

1.14 SALES SURTAX CITIZENS ADVISORY COMMITTEE

The School Board of Clay County, Florida, (“Board”) in accordance with the Amended Resolution to seek the approval of the electors for a half-cent sales surtax, passed by the Board on June 4, 2020, and the subsequent approval of the imposition of said sales surtax by the electors on November 3, 2020, hereby adopts a School Board Policy to establish and appoint a Citizens Advisory Committee (“the Committee”) to monitor the expenditure of sales surtax funds as follows:

A Citizens Advisory Committee, consisting of Clay County citizens, the purpose of which is to monitor and advise the Board and District staff on the expenditure of sales surtax funds, is hereby established. The appointment of Committee members and the rules governing the Committees organization and operation are set forth in this Policy.

A. PURPOSE OF THE SALES SURTAX CITIZENS ADVISORY COMMITTEE

1. The purpose of the Committee, as stated in the Resolution, “is to monitor and advise the Board and District staff on the expenditure of funds” generated by the Sales Surtax.

2. Committee members shall receive no financial compensation or remuneration for their efforts and labors. This Committee is made up of volunteers.

3. The Committee shall provide general oversight of the expenditure of funds generated by the half-cent sales surtax for school facilities to assure that the capital expenditures are as authorized by Section 212.055(6), *Florida Statutes*, and are in accordance with the Board’s published EDFIRST Plan and other critical unlisted needs which become apparent over time.

4. The Committee shall not direct District staff, attempt to control the Operations department staff, or attempt to establish or dictate project priorities which are binding on the District Administrators in carrying out their duties.

5. The Committee may research, interview, and investigate as necessary to fulfill its duties and responsibilities as set forth herein. It may request access to additional information to augment that which is supplied to it for review by the Assistant Superintendent of Operations.

6. The Committee shall advise, counsel, inform, brief, and illuminate the Board, District Staff and the Public on findings resulting from performance of its duties. Information provided to the public shall be through quarterly and annual reports which are initially made to the Board. Statements or declarations by the members of the Committee may be released to the public by the Committee chair after notice of said statements has been provided to the Superintendent. Open communication between Committee members and Board members and the Superintendent, within the dictates of the Florida Sunshine Law, are encouraged.

7. The Committee may make non-binding recommendations to the Board and Staff (through the Superintendent and Senior Administrators as appropriate) when their findings suggest the need for such recommendations.

8. The Committee shall work cooperatively with the Board, the Superintendent of Schools, and District employees to accomplish its goals and objectives.

9. The Committee shall comply with Board policies and federal and state law regarding non-discrimination.

10. The Committee may request to present initial findings at a Board workshop for the purpose of obtaining clarification or explanation of disputed or ambiguous findings.

B. APPOINTMENT OF COMMITTEE MEMBERS

1. There shall be eleven (11) active Committee members. Each Board member shall nominate/appoint two (2) active Committee members and one (1) alternate member, all of whom shall be residents of the nominating Board member's District. The Superintendent of Schools shall nominate/appoint one (1) active Committee member and one (1) alternate member.

2. It shall be the responsibility of each Board member and the Superintendent to determine which Clay County citizens they want to nominate/appoint to the Committee, both active members and the alternate, and to obtain a commitment from said individuals. The Committee member search process and application process, including the Application document, shall be posted on the Board's website.

3. Prospective members shall have no direct or indirect conflict of interest in any past or present contract with the Board or a financial interest in any projects that are funded by the Sales Surtax or any other District capital project funds. Members shall be residents of Clay County. No voting Committee member shall be an employee of Clay County District schools in any capacity.

4. Proposed members shall submit to a background check.

5. The makeup of the Committee, consisting of the members proposed by the Board and Superintendent, shall be presented to the Board for approval at a regular Board meeting. A proposed member may only be rejected for good cause, which is defined as that cause which is required for the Board to reject an individual proposed for an appointment by the Superintendent.

C. TERMS OF COMMITTEE MEMBERS

1. The initial Committee member appointments shall be separated into two (2) categories. Each nominating official shall be appointing one (1) active committee member to serve an initial term of three (3) years and one (1) active committee member to serve an initial term of two (2) years. The Alternate members shall serve indefinite terms.

2. The terms of active members shall be staggered with the three (3) year initial term running from the date of appointment until the School Board meeting occurring in the same calendar month as the initial appointment, three (3) years subsequent to the appointment year. The two (2) year initial terms shall run from the date of appointment until the School Board meeting occurring in the same calendar month as the initial appointment, two (2) years subsequent to the appointment year. After the initial term, and re-appointment of Committee members at the end of the initial term, all Committee members shall serve three (3) year staggered terms. (For the sake of simplicity, the members initially appointed may be classified as “A” members and “B” members to separate the three (3) year members from the two (2) year members. After the initial term, such designations would serve no purpose.)

3. Committee members may be appointed to serve a maximum of two (2) consecutive terms after which a different person must be appointed to fill that position. The appointee to fill the position of an individual who may no longer serve as a member may not be a member of the retiring persons household or related by either blood or marriage within one degree.

