

**RULES
of the
WEST FLORIDA REGIONAL PLANNING COUNCIL**

1.001 – NAME. The official name of the agency shall be the West Florida Regional Planning Council, reorganized as of January 1, 1987, under Chapter 186, Florida Statutes.

1.002 – PURPOSE. The Council shall function as the official regional planning council as defined in Chapter 186 of the Florida Statutes, and as the regional planning agency as defined in Chapters 23, 163, and 380, Florida Statutes. The Council shall exercise the powers, duties, and function for conducting planning, review and assistance responsibilities, activities and functions enumerated by the legislature and declarations of Chapters 186 and 380 of the Florida Statutes, and other applicable federal, state and local laws.

1.003 – COUNCIL MEMBERSHIP AND APPOINTMENTS, TERM OF OFFICE,
VACANCIES.

(1) Membership and Appointments

- (a) Escambia, Okaloosa and Bay Counties shall each have two voting representatives on the Council appointed by their respective Board of County Commissioners. The voting representatives shall be elected officials selected from the individual counties. The Cities of Pensacola, Fort Walton Beach, and Panama City shall each have one voting representative on the Council appointed by their respective City Council or Commission. The voting representatives shall be elected officials selected from the individual cities.
- (b) Santa Rosa, Walton, Washington and Holmes Counties shall each have one voting representative on the Council appointed by his or her respective Board of County Commissioners. The voting representatives shall be elected officials selected from the individual counties. The principal city within each of the four counties shall be entitled to one voting representative on the Council appointed by his or her respective City Council. The voting representative shall be an elected official selected from the individual cities.

- (c) Two-thirds of the representatives serving as voting members on the Council shall be elected officials appointed by the cities and counties. The Governor appoints the remaining one-third of the voting members on the Council.
 - (d) In addition to the membership previously specified, any municipality within the jurisdictional boundary of the Council, may be admitted, by a majority vote of the Council, to membership on the Council. Such membership shall be considered on the basis of a municipality's uniqueness and special characteristics. Each municipality so admitted to membership shall have one voting representative on the Council appointed by the respective City Council or Commission. The voting representative shall be an elected official.
 - (e) The Cities of Destin, Callaway, Lynn Haven, Milton, DeFuniak Springs, and Crestview shall have one voting representative on the Council. The voting representative shall be an elected official selected by the City Council.
- (2) Term of Office. Council members shall serve at the pleasure of the appointing authority.
 - (3) Vacancies. Any vacancy shall be filled for the unexpired term in the same manner as the initial appointment.

1.004 – COUNCIL.

- (1) There shall be a Council composed of all voting representatives who have been appointed by local governments and the governor. The Council shall meet monthly unless there is no business to be conducted and the Chairman cancels the meeting. Special meetings of the Council may be called for any appropriate purpose by the Chairman of the Council when a meeting is necessary to conduct business, or when he is requested to do so by at least five Council members. Notice of all Council meetings shall be sent to each member at least 7 days prior to the meeting. The notice shall state the time and place of the meeting and the business to be transacted. Business transacted at a special meeting shall be confined to the subject stated in the notice. All meetings of the Council shall be open to the public as required by the Florida Sunshine Law, Chapter 286, Florida Statutes.
- (2) A quorum at any meeting shall consist of not less than five members including either the Chairman or Vice Chairman and four (4) Council members. When a quorum has been

determined to be present, a majority of those present and voting may take action in all matters presented at the meeting except Council purchases exceeding \$10,000. For consideration of purchases exceeding \$10,000, forty percent of the appointed representatives of the Council shall constitute a quorum. Proxy voting is prohibited. Voting shall be by voice but a member may have his vote recorded in the minutes if he so desires. The Council shall keep minutes of its proceedings and shall keep records of its official actions, all of which shall be filed in the office of the Council and shall be public record.

