

**RESOLUTION NO. 25-2094**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING THE COMMITTEE RULES, REGULATIONS AND PROCEDURES REGARDING ATTENDANCE AND OTHER RELATED MATTERS; PROVIDING FOR ADOPTION AND IMPLEMENTATION OF SUCH RULES; PROVIDING FOR A FISCAL IMPACT OF MINIMUM COSTS; AND PROVIDING AN EFFECTIVE DATE (MORERA).**

**WHEREAS**, the Town of Miami Lakes (the “Town”) is committed to ensuring effective and transparent governance, as well as fostering collaboration and accountability in its Committees; and

**WHEREAS**, the Vice Mayor of Miami Lakes, Honorable Vice Mayor Morera, has worked with the Quarterly Committee Chair Meeting to receive feedback and refine a draft amendment to the Committee Rules relating to attendance; and

**WHEREAS**, after receiving input from Committee Chairs and Members, the proposed amendments were finalized into a cohesive document for consideration by the Town Council; and

**WHEREAS**, the proposed amendments have been reviewed and discussed by the Town Council, with feedback incorporated from all relevant stakeholders; and

**WHEREAS**, the Town Council desires to adopt these amendments to the Committee Rules with immediate effect to improve the efficiency, attendance, and effectiveness of the Committees; and

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

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

**Section 2. Amendment to the Committee Rules.** The Committee Rules relating to attendance and other related matters shall be amended as shown in the attached documents, which include both a redline version of the proposed amendments and a clean version for readability.

**Section 3. Immediate Effect.** Upon adoption of this Resolution, the proposed amendments to the Committee Rules shall become effective immediately.

**Section 4. Fiscal Impact.** The fiscal impact of implementing the amendments is minimal, with funding sourced from the General Fund.

**Section 5. Codification.** The Town Council further directs that the amended Committee Rules be codified into the Town's official policies in the coming months.

**Section 6. Implementation Timeline.** The implementation of the amended Committee Rules shall occur within 30 days of adoption.

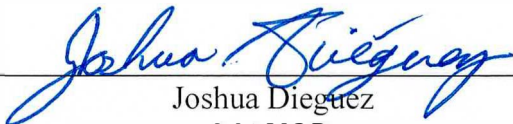
**Section 7. Effective Date.** This Resolution shall take effect immediately upon adoption.

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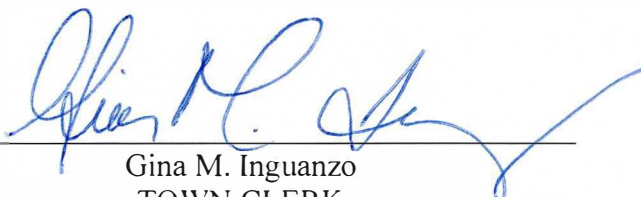
Passed and adopted this 15<sup>th</sup> day of April 2025.

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

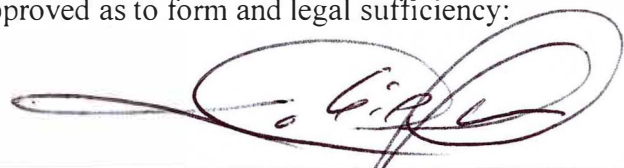
Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

  
Joshua Dieguez  
MAYOR

Attest:

  
Gina M. Inganzo  
TOWN CLERK

Approved as to form and legal sufficiency:

  
Raul Gastesi, Jr.  
Gastesi, Lopez, Mestre, and Cobiella. PLLC  
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 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 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.

### **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.

**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. 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. Members of the public may participate in public comments in person or remotely.

**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. A Committee Member appearing via "remote appearance" as defined in Section 10(e) shall not be counted toward quorum.

**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. Proxy votes shall not be permitted.

**Section 10. Attendance.**

- (a) Committee Members are expected to attend all scheduled Committee meetings (including regular meetings, special calls, and meetings of any subcommittees that members have volunteered for) in order to conduct the committee's and town's business.
- (b) A Committee Member shall be automatically removed if:
  - i. They accrue three (3) unexcused absences from regularly scheduled Committee Meetings during the same twelve (12) month rolling calendar year;
  - ii. They accrue three (3) consecutive absences from regularly scheduled Committee Meetings during the same twelve (12) month rolling calendar year, regardless of whether excused or unexcused;
  - iii. They accrue five (5) absences from regularly scheduled Committee Meetings during the same twelve (12) month rolling calendar year, whether excused or unexcused.
- (c) Absences shall be considered "excused" if, and only if, the absence was due to:
  - i. medical reasons;
  - ii. the death of a Committee Member's immediate family member within the seven (7) calendar days preceding the Committee Meeting;
  - iii. unexpected work-related commitment;
  - iv. military service due to active-duty orders in the Reserves, National Guard, or State Guard; OR
  - v. any other reason which the Committee Chair, in their discretion, classifies an excused absence.
- (d) The Committee Chair shall have sole discretion to classify an absence as excused or unexcused. In cases of absence by the Committee Chair, the Vice Chair shall have sole discretion to classify an absence by the Committee Chair as excused or unexcused. Nothing herein shall be construed to allow the Committee Chair, or Vice Chair in cases of absence by the Chair, to access protected, privileged, confidential, or otherwise private information to ascertain whether an absence was excused or unexcused.
- (e) Each Committee Member is permitted to attend no more than two (2) Committee Meetings (including regular meetings, special calls, and meetings of any subcommittees that members have volunteered for) via remote appearance during any calendar year. For purposes of this subsection, the term "remote appearance" shall be construed to mean that a Committee Member attends the meeting from somewhere other than the published meeting location by using videoconference technologies (i.e. Zoom, FaceTime, Microsoft Teams, etc.). For any remote appearance, the following shall apply:
  - i. No person shall act as Chair of a meeting while appearing remotely;

