

**ORDINANCE NO. 2022-12**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 2, ARTICLE II, TO CREATE A NEW SECTION 2-29 TO BE ENTITLED “APPOINTMENT PROCESS FOR DEPUTY MAYOR”, TO SET FORTH THE PROCESS FOR THE APPOINTMENT OF THE DEPUTY MAYOR; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.**

**WHEREAS**, Article II, Section 2 of the City’s Charter requires that the City Council shall designate one (1) of its members as Deputy Mayor, who shall serve in such capacity at the pleasure of the Council; and

**WHEREAS**, the City Council adopted Council Policy 12 in 1997, which outlined a process for the appointment of Deputy Mayor; and

**WHEREAS**, the City Council rescinded Council Policy 12 in 2016; and

**WHEREAS**, the City Council does not have any policies or guidelines in place that provide a process for the appointment of Deputy Mayor; and

**WHEREAS**, the City Council desires to adopt an Ordinance outlining the process for appointment of Deputy Mayor; and

**WHEREAS**, the City Council recently appointed Councilmember John Tharp, who serves in Council Seat 1, to the position of Deputy Mayor; and

**WHEREAS**, since it is anticipated that Councilmember Tharp will continue to serve as Deputy Mayor until 2023, the City Council has determined that the new process for appointment of the Deputy Mayor shall commence in 2023 with Council Seat 2; and,

**WHEREAS**, the City Council finds adopting this Ordinance to outline the process for appointment of Deputy Mayor is in the best interests of the City and serves a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**

**GREENACRES, FLORIDA, THAT:**

**SECTION 1.** Chapter 2, entitled “Administration”, Article II, entitled “Mayor and City Council”, is hereby amended by creating a new section 2-29 to be entitled “Appointment Process for Deputy Mayor”, which new section shall state as follows:

**Sec. 2-29. – Appointment Process for Deputy Mayor.**

The process for appointment of Deputy Mayor is as follows:

Beginning with the first meeting in April 2023, the appointment of the Deputy Mayor shall rotate annually among the Councilmembers with the initial appointment to Council Seat 2. Any Councilmember in his/her first term will defer the appointment as Deputy Mayor for a one (1) year period, at which point the appointment will be assigned to the next sequential Council seat and the deferring Councilmember shall serve the subsequent year. Should any Councilmember decline the appointment, the appointment will go to the next sequential Council seat and the deferring Council member will not be appointed until the rotation returns to his/her seat. Should the Councilmember serving as Deputy Mayor vacate his/her Council seat for any reason, the Deputy Mayor appointment will rotate to the next sequential Council seat and the incumbent therein shall complete the unexpired term followed by his/her own term as Deputy Mayor. In the event the Deputy Mayor is serving as Mayor pro-tem pursuant to Article II, Section 3 of the Charter, the Deputy Mayor’s position will not rotate until a new Mayor is elected.

**SECTION 2. Repeal of Conflicting Ordinances.**

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**SECTION 3. Severability**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not

been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 4. Inclusion in Code**

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

**SECTION 4. Effective Date**

The provisions of this Ordinance shall become effective upon adoption.

**Passed on the first reading this 16<sup>th</sup> day of May, 2022.**

**PASSED AND ADOPTED on the second reading this 6<sup>th</sup> day of June, 2022.**

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**Joel Flores**, Mayor

**Attest:**

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**Quintella Moorer**, City Clerk

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*Voted:*  
**John Tharp**, Deputy Mayor

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*Voted:*  
**Peter Noble**, Council Member, *District II*

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*Voted:*  
**Judith Dugo**, Council Member, *District III*

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*Voted:*  
**Susy Diaz**, Council Member, *District IV*

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*Voted:*  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia**, City Attorney