

March 28, 2012

**HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY
BOARD OF DIRECTORS MEETING**

Date: March 28, 2012

Director's Name: Mark Antonio, Executive Director HBCRA

Department: Hallandale Beach Community Redevelopment Agency

Subject: A Resolution of the Chair and Board of Directors of the Hallandale Beach Community Redevelopment Agency, Establishing Uniform Citizen's Advisory Committee Rules and Regulations Setting Forth Minimum Standards and Operating Rules for All Advisory Committees of the Agency Board. CAD#019/02

Information

Requested Action

MOTION TO CONSIDER AND APPROVE:

A Resolution of the Chair and Board of Directors of the Hallandale Beach Community Redevelopment Agency (HBCRA), establishing uniform Citizen's Advisory Committee rules and regulations setting forth minimum standards and operating rules for all Advisory Committees of the Agency Board.

Why Action is Necessary

On November 16, 2011, the HBCRA Board of Directors directed staff to bring back an agenda item for discussion relating to the establishment of HBCRA Citizen's Advisory Committee.

What Action Accomplishes

This action will allow for the adoption of the HBCRA Advisory Committee. The HBCRA Board of Directors requested an establishment of the Committee to advise the Board regarding implementation of HBCRA Plan goals and objectives, (not including having authority or oversight of HBCRA revenues and/or expenditures which is solely reserved for the City Commission/HBCRA Board of Directors).

Is this Action Goal Related

This item is related to the City's Strategic Priority of:

Excellence in Government

By ensuring that local government is accountable, accessible and transparent in its operations; communicates effectively both internally and externally; values and supports community input and participation; and is effective in its management of human resources, tangible assets and fiscal responsibilities.

Previous Action Taken

During the June 18, 2008 City Commission/HBCRA Board of Directors meeting, the City Manager was directed to bring recommendations regarding the establishment of an Advisory Committee to the HBCRA Board of Directors.

On November 16, 2011, the HBCRA Board of Directors directed staff to bring back an agenda item for discussion relating to the establishment of HBCRA Citizen's Advisory Committee.

Summary Explanation/Background

STAFF RECOMMENDS CONSIDERATION AND APPROVAL OF THE ABOVE MOTION:

Staff recommends the following HBCRA Advisory Committee Membership:

The HBCRA Advisory Committee shall consist of (11) eleven members. The committee shall meet bi-monthly. Members of the committee shall consist of individuals with interest and expertise in the following areas:

- 1 Hospitality (General Manager)
- 1 Banker or Financier (President or Vice-president)
- 1 Commercial Real Estate Agent/Broker (Principal)
- 1 Urban Planner or Architectural Designer (Principal)
- 1 Building Contractor-GC (President or Owner)
- 1 Chamber (President)
- 5 Members (Residents. One appointed by each Board Member)

Consensus on each Board member has an expertise appointment.

The purpose of the Advisory Committee is to advise the Hallandale Beach Community Redevelopment Agency on redevelopment strategies to be addressed and implemented in support of the redevelopment area.

The functions of the Advisory Committee shall be as follows:

To: HBCRA Board of Directors
From: Mark Antonio, Executive Director HBCRA
Re: HBCRA Advisory Committee
Date: March 12, 2012

1. To review the Redevelopment Plan from time to time and, when necessary, submit written recommendations to the Community Redevelopment Agency for any changes to the plan;
2. To make written recommendations to the Community Redevelopment Agency on plan implementation, including developing an annual work program, setting project priorities and developing incentives to further the redevelopment efforts.

Fiscal Impact

Fiscal Impact/Cost Summary:

The legal cost to attend and assist in the bi-monthly meetings (six in total for a year) is estimated at \$2,700.

Board Secretary costs will be a total of \$1,000 (staff anticipates using local resources to fulfill this need).

Attachments

Exhibit 1-Resolution for the Creation of a HBCRA Citizen's Advisory Committee.

Prepared by: _____
Liza M. Torres, HBCRA Manager

Reviewed:

Mark Antonio, Executive Director of the HBCRA

Date

____ Approved

____ Disapproved

____ Hold for Discussion

1
2
3 **RESOLUTION NO. 2012 - 06**
4

5 **A RESOLUTION OF THE CHAIR AND BOARD OF**
6 **DIRECTORS OF THE HALLANDALE BEACH COMMUNITY**
7 **REDEVELOPMENT AGENCY, ESTABLISHING UNIFORM**
8 **CITIZEN'S ADVISORY COMMITTEE RULES AND**
9 **REGULATIONS SETTING FORTH MINIMUM STANDARDS AND**
10 **OPERATING RULES FOR ALL ADVISORY COMMITTEES OF**
11 **THE AGENCY BOARD; AND PROVIDING AN EFFECTIVE**
12 **DATE.**
13

