

**RESOLUTION NO. 20-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ESTABLISHING SPECIAL TAXING DISTRICT COMMITTEE RULES, REGULATIONS AND PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (COLLAZO)**

**WHEREAS**, on January 21, 2018, several Miami-Dade County created Special Taxing Districts elected via referendum to transfer management of their respective Special Taxing District (“STD”) to the Town of Miami Lakes (the “Town”); and

**WHEREAS**, at the 2019 Town Council meeting, the Town Council passed various resolutions in order to establish advisory committees for Miami Lakes Section I, Royal Oaks Section I, and Royal Oaks East, Lake Hilda and Lake Patricia<sup>1</sup> STDs, and charged the advisory committee with the responsibility of reviewing the respective STD’s budget, providing feedback and recommendations for service level adjustments, and presenting to the Town Council in June of each year its recommendations regarding the proposed service level and structure; and

**WHEREAS**, on June 8, 2004 via Resolution No. 04-233, the Town Council adopted Committee Rules, Regulations and Procedures which have been amended throughout the years (collectively, the “Committee Rules”); and

**WHEREAS**, these rules apply to the STD Advisory Committees; and

**WHEREAS**, during the September and October Town Council meetings the Town Council moved several new business items specifically affecting STD Advisory Committees, including the establishment of contingency reserve and straw ballot polling for capital improvements; and

**WHEREAS**, in order to memorialize the new business items that specifically affect the STD Advisory Committees, the Town Manager suggests that the Town Council adopt the

---

<sup>1</sup> Loch Lomond is specifically not mentioned. While control of the Loch Lomond Special Taxing District was transferred to the Town, Loch Lomond has an established Home Owner Association that via County Ordinance has acted as the Special Taxing Districts advisory committee.

Special Taxing District Advisory Committee Rules and Regulations as described in Exhibit “A”.

**WHEREAS**, the Town Council desires to establish the Special Taxing District Advisory Committee Rules and Regulations in as set forth in Exhibit “A” attached hereto.

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

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

**Section 2. Establishing the Special Taxing District Advisory Committee Rules, Regulations and Procedures.** The Town Council hereby establishes the Special Taxing District Advisory Committee Rules, Regulations and Procedures in the form attached hereto as Exhibit “A” incorporated herein by reference.

**Section 3. Conflicting Resolutions.** The Committee Rules amended in this resolution shall apply uniformly to all Special Taxing District Advisory Committees. In the event of a conflict between any existing Committee Rule, Regulation or Procedure and the attached Committee Rules, the attached Committee Rules shall apply. Any Special Taxing District Advisory Committees created subsequent to the passage of this resolution shall also adhere to these amended Committee Rules.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

Passed and adopted this 21<sup>st</sup> day of January 2020.

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

Mayor Manny Cid \_\_\_\_\_

Vice Mayor Nelson Rodriguez \_\_\_\_\_

Councilmember Carlos O. Alvarez \_\_\_\_\_

Councilmember Luis Collazo \_\_\_\_\_

Councilmember Josh Dieguez \_\_\_\_\_

Councilmember Jeffrey Rodriguez \_\_\_\_\_

Councilmember Marilyn Ruano \_\_\_\_\_

\_\_\_\_\_  
Manny Cid  
MAYOR

Attest:

\_\_\_\_\_  
Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY

**EXHIBIT “A”**

**Amended Committee Rules**

## **Special Taxing District Advisory Committee Rules, Regulations and Procedures**

These Special Taxing District Advisory Committee Rules, Regulations and Procedures (“Committee Rules”) shall apply uniformly to all Town of Miami Lakes (the “Town”) Special Taxing District Advisory Committees (“Committees”). The Committee Rules are intended to supplement matters not covered in existing resolutions creating any Town Committees. All rules that refer to Committees shall apply to all Advisory Committees created by the Town Council. All rules that refer to Special Taxing Districts, shall refer to those Special Taxing Districts transferred from Miami-Dade County to the Town via referendum or Special Taxing Districts created through petition and referendum in accordance and through established law.

### **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 Robert’s Rules of Order (newly revised). Audio recordings shall be made of all meetings and shall be turned over to the Town Clerk in a timely manner.

### **Section 3. Regular Meetings.**

The Committees shall hold at least one regular publicly noticed meeting each month, unless waived by the Chairperson, at a Town owned or leased facility, as set by the Chairperson. The Chairperson may not waive more than four (4) meetings per year.

