

PROPOSED

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO QUORUM REQUIREMENTS; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AMENDING QUORUM REQUIREMENTS FOR ADVISORY AND OTHER BOARDS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County desires to clarify and establish minimum quorum requirements for advisory and other boards,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 1-233 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 1-233. Terms and process of appointment to Broward County agencies, authorities, boards, committees, commissions, councils, and task forces; quorum.

All appointments to advisory boards, committees, commissions, councils, and task forces established by Broward County ordinance or resolution (collectively, "advisory boards"), and all appointments to agencies, development and redevelopment authorities, and regulatory and adjustment boards established pursuant to federal or state law, the Broward County Charter, or interlocal agreements (collectively, "other boards"),

except where inconsistent with the Broward County Charter, general or special law, or the enabling enactments of such advisory boards or other boards, shall be subject to the following requirements:

...

(g) Unless otherwise required by Florida law, ~~The~~ the number of members needed to constitute a quorum on any advisory or other board shall be a majority of the total appointed board members, provided that at least three (3) members are physically present at the meeting. Except as provided in Section 1-233(g)(1), ~~once a quorum has been established by~~ if three (3) members who are physically present at a meeting, members who are not physically present may attend and participate in a the meeting by using communications media technology ("CMT"), such as telephonic or video conferencing or other electronic transmission of audio, video, or printed matter.

...

Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective

date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 4. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Adam M. Katzman 09/20/2022
Adam M. Katzman (date)
Senior Assistant County Attorney

By: /s/ René D. Harrod 09/20/2022
René D. Harrod (date)
Chief Deputy County Attorney

AMK/mb
2022 Quorum Amendment
10/12/2022
613137_8

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.