



TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Jonda K. Joseph, City Clerk

DATE: July 7, 2015

SUBJ: Boards and Committees, Terms and Appointment Policy

Recommendation

It is recommended that the City Commission adopt the attached 1) ordinance on first reading amending the Code of Ordinances to address terms of boards and committees and 2) resolution approving a new appointment policy.

Background

On April 10, 2015, 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. The OIG found insufficient good cause to proceed to an investigation, however, provided recommendations designed to avoid similar confusion in future appointments. The OIG recommended 1) that the Section 47-30.2, ULDR be amended to clarify the applicable term limit of appointments made after June 1st. and 2) that there be a form of secondary review of appointment resolutions not presented in writing to the commission.

At the June 16, 2015 conference meeting, Commissioner Roberts requested further review of board and committee consecutive terms limitations. This ordinance was already in progress, and while it provides clarity with respect to terms, it does not specifically address consecutive terms. This aspect will be scheduled for a conference discussion.

In consultation with the City Attorney's Office our office has determined that other boards may be subject to the same ambiguous language. Rather than amending several different ordinances, the proposed ordinance amends the relevant sections of the code of ordinances of the City of Fort Lauderdale (Sections 2-216, 2-217 and 2-219) to address the issue for all boards and committees. The ordinance defines appointee; clarifies what is meant by the use of the terms: board, city board and other board; limits the applicability of Section 2-217 of the Code of Ordinances to advisory boards and committees established by the City; and clarifies the rules governing the terms of appointment.

The OIG's second recommendation is not addressed in the proposed ordinance, but is presented in this memorandum as a proposed policy change. It is recommended that the City Commission adopt the practice of only adopting full and complete written proposed resolutions provided in the published backup available to the public. This means that in order for appointments to occur at the particular meeting where this backup is provided, the nominations will have to be submitted before the agenda and backup is published and made available to the public. A timeframe of noon on the Thursday that the agenda is published for all nominations would satisfy the OIG's recommendation concerning adoption of resolutions not presented in writing, prevent confusion and provide a systematic procedure. If an appointment nomination is received after noon on Thursday, it will be included in the following regular meeting's resolution. This process does not prevent untimely nomination from being considered, however, it will delay their appointment until the next scheduled city commission meeting on which a written resolution including the proposed nominee can be presented. The process allows the clerk's office the opportunity to review the nominees' qualifications prior to appointment.