

RESOLUTION 14-05

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION 07-41 BY CHANGING THE NAME OF THE CHARTER SCHOOL COMMITTEE TO THE EDUCATION ADVISORY COMMITTEE; FURTHER AMENDING RESOLUTION 07-41 BY EXPANDING THE JURISDICTION OF THE COMMITTEE AND ESTABLISHING CERTAIN COMMITTEE ACTIVITY PROTOCOLS; SUPERSEDING RESOLUTION 11-26; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 15, 2007, the Town of Cutler Bay (the "Town") Town Council adopted Resolution 07-41, creating the Charter School Committee in order to have a committee of citizens study, advise and make recommendations to the Town Council regarding the possible creation of a charter high school in the Town; and

WHEREAS, on April 20, 2011, the Town Council adopted Resolution 11-26, amending Resolution 07-41 by changing the name of the Charter School Committee to the Education Advisory Committee and modifying the jurisdiction thereof to make recommendations to the Town Council regarding education and public schools within the Town; and

WHEREAS, the Town Council desires to further modify the jurisdiction of, as well as establish certain procedures that govern, the Education Advisory Committee as provided herein; and

WHEREAS, the Town Council finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Amendment to Resolution 07-41. The Town Council hereby amends Resolution 07-41 by replacing in whole Sections 2, 3 and 5 with the following new Sections 2, 3 and 5 as follows:

Section 2. Education Committee Created. The Town Council hereby creates a citizen committee to be known as the Education Advisory Committee. The Committee shall be charged by the Council with studying and making recommendations to the Town Council as to ways to improve education and public schools within the Town. Additionally, the Committee shall consider and take such actions as may be directed by the Council, from time

to time. The Committee shall not request or require that such individuals attend any meeting of the Committee. The Committee members shall not contact any personnel of Miami-Dade County School District purporting to act on behalf of the Town without specific authority to do so from the Town Council or Manager. The Committee shall not have any authority to take any official action, make formal representations, or otherwise perform any such action that could create the perception that the Committee or any of its members has the authority to bind the Town in any manner whatsoever. The Committee shall not have jurisdiction over or related to any matter concerning the duties, employment, or performance of public school employees, nor over the policies and/or procedures of the public schools within the Town. Councilman Ernest Sochin is hereby appointed Council liaison to the Committee and shall report to the Council as to the Committee's activities on a regular basis. During such reporting, the Council Liaison may yield time to the chairperson of the Committee so as to provide all or part of the report and/or advise on a specific item or topic. The Council liaison shall not be considered a member of the Committee and shall not take part in Committee votes, but may take part in all discussions regarding matters before the Committee.

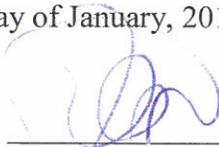
Section 3. Composition of Committee. The Committee shall consist of five (5) citizens of the Town, who shall be chosen by the Council with each Council member selecting one Committee member from a list of persons, who express their interest in serving on the Committee by submitting their resume. The Committee shall initially elect officers pursuant to Section (2)(J) of Town Ordinance 10-08. Thereafter, the Committee shall hold yearly elections to elect officers. The chairperson shall preside over the meeting. The vice chairperson shall preside in the event of the chairperson's absence. The secretary shall preside over the meeting in the event the chairperson and vice chairperson are absent.

Section 5. Meetings of Committee. The Committee shall have regular meetings in which to conduct business once a month, on such a regular date and time of each month as may be designated by a majority of the Committee Members. Regular meetings shall be conducted within a two (2) hour period of time. Regular meetings may only be extended by fifteen (15) minute intervals authorized by a duly made, seconded and passed motion of the Committee. Special meetings may be proposed by any Committee member during a regular meeting and must be approved by a super majority vote of those committee members present. The liaison of the Committee shall be charged with the responsibility of notifying the Town Clerk of the requested special meeting. After receiving such a request, the Town Clerk shall ascertain if a majority of the Committee members are available for a special meeting. If a majority of the Committee members are available for the special meeting, the Town Clerk shall notify the committee of the date and time of such meeting. Notice for any special meeting shall be given at least forty-eight (48) hours prior to the desired date of the meeting, unless emergency or other exigent circumstances require shorter notice, in which case reasonable notice shall be given. The notice shall state the purpose of the special meeting, and only business enumerated in the notice of special meeting shall be discussed at such meeting. If a majority of Committee members is unavailable for a special meeting, it shall not be held.

Section 3. Resolution 11-26 Rescinded. The Town Council hereby rescinds Resolution 11-26 in its entirety.

Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 15th day of January, 2014.



EDWARD P. MACDOUGALL, Mayor

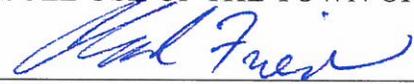
Attest:



DEBRA E. EASTMAN, MMC
Town Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:



WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By: Council Member Bell
Seconded By: Council Member Loyzelle

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall	yes
Vice Mayor Ernest N. Sochin	yes
Councilmember Peggy R. Bell	yes
Councilmember Mary Ann Mixon	absent
Councilmember Sue Ellen Loyzelle	yes