

PROPOSED

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE SELECTION OF A SUBSTITUTE CANVASSING BOARD MEMBER; WAIVING SECTION 18.33 OF THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Mayor Dale V.C. Holness)

WHEREAS, Section 102.141, Florida Statutes, provides that the Mayor, as chair of the Broward County Board of County Commissioners ("Board"), is a member of the Broward County Canvassing Board ("Canvassing Board") unless the Mayor is ineligible to serve;

WHEREAS, if the Mayor is ineligible to serve, the Board must appoint another County Commissioner to serve on the Canvassing Board;

WHEREAS, Section 18.33 of the Broward County Administrative Code ("Administrative Code") provides that if the Mayor is ineligible to serve on the Canvassing Board, then the Vice-Mayor shall serve; and if the Vice-Mayor is ineligible to serve, then the duty passes to the other County Commissioners by order of district number;

WHEREAS, Mayor Holness is an active participant in the elections being canvassed in calendar year 2020 and is therefore unable to serve on the Canvassing Board, and Commissioner Udine has indicated he is willing and eligible to serve on the Canvassing Board for calendar year 2020; and

WHEREAS, the Board finds it is in the best interest of the County to waive Section 18.33 of the Administrative Code and appoint Commissioner Udine as a substitute member of the Canvassing Board, NOW, THEREFORE,

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

3 Section 1. Section 18.33 of the Broward County Administrative Code is hereby
4 waived, and Commissioner Udine is appointed as a substitute member of the Canvassing
5 Board for calendar year 2020.

6 Section 2. Severability.

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

13 Section 3. Effective Date.

14 This Resolution is effective upon adoption.

15 ADOPTED this _____ day of _____, 2020. **PROPOSED**

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

18 By /s/ Scott Andron 01/15/2020
19 Scott Andron (date)
20 Assistant County Attorney

21 By /s/ Mark A. Journey 01/15/2020
22 Mark A. Journey (date)
Senior Assistant County Attorney

23 MAJ/jc
Waiver of Administrative Code
24 01/15/2020
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