#### **Section 4. Special Meetings.**

Special meetings may be held upon the call of the Chairperson or a majority of the Committee upon 48 hours' notice. Special meetings shall be publicly noticed and held at a location within the Town owned or leased facility as set by the Chairperson.

#### **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 and 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 and shall meet at the call of the Subcommittee Chairperson, or as directed by majority vote of the Subcommittee.

#### **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.

#### **Section 8. Quorum.**

Fifty percent (50%) of the Committee members appointed, and duly sworn in by the Town Clerk or Town Clerk's designee, to the Committee 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.

### **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 applicable Code of Ethics. A Committee member must be physically present to vote. Proxy votes shall not be permitted.

### **Section 10. Attendance.**

In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year, the Committee member will automatically be removed from the Committee and the Councilmember who appointed that person will be notified by the Town Clerk of the removal. It shall be the duty of the Town Clerk to strictly enforce the removal of Committee members due to absence. Committee members who are minors shall be exempt from the attendance requirements of this section. Absences due to medical reasons shall be excused and shall not count as a failure to attend a meeting.

A Committee member who will be absent from a meeting shall notify the Town's Committee Liaison in writing of his or her anticipated absence at least seventy-two (72) hours before the meeting. The Town's Committee Liaison shall provide a copy of the absence notification to the Secretary who shall make it a part of the record.

### **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 submit his or her name, a brief resume, and a letter of intent to serve to the Town Clerk.
- (b) Town Clerk, or Town Clerk's designee, shall notify the Town Council, in writing, of vacancies on the Committees, and provide completed applications.
- (c) Appointments shall be made in accordance with Section 2.2 of the Town Charter.
- (d) If a Councilmember's appointment vacates office, that Councilmember shall be permitted to submit a replacement appointment.

(e) If any Committee member has qualified for the office of Mayor or Town Councilmember, they shall resign from the Committee by the qualification date.

## **Section 12. Qualifications.**

Members of the Committees shall:

- (a) Own and reside in a home located within the Special Taxing District for which the Advisory Committee was created.
- (b) Adhere to any special requirements established by the Committee's enacting resolution.

## **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, subject to confirmation of a majority of the Town Council.

There shall be no term limits.

## **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.

#### **Section 17. Applicability of Florida Law and Committee Rules.**

All Committee members shall be subject to applicable Florida Laws, applicable Code of Ethics Town Charter, Town Ordinances, and Committee Rules. Failure to abide by any of these may result in a Committee Members to immediate removal. Upon appointment, a Town representative shall provide Committee members with a copy of the applicable ethics laws and provide an explanation of the State of Florida and Miami Dade County Code of Ethics (sunshine law, public records law, conflict of interest policy) and the Committee Rules to the Committee member.

#### **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 a Chairperson, Vice Chairperson and Secretary annually, or as vacancies occur, at the first meeting conducted after January 1 to serve for a term of one (1) year. Officers elected to fill vacancies shall serve the remaining term of the Committee member they are replacing.

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 seven (7) calendar days before the next meeting of the Committee.

Minutes of all Committee meetings shall be taken by the Secretary, and upon approval and acceptance by the Committee-shall be forwarded to the Town Clerk for filing.

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 seven (7) calendar days before the next meeting of the Committee. 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 upon an affirmative vote of the majority of the Committee members present at the meeting. Each agenda shall also include a section for public comment.

The Chairperson or his/her designee shall semi-annually present an oral report to the Town Council which shall be submitted in writing to the Town and shall include a semi-annual year to date financial report. Both the content of the written report and the oral report shall be approved by the Committee prior to submission or presentation to the Town Council. 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.**

Annually, each June 1, after consultation with the Town Manager, 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.

**Section 25. Straw Ballot Polling for Capital Improvements.**

Any request for capital improvements that exceed 15% of the Special Taxing District's annual operating budget shall require a straw ballot poll from the residents residing within the Special Taxing District prior to any allocation of moneys for the capital improvement.

**Section 26. Contingency Reserves.**

Each Special Taxing District shall budget 10% of their annual budget for contingencies.

**Section 25. Committee Membership by Town Council.**

Town Councilmembers (including the Mayor) shall not serve as members on Committees or be appointed to Committees.