

PROPOSED

RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO VARIOUS MEMBERSHIP, VOTING, MEETING, AND SUNSET REQUIREMENTS OF THE BROWARD CULTURAL COUNCIL, THE BROWARD COUNTY DIVERSITY ADVISORY COUNCIL, THE BROWARD COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD TRUST FUND AND COMMITTEE, THE SMALL BUSINESS DEVELOPMENT ADVISORY BOARD, THE CENTRAL COUNTY COMMUNITY ADVISORY BOARD, THE PUBLIC SAFETY COORDINATING COUNCIL ADVISORY BOARD, AND THE BROWARD COUNTY ANIMAL CARE ADVISORY COMMITTEE; AMENDING SECTION 12.13, PART XXI, AND SECTIONS 12.211, 12.225, 12.227, 12.241, 12.265, AND 12.290 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); REPEALING SECTIONS 12.89 THROUGH 12.93 OF THE ADMINISTRATIVE CODE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, Section 2.09 of the Broward County Charter provides for the periodic review of all existing Broward County boards, authorities, and agencies; and

WHEREAS, the Board of County Commissioners of Broward County, Florida (the "Board"), has completed this review; and

WHEREAS, the Board has determined that expanding the responsibilities of the Broward Cultural Council is appropriate at this time; and

WHEREAS, the Board has determined that sunsetting the Broward County Diversity Advisory Council is appropriate at this time; and

WHEREAS, the Board has determined that further limiting dispersals of monies from the Broward County Substance Abuse Advisory Board Trust Fund and Committee is appropriate at this time; and

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1 WHEREAS, the Board has determined that amending membership requirements
2 of the Small Business Development Advisory Board is appropriate at this time; and

3 WHEREAS, the Board has determined that addressing removal of members of the
4 Central County Community Advisory Board is appropriate at this time; and

5 WHEREAS, the Board has determined that subjecting members of the Public
6 Safety Coordinating Council Advisory Board to Section 1-233 of the Broward County
7 Code of Ordinances is no longer appropriate at this time; and

8 WHEREAS, the Board has determined that adopting a categorical draw method to
9 select members and amending the membership categories of the Broward County Animal
10 Care Advisory Committee is appropriate at this time, NOW, THEREFORE,

11
12 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
13 BROWARD COUNTY, FLORIDA:

14
15 Section 1. Section 12.13 of the Broward County Administrative Code regarding
16 the Broward Cultural Council is hereby amended to read as follows:

17 **12.13. Powers, Duties, and Responsibilities.**

18 a. The Council shall have the responsibility to:

19 . . .

20 8. Administer Broward County's Public Art and Design Program pursuant to
21 this Section and the Public Art and Design Program Guidelines; ~~and~~

22 9. Otherwise serve the citizens of Broward County and the state in the realm
23 of the arts;_i

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1 10. Support, promote, and increase awareness of arts education programs
2 offered through the Council; and

3 11. Support, promote, and increase awareness of creative industries and
4 creative economy through cultural arts activities.

5 Section 2. Sections 12.89 through 12.93 of the Broward County Administrative
6 Code regarding the Broward County Diversity Advisory Council are hereby repealed in
7 their entirety.

8 Section 3. The Broward County Alcohol and Drug Abuse Advisory Board Trust
9 Fund and Committee is renamed as the Broward County Substance Abuse Advisory
10 Board Trust Fund and Committee. All references to the Broward County Alcohol and
11 Drug Abuse Advisory Board Trust Fund and Committee shall be replaced with the
12 Broward County Substance Abuse Advisory Board Trust Fund and Committee throughout
13 the Broward County Administrative Code.

14 Section 4. Part XXI of the Broward County Administrative Code is hereby
15 amended to read as follows:

16 **PART XXI. BROWARD COUNTY ALCOHOL AND DRUG SUBSTANCE ABUSE**
17 **ADVISORY BOARD TRUST FUND AND COMMITTEE**

18 . . .

19 **12.211. Expenditures, Disbursal, or Conversion of Assets.**

20 a. There is hereby created a Broward County Alcohol and Drug Substance
21 Abuse Advisory Board Trust Fund Committee consisting of no less fewer than three (3)
22 members. One (1) member shall be the Director of the Broward Addiction Recovery
23 Division ("BARC"), or successor division, and the remaining members shall be appointed
24

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1 ~~by the Board of County Commissioners upon nomination by the Alcohol and Drug~~
2 Substance Abuse Advisory Board, or successor board.