- ii. The Committee Member participating remotely is responsible for notifying the Committee liaison no later than 24 hours prior to the meeting's start date;
  - iii. The Committee Member appearing remotely is responsible for coordinating with the Committee liaison or other Committee Members to ensure the proper equipment is available at the published meeting location to support their remote appearance;
  - iv. The Committee Member appearing remotely must keep their camera on, and their face must remain visible (normal bathroom breaks excepted), for the duration of the meeting;
  - v. The Committee Member appearing remotely must be able to hear everyone in attendance in-person at the meeting;
  - vi. Everyone in attendance in-person at the meeting must be able to hear the Committee Member that is appearing remotely;
  - vii. The Committee Member appearing remotely shall wear appropriate attire suitable for a public meeting;
  - viii. The Committee Member appearing remotely shall ensure not to have anything obscene or distracting in the background of their video;
  - ix. The Committee Member appearing remotely may mute their audio while they are not speaking, but shall ensure that they are not in a noisy environment when they unmute to speak or vote;
  - x. When calling a voice vote, the Chair shall orally confirm the votes of any Committee Members appearing remotely separate from those attending in person; and
  - xi. The Committee Member appearing remotely is responsible for ensuring that they have a sufficiently strong internet or data connection to facilitate clear audio and video transmission, the Town shall not be responsible for any connectivity issues, regardless of the cause of such issues.
- (f) It is the responsibility of the Committee Secretary to take minutes and accurately reflect attendance at all Committee Meetings, including whether any absences are excused or unexcused and whether each Committee Member's attendance was in-person or via remote appearance. Attendance reports shall be included in the Chairperson's Semi-Annual Report to the Town Council and will specify whether any Committee Members have met or surpassed the absence limits in Section 10(b), above, but have not yet been removed.

#### **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.

Additions to rule appear underlined or stricken as applicable.



- (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(a)(ii) 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.
- (g) If a person serves on more than one Committee, the removal or resignation of said Committee Member, including in cases of removal under Section 10, from one Committee shall not affect their membership in other Committees.
- (h) A Committee Member shall not be precluded from applying for or joining a Committee by reason of their resignation or removal from a Committee. Notwithstanding the foregoing, a Committee Member who resigns or is removed from a Committee shall be precluded from applying for or joining the same Committee from which they resigned or were removed for a period of one hundred eighty (180) calendar days following the effective date of their resignation or removal.

#### **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.

#### **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.

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.

**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, these Committee Rules, and the Committee Code of Conduct included in the Addendum to these 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 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

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 three (3) business days, prior to the 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 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 a written report to the Town Council which shall include a semi-annual year to date summary of meeting attendance and meeting minutes, and a financial report. 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.**

Prior to April 30<sup>th</sup> 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 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 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.

**[END OF COMMITTEE RULES, CODE OF CONDUCT FOLLOWS]**

**ADDENDUM**  
**TOWN OF MIAMI LAKES COMMITTEES**  
**CODE OF CONDUCT**

The purpose of this Code of Conduct is to ensure that all members of any non-statutory committees, task forces, and advisory boards established by the Town Council act with integrity, professionalism, and respect in the performance of their duties. Committee members serve as representatives of the Town and are expected to uphold the highest standards of ethical behavior and accountability.

To that end, all such Committee Members:

- Shall demonstrate professionalism, good manners, courtesy, respect, and consideration.
- Shall arrive at meetings and events prepared and on time.
- Shall complete any action items assigned to them on time.
- Shall stick to meeting agenda and stay on task and on the topic being discussed.
- Shall only speak when given the floor by the chair of the meeting.
- Shall listen while others are speaking and not speak over others.
- Shall address all remarks through the Chair and not address other Committee Members directly.
- Shall not dominate the conversation, interrupt, participate in side-conversations, or make unnecessary comments.
- Shall confine remarks to the merits of the issue and avoid any reference to personalities.
- Shall never attack or question the motives of another Committee Member.
- Shall not make profane, derogatory, threatening, discriminatory, or insulting remarks.
- Shall not disrupt the orderly procession of meetings.
- Shall attend as many events hosted by their respective Committee(s) as possible.
- Shall act with professionalism whenever they are (a) attending events, (b) any time they are wearing their Committee shirt, or (c) any time they are addressing, or otherwise in the presence of members of, the public in their role as a Committee Member.

Additionally, all Committee Chairs, Vice Chairs, or other members acting as Chairs in the absence of the Chair or Vice Chair:

- Shall give all Committee Members a fair opportunity to be heard on the issues before the Committee and to present new items for inclusion in the agenda.
- Shall enforce Robert's Rules of Order, unless superseded by the Committee Rules, equally against all Committee Members and shall not allocate disproportionate speaking time to one Committee Member over another.
- Shall not exercise their discretion under Section 10(c)(v) or Section 10(d) of the Committee Rules in an unfair or selective manner.

Failure to adhere to this Code of Conduct shall result in appropriate disciplinary action, including removal from officer role, suspension, or recommendation for removal by the appointing Councilmember.

Additions to rule appear underlined or stricken as applicable.