

OFFICE OF THE MAYOR

JOHN PEYTON
MAYOR

ST. JAMES BUILDING
117 WEST DUVAL STREET
SUITE 400
JACKSONVILLE, FLORIDA 32202

EXECUTIVE ORDER NO. 2007-04

**TO: All Elected Officials, Department Heads, Division Chiefs,
Independent Agencies, Authorities, Boards, Commissions
and Councils**

FROM: John Peyton, Mayor

RE: Citizens Planning Advisory Committees ("CPACs")

By virtue of the authority vested in me as Mayor by the Charter and as Chief Executive Officer of the Consolidated Government, it is hereby ordered that Executive Order 93-170, as amended pursuant to Executive Order No. 97-211, and Executive Order 01-04, are hereby repealed in their entirety and superseded and replaced with this Executive Order 07-04.

Section 1. Background: In October 1993, former Mayor Ed Austin, demonstrating leadership and vision, assisted Jacksonville in moving forward to become a stronger, more proactive community by issuing Executive Order 93-170, which established the Community and Neighborhood Outreach and Participation Program. Former Mayor John Delaney continued this program, and over the past thirteen (13) years, the six (6) Citizens Planning Advisory Committees, or "CPACs", have grown and matured in response to the needs of each particular planning district. Effective government requires sustained public participation in the identification of community and neighborhood issues and concerns and the development of solutions. Broad-based public involvement in planning, land use and zoning, transportation, community services, economic development, recreation, schools, police, and public safety are absolutely essential for the successful resolution of neighborhood and community issues and concerns. Citizens Planning Advisory Committees were established as an on-going grassroots public participation program and continue to flourish as a testament to Mayor Austin's vision. Mayor John Peyton values and supports the CPAC program and uses input from the CPACs to make decisions and set policy. Therefore, this Executive Order is issued to continue the CPACs, recognize and address any changes that have occurred within the CPACs as they have matured and evolved over the last thirteen (13) years, provide additional flexibility where necessary and desired concerning CPAC purposes, functions, membership, and organization, and clarify the responsibilities of the Housing and Neighborhoods Department concerning the CPACs.



Section 2. Intent and Purpose: The primary purpose of the CPACs is to maintain open and effective lines of communication between Jacksonville residents, businesses, neighborhoods, community organizations, educational institutions and government. Citizens of an area are the best resource for identifying issues, suggesting solutions and developing programs needed to solve existing and future problems in the community. No individuals or group are better qualified to determine a neighborhood's needs than the residents who live or work there. In order to continue to maintain a broad-based community involvement program, Citizens Planning Advisory Committees, as established pursuant to Executive Order 93-170 and amended by Executive Order 97-211 and Executive Order 01-04 will continue to exist and operate throughout the City. The CPACs shall function, from a broad perspective, in concert with the current neighborhood outreach initiatives occurring within the City. The input from the CPACs shall be used by the City in developing the Five-Year Capital Improvement Program for the City, in the amendment and update of various elements of the City of Jacksonville Comprehensive Plan, and in the development of other social and economic programs.

Section 3. Membership of CPACs: Within each of the six (6) Planning Districts of the City, a CPAC shall continue to exist and operate. Members of the CPACs are appointed by the Mayor and may be composed of representatives of the associations, organizations, and groups listed herein, based upon nominations from those entities. Eligibility shall be determined by the Housing and Neighborhoods Department.

(a) **Voting Members**

- (i) One representative and one alternate representative from the neighborhood, civic and homeowners' associations in the district, which are listed in the Directory of Neighborhood Organizations maintained and published by the Housing and Neighborhoods Department; and
- (ii) One representative and one alternate representative from the businesses and business/professional organizations active in the district; and
- (iii) One representative and one alternate representative from the Parent Teacher Association and/or School Advisory Council organizations; and
- (iv) One representative and one alternate representative from other unique community-based organizations and entities in the district, as determined appropriate by the Director of the Housing and Neighborhoods Department, in accordance with this Executive Order; and
- (v) One representative and one alternate representative nominated by each City Council Member, including At-Large Council Members, to each CPAC located in any part of his or her district, to serve during the nominating Council Member's term in office; and

- (vi) One representative and one alternate representative nominated by each Sheriff's Advisory Council (SHADCO) in the district; and
- (vii) "Charter" member of a CPAC, as hereinafter defined.

