



CITY COMMISSION STAFF REPORT

DEPARTMENT: Commission

DATE: January 14, 2025

SUBJECT: Discussion and possible action concerning the re-creation of a Public Safety Advisory Board – **Commissioner Smith**

RECOMMENDATION:

Commissioner Smith is requesting a discussion and possible action to re-create the Public Safety Advisory Board.

BACKGROUND OF ITEM:

In May of 2021, the City Commission passed and adopted Ordinance 21-18, repealing Ordinance 19-12-3 adopted on December 17, 2019, in its entirety; deleting Section 2-130 of the City's Code of Ordinances providing for the elimination of the Public Safety Advisory Board.

The Code currently states:

Sec. 2-116. – General Requirements...

- (a) Creation of advisory boards, commissions, and committees. For this article, the terms, "board," "commission," "advisory board" and "advisory body" shall mean any group created pursuant to this article whose powers, jurisdiction, and authority are solely advisory and do not include the final determination and adjudication of any personal or property rights, duties, or obligations, other than those relating to its internal operations; provided, however, that this article shall not apply to the pension Board of Trustees or any other board which may be created pursuant to law to deal with employee right and benefits.

The City Commission shall have the authority to create, by ordinance, any such board, commission, or committee that it may deem necessary for the proper and efficient operation of the City. The ordinance, which may create any such board, commission, or committee, shall be adopted in accordance with the provisions outlined in this section, and shall address the following matters:

- (1) State clearly and specifically the duties and responsibilities of the board, commission, or committee.
- (2) Set forth the size of the Board, including the number of voting members and the desired personal and professional qualifications to be sought in prospective members, if applicable.

- (3) Set forth terms of board members, if in conflict with the provisions of subsection (b)(3) of this section.

All such boards, commissions, or committees created pursuant to this section and section 1.05 of the City Charter shall be advisory in nature unless otherwise required by state law.

(b) Qualifications of members.

- (1) Members of City boards, commissions, or committees shall be residents of the City.
- (2) Members of City boards, commissions, or committees shall serve at the will and pleasure of the City Commission, and shall be deemed to have no property right in their term of office, unless otherwise specified in the ordinance creating such board, commission, or committee and all members shall serve without compensation.
- (3) *Appointment.* Each Commissioner shall have the authority to appoint an individual member or members to serve on an advisory board, commission, or committee. Appointments to the advisory boards shall be announced by the appointing City Commission member at a public meeting of the City Commission. Appointments to advisory bodies may be made in the number specified in the ordinance creating such board, commission, or committee, upon the creation of the advisory body, the expiration of a term of any member or members, or upon the resignation or removal of a member of members, or upon a member no longer meeting the qualifications outlined in this Code and the City Charter for advisory board members. Unless otherwise provided in the ordinance creating an advisory board, commission, or committee, members of the City's advisory boards shall serve at the pleasure of the Commission member appointing the individual to serve on the advisory board.
- (4) *Vacancies.* Vacancies in the membership of any board, commission, or committee due to death, removal, or resignation shall be filled in the same manner as the original appointment was made and for the expired term of the member(s) affected. It shall be the duty of the chairperson of the body to notify the City Clerk within ten days after a vacancy occurs and the City Clerk shall promptly transmit such information to the City Commission for the appropriate action as set forth herein.

(c) Rules of procedure.

- (1) Officers and voting. Each board, commission, and committee shall select from among its members a chairperson and vice-chairperson at its annual organization meeting in June to serve for a period of one year and may create and fill such offices as it may determine. All members in attendance at any meeting shall be required to vote on matters before the body, subject to F.S. §112.3143.
- (2) Members of any board, commission, and committee shall be governed by the Sunshine Amendment to the Florida Constitution and the Code of Ethics for Public Officers and Employees (F.S. Ch. 112).
- (3) Each board, commission, and committee shall establish rules of procedure necessary to its governance and the conduct of its affairs, in keeping with the applicable provisions of state law, City Charter, ordinances, and resolutions. Such rules of procedure shall be available in written form to persons appearing before the body, and to the public, upon request. Where a board fails to adopt rules of procedure directly applicable to a question before the Board, then Robert's Rules of Order shall be utilized. Petitioners who wish to

have a matter considered by any board, commission, or committee must submit all backup material, plans, and supportive data to the City a minimum of 14 days before the date of the meeting at which they desire to be heard.

- (4) *Legal Notices*. The agenda of the regular meeting of any board, commission, or committee shall be prepared by the chairperson and be posted a minimum of two business days prior to the meeting.
- (5) *Meetings*. Each board, commission, or committee shall hold at least one regularly scheduled meeting each month on a day to be determined by the body. Other regularly scheduled meetings may be set by the body and additional meetings may be scheduled as the body may determine. Meetings that are not regularly scheduled shall not be held without at least five days' notice to each member; provided, however, that upon concurrence of the chairperson of the body and the Mayor, an emergency meeting may be called at any time.
- (6) *Quorum*. The quorum for the transaction of business shall be a majority of the members serving on the body and a majority vote of a quorum shall be required for a decision on any matter before such board, commission, or committee. If a quorum is not present, a workshop meeting may be held, but any items of business shall be continued to the next meeting of the body.

ANALYSIS:

If the Commission determines that re-creating the Public Safety Advisory Board is in the City's best interest, an ordinance will need to be passed and adopted.

ATTACHMENTS:

1. Section 2-116 of the City's Code of Ordinances