

ORDINANCE NO. C-18-36

AN ORDINANCE AMENDING SECTION 2-219. – “RULES GOVERNING BOARD AND COMMITTEES APPOINTMENTS”, OF DIVISION 1. – “GENERALLY” OF ARTICLE III. – “BOARDS, COMMISSIONS, ETC.”, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 2-219. – Rules Governing Board and Committees Appointments, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 2-219. - Rules governing board and ~~committees~~committee appointments.

All appointments to advisory boards, committees, or any other type of collegial body established by city ordinance or resolution (hereinafter collectively, known as "city boards"), and all appointments to entities, such as but not limited to authorities or agencies established pursuant to federal or state law, Broward County Charter, ordinance, or resolution, or interlocal agreements (hereinafter collectively, known as "other boards"), shall be subject to the following requirements except where inconsistent with City Charter, general or special law, or the enabling enactments of such city board or other board:

- (a) Members' basic qualifications. The City Commission may at any time, by resolution, appoint members to any city board or other board upon the nomination by the mayor or a city commissioner, either individually or by consensus. In addition the specific requirements for membership on an advisory board or committee, all appointees to and members of advisory boards and committees, shall be residents of, own property in, or be employed in the city with the exception of members of the beach business improvement district advisory committee, beach redevelopment board and the economic development board. The city manager shall be an ex officio member of all such advisory boards, without power to vote.

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(b) Term of appointment.

- (1) All appointees to any city board shall, unless otherwise specified, be appointed for a ~~fixed~~ term of appointment of one-year and without compensation.
- (2) Term of appointment of all appointees shall commence and be calculated from the date of appointment.
 - a. The date of appointment is the date specified by the enabling ordinance or resolution for the subject board as the start date of a term of office; or
 - b. In absence of an express date of appointment in the enabling ordinance or resolution for the subject board the date of appointment shall be the date expressly stated in the resolution appointing the member to such board or if the resolution is silent on the date of appointment the appointee shall be deemed to have been appointed as of the date of the adoption of the appointing resolution.
- (3) The ~~fixed~~ term of appointment shall expire on the earliest of the last day of the ~~fixed~~ term of appointment, as computed from the date of appointment, ~~or the date calculated to be six (6) months after the~~ organization meeting provided in Section 3.09 of the Charter of the City of Fort Lauderdale if the Mayor or City Commissioner who nominated the member for appointment is no longer in office or if the composition of the City Commission changes from that of the composition of the City Commission that nominated the member for appointment, or the date a successor is appointed as provided in subsection 2-219(4), of the code of ordinances, unless the appointee is removed for cause under applicable law.
- (4) If a newly-elected or newly-appointed Mayor or City Commissioner fails to nominate and the City Commission fails to appoint a successor, or reappoint the incumbent appointee, within six (6) months of the

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organization meeting, the City Clerk or his or her designee shall notify the appointee of the expiration of his or her term, and the board seat shall remain vacant until filled. The former incumbent appointee whose term of appointment expired as described in this subsection (4) may not be appointed to the board or committee for which her or his term of appointment expired for a period of two years computed from the date of the expiration of her or his term of office.

- (5) If a newly-elected or newly-appointed Mayor, City Commissioner or City Commission nominates and the City Commission reappoints the incumbent appointee, such incumbent appointee's term of appointment is to be computed from the incumbent appointee's initial date of appointment specified in the resolution adopted by the previous City Commission.

(c) Vacancies on boards and committees shall be filled for the balance of any unexpired term. The appointment to complete the balance of an unexpired term shall not constitute a term of appointment for the purposes of calculating the limitation on the number of consecutive terms.

(d) Limitation on number of consecutive terms. No person appointed by the City Commission to serve on a city board may serve more than six (6) consecutive one-year terms, three (3) consecutive two-year terms, or two (2) consecutive three- or four-year terms on such board. This section shall not apply to appointments to the performing arts center authority, downtown development authority of the city, general employees retirement system, board of trustees, police and firefighters retirement system, board of trustees, housing authority board of commissioners of the city and the insurance advisory board. Board members appointed to the Northwest-Progresso-Flagler Heights Redevelopment Board may serve three (3) consecutive three-year terms on such board.

(e) Any member of any city board or other board appointed by the City Commission who becomes a candidate for any public elective office shall automatically forfeit his office. No city employee shall be appointed by the City Commission to any board or committee, unless otherwise provided for by federal or state law, or county or city charter, ordinance or resolution. The City

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Commission may not appoint a city employee as a voting member on a city board or committee with the exception of the citizens police review board, civil service board, board of trustees of the general employees retirement system, and the board of trustees of the police and firefighters retirement system.

SECTION 2. That the term of appointment for any member of a city board or other board as defined in Section 2-219, entitled "Rules Governing Board and Committees Appointments", who was appointed to a city board or other board by the City Commission prior to March 13, 2018, and whose appointment was due to the nomination by consensus of the board of City Commissioners prior to March 13, 2018, or by a Mayor or City Commissioner who left office on March 20, 2018, shall expire six (6) months after the effective date of this ordinance, unless the incumbent appointee is reappointed or a successor is appointed. If the City Commission fails to reappoint the incumbent appointee within six (6) months of the effective date of this ordinance, the City Clerk or his or her designee shall notify the appointee of the expiration of his or her term, and the board seat shall remain vacant until filled. No incumbent appointee may be reappointed if such appointment would result in a term of appointment that exceeds the limitation on the number of consecutive terms as provided in Section 2-219(d) of the Code of Ordinances. The former incumbent appointee whose term of appointment expired as described in this section may not be appointed to the board or committee for which their term of appointment expired for a period of two years computed from the date of the expiration of their term of office. This provision shall not apply to municipal board members as defined in Section 112.501(1), Florida Statutes, with the exception of municipal board members whose term of appointment has expired and are serving until their successor is appointed.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten days from the date of final passage.

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PASSED FIRST READING this the 23rd day of October, 2018.

PASSED SECOND READING this the _____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

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