



MEMORANDUM TO VENICE CITY COUNCIL

THROUGH CHARTER OFFICER: Edward Lavallee, City Manager **E-SIGN:**
FROM: Edward Lavallee
DEPARTMENT: City Manager

DATE: September 23, 2022 **MEETING DATE:** September 27, 2022

SUBJECT / TOPIC: Revision to Posted Resolution #2022-26

BACKGROUND INFORMATION:

Resolution #2022-26 revises adopted resolution #2022-03 to update changes to Boards by removing the recently dissolved Historic Preservation and Architectural Review Boards and adding the newly created Historic Architectural Preservation Board (HAPB).

During the course of reviewing the resolution it was suggested language be revised to clarify the council's intent as to the role of Advisory Boards (see attached strike version)

Because the resolution has already been publicly posted in the agenda packet and prior versions adopted by council included the language now being recommended for change, it would be appropriate for the legislative body to be involved in the discussion. Therefore, I am placing the revised resolution for consideration by the full council.

SUPPORTS STRATEGIC PLAN: Goal Two: Provide Efficient, Responsive Government with High Quality Services

COUNCIL ACTION REQUESTED: For Council Adoption by Motion

Yes	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Document(s) Reviewed for ADA compliance (required if for agenda posting)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	City Attorney Reviewed/Approval
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Risk Management Review
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Finance Department Review/Approval
		Funds Availability (account number):

Original(s) attached: Proposed collective bargaining agreement

cc:

Prepared by: City Manager and City Clerk Offices
Requested by: City Council

RESOLUTION NO. 2022-26

A RESOLUTION OF CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AMENDING THE GUIDELINES FOR CITY COMMISSIONS, BOARDS AND COMMITTEES (BOARD) AND ESTABLISHING A LEGISLATIVE REFERRAL PROCESS FOR THE EFFECTIVE ORDER OF BUSINESS; SUPERSEDING RESOLUTION NO. 2022-03 AND ALL POLICIES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Venice City Council establishes various commissions, boards and committees (Board) to serve in both decision making and advisory capacity to City Council; and,

WHEREAS, details of each Board have been established by ordinance and are included in the Code of Ordinances; and

WHEREAS, the details of each Board include, but are not limited to, length of Board members term of office, process for filling vacancies, duties and responsibilities, compensation, selection of officers, meeting requirements and removal of members; and

WHEREAS, each Board operates on initiatives to meet their goals and satisfy their duties and responsibilities, as well as operating under direction provided by City Council; and

WHEREAS, it is in the best interest of the city that the Boards' initiatives be in support of City Council's strategic plan and that the Boards have clear direction, which is enhanced with regular and standardized communication protocols including a referral process for requests for action **and** study ~~or the consideration to create, amend or repeal an ordinance or resolution.~~

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

Section 1: During the first quarter of the calendar year, the Environmental Advisory Board, Historic and Architectural Preservation Board, Parks and Recreation Advisory Board, and Public Art Advisory Board will appear, via the Chair or other designated representative, before City Council and present their achievements for the past year and a proposed agenda of priorities, areas of concern, activities, tasks, and goals for the current calendar year. Each Board must approve the proposed agenda of priorities, areas of concern, activities, tasks and goals that will be presented to City Council. The proposed agenda of priorities and any relevant accompanying detail shall be timely delivered to the City Clerk's Office for inclusion into the City Council meeting agenda packet. Following the Board presentation, City Council shall vote to approve, reject, or modify the proposed agenda.

Section 2: Subsequent to the approval of the Board’s agenda for the year, if during that year an additional issue of significance is brought to the attention of a Council Member, Charter Officer, or Board, the following process shall be utilized to consider such issue.

