



Attachment "A"

Municode Excerpt:

Article VI-
Boards, Committees, Commissions

ARTICLE VI. - BOARDS, COMMITTEES, COMMISSIONS

DIVISION 1. - GENERALLY

Sec. 2-268. - Establishment of boards.

Pursuant to section 3.9 of the town Charter, the town council shall establish such advisory boards, committees, task forces, and bodies (the "boards") as it may deem advisable. All boards so established shall report their findings to the town council. Unless otherwise provided by law, all boards shall serve at the pleasure of the town council. Appointees may be removed from their appointive position upon:

- (1) The written notice of the town council member that sponsored the appointee; or
- (2) By subsequent motion of any member of the town council and upon vote of removal by a supermajority of the members of the town council.

A newly established board shall commence within 100 days of having been established. A board that does not commence within this timeframe shall be automatically dissolved, unless otherwise extended by the majority of the town council.

(Ord. No. 10-08, § 2(a), 7-21-2010; Ord. No. 11-08, § 2(a), 7-26-2011; Ord. No. 13-01, § 2(a), 1-16-2013)

Sec. 2-269. - Appointment to boards.

The town council shall determine how many board members shall serve on a board. If a board has at least five board members, each town council member shall have the right to appoint an individual to the board. A town council member shall make his appointment within 90 days after establishment of a board, a vacancy of that board, or upon being sworn into office. If a town council member fails to make his appointment within the 90 days, any member of the town council may bring forth a nominee for town council consideration. If a board has more or less than five members, the town council shall determine the method in which the board members will be selected. No council member shall hold any appointive office on any board. However, town council members may serve as an ex officio, non-voting member or council liaison to the board if approved by the town council. The town council shall determine the term of the board members serving on a board. The term of a town council member's board appointee may be extended up to 90 days beyond the town council member's term of office, without action of the town council. However, the former council member appointee shall vacate his seat immediately upon the newly elected, reelected, or appointed town council member making his appointments. Upon the newly elected, reelected, or appointed town council member(s) taking office, he shall have the right to appoint board members to all seats vacated by the expiration of the previous town council member's term. The town shall post notice of a vacant board position to give residents an opportunity to serve on the board and such notice shall be posted two weeks prior to the appointment being made.

(Ord. No. 10-08, § 2(b), 7-21-2010; Ord. No. 11-08, § 2(b), 7-26-2011)

Sec. 2-270. - Board terms and service limits.

- (a) When establishing a board, the town council shall establish a definitive term and goal for the board. The board shall be automatically dissolved upon the expiration of the term or upon delivery of the board's final report to the town council, whichever occurs first. In its sole discretion the town council may extend the term of the board.
- (b) Members appointed to town boards shall serve for not more than eight consecutive years on any one board. The eight-year term of service limit shall begin January 18, 2017. A one-year separation from service from a board is required before the board member is eligible for service to that board again.

(Ord. No. 10-08, § 2(c), 7-21-2010; Ord. No. 11-08, § 2(c), 7-26-2011; Ord. No. 17-02, § 2, 3-15-2017)

Sec. 2-271. - Board qualifications.

The town clerk shall provide relevant background information related to prospective board appointees. This information shall be provided prior to the meeting in which appointment of the prospective board appointees are being considered. The background information may include, but is not limited to, a resume, a list of qualifications, a statement by the prospective appointee and/or any other relevant information. Furthermore, all prospective appointees shall make themselves available to the town council for the meeting in which their appointments are being considered.

(Ord. No. 10-08, § 2(d), 7-21-2010; Ord. No. 11-08, § 2(d), 7-26-2011)

Sec. 2-272. - Board reports.

Unless otherwise provided by the town council, board reports which are presented to the council shall include the following components:

- (1) *Name*. The name of the board making the report, a listing of officers, an attendance table including members and any other person(s) who attended the meetings, all agendas, minutes, staff reports, and any other documents that were reviewed by the board. This information may be compiled in a separate document.
- (2) *Methodology*. The report shall include a description of the way in which the board undertook its charge.
- (3) *Facts found*. The report shall include the facts uncovered or information obtained.
- (4) *Recommendations*. The report shall include the recommendations of the board, preferably in a form suitable for framing of a motion for the town council to consider.
- (5) *Signatures*. All members of the board who concur with the report must sign the report. The chair may sign the report only if a majority of the members of the board approve the report and authorize the chair to sign. Those members who do not concur with the report shall be listed as dissenting members. The dissenting members may submit their own report(s) in the same format as presented above.

