

RESOLUTION 2021 - 034

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2015-017 RELATING TO THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY PERTAINING TO MEETING ATTENDANCE; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE NEW POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 1.04 of the Town Charter, the Town Council has the ability to create selected committees and boards; and

WHEREAS, in response to the Town Council's desire for standard policies for the Town's various committees and boards, on January 4, 2007, the Town Council adopted Resolution No. 2007-023, which amended the existing Town Advisory Committee/Board Policy; and

WHEREAS, on December 11, 2014 the Town Council adopted Resolution No. 2015-017 repealing and replacing Resolution No. 2007-023 by adopting a new Town Advisory/Committee Board policy; and

WHEREAS, since adoption, the Town Council has determined that it is in the best interest of the Town to modify the attendance provisions within the policy, and as such the Town Council wishes to amend the policy as outlined in Exhibit "A", which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Advisory Committee/Board Policy, adopted pursuant to Resolution No. 2015-017 on December 11, 2014, is hereby amended by this Resolution.

Section 3: The Town Council hereby amends the Town Advisory Committee/Board Policy to adopt new provisions concerning committee/board member attendance, which is attached hereto, and is incorporated herein by reference, as Exhibit "A", which is attached hereto and is incorporated herein by reference.

Section 4: The Town Council authorizes its Town Administrator to take any actions necessary to implement the amended Town Advisory Committee/Board Policy.


Section 5: Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 11th day of March, 2021, on a motion by

Council Member Jablonski and seconded by Council Member Allbritton.

Allbritton	<u>Yes</u>	Ayes	<u>5</u>
Jablonski	<u>Yes</u>	Nays	<u>0</u>
Kuczenski	<u>Yes</u>	Absent	<u>0</u>
Hartmann	<u>Yes</u>	Abstaining	<u>0</u>
Breitkreuz	<u>Yes</u>		


Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, Town Attorney
38156954.1

**Town of Southwest Ranches
Administrative Policies and Procedures**

Advisory Boards and Committees

NOTE: The following policies and procedures apply to all Committees & Boards, hereafter referred to as "BOARD." The name of "Committee" or Board" shall be chosen by the Council and holds no value or task to differentiate the two.

POLICY

- Advisory Boards and Committees are created by the Town Council and serve in an advisory capacity in designated areas of Council interest. They shall conduct research and discuss issues related to their Board's/Committee's scope, as set forth by Council and as may be amended from time to time.
- They are required to meet on a regular basis, prepare and follow an agenda, follow Robert's Rules of Order, maintain their own minutes, and to follow any additional policies and/or procedures listed below, or assigned by the Council.
- Advisory Boards and Committees shall, at a minimum, report annual findings and recommendations at a regular meeting of the Town Council for consideration.
- Members of the Board shall operate within the "Florida Sunshine Law", and in accordance with the State and County's Ethics Laws and the Town Charter as applicable, on all subject matters that are to be, are anticipated to be, or are within the scope of the BOARD that may be discussed in the future and voted on by the BOARD.*
- All BOARDS shall automatically sunset on December 31st of each calendar year after the date of creation or term extension unless approved otherwise by Resolution of the Town Council. The Town Council shall discuss the continuation or termination of all "ongoing" BOARDS at a Town Council meeting in December and pass a resolution on the same.
- This policy may be amended by Resolution of the Town Council at any time.

***NOTE:** The Town Attorney or designee shall provide an overview of the "Florida Sunshine Rules" at the first BOARD meeting, for any new BOARD members, or at the request of the Chair.

PROCEDURES

I. Creation of BOARDS

- a) If the Town Council determines a need for a specific Advisory Board or Committee, it may create such a BOARD by Resolution and majority approval of the Town Council.
- b) The Town Council shall then choose the BOARD's function/purpose, scope, name, creation & termination dates (at the Council's discretion, BOARDS may be designated as "on-going"), and, if applicable, the expected outcome of the BOARD's findings (report, recommendation, etc).
- c) The Town Clerk or designee shall send the resolution creating such BOARD to the State of Florida Commission on Ethics, and if required to the Broward County OIG, which will determine if the scope of such BOARD warrants the filing of a Form 1 Financial Disclosure, as may be amended from time to time, or any other required disclosure form.

