committee Member's automatic suspension, subject to removal by Town Council.

Section 18. Financial Disclosure Requirement.

As determined by the State of Florida Department of Ethics, no financial disclosure is required to be filed, unless otherwise required.

Section 19. Officers and Elections.

Every Committee shall elect the following officers: a Chairperson, Vice Chairperson and Secretary annually, commencing on January 1 to serve for a term of one (1) year.

There shall be no term limits.

Section 20. Mission Statement.

All Committees shall abide and execute the purpose of the Committee as expressly detailed in the enabling Resolution, creating the Town Committee.

Section 21. Duties of the Secretary.

The Secretary shall call the roll at the beginning of each meeting. The roll shall become a part of the minutes. The Secretary shall transmit the minutes of the last Committee meeting to the Town's Committee Liaison ~~seven (7) calendar days before the next meeting of the Committee~~ three (3) business days prior to the next regularly scheduled meeting. Failure to file the minutes within the time prescribed shall result in automatic cancellation of the next publicly scheduled committee meeting

~~Minutes of all Committee meetings shall be taken by the Secretary and shall be forwarded to the Town Liaison or Clerk for filing, in a timely manner.~~

Attendance and absences must be recorded and submitted to the Town Liaison along with the minutes even if there is not a quorum. Each Committee Secretary shall be responsible for providing a current membership roster of all Committee members to the Town.

Section 22. Duties of the Chairperson.

The agenda for all meetings of the Committee shall be prepared by the Chairperson. The Chairperson shall transmit the agenda to the Town's Committee Liaison ~~seven (7)~~ three (3) business days, prior to the next meeting of the Committee publicly scheduled committee meeting. Agendas must be received no later than 5 pm by the Town Liaison. Additional agenda items may be proposed at any time by any member of the Committee. 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, and shall not be added to the Agenda until such time as the Committee convenes and takes up the "addition, deletion and deferral" section of the agenda.~~ Each agenda shall also include a section for public comment.

The Chairperson or his/her designee shall semi-annually present ~~an oral a written~~ report to the Town Council which ~~shall be submitted in writing to the Town and~~ shall include a semi-annual year to date summary of meeting attendance and meeting minutes, and a financial report. ~~Both~~ The content of the written report shall be approved by the Committee prior to submission or presentation to the Town Council. Reports or requests shall be provided in writing to the Town Committee Liaison seven (7) days prior to the Council Meeting. Failure to provide written request shall result in the item being excluded from the published agenda.

In the absence of the Chairperson, the Vice Chairperson shall perform these duties.

Section 23. Duties of the Town's Committee Liaison.

The Town's Committee Liaison or his or her designee shall distribute the agenda and the minutes of the last Committee meeting to the Committee within one (1) business day of the Liaison's receipt of the agenda and minutes.

Section 24. Budget Request and Financial Controls.

~~Annually, each May-June 1, after consultation with the Town Manager,~~ Prior to April 30th of each year, the Committee shall submit a written report to the Town, including a budget request for the next fiscal year, for consideration in the preparation of the Town's annual budget. Budget approval shall be made by the Town Council during the adoption of the annual budget. Town Staff will be responsible for ensuring that all expenditures are properly documented and reconciled following generally accepted accounting principles. Once the Town Council adopts a budget, the Committees shall be precluded from adding

Additions to rule appear underlined or ~~stricken~~ as applicable.

additional budget categories to their respective Committee budget, unless permitted through action by the Town Council.

Throughout the year it may become necessary to modify the Committee's budget or reallocate expenditures. These changes occur because of unanticipated expenditures, reprioritization of alternatives, funding emergencies or unanticipated changes in realized revenues. Budget modifications require Committee action at a publicly noticed meeting.

Accordingly, any request over \$700 for a modification in a Committee budget shall be presented to the respective Town Manager or his/her designee at least ten (10) calendar days prior to the next available Town Council Meeting, for inclusion in the Town Council Agenda, unless waived by the Town Council. Said request shall include a description of the modification, the amount, and reason(s) why the modification should be granted.

All Committees shall abide by Ordinance Number 21-277, title "Town Sponsorship Ordinance," as amended from time to time. All sponsorships are subject to the Town's approval.

For accounting purposes, sponsorship dollars will be used first toward committee expenses. Budgeted, general fund dollars will be used only after sponsorship dollars have been exhausted. Unused sponsorship dollars in any fiscal year may be carried forward into the next fiscal year. Unused, budgeted general fund dollars will be forfeited and not carried forward into the next fiscal year. Available carry forward funds will be reported to the committee during the Committee's April meeting.

Section 25. Committee Membership by Town Council.

Town Councilmembers (including the Mayor) shall not serve as members on Committees or be appointed to Committees.

Section 26. Use of Town's Name and Trademarks

No single member of a committee shall have authority to represent, act on behalf of the Town of Miami Lakes, or use the logo, seal or any other intellectual property of the Town or any Town Committee, unless such act has been voted upon and approved by the Town Committee, and such request has been presented to and approved by the Town Council. It is strictly prohibited for any person to use the Town name or trademarks for their person or commercial gain. Any violation of this section shall result in the automatic suspension of the violator, subject to removal by the Town Council, and may include civil and, or criminal penalties.

Section 27. Use of Committee Shirt

Town Committee Shirts, that may contain the Town or Town Committee logo are considered intellectual property of the Town of Miami Lakes and can only be worn at approved Town Committee or Town

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sponsored events, Town Committee or Town Council Meeting, or in the performance of a Town function associated with an approved Town Committee or Town Sponsored event. Any other use of the Committee Shirt is strictly prohibited. Any violation of this section shall result in the automatic suspension of the violator, subject to removal by the Town Council.

Addendum

Neighborhood Services District Advisory Committee Rules, Regulations and Procedures

These Neighborhood Services Districts Advisory Committee Rules, Regulations and Procedures ("Committee Rules") shall apply uniformly to all Town of Miami Lakes (the "Town") Neighborhood Services Districts Advisory Committees ("Committees"). The Committee Rules are intended to supplement matters not covered in existing resolutions creating any Town Committees. All rules that refer to Committees shall apply to all Advisory Committees created by the Town Council. All rules that refer to Neighborhood Services Districts, shall refer to those Special Taxing Districts transferred from Miami-Dade County to the Town via referendum or Special Taxing Districts created through petition and referendum in accordance and through established law.

Section 1a. Budget Request and Financial

Annually, each June 1, after consultation with the Town Manager, the Committee shall submit a written report to the Town, including a budget request for the next fiscal year, for consideration in the preparation of the Town's annual budget. Budget approval shall be made by the Town Council during the adoption of the annual budget. Town Staff will be responsible for ensuring that all expenditures are properly documented and reconciled following generally accepted accounting principles. Once the Town Council adopts a budget, the Committees shall be precluded from adding additional budget categories to their respective Committee budget, unless permitted through action by the Town Council.

Section 1b. Straw Ballot Polling for Capital Improvements.

Any request for capital improvements that exceed 15% of the Special Taxing District's annual operating budget shall require a straw ballot poll from the residents residing within the Special Taxing District prior to any allocation of moneys for the capital improvement.

Section 1c. Contingency Reserves.

Each Special Taxing District shall budget 10% of their annual budget for contingencies.