

ORDINANCE NO. C-17-04

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 2-232 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO MODIFY THE COMPOSITION OF THE CHARTER REVISION BOARD BY DELETING EX OFFICIO NONVOTING MEMBERS, MODIFYING THE ROLES OF THE CITY MANAGER, THE CITY CLERK, AND THE CITY ATTORNEY, AND SUBSTITUTING THE CITY AUDITOR FOR THE DIRECTOR OF FINANCE FOR STATING RECOMMENDATIONS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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WHEREAS, *ex officio* non-voting members of municipal government boards are incompatible with Section 286.012, Florida Statutes (2016), which provides, in part,

A member of a state, county, or municipal governmental board, commission, or agency who is present at a meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may not abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, unless, with respect to any such member, there is, or appears to be, a possible conflict of interest under s. 112.311, s. 112.313, s. 112.3143, or additional or more stringent standards of conduct, if any, adopted pursuant to s. 112.326;

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

SECTION 1. Section 2-232 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

The charter revision board shall be made up of five (5) members of the public appointed by the city commission, ~~with the city manager, director of finance, city clerk and city attorney serving as members of the board in an ex officio nonvoting capacity.~~ The city manager, director of finance city auditor, city clerk and city attorney ~~shall~~may state their recommendations to the charter revision board before any action is taken at the charter revision board meetings.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

SECTION 2. 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 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon its final passage.

PASSED FIRST READING this the 7th day of March, 2017.

PASSED SECOND READING this the 21<sup>st</sup> day of March, 2017.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI