

RESOLUTION NO. R-11-2005-9

A RESOLUTION OF THE CHAIRMAN AND BOARDMEMBERS OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY ESTABLISHING UNIFORM ADVISORY COMMITTEE RULES AND REGULATIONS SETTING FORTH MINIMUM STANDARDS AND OPERATING RULES FOR ALL ADVISORY COMMITTEES OF THE AGENCY BOARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article 6 of the By-Laws of the North Miami Community Redevelopment Agency (the "CRA") adopted on October 25, 2005, provides for the creation by the governing body of the North Miami Community Redevelopment Agency (the "CRA Board") of advisory committees to assist and advise the CRA Board in various aspects regarding implementation of the adopted CRA Plan; and

WHEREAS, it is the desire of the CRA Board that all advisory committees or boards (collectively, the "Advisory Committee") created by the CRA Board shall operate in minimum accord with uniform rules and regulations unless specifically provided for otherwise in the authorizing resolution creating the Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARDMEMBERS OF THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY:

Section 1. That all rules and regulations of any Advisory Committee established by the CRA, to be effective, must be approved by resolution of the CRA Board. Unless specifically exempted, altered, modified, or supplemented by the Committee authorizing resolution, all Advisory Committees established by the CRA Board shall operate in accordance with the Uniform Advisory Committee Rules and Regulations established herewith and set forth below:

Article 1. Members, Attendance, and Conduct.

- (a) **Application.** All persons seeking appointment to an Advisory Committee shall file an application form available at either the office of the CRA Secretary or CRA Executive Director that shall describe or list the person's background, qualifications and interest in serving on an Advisory Committee of the CRA. The completed and signed application must be on file in the office of the CRA Secretary prior to the appointed person attending the first meeting of the Advisory Committee to which appointment has been made by the CRA Board. A copy of the completed and signed application of persons appointed by the CRA Board to an Advisory Committee shall be provided to the CRA Executive Director.

- (b) Ineligibility. No person who has been convicted of a felony or of any crime involving dishonesty, false dealings or statements may be knowingly appointed to or continue to serve on any Advisory Committee of the CRA. Any Committee member so convicted or found to have been convicted while serving as a Committee member shall be deemed automatically terminated from the Advisory Committee without notice. The initial appointment of a member to an Advisory Committee shall be provisional until satisfactory completion of a criminal background check to be performed at no cost to the appointee by the North Miami Police Department.
- (c) Public Official. Persons serving on any Advisory Committee of the CRA accept appointment as a Florida "public official" and shall conduct themselves, as applicable, in accordance with the Florida Code of Ethics for Public Officials and Employees (Chapter 112, Part III, F.S.). Such members shall file annually on the date determined by the CRA Secretary, the applicable Disclosure on Financial Interest Form with the Florida Commission on Ethics.
- (d) Disclosure for CRA Public Officials. In accordance with the Florida Community Redevelopment Law (Section 163.367(2), F.S.), any member of a CRA Advisory Committee who on date of appointment owns or controls, or owned or controlled within the preceding two (2) years, any interest, direct or indirect, in any property which he or she knows is included or planned to be included in a community redevelopment area, he or she shall immediately disclose this fact in the manner provided in Chapter 112, Part III, F.S. Any such disclosure required to be made shall be made by the Committee member prior to taking any official action on the matter as it may be discussed by the Committee.
- (e) Compensation. Committee members shall serve without compensation. However, when approved in advance by the CRA Board, or by the CRA Executive Director when provided for in the annual adopted CRA budget, Committee members shall be entitled to reimbursement for their actual and necessary expenses incurred in the discharge of their duties for the CRA. Requests for reimbursement shall be subject to the requirements of applicable law.
- (f) Removal. Committee members shall serve at the pleasure of the CRA Board and may be removed from the Advisory Committee at any time with or without cause by the affirmative vote of three Commissioners. Any Committee member who may become a candidate for any public elected office shall automatically forfeit his appointed office on the Advisory Committee of the CRA.