1.005 – OFFICES, DUTIES, TERM OF OFFICE. The officers of the Council shall be the Chairman and Vice Chairman. The duties and responsibilities usually assigned to a Secretary-Treasurer will be assumed by the Council's Executive Director. The duties of the Chairman and Vice Chairman shall be as follows:

- (1) The Chairman shall preside at meetings of the Council. He shall sign, as authorized by the Council, any contracts or other instruments, which the Council deems to be in its best interest. He shall perform such other duties of the office as may be prescribed by the Council;
- (2) The Vice Chairman shall assist the Chairman in the performance of his duties, and either in the absence of the Chairman or in the event of the Chairman's inability or refusal to act, shall perform the duties of the Chairman.

The term of office shall be for 1 year or until re-elected or until a successor is selected. New officers shall assume the duties of office upon adjournment of the meeting at which they are elected. Vacancies in the office shall be filled by majority vote of the Council for the remainder of the unexpired term.

1.006 – POWERS.

The Council has the following powers:

- (1) To exercise the powers granted by Chapters 23, 186, and 380 of the Florida Statutes;
- (2) To conduct studies of the region's resources with respect to existing and emerging problems of industry, commerce, transportation, population, housing, agriculture, public services, human resources, natural resources, government, and any other matters which are relevant to regional planning;

- (3) To adopt rules of procedures and by-laws, to regulate its affairs and conduct its business;
- (4) To adopt an official seal;
- (5) To maintain office space at such places within the region as may from time to time be required in performance of its duties;
- (6) To employ and set compensation of the Executive Director, who shall employ and discharge professional, technical or clerical staff as may be necessary to carry out the purposes of the Council;
- (7) To authorize compensation for members of the Council for per diem, travel, and other reasonable expenses for meetings, hearings and other official business;
- (8) To hold public hearings, sponsor public forums, and conduct other activities whenever deemed necessary or useful in the execution of the functions of the Council;
- (9) To acquire, own, operate, maintain, lease or sell real or personal property and hold title thereto in the name of the Council;
- (10) To fix and determine in accordance with applicable laws by resolution, rules and regulations relating to advertisement for bids, manner of bidding and amount below which same will not be required;
- (11) To sue and be sued, implead and be impleaded, complain and defend, intervene and appeal, before all courts and administrative agencies;
- (12) To accept gifts, apply for and use grants, assistance funds and bequests of money and other property from the United States, the state, local units of government, and any person for any Council purpose and to enter into agreements required in connection therewith, and to hold, use, and dispose of such monies or property in accordance with the terms of the gift, grant, loan or agreement relating thereto;
- (13) To make and enter into all contracts and agreements, and do and perform all acts and deeds necessary or incidental to the performance of its duties and the exercise of its powers;

- (14) To prescribe all terms and conditions for the employment of officers, employees, and agents including, but not limited to the fixing of pay and classification plans, benefits, and the filing of performance and fidelity bonds and such policies of insurance covering itself and employees as it may deem advisable;
- (15) To participate with other government agencies, educational institutions, and private organizations in the coordination of the activities above;
- (16) To determine and collect charges or fees for the provision of assistance for special services and for reviews and referrals;
- (17) To select and appoint such advisory bodies as the Council may find appropriate for the conduct of its activities;
- (18) To enter into contracts to provide, at cost, such services related to its responsibilities as may be requested by local governments within the region and which the Council finds feasible to perform.

1.007 – BUDGET AND FINANCE.

- (1) The Council shall prepare and approve an annual budget request, which shall be submitted to the participating governmental units no later than the last day of May of each year. The cost of the Council to participating governmental units shall be a base fee plus a per capita calculation.
- (2) Appropriations. The Council shall include, with the budget, a request that monies approved for the Council be paid on or about October 1, or as otherwise requested. A local government that does not remit the assessed amount by December 1 shall lose all voting privileges and will no longer be a member.
- (3) Financial Statements. A monthly financial statement accounting for all Council funds shall be made to the Council.
- (4) Depositories. The Council shall deposit all funds in local depositories. Designation of such depositories shall be the responsibility of the Executive Director of the Council. The Council may maintain checking and savings accounts and both shall be in the name

of the Council. Monies in excess of what would be required to fund the Council's operations for 1 month may be deposited in a savings account.