Definitions:

1. “Legislative referral” is any request from a council member, charter officer, or board chair for the study and recommendation of a legislative matter involving broad public interest or such that will require the creation, amendment, or repeal of an ordinance or resolution.
 - a. Requests of this nature from a resident or advisory board member shall be routed through a council member, charter office or board chair.
 - b. A legislative referral does not include a recommendation to City Council by staff or a Charter Office for creation, amendment or repeal of an ordinance or resolution that is routine in nature or is an operational function of the City under the purview of the City Manager.
 - c. A legislative referral does not include items that are routine in nature or that are an ongoing function of the Board’s normal duties and responsibilities as established by City Code.

Process:

1. Legislative referrals shall be directed in writing to the City Clerk on a Legislative Referral Request Form (Request).
2. The City Clerk shall review the Request and do one of the following:
 - a. If the Request is incomplete, the City Clerk shall notify the requester and provide an opportunity for the deficiencies to be corrected.
 - b. If the Request is legislative in nature, the Request is placed on the next available City Council meeting agenda.
 - c. If the Request is not legislative in nature, the Request will be routed to the City Manager.
3. City Council shall take one or a combination of the following actions on a Request presented to it:
 - a. Assign the Request to the appropriate Board(s) for vetting and recommendation back to City Council.
 - b. Direct the City Manager to bring forth information or staff recommendations to City Council relative to financial, operational or resource impacts at a future meeting.
 - c. Direct the City Clerk to place the Request on a future City Council agenda for vetting and action directly by council.
 - d. Deny the Request for any further consideration.

- i. Requests denied by City Council may not be reconsidered for a period of not less than three (3) years.
4. Requests assigned to a Board shall be provided to the Chair of the appropriate Board(s) by the City Clerk.
 - a. Upon being placed on a properly noticed board(s) agenda, the assigned Board(s) shall take responsibility for fully vetting the Request and shall provide a recommendation to City Council by notifying the Clerk to place the Request back on the City Council agenda when appropriate.
 - b. The Board shall include with its recommendation any supporting documents, reports, maps, photos, or meeting minutes that are applicable to their recommendation and that would assist City Council in their roles as the final decision making body.
 - c. At any point in time City Council may request the Board Chair to give a report or update on a Request before them.
 - d. If a Request has not received a vote of support or opposition from the assigned Board(s), or has received support but has taken no action towards a final recommendation to City Council within six months of being referred by City Council, the applicable Chair of the Board(s) shall report back to City Council as to the reason(s) for delay. City Council may, upon hearing the reason(s) for delay, take any action to reassign the matter to another option listed under Step 3 of the Process identified herein, as deemed necessary.

SECTION 3. During the first quarter of the calendar year or as otherwise determined by City Council, the Code Enforcement Board, Fire Pension Board of Trustees, Planning Commission, and Police Pension Board of Trustees will appear before City Council and present a report on their achievements for the past year.

SECTION 4. On an annual basis, the mayor, or his designee, will host a meeting of all Board chairs and charter officers to discuss issues of common interest and to review ~~performance, achievements and future goals and direction~~ the purpose and process of the Boards.

SECTION 5. For Boards identified in Section 1 that are scheduled to meet six times or more a year, each Board chair, or a designee, will report periodically to City Council the progress, achievements and issues related to the approved agenda of priorities. After hearing the report, City Council will determine the next reporting date and may amend the agenda of priorities.

SECTION 6. In addition to the criteria established by ordinance, all Board members shall: 1) complete the mandatory sunshine and public records training provided in the new board member orientation packet within one month of initial appointment; 2) attend the annual mandatory sunshine and public records training; 3) attend orientation training when offered by the city; and 4) comply with the Information Technology Usage Policy.

SECTION 7. This resolution shall supersede and replace Resolution No. 2022-03.

SECTION 8. This resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 27TH DAY OF SEPTEMBER 2022.

Ron Feinsod, Mayor

ATTEST

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by Venice City Council at a meeting thereof duly convened and held on the 27th day of September, 2022, a quorum being present.

WITNESS my hand and the official seal of the said city this 27th day of September, 2022.

Kelly Michaels, MMC, City Clerk

(SEAL)

Approved as to form:

Kelly Fernandez, City Attorney