(Ord. No. 10-08, § 2(e), 7-21-2010; Ord. No. 11-08, § 2(f), 7-26-2011)

Sec. 2-273. - Notice of meetings and agendas.

At least 48 hours' notice shall be given to the public and board members of board meetings. The public shall be notified of board meetings by a posting at town hall by the town clerk. The town council, town attorney, and the town manager shall be provided notice of the meeting by email from the town clerk. The public notice shall advise of the potential for attendance of one or more town council members at the meeting of the board. The town clerk shall notify board members of board meetings by telephone, U.S. mail, facsimile, electronic mail or hand delivery. A written agenda shall be prepared and distributed by the town clerk for each board meeting. Special board meetings may be called by the chair or by a majority of the board members. All board proceedings shall comply with F.S. § 286.011 (the "Sunshine Law"). Written minutes shall be promptly prepared and kept of all board meetings and shall be submitted to the town clerk who shall be responsible for the preservation of such minutes.

(Ord. No. 10-08, § 2(f), 7-21-2010; Ord. No. 11-08, § 2(f), 7-26-2011)

Sec. 2-274. - Board absences.

Unless otherwise provided by the town council, members of boards who are absent from three regularly scheduled meetings of the board in any one calendar year shall be automatically removed from the board. Each board shall determine which meetings are considered as the "regularly scheduled meetings." Board members who are removed through this process may be reappointed by the town council member that appointed the board member. Board members appointed at large may be reappointed by the town council.

(Ord. No. 10-08, § 2(g), 7-21-2010; Ord. No. 11-08, § 2(g), 7-26-2011)

Sec. 2-275. - Board discipline.

A board has no power to discipline its members for improper conduct related to its proceedings. Any such incident of misconduct shall be reported, in writing, to the town clerk, who shall disseminate the reported information to each member of the town council. This shall not diminish the authority of the board chair to maintain order at meetings.

(Ord. No. 10-08, § 2(h), 7-21-2010; Ord. No. 11-08, § 2(h), 7-26-2011)

Sec. 2-276. - Quorum.

Unless otherwise provided by the town council, a majority of the board members shall constitute a quorum. No business shall be conducted unless a quorum is present, other than by a workshop process which may be invoked when a quorum fails to attend a regular meeting. Any action by the workshop shall be preliminary and non-binding and shall be subject to subsequent ratification by a quorum of the board at a duly held meeting.

(Ord. No. 10-08, § 2(i), 7-21-2010; Ord. No. 11-08, § 2(i), 7-26-2011)

Sec. 2-277. - Board rules of procedure.

A board may adopt rules of procedure governing its conduct which do not conflict with either the fundamental parliamentary procedures of Robert's Rules of Order or with this section. Each board shall appoint a chair, vice-chair and secretary who may engage in discussions, make motions and vote on items before the board in the same manner as other board members. A newly established board shall select a provisional chair, vice-chair, and secretary at its first meeting for a term of 90 days after which the board shall elect permanent officers to serve for a full term of one year or until removed by action of the board or until the officer leaves the board. This section shall prevail over any conflicting provision of Robert's Rules of Order.

(Ord. No. 10-08, § 2(j), 7-21-2010; Ord. No. 11-08, § 2(j), 7-26-2011)

Sec. 2-278. - Liaison.

A liaison to a board shall act as a conduit between the town council and the board. The liaison shall report to the town council on the activities of the board and advise the board as to the priorities, goals and desires of the town council and the constituency. A liaison may take an active role in the discussions and debates of the board as well as introduce relevant topics for board discussion.

(Ord. No. 10-08, § 2(k), 7-21-2010; Ord. No. 11-08, § 2(k), 7-26-2011)

Sec. 2-279. - Board member financial disclosure requirements.

In accordance with section 7.2 of the town Charter and the Miami-Dade County Code, appointed board or committee members shall disclose, on a form provided by the town clerk, any interest in real estate or other business(es) except as otherwise provided by law. Members should complete and file their financial statements with the town clerk within 30 days upon being appointed and shall re-disclose annually before July 1 the following year.

(Ord. No. 11-08, § 2(l), 7-26-2011)

Sec. 2-280. - Town staff.

No board member shall direct the town manager, town attorney, or town clerk or any of their employees.

(Ord. No. 10-08, § 2(l), 7-21-2010; Ord. No. 11-08, § 2(m), 7-26-2011; Ord. No. 13-01, § 2(m), 1-16-2013)

Secs. 2-281—2-308. - Reserved.