



AGENDA

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

Regular Meeting 2022-01
Wednesday, March 30, 2022 – 6:00 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.

ADOPTION OF MINUTES:

1. Regular Meeting 2021-04; September 20, 2021.

NEW BUSINESS:

1. Election of Vice Chairperson.
2. Overview of by-laws.
3. Discussion of developing guidelines for Committee Members to raise funds in order to replenish the Disaster Relief Committee's account.

OTHER BUSINESS:

1. Next regular meeting – Monday, June 20, 2022, at 6:00 p.m. **(Informational)**

ADJOURNMENT:

City of Palm Bay, Florida

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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 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 2021-04

Held on Monday, the 20th day of September 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 meeting.

The meeting was called to order at the hour of 6:03 P.M.

Christopher Duncan led the Pledge of Allegiance to the Flag which was followed by the invocation.

ROLL CALL:

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

CITY STAFF: Present was Rodney Edwards, Deputy City Attorney; Terri Lefler, Deputy City Clerk.

PUBLIC COMMENTS:

There were no public comments.

ADOPTION OF MINUTES:

1. Special Meeting 2021-03; August 23, 2021.

Motion by Vice-Chairperson Walberg, seconded by Mr. Miller, to adopt the minutes as presented. The motion carried unanimously.

NEW BUSINESS:

1. Consideration of revisions to by-laws.

Mrs. Lefler advised that the draft revisions to the by-laws were presented to the Committee at their August 23, 2021, special meeting and were being brought back for discussion and approval. She provided an overview of the proposed revisions, which included the following:

- a. Article IV, Section 6 – included a provision that a member must attend at least 50% of each meeting in order to be counted present. The ordinance was adopted by City Council at its meeting on August 5, 2021;
- b. Article V, Section 3 – removed the provision requiring the vote by the Committee members to change a meeting location. The date and time of regular meetings would still require a vote by the Committee; and
- c. Article VII, Section 1 – removed the requirement of one month notice prior to considering amendments to the by-laws. This would allow the Committee to consider basic or required amendments when presented. The Committee could still motion to vote on proposed amendments at a future meeting.

Other than the general housekeeping-type amendments, Mrs. Lefler stated that the remaining amendments were agreed upon by the former City Manager and former Vice-Chairman; however, the Committee members' terms had expired prior to presenting the amendments for approval. Mrs. Lefler stated that the revisions were at the discretion of the Committee and could be approved or amended as the Committee deemed fit, as long as it did not conflict with the Code or the enacting legislation of the Committee.

Vice-Chairperson Walberg suggested clarifying language in Article VII, Section 5, by designating committees that were closer to the disaster in order to reduce administrative costs. Mr. Edwards advised that the by-laws, as written, already granted the Committee the power to choose any 501(c)(3). He stated that the Committee could, at any time, designate any organization to be the recipient of the funds, as long as it was a 501(c)(3). Vice-Chairperson Walberg asked if adding preference language would be appropriate. Mr. Duncan felt that the Committee should do their due diligence in selecting any organization, making sure that the money was being used for its designated purpose. He stated that it was the Committee's responsibility to hold the organizations accountable and if the organization was unable to fulfill the expectations of the Committee, then a meeting should be called to reassign the donation to a secondary. Chairman Felix approved of the language as is, stating that the by-laws allowed the Committee to select any 501(c)(3), but suggested adding language relating to a vetting process as Subsection 'A' under Section 5 of Article VII. The Committee concurred.

Motion by Vice-Chairperson Walberg, seconded by Ms. Scott, to adopt the revisions to the by-laws as presented with the inclusion of Subsection 'A' under Section 5 of Article VII, stipulating that selected organizations would be properly vetted by City staff prior to making the donation. The motion carried unanimously.

OTHER BUSINESS:

1. Next regular meeting – Monday, December 20, 2021, at 6:00 p.m. (Informational)

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

Mr. Miller said he attended the Palm Bay Municipal Foundation (PBMF) meeting on September 2, 2021. He stated that the PBMF did not approve the Disaster Relief Committee's recommendation of a \$5,500 donation to Haiti. Mr. Miller felt that the PBMF had set the precedence of a \$1,000 donation based on prior donations by the former Committee. Mr. Miller urged the Committee members to attend future PBMF meetings in order to justify their recommendations. Mr. Duncan felt that the Committee was similar to a magistrate board and should continue to make the best recommendations regardless of precedence.

Mr. Duncan stated that the Committee needed to figure out ways to raise funds to replenish the account. Chairman Felix suggested that this be added to the next agenda for discussion and asked that the Committee members bring fund raising ideas to the next meeting.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 6:42 P.M.

ATTEST:

Donny Felix, CHAIRMAN

Terri J. Lefler, SECRETARY

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

Section 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.

Section 3. 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 4. The date or time of regular meetings may be changed upon the affirmative vote of the majority of members.

Section 5. Sufficient public notice of meetings shall be given as to meetings place and time in conformance with applicable Florida Sunshine Laws.

Section 6. The 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 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.

A. Organizations that are selected to receive donations are to be properly vetted by City staff prior to making the donation.

B. 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 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.

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
Regular Meeting 2018-01

Revised: September 20, 2021
Regular Meeting 2021-04