

PROPOSED

RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO DONATIONS TO BROWARD COUNTY; AMENDING SECTION 18.63 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE") TO CHANGE THE PROCEDURES BY WHICH BROWARD COUNTY ACCEPTS DONATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, Section 18.63 of the Administrative Code sets forth the procedures for the acceptance of donations made to Broward County (the "County"); and

WHEREAS, Section 18.63 of the Administrative Code was codified in 1987 and has never been amended; and

WHEREAS, the County desires to amend Section 18.63 of the Administrative Code to provide a more efficient and streamlined process for the acceptance of donations made to the County, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 18.63 of the Broward County Administrative Code is hereby amended to read as follows:

18.63. Donations.

a. (a) Donations to Broward County of ~~five hundred (\$500)~~ that are valued at Ten Thousand Dollars (\$10,000) or more, and donations to Broward County of any interest in real property, regardless of the estimated value of the interest, shall be

1 accepted by a resolution of the Board of County Commissioners which shall specify the
2 name and address of the donor, the amount of the donation, if monetary, the specific
3 purpose for which the donation is made, if any, ~~and any restrictions on the use of the~~
4 ~~funds donation, and any applicable account into which the donation, if monetary, shall~~
5 ~~be placed pending expenditure. The office of the County Administrator shall prepare a~~
6 ~~certificate recognizing each contribution over five hundred dollars (\$500).~~

7 ~~b. (b) Donations of to Broward County of anything other than an interest in real~~
8 ~~property, which donations are valued at less than five hundred dollars (\$500) Ten~~
9 ~~Thousand Dollars (\$10,000), may be accepted by the County Administrator or his~~
10 ~~designee for deposit in existing County trust accounts to be used for purposes for which~~
11 ~~the trust account was established. Monetary donations shall be deposited into the~~
12 ~~appropriate trust or other account for safekeeping and expenditure consistent with the~~
13 ~~terms of the donation, and donations of personal property shall be used consistent with~~
14 ~~the terms of the donation.~~

15 ~~(c) For each donation that is accepted without a resolution of the Board of~~
16 ~~County Commissioners, a letter acknowledging the donation shall be prepared by the~~
17 ~~County Administrator or designee, as appropriate, and provided to the donor.~~

18 ~~(d) On or before the end of each calendar quarter, the County Administrator~~
19 ~~shall file a report with the Board of County Commissioners describing (including a~~
20 ~~statement of actual or estimated value) all donations that were accepted without a~~
21 ~~resolution of the Board of County Commissioners during the prior calendar quarter.~~

22 Section 2. SEVERABILITY.

23 If any portion of this Resolution is determined by any Court to be invalid, the
24 invalid portion shall be stricken, and such striking shall not affect the validity of the

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underscored type are additions.

1 remainder of this Resolution. If any Court determines that this Resolution, or any
2 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
3 property(ies), or circumstance(s), such determination shall not affect the applicability
4 hereof to any other individual, group, entity, property, or circumstance.

5 Section 3. INCLUSION IN THE ADMINISTRATIVE CODE.

6 It is the intention of the Board of County Commissioners that the provisions of
7 this Resolution shall become and be made a part of the Broward County Administrative
8 Code; and that the sections of this Resolution be renumbered or relettered and the word
9 "resolution" may be changed to "section," "article," or such other appropriate word or
10 phrase in order to accomplish such intentions.

11 Section 4. EFFECTIVE DATE.

12 This Resolution shall become effective upon adoption.

PROPOSED

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14 ADOPTED this day of , 2018.

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16 Approved as to form and legal sufficiency:
17 Andrew J. Meyers, County Attorney

18
19 By /s/ Keoki M. Baron 12/18/17
20 Keoki M. Baron (date)
21 Assistant County Attorney

22
23 KMB/ml
12/18/17
AdminCodeResoDonations.doc
24 #17-009
#17-025

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