

RESOLUTION 17-R40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, PROVIDING FOR THE ESTABLISHMENT AND ORGANIZATION OF THE CITY OF PORT ST. LUCIE BUDGET ADVISORY COMMITTEE; PROVIDING FOR THE APPOINTMENT OF COMMITTEE MEMBERS; REPEALING THE PREVIOUSLY ADOPTED ESTABLISHMENT AND ORGANIZATION OF THE BUDGET ADVISORY COMMITTEE PURSUANT TO RESOLUTION 17-R22; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council of the City of Port St. Lucie, Florida (“City”) duly approved and adopted Resolution 17-R22 on March 27, 2017, which served to establish and organize the City of Port St. Lucie Budget Advisory Committee; and

**WHEREAS**, the City Council of the City of Port St. Lucie has determined that there is a need for citizen input into the budgetary process to promote the health, safety, financial soundness and general welfare of the City of Port St. Lucie; and

**WHEREAS**, the City Council of the City of Port St. Lucie further believes that this input might be most efficiently obtained by use of a Budget Advisory Committee to assist and make recommendations on the budgetary process; and

**WHEREAS**, it is the intent of this Resolution to create a Budget Advisory Committee for the purpose of reviewing proposed City budgets and budget amendments as they may be prepared by the City Manager or his or her designee and, based upon that review, the Budget Advisory Committee will provide recommendations to the City Council thereon; and

**WHEREAS**, the City Council of the City of Port St. Lucie has determined that there is a need for amendments to Resolution 17-R22 to provide for the appointment of alternate Committee members and to ensure compliance with sections 3.05 and 3.11 of the City Charter and;

**WHEREAS**, the City Council of the City of Port St. Lucie has determined that repealing Resolution 17-R22 and enacting a new Resolution relating to the Budget Advisory Committee would provide more clarity to the public than a partial amendment to Resolution 17-R22;

**WHEREAS**, the City Council desires to repeal Resolution 17-R22 in its entirety and establish and organize the City of Port St. Lucie Budget Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, THAT:**

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**Section 1.**     Ratification: The City Council of the City of Port St. Lucie, Florida hereby adopts and ratifies those matters set forth in the foregoing recitals.

**Section 2.**     Repeal: Resolution 17-R22, duly approved and adopted by the City Council of the City of Port St. Lucie, Florida, on March 27, 2017, be, and the same is, hereby repealed in its entirety.

**Section 3.**     Establishment: The City Council of the City of Port St. Lucie, Florida hereby establishes and creates the City of Port St. Lucie Budget Advisory Committee.

**Section 4.**     Intent: The intent of the City of Port St. Lucie Budget Advisory Committee is to create a citizen's committee for the purpose of reviewing proposed City budgets and budget amendments as they may be prepared by the City Manager or his or her designee and, based upon that review, the Budget Advisory Committee will provide recommendations to the City Council thereon.

**Section 5.**     Composition and Appointment:     The City of Port St. Lucie Budget Advisory Committee shall be composed of seven (7) members appointed by the Mayor and also consented to by the City Council, and two (2) alternate members appointed by the Mayor and consented to by the City Council. Members and alternate members must be residents of the City of Port St. Lucie for a continuous period beginning one (1) year immediately prior to appointment and to the extent possible must be qualified in matters of accounting, auditing, budgeting or finance, in order to serve. Prospective members and alternate members to the Budget Advisory Committee must submit an application to the City Clerk in order to be considered for appointment. Such applications are to be available on the City's website at <http://www.cityofpsl.com/government/departments/city-clerk> or from the City Clerk's Office.

**Section 6.**     Terms and Term Limits: The initial term for members and alternate members shall be until November 2018 when the next Mayor takes the oath of office. Thereafter, all subsequent terms shall coincide with the Mayor's term of office. Whenever a vacancy occurs on the Budget Advisory Committee, the vacancy shall be filled within thirty (30) days after the vacancy occurs in accordance with Section 5 as outlined hereinabove. No member shall serve more than two (2) consecutive terms. No alternate member may serve more than two (2) consecutive terms as an alternate.

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**Section 7. Qualifications:** When appointing or consenting to members and alternate members, expertise shall be an important consideration of the Mayor and City Council. The expertise of applicants may be determined based on whether an applicant possesses an established financial background and budgeting experience. An established financial background may include, but is not limited to, educational background, experience, or both in a government budget process or private sector budget process, accounting experience, or high level financial management experience.

