

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE RULES OF PROCEDURE AND GENERAL,
3 FISCAL, AND OTHER POLICIES OF THE BROWARD COUNTY BOARD OF COUNTY
4 COMMISSIONERS ("COMMISSION"); AMENDING VARIOUS SECTIONS OF
5 CHAPTER 18 OF THE BROWARD COUNTY ADMINISTRATIVE CODE
6 ("ADMINISTRATIVE CODE") REGARDING COMMISSION PROCEDURES AND
7 POLICIES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE
8 ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

9 (Sponsored by Mayor Beam Furr)

10
11 WHEREAS, Chapter 18 of the Broward County Administrative Code
12 ("Administrative Code") sets forth the procedural rules and certain general, fiscal, and
13 other policies of the Broward County Board of County Commissioners ("Commission");

14 WHEREAS, various portions of Chapter 18 have been amended from time to time,
15 but Chapter 18 as a whole has not been comprehensively updated in decades; and

16 WHEREAS, the Commission finds it appropriate to update the Administrative Code
17 to better reflect the current policies and procedures approved by the Commission and to
18 utilize consistent terminology, NOW, THEREFORE,

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

Section 1. Part I of Chapter 18 of the Broward County Administrative Code is hereby amended to read as follows:

CHAPTER 18

OPERATIONAL POLICY, BOARD OF COUNTY COMMISSIONERS

PART I. RULES OF PROCEDURE OF THE COUNTY COMMISSION

18.1. Governing Rules; Suspension.

Except as may be provided in the Charter or by these rules, or by questions of order, the methods of organization and the conduct of business of the Broward County Board of County Commissioners ("Commission") shall be governed by the procedures set forth in this Part. In the absence of a rule of procedure adopted by the County Commission, ~~The Scott, Foresman~~ Robert's Rules of Order, as amended ~~from time to time~~, will be used to determine procedure of all County Commission meetings. No rule of procedure adopted by the Commission shall be suspended except by a majority plus one (1) of the total membership of the ~~County~~ Commission.

18.2. Officers.

a. *Presiding Officer.* The Commission shall select a Mayor and a Vice-Mayor ~~on~~ no earlier than the third Tuesday after the first Monday in November of every year, and no later than the third Tuesday of each December of every year. Nominations for Mayor and Vice-Mayor shall be voted upon in the order that the nominations are made to the Commission. Upon election, the Mayor shall determine the seating on the dais for all members of the Commission, provided that the Vice-Mayor shall be seated to the immediate left or right of the Mayor. The Mayor shall preside at all meetings at which ~~he~~ or she the Mayor is present. The Mayor shall preserve strict order and decorum at all

meetings of the Commission. The Mayor shall ~~repeat every motion and state every~~
~~question coming before the Commission and~~ announce the decision of the Commission
on all matters. A majority vote of the members present shall govern and conclusively
determine all questions of order not otherwise covered. In the absence of the Mayor, or
in the event of the Mayor's inability to serve by reason of illness or accident, the
Vice-Mayor shall perform the duties and functions of the Mayor until the Mayor's return,
or recovery and resumption of duty. ~~In the event~~ If the Mayor permanently vacates ~~office~~
the position for any reason, the Vice-Mayor shall become Mayor and the Commission
shall ~~elect a Vice Mayor, at the its~~ next regular meeting ~~of the Commission,~~ elect a Vice-
Mayor to serve until the next election required by this section.

b. *Parliamentarian.* The County Attorney or ~~his or her~~ their designee ~~in his or~~
~~her absence~~ shall act as parliamentarian and shall advise the Mayor in matters of
parliamentary law.

c. *Clerk.* The Administrator shall appoint a Deputy Clerk as Clerk of the
Commission. The Deputy Clerk shall ~~duplicate the minutes and all resolutions and~~
~~ordinances~~ maintain the minutes and other official records of the Commission, and shall
furnish copies to persons ~~desiring~~ requesting them at in accordance with the prescribed
rates as set forth in Section 35.20 of the Broward County Administrative Code.

18.3. Meetings.

a. *Regular Meetings.* The Mayor shall propose ~~County~~ Commission meeting
dates for the calendar year ~~immediately~~ promptly following the ~~year in which his or her~~
~~term as Mayor's commences~~ election. Such proposed meeting dates shall be subject to
approval by a majority of the members of the ~~County~~ Commission and may also be

67 amended, from time to time, by a majority of the members of the ~~County~~ Commission.
68 Unless the ~~County~~ Commission determines otherwise, including for time periods in which
69 the ~~County~~ Commission sits in recess, and in addition to any workshops scheduled by
70 the County Commission as referenced below, the ~~County~~ Commission shall hold
71 meetings beginning at 10:00 a.m. on two (2) Tuesdays of each month. To the extent
72 practicable, ~~County~~ Commission meetings shall not be scheduled for consecutive weeks.
73 Meetings may be canceled at the discretion of the ~~County~~ Commission. The ~~County~~
74 Commission shall hold public hearings on ordinances and other public hearing matters
75 as advertised. Prior to the start of any public meeting, or as otherwise scheduled at the
76 meeting, the ~~County~~ Commissioners or the County Administrator may announce and
77 present proclamations, as permitted under the Commission's applicable rules, and may
78 also announce employee recognition and community interest events and activities. The
79 ~~County~~ Commission may schedule workshops in addition to its regular meetings. All
80 regular meetings and workshops shall be held in the Broward County Governmental
81 Center East or such place as may be ~~approved by resolution or motion adopted at a~~
82 ~~meeting by a majority of the members of~~ designated by the ~~County~~ Commission ~~present~~,
83 and shall be open to the public and the press. This section shall not be construed to
84 prohibit the consideration or hearing of emergency items at any time pursuant to
85 Section 18.3.c. hereof.

86 b. *Special Meetings.* Special meetings of the ~~County~~ Commission may be held
87 on the call of the Mayor or of five (5) or more members. During declared states of
88 emergency, and only when required to comply with the requirements of Section 8-53,
89 Broward County Code of Ordinances, special meetings of the ~~County~~ Commission may

90 be held on the call of the County Administrator. Any call for a special meeting shall provide
91 no less than twelve (12) hours' effective notice to each member.

92 c. *Emergency Meetings.* An emergency meeting of the ~~County~~ Commission
93 may be called by the Mayor whenever in ~~his or her~~ the Mayor's opinion an emergency
94 exists ~~which~~ that requires immediate Commission action (other than the enactment of an
95 ordinance). Whenever such emergency meeting is called, the Mayor shall notify the
96 County Administrator who shall ~~forthwith serve either verbal or written notice upon~~
97 promptly notify each member of the Commission, stating the date, hour, and place of the
98 meeting and the purpose for which called, and no other business shall be transacted at
99 the meeting. At least twelve (12) hours shall elapse between the time the County
100 Administrator receives notice of the meeting and the time the meeting is to be held.

101 d. If, after reasonable diligence, it is impossible to ~~give notices to~~ notify each
102 Commissioner, such failure shall not affect the legality of the meeting if a quorum is
103 present. The minutes of each special or emergency meeting shall show the manner and
104 method by which notice of such special or emergency meeting was given to each member
105 of the Commission, or shall show a waiver of notice. All special or emergency meetings
106 shall be open to the public and shall be held and conducted in the Broward County
107 Governmental Center East or other suitable facility within Broward County, Florida.
108 Minutes thereof shall be kept by the County Administrator or designee.

109 e. No special or emergency meeting shall be held unless notice thereof shall
110 be given in compliance with the provisions of this section or unless notice thereof is
111 waived by a majority of the entire membership of the Commission.

f. Proper notice shall consist of personal notice by any means of communication to the Commissioner or, if such personal notice cannot be had, by communication to the Commissioner's office and home. In addition, it shall be the responsibility of the County Administrator or designee to notify Broward County media, when possible, by electronic mail and by posting notice on the ~~meeting notice board~~ County website as soon as possible.

18.4. Committees.

a. Whenever the Commission deems it necessary or desirable that ~~the Commission shall~~ it be represented at meetings, conferences, or other occasions involving other governmental entities, agencies, officials, or groups, or ~~non-governmental~~ nongovernmental organizations, or departments, agencies, or officials of the County government, the Commission may nominate members of the Commission to represent the Commission at such meetings, conferences, or other occasions, with the consent of the ~~designee~~ nominated member(s). Such representatives shall have no power to act for or on behalf of the Commission, or to make any commitment or binding obligation on behalf of the Commission or the County. Such representatives shall report ~~in writing~~ to the Commission with regard to such meeting, conference, or other occasion if so requested by the ~~County~~ Commission.

b. The ~~Board~~ Commission may establish special ad hoc committees from time to time as specific needs arise. The Commission shall make nominations to such committees with the consent of the ~~appointees~~ nominated member(s).

c. Any special ad hoc committee may be abolished by the ~~Board~~ Commission when its continued existence is no longer ~~is~~ necessary ~~or, and~~ will automatically be

abolished one (1) year from the date of its creation unless the Commission votes to extend its duration.

