

PROPOSED

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO COUNTY COMMISSION MEETINGS AND PROCLAMATIONS; AMENDING SECTIONS 18.5, 18.6, AND 18.46, AND CREATING SECTION 18.47, OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Broward County Board of County Commissioners has determined that the rules adopted herein will better ensure orderly, efficient County Commission meetings, NOW, THEREFORE,

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

Section 1. Section 18.5 of the Broward County Administrative Code is hereby amended to read as follows:

18.5. Conduct of Meetings; Agenda.

...

e. *Ordinances*, ~~*Resolutions*~~, ~~*Motions*~~, and *Contracts*.

...

2. ~~*Approval of Ordinances*~~ *by County Attorney*. All ordinances, resolutions, and contract documents, and any amendments thereto, shall have been reduced to writing and shall have been approved as to form by the County Attorney before presentation to the Commission.

1 3. *Introducing for Passage or Approval; Setting for Public Hearing.*
2 Ordinances, resolutions, and other matters and subjects requiring action by
3 the Commission, must be introduced and sponsored by a member, or
4 members of the Commission, except that ~~either~~ the County Administrator,
5 the County Auditor, or the County Attorney may present resolutions and
6 other matters or subjects to the Commission for consideration, and any
7 Commissioner may assume sponsorship thereof by moving that such
8 resolution, matter, or subject be adopted in accordance with law; otherwise
9 they shall not be considered. Items setting the public hearing date for
10 ordinances and resolutions shall be included on the consent agenda, unless
11 removed from the consent agenda by a Commissioner.

12 . . .

13 Section 2. Section 18.6 of the Broward County Administrative Code is hereby
14 amended to read as follows:

15 **18.6. Public Participation.**

16 a. *Opportunity for Public Comment.* Members of the public shall be provided
17 a reasonable opportunity to be heard on agenda items before the County Commission,
18 unless otherwise stated in this section or provided by law. Unless otherwise required by
19 law or determined appropriate by the Mayor, a member of the public shall be permitted to
20 comment on any item at only one meeting unless the item substantially and materially
21 changes prior to the County Commission's final consideration of the item or more than
22 thirty (30) days pass between the date public comment occurs and the date the item is
23 subsequently considered by the County Commission.

24 . . .

Section 3. Section 18.46 of the Broward County Administrative Code is hereby amended to read as follows:

18.46. Authorization of Other Commissioners to Sign on Behalf of County When Mayor and Vice-Mayor are Both Unavailable.

Except as otherwise prohibited by law, and notwithstanding any provision in the Broward County Administrative Code to the contrary, all contracts and ~~other items~~ other than ceremonial proclamations that the Mayor or Vice-Mayor is required to sign on behalf of the County may, if the Mayor and Vice-Mayor are both unavailable, be signed on behalf of the County by the available sitting Commissioner who most recently served as County Mayor.

Section 4. Section 18.47 of the Broward County Administrative Code is hereby created to read as follows:

[Underlining omitted]

18.47. Proclamations.

a. Ceremonial proclamations may only be issued in accordance with the provisions of this section. Whenever possible, proposed proclamations must be presented to the Mayor for consideration at least five (5) business days in advance of the requested date for issuance. Only the Mayor may sign a proclamation on behalf of Broward County or the Broward County Board of County Commissioners, except as follows:

1. The Vice-Mayor may sign a proclamation timely submitted to the Mayor if the Mayor is unavailable for two (2) consecutive business days and the proclamation is scheduled to be issued prior to the time the Mayor will become available.

2. If the Mayor or Vice-Mayor, as applicable, is unavailable or otherwise unwilling to sign a proclamation, then such proclamation may be issued under the signature of its sponsor(s) if issuance of the proclamation is approved by a majority of the County Commission.

b. Copies of all proclamations shall be maintained by the Office of Public Communications.

c. Any individual permitted to issue a proclamation may either stamp or sign the proclamation or may authorize another person to sign or stamp the proclamation on their behalf.

d. Nothing provided herein shall restrict the ability of an individual Commissioner to issue certificates of appreciation or similar honors for individuals or entities, regardless of whether the recipients are within the Commissioner's district, so long as the applicable honor expressly indicates it is issued in the Commissioner's individual elected capacity and does not indicate or imply it is issued on behalf of Broward County or the Board of County Commissioners. A certificate or similar honor issued under this paragraph may not name a "day" in appreciation of any person or entity.

Section 5. Severability.

If any portion of this Administrative Code Resolution 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 Resolution. If any court determines that this Resolution, 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 Resolution to any other individual, group, entity, property, or circumstance.

Section 6. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 7. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2021. **PROPOSED**

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

By /s/ Joseph K. Jarone 07/21/2021
Joseph K. Jarone (date)
Assistant County Attorney

By /s/ René D. Harrod 07/21/2021
René D. Harrod (date)
Chief Deputy County Attorney

JKJ/jl
Meeting Procedures
07/21/2021
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.