- (g) Absenteeism, Automatic Resignation. Absence by any Committee member during the appointment year from three consecutive regular meetings or four non-consecutive regular meetings shall constitute an automatic resignation of such member.
- (h) Reinstatement. In order for a Committee member to be reinstated for extenuating circumstances, a recommendation from the Advisory Committee shall be made through consensus and forwarded in writing by the Chair to the CRA Board for consideration at the next available meeting when the item may be properly placed on an agenda.
- (i) Vacancies. The CRA Board shall timely fill any vacancy that may occur on the Advisory Committee. A Committee member appointed to fill a vacancy shall serve for the unexpired term of the member whose vacancy is filled.
- (j) Term. The term of office, including any term limitation to members serving on an Advisory Committee of the CRA, shall be specified in the authorizing resolution creating the Advisory Committee.
- (k) Qualifications. Qualifications of members serving on an Advisory Committee of the CRA, including but not limited to, occupation, residency, place of business, and ex-officio status, shall be specified in the authorizing resolution creating the Advisory Committee. Family members of a CRA Commissioner are not prohibited from serving on an Advisory Committee. Members of the staff of the CRA are prohibited from serving on an Advisory Committee of the CRA unless as a non-voting Ex-Officio member designated as such in the Committee authorizing resolution creating the committee or board. Members of the staff of the CRA are not prohibited from serving on any other appointed advisory committee or board of the City or Miami-Dade County or other governmental entity.

Article 2. Officers.

- (a) Annual Election. The Committee members shall select its own Chair and Vice-Chair annually, unless such officers are designated, by resolution, by the CRA Board. The election shall be scheduled at the first meeting proceeding the date of annual appointments of members of the first month of the Committee appointment year unless due to substantial vacancies remaining to be filled, the Committee, by consensus, sets the election for its next regular meeting at which time the election of officers shall be conducted.
- (b) Chair. The Chair shall act as the presiding officer at all meetings of the Committee and shall have no other powers; except, the Chair upon receipt of the affirmative recommendation of the Staff Liaison, may cancel any

regular or special meeting due to lack of business or public disaster emergency. As the presiding officer, the Chair may exercise prerogative, when not contrary to the consensus of the Committee, in order to set or administer guidelines to ensure the orderly conduct of a public meeting at which orderly behavior on the part of the public attending is required. This includes limiting the amount of time an individual can speak and, when a large number of people attend and wish to speak, requesting that a representative of each side of the issue speak rather than everyone present.

- (c) Vice-Chair. The Vice-Chair shall act as the presiding officer at all meetings of the Committee in the absence of the Chair or at the request of the Chair.
- (d) Chair Pro Tem. The Chair or Acting Chair may designate another member to preside as Chair Pro Tem during the absence of both the Chair and Vice-Chair, and for only the specific meeting or period during which one or the other duly elected officers are absent or unable to perform the duties of the office.

Article 3. Staff Liaison.

- (a) Staff Liaison. The CRA Executive Director or designee (referred to as "Staff Liaison") shall attend all meetings of the Advisory Committee. The Staff Liaison shall assure that meetings of the Advisory Committee are organized for compliance with the Florida Sunshine Law (Section 286.011, F.S.) Such duties include: 1) securing a meeting place or places that are accessible to and open to the public at all times during which the meeting is conducted; 2) providing reasonable notice of such meetings as provided herein; and 3) arranging for the minutes of the meeting to be taken, approved, and properly retained for public inspection. The Staff Liaison may be consulted on matters of parliamentary procedure or rules of order, but the decision of the Chair shall be considered final in absence of a clear violation of established written policy, procedure or law.
- (b) Agenda, Committee Information. The Staff Liaison shall timely assure that each newly appointed Committee member shall be provided an information package setting forth the duties and responsibilities of the Advisory Committee and its members, a copy of policy, procedure, and descriptions of law applicable to the member in accepting appointment to the Advisory Committee, and specific documents (such as the adopted redevelopment plan, current budget, or annual report as determined by the Staff Liaison) to be essential background information for the newly appointed member to go forward in the faithful discharge of the new member's duties and advisory responsibilities. The Staff Liaison shall be responsible for the distribution (whether by mail or delivery) of the

meeting notice and agenda and relevant information pertaining to a meeting of the Advisory Committee.

Article 4. Meetings, Rules of Order.

