



## AGENDA

### BREVARD CITY COUNCIL GOVERNANCE WORKSHOP

Wednesday, November 9, 2022 – 5:30 PM  
City Hall Council Chambers

- A. Welcome and Call to Order
- B. Certification of Quorum
- C. Agenda/addendum review and Approval of Agenda
- D. Priming the Pump

*The purpose of this section is to establish goals for the workshop. Each board member is asked to share his/her answers to the following questions:*

- 1.) *What, in your mind, is the purpose of the committees, advisory boards, etc.?*
- 2.) *What's not working about the current arrangement?*
- 3.) *What is working under the current arrangement?*

- E. Agreeing to Terms/Straw Votes

*The purpose of this section is to decide on a simple decision-making process to employ at various decision points as they emerge during the workshop. See Addendum #1.*

- F. Issues for Discussion

*The board is asked to review the memo on this matter prepared earlier this season by Larry Faison (Addendum #2) and collectively discuss the themes listed in Addendum #3, and take straw votes on matters as needed.*

- G. Review Decisions/Final Straw Vote

- H. Next Steps

## ADDENDUM LIST

- 1.) Decision-making terms/straw votes (Page 3)
- 2.) “Committee Rules and Structure & Citizen Appointment Procedure” memo distributed by L. Faison on October 3, 2022 (Pages 4-23)
- 3.) Issues for discussion (Pages 24-25)
- 4.) Straw votes tally sheet (Page 26)

**ADDENDUM #1**  
**Decision-making terms/straw votes**

The City Manager recommends the board adopt an informal voting procedure for the workshop, so that the discussion can proceed without being bogged down with formal voting procedure. At decision points, the board will be asked to vote

Thumbs up – “I agree with this and wish to proceed.”

Thumbs sideways – “I’m undecided OR I disagree, but I can go along.”

Thumbs down – “I disagree and I’m vetoing.”

If a thumbs down is given, the discussion will pivot to developing a compromise solution to the question at hand. Council members are asked to use thumbs down judiciously so that the conversation can move forward.

After straw votes are made as needed throughout the discussion, a formal vote to accept the changes made during the workshop will be held at the end of the session.

**ADDENDUM #2**  
**“Committee Rules and Structure and Citizen Appointment Procedure Memo”**

**Memorandum**

**DATE:** October 3, 2022  
**TO:** Mayor and City Council  
**FROM:** Wilson B. Hooper, City Manager  
**PREPARED BY:** Larry Faison, Interim City Manager  
**SUBJECT:** Committee Rules and Structure & Citizen Appointment Procedure

**SUMMARY STATEMENT**

The policy draft ‘Committee Rules & Procedures’ was introduced to City Council on September 6th and the policy draft ‘Citizen Appointment Procedures’ on September 19<sup>th</sup>. Both Policies were referred to the Finance and Human Resource Committee (FHR) which met on September 26<sup>th</sup> to discuss the drafts and recommend refinements to City Council.

**REVIEW**

The FHR Committee offers these recommended refinements to the draft policies *Committee Rules & Procedures* and *Citizen Appointment Procedures*:

Committee Rules & Procedures

1. Eliminate the Personnel Board; the FHR Committee will include as its responsibility consideration and evaluation of Personnel policies, programs, and practices; And in regards to the involvement that the Personnel Board may have had in the Grievance Procedure, the use of an employee committee in grievance proceedings and its characteristics will be determined at the discretion of the City Manager.
2. Add the responsibility of citizen appointments to the *Finance and Human Resource Committee*, rather than create another committee. The added responsibility includes: review and development of citizen recruitment and appointment practices, principles, and policy, the review and recommending citizen nominations for Committees, Boards or Commissions.
3. Refine the membership on each Policy Committee to have (2) Council representatives and (1) Citizen. Citizen terms to begin January, effective January 1, 2023, and that a

citizen may serve two full 3-year terms, thus if a citizen is appointed to fill an unexpired term that time does not count towards a two term limit:

### Citizen Appointment Procedure

1. Eligibility: shift from a purely physical definition of city residence as a requirement for committee appointment to embrace the idea of being vested in Brevard, for example, a resident, owning a business, managing services, or maintaining an office in Brevard.
2. Distribute each Committee Agenda Packet to the entire Council and each Department Head as a means of increasing awareness and communication of material that is being considered by a committee and soon thereafter by Council. As an example, the FHR agenda packet may contain citizen applications and committee vacancies; the delivery of that packet to City Council coincidentally with the Committee would allow non Committee Council Members to become aware of the applicants being considered for appointment in advance of the Council Agenda Packet being published/transmitted.

