

**PROPOSED**

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA ("BOARD"), AMENDING SECTION 12.290 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); REMOVING THE PROHIBITION AGAINST AT-LARGE MEMBERS FITTING WITHIN CATEGORIES FOR INDIVIDUAL BOARD APPOINTEES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Lamar P. Fisher)

WHEREAS, Section 12.289 of the Broward County Administrative Code ("Administrative Code") created the Broward County Animal Care Advisory Committee ("ACAC"), which exists to assist the County in the development of public policies concerning animal issues, and to assist in goal setting and long-range planning for the Animal Care and Adoption Division;

WHEREAS, pursuant to Section 12.290 of the Broward County Administrative Code ("Administrative Code"), the ACAC consists of eleven members, with each member of the Board of County Commissioners (the "Board") nominating one ACAC member who fits within one of nine specified categories, using the categorical draw method established by the Intergovernmental Affairs/Boards Section, and two at-large members appointed by the Board, neither of whom may fit within the nine membership categories;

WHEREAS, as a result of the restriction relating to the at-large members, many Broward County residents who have knowledge, experience, and passion for the care of animals and wish to assist the County in fulfilling the goals of the ACAC are barred from

1 service merely because they happen to share a profession or volunteer activity with  
2 another member of the ACAC; and

3 WHEREAS, the purposes and goals of the ACAC would be furthered by removing  
4 this prohibition, which will balance the need for a variety of voices on the ACAC with the  
5 desire to ensure that qualified individuals serve on this important advisory board, NOW,  
6 THEREFORE,

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

9 Section 1. Section 12.290 of the Broward County Administrative Code is hereby  
10 amended to read as follows:

11 **12.290. Membership.**

12 (a) The Advisory Committee shall be composed of eleven (11) voting  
13 members, each of whom shall be a resident of Broward County and appointed by the  
14 Board of County Commissioners ("Board"). The Board shall appoint two (2) members  
15 of the Advisory Committee at large, ~~neither of whom shall meet any of the categorical~~  
16 ~~requirements set forth below.~~ Additionally, each Broward County Commissioner shall  
17 nominate one (1) member to the Advisory Committee, using the categorical draw method  
18 established by the Intergovernmental Affairs/Boards Section. The required membership  
19 categories are:

20 . . .

21 Section 2. Severability.

22 If any portion of this Administrative Code Resolution is determined by any court to  
23 be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
24 of the remainder of this Administrative Code Resolution. If any court determines that this

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1 Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
2 individual, group, entity, property, or circumstance, such determination will not affect the  
3 applicability of this Administrative Code Resolution to any other individual, group, entity,  
4 property, or circumstance.

5 Section 3. Inclusion in the Broward County Administrative Code.

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

12 Section 4. Effective Date.

13 This Administrative Code Resolution is effective upon adoption.

14 ADOPTED this            day of            , 2021.

15 **PROPOSED**

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

18 By /s/ Nathaniel A. Klitsberg 04/07/2021  
19 Nathaniel A. Klitsberg (date)  
20 Senior Assistant County Attorney

21 By /s/ Maite Azcoitia 04/07/2021  
22 Maite Azcoitia (date)  
23 Deputy County Attorney

24 NAK/vu  
Admin Code Reso Animal Care Advisory Committee  
04/22/2021  
#560418v7

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