(b) **Non-voting Members:**

- (i) One City Department Head assigned to the CPAC by the City's Chief Operating Officer; and
- (ii) One representative from Duval County Public Schools, nominated by their Board; and
- (iii) One representative from the Jacksonville Sheriff's Office, nominated by the Sheriff.

(c) All voting members and alternate members must either reside in, or work in a neighborhood which is located in the district, must have a substantial interest in matters which occur within the district or be substantially affected by matters which occur within the district, and must meet the membership criteria established in writing and promulgated by the Director of the Housing and Neighborhoods Department, as such criteria may be amended from time to time.

(d) The City Council Members, associations, organizations, and groups listed above are invited to nominate members to the Mayor, through the Director of the Housing and Neighborhoods Department. The Mayor shall appoint all CPAC members, and all CPAC members, including "charter" members, may be removed by the Mayor at any time. A vacancy on any of the CPACs shall be filled by the Mayor in the same manner as the original appointment. All nominations shall be submitted to, and reviewed by, the Neighborhood Services Division and the Director of the Housing and Neighborhoods Department for forwarding to the Mayor for consideration.

(e) "Charter" members of a CPAC are those members who were originally appointed by Mayor Austin to serve during the first year of the CPACs existence, from 1993 through the end of 1994. "Charter" members who have served continuously, as defined as no more than three consecutive unexcused absences, on the same CPAC to which they were appointed are permanent voting members until such time as they notify the Director of the Housing and Neighborhoods Department that they are no longer able to serve.

(f) Appropriate staff as necessary, including a neighborhood coordinator from the Neighborhood Services Division, a planner from the Planning and Development Department and a representative from the Property Safety Division, shall attend all meetings to offer assistance, provide information, and address citizens' concerns.

Section 4. Functions: The purpose of the CPACs is to identify planning district issues and make recommendations to address them. To accomplish this purpose, each of the CPACs shall:

(a) Serve as a communication link, with the assistance of the Housing and Neighborhoods Department, between Jacksonville's residents, businesses, neighborhood and community organizations, and City government.

(b) Identify local issues in the community, including neighborhood, physical, environmental, social, and economic issues, and research and evaluate alternative solutions to address the issues identified.

(c) Review and make recommendations on district plans or major plans, projects and programs that affect the district, including, but not limited to, land use and zoning, transportation, community services, economic development, recreation, schools, police and public safety.

Section 5. Meetings; By-Laws, Rules and Regulations: The CPACs shall provide for meetings, by-laws, rules and regulations as follows:

(a) Each CPAC shall meet a minimum of eight times a year and shall be authorized to amend rules of organization and procedure for the conduct of its business; provided, however, such rules of organization and procedure shall not conflict with the Model By-Laws, Rules and Regulations attached to this Executive Order. The Model By-Laws, Rules and Regulations shall be binding upon each CPAC and shall govern the conduct of all CPAC meetings from the effective date of this Executive Order, whether or not executed by the chair of the CPAC, until such time as they are amended by a CPAC.

(b) The Model By-Laws, Rules and Regulations may be amended at any regular meeting by a two-thirds (2/3) vote of the total voting membership, provided that the proposed amendment has been submitted to the membership in writing at a previous regular meeting, distributed to the members in writing at least 30 days prior to the vote, reviewed and approved by the Director of the Housing and Neighborhoods Department, and listed on the agenda as a proposed action item.