18.5. Conduct of Meetings; Agenda.

a. *Call to Order.* All meetings of the Commission shall be open to the public. Promptly at the hour set for each meeting, the members of the Commission, the County Auditor, the County Attorney, and the County Administrator shall take their regular stations in the eCommission chamber, and the business of the Commission shall be taken up for consideration and disposition in accordance with the agenda for the meeting. The Mayor shall take the chair at the hour appointed for the meeting and shall promptly call the Commission to order ~~immediately~~. In the absence of the Mayor and the Vice-Mayor, the immediate ~~P~~past Mayor shall serve as temporary chair. In the absence of the immediate ~~P~~past Mayor, the next immediate ~~P~~past Mayor present shall serve as temporary chair. Upon the arrival of the Mayor or the Vice-Mayor, the temporary chair shall relinquish the chair upon the conclusion of the business immediately before the Commission.

b. *Quorum.* A majority of the ~~whole~~ total number of members of the Commission shall constitute a quorum. No ordinance, resolution, or nonprocedural motion shall be adopted by the Commission without the affirmative vote of a majority of the entire membership of the Commission. Any member of the Commission who announces a conflict of interest on a particular matter or in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum.

c. *Failure to Attain a Quorum.* Should no quorum attend within thirty (30) minutes after the hour appointed for the meeting of the Commission, the Mayor or the

Vice-Mayor, or, in their absence, the County Administrator or ~~his or her~~ designee, may adjourn reschedule the meeting ~~until~~ for the next day, unless by unanimous agreement those members present select another hour or day. The names of the members present and their action at such meeting shall be recorded in the minutes by the County Administrator or designee.

d. *Agenda.*

1. *Order of Business.* There shall be an official agenda for every meeting of the County Commission, which shall determine the order of business conducted at the meeting. Any departure from the order of business set forth in the official agenda shall be ~~made only upon~~ determined by the Mayor absent objection by any member, or by majority vote of the members of the County Commissioners present at the meeting. The agenda shall be prepared by the County Administrator in appropriate form approved by the County Commission. The County Commission shall not take action upon any matter, proposal, or item of business that is not listed on the official agenda except for nonagenda appointments to County boards and committees and except in regard to those matters, proposals, or items that the County Commission determines cannot be effectively accomplished on a subsequent agenda. No ~~ordinance, resolution, or other matter~~ item listed on the agenda for public hearing ~~or the vote thereon~~ may be deferred or continued until a later time unless a majority of the County Commissioners present shall vote in favor of such deferral or continuance, except for the

180 withdrawal of an item by its sponsor (whether a Commissioner or authorized
181 staff member).

182 2. *Authority to Place Items on Agenda.*

183 (a) Matters may be placed on the agenda by any ~~County~~ Commissioner,
184 the County Administrator, the County Attorney, ~~and~~ or the County
185 Auditor.

186 (b) Any additional material distributed for the agenda by a member of
187 the ~~County~~ Commission, the County Administrator, the County
188 Attorney, or the County Auditor shall be automatically included as
189 part of the record of the applicable agenda item, subject to the
190 limitations provided in Section ~~3~~ 18.5.d.3 below. The additional
191 material distributed pursuant to this section shall not automatically
192 amend the motion under consideration, except as otherwise stated
193 in a pre-meeting memorandum from the County Administrator read
194 into the record at the commencement of the meeting. Any other
195 amendment of the motion shall ~~instead~~ be made in accordance with
196 the rules of procedure of the ~~County~~ Commission.

197 3. *Agenda Deadlines.* Unless otherwise provided for by law, the following
198 deadlines shall apply to the submission and publication of agenda items and
199 related materials for ~~County~~ Commission meetings:

200 (a) *Publication of Full Agenda.* The County Administrator shall, absent
201 exigent circumstances, publish the full agenda, including a full
202 description of all actions for ~~County~~ Commission consideration and

copies of all documents to be considered in final or substantially final form, no later than twelve (12) days prior to the ~~County~~ Commission meeting at which the items listed in the agenda will be considered.

(b) *Supplemental Items.* Supplemental items shall be added to the agenda after the agenda's initial publication if submitted to the County Administrator and the Mayor's office no later than 5:00 p.m. on the seventh day before the applicable ~~County~~ Commission meeting. Supplemental items submitted after this deadline must include a written explanation in the agenda item or in a concurrent memorandum explaining why the item could not have been submitted by the applicable deadline and why the item cannot be timely addressed at a subsequent ~~County~~ Commission meeting, and shall be added to the agenda only upon approval by the Mayor. In determining whether to approve the addition to the agenda of a late supplemental item ~~to the agenda~~, the Mayor shall consider the explanation provided for the late submission, the length of the agenda, and any other relevant factors the Mayor determines bear on the timeliness or urgency of the item. The County Administrator shall, absent exigent circumstances, distribute to the ~~County~~ Commissioners and publish all timely submitted supplemental items no later than 3:00 p.m. on the first business day following receipt by the County Administrator, and, for late supplemental items, as soon as practicable after approval by the Mayor.

(c) *Additional Material.* Additional material developed or received after the agenda's initial publication must be submitted to the County Administrator and the Mayor's office no later than 5:00 p.m. on the fifth day before the applicable County Commission meeting promptly upon development or receipt. ~~Additional material submitted after this deadline must include a written explanation as to why the material could not have been submitted by the deadline.~~ The County Administrator shall promptly distribute to the County Commissioners and publish all such additional material; any additional material developed or received less than one week before the Commission meeting must be distributed and published no later than 3:00 p.m. 10:00 a.m. on the first business day following receipt by the County Administrator to ensure Commissioners and staff have as much time as possible to consider such material.

4. *Consent Agenda; Removal of Items.* A portion of the agenda shall be designated as a consent agenda, and all items contained therein may be voted on with one motion. Any Commissioner may ~~withdraw~~ remove any item(s) from the consent agenda, and ~~it~~ such item(s) shall be voted on individually unless the removal of multiple items results from an actual or apparent conflict of interest in which event all such items may be considered by the Commission as part of a single motion. Items that notice the setting of the public hearing date for ordinances and resolutions shall be included

on the consent agenda unless removed from the consent agenda by a
Commissioner.

5. *Approval of Minutes.* Unless a reading of the minutes of a meeting is requested by a majority of the Commission, such minutes, when approved by the Commission and signed by the Mayor and the County Administrator, shall be considered approved without reading.

...

7. *Filings.* Unless required by law to be filed with the ~~County~~ Commission, an item submitted to the County for filing shall not be placed on an agenda of the ~~County~~ Commission. Any such item shall be filed with the Document Control and Minutes Section of the Records, Taxes, and Treasury Division, which shall provide a written report to the members of the ~~County~~ Commission on a quarterly basis. This subsection shall not restrict or preclude items filed by the County Auditor.

- e. *Ordinances, Resolutions, Motions, and Contracts.*

1. *Preparation of Ordinances and Resolutions Amending the Administrative Code.* ~~Prior to an ordinance being drafted by the County Attorney the ordinance sponsor shall present to the Board the concept of the ordinance.~~
Other than ordinances or resolutions required to ensure consistency with applicable law, all ordinances and any resolution amending the Administrative Code must first be conceptually presented to the Commission. Unless a majority, plus one, of the ~~entire membership of the Commissioners present~~ objects to the drafting of such ordinance or

271 resolution, the County Attorney shall draft the proposed ordinance or
272 resolution. ~~The County Attorney when requested by the Board or individual~~
273 ~~Commissioner, shall prepare ordinances and resolutions which shall be~~
274 ~~delivered to the Administrator for inclusion in the agenda.~~ Ordinances and
275 resolutions may be introduced and enacted or adopted by a legally sufficient
276 reference to the title. Copies of all proposed ordinances and resolutions
277 shall be furnished to each Commissioner and shall be made available to all
278 interested persons.

279 2. *Approval by County Attorney.* All ordinances, resolutions, and contract
280 documents, and any amendments thereto, being presented to the
281 Commission for its consideration shall have been reduced to writing and
282 ~~shall have been~~ approved as to form legal sufficiency by the County
283 Attorney before presentation to the Commission.