14 **WHEREAS**, Article 6 of the By-Laws of the Hallandale Beach Community
15 Redevelopment Agency (the "CRA") adopted on March 28, 2012, provides for the
16 creation by the governing body of the Hallandale Beach Community Redevelopment
17 Agency (the "CRA Board") of advisory committees to assist and advise the CRA Board
18 in various aspects regarding implementation of the adopted CRA Plan; and
19

20 **WHEREAS**, it is the desire of the CRA Board that all advisory committees or
21 boards (collectively, the "Advisory Committee") created by the CRA Board shall operate
22 in minimum accord with uniform rules and regulations unless specifically provided for
23 otherwise in the authorizing resolution creating the Advisory Committee; and
24

25 **WHEREAS**, the purpose of the Advisory Committee is to advise the Hallandale
26 Beach Community Redevelopment Agency on redevelopment strategies to be
27 addressed and implemented in support of the redevelopment area; and
28

29 **WHEREAS**, the function of the Advisory Board is to review the Redevelopment
30 Plan from time to time and, when necessary, submit written recommendations to the
31 Community Redevelopment Agency for any changes to the plan; and to make written
32 recommendations to the Community Redevelopment Agency on plan implementation,
33 including developing an annual work program, setting project priorities and developing
34 incentives to further the redevelopment efforts.

35
36 **NOW, THEREFORE, BE IT RESOLVED BY THE CHAIR AND DIRECTORS OF**
37 **THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY:**
38

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

45
46 **Article 1. Members, Attendance, and Conduct.**
47

- 48 (a) Application. All persons seeking appointment to an Advisory Committee
49 shall file an application form available at either the office of the CRA
50 Secretary or CRA Executive Director that shall describe or list the
51 person's background, qualifications and interest in serving on an Advisory
52 Committee of the CRA. The completed and signed application must be
53 on file in the office of the CRA Secretary prior to the appointed person
54 attending the first meeting of the Advisory Committee to which
55 appointment has been made by the CRA Board. A copy of the completed
56 and signed application of persons appointed by the CRA Board to an
57 Advisory Committee shall be provided to the CRA Executive Director.
58
- 59 (b) Ineligibility. No person who has been convicted of a felony or of any
60 crime involving dishonesty, false dealings or statements may be
61 knowingly appointed to or continue to serve on any Advisory Committee
62 of the CRA. Any Committee member so convicted or found to have been
63 convicted while serving as a Committee member shall be deemed
64 automatically terminated from the Advisory Committee without notice.
65 The initial appointment of a member to an Advisory Committee shall be
66 provisional until satisfactory completion of a criminal background check to
67 be performed at no cost to the appointee by the Hallandale Beach Police
68 Department.
69
- 70 (c) Public Official. Persons serving on any Advisory Committee of the CRA
71 accept appointment as a Florida "public official" and shall conduct
72 themselves, as applicable, in accordance with the Florida Code of Ethics
73 for Public Officials and Employees (Chapter 112, Part III, F.S.). Such
74 members shall file annually on the date determined by the CRA
75 Secretary, the applicable Disclosure on Financial Interest Form with the
76 Florida Commission on Ethics.
77
- 78 (d) Disclosure for CRA Public Officials. In accordance with the Florida
79 Community Redevelopment Law (Section 163.367(2), F.S.), any member
80 of a CRA Advisory Committee who on date of appointment owns or
81 controls, or owned or controlled within the preceding two (2) years, any
82 interest, direct or indirect, in any property which he or she knows is
83 included or planned to be included in a community redevelopment area,
84 he or she shall immediately disclose this fact in the manner provided in
85 Chapter 112, Part III, F.S. Any such disclosure required to be made shall

86 be made by the Committee member prior to taking any official action on
87 the matter as it may be discussed by the Committee.

- 88
- 89 (e) Compensation. Committee members shall serve without compensation.
90 However, when approved in advance by the CRA Board, or by the CRA
91 Executive Director when provided for in the annual adopted CRA budget,
92 Committee members shall be entitled to reimbursement for their actual
93 and necessary expenses incurred in the discharge of their duties for the
94 CRA. Requests for reimbursement shall be subject to the requirements of
95 applicable law.
- 96
- 97 (f) Removal. Committee members shall serve at the pleasure of the CRA
98 Board and may be removed from the Advisory Committee at any time
99 with or without cause by the affirmative vote of three Commissioners.
100 Any Committee member who may become a candidate for any public
101 elected office shall automatically forfeit his appointed office on the
102 Advisory Committee of the CRA.
- 103
- 104 (g) Absenteeism, Automatic Resignation. Absence by any Committee
105 member during the appointment year from three consecutive regular
106 meetings or four non-consecutive regular meetings shall constitute an
107 automatic resignation of such member.
- 108
- 109 (h) Reinstatement. In order for a Committee member to be reinstated for
110 extenuating circumstances, a recommendation from the Advisory
111 Committee shall be made through consensus and forwarded in writing by
112 the Chair to the CRA Board for consideration at the next available
113 meeting when the item may be properly placed on an agenda.
- 114
- 115 (i) Vacancies. The CRA Board shall timely fill any vacancy that may occur
116 on the Advisory Committee. A Committee member appointed to fill a
117 vacancy shall serve for the unexpired term of the member whose vacancy
118 is filled.
- 119
- 120 (j) Term. The term of office, including any term limitation to members
121 serving on an Advisory Committee of the CRA, shall be specified in the
122 authorizing resolution creating the Advisory Committee.
- 123
- 124 (k) Qualifications. Qualifications of members serving on an Advisory
125 Committee of the CRA, including but not limited to, occupation, residency,
126 place of business, and ex-officio status, shall be specified in the
127 authorizing resolution creating the Advisory Committee. Family members
128 of a CRA Commissioner are not prohibited from serving on an Advisory
129 Committee. Members of the staff of the CRA are prohibited from serving
130 on an Advisory Committee of the CRA unless as a non-voting Ex-Officio
131 member designated as such in the Committee authorizing resolution
132 creating the committee or board. Members of the staff of the CRA are not
133 prohibited from serving on any other appointed advisory committee or
134 board of the City or Broward County or other governmental entity.
- 135
- 136