II. Appointment of BOARD Members

- a) BOARD members are to be selected, at least thirty (30) days after the effective date of the BOARD'S creation. This time shall serve to give the public adequate time in which to learn about the upcoming BOARD and to express their desire to serve.
- b) In order to be considered for appointment, interested residents must complete an Advisory Board Application which requires general and demographic information. In addition, a Southwest Ranches Volunteer Form must be completed. Such demographic information shall be disclosed to the State, if required.
- c) Each Council Member shall appoint one (1) member to each BOARD; however, the Council may determine, at any time, the need to appoint additional members "at large" from the Town's Advisory Board Application pool. Additional members shall be appointed such that the total number of BOARD members does not exceed nine (9) and remains an odd number.
- d) Council Members may choose to change their appointment(s) at any time. If making any changes, the Council Member must first provide adequate notice to the Town Clerk. A discussion item will be placed on the agenda. The new appointment must be stated at a public meeting.
- e) Newly elected or appointed Council Members may elect to make their own appointments to the BOARDS upon election or appointment. In order to determine this, the official(s) shall be provided with a list of the current BOARD members and the appointments made by the prior Council Member, within two weeks of election or appointment.
- f) BOARD appointments should preferably be made from the Town's Advisory Board Application pool. Should there be no interested or qualified applicants, Council may solicit appointees to fill vacancies.
- g) At any given time, BOARD members may not serve on more than 2 BOARDS at the same time. Once a BOARD has been terminated or completed, members may be appointed to another BOARD.
- h) BOARD members shall be Town residents.

- i) BOARD members may NOT be members of the Town Council or Staff. However, the Town Council and/or Staff may attend or be appointed as non-voting members or liaisons in an advisory capacity.
- j) Each BOARD shall have a Council Member appointed by the Town Council as a Council Liaison and a staff member appointed as a Staff Liaison.

III. BOARD Member Positions and Duties

- a) The election of officers shall take place at the first meeting of each new term of the BOARD.
 - 1. A new BOARD will elect its officers at its first meeting and the Staff Liaison will preside over the meeting until the election is complete.
- b) The CHAIR is responsible for:
 - 1. Conducting the meeting (i.e.- keeping order, following the agenda, etc.)
 - 2. Preparing the agenda and disseminating through the Staff Liaison
- c) The VICE-CHAIR is responsible for:
 - 1. Performing the duties of the Chair in the Chair's absence. If the Chair knows ahead of time that he/she will be absent, the Chair is required to inform the Staff Liaison . In the absence of the Chair, the Chair and Staff Liaison shall determine who will create the agenda and disseminate it through the Staff Liaison to BOARD members for the Meeting.
- d) The SECRETARY is responsible for:
 - 1. The recordation and distribution of all meeting minutes. He/She will have two (2) weeks from the day of the meeting in which to type and to distribute a draft copy of the minutes to the BOARD members.
 - 2. Distributing the approved minutes to the Town Clerk and any other applicable parties within five (5) days of approval.
 - 3. Notifying the Town Clerk of the next two (2) meeting dates within three (3) days of their approval by the BOARD.
 - 4. Keeping all records in accordance with the "Public Records Laws."
- e) The TREASURER (if necessary) is responsible for:
 - 1. Maintenance of all funds allocated to the BOARD and keeping accurate records & receipts for all purchases and sales. *
 - 2. Submitting a monthly report to the BOARD and to the Town Clerk within three (3) business days of the BOARD meeting.
- f) Members of the BOARD can be assigned to fact-finding-sub-committees if necessary. As a member of a fact-finding sub-committee members may meet and discuss the fact-finding subject as determined by the committee. Members will follow all BOARD policies and procedures approved by the Town Council. Such meeting shall be noticed and subject to the Sunshine Law.
- g) The STAFF LIAISON is responsible for:
 - 1. Contacting all BOARD members to inform them of upcoming meetings, meeting changes, and what they will need to bring with them to the meeting.
 - 2. Providing technical expertise and direction to BOARDS and coordinating Town responses to BOARD inquiries.
 - 3. Providing materials necessary for the informed discussion of the items on the agenda.
 - 4. Providing the Chair and the BOARD with any changes and administrative decisions that affect the work or progress of the BOARD.

