

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO TERM LIMITS FOR THE BROWARD COUNTY HIV HEALTH SERVICES PLANNING COUNCIL MEMBERS; AMENDING SECTION 12.109 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the U.S. Department of Health and Human Services, Health Resources and Services Administration, HIV/AIDS Bureau now requires planning councils to establish term limits and membership rotations to ensure each planning council reflects the demographics of that jurisdiction's population of individuals with HIV;

WHEREAS, the Board of County Commissioners of Broward County, Florida ("Board"), desires to amend Section 12.109 of the Broward County Administrative Code to specify HIV Health Services Planning Council ("Council") members' term limits and membership rotations; and

WHEREAS, the Board finds that the proposed revisions to Section 12.109 of the Broward County Administrative Code are in the best interest of Broward County, NOW, THEREFORE,

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

Section 1. Section 12.109 of the Broward County Administrative Code is hereby amended to read as follows:

12.109. Terms of Office and Compensation.

~~Terms of the~~ Each Council members shall be ~~in accordance with~~ appointed for a three (3) year term, subject to the provisions of Section 1-233, Broward County Code. Following any three (3) consecutive terms, an individual is ineligible to serve for one (1) year, after which time that individual may be reappointed to the Council. The attendance requirement found in Section 1-233, Broward County Code, shall apply to the members of the Council to the extent an absence of a member is not the result of a member's HIV status. Council members shall not be subject to the provisions of Section 1-233(c), Broward County Code. The members of the Council shall serve without pay.

Section 2. Severability.

If any portion of this Administrative Code Resolution 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 Administrative Code Resolution. If any court determines that this Administrative Code Resolution, 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 Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be

renumbered or relettered and the word “resolution” may be changed to “section,” “article,” or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 4. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2023.

PROPOSED

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

By: /s/ Ronald J. Honick III 12/29/2022
Ronald J. Honick, III (date)
Assistant County Attorney

By: /s/ Karen S. Gordon 12/29/2022
Karen S. Gordon (date)
Senior Assistant County Attorney

RJH/bh
12.109 HIVPC Terms of Office Admin Code Resolution
01/20/2023
#60070

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