- (a) **Rules of Order.** All meetings shall be conducted in accordance with the Uniform Advisory Committee Rules and Regulations, the authorizing resolution of the Committee, and applicable law. However, in the absence of any applicable procedure, then the most recent Edition of Robert's Rules of Order, Revised, shall apply.
- (b) **Public Meeting.** All meetings of any Advisory Committee of the CRA are public meetings open to the public at all times and subject to the Florida Sunshine Law (Section 286.011, F.S.).
- (c) **Notice of Meetings.** Reasonable notice of all Advisory Committee meetings shall be given to the public, appropriate City officials and the news media, minimally through the posting of the agenda of the meeting on the official bulletin boards accessible to the public and located at both the office of the CRA and City Hall. At least three (3) calendar days notice shall be provided for regular meetings, and at least two (2) calendar days notice shall be provided for special meetings. All Committee members shall receive similar notice and the agenda of the meeting no less frequently than herein provided.
- (d) **Regular Meetings.** Unless otherwise provided in the authorizing resolution creating the Advisory Committee, the Committee shall hold a regular meeting at least four times each fiscal year on a day and at a time and place to be designated from time to time by the Committee. Each Advisory Committee shall timely establish a regular annual meeting calendar setting forth the date, time and place where the Committee shall meet. The Staff Liaison shall assist the Advisory Committee in the preparation of the annual calendar, which shall minimally be posted on the official web site of the CRA and the official bulletin boards accessible to the public and located at both the office of the CRA and City Hall. Advisory Committees that schedule meetings as frequently or more than monthly may designate a period during which the Committee will recess to accommodate the vacation schedules of its members. The Committee may also designate an alternative regular meeting date for scheduled meetings that may fall on a holiday observed by the CRA Board or requested to be observed by the consensus of the Committee.
- (e) **Special Meetings.** The Chair upon the affirmative request of the Staff Liaison, or if determined through Committee consensus at the previous meeting may call a special meeting of the Advisory Committee. Only the matter or matters of business for which a special meeting has been called

will be discussed at the meeting. The absence of any Advisory Committee member from the special meeting will not be counted in keeping the member's regular meeting attendance record, but a quorum of the Advisory Committee must be present at all times in order to conduct business and take formal action at the special meeting.

- (f) Continuances. A matter of business scheduled for formal discussion at a meeting of the Advisory Committee may be tabled by majority vote of the Committee members present for continuance at a properly noticed regular or special meeting of the Committee as it shall determine. In the event that a matter must be rescheduled due to the absence of a quorum, then the matter shall automatically be placed on the next regular meeting of the Committee at which it may take action on the matter or determine a date certain for reconvening discussion on the matter.
- (g) Subcommittees. It is preferred that the duties of the Advisory Committee be performed by the members in their entirety at properly constituted meetings of the Committee. No limited purpose or standing subcommittee of any Advisory Committee shall be formed unless first approved by the CRA Board and under such terms and conditions and for such duration as it determines necessary.
- (h) Non-Official Meetings. No two or more Committee members of the same Advisory Committee shall meet, whether formal or casual, to discuss matters of the Advisory Committee or foreseeable matters which may come before the Advisory Committee. Such Committee members are not prohibited from meeting together socially, provided that matters which may come before the Advisory Committee are not discussed at such gatherings.
- (i) Quorum. A majority of the Committee members (less vacancies that may exist) shall constitute a quorum for the purpose of conducting the business of the Advisory Committee. At any meeting of the Advisory Committee where a quorum does not exist, the Chair, or in absence of a presiding officer, through consensus of the Committee members present may recess the meeting. No formal action of the Advisory Committee may be voted on once a quorum is not present.
- (j) Committee Actions. The formal action and official business of the Advisory Committee for which a vote is taken shall be recorded by motion. Informal actions on matters internal to the Advisory Committee or as provided for herein may be decided by consensus without the formality of a vote when recognized by the Chair and recorded in the minutes of the meeting to be the decision of the majority of Committee members present. The decisions of any Advisory Committee of the CRA shall be advisory only to the CRA Board and the CRA Executive Director

unless otherwise provided for in the authorizing resolution creating the Advisory Committee. Unless otherwise provided for in the purpose and duties of the authorizing resolution creating an Advisory Committee, it is not the general intent of the CRA Board to vest quasi-judicial powers with its Advisory Committee as that term is defined and interpreted by law.