284 3. *Introducing for Passage or Approval; ~~Setting for Public Hearing.~~*
285 Ordinances, resolutions, and other matters and subjects requiring action by
286 the Commission must be introduced and sponsored by a member or
287 members of the Commission, except that the County Administrator, the
288 County Auditor, or the County Attorney may present resolutions and other
289 matters or subjects to the Commission for consideration, ~~and, a~~ Any
290 Commissioner may ~~assume~~ sponsorship ~~thereof by moving that such~~
291 ~~resolution, matter, or subject be adopted in accordance with law; otherwise~~
292 ~~they shall not be considered~~ or cosponsor, as applicable, an ordinance or
293 resolution by requesting same at any time prior to or immediately following

294 enactment or adoption. ~~Items setting the public hearing date for ordinances~~
295 ~~and resolutions shall be included on the consent agenda, unless removed~~
296 ~~from the consent agenda by a Commissioner.~~

- 297 4. *Amendments.* Proposed amendments to any ordinance, resolution, ~~and or~~
298 contract document being considered by the ~~Board~~ Commission shall be in
299 writing ~~on a form approved by the Board~~ and must be submitted to the
300 County Administrator no later than 12:00 p.m. the business day before the
301 County Commission ~~Meeting in~~ at which the item is to be heard. The
302 County Administrator shall distribute all proposed amendments promptly
303 upon ~~his or her~~ receipt thereof. The submittal requirement shall be deemed
304 waived, however, unless invoked by any member of the ~~Board~~ Commission
305 prior to consideration of the amendment.

- 306 5. ~~When Action To Be Taken by Resolution or Ordinance.~~ All actions of the
307 Commission may be taken by resolution or ordinance, except as provided
308 herein. ~~that a~~ Any action of the Commission, other than adoption of the
309 annual budget or amendments thereto, ~~which that~~ which provides for raising
310 revenue, ~~appropriating funds~~ or incurring indebtedness, or ~~which that~~ that
311 provides a penalty or establishes a rule or regulation for the violation of
312 which a penalty is imposed, shall be by ordinance, ~~and except that.~~ Receipt
313 of revenue and statements of policy shall be by resolution. ~~a~~ Approval of
314 ~~purely administrative~~ any other matters may be accomplished by motion
315 duly adopted and recorded in the minutes of the meeting.

6. *Emergency Ordinances.* The ~~Board of County~~ Commissioners at any regular or special meeting may enact or amend any ordinance with a waiver of notice requirement by a vote of eight (8) members of the ~~Board of County~~ Commissioners declaring that an emergency exists and that the immediate enactment of said ordinance is necessary.

7. *Impact on Budget.* Any ordinance, other than any emergency ordinance, placed on the ~~County Commission Agenda~~ for public hearing agenda shall ~~have attached thereto~~ include a statement from the County Administrator or designee showing the estimated impact on the County budget, if any, in excess of \$ ~~5,000~~ \$25,000, of the ~~Board of County Commissioners~~ including start-up and annual operating costs, as well as the source of funding.

18.6. Public Participation.

a. *Opportunity for Public Comment.* ~~Members of the~~ The public shall be provided a reasonable opportunity to be heard on agenda items before the ~~County~~ Commission, unless otherwise stated in this section or provided by law. Unless otherwise required by law or determined appropriate by the Mayor, ~~a member of the~~ public comment shall be permitted to ~~comment~~ on any item at only one meeting unless the item substantially and materially changes prior to the ~~County~~ Commission's final consideration of the item or ~~more than thirty (30) days pass between the date public comment occurs and the date~~ the item is subsequently considered by the ~~County Commission~~, provided the Commission takes final action on the item at that meeting or at another Commission meeting that occurs no later than thirty-five (35) days after that meeting.

- 338 1. *Registration.* To speak on an agenda item, a member of the public must
339 complete and submit a registration form that identifies the item on which he
340 or ~~she~~ they wishes to speak. The registration form must be submitted prior
341 to the time the item is called for ~~County~~ Commission consideration or, for
342 public hearing items, prior to the opening of the public hearing on the
343 applicable item. ~~Failure to timely comply with these provisions~~ A person
344 ~~shall prohibit a person from speaking~~ not be entitled to speak on any item
345 for which ~~he or she is~~ they are not properly and timely registered.
- 346 2. ~~Supplemental~~ Written Comments or Materials. Any ~~person intending to~~
347 ~~speak regarding an agenda item~~ member of the public may, no later than
348 three (3) business days prior to the applicable ~~County~~ Commission meeting,
349 submit to the County Administrator any written comments or materials ~~to~~
350 ~~which the speaker intends to refer~~ pertaining to an agenda item, which
351 ~~materials shall~~ submission must identify the agenda item to which ~~they~~ the
352 comments or materials relate. Provided such written comments or materials
353 address the referenced agenda item, the County Administrator shall
354 promptly distribute ~~such materials~~ same to the ~~County~~ Commission. A
355 speaker properly registered to speak on the item may reference the
356 ~~supplemental~~ submitted comments or materials when addressing the
357 ~~County~~ Commission. Nothing stated herein prohibits an individual properly
358 registered to speak on an item from distributing written materials in
359 connection with the individual speaking ~~during a County Commission~~
360 ~~meeting~~ on the item, provided the individual brings sufficient copies for

distribution to each ~~County~~ Commissioner, the County Administrator, the County Attorney, and the County Auditor.

3. *Time Limits.* The following time limits shall apply to members of the public addressing the ~~County~~ Commission:

(a) If five (5) or fewer individuals are registered to speak on an agenda item, then each registered individual shall have three (3) minutes to speak.

(b) If more than five (5) individuals are registered to speak on an agenda item, the Mayor may limit each registered individual to two (2) minutes of speaking time.

(c) Except with regard to public hearing items and quasi-judicial matters, if a member of the public registers to speak on more than three (3) agenda items, the Mayor may require the speaker to address all items when the ~~County~~ Commission considers the first item for which the speaker is registered. The Mayor may limit an individual wishing to speak on more than three (3) items to a total of ten (10) minutes of speaking time, regardless of the number of items for which the speaker is registered to speak.

(d) Notwithstanding any time limitation stated elsewhere in this section, the Mayor may grant additional speaking time to individuals with a disability or to permit any necessary language translation services.

(e) Notwithstanding any time limitation stated elsewhere in this section, the chair, or ~~his or her~~ their designee, of a Broward County advisory

board, authorized to speak on behalf of such board regarding the item at issue, may speak for three (3) minutes on any item that the Mayor determines is within the scope of the advisory board's expertise or jurisdiction.

(f) Nothing in this section limits the ability of a ~~County~~ Commissioner to request that a public speaker or County staff respond to a question posed by a ~~County~~ Commissioner. If such request is made of a public speaker, the speaker's speaking time shall be extended as the Mayor determines appropriate.

(g) If two or more related agenda items are heard together, all such items shall be treated as one item for purposes of determining time limits, but the provisions of ~~sub~~Section 18.6.a.3(b) above shall not apply to any speaker who registered to speak on two or more of the agenda items being heard together.

4. *Representation.* If five (5) or more members of the same group or faction register to speak regarding an item on the ~~County~~ Commission agenda and at least five (5) of those members are present when the item is called, then that group or faction may, with the consent of the Mayor, select a representative to address the ~~County~~ Commission on its behalf. Notwithstanding any other time limit established in this section, such representative may speak for up to ten (10) minutes, provided the other members of that group or faction waive their time.

