

**PROPOSED**

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, WAIVING SECTION 34.3(A) OF THE BROWARD COUNTY  
3 ADMINISTRATIVE CODE TO ALLOW THE APPOINTING AUTHORITY TO THE  
4 TRANSPORTATION SURTAX OVERSIGHT BOARD TO CONDUCT BUSINESS AT ITS  
5 APRIL 1, 2026, MEETING, WITHOUT ALL SEVEN MEMBERS BEING PRESENT; AND  
6 PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

7  
8 WHEREAS, Section 34.3(a) of the Broward County Administrative Code  
9 (“Administrative Code”) states that the Appointing Authority to the Transportation Surtax  
10 Oversight Board (“Oversight Board”) may only conduct business if all seven members are  
11 present;

12 WHEREAS, a vacancy currently exists on the Oversight Board, thereby requiring  
13 the Appointing Authority to meet and consider nominations and make an appointment to  
14 fill such vacancy;

15 WHEREAS, the Appointing Authority cannot satisfy the requirements of  
16 Section 34.3(a) of the Administrative Code because the Broward County Council of  
17 Chambers of Commerce, which designates a member to the Appointing Authority, was  
18 administratively dissolved by the State of Florida and therefore cannot designate an  
19 individual to serve;

20 WHEREAS, the Appointing Authority has scheduled a meeting on April 1, 2026, at  
21 which it will make nominations and an appointment to fill the vacancy on the Oversight  
22 Board;

23 WHEREAS, waiving Section 34.3(a) of the Administrative Code for this specific  
24 meeting will allow the Appointing Authority to proceed with fewer than all seven members  
25 present, thereby avoiding unnecessary delays in the appointment process; and

26 WHEREAS, the Board of County Commissioners (“Commission”) finds that good  
27 cause exists to waive the requirements of Section 34.3(a) of the Administrative Code, as  
28 avoiding prolonged vacancies on the Oversight Board promotes continuity and efficiency  
29 in the administration of the Transportation Surtax program, NOW, THEREFORE,

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

32 Section 1. The Commission hereby temporarily waives the provisions of  
33 Section 34.3(a) of the Administrative Code to allow the Appointing Authority to meet and  
34 conduct business on April 1, 2026, including, but not limited to, the making of nominations  
35 and an appointment to fill a current vacancy on the Oversight Board.

36 Section 2. Severability.

37 If any portion of this Resolution is determined by any court to be invalid, the invalid  
38 portion will be stricken, and such striking will not affect the validity of the remainder of this  
39 Resolution. If any court determines that this Resolution, in whole or in part, cannot be  
40 legally applied to any individual, group, entity, property, or circumstance, such  
41 determination will not affect the applicability of this Resolution to any other individual,  
42 group, entity, property, or circumstance.

