



AGENDA

PALM BAY MUNICIPAL FOUNDATION, INC. DISASTER RELIEF COMMITTEE EXECUTIVE BOARD

Special Meeting 2021-03

Monday, August 23, 2021 – 6:00 P.M.

Dawn Reid Community Room, Palm Bay City Hall Annex, 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.

ADOPTION OF MINUTES:

1. Regular Meeting 2021-02; June 21, 2021.

NEW BUSINESS:

1. Discussion of assistance for the area(s) affected by the earthquakes in Haiti.
(Chairman Felix)

OTHER BUSINESS:

1. Discussion of amending the by-laws to include language adopted by City Council and implemented by the former Committee.
2. Next regular meeting – Monday, September 20, 2021, at 6:00 p.m. **(Informational)**

ADJOURNMENT:

If an individual decides to appeal any decision made by the Disaster Relief Committee 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

City of Palm Bay, Florida

Disaster Relief Committee – Special Meeting 2021-03

Agenda – August 23, 2021

Page 2 of 2

evidence upon which the appeal is based (Section 286.0105, Florida Statutes). 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 Legislative Department at (321) 952-3414 or Florida Relay System at 711.

CITY OF PALM BAY, FLORIDA
PALM BAY MUNICIPAL FOUNDATION, INC.
DISASTER RELIEF COMMITTEE
EXECUTIVE BOARD
REGULAR MEETING 2021-02

Held on Monday, the 21st day of June 2021, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida. The minutes are not a verbatim transcript, but a brief summary of the discussions and actions taken at the meeting.

The meeting was called to order at the hour of 6:01 P.M.

ROLL CALL:

CHAIRMAN:	Donny Felix	Present
VICE-CHAIRPERSON:	Susan Walberg	Present
MEMBER:	Christopher Duncan	Present (Late)
MEMBER:	Keith Miller	Present
MEMBER:	Vanessa Scott	Present (Late)

CITY STAFF: Present was Suzanne Sherman, City Manager; Erich Messenger, Deputy City Attorney; Terri Lefler, Deputy City Clerk.

PUBLIC COMMENTS:

There were no public comments.

ADOPTION OF MINUTES:

1. Regular Meeting 2021-01; March 30, 2021.

Mrs. Lefler announced that a correction was made under the Roll Call heading, reflecting Susan Walberg as the Vice-Chairperson and Keith Miller as Member. Motion by Mr. Miller, seconded by Vice-Chairperson Walberg, to adopt the minutes as corrected. The motion carried unanimously.

NEW BUSINESS:

1. Discussion of Committee member roles.

Mrs. Lefler advised that the focus of the Disaster Relief Committee (Committee) was to raise money and recommend donations based on criteria as established in the guidelines. The former Committee members suggested assigning each member with specific roles and responsibilities: raising funds and communications with the business community, the religious organizations, government agencies, City staff through the City Manager; and handling the logistics of the Committee. She advised that the Committee could discuss the responsibilities and assign a role to each member based on the liaison duties set up by the former Committee or choose new and different roles based on the current members' backgrounds and experience.

Chairman Felix questioned what the Committee viewed as a disaster and how the Committee would like to distribute funds. He asked for consensus from the Committee to explore additional options in which the donations could be used within the community and how the Disaster Relief Committee was to respond moving forward. He felt other types of events and causes should be considered, rather than all donations going through the American Red Cross (Red Cross). The Committee concurred. Mrs. Lefler advised that an overview of the guidelines established by the former Committee would be provided under Item 2.

Vice-Chairperson Walberg suggested that members use their own networks and expertise for their role on the Committee. Chairman Felix felt getting information out about the Disaster Relief Committee within each individual's network was key. Mr. Miller stated that he was involved with the religious community and had a marketing background.

2. Update on prior donations, Committee guidelines, and fund balance.

Mrs. Lefler provided the Committee with a list of prior donations and advised the information was added to the Committee's webpage on the City's website.

Mrs. Lefler provided a revised copy of the guidelines to the Committee as there were changes to the handout from the previous meeting. She highlighted key points from the guidelines that were established by the former Committee.

