



February 2021



Town Advisory Board Rules & Regulations

History of Legislation: [Chapter 2, Article VI of the Town Code of Ordinances](#) provides that the Town Council may establish Town advisory boards or committees (“boards”) as well as procedures and regulations governing such boards.

The Town Council adopted the “Town Advisory Board Ordinance” on May 26, 2010 (**Ordinance #10-08**). On July 26, 2011, the Town Council voted to amend the original Ordinance via **Ordinance #11-08**. In 2012, a Charter Revision was approved by the electorate which resulted in the adoption of **Ordinance #13-01** on January 16, 2013. On March 15, 2017, the Town Council voted to amend the original Ordinance via **Ordinance #17-02**.

This brochure provides current and potential advisory board members with an overview of the rules and regulations governing the Town’s Advisory Boards/Committees.

Current Town Committees

Age-Friendly Community Committee (AFCC)

~~Economic Growth Committee (EGC) — **SUNSETTED**~~

Education Advisory Committee (EAC)

Floodplain Mitigation Plan Advisory Committee (FPMPAC)

Parks & Recreation Advisory Committee (P&R)

Youth Council Committee (YCC)

~~Environmental Task Force (ETC) — **DORMANT**~~

TOWN'S MISSION STATEMENT

The Town Council will work to make Cutler Bay an excellent place to live, work and play. Cutler Bay's government will be creative, responsive and respectful in providing innovative and cost effective services to the community.

-Resolution #12-64

For more information about the Town’s Advisory Boards/ Committees, visit our website at:

www.cutlerbay-fl.gov

or

contact the *Town Clerk* at:
10720 Caribbean Blvd. #105
Cutler Bay, FL 33189
Phone: 305-234-4262
townclerk@cutlerbay-fl.gov

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Town Charter Section 3.9

Town Boards, Agencies and/or Committees.

The council may establish or terminate such boards, agencies and/or committees as it deems advisable from time to time. The council shall establish procedures for appointing town residents to boards, agencies and/or committees provided however that all appointments shall be for residents at large and shall not be restricted to appointees from particular residential districts, except as otherwise provided by the charter; provided however, that no citizen may serve on more than two such boards, agencies or committees simultaneously. The boards, agencies and/or committees shall report to the council.

- (a) **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. 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.
- (b) **Board Composition; Appointment to Boards; Removal of Appointments.**
- (a) *Board Members.* Unless otherwise specified by resolution, boards established by the Town Council shall have five board members, each corresponding to one of the seats on the Town Council.
- (b) *Selection of board members.*
- (1) If a board has five (5) board member, each Town Council member shall have the right to appoint an individual to the board for their corresponding Town Council seat.
 - (2) If a board has more or less than five (5) board members, the Town Council shall determine how board members are appointed in the establishing resolution.
 - (3) No Town 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.
- (c) *Appointment period.* For boards with five (5) board members, a Town Council member shall make their 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 their appointment within the (90) days, any member of the Town Council may bring forth a nominee to fill the board vacancy corresponding to the Town Council member's seat for Town Council consideration.
- (d) *Appointment duration.* Board members appointed by a Town Council member shall serve until the next regularly scheduled election corresponding to the appointing Town Council member's seat, or if the board member is appointed by the Town Council at-large, until the next regularly scheduled election.

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- (e) *Temporary term extension.* The term of a board appointee may be temporarily extended up to (90) days beyond a regularly scheduled election without action of the Town Council if necessary.
- (f) *Removal of from board.* Appointees may be removed from their appointive position upon:
- (1) Written notice from the Town Council member sitting in the Town Council seat that appointed the board member;
 - (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; or
 - (3) By such other method(s) provided by the resolution establishing the board.
- (c) **Board Terms.** 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.
- (d) **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 are 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.
- (e) **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.

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- (f) **Notice of Meetings and Agendas.** At least forty-eight (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.
- (g) **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.
- (h) **Board Rules of Procedure.**
- (a) The town council shall adopt a set of rules by resolution, to be known as the "Advisory Board Rules of Procedure," that shall govern the structure and operation of all boards, provided that such rules shall no conflict with the Town Charter or the Town Code.
 - (b) Each board shall follow Robert's Rules of Order, except that this section and the Advisory Board Rules of Procedure shall prevail over any conflicting provision of Robert's Rules of Order.
- (i) **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.
- (j) **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 thirty (30) days upon being appointed and shall re-disclose annually before July 1 the following year.
- (k) **Applicability.** The provisions of this ordinance shall apply to all existing boards as well as all boards established subsequent to the adoption of this ordinance.

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(l) **Town Staff**. No board member shall direct the Town Manager, Town Attorney, or Town Clerk or any of their employees.

Note: These Rules and Regulations are a summary of the following Town Ordinances; #10-08, #11-08, #13-01, #13-11 and Resolution #17-02.



Get to Know Your Town Advisory Boards/Committees

Meeting dates and times are subject to change.

Please check public postings for details or visit the Town's website for updated calendar cutlerbay-fl.gov.

