## **PROPOSED**

1	ORDINANCE NO. 2021-
2	AN ORDINANCE OF THE BOARD OF COUNTY
3	COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO QUORUMS FOR ADVISORY BOARDS
4	AND OTHER BOARDS; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY,
5	INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.
6	(Sponsored by the Board of County Commissioners)
7	
8	WHEREAS, Section 1-233 of the Broward County Code of Ordinances establishes
9	quorum requirements for advisory boards, committees, commissions, councils, and task
10	forces established by Broward County ordinance or resolution ("advisory boards") and
11	agencies, development and redevelopment authorities, and regulatory and adjustment
12	boards established pursuant to federal or state law, the Broward County Charter, or
13	interlocal agreements (collectively, "other boards"), except where the provisions of
14	Section 1-233 are inconsistent with the Broward County Charter, general or special law,
15	or the enabling enactments of such advisory boards or other boards;
16	
17	WHEREAS, during a declared state of emergency, it may be unsafe or otherwise
18	difficult for advisory boards and other boards to meet in person to conduct their regular
19	business;
20	
21	WHEREAS, the Broward County Board of County Commissioners ("Board")
22	desires to allow advisory boards and other boards to meet during a declared state of
23	emergency using communications media technology, including telephonic or video
24	conferencing, without establishing a quorum of members who are physically present; and

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Coding:

1	WHEREAS, the Board has determined it is appropriate to amend Section 1-233
2	the Broward County Code of Ordinances, pertaining to quorum requirements,
3	
4	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS C
5	BROWARD COUNTY, FLORIDA:
6	
7	Section 1. Section 1-233 of the Broward County Code of Ordinances is hereb
8	amended to read as follows:
9	Sec. 1-233. Terms and process of appointment to Broward County agencies
10	authorities, boards, committees, commissions, councils, and task forces; quorun
11	•••
12	(g) The number of members needed to constitute a quorum on any advisory
13	other board shall be a majority of the total appointed board members. Except as provide
14	in Section 1-233(g)(1), Oonce a quorum has been established by members who are
15	physically present at a meeting, members who are not physically present may attend are
16	participate in $\frac{1}{2}$ meeting by $\frac{1}{2}$ meeting by $\frac{1}{2}$ meeting by $\frac{1}{2}$ meeting by $\frac{1}{2}$
17	("CMT"), such as telephonic or video conferencing or other electronic transmission
18	audio, video, or printed matter.
19	(1) During a declared state or local emergency, both members physical
20	present and members participating in the meeting using CMT shall be
21	counted in determining whether a quorum is present.
22	(2) During a declared state or local emergency, Section 1-233(g)(
23	supersedes any contrary provision of the Broward County Administrative
24	Code or the Broward County Code of Ordinances with respect to ar
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requirement that members be physically present to establish a quorum. This provision shall not be construed to increase or decrease the number of members required to establish a quorum for any advisory board or other board.

## 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.

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Coding:

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1	Section 4. <u>Effective Date</u> .
2	This Ordinance is effective as of the date provided by law.
3	
4	ENACTED
5	FILED WITH THE DEPARTMENT OF STATE
6	EFFECTIVE
7	
8	
Approved as to form and legal sufficiency:	Approved as to form and legal sufficiency:
10	Andrew J. Meyers, County Attorney
11	By /s/ Kristin M. Carter 12/22/2020 PROPOSED
12	Kristin M. Carter (date) Assistant County Attorney
13	
14	By <u>/s/ Annika E. Ashton 12/22/2020</u> Annika E. Ashton (date)
15	Deputy County Attorney
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17	
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19	
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21	
22	KMC/mdw Advisory Board Quorums During Emergency
23	12/22/2020 542284
24	U122U1
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