- (k) Voting Record. All Committee members present at a properly constituted meeting must vote on motions of the Advisory Committee and may not abstain unless declaring a Voting Conflict of Interest as defined by Chapter 112, Part III, F.S. No polling of Committee members on matters to come before it shall occur, and no votes shall be taken by means of secret ballot. The voting record does not need to record the individual vote of each member, but the numerical count of the number of “nays” and “yeas” shall minimally be recorded in the minutes after conclusion of discussion on motion of the Committee.
- (l) Voting Conflict of Interest. A Committee member that declares to have a Voting Conflict of Interest as defined by Chapter 112, Part III, F.S., must advise the Chair prior to discussion on the item and must not participate in the discussion of the item. Such Committee member shall provide the recording secretary at the meeting, or no later than 15 days thereafter, a properly completed Voting Conflict of Interest Form to be affixed as an attachment to the minutes of the meeting. A Committee member having declared a voting conflict of interest may not speak on such item unless leaving the Committee dais and speaking from the podium or place designated for the general public.
- (m) Official Representation. No member of an Advisory Committee of the CRA shall appear at any other public meeting in his or her official capacity as a member of the Committee unless so appointed or designated by the consensus of the Advisory Committee, and only for appointments not contrary or inconsistent with the responsibility of Advisory Committees to convey its reports and recommendations for the consideration and action of the CRA Board.

Article 5. Minutes, Reports and Recommendations

- (a) Minutes. The minutes of the proceedings of the Committee shall be prepared and certified as to accuracy by the Committee’s recording secretary and, except for special circumstances, shall be made available for approval at the next regular meeting of the Committee. Corrections to the minutes of previously approved minutes shall be recorded in the minutes of the next meeting or in the minutes of the meeting at which time an error or correction to previously approved minutes are noted and accepted by the Committee.

- (b) Form. The minutes of the meeting shall be transcribed in summary with only formal motions to be stated verbatim. In the event that electronic recording equipment is used, the tape or recording shall be maintained at the office of the CRA in accordance with the Florida Public Record Law (Chapter 119, F.S.).
- (c) Filing, Other Records and Public Inspection. The original of such Committee approved minutes shall be kept in the offices of the Secretary to the CRA and shall be open to inspection at all times during normal business hours. A copy of all official records of the Advisory Committee shall be maintained in the office of the CRA and shall be open to inspection at all times during normal business hours. The official records of the Advisory Committee shall be maintained in minimum accord with the Florida Public Records Law (Chapter 119, F.S.).
- (d) Reports and Recommendations. Reports on the actions and recommendations of any Advisory Committee shall be conveyed to the CRA Boarder through the CRA Executive Director by timely forwarding the approved Committee minutes covered by a synopsis of the meeting. The synopsis shall provide the date of the meeting and a list of the significant motions made at the meeting, the numerical record of the vote, and the page range in the minutes in which the item is discussed and acted on. The synopsis and minutes shall typically be conveyed to the CRA Board within 30-working days of the meeting date. In the event that circumstances may prevent a delay, the CRA Executive Director may forward an interim report, along with a draft copy of the minutes and synopsis if available. Appropriate City officials, as determined by the CRA Board, shall also be provided a copy of the approved minutes of the Committee.

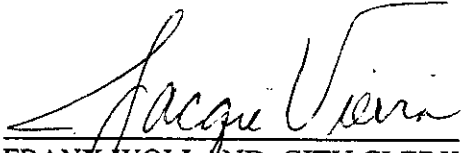
Section 2. Where a conflict may be found to exist between applicable law and the Uniform Advisory Committee Rules and Regulations, or the authorizing resolution of any specific Committee of the CRA, applicable law shall first prevail and thereafter the Committee authorizing resolution shall prevail.

Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Board of the North Miami Community Redevelopment Agency, this 1 day November, 2005.

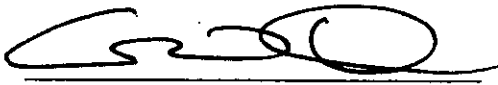
ATTEST:

NORTH MIAMI COMMUNITY
REDEVELOPMENT AGENCY

Deputy for

FRANK WOLLAND, CITY CLERK
CHAIR


KEVIN A. BURNS,

APPROVED AS TO FORM:


GRAY ROBINSON, P.A.
CRA ATTORNEY

SPONSORED BY: ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Councilman Galvin

Vote:

Chair Kevin A. Burns	<u>X</u>	(Yes)	_____	(No)
Boardmember Michael R. Blynn	<u>X</u>	(Yes)	_____	(No)
Boardmember Jacques A. Despinosse	<u>X</u>	(Yes)	_____	(No)
Boardmember Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Boardmember Marie Erlande Steril	<u>X</u>	(Yes)	_____	(No)