Mrs. Lefler advised that the City's Finance Department provided the Disaster Relief Committee's total cash available for purposes, which was \$10,740.42, as of April 30,

2021. She also advised that this information was updated on the Committee's webpage.

Chairman Felix stated that he would like to broaden the ways in which the funding was spent, as all but one of the prior donations were made through the Red Cross. He asked that the City Attorney's Office report back to the Committee on how the organizations were selected and the administrative costs charged by the Red Cross. Mrs. Lefler advised that organizations had presented local causes and areas of need to the Disaster Relief Committee at their July 15, 2019, meeting and that the organizations were selected based on those presentations. Mr. Miller was concerned that certain disasters may occur locally but might not be declared a federal disaster. Chairman Felix asked if the former Committee considered local disasters not being declared a federal disaster. Mrs. Lefler advised that guidelines were established based on input by the former City Manager and the City Attorney's Office. She stated that she would provide the minutes and videos of those meetings to the Committee.

OTHER BUSINESS:

Chairman Felix announced that the next regular meeting would be held on Monday, September 20, 2021, at 6:00 P.M., in the Council Chambers. The Committee concurred.

Mr. Duncan and Ms. Scott joined the meeting at 6:30 p.m.

Mr. Duncan asked if members would be allowed to participate in local events, such as the Greater Palm Bay Chamber of Commerce's (Chamber) hurricane preparedness meeting, and asked the roles of the Committee members. Chairman Felix advised that there was not a direct role for the Committee to attend. He stated that the City partnered with the Chamber for the Disaster Recovery Expo and that local businesses in the industry were invited to the event. Chairman Felix advised that he would attend and bring information back to the Committee at the next meeting.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 6:31 P.M.

ATTEST:

Donny Felix, CHAIRMAN

Terri J. Lefler, DEPUTY CITY CLERK

City of Palm Bay, Florida

PALM BAY MUNICIPAL FOUNDATION DISASTER RELIEF COMMITTEE EXECUTIVE BOARD BY-LAWS

ARTICLE I PURPOSE AND INTENT

Section 1. The purpose and intent of the by-laws is to set forth a uniform set of rules and procedures whereby the Disaster Relief Committee Executive Board, hereinafter referred to as the “Committee”, shall serve to help those affected by such local, national, and international disasters.

>>Section 2. The mission of the Committee is to serve as a resource and conduit for collecting funds that will be distributed to non-profit, charitable and relief organizations during and after a disaster.**<<**

ARTICLE II COMPOSITION

Section 1. The Committee shall be made up of five (5) individuals.

- A. One (1) member of the Palm Bay Municipal Foundation.
- B. Four (4) members of the public appointed by the Palm Bay Municipal Foundation, one (1) of whom will preferably be a member of the clergy within the community. The members shall be selected by using the City Council’s process for filling board positions.

ARTICLE III TERMS OF OFFICE

Section 1. The members shall serve for a term of two (2) years and may, upon application and approval, serve unlimited consecutive terms.

ARTICLE IV OFFICERS

Section 1. There shall be a Chair and Vice-Chair. The City Attorney’s Office shall serve as Legal Advisor and the City Clerk’s Office shall serve as Secretary and administrative support to the Committee.

Section 2. The Chairperson shall be the Palm Bay Municipal Foundation member.

A. The duties of the Chairperson shall consist of, but not limited to, the following:

1. Be the principal representative of the Committee and shall preside at all meetings.
2. Sign minutes upon approval by the Committee.

B. 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 Committee.

>>2. The selected individual will serve in the capacity of Vice-Chair for a period of two (2) years at which point the committee will select a new Vice-Chair from among its members.<<

Section 3. 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 4. A quorum for the purpose of conducting official business shall require the presence of at least three (3) of the members currently serving.

Section 5. Vacancies shall be filled in the same manner as original appointments. Replacement appointments shall be for the unexpired terms only.

>>**Section 6.** Members must attend at least fifty percent (50%) of each meeting in order to be counted present.<<

Section 6>>7<<. Members who fail 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.

Section 7>>8<<. Resignations shall be in writing addressed to the Chairperson or the Office of the City Clerk by mail, email, or delivered in person.

Section 8>>9<<. The Chairperson may appoint such committees as he requires to efficiently conduct the affairs of this Committee.

Section 9>>10<<. The Chairperson shall conduct all meetings. The Secretary shall keep minutes of all meetings.

ARTICLE V MEETINGS

Section 1. Meetings shall be held quarterly, each calendar year, or as needed more frequently. The day and time of such meetings shall be determined by the Committee.

Section 2. Special meetings may be called by the Chairperson at any time as needed. >>The declaration of "State of Emergency" by the affected area will be utilized as the initiating factor for a Special Meeting with the purpose of defining the amount of the donation to the non-profit disaster relief supporting agencies directly responding to the affected area.<<

Section 3. The date, >>or<< time, ~~or place~~ of ~~such~~ >>regular<< meetings, regular or special, may be changed upon the affirmative vote of the majority of members at a regular meeting.

