

ORDINANCE NO. 23-5

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," ARTICLE V ENTITLED, "BOARDS, COMMISSIONS AND COMMITTEES;" AMENDING SECTION 2-116, ENTITLED, "GENERAL REQUIREMENTS;" PROVIDING THAT INDIVIDUALS APPOINTED TO SERVE ON THE CITY'S ADVISORY BOARDS SHALL SERVE AT THE PLEASURE OF THE COMMISSION MEMBER WHO APPOINTED THE INDIVIDUAL TO SERVE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 1.05 of the Cooper City Charter provides for the establishment of boards, authorities, commissions and agencies by the City Commission, including advisory boards; and

WHEREAS, Section 2-116 of the City's Code of Ordinances establishes a process of appointing members to serve on the City's advisory boards; and

WHEREAS, the City Commission seeks to amend Section 2-116 to provide for the terms of the City's advisory board members to be at the pleasure of the commission member appointing the individual to serve; and

WHEREAS, the City Commission has held a public hearing in accordance with Florida law; and

WHEREAS, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that the adoption of this ordinance is in the best interest of the citizens and residents.

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1. RECITALS ADOPTED. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. CHAPTER 2 OF CITY CODE AMENDED. That Section 2-116, entitled “General Requirements” of Article V “Boards, Commissions and Committees” of Chapter 2, entitled “Administration” of the City Code of the City of Cooper City, Florida, is hereby amended to read, as follows:

ARTICLE V. BOARDS, COMMISSIONS, AND COMMITTEES

Sec. 2-116 General Requirements

...

(3) *Appointment.* Each Commissioner shall have the authority to appoint an individual member or members to serve on an advisory board, commission or committee. Prior to making appointments to any board, commission or committee, each commissioner shall conduct interviews of the applicants therefor. Appointments to the advisory boards shall be announced by the appointing City Commission member at a public meeting of the City Commission. Appointments to advisory bodies may be made in the number specified in the ordinance creating such board, commission or committee, upon the creation of the advisory body, the expiration of a term of any member or members, and/or upon the resignation or removal of a member or members, or upon a member no longer meeting the qualifications set forth in this Code and the City charter for advisory board members. Unless otherwise provided in the ordinance creating an advisory board, commission or committee, members of the City’s advisory boards shall serve at the pleasure of the commission member appointing the individual to serve on the advisory board.~~terms of members shall coincide with the term of office of the Commissioner making the appointment.~~

(4) *Vacancies.* Vacancies in the membership of any board, commission or committee due to death, removal or resignation shall be filled in the same manner as the original appointment was made and for the unexpired term of the member(s) affected. It shall be the duty of the chairperson of the body to notify the City Clerk within ten days after a vacancy occurs and the City Clerk shall

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promptly transmit such information to the City Commission for the appropriate action as set forth herein.

(5) *Absences*. If a member of any board, commission or committee has unexcused absences from more than 33 percent of the regularly-scheduled meetings in a 12-month period, the chairperson or the city manager, or the manager's designee, shall inform the Commission of same, in writing, so that appropriate action may be taken. Each board, commission or committee shall establish their own regulations concerning the definition of "excused absences".

Section 3. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

Section 4. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.

THE REST OF THIS PAEG HAS BEEN INTENTIONALLY LEFT BLANK.

**PASSED AND ADOPTED on First Reading this _____ day of _____,
2023.**

**PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____,
2023.**

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, CMC

Approved As To Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL
Mayor Ross _____
Commissioner Green _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____

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