



Broward County

Legislation Text

File #: 22-1435, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on October 11, 2022, at 10:00 a.m., in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REPEAL OF OBSOLETE OR OUTDATED PROVISIONS IN CHAPTER 1 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); REPEALING SECTION 1-6 RELATING TO THE PURCHASE OF UNIFORMS FOR CERTAIN BROWARD COUNTY EMPLOYEES, SECTION 1-8 RELATING TO PUBLIC INFORMATION ON THE ENERGY CRISIS, SECTION 1-12 RELATING TO ELECTRONIC ACCESS TO PUBLIC RECORDS, SECTION 1-20 RELATING TO THE EXECUTION OF AGREEMENTS WITH SECOND PARTIES, SECTION 1-21 RELATING TO THE TIME LIMITATION ON BRINGING MATTERS BEFORE THE BOARD OF COUNTY COMMISSIONERS, AND SECTION 1-46 RELATING TO INDEMNIFICATION CLAUSES IN FEDERAL PROJECT CONTRACTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of August 25, 2022.

What Action Accomplishes

Enables the setting of a public hearing during which the Board may consider enacting the proposed Ordinance.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On August 25, 2022, the Board of County Commissioners ("Board") directed the Office of the County Attorney to prepare Ordinances to amend or repeal outdated or obsolete provisions of the Broward

County Code of Ordinances (“Code”) and present such Ordinances for consideration by the Board. This proposed Ordinance repeals sections of the Code that are obsolete and no longer consistent with the County’s current practice.

Section 1-6 of the Code declares the budgeting and expenditure of funds to purchase uniforms for certain employees to be a public purpose. Section 1-8, which was enacted in 1974 during the energy crisis, authorizes expenditure and budgeting for the purpose of public information regarding the energy crisis. These provisions are unnecessary and obsolete as the purchase of uniforms is addressed in applicable collective bargaining agreements and the energy crisis has subsided.

Sections 1-20 and 1-46 authorize the Board to approve agreements that contain indemnification provisions. The law in the State of Florida has substantially changed since these provisions were enacted in the 1970s, and these provisions are no longer required.

Section 1-21 of the Code provides that, except by affirmative vote of four Commissioners, any matter on which the Board has denied a motion to take action may not be brought back before the Board for 12 months. This is inconsistent with current Board policy, as stated in Chapter 18 of the Broward County Administrative Code.

This proposed Ordinance is the first of multiple related ordinances in a continuing process that is expected to be completed within 12 to 18 months from the August 25 Board direction.

Source of Additional Information

René D. Harrod, Chief Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.