**Section 8. Election of Chair and Vice Chair:** The Budget Advisory Committee shall elect one of its members to serve as a Chair and one of its members to serve as a Vice Chair. Elections shall be held at the first regularly scheduled meeting, or as soon thereafter as practical, after appointment of the Budget Advisory Committee. The elected Chair shall preside and conduct meetings of the Budget Advisory Committee. The elected Vice Chair shall act in the absence of the Chair. The term of the elected Chair and Vice Chair shall be for one (1) year. Any vacancy in the office of Chair or Vice Chair shall be filled at the earliest possible date by the Committee through an election of one of its members to fill the unexpired term of the vacant position.

**Section 9. Attendance:** The Budget Advisory Committee shall meet at least once per month unless there is no business to transact by the day before the regular meeting date. Special meetings may be called by a majority vote of the members of the Budget Advisory Committee or as requested by the City Council. Three (3) unexcused absences by any Committee member or alternate member (if his or her presence is requested) in any calendar year shall cause the position to be deemed vacant without the necessity of further action by the Committee or the City Council. Said vacancy shall be filled in accordance with Section 5 as outlined hereinabove.

**Section 10. Removal:** Members and alternate members of the Budget Advisory Committee may be removed at any time, with or without cause, by a majority vote of the City Council. Any vacancy due to removal shall be filled in accordance with Section 5 as outlined hereinabove.

**Section 11. Quorum:** A majority of the Budget Advisory Committee membership shall constitute a quorum for the transaction of business. No official action shall be taken by the Budget Advisory Committee without the concurring vote of a majority of all members physically present at such meeting. Alternate members may be utilized to establish a quorum. If a member of the Budget

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Advisory Committee is absent, an alternate member may step into the shoes of the member and exercise all rights of the member.

**Section 12. Sunshine Law:** In accordance with Florida's Government in the Sunshine Law, §286.011, Florida Statutes (2016), as the Budget Advisory Committee has been delegated decision-making authority and has the ability to make recommendations to the City Council regarding city government and city services, all meetings of the Budget Advisory Committee shall be open to the public and properly noticed. City staff shall be responsible for recording the minutes of all meetings of the Budget Advisory Committee. Minutes of the meetings and records shall be filed in the appropriate offices of the City and shall constitute public records. The Budget Advisory Committee members and alternate members shall be required to attend yearly orientation and training to be conducted by the Office of Management and Budget ("OMB") and the City Attorney's Office. Such orientation and training shall include, but not be limited to, an overview of the City of Port St. Lucie's fund structure, basic governmental accounting practices, review of the budgeting policies and the Government-in-the-Sunshine and Public Records Laws of the State of Florida.

**Section 13. Duties and Responsibilities:** The duties and responsibilities of the Budget Advisory Committee shall include, but not be limited to, the following:

- A. Review of the City Manager's proposed budget, capital improvements plan, and budget update following the presentation of same to the City Council;
- B. If directed by the City Council review and advise the City Manager and the City Council on up to three (3) service areas or revenue sources each budget year, i.e. Solid Waste Fund, Gas Tax Revenue, and Saints Golf Course operations;
- C. If directed by the City Manager review and provide recommendations on specific expenditures, revenues, services, and policies;
- D. Provide recommendations to the City Manager on methods and tools to engage citizens in the budget process;
- E. Upon recommendation of the City Manager, City staff may provide appropriate support to the Budget Advisory Committee; and
- F. Provide any and all recommendations in writing to the City Manager prior to making any recommendations to the City Council.

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**Section 14. Compensation:** The members and alternate members of the Budget Advisory Committee shall serve without compensation.

**Section 15. Conflicting Provisions:** If any Resolution, or parts of any Resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

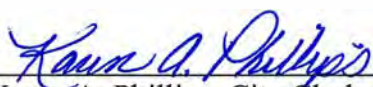
**Section 16. Severability:** The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is held to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this 26<sup>th</sup> day of June, 2017.


CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

  
Karen A. Phillips, City Clerk

By:   
Gregory J. Oravec, Mayor

APPROVED AS TO FORM:

  
O. Reginald Osenton, City Attorney