3 b. No trust monies shall be disbursed from the Broward County Alcohol and
4 Drug Substance Abuse Advisory Board Trust Fund unless such expenditures have been
5 authorized by a majority of the Trust Fund Committee and approved by the Board of
6 County Commissioners.

7 . . .

8 d. Upon a zero balance in the Trust Fund, the Substance Abuse Advisory
9 Board Trust Fund Committee shall be automatically sunsetted.

10 Section 5. Sections 12.225 and 12.227 of the Broward County Administrative
11 Code regarding the Small Business Development Advisory Board are hereby amended
12 to read as follows:

13 **12.225. Appointment and Composition.**

14 a. The Advisory Board shall be composed of eleven (11) voting members
15 ~~appointed by the Board of County Commissioners, all of whom shall be residents of~~
16 Broward County. Each Broward County Commissioner shall nominate one (1) member
17 to the Advisory Board. Two (2) of the eleven (11) members, who may be nominated by
18 any County Commissioner, shall be at large positions, serving four-year terms, without
19 ~~regard to best efforts~~ the categorical requirements below, to allow for greater citizen
20 participation. For the remaining nine (9) members, ~~best efforts should be made to the~~
21 Board shall appoint members who represent the following categories:

22 . . .

23 6. Lending Financial institution;
24

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1
2 b. Members of the Advisory Board shall receive no compensation for their
3 service. However, ~~at the discretion of, and within annual appropriations made by the~~
4 ~~Board of County Commissioners, and with the prior approval of the Director of the Office~~
5 ~~of Economic and Small Business Development,~~ Advisory Board members may be
6 reimbursed for any actual and necessary expenses incurred in the performance of their
7 Advisory Board duties upon the prior approval of the Director of the Office of Economic
8 and Small Business Development, subject to the annual appropriations made by the
9 Board of County Commissioners, the limitations of Chapter 112, Florida Statutes, and
10 County policy.

11 c. Except as otherwise provided herein, the members of the Advisory Board
12 shall serve subject to the provisions of Section 1-233, Broward County Code of
13 Ordinances, as may be amended ~~from time to time.~~

14 d. The members of the Advisory Board shall represent the interests and needs
15 of persons in Broward County who are involved in small business development. For
16 purposes of this Part XXIII, the term "small business" shall ~~mean~~ be defined in
17 accordance with Subsection 288.703(1)(6), Florida Statutes, as may be amended ~~from~~
18 ~~time to time.~~

19 **12.227. Officers: Rules of procedure.**

20 a. The members of the Advisory Board shall annually elect a Chair and Vice
21 Chair, and may elect such other officers as the members of the Advisory Board may
22 determine to be necessary in carrying out the responsibilities of the Advisory Board. ~~No~~
23 ~~Advisory Board member shall be elected to serve in the same Advisory Board office for~~
24 ~~more than two (2) consecutive terms.~~

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1 . . .

2 Section 6. Section 12.241 of the Broward County Administrative Code
3 regarding the Central County Community Advisory Board is hereby amended to read as
4 follows:

5 **12.241. Membership.**

6 . . .

7 b. All members of the Board shall reside in the applicable community. A
8 member serving on the Board in the capacity as president of the recognized
9 neighborhood association shall serve for the duration of ~~their~~ his or her term as president,
10 unless removed from the Board by the Commission. In the event a neighborhood
11 association president is unable or unwilling to serve on the Board, or is removed from the
12 Board by the Commission, the vice-president of the neighborhood association shall serve
13 on the Board. If neither is willing or able to serve on the Board, or both are removed from
14 the Board by the Commission, the Commission shall appoint a resident from the
15 applicable community from the list of neighborhood residents wishing to serve on the
16 Board. Board members shall serve subject to the provisions of Section 1-233 of the
17 Broward County Code of Ordinances.

18 c. Any member of the Board may be removed from the Board without cause
19 by a majority vote of the Commission. The Board may recommend to the Commission
20 removal of a member of the Board. The Board must give the board member reasonable
21 notice and an opportunity to be heard before making its recommendation. The
22 Commission may consider removal of a member of the Board upon its own initiative.