FHR affirmed these recommendations for Committee Rules & Procedures:

- ❖ Eliminate City Employees as voting members of all city committees, boards or commissions.
- ❖ Recognize four (4) categories of committees, boards or commissions:
  1. Statutory Boards, Commissions (*set forth by state statute*)
  2. Policy Committees
  3. Advisory Boards and Commissions
  4. Stakeholder Committees
- ❖ Consolidate content from multiple resolutions that created boards, commissions, or committees into a single document that sets forth the practices and principles to guide committee processes with particular attention shown to Policy Committees.

There are these additional refinements offered by Interim City Manager Faison to facilitate the implementation of these policies:

- ❖ Policy Committees are prohibited from adopting ordinances, policies, or resolutions to mitigate the provision of allowing up to (3) Council Members on each Policy Committee
- ❖ More thoroughly integrated advisory boards, commissions, committees and stakeholder groups into the Rules and Procedures
- ❖ Extended the current terms of citizens from May 2023 to January 2024
- ❖ Staggered citizen member terms
- ❖ Election of Chairmen and Vice is to be accomplished by the respective advisory board, commission, committee and stakeholder group

- ❖ Councilmen Members of advisory boards, commissions, committees, and stakeholder groups are Ex Officio Members
- ❖ Restructured Rosenwald Community Advisory Board to consist of (3) MCJCC Board Members and (3) At Large Citizens, instead of (6) MCJCC Board Members

## BACKGROUND

The City of Brevard adopted resolutions creating five (5) Policy Committees on April 20, 2015, which were:

1. Human Resources and Finance
2. Public Safety
3. Public Works and Utilities
4. Parks, Trails, and Recreation
5. Downtown Master Plan

During the tenure of *Interim City Manager Faison*, he observed that the practices surrounding the committee structure did not appear to fully leverage a policy development process, committees were inconsistently used, there was overlapping purpose, city staff were voting members, and committee responsibilities had not been fully integrated, to consider, evaluate, and recommend any and all policy initiatives that are to be considered by City Council. A committee structure should offer:

- effective policy development
- citizen engagement
- participation in governing

An expansive array of committees can provide the opportunity for citizen engagement through direct participation and can develop personnel awareness of processes and governmental principles. However, a prolific array of committees can be problematic to administer, populate with members, or to provide support through city employees. As a primary objective, having a recognizable framework that *consistently* processes or develops policy and program initiatives for City Council's consideration and differentiates between the functions of stakeholder, advisor and policy advocate is vital; the existing arrangement of committees does not fulfill that objective.

The proposed Policies refine committee functions by more clearly delineating the existing committees that City Council controls in terms of formation, function, and membership into Policy Committees, Advisory Boards or Commissions, Committees, and Stakeholder Groups. Each of these categories are briefly explained below.

**Policy Committees:** Primary task of evaluating, studying, and advocating policy and program initiatives that may be considered by the Mayor and City Council. The character of the policy

and projects for each committee shall be used by the City Manager or his/her designee to set the agenda of each of these Committee:

- ✓ Finance, Human Resource, and Citizen Appointment (FHRC)
- ✓ Public Safety
- ✓ Public Works

Proposed Membership: Voting: (up to 3) Councilmembers, optional up to (2) two Citizen appointments, and Staff as ex officio/subject matter experts that are non-voting;

**Advisory Boards and Commissions:** The committee considers and advises Policy Committees, and/or the Mayor and City Council on the direction, scope, timeline and methods associated with a program, process and/ or project. They meet on a consistent basis. The proposed Advisory Boards and Commissions are:

1. Parks, Trails, and Recreation Advisory Committee
2. Downtown Master Plan Advisory Committee
3. Housing Trust Selection Advisory Committee
4. Rosenwald Community Advisory Board

Proposed Members: Up to (2) two Councilmembers as Ex Officio Members. The program or service may determine the category and character of citizen members; generally, a committee is composed of citizens possessing an interest related to the program or service.

**Stakeholder Groups:** shall consider and advise Policy Committees, and/or the Mayor and City Council on the progress, to define success, and refocus efforts on future goals. They may meet on an as needed basis, and should be dissolved upon completion of the mission, purpose, or task. The proposed Stakeholder Group is:

- Short Term Rental Task Force
- Ecusta Trail Advisory Board

Proposed Members: Up to (2) two Councilmembers as Ex Officio Members. The item that the committee is charged may determine the character of citizen members; generally, a committee is composed of experts, authority figures and program /project stakeholders.