D. VACANCIES

If a vacancy should occur before the expiration of any regular member’s term, the Alternate for the retiring member’s district shall succeed to the retiring member’s seat and serve the unexpired balance of his or her term. If such Alternate’s seat is also vacant, the nominating official for that seat shall nominate successors to both positions following the procedure outlined in Section B of this Policy, and the School Board shall appoint the successor regular member to fill the unexpired balance of the term and an alternate member for that district for an indefinite term.

E. OFFICERS AND ORGANIZATION

1. The newly appointed Committee members shall meet to organize on the first Tuesday of the month following the appointment of the Committee members by the Board. During this organization meeting the Committee shall elect a Chair and a Vice Chair. The Chair shall preside over the meetings of the Committee and serve as liaison to the School Board and District Staff. The Vice-Chair shall perform the Chair’s duties in the Chair’s absence.

2. After election of officers, The Committee shall determine a schedule of meeting dates and may outline such other organizational committees, duties, procedures, and processes as the Committee deems necessary to carry out their duties. Other than election of officers and scheduling of meeting dates, all other organizational activities are optional.

F. COMMITTEE MEETINGS

1. The Committee shall meet quarterly. Notice of Committee meetings shall be published on the District’s website along with other public meetings of the School Board. The meetings will be open to the public, and public comment shall be allowed prior to conclusion of the meeting.

2. Special additional meetings may be called by the Committee Chair.
3. Meetings shall be conducted under Robert's Rules of Order for small boards or committees.
4. Minutes shall be taken at each meeting. All meeting minutes shall be reviewed and approved by a majority of the members prior to being submitted to the Board. The Board shall archive and publish meeting minutes as required by law.
5. Members of the Committee may remotely attend and participate in committee meetings by use of telephonic and other electronic media. However, quorum of the members must be physically present to conduct a meeting at which action is required. Members shall notify the Committee Chairman forty-eight (48) hours in advance of a meeting of their intention to attend remotely in order to allow necessary arrangements to be made by district staff. A Committee member in remote attendance must be audible to all other Committee members and the public and must be able to hear the discussions of all other Committee members and any public speakers throughout the entire meeting.

G. QUORUM

1. Six (6) members of the Committee shall constitute a quorum for its meetings and must be physically present at the meeting site. A minimum of one (1) member appointed by each appointing official shall be present at any meeting at which any action is taken or a quorum required. A quorum may be made up of any six (6) members of the Committee. If no appointed member of a district committee is physically present at a committee meeting, the appointed alternate from the same district that is physically present may assume the duties and vote in the committee member's place for that committee meeting only.
2. There shall be no voting by proxy.

H. SUNSHINE LAW AND PUBLIC RECORDS LAW

1. As an advisory committee to the School Board, the Advisory Committee is subject to the Florida Sunshine Law as codified in Chapter 286, *Florida Statutes*. Accordingly, between public meetings, Advisory Committee members shall refrain from discussing with other Committee members any business that might come before the Committee. However, the Sunshine Law does not preclude Committee members from communicating with District staff and individual School Board members outside of public meetings.
2. The Committee shall comply with Florida's Public Records Act, Chapter 119, *Florida Statutes*.

I. REPORT AND RECOMMENDATIONS

1. The Committee may request input from the District liaison at Committee meetings.

2. In January each year, the Committee shall submit to the School Board a report on its activities for the preceding year.

3. Upon request by the Board, the Committee Chair shall appear before the Board at a regular or workshop meeting to present and explain the findings set forth in the Annual Report.

4. The Committee may propound written questions approved by the majority of the Committee, which questions shall be sent to the Board Chair by way of the Executive Secretary to the Superintendent and the Board. Said questions shall be placed on the Board agenda for the regular Board meeting immediately following transmittal of said questions, for review and discussion by the Board and the Superintendent.

J. EX-OFFICIO MEMBERS/DISTRICT LIAISON

1. The Assistant Superintendent of Operations shall serve as ex-officio member of, and as District Liaison to, the Committee. An ex-officio member shall have no authority to direct the membership or to vote on any issues but may advise as appropriate or as requested by the membership.

2. The Assistant Superintendent of Operations shall provide any documents or records which set forth completed or ongoing qualifying projects and financial expenditures of sales surtax proceeds for the previous quarter, which records may be needed by the Committee to accurately complete their Quarterly or Annual Reports.

3. The position of Secretary of the Committee shall be an ex-officio position which shall be filled by the designee of the Superintendent. The Secretary shall be in attendance at, and prepare official minutes of, all Advisory Committee meetings. The Secretary may be asked to assist in setting and properly noticing Committee meetings.

4. The Attorney for the School Board shall be designated an ex-officio member of the Committee solely for the purpose of providing legal advice to the Committee Chairman and to the Committee as a whole primarily in the areas of procedural issues (Robert's Rules), Public Meeting and Sunshine Law and Public Records law. Questions on other matters which pose little likelihood of conflict of interest shall be entertained. In the event of a conflict of interest between the Committee and the Board, the Attorney shall decline any request to assist the Committee.

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