- 406 5. *Exceptions.* No member of the public shall have the right to register and
407 publicly comment on the following items at a ~~County~~ Commission meeting:
- 408 (a) An official act that must be taken to address an emergency situation
409 affecting the public health, welfare, or safety, where compliance with
410 the public participation provisions of this section would cause an
411 unreasonable delay in the ability of the ~~County~~ Commission to act;
- 412 (b) An official act involving no more than a ministerial act, including, but
413 not limited to, approval of minutes and ceremonial proclamations;
- 414 (c) An agenda item exempt from Section 286.011(1), Florida Statutes;
- 415 (d) An item in which the ~~County~~ Commission is acting in a quasi-judicial
416 capacity, except to the extent such person otherwise has a right to
417 be heard as provided by law; or
- 418 (e) A delegation request pursuant to Section 18.5.d.6.
- 419 b. *Addressing the ~~County~~ Commission; Manner.*
- 420 1. The Mayor may direct that members of the public address the ~~County~~
421 Commission as a body and not address any individual member(s). No
422 person, other than ~~County~~ Commissioners and the person having the floor,
423 shall be permitted to enter into any public discussion in the Commission
424 chambers, either directly or through a member of the ~~County~~ Commission,
425 without the permission of the Mayor.
- 426 2. Each person, other than County staff, who addresses the ~~County~~
427 Commission shall step up to the speaker's lectern and shall give the
428 following information in an audible tone of voice:

(a) ~~His or her~~ The speaker's name; and

(b) At the request of any ~~County~~ Commissioner:

- (1) Whether the person speaks ~~for himself or herself~~, on behalf of a group of persons, or for a third party. If the person ~~states that he or she~~ represents or speaks on behalf of another person or entity, ~~he or she~~ the person may be asked to provide proof of that assertion or to make that assertion under oath or affirmation. Otherwise, and in the absence of any such proof, oath, or affirmation, it shall be presumed that the individual represents only ~~his or her~~ their own personal interests; and
- (2) Whether the speaker is being compensated by the person or entity for whom ~~he or she speaks~~ the person is speaking.

c. *Decorum.* Persons in attendance at ~~County~~ Commission meetings or addressing the ~~County~~ Commission must maintain appropriate decorum. A person may be asked to leave the speaker's lectern or the Commission chambers, as applicable, if the person's speech or conduct disrupts the ~~County~~ Commission meeting or is otherwise prohibited by law, if the person does not cease addressing the topic upon being informed that the topic the person wishes to address is outside the jurisdiction of the ~~County~~ Commission, if the person is otherwise in violation of this chapter, or as otherwise provided by law.

449 **18.7. Rules of Debate.**

450 a. *As to the Mayor.* Upon relinquishing the chair, the Mayor, or such other
451 member of the Commission as may be presiding, may move, second, and debate, subject
452 only to such limitations of debate as are by these rules imposed upon all Commissioners.

453 b. *Getting the Floor, Improper Reference To Be Avoided.* Every member
454 desiring to speak for any purpose shall address the Mayor and, upon recognition, shall
455 confine himself or herself themselves to the question under debate.

456 c. *Interruption; Call to Order; Appeal a Ruling of the Mayor.* A member once
457 recognized shall not be interrupted when speaking ~~unless it be~~ except to call ~~him or her~~
458 the member to order or as herein otherwise provided. If a member while speaking ~~be is~~
459 called to order, ~~he or she~~ the member shall cease speaking until the question of order ~~be~~
460 is determined by the Mayor, and, if in order, ~~he or she~~ the member shall be permitted to
461 proceed. Any member may appeal to the Commission from the decision of the Mayor
462 upon a question of order, whereupon without debate the Mayor shall submit to the
463 Commission the question, "Shall the decision of the Mayor be sustained?" and the
464 Commission shall decide by a majority vote. The decision shall be deemed sustained in
465 the event of a tie vote or majority vote to sustain the Mayor's decision.

466 d. *Privilege of Closing Debate.* Any Commissioner may move to close debate
467 and call the question on the substantive motion being considered, which motion to close
468 debate shall be nondebatable. A two-thirds vote of the members present is required to
469 close debate. Absent an approved motion to close debate, The Commissioner moving
470 the adoption of an ordinance, resolution or motion item shall have the privilege of closing
471 the debate.

e. *Method of Voting.* The vote upon any ordinance, resolution, motion, or other matter may be by voice vote, provided that the Mayor or any Commissioner may require a roll call vote to be taken. Upon every roll call vote, the names of the Commissioners shall be called ~~alphabetically by surname~~ by district number, except that ~~the names~~ such order shall be ~~rotated~~ reversed after each roll call vote, so that the Commissioner who voted first on a preceding roll call shall vote last upon the next subsequent matter; provided, however, that the presiding officer shall always cast ~~his or her~~ their vote last. ~~Upon relinquishing the chair, the Mayor shall vote in alphabetical order with the other Commissioners.~~ For roll call votes, The County Administrator or his or her their designee shall call the roll, tabulate the votes, and announce the results.

f. *Explanation of Vote.* There shall be no discussion by any member prior to voting, and each member shall vote yes or no. Any member, ~~upon voting~~ after the result of any vote is announced, may give a brief statement to explain ~~his or her~~ their vote. A member shall have the privilege of filing with the meeting minutes ~~division~~ a written explanation of ~~his or her~~ their vote.

g. *Tie Votes.* Whenever action cannot be taken because the vote of the Commissioners has resulted in a tie, the status quo shall continue in effect and the proposed ordinance, resolution, or motion that produced the tie vote shall be removed from the agenda without prejudice as to its reintroduction on a de novo basis at a later time; provided that in zoning and other quasi-judicial matters when action on a resolution or motion results in a tie vote, such resolution or motion shall be carried over to the next regularly scheduled meeting for the consideration of such quasi-judicial matter unless the Commission designates a different time for such reconsideration.

h. *Vote Change.* Any Commissioner temporarily absent ~~for~~ from the dais when a vote is taken may record ~~his or her~~ their vote, or any Commissioner may change ~~his or~~ her their vote, before the next item is called for consideration ~~on~~ or before a recess or adjournment is called, whichever occurs first, but not thereafter, without the unanimous consent of the Commission.

i. *Motion to Reconsider.* An action of the Commission may be reconsidered only at the same meeting at which the action was taken. A motion to reconsider may be made only by a Commissioner who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. Adoption of a motion to reconsider shall rescind the action reconsidered.

j. *Motion to Rescind.* An action of the Commission taken at a previous meeting (the “previous action”) may be rescinded at a subsequent meeting. Motions to Rescind shall be governed by the following process:

1. A Commissioner seeking rescission of a previous action shall place a Motion to Consider Rescission on the agenda of a regular Commission meeting. If a majority of the full membership of the Commission approves the Motion to Consider Rescission, the Motion to Rescind shall be placed on the agenda of the next regular Commission meeting. If less than a majority of the full membership vote in favor of the Motion to Consider Rescission, no Motion to Rescind the previous action shall be considered by the Commission.

2. Approval of a Motion to Rescind requires the affirmative vote of a majority of the full membership of the Commission.

3. If a Motion to Rescind is approved, the Commission shall, at the same meeting, either consider the previous action or set a date certain for its consideration.
4. Notwithstanding anything stated above, a Motion to Rescind initiated by a Commissioner who voted on the losing side in connection with the previous action shall not be in order unless the Commission determines:
- a. (a) Subsequent information has become known that (i) would have been material to the Commission's decision on the previous action, and (ii) would have militated for a different result; or
 - b. (b) A rescission of the ~~previous~~ previous action is imperative to avoid a material cost, risk, harm, or other jeopardy to the County or its citizens, and the material cost, risk, harm, or other jeopardy could not have been known at the time of the Commission's previous action.
5. For purposes of the Motion to Rescind, a Commissioner who was absent for a vote on the motion in connection with the previous action is deemed to have been on the prevailing side of the vote.
- k. *Motion to Renew.* Except as otherwise provided for in these rules, once action is taken on a proposed ordinance, resolution, or motion, neither the exact same ordinance, resolution, or motion nor its repeal or rescission may be brought before the Commission again during the six (6) month period following ~~the~~ said action (subject to the provisions of Subsection 18.7.h-), unless a majority of the members of the Commission present votes for renewal.

l. *Adjournment.* A motion to adjourn shall always be in order and decided without debate, except that the motion shall contain a time to hear the balance of the agenda if the agenda has not been completed.

m. A chart with examples of motions commonly utilized at meetings is attached as Appendix A.

. . .

18.8. Electronic Communications During Public Meetings.

~~County~~ Commissioners shall not transmit any form of electronic communication, including emails and text messages, regardless of content, to another Commissioner at any ~~County~~ Commission or other public meeting in which both Commissioners are participating as members of the Commission or other public entity.

. . .

Section 2. Part II of Chapter 18 of the Broward County Administrative Code is hereby amended to read as follows:

PART II. ~~BOARD~~ COMMISSION POLICIES, GENERAL

18.28. ~~Board~~ Commission Policies; General.

a. Commission ~~Policies are to~~ may be adopted by resolution.

b. ~~When a party applies for a preferred assessment (taxable value) for property to be used for outdoor recreational or park purposes, the Board of County Commissioners will notice the applicable city of such application.~~

c. ~~County employees running for political office must either take a leave of absence, without pay, or resign.~~

d. No attorney positions will be established outside the ~~Office of County~~
Attorney's Office without specific authorization from the ~~County~~ Commission.

~~e. Funds for emergency hospital care are limited to payment of the costs to be
incurred as provided in Chapter 77-455, General Laws (Section 154.301, F.S.). All
in-county hospitalization would be the responsibility of the appropriate hospital districts.~~

~~f. c.~~ From time to time, on appropriate occasions, the Mayor may authorize the
flying of the American flag at half-staff at the Courthouse at half-staff County facilities.