**NOTE: Only Cash may be used for BOARD expenditures, unless otherwise noted by Town Council action. A special BOARD account or BOARD credit card may be set up by Town Administrator if directed so by Town Council. Revenues, however, may be received by the BOARD in cash, check, or money order. The money received by the BOARD must be turned into the Town for deposit by the 15th of each month, minus a set amount of petty cash (amount noted by Town Council within Resolution).*

IV. BOARD Member Attendance Policy

- a) Members of the BOARD MUST contact the assigned Staff Liaison in advance if the member is going to be absent from a meeting. ~~The Board shall determine if the absence is excusable and shall formally vote on the status of the absence at its BOARD meeting.~~
- b) The Staff Liaison will contact BOARD members prior to the meeting via email and or phone messages. It is the BOARD members responsibility to respond back within 24 hours to the Staff Liaison whether they will attend the meeting or not. If the BOARD member cannot attend, they must provide a reason for the absence so that the ~~BOARD can vote on whether the absence should be excused~~ absence can be properly recorded.
- c) ~~Any member of the BOARD that has three (3) unexcused absences from meetings shall be automatically removed from the BOARD. The appointing elected official and/or Town Council will be advised once a member of the BOARD has accumulated three absences. If the absences as determined by the Town Administrator, warrant removal from the BOARD a~~ letter from the ~~Chair of the BOARD, Town Administrator or designee,~~ through the Staff Liaison, will be sent to the removed BOARD Member, the appointing elected official(s), and the Town Clerk within five (5) days of removal.
- d) Once notified by the ~~Chair~~ Town Administrator or designee, the appointing elected official(s) ~~will then be responsible for~~ may appointing a BOARD replacement within two (2) Town Council meetings ~~or reappoint the BOARD member.~~
- e) Members of the BOARD who choose to no longer be a member of a BOARD are required to send a letter of resignation to be dismissed from the BOARD. The letter must be sent to the Chair of the BOARD, through the Staff Liaison, and to the Town Clerk.

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V. BOARD Meeting Schedules and Locations

- a) Meetings may begin and end at any time the BOARD has determined by majority vote; however, meetings may not extend past 9:00PM unless unanimously approved by all BOARD members present.
- b) Meetings that have been scheduled, which have not obtained quorum twenty minutes after the scheduled start time shall be cancelled. The Staff Liaison shall be excused, and the BOARD shall be dismissed. No BOARD business shall be discussed in accordance with the Sunshine Law.
- c) Per Florida Statutes all BOARD meetings, and Sub Committee meetings MUST be noticed by the Town. Therefore, BOARDS must have 'Meeting Dates' as an item on their agenda each month, unless meetings will be on a regular schedule (ex. First Wednesday of each month at 7:00 PM). It is the responsibility of the SECRETARY of the BOARD, through the Staff Liaison, to inform the Town Clerk of the next two (2) meeting dates within three (3) days of their approval by the BOARD.
- d) In order to prevent possible scheduling conflicts with other BOARDS' meetings, the CHAIR of the BOARD must make an effort to review the Town Calendar of Events and to avoid potential conflicts, if possible. The order of meeting priority shall be as follows:

- 1. Town Council

2. Town Administration
 3. Town Boards
 4. Town Service Groups (e.g. SWRVFD, Aster Knight Parks Foundation, etc.)
 5. All Others
- e) BOARDS may NOT conflict with any Town Council Meetings, Special Meetings, or Workshops that are published on the Town's website or in the local newspaper. However, Town Council MAY schedule a Town Meeting, Special Meeting, or Workshop on the same date and time as a BOARD.
 - f) BOARDS will meet at Town Hall unless Town Hall is unavailable or a special or temporary location is needed for a meeting.
 - g) If Town Hall is unavailable or a special or temporary location is needed, the BOARD shall determine an alternate meeting location. The CHAIR is responsible for adequately notifying the Town Clerk, through the Staff Liaison, at least fifteen (15) days prior to the date of the meeting to ensure proper legal notification. The meeting location must comply with the American Disabilities Act, must allow for 'loud' speaking, and be convenient for attendees to sit, listen, and discuss.
 - h) If a meeting is to be cancelled, the determination should be made no less than twenty-four (24) hours prior to the scheduled meeting; the Chair is required to inform the assigned Staff Liaison, who will notify all BOARD members, and the Town Clerk, who will provide proper public notice. The Town Clerk shall also inform the Town Administrator of the cancellation.
 - i) Meeting location changes or cancellations must be kept to a minimum due to advertising costs, public attendance, and time constraints for posting signs. If a meeting must be moved or cancelled, the CHAIR, through the Staff Liaison, must ensure that signs are posted immediately at Town Hall on the front door. This sign must include new location address, time, or any other important notes. Directions should also be provided.
 - j) Only the Chair, Vice-Chair (in the Chair's absence only), or Town Administrator can change the meeting location or cancel a meeting.; however, if there is no quorum, the Staff Liaison shall announce that the meeting has been cancelled due to a lack of quorum.
 - k) The BOARD Chair shall be responsible for working with the Staff Liaison on making any calls, providing notices, or posting signs due to location change or cancellation.

VI. BOARD Operating Procedures

I. GENERAL GUIDELINES

Regular BOARD meetings are held according to an adopted schedule. Special meetings may be called by the Chair or Staff Liaison when needed for the transaction of business. Meetings can be held at different locations throughout the Town.

a) Sunshine Law

Florida Statute 286.011 requires that all meetings of any advisory BOARD at which official acts are to be taken be declared public meetings, open to the public at all times, and no rule or formal action shall be considered binding except as taken at or made at such meeting. Advisory BOARD members are not allowed to discuss topics that will come before, or may come before, the advisory BOARD unless the topic is discussed at a scheduled and posted advisory Board meeting.

When an advisory BOARD meeting is held, the meeting must be open to the public, reasonable notice of the meeting must be given, and minutes of the meeting must be taken. The Sunshine Law applies to any gathering, whether formal or casual, of two or more members of the same advisory BOARD to discuss some matter on which foreseeable action will be taken by the advisory BOARD. The Sunshine Law does not typically apply to discussions which concern matters that are not likely to come before the BOARD for its consideration.

A violation of the Sunshine Law may result in criminal or civil penalties to the violators and the validity of the actions taken in violation of the Sunshine Law are void.

b) Agenda

An agenda for all advisory BOARD meetings is to be prepared in advance of the meeting by the BOARD Chair and is generally available at least 48 hours before the meeting. The following are the types of advisory BOARD meetings that are scheduled:

Regular Meetings - items not specifically listed on the agenda may be discussed under "New Business", or "BOARD Member Comments."

Special Meetings - only items listed on the agenda may be discussed; action may be taken.

Workshop Meetings - only items listed on the agenda may be discussed; action may not be taken.

The proscribed format for agendas is as follows. Boards may reconfigure the elements to suit their respective needs but each of these elements must be included:



Day of Week
Month, Day, Year
7:00 pm

**Town of Southwest Ranches
Name of Advisory Board
Meeting Agenda**

Town Hall
13400 Griffin Road
Southwest Ranches, FL 33330-2628

Board Members

List Names Here

Council Liaison

List Name

Staff Liaison

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. AGENDA AS FOLLOWS**
 - a. Excuse Absences**
 - b. Approval of Minutes**
- D. NEW BUSINESS**
- E. OLD BUSINESS**
- F. ITEMS FOR NEXT MEETING**
- G. BOARD MEMBER COMMENTS**
- H. STAFF COMMENTS**
- I. PUBLIC COMMENTS**
- J. ADJOURNMENT**

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

c) Meeting Attendance

If an advisory BOARD member is unable to attend a meeting, s/he should notify the Staff Liaison no less than twenty-fours (24) prior to the meeting, if possible. If BOARD members are unable to continue to serve due to health, business requirements, or personal reasons, a formal letter of resignation must be submitted to the BOARD Chair and Town Clerk.

