

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING A POLICY REGARDING THE PROCESS OF APPOINTING MEMBERS OF BOARDS AND COMMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward Office of the Inspector General (OIG) issued a Closing Memorandum reporting its findings regarding an allegation that, on or about May 2014, the City of Fort Lauderdale violated Sec. 47-30.2 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations (ULDR) by unlawfully extending a Planning and Zoning Board member's term past the time provided for its expiration; and

WHEREAS, the OIG found insufficient good cause to proceed to an investigation, however, provided recommendations designed to avoid similar confusion in future appointments.; and

WHEREAS, the OIG's second recommendation is that a form of secondary review of appointment resolutions not presented in writing to the commission be developed; and

WHEREAS, the City Commission finds it more prudent to adopt as policy and practice to adopt only full and complete, written appointment resolutions at its regular meetings; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. Adoption of Policy. The City Commission of the City of Fort Lauderdale (herein "City Commission") hereby adopts the following policies governing the appointment process of members of boards and committees:

1. The words, terms and phrases, when used in this resolution shall have the meanings ascribed to them in Section 2-216 of the Code of Ordinances of the City of Fort Lauderdale, except where the context clearly indicates a different meaning.

2. The City Clerk shall maintain a current list of all individuals who have applied for and qualify for appointment to any board or committee by the City Commission("eligibility list").

3. City Commissioners may review and select a nominee for appointment from the list maintained by the City Clerk. The selected nominee for appointment to a board or committee shall be submitted to the City Clerk by noon on the Wednesday preceding the regularly scheduled City Commission meeting at which the nominee will be considered for appointment.

3. A resolution incorporating all of the names of the timely received nominations will be prepared and published in the back-up of the City Commission meeting at which the nominees will be considered for appointment.

4. Untimely nominations, individuals not on the eligibility list, or nominations made at the regular City Commission meeting but not incorporated in the resolution attached to that meeting's agenda shall be incorporated in the appointment resolution and published in the back-up of the next City Commission meeting for consideration. The City Clerk will check the eligibility list to confirm whether the individual has applied for and qualifies for the appointment. If the individual has not submitted an application, then the City Clerk shall notify the City Commissioner's office, in writing, of the same.

SECTION 2. Validity. Any action taken by the City Commission, City Board or Committee which is found to be in violation of this Resolution is not void as a result of that violation.

SECTION 3. Severability. The sections, subsections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph, subsection or section of this Resolution shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, and sections of the Resolution.

SECTION 4. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the ____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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