~~g. d.~~ Broward County employees, including elected and appointed officials, while
acting in their official capacity, shall not hold meetings or events at any private facility
where the policy or practice restricts membership or services on the basis of race, religion,
national origin or ancestry, sex, age, or physical handicap.

~~h. All County grants of Federal and/or State funds to subrecipients shall be by
formal contract.~~

~~i. e.~~ Commissioners shall be available on Tuesdays and Thursdays for the
purpose of attending workshops, meetings, and other Commission business.

~~j. f.~~ No Commission meetings shall be scheduled for dates on which a primary
election or general election is to be held.

~~k. g.~~ Commission meetings shall start at 10:00 a.m. and may be extended
beyond 12:30 p.m. by a majority vote of the ~~entire Commission membership~~ members
present. Commission meetings shall end by ~~44:00~~ 8:00 p.m. unless a majority of the entire
Commission membership votes to extend the meeting beyond ~~44:00~~ 8:00 p.m.
Commission meetings extended past ~~midnight~~ 11:00 p.m. require a supermajority vote of
the entire Commission membership.

585 **18.29. Legislative.**

586 Broward County, Florida, shall oppose all proposed legislation and administrative
587 action by the Division of State Planning that would transfer responsibility and power as to
588 the review and recommendation of Development of Regional Impact Studies process
589 from regional planning agencies by state water management districts; oppose all
590 proposed legislation that would expend the power of Regional Planning Councils so as to
591 remove the political control of these agencies from local governmental bodies.

592 **18.30. County Commissioner Travel; Speaking Invitations and Ceremonial**
593 **Appearances.**

594 a. Commissioners may travel to and from the following destinations for County
595 business ~~(Commission approval is not required in advance of travel to these specific~~
596 ~~destinations.)~~ without prior approval by the Commission:

- 597 1. Tallahassee (during legislative and committee sessions) and anywhere in
598 the tricity area of Broward, Palm Beach, and Miami-Dade counties;
- 599 2. Washington, D.C.;
- 600 3. NACO conferences (state and federal);
- 601 4. Florida Association of Counties committees and conferences;
- 602 5. National League of Cities committees and meetings; and
- 603 6. Florida League of Cities committees and meetings.

604 b. All other travel by County Commissioners for County business requires
605 approval of the ~~Board of County Commissioners~~ in advance of the travel.

606 c. Travel is authorized for any County Commissioner who serves on a state or
607 national board traveling at the request of a the state or national ~~office~~ board. Expenses

not paid by the state or national board will be reimbursed by the County, consistent with applicable limitations under state law.

d. Speaking invitations and ceremonial appearances on behalf of the Commission, whether local or involving travel, shall be offered to Commissioners in the following order of priority except as expressly stated herein:

1. Mayor

2. Vice-Mayor

3. Immediate Past Mayor

4. Commissioners in order of seniority, based on length of continuous service.

If an offer is presented pursuant to this section and the Commissioner declines, is unavailable, or fails to respond in a timely manner, the opportunity shall be offered to the next Commissioner in the sequence listed above. Speaking engagements and ceremonial appearances that are specific to a particular Commission District or to the personal expertise of a particular Commissioner, as determined by the Mayor, shall be offered first to the applicable Commissioner and only thereafter in the order set forth above.

18.32. Special Assessments.

~~a. Each Special Assessment Road Improvement Program is to be addressed individually.~~

~~b. The Board will not foreclose on special assessment liens unless the title is transferred or the lien remains unpaid at the end of four (4) years; further, all liens over two (2) years old are to be reviewed to ascertain whether or not a title has been transferred and, if said title has been transferred, that the county, upon one-year notice of its intent to do so, will foreclose on such special assessment liens; when all unpaid~~

631 ~~special assessment liens become four (4) years old, they will be presented to the Board~~
632 ~~at a regular meeting for a determination by the Board if foreclosure proceedings should~~
633 ~~be initiated.~~

634 ~~e. The Board will not waive special assessments for any class of property.~~

635 ~~d. When monies for a special assessment imposed by the County have been~~
636 ~~erroneously collected, a refund may be authorized if the person who owned the assessed~~
637 ~~property at the time the assessment was levied files an application for refund with the~~
638 ~~Broward County Administrator within four (4) years after the date of the assessment. Any~~
639 ~~application or request for refund must be on a form prescribed by the County~~
640 ~~Administrator and must have attached to it such proof as necessary to demonstrate that~~
641 ~~a refund is payable. It shall be the responsibility of the County Administrator to thoroughly~~
642 ~~investigate and determine if the applicant is entitled to a refund either in whole or in part.~~

643 ~~e. Upon receipt, the County Administrator must consider the application for~~
644 ~~refund and, if its contents are found to be insufficient, request additional information from~~
645 ~~the applicant. If it appears that monies for a special assessment were erroneously~~
646 ~~collected and that a refund of the collected amount is advisable, such refund shall be~~
647 ~~authorized in the following manner:~~

648 ~~1. For claims of not more than ten thousand dollars (\$ 10,000.00), the County~~
649 ~~Administrator may authorize the issuance of a check in the amount of the~~
650 ~~refund;~~

651 ~~2. For claims greater than ten thousand dollars (\$10,000.00), the Board of~~
652 ~~County Commissioners shall approve and authorize the refund to be made.~~

653 ~~f. No interest shall be paid by the County on any authorized refund.~~

g. ~~A refund may be denied by the Board of County Commissioners or the County Administrator based upon the merits of the application or where it is found that the County acted in good faith in collecting the monies, where the monies were paid voluntarily without protest and where the refunding would impose on the County an inequitable or impossible administrative burden.~~

h. ~~If a refund application is disapproved by the County Administrator based upon its merits, he shall notify the applicant in writing as to the reason(s) the application has been disapproved.~~

18.33. Supervisor of Elections Canvassing Board.

a. ~~Prior to any communication being forwarded to the Supervisor of Elections for placement on the official ballot, the following steps will need to be completed:~~

1. ~~Document to substantiate the action will be initiated in the form of a proposed resolution and presented to the individual Board members a reasonable time prior to placement on the agenda.~~

2. ~~In order for the resolution as finally approved by the Board to be adopted in its final, complete form, it will be necessary for the Administrator to present a typed, formal resolution document for reading and adoption by the Board.~~

b. ~~If the Mayor of the Board of County Commissioners is unable to serve as a member of the County Canvassing Board, or is disqualified, the Board of County Commissioners of Broward County, Florida, hereby appoints as a substitute member the Vice-Mayor of the Board of County Commissioners. In the event that~~ If the Vice-Mayor is unable to serve or is disqualified, absent other action by the Commission, ~~the Board of County Commissioners hereby appoints the Commissioner representing the district designated~~

by the lowest numeral, proceeding consecutively therefrom until an available and qualified member has been found to serve as a member of the County Canvassing Board.

18.35. Advisory Boards.

The Office of Intergovernmental Affairs shall present agenda items for Commission consideration to facilitate any necessary or requested action by the Commission regarding the nomination and appointment of advisory board positions. The Office of Intergovernmental Affairs shall also maintain and implement a process by which Commissioners may participate in the nomination of advisory board members to available at-large positions, and shall periodically present the process to the Commission for consideration or modification.

Parking tickets of all members of County Advisory Boards, who choose to meet at the Broward County Governmental Center East, will be validated to allow such members to park free of charge in the Broward County Governmental Center East parking lot garage.

18.36. Dedication Plaques; Commission Photographs.

It shall be the policy of the ~~County~~ Commission to officially mark buildings constructed for public use by Broward County at the time of building dedication with a plaque bearing the names of the members of the ~~County~~ Commission in office at the time the contract for construction is awarded and those in office at the time of the building dedication.

It shall be the policy of the Commission that County marketing and advertising for County events shall include photographs of the entire Commission, when practicable, pursuant to operational procedures established by the County Administrator.

18.37. Required Financial Disclosure Statements from Members of, and Nominees to, Nonadvisory Boards.

a. In accordance with Section 112.3145, Florida Statutes, as amended, appointed members of the boards, councils, commissions, authorities, or other bodies of Broward County having the power to enforce local code provisions, a planning or zoning board, board of adjustment, ~~a planning or zoning board~~ of appeals, or other board having the power to recommend, create, or modify land planning or zoning within ~~a political subdivision~~ Broward County, except for citizen advisory committees, technical coordinating committees, and ~~similar~~ such other groups who only have the power to make recommendations to planning or zoning boards, shall file a statement of financial interests by July 1~~st~~ following ~~of~~ each ~~calendar~~ year.

b. In accordance with Section 112.3145, Florida Statutes, as amended, each person appointed to a County board, council, commission, or authority required to file a statement of financial disclosure shall file a the applicable statement of financial interests (e.g., Form 1) within thirty (30) days ~~of~~ after ~~their~~ their date of ~~his or her~~ appointment.

c. In accordance with Section 112.3145, Florida Statutes, as amended, appointed members to a County board, council, commission, or authority required to file a statement of financial interests, shall file a final disclosure form (Form 1F) ~~when~~ within sixty (60) days after their membership on the board ceases.

