



AGENDA

Infrastructure Advisory & Oversight Board

Meeting 2019-04

May 20th, 2019 - 7:00 P.M.

City Hall Council Chambers, 120 Malabar Road SE

CALL TO ORDER:

ROLL CALL:

PUBLIC COMMENTS: (Non-agenda items only)

Public Comments on Agenda Items – Individuals wishing to speak on specific agenda items can do so at the time the item is being considered by the Board. The Chairperson will ask if there are any public comments prior to the Board taking action on the item. All speakers will be limited to three (3) minutes each.

BUSINESS:

1. Review the Revised By-laws
2. Stormwater Update by Staff
3. Road Program Update by Staff
4. Agenda Suggestions for future Meetings

ADJOURNMENT:

If an individual decides to appeal any decision made by the Infrastructure Advisory & Oversight Board with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim. In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact The City of Palm Bay Public Works, 321-953-8996, or Florida Relay System at 711.

City of Palm Bay, Florida

**INFRASTRUCTURE ADVISORY AND OVERSIGHT BOARD
BY-LAWS**

**ARTICLE I
ESTABLISHMENT**

Section 1. The name of this Board shall be the "Infrastructure Advisory and Oversight Board", hereinafter referred to as the "Board".

**ARTICLE II
PURPOSE AND INTENT**

Section 1. The purpose and intent of the Board shall be to advise and assist the City Council, City Manager, and city staff (hereafter collectively the "city") in matters relating to construction, reconstruction and maintenance of City roads, sidewalks and stormwater infrastructure.

**ARTICLE III
MEMBERSHIP**

Section 1. Appointments and Terms.

- A. The Board shall consist of seven (7) members who shall be appointed by the City Council as follows:
 - 1. Each Council seat shall appoint one (1) member. Subsequent appointments shall coincide with the Council seat and not the term of office of the Councilmember.
 - 2. The two (2) remaining Board members' positions shall be considered at-large. The members shall be selected by using the City Council's process for filling Board positions.
 - 3. Members shall serve an initial term of two (2) years. The initial term shall be through December 31, 2016.
 - 4. After the expiration of the above initial terms, all appointments shall be for a term of four (4) years and limited to two (2) consecutive terms.
- B. Members shall be residents of and qualified voters within the city.
- C. No official of the city or employee of the city may be appointed as a Member of the Board.

Section 2. Members may only be removed as set forth in Article V, Meetings, Section 3, Absences and Vacancies.

**ARTICLE IV
DUTIES AND RESPONSIBILITIES**

Section 1. The duties and responsibilities of the Board shall be as follows:

- A. The staff and City Council will periodically request advice and recommendations from the Board on the following issues:
 - 1. Priorities for allocating resources to infrastructure maintenance, construction and reconstruction and oversight of expenditures.
 - 2. Development of multi-year planning strategies for infrastructure maintenance, construction and reconstruction.
 - 3. Other requests relating to infrastructure from the City Council and/or staff
- B. The Board will receive periodic reporting from the staff regarding implementation of the City's infrastructure program measured against established schedules and budgets and will report to Council as to the effectiveness of the program.

**ARTICLE V
MEETINGS**

Section 1. Organizational Meeting.

- A. The Board shall decide its regular meeting date and time at the organizational meeting.

Section 2. Meetings.

- A. Regular Meetings.
 - 1. Meetings shall be held on such days and at such times and locations as the Board from time to time determines. Meetings shall be held in public facilities.
 - 2. Notice of regular meetings shall be given to the Board members and news media at least five (5) days in advance of the meeting and shall be in accordance with the provisions of the Florida Sunshine Law, Chapter 286, Florida Statutes.

3. A regular meeting may be continued if all business cannot be conducted on the noticed date; no further public notice shall be necessary for resuming such meeting provided the time, date, and place of resumption is stated at the time of continuance, unless additional notice is required by law.
 4. If a quorum is not present at a meeting, the meeting will be canceled. No business, formal or informal, may be discussed by the members in attendance.
- B. Special and Workshop Meetings.
1. Special or workshop meetings may be called by the Chairperson or at least three (3) members of the Board by written notification to the Chairperson.
 2. Notice of special meetings shall be given to all Board members and news media at least twenty-four (24) hours, and for workshop meetings, at least five (5) days, in advance of the meeting and shall be in accordance with the provisions of the Florida Sunshine Law, Chapter 286, Florida Statutes.
 3. In no event shall official action be taken by the Board at any workshop meeting.
 4. If a quorum is not present at a meeting, the meeting will be canceled. No business, formal or informal, may be discussed by the members in attendance.
- C. When a member is unable to attend a meeting, he/she shall notify the Secretary either in writing or orally at least twenty-four (24) hours prior to the time set for the meeting.
- D. Whenever there is no business or when a majority of the members notify the Secretary of inability to attend a meeting, the Chairperson may cancel the meeting by giving written or oral notice to all members as soon as possible. Said notice shall be posted in a conspicuous place within or at the scheduled meeting place and the news media shall be notified of the cancellation.

Section 3. Absences and Vacancies.

- A. The position of any member who fails to attend three (3) consecutive regular meetings or a total of five (5) meetings of any type within a twelve (12) month period, shall automatically forfeit their appointments. The Chairperson shall notify the Office of the City Clerk of any vacancy, at which time the process to fill the vacancy shall be implemented.

