

ORDINANCE NO. 2022-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS, COMMISSIONS AND COMMITTEES," DIVISION 1, "GENERALLY," TO ELIMINATE REFERENCES TO THE ENVIRONMENTAL ADVISORY BOARD, EDUCATION ADVISORY BOARD, PUBLIC SAFETY ADVISORY BOARD, AND COMMUNITY OUTREACH ADVISORY BOARD; AND BY REPEALING DIVISION 4, "ENVIRONMENTAL ADVISORY BOARD," IN ITS ENTIRETY; AND BY AMENDING DIVISION 5, "LOCAL HOUSING ASSISTANCE PROGRAM," SECTION 2-255, "AFFORDABLE HOUSING ADVISORY COMMITTEE," TO PROVIDE FOR APPOINTMENT OF A JOINT AFFORDABLE HOUSING ADVISORY COMMITTEE WITH BROWARD COUNTY AND OTHER PARTICIPATING MUNICIPALITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 14, 2019, the City Commission adopted Ordinance No. 2019-004 creating the Education Advisory Board, Ordinance No. 2019-005 creating the Community Outreach Advisory Board, and Ordinance No. 2019-006 creating the Public Safety Advisory Board; and

WHEREAS, the Education Advisory Board, Community Outreach Advisory Board, and Public Safety Advisory Board will automatically sunset on April 23, 2022; and

WHEREAS, Chapter 2, "Administration," Article V, "Boards, Commissions and Committees," Division 4, "Environmental Advisory Board," creates and provides guidelines for the Environmental Advisory Board; and

WHEREAS, due to ongoing concerns with the COVID-19 pandemic and a desire to create a more fluid community outreach and communication mechanism, the City Commission has chosen not to extend the sunseting boards and to repeal the Environmental Advisory Board; and

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WHEREAS, the City Commission therefore desires to remove references to the Education Advisory, Community Outreach Advisory, and Public Safety Advisory Boards that are sunseting and to repeal references to and provisions for the Environmental Advisory Board; and

WHEREAS, the City has entered into an Interlocal Agreement with Broward County for preparation, implementation, and administration of the City’s State Housing Initiatives Partnership (SHIP) Program, which includes the creation of a joint Affordable Housing Advisory Committee; and

WHEREAS, the joint Affordable Housing Advisory Committee will replace the City’s local Affordable Housing Advisory Committee, and the City desires to amend the City Code to reflect the new structure; and

WHEREAS, the City Commission finds that this ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

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

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 2, “Administration,” Article V, “Boards, Commissions and Committees,” Division 1, “Generally,” to read as follows:

ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 1. GENERALLY

Sec. 2-191. Authority of city commission to appoint board members; term of office of board members.

- (d) This section applies to all city boards, including, but not limited to the: civil service board, parks and recreation advisory board, ~~environmental advisory board,~~ ~~education advisory board,~~ ~~public safety advisory board,~~ ~~community outreach advisory board,~~ and the planning and zoning board. For any board for which terms of office are fixed by Florida Statutes, the requirements of Florida Statutes shall supersede this section. Any regulation or provision of board members' terms of office that conflict with this section are specifically superseded by this section.

Sec. 2-194. Newly elected commissioner.

- (a) Should a commissioner fail to serve his/her term of office, and a successor is elected by the electorate to fill that unexpired term, all board members nominated by the commissioner that failed to serve his/her term of office shall continue in office until the expiration of the board member's term of office.
- (b) This section applies to all city boards, including but not limited to the: civil service board, parks and recreation advisory board, ~~environmental advisory board,~~ ~~education advisory board,~~ ~~public safety advisory board,~~ ~~community outreach advisory board,~~ and planning and zoning board. Any regulation or provision on board members' term of office that conflict with this section are specifically superseded by this section.

Section 3: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 2, "Administration," Article V, "Boards, Commissions and Committees," by repealing Division 4, "Environmental Advisory Board," in its entirety as follows:

~~DIVISION 4. ENVIRONMENTAL ADVISORY BOARD~~ Reserved.

