

RESOLUTION NO. 07- 603A

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION NO. 04-233; AMENDING THE TOWN'S UNIFORM COMMITTEE RULES, REGULATIONS AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Miami Lakes (the "Town") has created numerous advisory committees, boards and task forces (collectively "Committees"); and

WHEREAS, the Town Council previously adopted Uniform Committee Rules, Regulations and Procedures by Resolution No. 04-233 (collectively the "Procedures"; and

WHEREAS, the Town Council desires to amend the Procedures in their entirety as provided herein.

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

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Amendment of Committee Rules, Regulations and Procedures.**  
The Town Council amends the Committee Rules, Regulations and Procedures ("Committee Rules") and replaces them in their entirety with Exhibit "A" attached and incorporated herein by this reference.

**Section 3. Conflicting Resolutions.** The Committee Rules amended in this resolution shall apply uniformly to all non-statutorily created Town Committees. In the event of a conflict between any existing Committee Rule, Regulation or Procedure and

the attached amended Committee Rules, the Committee Rules shall apply. Any Town Committees created subsequent to the adoption of this Resolution shall also adhere to these amended Committee Rules.

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

PASSED AND ADOPTED this 11 day of December, 2007.

Motion to adopt by Mary Collins, second by Nancy Simon.

FINAL VOTE AT ADOPTION

|                              |               |
|------------------------------|---------------|
| Mayor Wayne Slaton           | <u>yes</u>    |
| Vice Mayor Nancy Simon       | <u>yes</u>    |
| Councilmember Roberto Alonso | <u>yes</u>    |
| Councilmember Mary Collins   | <u>yes</u>    |
| Councilmember Robert Meador  | <u>absent</u> |
| Councilmember Michael Pizzi  | <u>yes</u>    |
| Councilmember Richard Pulido | <u>yes</u>    |

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Debra Castro  
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

[Signature]  
TOWN ATTORNEY  
Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.L.

## Committee Rules, Regulations and Procedures

These Committee Rules, Regulations and Procedures (Committee Rules) shall apply uniformly to all 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 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 five (5) years. 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 Robert's Rules of Order (newly revised, 10<sup>th</sup> edition). Audio recordings shall be made of all meetings and shall be turned over to the Town Clerk in a timely manner.

### **Section 3. Regular Meetings.**

The Committees shall hold at least one regular publicly noticed meeting each month, unless waived by the majority of the Committee, at a location within the Town as set by the Chairperson. The Committee may not waive more than four (4) meetings per year.

### **Section 4. Special Meetings.**

Special meetings may be held upon the call of the Chairperson or a majority of the Town Council. Notice of special meetings shall be by letter sent to the Committee member's home address, via fax or email and shall be received by the member with reasonable notice before the meeting. Special meetings shall be publicly noticed and held at location within the Town as set by the Chairperson.

## **Section 5. Chairperson Meetings.**

On a quarterly basis, at a mutually agreeable date, the Committee Chairpersons shall meet to coordinate activities and to strengthen communication among Committees.

## **Section 6. Subcommittees.**

Subcommittees of a particular Committee may be created by the Chairperson with the approval of a majority vote of the committee's members. Subcommittees shall select a Chairperson and shall meet at the call of the Subcommittee Chairperson, or as directed by majority vote of the Committee.

## **Section 7. 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. 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. Each agenda shall also include a section for public comment.

## **Section 8. Public Appearances and Requests.**

Any Town resident, organization or member of the public may appear before the Committee during the public comment portion of any Committee meeting. Requests to appear shall be made to the Chairperson of the Committee at any time prior to the public comments portion of the meeting. Members of the Town Council are permitted to attend Committee meetings, but shall not vote or participate in discussion, other than during public comment.

## **Section 9. 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.

## **Section 10. 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 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 11. Attendance.**

The Secretary shall call the roll at the beginning of each meeting. The roll shall become a part of the minutes.

In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year, the committee member will automatically be removed from the Committee and the Councilmember who nominated that person will be notified of the vacancy. It shall be the duty of the Chairman to strictly enforce the removal of members due to absence.

A member who will be absent may fax their excuse in writing to the Secretary who shall make it a part of the record.

### **Section 12. Appointments, Vacancies and Resignations.**

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

- (a) Any person meeting the qualifications of office and wishing to serve on a Committee shall submit his or her name and provide a letter of intent to the Town.
- (b) Town staff shall notify the Town Council, in writing, of upcoming vacancies on the Committees, and shall provide to the Town Council the names and brief resumes or letters of intent of the person who have expressed an interest in serving on the Committees.
- (c) Nominations shall be conducted as per the resolution creating the Committee.
- (d) Appointments shall be made by the Mayor subject to the approval of the Town Council at a regularly scheduled Town Council meeting, in accordance with Section 2.2 of the Town Charter.
- (e) If a Councilmember's nominee vacates office, that Councilmember shall be permitted to submit a replacement nomination to the Mayor for appointment and Town Council approval.
- (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 13. Residency Requirement.**

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.

Non-residents who have particular interesting a Committee and may bring specific talent and/or expertise may serve on the Committee as a non-voting member.

### **Section 14. Term of Office.**

~~Each Committee member shall serve a two (2) year term once appointed. No Committee member shall serve more than six (6) consecutive years on a particular Committee. Nothings shall prohibit any individual from being reappointed to the Committee after a hiatus of two (2) years. There shall be no term limits.~~

**Section 15. Membership Limitation.**

No Committee member shall serve on more than one (1) Committee at the same time.

**Section 16. Compensation.**

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

**Section 17. 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, the Charter and all ordinances of the Town and Miami Dade County and in all respects to faithfully discharge their duties.

**Section 18. Applicability and Explanation of Laws.**

All Committee members shall be subject to the State of Florida and Miami Dade County code of Ethics. Upon appointment, a Town 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 19. Financial Disclosure Requirement.**

~~All Committee members shall be required to file financial disclosure forms, pursuant to state law and county law. Financial disclosure forms shall be submitted upon appointment and then annually, as required by law. As determined by the State of Florida Department of Ethics, no financial disclosure is required to be filed, unless otherwise required.~~

**Section 20. Officers and Elections.**

Every Committee shall elect a Chairperson, Vice Chairperson and Secretary annually, or as vacancies occur, at the first meeting conducted after October 1 to serve for a term of one (1) year. Vacancies shall serve the remaining term of the Committee member they are replacing.

**Section 21. Mission Statement.**

All Committees shall express a statement of their bodies' purpose to be approved by the Town Council, consistent with the intent of the resolution creating the Committee.

### **Section 22. Records.**

Minutes of all Committee meetings shall be kept by the Secretary and shall be available for public inspection. The minutes shall be forwarded to each Committee member for review to be approved by the Committee at its next scheduled meeting, unless special circumstances are approved by the Chair. Once approved, meeting minutes shall be forwarded to the Town Clerk for filing.

During meetings, a standard sign-in register must be completed by Committee members and maintained by the Secretary. Attendance and absences must be recorded and submitted to the Town 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 23. Committee Reports.**

The Chairperson or his/her designee may ~~quarterly~~ semi-annually present an oral report to the Town Council which shall be submitted in writing to the Town and shall include a quarterly financial report. All reports shall be approved by the Committee prior to submission to the Town or presentation to the Town Council. Both the content of the written report and the oral report shall be approved by the Committee prior to submission or presentation to the Town Council.

### **Section 24. Budget Request and Financial Controls.**

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. Additionally, the Town Staff will be responsible for ensuring that all expenditures are properly documented and reconciled following generally accepted accounting principles.