Age-Friendly Community Committee (AFCC)

Town Council Liaison: Council Member Suzy Lord
slord@cutlerbay-fl.gov

Monthly Meeting: (*Bimonthly*) 1st Wednesday at 6:00 pm (Town Center | Community Room 220)

The purpose of the *Age-Friendly Community* (AFCC) Committee is to educate, encourage, promote, and recognize services, activities, and other improvements that make the Town more supportive to residents of all ages. ([Resolution #12-04](#) & [Resolution #21-42](#))

~~*Economic Growth Committee (EGC)*~~ – SUNSETTED

~~Town Council Liaison: Mayor Tim Meerbott
tmeerbott@cutlerbay-fl.gov~~

~~Monthly Meeting: (*Quarterly*) 2nd Thursday at 6:30 pm (Town Center | Community Room 220)~~

~~The purpose of the *Economic Growth Committee* is to study, advise and make recommendations to the Town Council in regard to marketing of the Town, attracting new businesses and supporting existing businesses. ([Resolution #15-37](#) & [Resolution #16-65](#))~~

Education Advisory Committee (EAC)

Town Council Liaison: Council Member Robert “BJ” Duncan
rduncan@cutlerbay-fl.gov

Monthly Meeting: (*Monthly*) 1st Thursday at 7:00 pm (Town Center | Community Room 220)

The purpose of the *Education Advisory Committee* is to study and make recommendations to the Town Council as to ways to improve education and public schools within the Town. ([Resolution #14-05](#))

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Floodplain Mitigation Plan Advisory Committee (FPMPAC)

Town Council Liaison: Council Member Michael P. Callahan
mcallahan@cutlerbay-fl.gov

Monthly Meeting: (Quarterly) at 5:30 PM (Town Center | Community Room 220)

The purpose of the *Floodplain Mitigation Plan Advisory Committee* is to promote the public health, safety and welfare of Town residents while minimizing public and private losses due to flood conditions. The Floodplain Mitigation Plan Advisory Committee assisted the Town in the development of the Flood Mitigation Plan adopted via ([Resolution #15-27](#) & [Resolution #21-77](#)). This committee continues to meet as needed to monitor the implementation of the Flood Mitigation Plan. ([Resolution #13-56](#))

Parks & Recreation Advisory Committee (P&R)

Town Council Liaison: Council Member Michael P. Callahan
mcallahan@cutlerbay-fl.gov

Monthly Meeting: (*Monthly*) 1st Monday at 7:00 PM (Town Center | Community Room 220)

The purpose of the *Parks and Recreation Advisory Committee* is to study, advise, and make recommendations to the Town Council regarding the development and usage of the Town parks and recreational facilities. ([Resolution #06-97](#) & [Resolution #15-15](#)) Furthermore, this committee assists with planning and organizing Town events and cultural programs. ([Resolution #09-74](#))

Youth Council Committee (YCC)

Town Council Liaisons: Council Member Richard M. Ramirez
r Ramirez@cutlerbay-fl.gov

Monthly Meeting: (*Monthly*) 3rd Tuesday at 6:00 pm (Town Center | Community Room 220)

The purpose of the *Youth Council Committee* is to gather information and facts regarding issues of special interest to youths within the Town. ([Resolution #12-63](#), [Resolution #13-62](#) & [Resolution #17-05](#))

**Town Charter
Section 7.2**

Conflicts of Interest; Ethical Standards

- A. All Council Members, officials and employees of the Town shall be subject to the standards of conduct for public officers and employees set by state law and the Miami-Dade County Code of Ethics. The Council may, by ordinance, adopt additional standards of conduct and code of ethics, but in no case inconsistent with law. If the Town Council wishes to opt out of the Cone of Silence Provision of the Miami-Dade County Code of Ethics, then they must do so by ordinance.
- B. All elected officials, employees and appointed board or committee Members shall disclose any interest in real estate or other business(es) upon entering office or being hired and shall re-disclose annually thereafter, except as otherwise provided by law.
- C. Without in any way limiting the generality of the foregoing, no Council member, Town Manager, Town Attorney, Town Clerk, department director, or member of a selection committee for a procurement, shall have a financial interest, direct or indirect, or by reason of ownership of stock or other equity ownership in any corporation or entity, in any contract or in the sale to the Town or to a contractor supplying the Town of any land or rights or interests in any land, materials, supplies, or services unless, after full disclosure to the Council of the nature and extent of such interest, the same is authorized by the Council before the event or accepted and ratified by the Council after the event. No member of the Council, Town Manager, Town Clerk, staff or a member or employee of the Town Attorney's office who possesses such a financial interest shall vote on, or participate in the Council deliberations concerning, any such contract or sale. Any violation of this section with the knowledge of the person or entity contracting with the Town shall render the contract voidable by the Council.

Florida Statutes Chapter 286.011 & Chapter 119

Florida "Sunshine Law"

To review the entire Florida State Statutes Chapter 286.011: Public meetings and records; public inspection; criminal and civil penalties. Visit Online Sunshine: www.leg.state.fl.us.

Florida Public Records Law

To review the entire Florida State Statutes Title X, Chapter 119: Public records.
Visit Online Sunshine: www.leg.state.fl.us

For More Information

To learn more about the mission and meeting dates/time for each Advisory Board/Committee, visit
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or

Office of the Town Clerk at:
10720 Caribbean Blvd. #105
Cutler Bay, FL 33189

Phone: 305-234-4262 ~ Email: TownClerk@cutlerbay-fl.gov