~~Sec. 2-240. Creation of board.~~

~~There is hereby created and established in the city an advisory board to be known as the "environmental advisory board."~~

~~Sec. 2-241. Function.~~

~~The environmental advisory board shall have the following functions:~~

- ~~(1) To promote environmental awareness and activities, acting as an educational liaison to the community for environmental matters that are important to the city.~~

- ~~(2) To review and provide advisory comments for special projects, programs, legislation, and environmental awareness and improvement opportunities as needed for the city commission and other city departments and boards, such as the Art Master Plan, the Green Plan, and the city lighting ordinance.~~
- ~~(3) To continuously promote and support National Wildlife Federation certifications throughout the city.~~
- ~~(4) To promote the city's environmental priorities at the annual Butterfly Festival and the annual Free Tree Giveaway.~~

~~Sec. 2-242. Membership.~~

- ~~(a) The environmental advisory board shall consist of five (5) regular members and one (1) alternate. Each member of the city commission shall nominate one (1) member to the environmental advisory board. A majority of the city commission shall approve the nominations. The alternate member of the board shall be nominated by the mayor and approved by a majority of the city commission. The members of the environmental advisory board shall be appointed for a term as fixed by ordinance of the city. Removal of members shall be as provided in the Coconut Creek Code of Ordinances.~~
- ~~(b) Members shall, to the extent practicable, represent environmental interests, specialties and qualifications in any of the following fields:
 - ~~(1) Architecture, biology, climate change, education, engineering, environmental science, forestry, gardening, geology, horticulture, law, sustainability, urban planning, or waste disposal; or~~
 - ~~(2) Alternatively, demonstrate strong and sincere commitment to the intent set forth in this section or possession of an outstanding reputation for civic activity and interest, integrity, and responsibility, with preference to applicants who have completed Coconut Creek Citizen's Academy.~~~~

~~Sec. 2-243. Officers.~~

~~The environmental advisory board, from its membership, shall elect a chairman whose duties shall be to preside over the meetings of the board. The board shall also elect a vice-chairman whose duties will be to serve in the chairman's absence.~~

~~Sec. 2-244. Rules and procedures.~~

~~The board shall adopt a set of rules to govern its own procedures. "Roberts Rules of Order" shall act as the guide for rules of procedure. Rules may be amended from time to time but only upon notice to all members that the proposed amendments shall be acted~~

upon at a specific meeting. A majority vote of the board shall be required for the approval of the proposed amendments.

~~Sec. 2-245. Meetings.~~

~~The board shall meet on an "as needed" basis as determined by the city manager or the mayor or his/her designee. All meetings of the board shall be open to the public and held in accordance with state law governing public meetings.~~

~~Sec. 2-246. Personnel.~~

~~(a) The director of sustainable development or his/her designee shall serve as liaison to the board and shall also provide adequate staff support.~~

~~(b) The board secretary shall notify members of meeting dates, see that a record of all proceedings are kept and that the recommendations of the board are transmitted to the city commission in a timely manner. Procedurally, the recommendations of the board shall be filed with the sustainable development department and the city manager's office.~~

~~Sec. 2-247. Reserved.~~

~~Sec. 2-248. Report upon request of city commission.~~

~~Upon the request of the city commission, the environmental advisory board, through the director of sustainable development, shall render a full report through the city manager to the city commission. The report shall be in writing and summarize the activities of the environmental advisory board during the previous year.~~

Section 4: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 2, "Administration," Article V, "Boards, Commissions and Committees," Division 5, "Local Housing Assistance Program," Section 2-255, "Affordable Housing Advisory Committee," to read as follows:

Sec. 2-255. Affordable housing advisory committee.

(a) Pursuant to the requirements Section 420.9076(2), Fla. Stat. ~~of the Act,~~ the City shall, together with Broward County and other participating municipalities, establish a joint Affordable Housing Advisory Committee meeting the membership and qualification requirements in accordance with state law. ~~an affordable housing advisory committee ("committee") consisting of eight (8) members, but no more than eleven (11) members with varying qualifications, is hereby created and established, as provided in Section 420.9076 of the Act. Composition of the committee shall be consistent with all such provisions. Members of the committee shall be appointed by resolution. Terms of the~~

~~members of the committee shall be for three (3) years, but members may be reappointed by resolution.~~

(b) Pursuant to the requirements of the Act, the committee shall meet as required by state law, or as needed. The committee shall, in conformance with Section F.S. § 420.9076(4), Fla. Stat. et seq., review the established policies and procedures of the city, and shall recommend specific actions or initiatives to encourage or facilitate affordable housing.

Section 5: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 6: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 7: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 8: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 10TH DAY OF MARCH, 2022.

PASSED SECOND READING THIS 24TH DAY OF MARCH, 2022.

Joshua Rydell, Mayor

Attest:

Marianne Bowers, Interim City Clerk

	<u>1st</u>	<u>2nd</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>

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