. . .

18.39. Statement of Policy of Providing Free Parking for Broward County Employees.

a. It is a proper exercise of Broward County's police power, as a unit of local government, to regulate parking either through its Land Development Code or its Zoning Code.

b. It is reasonable for the County to comply with its own parking standards in regard to the Broward County Governmental Center East and the Main Library.

c. The expenditure of public funds to acquire space to provide free parking for Broward County employees will facilitate the availability of employees to perform public services.

d. ~~The Broward County Board of County Commissioners~~ hereby finds that providing free parking for County employees serves a public purpose.

e. ~~The Broward County Board of County Commissioners~~ hereby further finds that a public purpose exists for the provision of ~~RESERVED~~ reserved or assigned parking spaces for certain Broward County employees required to perform County services away from their place of employment on a fairly regular basis.

~~18.40. Operation of Correctional Facilities.~~

a. ~~The Sheriff, as the Chief Correctional Officer, is solely responsible for the operation of the existing correctional System.~~

b. ~~The County will consult with the Sheriff to develop a multiyear corrections construction program.~~

18.41. Voting Conflicts Policy Applicable to Certain County Board Members.

The following procedures shall ~~be applied to the implementation of Ordinance No. 97-44, as amended,~~ apply regarding voting conflicts for members of eCounty boards, authorities, and commissions. ~~There shall be no violation and these procedures shall not~~

745 ~~apply to any employee member of the Committee for Community Development who voted~~
746 ~~in contravention of the ordinance during the 1998-99 fiscal year.~~

747 a. All members of boards who are required by sState law or eCounty ordinance
748 to abstain must follow the procedures specified in Section 112.3143, Florida Statutes.

749 b. Violations shall be reported in writing to the County Administrator. Reports
750 shall include the name of the subject board member, the board upon which ~~he or she~~ they
751 serves, the specific employer or entity with which the member is affiliated, the nature of
752 the affiliation (employee, director, officer), the date of the alleged violation, and a
753 description of the matter upon which the member allegedly voted in violation of
754 Commission policy. The identity of the reporter is not required. The County Administrator
755 may promulgate a report form for this purpose.

756 c. Upon receipt of a properly filed report of violation, the County Administrator
757 or ~~his or her~~ designee shall forward a copy of the report, minutes of the meeting at which
758 the violation is alleged to have occurred, and any other documents received in relation to
759 the report, to the subject board member. The board member will have fifteen (15) days
760 from the date the report was sent to provide a written response to the County
761 Administrator or designee.

762 d. Upon receipt of the board member's response, if ~~there is one~~ any, or upon
763 expiration of the fifteen (15) days, whichever is sooner, the County Administrator or
764 designee shall forward the report, the board member's response, the meeting minutes,
765 and any other documents received in relation to the report, to the appointing
766 eCommissioner. If there is no appointing eCommissioner, the documents shall be

forwarded to the Mayor. The County Administrator or any Commissioner may place an item on the Commission agenda to remove the board member at issue.

e. ~~The commissioner receiving the documentation shall review it and determine whether a violation occurred. The commissioner's determination is final. The commissioner shall notify, in writing, the subject board member, and the appointing authority if other than the Board of County Commissioners, of the determination.~~

f. ~~If the commissioner determines that a violation occurred, he or she shall place a removal motion on the Commission's consent agenda. Removal pursuant to this policy shall be effective upon the approval of the Commission.~~

g. The County Administrator or designee shall immediately notify in writing any board member removed pursuant to this policy and procedure, as well as the chair and the staff liaison of the board from which he or she was removed, and the staff liaison to the respective board.

18.42. Procedures for Review of Boards, Authorities, ~~And~~ and Agencies Pursuant to Section 2.09, Broward County Charter.

a. On or before December 31 of every fourth year, the County Attorney's Office of the County Attorney will provide the County Commission and the County Administrator with a list of boards subject to Section 2.00 2.09.F of the Broward County Charter.

b. The County Administrator or designee will forward a Broward County Sunset Review Form to the staff liaison for each board in the year the review will take place. These review forms must be completed and returned to the County Administrator or designee.

1. Boards may be divided into categories or related areas of interest and will be reviewed by a panel consisting of the County Administrator or designee, the board's departmental/division/office assigned liaison and any other relevant staff. A representative from the County Attorney's Office ~~of the County Attorney~~ will assist the panel on legal matters.

2. The panel reviewing the board will use as performance measures the questions outlined in the Broward County Sunset Review Form.

c. Following a review of affected boards, the County Administrator or designee will forward the recommendations to the ~~County~~ Commission.

d. The ~~County~~ Commission will review the recommendations and will direct the County Attorney's Office to prepare resolutions indicating: a) those boards ~~which~~ that are "needed to serve the public interest, and the whose cost of its existence ~~to the citizens and taxpayers~~ is justified," and b) those boards ~~which~~ that shall be sunset.

e. The ~~County~~ Commission will abolish those boards it wishes to sunset ~~prior to December 31st.~~

18.43. Naming Broward County-owned Property, Buildings, Structures, Roads, and Facilities.

The ~~Board of County Commissioners of Broward County, Florida ("Board")~~, may name any property, building, structure, road, or facility owned by ~~Broward~~ the County, or which ~~Broward~~ the County otherwise has the right to name ("County Property"), subject to the process and parameters: set forth below:

~~(a)~~ a. *Criteria.* The following criteria shall apply to any proposal to name County Property:

~~(1)~~ 1. County Property should not be named after a person who, at the time of the naming, holds public office unless the qualifying period for election to a subsequent term in office has closed and the person has not filed for reelection or election to another office.

~~(2)~~ 2. County Property should not be named using the title of a particular organization, except as permitted by ~~(b)(5) of this s~~Section 18.43.b.5.

~~(3)~~ 3. If the County Property is a road, the ~~current name of the~~ existing road name shall ~~be retained as a secondary~~ remain the primary designation. Any new name approved under this section will be assigned only as a secondary designation. The proposed secondary name must comply with the minimum letter size, length, height, width, and placement standards established by the Traffic Engineering Division, and shall be consistent with applicable federal standards, taking into account the layout and technical characteristics of the road, building, facility, or structure.

4. County Property should not be named after any person who has been convicted of a felony offense in any jurisdiction.

~~(b)~~ b. *Considerations.* Consideration of the following guidelines in naming County Property is encouraged:

~~(1)~~ 1. Historical significance.

~~(2)~~ 2. Geographical identifiers.

~~(3)~~ 3. Natural characteristics, including flora (plant life that is characteristic of the Broward County region or environment) and fauna (animal life that is characteristic of the Broward County region or environment).

(4) 4. Individuals ~~making~~ who have made significant, nonfinancial, humanitarian contributions ~~on at the~~ local, state, national, or global level ~~of significance~~.

The priority of this consideration shall be given in the following order:

- a. (a) First priority: local level;
- b. (b) Second priority: state level;
- c. (c) Third priority: national level; and
- d. (d) Fourth priority: global level.

(5) 5. Individuals, ~~corporations,~~ or ~~other~~ entities ~~making~~ that have made significant financial contributions that benefit the mission of Broward County government.

~~(c)~~ c. *Proposal Submission.* ~~Any individual or group, including~~ Only a County Commissioner, proposing may submit a proposal to name County Property (“Proposer”). The Commissioner shall submit a formal application to the Broward County Administrator (“County Administrator”) using the form provided by the County Administrator for that purpose. The application shall include the proposed name, the specific property to be named, and any relevant information in support of the proposal (“Proposal”). If a Commissioner seeks to amend their previously submitted Proposal to propose a different name, the amendment shall be treated as a new Proposal. The Commissioner must submit a new application, and the review and approval process under this section shall restart.