(c) All meetings of the CPACs, including all subcommittees, shall be open to the public and shall be subject to the provisions of Chapters 112, 119 and 286, *Florida Statutes*, regarding Ethics, Public Records and Government in the Sunshine, and Part 2, Chapter 50 (Procedures Governing Conduct of Public Officials with respect to Ex Parte Communications), and Chapter 602 (Jacksonville Ethics Code) of the City of Jacksonville *Ordinance Code*.

Section 6. CPAC Officers; Duties: The duties of the CPAC Officers shall be as follows:

(a) Each CPAC shall elect a chair and vice-chair from among its members. These officers shall serve for one year or until their successors are elected and take office. Officers may be re-elected for multiple terms; however, no officer may serve for more than two consecutive years.

(b) The chair shall preside over all meetings. Meetings may be called by the chair or by the Director of the Housing and Neighborhoods Department. If the chair is unable to attend a meeting, the vice-chair shall preside. If both the chair and vice-chair are unable to attend a meeting, those members present shall select a member to preside. The chair, or in his/her

absence, the vice-chair or other member presiding, shall sign all formal written motions and resolutions adopted by the CPAC.

(c) The chair shall appoint the chairs and may appoint the members of the subcommittee(s). Subcommittee members must be CPAC members; however, at the discretion of each subcommittee chair, other individuals who have a special expertise or interest in matters which are considered by the subcommittee may be invited to serve as an advisor, or provide outside resources to the subcommittee. Subcommittee participants who are not CPAC members shall not vote.

(d) A minimum of twenty percent (20%) of the total voting membership shall constitute a quorum for a lawful meeting of any CPAC. A simple majority of those present during a lawful meeting shall be required to take any action, except as otherwise required by the By-Laws, Rules and Regulations of each CPAC.

Section 7. Administrative Support: CPAC administrative support shall be as follows:

(a) The Director of the Housing and Neighborhoods Department is responsible for overseeing the CPAC program and shall coordinate administrative, professional and technical support, as appropriate, to the CPACs. The staff support services provided to the CPACs may vary from year to year, depending on staff availability and CPAC needs. The support and services to be provided to the CPACs shall be specified in writing and promulgated by the Director of the Housing and Neighborhoods Department to the CPACs, and may be updated, amended, modified, or revised from time to time, as deemed necessary by the Director of the Housing and Neighborhoods Department in his/her discretion.

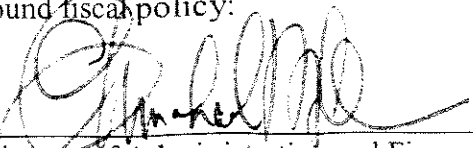
(b) The Director of the Housing and Neighborhoods Department shall assign appropriate professional staff to each CPAC who will coordinate its activities and who shall be assisted by the appropriate representative from the Planning and Development Department, Jacksonville Sheriff's Office and the Duval County School Board. A staff member shall attend each CPAC meeting and shall prepare and maintain the minutes from each meeting, but not each subcommittee meeting. The Housing and Neighborhoods Department and the CPAC chairs shall report to the Mayor's Office on a regular basis to fully advise the Mayor regarding all CPAC activities.

(c) Heads of City departments are hereby directed, and each of the independent agencies are hereby requested, to provide appropriate staff to each CPAC at the request of the Director of the Housing and Neighborhoods Department, or his/her designee.

(d) Members of the CPACs and CPAC subcommittee shall serve without compensation.

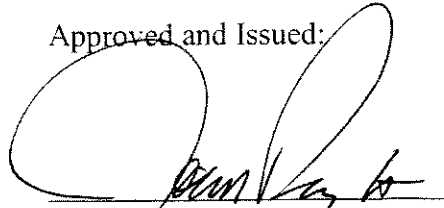
Section 8. Effective Date: The effective date of this Executive Order No. 07-04 shall be retroactive to October 1, 2006, in order to maintain consistent operations of the CPACs, and it shall remain in full force and effect unless and until amended or repealed by the Mayor of the City of Jacksonville.

Approved as to conformity with
sound fiscal policy:



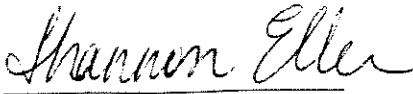
Director of Administration and Finance

Approved and Issued:



John Peyton, Mayor

Form Approved:



Office of General Counsel

Approval date: May 17, 2007

Effective date: October 1, 2006

ATTACHMENT TO EXECUTIVE ORDER NO. 2007-04

MODEL BY-LAWS, RULES, AND REGULATIONS FOR CITIZENS PLANNING ADVISORY COMMITTEES (CPACs)

ARTICLE I: PURPOSE OF RULES

The purpose of these Model By-Laws, Rules, and Regulations is to establish procedures for the conduct of business and the internal administration of the Citizens Planning Advisory Committees (CPACs) in accordance with Executive Order No. 2007-04, which continued, updated and clarified the CPACs purposes, functions, membership, organization, and the responsibilities of the Housing and Neighborhoods Department.

ARTICLE II: MEMBERSHIP

- A. Voting members of the CPACs are appointed by the Mayor and may be composed of representatives of the associations, organizations, and groups listed herein, based upon nominations from those entities. Eligibility shall be determined by the Housing and Neighborhoods Department.
1. One representative and one alternate representative from the neighborhood, civic and homeowners' associations in the district, which are listed in the Directory of Neighborhood Organizations maintained and published by the Neighborhoods Services Division; and
 2. One representative and one alternate representative from the businesses and business/professional organizations active in the district; and
 3. One representative and one alternate representative from the Parent Teacher Association and/or School Advisory Council organizations; and
 4. One representative and one alternate representative from other unique community-based organizations and entities in the district, as determined appropriate by the Director of the Housing and Neighborhoods Department, in accordance with this Executive Order; and
 5. One representative and one alternate representative nominated by each City Council Member, including At-Large Council Members, to each CPAC in any part of his or her district, to serve during the nominating Council Member's term in office; and
 6. One representative and one alternate representative nominated by each Sheriff's Advisory Council (SHADCO) in the district; and

7. "Charter" members of a CPAC, as defined in the current Executive Order governing the CPACs.
- B. Non-voting members of the CPAC shall consist of the following:
1. One City Department Head assigned to the CPAC by the Chief Operating Officer; and
 2. One representative from Duval County Public Schools nominated by their Board; and
 3. One representative from the Jacksonville Sheriff's Office (JSO) nominated by the Sheriff.
- C. Criteria:
1. The Council members and associations, organizations, and groups listed herein may nominate members to the Mayor for appointment to the CPAC. All nominations shall be submitted to, and reviewed by, the Neighborhood Services Division and the Director of the Housing and Neighborhoods Department for forwarding to the Mayor for consideration. Members shall serve until they are removed by the Mayor or they voluntarily resign. Members, including "charter" members, may be removed by the Mayor at any time. Members may resign at any time by writing a letter to the Mayor.
 2. Members must be recommended in writing by the President or a member of the governing body of their organization.
 3. All members must either reside in or work in a neighborhood which is located in the district, must have a substantial interest in matters which occur within the district, or must be substantially affected by matters which occur within the district.
 4. An individual member may represent only one organization in any capacity, whether as a primary or an alternate representative, and shall have only one vote. Alternate representatives shall not vote when primary representatives are in attendance, except in the event that a primary representative has a conflict of interest and abstains from voting.

ARTICLE III: ELECTION OF OFFICERS

- A. At the last regularly scheduled meeting of the calendar year, the CPAC shall elect a chair and vice-chair from among its members. These officers shall serve for one year, or until their successors are elected and take office. Officers may be

re-elected for multiple terms; however, no officer may serve for more than two consecutive years.

- B. Before the October regularly scheduled meeting, the Chair shall appoint a nominating subcommittee. The nominating subcommittee shall present a slate of officers no later than the October regularly scheduled meeting. Elections shall be held no later than the November regularly scheduled meeting. Voting shall be by voice, hand, or written ballot, and limited to one vote per member organization. The nominating subcommittee shall count the ballots. In the case of a tie, members shall vote again until there is at least a simple majority of votes in favor of each officer.

- C. The CPAC may fill any vacancies of the chair or vice-chair prior to the next regularly scheduled election by following the procedures in subsection B above, or may choose to wait until the next regularly scheduled election to fill such vacancy.

ARTICLE IV: OFFICERS, DUTIES, SUBCOMMITTEES, QUORUM, VOTING

- A. Presiding Officer
 - 1. The Chair shall preside over all meetings.
 - 2. The Vice-Chair shall preside in the absence of the Chair.
 - 3. If the Chair and Vice Chair are absent the members present shall select a member to preside.

- B. Formal Action of the CPAC
 - 1. The Chair, or in his or her absence, the Vice-Chair or other member presiding, shall sign all formal written motions and resolutions adopted by the CPAC.
 - 2. The CPAC may conduct other business as deemed necessary in order to perform its function.

- C. Appointment of Subcommittees and Nomination of Subcommittee Officers
 - 1. The Chair of the CPAC shall appoint the chair and may appoint members of each of the standing subcommittees, who shall be members of the CPAC. The standing subcommittees may include, but shall not be limited to, the following:

- Land Use, Planning and Zoning
 - Transportation
 - Youth, Schools, and Recreation
 - Environmental
 - Grants
 - Community Safety and Security
 - Public Works and Utilities
 - Beautification
2. All subcommittee members must be CPAC members; however, at the discretion of each subcommittee chair, other individuals who have a special expertise or interest in matters which are considered by the subcommittee may be invited to serve as an advisor or provide outside resources. Subcommittee participants who are not CPAC members shall not vote.
 3. The Chair shall be a voting member of each subcommittee of which he or she is not a regular member, except the nominating subcommittee. The Chair has the right, but not the obligation, to participate in the proceedings of each subcommittee.
 4. Each subcommittee shall consist of a minimum of three (3) members, and a simple majority of its members shall constitute a quorum.
 5. The subcommittee Chair shall ensure that all subcommittee meetings are properly noticed. Upon request, the Neighborhood Services Division will assist with properly noticing subcommittee meetings.
 6. The subcommittee Chair shall take minutes at all subcommittee meetings and forward the minutes to the Neighborhood Services Division Coordinator at the next regularly scheduled CPAC meeting. At a minimum, the minutes shall include: the date, start time, end time, and location of the meeting, the names of all who attended the meeting, the subject matters discussed, and any motions or votes taken.

D. Constitution of a Quorum

1. A minimum of twenty percent (20%) of the total voting membership shall constitute a quorum for a lawful meeting of the CPAC. Non-voting members shall not be counted as members in determining a quorum.
2. A simple majority of those present during a lawful meeting shall be required to take any action, unless otherwise required herein.

E. Voting

1. Voting may be by written ballot, voice or hand vote only. No secret ballots are allowed.
2. No proxy votes will be permitted.
3. No member may abstain from voting except in the event of a conflict of interest. Each member shall vote yes, no, or declare a conflict of interest under the provisions of Sections 112.311, 112.313 or 112.3143, pursuant to Section 286.012, Florida Statutes.
4. If a conflict of interest has been declared, the person declaring the conflict must abstain from voting. Form 8B Memorandum of Voting Conflict shall be obtained from the staff representative and shall be completed and returned to the staff representative within fifteen (15) days, pursuant to Section 112.3143, Florida Statutes.
5. In the event that the Chair or other officer presiding has a conflict of interest on any item before the CPAC, then, in addition to the above, he/she shall step down from the Chair prior to the commencement of that agenda item.
6. Only one representative from the associations, organizations or groups listed in Article II as voting members shall vote.

