

ORDINANCE NO. 24-04

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, REPEALING ORDINANCE NO. 22-12, ADOPTED ON JUNE 14, 2022, IN ITS ENTIRETY; DELETING SECTION 2-131 OF THE CITY’S CODE OF ORDINANCES; PROVIDING FOR THE ELIMINATION OF THE MENTAL HEALTH AND WELLNESS ADVISORY BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 14, 2022, the City Commission of the City of Cooper City adopted Ordinance No. 22-12, thereby establishing the Mental Health and Wellness Advisory Board (“MHWAB”) as a permanent advisory board to the City Commission; and

WHEREAS, at the MHWAB meeting on January 22, 2024, the board adopted a motion asking the City Commission to dissolve the board; and

WHEREAS, the City Commission seeks to “sunset” the MHWAB and reassign the duties of the board to the City’s professional staff, as necessary; 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.

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.

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

Section 2. **REPEALER.** That the City Commission hereby repeals Ordinance No. 22-12, in its entirety.

Section 3. **CHAPTER 2 OF CITY CODE AMENDED.** That Section 2-131, entitled “Mental Health and Wellness Advisory Board” 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 deleted, as follows:

ARTICLE V. BOARDS, COMMISSIONS, AND COMMITTEES

~~Sec. 2-131. Mental Health and Wellness Advisory Board.~~

~~(a) *Creation, composition and qualifications.*~~

~~(1) There is hereby created and established the Cooper City Mental Health and Wellness Advisory Board (the "Board") consisting of five members who are residents of the City and have education, training, background or experience which is pertinent to service on the Board which represents a diverse range of professionals with expertise in mental health and wellness, including medical, wellness, health, and social service professionals, as well as individuals who are involved with providing related non-profit or community based programs. Each member of the Commission shall appoint one person to serve on the Board. The members of the Board shall serve on the Board without compensation and shall not be reimbursed for travel, mileage, or per diem expenses for their Board service.~~

~~(2) Members of the Board shall be appointed and serve in accordance with section 2-116(b) of the City's Code of Ordinances, as may be amended from time to time.~~

~~(3) The City Manager, or his/her designee, shall provide or designate necessary staff support for the Board in coordination with the City Clerk's Office.~~

~~(b) *Advisory capacity.*~~

~~(1) The powers and duties of the Board shall be solely of an advisory nature to the City Commission. The City Manager, or his/her designee, shall attend the meetings of the Board, and shall guide and direct the Board, and shall assign research tasks to the Board, which may include, but shall not be limited to, the following:~~

- ~~a. To advise the City Commission on issues of mental health and wellness in the community and make recommendations on matters related to the mental health and wellness of the residents of the City.~~
- ~~b. To identify existing resources available to support mental health and wellness of the community and to promote public awareness, information, and education regarding mental health and wellness needs and the available services.~~
- ~~c. To develop, provide, and coordinate community-based programs serving persons with mental health and wellness needs.~~
- ~~d. To continue to assure there is an adequate provision of mental health and wellness services, programs, and facilities within the City.~~
- ~~e. To develop mental health and wellness initiatives, and support existing initiatives through cooperation with local non-profits, Federal, State, County, and other community actors.~~
- ~~f. To provide recommendations to the City Commission related to the use of proceeds received by the City as a result of the City's participation in the opioid litigation settlements.~~
- ~~g. To perform other duties or tasks that may be assigned by the City Manager or the City Commission, from time to time.~~

~~(c) Rules of procedure; quorum.~~

- ~~(1) The Board may adopt rules of procedure not inconsistent with the ordinances of the City and the laws of the State of Florida and shall utilize Robert's Rules of Order recently revised 1990 Edition for the rules of procedure to guide the conduct of meetings of the Board.~~
- ~~(2) At the first meeting of the Board, the Board shall select one of its members to serve as the Chairperson and another member to serve as the Vice Chairperson.~~
- ~~(3) Three members shall constitute a quorum for the transaction of the business of the Board. Official action shall be taken by the Board only upon the concurring vote of a majority of the members present at an official meeting of the Board.~~
- ~~(4) The Board shall meet once per month, or more often as may be determined by a majority of the Board or requested by the City Commission.~~

~~(d) Mission; and duties.~~

~~(1) The mission of the Board is to assist the City in accomplishing the City's goal of continuing to assure the adequate provision of mental health and wellness services, programs, and facilities within the City and providing recommendations to the City Commission.~~

~~(2) Any necessary action of the Board shall be in the form of a written recommendation of the Board, signed by the Board Chairperson, and delivered to the City Manager, who shall present the recommendation of the Board to the Mayor and City Commission.~~

~~(e) Standards of conduct for members.~~

~~(1) All members of the Board shall be subject to the applicable standards of conduct for public officers and employees, as set by federal, state, county, city or other applicable law pursuant to City Code section 2-102.~~

Section 4. 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 5. 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 6. 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 7. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2024.

**PASSED AND FINAL ADOPTION on Second Reading this __ day of _____,
2024.**

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, MMC
City Clerk

ROLL CALL

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

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney

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