Section 4. Sufficient public notice of ~~special~~ meetings shall be given as to meetings place and time in conformance with applicable Florida Sunshine Laws.

Section 5. The ~~Board~~ >>Committee<< shall determine its own rules and order of business. However, such order may be changed by the Presiding Officer to meet contingencies.

ARTICLE VI DUTIES AND RESPONSIBILITIES

Section 1. All money raised from any and all events organized by the Committee shall be given to the Palm Bay Municipal Foundation Inc. or other such non-profit, charitable, or relief organization as the Committee decides and the law permits. >>The Committee shall not collect materials or sundries; any offers other than funds shall be directed to City staff for review and input.<<

Section 2. The Committee shall submit reports ~~to, and~~ as directed by, the Palm Bay Municipal Foundation.

Section 3. The members shall serve on the Committee without additional compensation, except that they may be reimbursed as permitted by the by-laws of the Palm Bay Municipal foundation, Inc., not to exceed the budgeted amount.

>>**Section 4.** The Committee shall work with the Finance Department to fund all marketing materials. The cost for administrative purchases shall be deducted from the Committee's budget and shall not exceed five percent (5%) of the Committee's fund balance each fiscal year.<<

>>ARTICLE VII**DEFINITION OF DISASTER, DONATIONS, AND PUBLIC NOTICE**

Section 1. Disaster: "In accordance with FEMA, a disaster is a non-routine (natural or man-made) event that exceeds the capacity (resources) of the affected area to respond to it in such a way as to save lives; to preserve property; and to maintain the social, ecological, economic, and political stability of the affected region." (FEMA.ORG) The Committee was created with the goal to provide assistance in the form of donations to be distributed to non-profit, charitable and relief organizations responding to disasters from our local community to international disaster relief efforts.

Section 2. Priority shall be given to local disasters.

Section 3. All donations shall be in the minimum amount of \$250.00, with increments of \$250.00 based on the magnitude and the effects of the disaster. The donation amount shall be decided by vote and at the discretion of the Committee. Donations can occur at different stages of the disaster, based on the impact and longevity of the disaster.

Section 4. Any donations made to the Committee are not specific to one particular cause unless the Committee agrees to allocate all funds donated during a certain time period to such cause. The public notice of collection for a specific event will last for a period of thirty (30) days on the Committee's webpage.

Section 5. Donations shall be made through the following 501(c)(3) organizations: American Red Cross; 2-1-1 Brevard, Inc.; and/or United Way of Brevard. The 501(c)(3) organizations may be revised as determined by the Committee. Donations shall not be made to individual businesses or people.

Section 6. Donations shall be accepted through the Palm Bay Disaster Relief Committee's webpage; cash and check donations shall also be accepted through the Customer Service Representatives at City Hall.<<

ARTICLE VII>>VIII<<**>>AMENDMENTS AND EFFECTIVE DATE<<**

Section 1. These by-laws may be amended, repealed, or made inoperative by majority vote of the Committee at an official meeting. ~~Written notice of such proposal shall be given to the Committee at least one (1) month before the meeting at which such matter is to be considered.~~

Section 2. These by-laws shall become effective on the date of their adoption by affirmative vote of a majority of the members present at an official meeting of the Committee.

Adopted: March 19, 2018
Meeting 2018-01

Revised: [REDACTED], 2021
Meeting [REDACTED]

ORDINANCE 2021-49

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 61, SUSPENSION AND/OR REMOVAL OF CITY BOARDMEMBER, BY INCLUDING PROVISIONS FOR ATTENDANCE BY BOARDMEMBERS; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 61, Suspension and/or Removal of City Boardmember, Section 61.07, Absences, is hereby amended and shall henceforth read as follows:

Section 61.07 >>ATTENDANCE AND<< ABSENCES.

>>(A) Members must attend at least fifty percent (50%) of each meeting in order to be counted present.<<

>>(B)<< Members who fail 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 or staff liaison shall notify the Office of the City Clerk of any vacancy, at which time the process to fill the vacancy shall be implemented.”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2021-18, held on July 15, 2021; and read in title only and duly enacted at Meeting 2021-19, held on August 5, 2021.

ATTEST



Terese M. Jones, CITY CLERK

Reviewed by CAO: PDS



Robert Medina, MAYOR

cc: ALP

Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.