

**PROPOSED**

ORDINANCE NO.

1  
2 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
3 COUNTY, FLORIDA, PERTAINING TO MEMBERSHIP OF THE INDEPENDENT  
4 TRANSPORTATION SURTAX OVERSIGHT BOARD; AMENDING SECTION 31½-75  
5 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING  
6 FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

7 (Sponsored by the Board of County Commissioners)

8  
9 WHEREAS, Section 31½-75 of the Broward County Code of Ordinances  
10 (the "Transportation Surtax Ordinance") establishes the Independent Transportation  
11 Surtax Oversight Board (the "Oversight Board"), its composition, and the qualifications of  
12 its members;

13 WHEREAS, the Oversight Board is composed of nine (9) members with varied  
14 experience;

15 WHEREAS, the category of membership designated for the Director of the  
16 Broward College Office of Supplier Relations and Diversity must be replaced because  
17 Broward College has eliminated the position; and

18 WHEREAS, the Broward County Board of County Commissioners has determined  
19 it is appropriate to amend Section 31½-75 of the Broward County Code of Ordinances,  
20 pertaining to membership of the Oversight Board,

21 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
22 BROWARD COUNTY, FLORIDA:

23 Section 1. Section 31½-75 of the Broward County Code of Ordinances is  
24 hereby amended to read as follows:

25 **Sec. 31½-75. Independent Transportation Surtax Oversight Board.**

26 To ensure accountability and transparency in the expenditure of Transportation  
27 Surtax proceeds, there is hereby established an independent Transportation Surtax  
28 Oversight Board ("Oversight Board"). The Oversight Board shall review and approve all  
29 proposed expenditures of Transportation Surtax proceeds to ensure consistency with the  
30 requirements of Section 212.055(1)(d), Florida Statutes. No expenditure of  
31 Transportation Surtax proceeds may be made unless such expenditure has been  
32 approved by the Oversight Board.

33 (a) *Composition.* The Oversight Board shall be ~~comprised~~ composed of the  
34 following nine (9) members:

35 . . .

36 (9) ~~The Director of the Broward College Office of Supplier Relations and~~  
37 ~~Diversity, or such person's designee~~ One president of a public institution of  
38 higher education with a geographic presence in Broward County, or such  
39 person's designee provided the designee has knowledge and experience in  
40 supplier relations and diversity.

41 . . .

42 (d) *Term of Oversight Board Members.* ~~The Director of the Broward College~~  
43 ~~Office of Supplier Relations and Diversity shall serve for as long as he or she is employed~~  
44 ~~in that position.~~ All other Oversight Board members shall serve four-year terms and may  
45 be reappointed for successive terms. Any Oversight Board member appointed to replace

46 an Oversight Board member who has been removed or has resigned shall serve for the  
47 balance of the term of such member.

48 . . .

49 (2) *Removal.*

50 a. ~~With the exception of the Director of the Broward College Office of~~  
51 ~~Supplier Relations and Diversity,~~ a member of the Oversight Board  
52 may be removed for good cause determined by supermajority vote  
53 of the Appointing Authority, and shall be removed by a majority vote  
54 of the Appointing Authority if the member no longer meets the  
55 applicable categorical requirement or qualifications for membership.

56 . . .

57 Section 2. Severability.

58 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
59 portion will be stricken, and such striking will not affect the validity of the remainder of this  
60 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
61 legally applied to any individual, group, entity, property, or circumstance, such  
62 determination will not affect the applicability of this Ordinance to any other individual,  
63 group, entity, property, or circumstance.

64 Section 3. Inclusion in the Broward County Code of Ordinances.

65 It is the intention of the Board of County Commissioners that the provisions of this  
66 Ordinance become part of the Broward County Code of Ordinances as of the effective  
67 date. The sections of this Ordinance may be renumbered or relettered and the word

68 "ordinance" may be changed to "section," "article," or such other appropriate word or  
69 phrase to the extent necessary in order to accomplish such intention.

70 Section 4. Effective Date.

71 This Ordinance is effective as of the date provided by law.

ENACTED

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FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Angela J. Wallace 01/25/2023  
Angela J. Wallace (date)  
Transportation Surtax General Counsel

AJW/hb  
Transportation Surtax Ordinance  
01/25/2023  
#23-114.00

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.