23 e- d. No member of the Board shall receive compensation for performance of
24 Board duties.

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1 Section 7. Section 12.265 of the Broward County Administrative Code
2 regarding the Public Safety Coordinating Council Advisory Board is hereby amended to
3 read as follows:

4 **12.265. Term of Appointees.**

5 ...

6 b. The Board of County Commissioners or the appointing authority may
7 remove any of its appointments for fixed terms for misconduct, incompetency, or neglect
8 of duty on its own motion or upon the recommendation of the Council. ~~Except where~~
9 ~~otherwise inconsistent herein, members of the Council shall serve according to the~~
10 ~~provisions of Section 1-233 of the Broward County Code of Ordinances, as may be~~
11 ~~amended from time to time. Members of the Council who are appointed based on their~~
12 ~~specific position shall not be subject to the automatic removal provisions set forth in~~
13 ~~Section 1-233, Broward County Code.~~ Members of the Council are not subject to
14 Section 1-233, Broward County Code of Ordinances.

15 ...

16 Section 8. Section 12.290 of the Broward County Administrative Code
17 regarding the Broward County Animal Care Advisory Committee is hereby amended to
18 read as follows:

19 **12.290. Membership.**

20 a. The Advisory Committee shall be composed of eighteen (18) voting
21 members, all of whom shall be residents of Broward County. Each Broward County
22 Commissioner shall ~~appoint~~ nominate two (2) members to the Advisory Committee, ~~one~~
23 ~~of whom shall reside within the appointing commissioner's district~~ using the categorical

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1 draw method established by the Intergovernmental Affairs/Boards Section. The required
2 membership categories shall include are:

- 3 1. A veterinarian licensed by the State of Florida who is currently practicing
4 veterinary medicine in Broward County, ~~who is a member of the Broward~~
5 ~~County Veterinarian Medical Association (BCVMA),~~ and whose practice
6 consists primarily of caring for domestic animals;
- 7 2. ~~A member of an animal welfare organization~~ full-time employee of a
8 nationally recognized animal welfare organization (e.g., The Humane
9 Society of the United States, Best Friends Animal Society, American
10 Humane, Society of Animal Welfare Administrators, American Society for
11 the Prevention of Cruelty to Animals, the National Federation of Human
12 Societies, etc.);
- 13 3. A member of a local, nonprofit organization providing support or services to
14 stray or unwanted animals;
- 15 4. ~~An animal behaviorist~~ A certified applied animal behaviorist who has a
16 bachelor of science or bachelor of arts degree in animal psychology,
17 ethology, animal sciences, veterinary medicine, or similar discipline with
18 additional training and/or education in applied animal behavior;
- 19 5. ~~A member from an animal regulatory agency~~ full-time employee (supervisor,
20 manager, director, etc.) of a municipal animal regulatory agency
21 empowered and authorized to enforce local ordinances;
- 22 6. ~~A member from a law enforcement agency~~ full-time employee (supervisor,
23 manager, director, etc.) of a law enforcement agency;

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1 7. ~~A member of a wildlife animal rescue organization~~ full-time employee or
2 active board member from a wildlife or large animal rescue organization
3 who has at least one (1) year of experience actively managing operations
4 in the organization;

5 8. ~~An owner or full-time employee of the pet retail industry, partner, or officer~~
6 of a pet retail store who resides in Broward County, and whose business
7 represents the local sales market; and

8 9. ~~A member from the State of Florida Broward County Health Department~~ full-
9 time employee (supervisor, manager, director, etc.) from the State of Florida
10 Broward County Health Department, or someone who specializes in
11 epidemiology, zoonotic, or communicable diseases.

12 . . .

13 Section 9. SEVERABILITY.

14 If any portion of this Resolution is determined by any Court to be invalid, the invalid
15 portion shall be stricken, and such striking shall not affect the validity of the remainder of
16 this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot
17 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
18 circumstance(s), such determination shall not affect the applicability hereof to any other
19 individual, group, entity, property, or circumstance.

20 Section 10. INCLUSION IN THE ADMINISTRATIVE CODE.

21 It is the intention of the Board of County Commissioners that the provisions of this
22 Resolution shall become and be made a part of the Broward County Administrative Code;
23 and that the sections of this Resolution be renumbered or relettered and the word
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