**Statutory Boards, Commissions: (examples)** Planning Board, Board of Adjustment, ABC Commission; this group of committees are not addressed in this proposal, they are defined by North Carolina General Statute.

City employees should not be voting members of Council committees. Being a voting member may undermine an employee's credibility from the Councilmembers perspective. Eventually the environment will sour, hampering the advocacy of principles and practices that are integral to public policy. Placing employees in the same pool as Councilmembers and Manager presumes equality, they are not equals, there is a supervisor – subordinate relationship that should not be ignored.

**Recommendation.** Refer these policies for a thorough review and discussion at a Council Workshop. Subsequently, adopt the Resolution setting forth committee rules, procedures, and eliminates the Personnel Board.

**ATTACHMENTS:**

1. Policy: Committee Rules and Procedures
2. Policy Addendum: (*Committee Rules and Procedures*) Committee Structure Policy Committees, Advisory Boards or Commissions, and Stakeholder Groups
3. Policy Addendum: (*Committee Rules and Procedures*) Citizen Appointment Procedures
4. Proposed Resolution

**Attachment: Policy: Committee Rules and Procedures**

**Policy:** Committee Rules and Procedures

Effective Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Purpose: To advise and make recommendations to City Council concerning all policy initiatives that may be considered by the City of Brevard’s Mayor and City Council. Policy Committees do not have the authority to adopt or approve ordinances, policies, or resolutions, although they may have three (3) members of City Council which may constitute a quorum.

These Practices and Guidelines are formed to create uniformity in the affairs of the Policy Committees which are involved in the shared role and task of evaluating, studying, and advocating policy initiatives that will ultimately be decided by the City of Brevard Mayor and City Council.

There are a number of roles and / or policy determinations that are excluded from Policy Committees jurisdiction. This exclusion is due in part to the quasi-judicial nature of those proceedings that have been set forth by the North Carolina Legislature and assigned to a standing body such as Planning Board or Board of Adjustments. Also, the nature of some business such as the bid award of contracts in excess of the Managers purchasing authority shall be determined by City Council. Therefore, items of a quasi-judicial nature or a bid award in excess of the Manager’s purchasing authority will be referred directly to City Council and not placed on the agenda of a Policy Committee.

**Principal practices in the Policy Making Process:**

1. There shall be these standing City Council Policy Committees for the purpose of advising and making recommendations to City Council concerning all policy and program initiatives that may be considered by the City of Brevard’s Mayor and City Council:
  - a. Human Resources, Finance, and Citizen Appointment
  - b. Public Works and Utilities
  - c. Public Safety
  
2. Policy and program initiatives shall first be introduced to one of the Policy Committees, unless the **City Manager** or designated Committee Chair refers the topic to a Workshop, unless it warrants the immediate attention and familiarization of the entire City Council.
  - a. Studies shall be first introduced to one of the Policy Committees, unless the Manager or designated Committee Chair refer the topic to a Workshop.
  - b. At the request of three (3) Councilmembers a Policy or Program Initiative may be referred to a City Council Workshop, instead of first being heard by a Policy Committee.

- c. Policy initiatives that have actual and/or perceived overlapping Committee purview, shall be deferred to the **City Manager** for determination and assignment to a Committee.
  - d. Policy and program ideas, practices or products emanating from an advisory board, commission or committee and/or stakeholder group may be directed to a Policy Committee or directly to City Council at the discretion of the City Manager.
3. Policy initiatives favorably referred to City Council by one of the Policy Committees shall be placed on the City Council's Consent Agenda, unless the simple majority of the Policy Committee directs otherwise. On an exception basis, the City Manager may place an Item as a Presentation or New Business, if in his/her opinion there is an additive benefit for community awareness achieved by structuring remarks that can improve the community's understanding of the topic, for example, *Hazard Mitigation Plan, Water Conservation Plan, Fire Department Strategic Plan*.
4. Policy initiatives referred to one of the Policy Committees shall have one of these determinations made:
  - a. Referred to the City Council's Consent Agenda or Regular Agenda, or *For Information Only – No action required*
  - b. Referred for further study, and/or
  - c. Tabled for future discussion
5. Inspiration for policy initiatives may be derived from any source, including a Citizen, Businessperson, Councilmember, City Staff, or agency/institution. To be formally placed on an agenda of a Policy Committee or Council, a Staff Report shall be prepared. The **City Manager** will designate a staff lead to prepare a Staff Report providing an overview of the policy initiative, and analysis from involved departments, if appropriate when that Initiative has overlapping relationships among multiple departments.
6. Policy Committee(s) may adopt such procedural rules and regulations as may be deemed to be necessary, but not contrary to the Principals and Guidelines set forth herein, and a copy of such is filed with the City Clerk.
7. The **Mayor** at least biannually at the first Regular Meeting of Council following regular Municipal Elections shall reconstitute the Council membership of each Policy Committee, with the advice and consent of Council. The **Mayor** shall appoint the Chair and Vice Chair of each Policy Committee. The Chairmen and Vice Chairmen of advisory boards, commissions, and committees and stakeholder groups shall be elected by their members and shall serve a one year term concurrent with their term of appointment to the board, commission, committee, or group. The Vice Chair shall succeed the Chairmen upon the completion of the Chairmen's term unless unable due to reaching the end of the appointed term.
8. Policy Committee Membership shall be up to three (3) members of City Council that are appointed for two (2) years concurrent with their term of office. Up to two (2) citizens may be appointed on each Policy Committee, effective January 1, 2023. The number of citizens serving on a Policy Committee shall not exceed the number of Council Members serving on

