

RESOLUTION NO. 2020-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING A NINETY (90) DAY EXTENSION TO THE TERM OF APPOINTMENT FOR CITY BOARD MEMBERS INCLUDING THE PARKS AND RECREATION ADVISORY BOARD, ENVIRONMENTAL ADVISORY BOARD, PLANNING AND ZONING BOARD, COMMUNITY OUTREACH ADVISORY BOARD, EDUCATION ADVISORY BOARD, PUBLIC SAFETY ADVISORY BOARD, AND CHARTER REVIEW BOARD; PROVIDING FOR ADMINISTRATIVE EXTENSION OF SUCH TERMS, AS NEEDED AND AUTHORIZED BY THE COVID-19 EMERGENCY RESPONSE BEYOND THAT FIRST NINETY (90) DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 2-191, "Authority of city commission to appoint board members; term of office of board members," of the City's Code of Ordinances provides that board appointments shall expire on the date of the second regularly scheduled city commission meeting in April of every year, and Section 907, "Charter Review; Charter Review Board," of the City's Charter provides that Charter Review Board members shall have a term of 120 days from the date of their appointment; and

WHEREAS, the response to the COVID-19 global pandemic, as depicted in the State of Florida Governor's Executive Order Number 20-52, dated March 9, 2020, and the Proclamation declaring a city-wide state of emergency by Mayor Louis Sarbone, dated March 12, 2020, and all extensions thereto, has created administrative barriers toward making new appointments; and

WHEREAS, pursuant to Section 4. D. of the Governor's Executive Order Number 20-52, the City is authorized in accordance with Section 252.38, Florida Statutes, to "waive the procedures and formalities otherwise required of the political subdivision by law pertaining to . . . [the] [p]erformance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community," and authorized to take such action as required to carry out city business under these emergency circumstances; and

WHEREAS, through this resolution, the City Commission extends the current board appointments authorized for the previous term as provided in Resolution Nos. 2019-098 (Parks and Recreation Advisory Board), 2019-099 (Environmental Advisory Board), 2019-100 (Planning and Zoning Board), 2019-103 (Community Outreach Advisory Board), 2019-104 (Education Advisory Board), and 2019-105 (Public Safety Advisory Board) for a period of ninety (90) days commencing on April 23, 2020; and

WHEREAS, through this resolution, the City Commission extends the current term for Charter Review Board members appointed pursuant to Motion 19-239 for a period of ninety (90) days, making the appointments valid through August 6, 2020; and

WHEREAS, to the extent that these emergency circumstances persist, as provided by extensions to the Governor's Executive Order and the Mayor's Proclamation, beyond the ninety (90) day extension of the terms of appointment, the City Manager, or designee, is hereby vested with authority to issue in writing administrative extensions of such appointments, as needed and not beyond the expiration of the Governor's and Mayor's declaration of a state of emergency plus thirty (30) days therefrom; and

WHEREAS, the City Commission finds that these are exceptional and unprecedented times and determines that the above detailed actions are necessary to carry out the essential functions and normal operations of the City, and same is required to preserve the health, safety, and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission has considered this resolution and hereby extends Parks and Recreation Advisory Board, Environmental Advisory Board, Planning and Zoning Board, Community Outreach Advisory Board, Education Advisory Board, and Public Safety Advisory Board membership appointments for a period of ninety (90) days commencing on April 23, 2020, through July 22, 2020; and Charter Review Board membership appointments shall be extended through August 6, 2020.

Section 3: That the City Manager, or designee, is hereby authorized to issue, in writing, administrative extensions of such board appointments beyond the ninety (90) day extension provided herein, but only to the extent that these emergency circumstances persist, as provided by extension(s) to the Governor's Executive Order and the Mayor's Proclamation plus thirty (30) days after the expiration of the state of emergency created by COVID-19.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 23rd day of April, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

Sarbone	<u>Aye</u>
Rydell	<u>Aye</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Welch	<u>Aye</u>