- (5) Required Signatures. All checks or withdrawals of funds deposited in the Council's accounts shall require two signatures. Those authorized to sign checks or withdraw funds shall be the Executive Director, the Finance Director, and other Department Directors or Senior Planners as designated by the Executive Director.
- (6) Fidelity Bonds. A public official position schedule Fidelity Bond shall be obtained to cover the positions of the Executive Director, the Finance Director, Department Directors, and finance staff. The amount of bond shall not be less than \$100,000.00.
- (7) Mail. The Council shall have a post office box, and only the Executive Director and his/her designees shall have a key to the box. The Executive Director shall be responsible for all mail.
- (8) Deposits. The Finance Director or their designee shall be responsible for the preparation of deposit. Deposits shall not be made by any person other than the Executive Director, Finance Director or their designee.
- (9) Receipts. Receipts shall be issued for all funds received by the Council. A record of all receipts shall be kept by the Executive Director or his/her designee.
- (10) Purchasing of Material and Supplies.
 - (a) The purchasing of material and supplies for the Council shall be the responsibility of the Executive Director. Items in excess of \$10,000.00 shall be on a bid basis. Items in excess of \$10,000.00 shall be approved by the Council.
 - (b) Upon receipt of materials and supplies, the individual who accepts the order shall sign for it. Before payment is made, the Executive Director or other Department Director shall sign the bill.
- (11) Accounting. It shall be the responsibility of the Executive Director to maintain a double-entry set of books for the Council. An annual audit shall be conducted by a firm employed by the Council.

1.008 – COMMITTEES. An Executive Committee is created for the purpose of reviewing issues of importance and making recommendations for Council consideration.

The Committee shall consist of five members to include the Chairman and Vice Chairman in addition to one Council member representing a member County, one Council member representing a member City and a Governor appointee. These members should be from local governments that are not represented by the Chairman and Vice Chairman. In subsequent years, the composition of the committee shall consist of the immediate past chairman. A Governor appointee serving from the Florida School Board Association may serve as the Governor appointee on this committee. Changes in executive committee composition shall coincide with the election of Council officers.

The Committee will meet as necessary prior to the regular monthly Council meeting. The Chairman may schedule special Executive Committee meetings for any appropriate purpose. A quorum shall be three (3) Committee members to include the Chairman or Vice Chairman.

1.009 – PROCEDURE. Unless otherwise provided for herein, Roberts' Rules of Order as revised shall rule.

1.010 – DISCLOSURE. All voting members of the Council shall comply with the provisions of Chapter 112, Part III, Florida Statutes, relating to Standards of Conduct for Public Officials and Employees.

1.011 – AMENDMENTS. These rules may be amended by a majority vote of the Council provided the notice of proposed changes shall contain a full statement of the proposed amendments. The proposed amendments shall be placed on the next regularly scheduled meeting following the presentation. Proposed amendments shall be sent to all Council members at least 7 days prior to the meeting at which time a vote shall be held.

1.012 – WITHDRAWAL OR DISSOLUTION.

(1) Any party hereto or governmental unit may withdraw its membership by resolution duly adopted by its governing body and upon written notice of withdrawal to the chairman of the Council. Contractual obligations of the withdrawing member shall continue until such obligation has been satisfactorily terminated. All property, real or personal, of the Council on the effective

date of withdrawal shall remain the property of the Council and the withdrawing member unit shall have no right thereto.

(2) In the event there is a complete termination of this agreement, which would involve the disposition of the property of the Council, such property shall be liquidated and each unit of local government who were members of the Council within the preceding 5 years shall be entitled to a share of the proceeds proportionate to their contribution during those 5 years.

(3) This agreement may be terminated at any time by resolution duly adopted by the governing body of each and every principal member unit.

1.013 – INFORMATION INQUIRIES. The principal office of the West Florida Regional Planning Council is located at 4081 East Olive Road, Suite A, Pensacola, Florida 32514. The office hours shall be set by the Executive Director with the approval of the Council. All official forms, publications, and documents of the West Florida Regional Planning Council are available for public inspection at the Council's principal office during regular business hours. Persons wishing photocopies may receive same at the prevailing cost per sheet.