a Policy Committee. The citizen's term shall be three (3) years, commencing in January and may be reappointed once for a total of two (2) FULL concurrent terms. A Citizen's appointment for an unexpired term will not be counted towards the two (2) term limit. Citizens may be reappointed to additional terms for the same committee after a minimum of one year has lapsed between the end of a term and the next term. Citizens cannot serve as members of more than two (2) boards, commissions, or committees simultaneously.

- a. Citizen members of Advisory Boards, Commissions, and Committees and Stakeholder Groups shall have the same provision for appointments and terms; however the category of membership may vary based on the character of the board, commission, or committee which is described in the *Policy Addendum: (Committee Rules and Procedures) Committee Structure Policy Committees, Advisory Boards or Commissions, and Stakeholder Groups and "Policy Addendum: (Committee Rules and Procedures) Citizen Appointment Procedures,"*
  - b. The current Citizen members as of October 2022, of Advisory Boards, Commissions, and Committees and Stakeholder Groups whose term ends May 2023 shall have their term extended to January 2024. The staggering of Citizen member terms is beneficial to achieve continuity and organizational awareness, therefore staggered terms will be introduced by phasing citizen appointments:
    - i. Committee's with two (2) Citizen members: 1 year term and 3 year term
    - ii. Committees with three (3) Citizen members: 1 year term, 2 year term, and 3 year term
    - iii. Committee's with four (4) Citizen members: 1 year term, (2) 2 year terms, and 3 year term
9. The Committee Chairperson may cancel a meeting if there isn't business to conduct. All reasons for cancelling a regular meeting shall be forwarded to the Mayor, City Manager, City Clerk for their information. Written notice of the cancellation and stating its general purpose, shall be posted at the door of its meeting place, to be mailed or delivered to each news media, and/or person(s) who has filed a request for notice with the City Clerk's Office, at least forty-eight (48) hours before the regular meeting.
10. Use of Staff Notes: In those circumstances in which a quorum doesn't exist and the session proceeds, the Staff Lead will ensure Staff Notes are prepared for *Information Purposes Only*, that provides information of those attending, the lack of a quorum, the Agenda, Staff Reports, discussion, and consensus of those present that discussed the topics that appeared on the Agenda. This document, Staff Notes will not be referred to or labeled as Minutes, nor included in a future packet as an item for a Committee's approval but may be included for information purposes only with no action to be taken. That term Minutes is suggestive that a bona fide meeting took place. Instead, the document will be labeled at the top /bottom of each page, "*Staff Notes for Information Purposes Only: xyz Committee lacked a Quorum on mmm dd, yyyy*", so that the staff can convey that the material was considered and there was a consensus of those present to refer topics to Council, or for further Study, or simply as "*For Information Only – No action Required.*"

11. Policy Committee, Advisory Board, Commission, and Committee and Stakeholder Group Agenda Packets upon publication will be provided to each member, each City Council member, and Department Director for their general awareness. This may be accomplished electronically, or by paper transmittal.
12. Policy Committees, Advisory Boards, Commissions, and Committees and Stakeholder Groups can make no expenditure or contract any indebtedness for which the City shall be liable without approval of the City Council. Members serve without compensation.
13. Policy Committees hold regular meetings at least once each month unless there is not sufficient business to warrant a meeting, but no more than ninety days shall expire without a regular or special meeting.
14. Special meetings of a Policy Committee, Advisory Board, Commission, and Committee and Stakeholder Group may be called by the Chairperson. Notice shall be given verbally or in writing and delivered personally to each member or left at his residence not less than forty-eight hours prior to the time of the meeting; provided, that the minimum time period for notice to a member may be waived by such member if he/she is present at the special meeting.
15. Committees must also cause written notice of the special meeting, stating its general purpose, to be posted at the door of its meeting place, to be mailed or delivered to each news media, and/or person(s) who has filed a request for notice with the City Clerk's Office, at least forty-eight hours before the special meeting.
16. All meetings are held in City Hall, except when adjourned to another location, and all meetings are open to the public.
17. A *simple majority* of members constitute a quorum, and the concurrence of at least a majority of those regular members present shall be required for any official action. Vacancies shall be excluded from the count of regular members needed to have a quorum.
18. Policy Committees, Advisory Boards, Commissions, and Committees and Stakeholder Groups are not intended to be surrogates for Council for the conduct of public hearings or public information ~ town hall like sessions. Should a Board, Commission, Committee or Group identify that a hearing or town hall meeting or forum would be beneficial, that session can be suggested as a recommendation to City Council. A Policy Committee, Advisory Board, Commission, and Committee and Stakeholder Group in practice or form, shall not be used as a citizen review board over any department or process, unless specifically authorized and/or chartered by City Council.

**ATTACHMENT:** Policy Addendum: (Committee Rules and Procedures) Committee Structure  
Policy Committees, Advisory Boards or Commissions, and Stakeholder Groups

**POLICY COMMITTEES:**

Policy Committees do not have the authority to adopt or approve ordinances, policies, or resolutions, although they may have up to three (3) City Councilmen as Members, which may constitute a quorum of the City of Brevard City Council. The purpose of each board, commission or committee is enumerated below.

**COUNCIL PUBLIC SAFETY COMMITTEE**

Makes recommendations to Council regarding the safety of Brevard's citizens. This Committee reviews policy, programs, practices, and plans for equipment, operations, and services provided by the Police and Fire Departments. The Committee's responsibility shall include considering these functional areas:

POLICE: policy, procedures, and service delivery of Police Department;

FIRE: policy, procedures, and service delivery of Fire Department;

STREETS: traffic related issues including: parking, traffic calming, and speed limit ordinances from Public Works or Police

**Committee Members include:**

Councilmembers (up to 3)

Citizens: up to (2), but one less than the appointed number of Councilmembers

**Department/Staff Lead:** Police Chief, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions. To be rotated between Police and Fire Departments on a biannual basis.

**Staff Liaisons:**

City Manager or Assistant City Manager-Finance Director

Police Chief

Fire Chief

Public Works Director

Department Directors that have a policy or program initiative that is to be considered by this committee

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## **COUNCIL FINANCE, HUMAN RESOURCES AND CITIZEN APPOINTMENT COMMITTEE**

Makes recommendations to Council regarding personnel and finance policy, community development, facilities, technology, and Citizen appointments. This Committee reviews policy, programs, practices, and plans for equipment, operations, and services related to those areas. The Committee's responsibility shall include considering these functional areas:

**BENEFITS:** insurance programs which include: medical; workers' compensation; and, property, casualty, and liability.

**COMMUNITY DEVELOPMENT:** outside agency funding requests; community development initiatives targeting low - mod income areas/ persons, and partnerships w/agencies

**FACILITIES:** existing facilities, renovations/ additions & new facilities for employees/ citizens; naming of facilities and assets in honor or memory of individuals/organizations.

**FINANCE:** existing City financial and budgeting policies and practices; advocate for strong financial, budgeting, and capital planning policies and practices.

**TECHNOLOGY:** matters related to information and technology requirements.

**\*\*CITIZEN APPOINTMENT:** reviews and develops citizen recruitment and appointment practices, principles, and policy, review and recommend citizen nominations for Committees, Boards or Commissions

### **Committee Members include:**

Councilmembers (up to 3)

Citizens: up to (2), but one less than the appointed number of Councilmembers

**Department/Staff Lead:** Assistant City Manager-Finance Director, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

### **Staff Liaisons:**

City Manager or Assistant City Manager-Finance Director

Human Resources Director

Department Directors that have a policy or program initiative that is to be considered by this committee

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## **COUNCIL PUBLIC WORKS & UTILITIES COMMITTEE**

Makes recommendations to Council involving these three departments: Public Works, the Water Treatment Plant, and the Wastewater Treatment Plant. This Committee reviews policy, programs, practices, and plans for equipment, operations, and services related to those areas. The Committee's responsibility shall include considering these functional areas:

**RIGHT OF WAY & EASEMENT:** Utilities, such as water, sewer, fiber optics, electric, gas, street, sidewalk, trails

**SOLID WASTE:** policy, procedures, and service delivery

**STORM WATER:** policy, procedures, and service delivery of storm water management

**TRANSPORTATION:** sidewalk and street/utility right of way/easement needs/improvements

**WATER & WASTE WATER:** policy, procedures, and service delivery associated with water quality/supply, distribution & collection systems, and other environmental matters; and stream water & air quality.

### **Committee Members include:**

Councilmembers (up to 3)

Citizens: up to (2), but one less than the appointed number of Councilmembers

**Department/Staff Lead:** Public Works Director, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

### **Staff Liaisons:**

City Manager or Assistant City Manager-Finance Director

Public Works Director

Wastewater Treatment Plant ORC

Water Treatment Plant ORC

Department Directors that have a policy or program initiative that is to be considered by this committee

## **STATUTORY BOARD AND COMMISSIONS**

**BOARD OF ADJUSTMENTS:** Quasi-judicial, hearing and deciding all appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Officer; or to hear applications for variances from Chapter 156: Zoning Code; or to hear applications to replace nonconforming use.

**PLANNING BOARD:** Prepare & recommend policies, ordinances, procedures and other means for promoting orderly development that complements the comprehensive plan and advise regarding conformance of ANY proposed amendments of such ordinances with the Plan; Determine objectives, principles and policies guiding action in development of the community; Prepare and offer amendments or revisions to a comprehensive and coordinated plan for the physical, social, and economic development of the area.

**ALCOHOL BEVERAGE CONTROL BOARD:** has the powers and duties imposed by State Law G.S. 18B-701.

Adopt rules for its ABC system, subject to the approval of the state ABC Commission

Borrow money as provided in G. S 18B-702

Buy and lease real personal property, and receive property bequeathed or given, as necessary for the operation of the ABC system

Buy, sell, transport, and possess alcoholic beverages as necessary for the operation of its ABC stores

Designate one employee as manager of the ABC system and determine his responsibilities

Dispose of property in the same manner as city council may under Article 12 of Chapter 160A of the General Statutes

Employ local ABC officers or make other provisions for enforcement of ABC laws as provided in G.S.18B-702

Hire and fire employees for the ABC system

Invest surplus funds as provided in G. S 18B-702

Issue purchase transportation permits as provided in Article 4

Operate ABC stores as provided in Article 8

Perform any other activity authorized or required by the ABC law

Require bonds of employees as provided in the rules of the Commission

## **ADVISORY BOARDS & COMMISSIONS**

These boards, commissions, and committees consider and advises Policy Committees, and/or the Mayor and City Council on the direction, scope, timeline and methods associated with a program, process and/ or project. They meet on a consistent basis.

### **COUNCIL PARKS, TRAILS & RECREATION ADVISORY COMMITTEE**

This Committee is responsible for reviewing and advising City Council’s Policy Committees on all matters related to recreational programming, recreation personnel and finances, the acquisition and disposal of parkland, long range planning, and the Brevard Area Trails System.

#### **Committee Members include:**

**Ex Officio/Liaisons:** Up to (2) Councilmembers

**Citizens:** Up to (5)

#### **Staff Liaisons:**

City Manager or Assistant City Manager-Finance Director

Planning Director

Public Works Director

**Department/Staff Lead:** Executive Assistant, CMO primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

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### **COUNCIL DOWNTOWN MASTER PLAN ADVISORY COMMITTEE**

Reviews plans for the economic development and beautification of the Downtown area. This Committee is responsible for recommendations to Council regarding the streetscape, capital improvements and urban forest of Downtown Brevard.

#### **Committee Members include:**

**Ex Officio/Liaisons:** Up to (2) Councilmembers

**Citizens:** Up to (4)

Standing Members (no term limit): Heart of Brevard Executive Director and Heart of Brevard Board President or Designee

**Staff Liaisons:**

City Manager or Assistant City Manager

Planning Director

**Department/Staff Lead:** Executive Assistant, CMO, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

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**ROSENWALD COMMUNITY ADVISORY BOARD**

This committee originated as the Mary C. Jenkins Community Center Task Force. The Task Force was formed in January 2018 and met monthly to develop a plan and design for the new Mary C. Jenkins Community Center. After the design was completed, the project went to bid, and groundbreaking in June 2021, the Task Force was dissolved and Council developed the Rosenwald Community Advisory Board to make recommendations to Council regarding the Rosenwald Community.

**Committee Members include:**

**Ex Officio/Liaisons:** Up to 2 Councilmembers

**Citizens:** Up to (3)

MCJCC Board of Directors: (3) Members to be referred by the Board of Directors for appointment to City Council

**Staff Liaisons:**

Assistant City Manager

Community Center Coordinator (MCJCC)

**Department/Staff Lead:** MCJCC/Community Center Coordinator, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

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**HOUSING TRUST FUND SELECTION ADVISORY COMMITTEE**

The Housing Trust Fund was created for the purposes of supporting the development of affordable and workforce housing within the City. When originally established, this committee’s purpose was to review and approve/reject applications from developers and homeowners for funding assistance from the Housing Trust Fund. In October 2021 City Council held a Housing Planning Session and tasked the

Committee with expanding its focus to include seeking out and implementing solutions for workforce housing.

**Committee Members include:**

**Ex Officio/Liaisons:** up to (2) Councilmembers

**Citizens:** Up to (3)

**Standing Member** (no term limit): Planning Board Chairperson

**Staff Liaisons:**

City Manager or Assistant City Manager-Finance

Planning Director

**Department/Staff Lead:** Planning Director with CMO/Executive Assistant provides direct support, primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

**STAKEHOLDER & STEERING COMMITTEES**

These groups and committees shall consider and advise Policy Committees and/or the Mayor and City Council on progress, to define success, and refocus efforts on future goals. They may meet on an as needed basis, and should be dissolved upon completion of the mission, purpose, or task.

**BREVARD – TRANSYLVANIA COUNTY ECUSTA TRAIL ADVISORY BOARD**

The Board was established to oversee the financing, design and construction of the Ecusta Trail in Transylvania County.

**Board members include:**

**Ex-Officio's:** Brevard City Manager and Brevard Planning Director

**Citizens:** Up to (2)

**Standing Members (no term limit):**

2 Elected Officials from City of Brevard (Mayor & Chair) Parks, Trails & Rec Committee

2 Members from Transylvania County Board of Commissioners or designees

- 1 Member from Tourism (Executive Director)
- 1 Member from Conserving Carolina
- 1 Member from Friends of the Ecusta Trail
- 1 Member from Brevard Blue Zones Project
- 1 Chairman of Henderson Ecusta Trail Advisory Board

**Department/Staff Lead:** Planning Director primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

### **SHORT TERM HOUSING TASK FORCE**

The Task Force was created for the purpose of exploring the regulatory environment, identifying potential tools, and the appropriate combination of tools that the City may use to mitigate short term housing challenges.

**Task Force Members include:** City Council Member (2)  
Planning Department (1)  
At-Large Citizen Members (unlimited)

**Department/Staff Lead:** Planning Director primary responsibility for organizing the Agenda, preparing and/or collecting Staff Reports from respective departments, publishing / transmitting the Agenda Packet, and recording minutes of all sessions.

**Department ‘Staff Lead’ for Boards, Commissions, and Committees**

COMMITTEE	DEPARTMENT STAFF LEAD						
	CMO	FINANCE	HR	PLANNING	PW	FD	PD
<b>POLICY</b>							
Public Works & Utilities					Director		
HR/Finance/Citizen	Exec Asst	ACM					
Public Safety <i>(Alternate biannually: PD-FD)</i>						Alternate	Chief
<b>ADVISORY</b>							
PTR	Exec Asst						
DMPC	Exec Asst						
Rosenwald		Community Center Coordinator					
HTF	Exec Asst			Director			
<b>STAKEHOLDER / STEERING</b>							
Ecusta Trail				Director			
STR				Director			
<b>STATUTORY</b>							
City Council	City Clerk						
Planning Board				Director			
Board of Adjustment				Director			
ABC	Exec Asst						

**RESOLUTION REFINING THE STRUCTURE  
OF BREVARDS COMMITTEES  
R-2022-???**

WHEREAS, the City of Brevard initiated five (5) new City Council Committees on April 20, 2015 to operate as policy review and discussion arms of the City Council. Those committees were to review policy matters referred to them, inform and educate Council on programs and issues. Those Committees were not to be involved with administering or directing city staff, but to be policy and program advocates; and

WHEREAS, the five (5) committees were formed by separate resolutions which have subsequently been individually amended from time to time to adjust membership and purpose, which can add confusion in committee purpose, role, membership, and procedural processes; and

WHEREAS, a single enabling and establishing document can offer clarity and ease of reference while preserving the individualistic topics that each policy committee may consider; and

WHEREAS, City Staff were made permanent members of the five (5) committees and serve as voting members, which is incompatible with freely advocating principles and practices without fear of retaliation; and

WHEREAS, the Brevard City Council does desire restructuring committees; and

WHEREAS, Policy Committees shall have the primary task of evaluating, studying, and advocating policy and program initiatives to the Mayor and City Council; and

WHEREAS, Advisory Committees shall consider and advise Policy Committees, and/or the Mayor and City Council on the direction, scope, timeline and methods associated with a program, process and or project. They may meet on a consistent basis; and

WHEREAS, Stakeholder Committees shall consider and advise Policy Committees, and/or the Mayor and City Council on progress, to define success, and refocus efforts on future goals. They may meet on an as needed basis, and should be dissolved upon completion of the mission, purpose, or task; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of City of Brevard that:

1. These committees are designated as the City of Brevard Policy Committees:
  - a. Human Resource, Finance & Citizen Appointment
  - b. Public Safety
  - c. Public Works and Utilities

2. These committees are reconstituted and organized as Advisory Boards, Commissions, and Committees:
  - a. Downtown Master Plan
  - b. Parks, Trails, and Recreation
  - c. Housing Trust Selection
  - d. Rosenwald Community Advisory Board
3. This committee is reconstituted and organized as a Stakeholder Group:
  - a. Ecusta Trail Advisory Board
  - b. Short Term Rental Task Force
4. City Employees will not be voting members of existing or future Policy Committees, Advisory Boards, Commissions, and Committees, or Stakeholder Groups. City employees may have liaison roles or act as subject matter experts advising or supporting Policy, Advisory, or Stakeholder Committees, Boards and Commissions.
5. "Policy: *Committee Rules and Procedures*," are incorporated by reference, and adopted.
6. "Policy Addendum: (*Committee Rules and Procedures*) Citizen Appointment Procedures," are incorporated by reference, and adopted.
7. "Policy Addendum: (*Committee Rules and Procedures*) Committee Structure Policy Committees, Advisory Boards or Commissions, and Stakeholder Groups" are incorporated by reference, and adopted.
8. Rescind Article XII Personnel Board, from the City of Brevard Personnel Policy. Authorize other necessary and prudent revisions or modifications to the Personnel Handbook that eliminates the reference and use of the Personnel Board, in a manner that is satisfactory and approved by the City Attorney.
9. Rescind the previous Resolutions that established and/or amended the formation of City Council Committees, which includes, but is not limited to the following Resolutions:
  - a. Public Works and Utilities, Resolution 2015-12
  - b. Public Safety, Resolution 2015-13
  - c. Parks, Trails, and Recreation, Resolutions 2015-14; 2015-21
  - d. Finance and Human Resources, Resolution 2015-15
  - e. Downtown Master Plan, Resolutions 2015-16; 2015-21; 2017-04
  - f. Housing Trust Fund Selection Committee, Resolutions 2016-19; 2019-03; 2021-07;
  - g. Rosenwald Community Advisory Board, Resolution 2021-23

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

**ADDENDUM #3**  
**Issues for Discussion**

1.) Committee/boards

*Do you wish to continue with the committee/board approach (rather than the 'committee of the whole' approach)? Do you wish to continue with the current group of committees/boards? Do the current committees/boards represent your priorities? If not, what would you change?*

2.) Committee/board classification

*Are the distinctions between the types of bodies clear? Are the distinctions between the types of bodies appropriate? Are the various groups categorized appropriately? If not, why?*

3.) Committee/board makeup

*How many members should each body contain? Who should the members be? Who should vote? Will seats on certain committees/boards be designated?*

4.) Referral process

*How do items get placed on the committee/board agenda? Does chairperson set agenda? Can the full board refer items? Can others place items? If so, who?*

5.) Committee/board rules of procedure?

*Shall individual committees/board chairs have the ability to run meetings as they see fit?*

6.) Policymaking process.

*What happens after a subject is heard/decided by a committee/board? Are advisory boards and stakeholder groups permitted to refer directly to full City Council? If so, under what circumstances? Can decisions that have fiscal impacts be made mid-year?*

7.) Appointment process.

*What are the eligibility criteria for serving on a committee/board? What other criteria should the HR/Finance Committee consider when evaluating candidates? Are you okay with the tweaks to the current terms as described in the Interim CM's memo?*

8.) Transparency/community engagement

*Should the committee/board meetings be streamed? Should meetings be held in the evening so more people can participate? Is it worth it to extensively advertise the agendas, etc. to drum up public interest in the committee/board meetings*

**ADDENDUM #4**  
**Straw Votes Tally Sheet**

DECISION ITEM	TALLY