Any BOARD member may be removed for any reason by the Councilmember (or that Councilmember's successor) or group who made the appointment.

A BOARD member who has three unexcused absences, is automatically dismissed. If the Councilmember who appointed that person to the BOARD feels there were extenuating circumstances for the absences and that it is in the best interest of the Town that the person be reappointed, the Councilmember may reappoint that same person to the Board to complete the unexpired term of that BOARD/BOARD member's seat. The BOARD Staff Liaison is responsible for notifying the Town Clerk's Office for placement of the vacancy on a future Town Council agenda.

d) Quorum

Business may only take place at a meeting if a quorum of the BOARD is present. A quorum is a majority of the total number of appointed BOARD members.

e) Minutes

A record of all BOARD meetings is kept by the Board Secretary. BOARD meetings may be recorded to facilitate the preparation of minutes. Minutes of all meetings are prepared and are the official record of the proceedings after review and approval by the BOARD. The approved meeting minutes shall be forwarded to the Town Clerk through the Staff Liaison. Action minutes, as shown below, shall be the format utilized by all BOARDS.

The proscribed format for minutes is as follows:



**Town of Southwest Ranches
(SAMPLE) Advisory Board
Meeting Minutes**

June 19, 2018
7:00 PM

Town Hall
13400 Griffin Road

Call to Order 7:15 PM.

Roll Call

XX, Chair - Present
XX, Vice Chair - Present
XX, Recording Secretary – Present
XX, Member – Present
XX, Member – Absent

A Quorum was established.

Also Present: Council Member, Staff Member, etc.

Pledge of Allegiance

Motion: To adopt the May 2018 meeting minutes as presented.

Result	1st	2nd	XX	XX	XX	XX	XX	<i>Passed</i>
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Motion: To....

Result	1st	2nd	XX	XX	XX	XX	XX	<i>Passed</i>
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Meeting Adjourned.

f) Public Meetings vs. Public Hearings

All Board meetings are open to the public (public meetings).

A public meeting is any meeting of a governmental body at which public business is discussed, decided or policy formulated and forwarded to the Town Council through the Staff Liaison.

A BOARD public hearing provides citizens the opportunity to express their position on a specific issue as mandated by either Florida Statutes or by order of the proper authority after due notice.

g) ROLE OF THE CHAIR

The Chair is the key to the proper functioning of a BOARD meeting. The Chair has the important responsibility of ensuring that the meetings operate efficiently and for maintaining the unity of the BOARD. Consequently, the election of the Chair should be viewed as an important BOARD task.

There are some general rules for an effective Chair:

1. The Chair must ensure that the meetings move along without delay but be fair and open enough to allow individuals to speak without being unfairly restricted or cut off in an arbitrary way.
2. The Chair should see that the BOARD considers the major issues and does not become sidetracked by insignificant concerns.
3. The Chair should attempt to educate the public as to the process and policies of the Town.
4. The Chair should attempt to bridge the differences that may exist among the opinions of the BOARD members in order to reach a consensus.
5. The Chair should be the last member to give his/her opinion after all others have spoken.
6. The Chair should be capable to represent the BOARD effectively to other groups.
7. The selection of a Vice-Chair is as equally important, and this person should be an effective leader, since s/he will perform the Chair's duties in his/her absence.

h) SUGGESTIONS FOR SPEAKERS

1. Names and Addresses. All speakers should state their names and addresses for the record and are asked to complete a "Sign In" sheet if provided.
2. Questions. Questions for BOARD members and staff should be directed through the Chair rather than directly at the person.