- B. The position of any member who ceases to be qualified pursuant to Article III, Membership, herein, shall automatically be vacated.
- C. Resignations shall be in writing addressed to the Chairperson or the Secretary by mail, email, or delivered in person.
- D. The Board Secretary shall notify the Office of the City Clerk of any vacancy during a term, due to a resignation, death, or non-qualification of a member. The vacancy shall be filled in accordance with Article III, Membership.
- E. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term of office.

Section 4. The curfew for all meetings shall be 9:30 P.M.

**ARTICLE VI
OFFICERS**

Section 1. The Board shall select its own Chairperson and Vice Chairperson. - The Chairperson and Vice Chairperson shall serve for a term of two (2) years. The Vice Chairperson shall automatically succeed the Chairperson.

- A. Chairperson. The duties of the Chairperson shall consist of, but not be limited to, the following:
 - 1. Be the principal representative of the Board and shall preside at all meetings.
 - 2. Work closely with the Public Work Department staff to coordinate the meeting agenda.
 - 3. Sign minutes upon approval by the Board.
 - 4. Perform all duties incident to the office of the Chairperson and such other duties as may be prescribed by the Board.
 - 5. [When a vacancy occurs for the seat of the Chairperson, the Vice Chairperson shall assume the responsibilities of Chairperson for the remainder of the unexpired term of the Chairperson.](#)
- B. Vice Chairperson. The duties of the Vice Chairperson shall consist of, but not be limited to, the following:
 - 1. Preside in the absence of the Chairperson and assume other duties as designated by the Chairperson and the Board;

2. ~~In the event of the death or resignation of the Chairperson, the Vice Chair Person shall automatically succeed the Chairperson.~~ During any period in which the Vice Chairperson assumes the position of Chairperson due to a vacancy, the Board, by majority vote, shall appoint one of its members to serve as Vice Chairperson for the remainder of the unexpired term of the Vice Chairperson.

~~C. Election of Officers. All officers of the Board shall be elected at the first regular meeting of the year.~~

Section 2. In the absence of the Chairperson and Vice Chairperson, the remaining members shall select a member, by consensus of those members present at the meeting, who shall assume the duties of the Chairperson.

Section 3. The City Manager shall designate a member of the City staff to serve as Secretary to the Board. The duties of the Secretary shall include the preparation and distribution of the agendas and minutes and the maintenance of records created or received by the Board in its transaction of official business.

ARTICLE VII BUSINESS

Section 1. Quorum.

- A. A quorum shall consist of at least four (4) of the members for the purpose of conducting business and exercising the powers of the Board.

Section 2. Recognition by the Chairperson.

- A. Board members desiring to speak shall address the Chairperson, and upon recognition by the Chairperson, shall confine himself/herself to the subject matter under discussion.

Section 3. Voting.

- A. The vote of a majority of those members present shall be necessary to decide matters before the Board.
- B. Voting shall be by voice vote and shall be recorded by an individual “yea” or “nay”.
- C. A tie vote on a motion shall constitute a failure of the motion.

- D. Members of the Board shall be bound by the voting provisions set forth in Florida Statutes, Section 112.3143, Voting Conflicts, notwithstanding the provisions of Florida Statutes, Section 112.3143(3)(b).
- E. No member shall vote by proxy on any matter before the Board.

Section 4. Order of Business.

- A. The order of business shall be in substantially the following format and may be added to or deleted from by a majority vote of the Board:

- Call to Order
- Roll Call
- Adoption of Minutes
- Public Comments
- Old/Unfinished Business
- New Business
- Other Business
- Adjournment

- B. The Board may utilize the Consent Agenda to act upon routine items which are not controversial in nature and which do not need further discussion. The Chairperson and a City staff member shall select the items to be placed on the Consent Agenda.

Section 5. Reports to the City Council.

- A. The Board shall submit to the City Clerk’s office, within an appropriate time frame, an agenda of the upcoming meeting and the minutes of the previous meeting. The Board shall submit such other reports from time to time as directed by the City Council.

Section 6. No individual member of the Board has the authority to issue orders, act or speak in the name of the Board, unless specifically empowered to do so by a majority vote of the Board at a regular or special meeting.

Section 7. The members of the Board shall comply with Florida Statutes, Chapter 112, Part III, Code of Ethics for Public Officers and Employees, and subsequent amendments thereto (Ethics and Financial Disclosure).

Section 8. Members shall serve without compensation, except that they may be reimbursed as permitted by general law and consistent with city policy for travel and per diem expenses incurred in the course of their duties and responsibilities not to exceed the budgeted amount.

**ARTICLE VIII
RECORDS**

Section 1. All records of the Board shall be open to public examination. The inspection and duplication of records shall be in accordance with the provisions of Chapter 119, Florida Statutes, Public Records Law.

Section 2. The maintenance and retention of records of the Board shall be in accordance with the State's General Records Schedules as established by Chapter 257, Florida Statutes.

**ARTICLE IX
AMENDING THE BY-LAWS**

Section 1. The Board shall make and adopt such by-laws, rules and regulations for its own guidance, as it may deem expedient and not inconsistent with law. A recommendation for amending the by-laws may take place at any meeting of the Board, regular or special. Any change shall be made by a majority vote of the members at the meeting following such a recommendation to give all members sufficient notice for amending the by-laws.

**ARTICLE X
DISSOLUTION**

Section 1. The Board shall serve at the pleasure of the City Council. The Infrastructure Advisory and Oversight Board shall sunset on December 31, 2020, unless reinstated by the City Council. The City Council may reinstate the Board for subsequent three (3) year periods.