



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-1208

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Alain E. Boileau, City Attorney

DATE: November 6, 2018

TITLE: Ordinance Amending Section 2-219 – Rules Governing Board and
Committee Appointments, of the Code of Ordinances

Recommendation

It is recommended that the City Commission adopt an ordinance amending Section 2-219 – Rules Governing Board and Committees Appointments, of the Code of Ordinances.

Background

At its conference meetings of March 20, 2018 and June 19, 2018, the City Commission discussed the term of appointments of City board and committee members. Specifically, the City Commission directed the enforcement of term limits and discontinuing the practice of allowing board and committee members to retain office until their successor is appointed. Staff was further directed to revise the Code of Ordinances to provide for the removal of appointees post-election similar to the process outlined in the Broward County Code of Ordinance. Additionally, at the first reading of this ordinance held on October 23, 2018, the City Commission directed staff to add a two-year prohibition against the appointment of board and committee members to the board or committee from which they were removed as a result of the adoption of the provisions of this ordinance.

The proposed ordinance provides as follows:

- Clarifies that individual board or committee members may be nominated by the mayor or individual city commissioners or by consensus of the city commission but are appointed by the vote of the entire city commission.
- Provides that the term of appointment of a board or committee member expires on the earliest of one of the following events:
 - Last day of the term of appointment as computed from the date of appointment
 - Six months after the organization meeting if the mayor, city commissioner or the composition of the city commission that nominated the appointee changes

- Provides that a newly elected or appointed mayor or city commissioner has six months in which to reinstate an incumbent appointee. If not reinstated, the appointee's term of appointment expires.
- City Clerk is responsible for notifying the appointee of the expiration of term.
- Provides an expiration of terms of appointment for all board or committee members appointed prior to March 13, 2018 within six months of the adoption of this ordinance unless reinstated by the city commission.

The ordinance does not specifically address the term of appointment of appointees who remain in office after the expiration of their term of appointment commonly known as "holdovers". Holdovers presently serve at the discretion of the City Commission due to language added to the resolutions appointing those individuals. The holdovers whose term of appointment has already expired only remain in office because the City Commission has not nominated and appointed their replacement. The proposed Section 2 will also have the effect of removing holdovers from office within six months of the adoption of this ordinance. It should be noted that under this ordinance there is no ability to reappoint a holdover who is term limited. In conjunction with this action, the City Clerk's Office will no longer include variations of the phrase "or until their successor has been appointed" in future appointing resolutions.

Resource Impact

There is no fiscal year impact associated with this action.

Attachment:

Exhibit 1 – Ordinance

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Charter Officer: Alain E. Boileau, City Attorney