~~(d)~~ d. *Notice of Proposal.* Within ~~five (5)~~ ten (10) business days after receipt of a Proposal, the County Administrator or designee shall distribute to the ~~Board~~ Commission a notice indicating that a Proposal has been made to name County Property and

identifying the ~~Proposer~~ requesting Commissioner, the proposed name, and the County Property sought to be named.

e. *Multiple Proposal Submissions.* If two (2) or more Commissioners submit Proposals to assign different names to the same County Property, the County Administrator shall place an item on the Commission's agenda for discussion and direction regarding the naming of the County Property.

f. *Community Input.* The County Administrator or designee shall seek community input on any Proposal to name County Property:

1. *Naming of Roads:*

The County Administrator or designee shall hold at least one (1) public meeting intended to obtain feedback and comment on the Proposal. Notice of the meeting must be provided at least ten (10) business days in advance by U.S. mail or electronic mail to: (i) municipalities within one-half mile of the road (or the road segment, if less than an entire road is under consideration for naming under this section); (ii) all known neighborhood, community, homeowner, and condominium associations within one-half mile of the road (or the road segment, if less than an entire road is under consideration for naming under this section); and (iii) all known property owners and residential tenants with frontage along the road (or the road segment, if less than an entire road is under consideration for naming under this section).

2. *Naming of Buildings, Facilities, Structures, or Portions Thereof:*

880 Notice and request for input shall be provided to: (i) municipalities within
881 one-half mile of the building, facility, structure, or any portion thereof; and
882 (ii) all known neighborhood, community, homeowner, and condominium
883 associations within one-half mile of the building, facility, structure, or any
884 portion thereof.

885 For purposes of Section 18.43.f.2 above, the County Administrator or
886 designee may also identify and notify other relevant groups, such as
887 nonprofit organizations, civic groups, business associations, or other
888 membership-based entities that may have an interest in the Proposal.
889 Additionally, the Commission or any Commissioner may invite external
890 organizations or individuals to participate in the review process or provide
891 input.

892 ~~(e)~~ g. *Proposal Review.*

893 ~~(1)~~ 1. The County Administrator or designee shall review the Proposal for
894 compliance with ~~this section and shall solicit community input regarding the~~
895 ~~Proposal from a minimum of three (3) local municipalities or community~~
896 ~~groups that the County Administrator determines may have relevant input~~
897 ~~regarding the Proposal, including homeowners' associations, professional~~
898 ~~associations, and neighborhood groups. The County Administrator must~~
899 ~~obtain input from at least two (2) municipalities or groups~~ the criteria and
900 considerations set forth in this section.

901 2. Within ten (10) business days after the completion of the community input
902 process, the County Administrator or designee shall notify the

Commissioner who submitted the Proposal of the input received from the community, including any expressions of support or opposition, or an indication that no feedback was received. Upon receipt of this notification, the Commissioner may either: (a) affirm the request to proceed with the Proposal; or (b) withdraw the Proposal.

(2) 3. If the Commissioner affirms the request to proceed, the County Administrator or designee shall, ~~W~~within thirty (30) business days after receipt of the Proposal, ~~the County Administrator or designee shall, prepare~~ and submit to the ~~Board~~ Commission a memorandum providing: (i) a summary of the community input solicited and received, including any expressions of support or opposition, or indication that no feedback was received; (ii) ~~an analysis of determination as to~~ whether the proposed name aligns with the criteria and considerations under this policy; and (iii) any additional relevant information, as determined by the County Administrator or designee, regarding the Proposal.

(3) ~~The Board, or any County Commissioner, may invite outside organizations to participate in the review process.~~

(f) h. *Public Hearing.* After submission of the memorandum to the ~~Board~~ Commission, an agenda item setting the public hearing for the Proposal may be placed on the ~~Board's~~ Commission's agenda, ~~which by any Commissioner. The agenda item shall append the County Administration Administrator's memorandum to the Board shall~~ be included as an exhibit to the agenda item. A public hearing on the item shall be held no sooner than ten (10) days after the item is first set for public hearing.

i. Additional Criteria for Naming of Courthouses and Courtrooms. The following additional criteria shall apply to the naming of a courthouse, courtroom, or other space within a courthouse (collectively, "Court Space"):

1. A Court Space may only be named in honor of an individual who has served as a judge, the Broward County State Attorney, the Broward County Public Defender, or the Broward County Clerk of Courts for a minimum of ten (10) years.

2. The Commission shall not approve the naming of more than two (2) Court Spaces within the same courthouse during any rolling twelve (12) month period.

3. A proposal to name any Court Space shall not proceed without a written request from the current Chief Judge of the Seventeenth Judicial Circuit.

j. Commemorative Recognitions in County Buildings and Facilities. In addition to the formal naming of County Property, individuals or entities may be honored through other commemorative gestures within County-owned or County-leased buildings and facilities. These recognitions may include, but are not limited to, plaques, markers, monuments, or similar appropriate tributes that acknowledge contributions or significance.

1. A request for a commemorative recognition may be proposed only by a Commissioner and shall be submitted, noticed, reviewed, and considered in the same manner for naming County Property as provided in Sections 18.43.a, 18.43.b, 18.43.c, 18.43.d, 18.43.e, 18.43.g, and 18.43.h.
The Commission may exercise discretion to approve a commemorative

949 recognition in circumstances where a formal naming would not be
950 appropriate, but the honoree has nonetheless provided significant service
951 or contributions to the County.

952 2. Commemorative recognitions proposed within a Court Space are not
953 subject to the requirements of Section 18.43.i. However, the County
954 Administrator or designee shall consult with the Chief Judge of the
955 Seventeenth Judicial Circuit prior to submitting the memorandum required
956 pursuant to Section 18.43.g.3.

957 ~~(g)~~ k. Exceptions. This naming policy shall not apply if the naming rights have
958 been sold or transferred by agreement of the ~~Board~~ Commission, for so long as such sale
959 or transfer agreement remains in effect.

960 **~~18.44. Statement of Policy for Appointing Members to Legal Aid Service of Broward~~**
961 **~~County, Inc. Annual Mayoral Nominations and Appointments.~~**

962 ~~The Board of County Commissioners has determined that having the whole Board~~
963 ~~make appointments to the Board of Directors of Legal Aid Service of Broward County,~~
964 ~~Inc., rather than having such appointments made from the at-large rotation list, is~~
965 ~~appropriate at this time. Therefore, all prospective appointments to the Board of Directors~~
966 ~~of Legal Aid Service of Broward County, Inc. henceforth shall be chosen by the whole~~
967 ~~Board of County Commissioners. The newly elected Mayor shall propose individual~~
968 Commissioners to serve for the upcoming fiscal year on certain boards, authorities, and
969 agencies for which a member of the Commission is nominated by the Mayor or appointed
970 by the Commission to serve as a representative of the Commission. The Commission
971 shall consider approval of such appointments and may do so as a single agenda item.

...

18.46 Authorization of Mayor and Vice-Mayor to Sign; Authority of Other Commissioners to Sign on Behalf of County When Mayor and Vice-Mayor are Both Unavailable.

Any contract or other document that has been formally approved by the Commission may be signed by the Mayor or Vice-Mayor on behalf of the County and attested to by the County Administrator as ex officio clerk of the Commission. Except as otherwise prohibited by law, and notwithstanding any provision in the Broward County Administrative Code to the contrary, all contracts and ~~items~~ documents, other than ceremonial proclamations, that the Mayor or Vice-Mayor is required to sign on behalf of the County may, if the Mayor and Vice-Mayor are both unavailable, be signed on behalf of the County by the available sitting Commissioner who most recently served as County Mayor.

18.47. Proclamations.

a. Ceremonial proclamations may only be issued in accordance with the provisions of this section. ~~Whenever possible~~ Absent exigent circumstances explained in writing, proposed proclamations must be presented to the Mayor for consideration and to the County Attorney's Office for legal review at least five (5) business days in advance of the requested date for issuance; no proclamation shall be issued without approval by the Mayor and review and approval as to legal sufficiency by the County Attorney's Office. Only the Mayor may sign a proclamation on behalf of Broward County or the ~~Broward County Board of County Commissioners~~, except as follows:

1. The Vice-Mayor may sign a proclamation timely submitted to the Mayor if the Mayor is unavailable for two (2) consecutive business days and the proclamation is scheduled to be issued prior to the time the Mayor will become available.
2. If the Mayor or Vice-Mayor, as applicable, is unavailable or otherwise unwilling to sign a proclamation, then such proclamation may be issued under the signature of its sponsor(s) if issuance of the proclamation is approved by a majority of the ~~County~~ Commission.
- b. Copies of all proclamations shall be maintained by the Public Information Manager for the ~~County~~ Commission.
- c. Any individual permitted to issue a proclamation may either stamp or sign the proclamation or may authorize another person to sign or stamp the proclamation on their behalf.
- d. Nothing provided herein shall restrict the ability of an individual Commissioner to issue certificates of appreciation or similar honors for individuals or entities, regardless of whether the recipients are within the Commissioner's district, so long as the applicable honor expressly indicates it is issued in the Commissioner's individual elected capacity and does not indicate or imply it is issued on behalf of Broward County or the ~~Board of County Commissioners~~. A certificate or similar honor issued under this paragraph may not name a "day" in appreciation of any person or entity.
- ...