ARTICLE V: MEETINGS

A. The CPAC shall meet a minimum of eight times per year and meetings may be called by either the Chair or the Director of the Housing and Neighborhoods Department.

1. Attendance
 - a. Members of the CPAC shall make every reasonable effort to attend all regular and special meetings.

- b. Any member who fails to attend three consecutive regular meetings of the CPAC without just cause as determined by the Housing and Neighborhoods Department, including alternate representatives who fail to attend when requested by the primary representative, shall be automatically removed from the CPAC.

ARTICLE VI: GENERAL RULES

- A. All meetings of the CPAC, including subcommittee meetings, shall be open to the public and are subject to the provisions of the following laws:
 - 1. Part III, Chapter 112, Florida Statutes (Code of Ethics for Public Officers and Employees)
 - 2. Chapter 119, Florida Statutes (Public Records Act)
 - 3. Chapter 286, Florida Statutes (Government in the Sunshine Law)

In addition, all applicable provisions of the City of Jacksonville Ordinance Code, including Part 2, Chapter 50 (Procedures Governing Conduct of Public Officials with Respect to Ex Parte Communications) and Chapter 602 (Jacksonville Ethics Code), must be followed.

- B. All CPAC meetings, including subcommittee meetings, whether formal or informal, and which include two (2) or more members from the same CPAC to discuss an item that may foreseeably come before the CPAC, must be properly noticed and minutes must be taken.
- C. Robert's Rules of Order shall be the accepted authority on all business or actions which come before the CPAC, except in cases where they are not consistent with these By-Laws.

ARTICLE VII: ADMINISTRATIVE SUPPORT TO THE COMMITTEE

- A. The Director of the Housing and Neighborhoods Department is responsible for overseeing the CPAC program and shall coordinate administrative, professional and technical support, as appropriate, to the CPACs, but not to the subcommittees. The staff support services provided to the CPACs may vary from year to year, depending on staff availability and CPAC needs. The support and services to be provided to the CPACs shall be specified in writing and promulgated by the Director of the Housing and Neighborhoods Department to the CPACs, and may be updated, amended, modified, or revised from time to time, as deemed necessary by the Director of the Housing and Neighborhoods Department in his/her discretion.

- B. The Director of the Housing and Neighborhoods Department shall assign appropriate professional staff to the CPACs, who will then coordinate the activities of the CPAC, including assisting the Chair to set meeting agendas. A staff member shall attend each CPAC meeting and shall prepare and maintain the minutes from each meeting, but not each subcommittee meeting. The staff will be assisted by the appropriate representatives from the Office of the Sheriff and the Duval County Public Schools, as well as appropriate staff from other City Departments, Authorities and Independent Agencies.

ARTICLE VIII: AMENDMENTS

These Model By-Laws, Rules and Regulations may be amended at any regular meeting by a two-thirds (2/3) vote of the total voting membership, provided that the proposed amendment has been submitted to the membership in writing at a previous regular meeting, distributed to the members in writing at least 30 days prior to the vote, reviewed and approved by the Director of the Housing and Neighborhoods Department, and listed on the agenda as a proposed action item.

ARTICLE IX: EFFECTIVE DATE

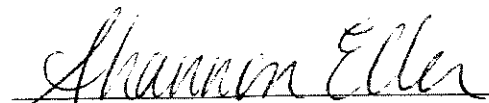
The effective date of these Model By-Laws, Rules, and Regulations shall be October 1, 2006, and they shall remain in full force and effect unless and until amended pursuant to Article VIII above, or modified, amended, or repealed by the City of Jacksonville.

ADOPTED AND APPROVED this ____ day of _____, _____

Chairman of Citizens Planning Advisory Committee
District # _____

Approved as to form:

Director, Housing and Neighborhoods Department



Office of General Counsel