

RESOLUTION 2009-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY CREATING THE POLK CITY CITIZENS ADVISORY COMMITTEE; THE BYLAWS THEREFORE AND PROVIDING AN EFFECTIVE DATE.

ARTICLE I NAME AND PURPOSE

Section 1. The name of this organization shall be the Polk City Citizens Advisory Committee. This Committee is hereby established by the City Council on July 14, 2009.

Section 2. The purpose of the Committee is to provide and foster meaningful public and user input to the City Council in the planning of future projects and services as they relate to serving Polk City's needs. The scope of the activities of this Committee shall be to review and evaluate City issues as requested by the City Council or by the City Manager or to initiate proposals and forward them to the City Council as recommendations for action.

ARTICLE II: MEMBERSHIP

Section 1. The Committee shall be made up of a cross-section of citizens throughout incorporated Polk City or citizens of Polk County that are considered Polk City. The membership of the Polk City Citizens Advisory Committee shall consist of ten (10) members; two to be appointed by each City Councilperson.

Section 2. All members of this Committee shall serve a two-year term, beginning January 1 and terminating December 31 of the second calendar year or at the pleasure of the City Council, pursuant to appointments made by the individual Council Members.

Section 3. Any member shall become ineligible to continue serving on the Committee who:

- misses three (3) consecutive meetings or five (5) meetings in a twelve (12) month period.
- for any serious misconduct which includes, but is not limited to, criminal conviction, or use of slurs, derogatory comments, or any other conduct, whether physical, verbal or written directed at or based upon another's person's race, color, origin, sex, religion, sexual orientation, disability, or age.
- Failure to represent the interests of the people of Polk City in a positive manner.

Under any of these circumstances, the Chairman of the Committee or staff liaison shall notify the appointing City Councilmember about the member's ineligibility. The appointing City Councilmember will appoint a replacement member or may reappoint the member who has become ineligible due to extenuating circumstances.

Section 4. Any member may nullify one absence per calendar year by his or her attendance at one (1) subcommittee meeting or other appointed service on behalf of the Citizens Advisory Committee.

ARTICLE III QUORUM

Section 1. A majority of the appointed members of the Committee shall constitute a quorum for the transaction of any business at any regular meeting of the Committee.

Section 2. In the absence of a quorum at any regularly scheduled meeting, the members present shall function as a full subcommittee, electing an interim chair, if necessary. If the number of members present is 1/3 or greater of the full Citizens Advisory Committee, the agenda for the meeting will be followed and any recommendations of this full subcommittee shall be presented to the Citizens Advisory Committee at the next regularly scheduled meeting. If the number present is less than 1/3, the members may, if they wish, vote to follow the agenda or postpone the agenda to the next regular meeting.

Section 3. A majority of those Committee members designated by the Chairman of the Committee to attend any special meeting shall constitute a quorum for the transaction of business at any special meeting of the Committee.

Section 4. If a quorum is not present at any regular or adjourned regular meeting, then members present may adjourn the meeting 15 minutes after the time set for the meeting, noting the adjournment appropriately in the minutes.

ARTICLE IV VOTING

Section 1. Only the appointed members shall be entitled to vote at any meeting of the Committee.

Section 2. All voting members present must vote on all actions requiring a vote unless there is a stated conflict of interest under the State of Florida Ethics Act.

Section 3. No motion may be approved absent an affirmative vote of a majority of voting members present.

ARTICLE V MEETINGS

Section 1. The regular meeting of the membership of the Committee shall be held on the fourth Tuesday of each month at 6:30 p.m. in the Council Chamber of the Government Center.

Section 2. Notice of the time, place and purpose of all regular and special meetings shall be provided by email to each member of the Committee, not less than five days before such meeting. In the event of a change of meeting place or time, appropriate and timely public and Committee notices shall be given.

Section 3. All meetings of the Committee shall be open to the public and opportunities must be provided for public comment, and stated as such on the Committee's Agenda.

Section 4. A Special Meeting may be called at any time by the Chair of the Committee, or by a majority of Committee members.

Section 5. The Committee may adjourn any meeting to a time and place specified in the motion or order of adjournment.

ARTICLE VI OFFICERS

Section 1. The members of the Committee shall elect from their own membership the following offices at the January meeting:

A: Chairman

B: Vice-Chairman

Section 2. The terms of office for all officers shall be one year beginning at the first regular Committee meeting of the year and terminating at the last regular Committee meeting of the year, or until their successors are elected at the next regular meeting of the Committee.

Section 3. Any officer may be re-elected for the same office.

Section 4. A vacancy in any office may be filled by the Committee at any regular meeting.

Section 5. Duties:

Chairman:

The Chairman shall preside at all meetings of the Committee and conduct all meetings of the Committee. He or she shall forward action taken by the Committee to the City Council for whatever action the Council deems appropriate. The Chairman shall appoint subcommittees as appropriate and deemed necessary by the Committee, and notify the Council of such appointments. The Chair shall appoint members to all subcommittees (if subcommittees are formed) and shall serve as ex-officio member to all subcommittees. The Chair shall also perform other duties as may be requested from time to time by the Committee. The Chair shall prepare the meeting agendas for presentation to the City Clerk. The Chairperson shall cause such items as directed by the committee to be presented to the City Manager for consideration. The Chair or their designee may make such presentations.

Vice-Chairman:

In absence of the Chairman or in the event of his or her inability to act, the Vice-Chairman shall exercise all powers and duties of the Chairman. The Vice-Chair shall perform such other duties from time to time as may be requested by the Committee.

Interim Chairman:

In the absence of both the Chairman and the Vice-Chairman at any regularly scheduled meeting, the Committee members present shall elect one of their number to function during such meeting as the Interim Chairman.

ARTICLE VII RULES OF PROCEDURE

Section 1. All meetings of the Committee shall be conducted in accordance with newly revised Robert's Rules of Order except when in conflict with the provisions of these by-laws.

Section 2. Agenda items are to be determined by priorities as set by the full Committee. All requests from the City Council or City Manager will be honored.

ARTICLE VIII STAFF SUPPORT

The City Manager shall designate a staff coordinator or other representative who shall act as an ex-officio, nonvoting liaison between the Committee and the City. The staff coordinator or designee shall transmit meeting notices, agendas, minutes, and other materials for final preparation as requested by the Committee and deemed necessary to perform its duties. All correspondence will be made available in accessible formats upon request. The City Attorney or designee shall advise the committee on all legal matters.

ARTICLE IX COMPENSATION

Committee members are volunteers and shall serve without compensation of any kind. The Committee or its individual members shall incur no debt or other obligation on behalf of the City of Polk City. The City of Polk City shall not be responsible for any liability of the Committee or its individual members.

ARTICLE X AMENDMENTS

Section 1. These bylaws may be amended by the two-thirds vote of the membership present and voting at any regular meeting of the Committee after notice of such proposals for an amendment has been given to all members as provided in these bylaws. All such amendments shall be subject to approval by the City Council of Polk City.

Section 2. Notice of any proposed amendment shall be submitted in writing to all members of the Committee not less than thirty (30) days prior to the meeting at which such amendments are to be considered.

ARTICLE XI RIGHTS AND PRIVILEGES

Section 1. No individual member shall possess any right, interest, or privilege, which may be transferable by that member or which shall continue in any manner if the membership of such individual member ceases.

ARTICLE XII EFFECTIVE DATE

This resolution shall take effect immediately upon its passage.

INTRODUCED AND PASSED by the City Council of the City of Polk City, Florida, in Regular Session this 14th day of July, 2009.

CITY OF POLK CITY

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY