

RESOLUTION 3207

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA, ESTABLISHING THE RESTORE ACT ADVISORY COMMITTEE; PROVIDING DUTIES AND RESPONSIBILITIES; PROVIDING THAT THE SUNSHINE ACT APPLIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in response to the Deepwater Horizon oil spill the United States Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, known as the RESTORE Act; and

WHEREAS, one purpose of the Act is to ensure that the federal government distributes a substantial portion of fines or settlement amounts collected as a result of the oil spill to affected communities; and

WHEREAS, the Act empowers the Board of County Commissioners to spend or distribute Restore Act funds for various purposes and projects authorized by the Act; and

WHEREAS, the Board of County Commissioners finds that an advisory committee would assist the Board in identifying and approving projects for funding under the Act and other sources.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA, AS FOLLOWS:

SECTION I. ESTABLISHMENT OF THE RESTORE ACT ADVISORY COMMITTEE.

A. The Bay County Board of County Commissioners establishes the RESTORE Act Advisory Committee.

B. The RESTORE Act Advisory Committee shall be comprised of nine (9) members selected as follows:

1. The Executive Director or designee from each of the three organizations listed below shall serve on the Committee, all to be appointed by the Board of County Commissioners.

- a. The Bay County Economic Development Alliance
- b. The Port of Panama City
- c. The Gulf Coast Workforce Development Board.

Additionally, the Dean of Florida State University
Panama City

2. Each Commissioner shall nominate one person to serve on the Committee, who shall not hold another public office.
3. The term of membership for each committee member shall be four years. However, in order to promote continuity and prevent a complete change of membership in any given year, the initial term of appointment for each member appointed by each Commissioner pursuant to subsection 2 above shall be for the same remaining term as the Commissioner making the appointment. Thereafter, the term of membership for all Committee members shall be four (4) years. Nothing herein shall be construed to prohibit any individual Committee member from holding consecutive terms.
4. Committee members may be removed by the Board with or without cause. The Committee Chairman shall recommend to the Board the removal of a Committee member who accrues three unexcused absences from regularly-scheduled meetings of the Committee during the calendar year. Absences may be excused by a vote of the Committee members present at any meeting.
5. The Committee shall elect a Chairperson to preside at all meetings. The Chairperson shall be elected at the first meeting and subsequently in January of each year and shall serve until the first meeting in January of the following year. There shall be no term limits for a member to serve as Chairperson. The Committee shall elect a Vice-Chairperson to preside and act on behalf of the Chairperson during his or her absence. The term of office and method of election for the Vice-Chairperson shall be the same as the Chairperson.
6. Five (5) Committee members shall constitute a quorum for the purpose of conducting business. Each member shall exercise one vote on all matters subject to a vote of the Committee. All matters shall be decided by a majority vote of the members present. No member shall abstain from voting unless the member believes he could have a conflict of interest and no legal waiver applies.
7. The office of the County Manager shall provide for clerical and administrative support to the Committee as may be reasonably required for the proper performance of its duties, and shall at a minimum arrange

to publish notice of Commission meetings, record all meetings, retain public records, and prepare the minutes.

SECTION II. DUTIES OF THE RESTORE ACT ADVISORY COMMITTEE.

A. The RESTORE Act Advisory Committee shall have the following duties and responsibilities:

1. Within four months of its initial meeting, the Committee shall draft a plan, after taking public input, that contains goals, objectives, and policies to guide the Committee and the Board in selecting projects for funding with RESTORE Act funds. At a minimum, the plan shall contain elements for economic development and job creation, the environment, and public infrastructure.
2. The Committee shall present the plan to the Board for review and approval.
3. The Committee shall develop, and recommend to the Board for approval, a list of criteria for use by the Committee and the Board when selecting projects for funding.
4. The Committee shall receive and review proposed projects submitted to Bay County for consideration under the RESTORE Act. The Committee shall apply the plan and the criteria in selecting projects for recommendation to the Board.
5. In addition to projects intended to be funded from the RESTORE Act funds, the Committee may make recommendations to the Board about projects funded from other sources.
6. The Committee shall have such other duties as may be ordered by the Board.
7. The Committee shall meet regularly, at least bi-monthly. The chairman may call separate meetings and shall hold special meetings when requested by (5) five members of the Committee, or upon direction of the Board. All meetings shall be duly noticed public meetings, all records shall be public records, and meetings shall be conducted in accordance with rules of procedure for public meetings established by the Board.

8. Members shall not be compensated, but may be paid for travel and other expenses incurred on official business authorized in advance by the County Manager, and at State rates.

9. Annually the Chairman of the Committee shall prepare and deliver a report to the Board on the activities of the Committee, on the progress made on projects approved by the Board, and on Restore Act of funds requested and received.

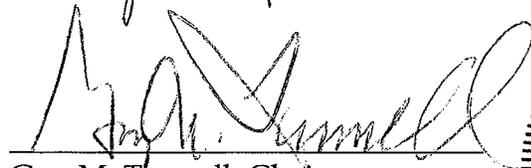
SECTION III. SUNSHINE LAW.

The Committee shall be subject to and each member shall be responsible for compliance with the Florida Sunshine Law and the Florida Public Records Act.

SECTION IV. EFFECTIVE DATE.

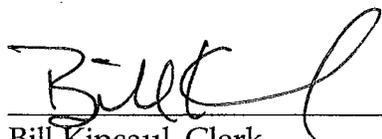
This Resolution shall become effective upon adoption by the Board of County Commissioners.

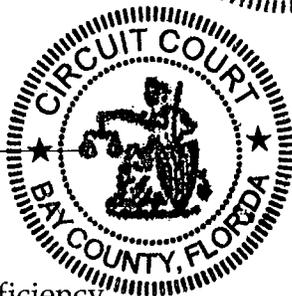
DONE AND ADOPTED by the Board of Commissioners of Bay County, Florida, on this day of January 21, 2014


Guy M. Tunnell, Chairman



ATTEST:


Bill Kinsaul, Clerk



Approved for form and sufficiency


Office of County Attorney