Section 3. Part III of Chapter 18 of the Broward County Administrative Code is hereby amended to read as follows:

PART III. BOARD COMMISSION POLICIES, FISCAL

...

18.63. Donations.

(a) a. Donations to Broward County that are valued at ~~Ten~~ Twenty-five Thousand Dollars ~~(\$10,000)~~ (\$25,000) or more, and donations to Broward County of any interest in real property, regardless of the estimated value of the interest, shall be accepted by a resolution of the ~~Board of County Commissioners,~~ which shall specify the name and address of the donor, the amount of the donation, if monetary, the specific purpose for which the donation is made, if any, any restrictions on the use of the donation, and any applicable account into which the donation, if monetary, shall be placed pending expenditure.

(b) b. Donations to Broward County of anything other than an interest in real property, which donations are either (a~~1~~) valued at less than ~~Ten~~ Twenty-five Thousand Dollars ~~(\$10,000)~~ (\$25,000), or (b~~2~~) donated by a governmental entity or agency, regardless of monetary value, may be accepted by the County Administrator or designee. Monetary donations shall be deposited into the appropriate trust or other account for safekeeping and expenditure consistent with the terms of the donation, and donations of personal property shall be used consistent with the terms of the donation.

(c) c. For each donation that is accepted without a resolution of the ~~Board of County Commissioners,~~ a letter acknowledging the donation shall be prepared by the County Administrator or designee, as appropriate, and provided to the donor.

(d) d. On or before the end of each calendar quarter, the County Administrator shall file a report with the ~~Board of County Commissioners~~ describing (including a statement of actual or estimated value) all donations that were accepted without a resolution of the ~~Board of County Commissioners~~ during the prior calendar quarter.

18.64. Attendance at Closings of Bond Issues.

All closings of Broward County bond issues shall be done within the counties of Broward, Miami-Dade, or Palm Beach (hereinafter, "local areas"), whenever possible. Requests to attend bond closings outside of the local areas must be submitted to the ~~Board of County Commissioners of Broward County, Florida (the "Board")~~, for approval and in accordance with the County's travel policy as set forth by the Broward County Administrative Order Code. Approval to attend bond closings outside of the local areas may be granted at the ~~Board's~~ Commission's discretion if the ~~Board~~ Commission determines that staff's attendance is cost effective, or if there is some other overriding justification.

. . .

Section 4. Part IV of Chapter 18 of the Broward County Administrative Code is hereby amended to read as follows:

PART IV. ~~BOARD~~ COMMISSION POLICIES, OTHER

~~18.81. Notification Policy.~~

~~Broward County Government, through its Intergovernmental Affairs Program, will notify all affected municipalities of capital improvement projects scheduled to be undertaken by the County. The notification process is intended to fulfill a twofold objective:~~

a. ~~To facilitate intergovernmental coordination and cooperation; and~~

b. ~~To foster a mutually productive working relationship between the County and municipal governments.~~

~~18.82. Reimbursement to Broward County for the Cost of Work Performed by the Public Works Department for another Governmental Entity.~~

~~In instances where construction or installation is done by the Public Works Department for another governmental entity, all contracts relating to any such project shall ensure that the County is reimbursed for the cost of labor, material, rental of equipment and overhead unless the project is specifically exempted by the Board of County Commissioners. Each project shall require a contract signed by all parties indicating reimbursement rates and interest penalties for late payment in accordance with Florida Statutes. New contracts shall not be proposed for governmental entities which are delinquent in payments for existing contracts.~~

~~. . .~~

~~18.85. Amendments to the Percentage Split of Local Option Gas Taxes.~~

a. ~~The nine cents of local option gas taxes levied by the Board of County Commissioners, six cents known as the "original" local option gas tax and three cents known as the "additional" local option gas tax, shall be split between the County and the eligible municipalities with sixty one and seventy five hundredths (61.75%) percent allocated to the County and thirty eight and twenty five hundredths (38.25%) percent allocated to the eligible municipalities beginning in the County's fiscal year 1998.~~

b. ~~The percentage split of the nine cents of local option gas taxes shall only be amended in the future if:~~

~~1. A new eligible municipality is created by the State Legislature; or if~~

2. ~~Unincorporated areas with a population of at least 5,000 are annexed into a municipality.~~

c. ~~If either of the conditions described in section 18.85(b) above are met, the percentage of local option gas taxes allocated to the County shall be reduced and the municipalities' share shall be increased in an amount proportionate to the population of the previously unincorporated areas.~~

d. ~~All amendments to the split of local option gas taxes between the County and municipalities shall be incorporated in the annual amendments to the interlocal agreements required to update the municipal population estimates.~~

18.86. Creation of a Municipal Community Redevelopment Agency.

a. In order for the County to delegate authority to a ~~M~~municipality to create a Community Redevelopment Agency, a the ~~M~~municipality shall provide the County with a finding of "necessity," together with and supported by a ~~S~~slum and ~~B~~blight study, all of which shall be referred to as the "Application."

b. The Application shall include such information as required by statute and such available applicable information as would illustrate the following criteria, or an explanation why the information is not available or applicable:

1. That a "~~S~~slum area" exists, which is an area in which there is a predominance of buildings or improvements, which by reason of deterioration or obsolescence, has a higher density of population and overcrowding than that of adjacent areas within the County or municipality, are conducive to ill health, transmission of disease, infant mortality, juvenile

delinquency, or crime, and detrimental to the public health, safety, morals, or welfare;

2. That a “Blighted area” exists, which is an area in which there is a substantial number (20% or more); of slum or deteriorating structures and conditions ~~which~~ that endanger life or property; and

3. That the only additional criteria supplemental to Florida Statutes to be required of applicants in the submission of their slum or blight study is a statistical and narrative analysis of the taxable values in a proposed community redevelopment area for at least the three (3) year period preceding the year in which the finding of necessity study is prepared.

c. The County Administrator or designee shall review the Application to determine whether it meets the above criteria in the aggregate; and recommend approval or disapproval to the ~~County~~ Commission. The ~~County~~ Commission, ~~based upon~~ after giving due consideration to the County Administrator’s recommendation, shall either approve or disapprove the Application. If the Application is approved, the ~~County~~ Commission shall delegate to the ~~M~~municipality only the authority to create a Community Redevelopment Agency (Agency) and to prepare a Redevelopment Plan (Plan) in accordance with Florida Statutes. The Plan should specifically identify its term.

d. The Agency, through the ~~M~~municipality, shall submit a completed Plan to the County for review and approval. Upon submission, the County Administrator or designee shall review the Plan and recommend approval or disapproval to the ~~County~~ Commission. The ~~County~~ Commission, based upon the County Administrator’s recommendation, shall either approve or disapprove the Plan. If the Plan is approved, the

County Commission shall delegate to the ~~M~~municipality, all powers necessary to implement the Plan.

18.87. Requirements for a Municipal Community Redevelopment Agency.

a. During the term of the Plan, the Agency shall provide to the County a copy of the annual audit and annual report required by Sections 163.387(8) and 163.356(3), Florida Statutes. The Agency shall include a comparison of Plan goals, objectives, and policies to annual program accomplishments and an analysis comparing the current year tax base to the base year, in addition to the statutorily required financial statements.

b. The ~~County~~ Commission, ~~based upon~~ after giving due consideration to the County Administrator's recommendation, shall either approve or disapprove any changes to the Plan as follows:

1. A boundary change. Requests for changes to the boundary shall include such information as required by Sections 18.86.a- and b.
2. An extension to the term of the Plan involving the continuing contribution by the taxing authorities beyond the original plan adoption, as may have been amended, shall be negotiated between each existing community redevelopment agency and the County, subject to approval by the community redevelopment agency's local governing body and the ~~Board of County Commissioners~~.
3. A change to the Plan of such magnitude as would require a county or municipal land use plan amendment.

...

Section 5. 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 6. 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 to accomplish such intention.

1166 Section 7. Effective Date.

1167 This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2025.

PROPOSED

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

By: /s/ René D. Harrod 10/30/2025
René D. Harrod (date)
Chief Deputy County Attorney

RDH/cv
Chapter 18 Resolution
10/30/2025
#1198504.1

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