Article 2. Officers.

- 137
138 (a) Annual Election. The Committee members shall select its own Chair and
139 Vice-Chair annually, unless such officers are designated, by resolution,
140 by the CRA Board. The election shall be scheduled at the first meeting
141 proceeding the date of annual appointments of members of the first
142 month of the Committee appointment year unless due to substantial
143 vacancies remaining to be filled, the Committee, by consensus, sets the
144 election for its next regular meeting at which time the election of officers
145 shall be conducted.
146
147 (b) Chair. The Chair shall act as the presiding officer at all meetings of the
148 Committee and shall have no other powers; except, the Chair upon
149 receipt of the affirmative recommendation of the Staff Liaison, may cancel
150 any regular or special meeting due to lack of business or public disaster
151 emergency. As the presiding officer, the Chair may exercise prerogative,
152 when not contrary to the consensus of the Committee, in order to set or
153 administer guidelines to ensure the orderly conduct of a public meeting at
154 which orderly behavior on the part of the public attending is required. This
155 includes limiting the amount of time an individual can speak and, when a
156 large number of people attend and wish to speak, requesting that a
157 representative of each side of the issue speak rather than everyone
158 present.
159
160 (c) Vice-Chair. The Vice-Chair shall act as the presiding officer at all
161 meetings of the Committee in the absence of the Chair or at the request
162 of the Chair.
163
164 (d) Chair Pro Tem. The Chair or Acting Chair may designate another
165 member to preside as Chair Pro Tem during the absence of both the
166 Chair and Vice-Chair, and for only the specific meeting or period during
167 which one or the other duly elected officers are absent or unable to
168 perform the duties of the office.
169

170 **Article 3. Staff Liaison.**
171

- 172 (a) Staff Liaison. The CRA Executive Director or designee (referred to as
173 "Staff Liaison") shall attend all meetings of the Advisory Committee. The
174 Staff Liaison shall assure that meetings of the Advisory Committee are
175 organized for compliance with the Florida Sunshine Law (Section
176 286.011, F.S.) Such duties include: 1) securing a meeting place or places
177 that are accessible to and open to the public at all times during which the
178 meeting is conducted; 2) providing reasonable notice of such meetings as
179 provided herein; and 3) arranging for the minutes of the meeting to be
180 taken, approved, and properly retained for public inspection. The Staff
181 Liaison may be consulted on matters of parliamentary procedure or rules
182 of order, but the decision of the Chair shall be considered final in absence
183 of a clear violation of established written policy, procedure or law.
184
185 (b) Agenda, Committee Information. The Staff Liaison shall timely assure
186 that each newly appointed Committee member shall be provided an
187 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 Hallandale Beach Community Redevelopment Agency, this 28 day March , 2012.

ATTEST:
COMMUNITY


SHEENA D. JAMES, BOARD CLERK

HALLANDALE BEACH
REDEVELOPMENT AGENCY


JOY COOPER, CHAIR

383 APPROVED AS TO FORM:

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385

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388 GRAY ROBINSON, P.A.

389 HBCRA ATTORNEY

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392 SPONSORED BY: ADMINISTRATION

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397 Vote:

398

399 Chair Joy Cooper

400 Vice Chair Anthony Sanders

401 Director Alexander Lewy

402 Director Keith London

403 Director Dorothy Ross

Moved by: Director Ross
Seconded by: Director Lewy

<u>✓</u>	(Yes)	<u> </u>	(No)
<u>✓</u>	(Yes)	<u> </u>	(No)
<u>✓</u>	(Yes)	<u> </u>	(No)
<u>✓</u>	(Yes)	<u> </u>	(No)
<u>✓</u>	(Yes)	<u> </u>	(No)