

**ORDINANCE NO: 190-03-104**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE IV, CITY COMMISSION, AMENDING SECTION 2-152, SPECIAL MEETINGS, EMERGENCY MEETINGS; SECTION 2-154, ATTENDANCE; SECTION 2-157, AGENDA; AND SECTION 2-158, PROPAGATION OF AGENDA ITEMS, AMENDMENT OF AGENDA, READING OF LEGISLATION BY TITLE ONLY; AMENDING VARIOUS SECTIONS TO REFLECT ACTUAL CURRENT PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

SECTION 1. That the City of Lauderhill Code of Ordinances Chapter 2, Administration, Article IV, City Commission, Section 2-152, Special Meetings, Emergency Meetings, is hereby amended to read as follows:

**Sec. 2-152. - Special meetings, emergency meetings.**

- (a) Special meetings of the commission may be held when scheduled and noticed by the city manager, mayor, or in the absence of the mayor the vice-mayor, or in the absence of the mayor and vice-mayor, the commissioner who most recently had served as vice-mayor, at least seventy-two (72) hours beforehand. Said meeting shall be held in the city at a time and place designated in a notice of meeting which will be sent electronically ~~hand-delivered~~ to each commissioner ~~or delivered to the residence of each commissioner immediately~~ subsequent to its preparation. Agenda items for special meetings should be matters of a nature that cannot be held in abeyance until the next regular meeting. Those agenda items must be set forth in the notice of meeting for any special meeting. The city manager must schedule a special meeting upon the written request to have same by three (3) members of the commission. Said written request shall contain the purpose for which the request is made, and also contain the time, place and date of such meeting.
- (b) Emergency meetings may be scheduled and noticed by the city manager; the mayor; or in the absence of the mayor, the vice-mayor; or in the absence of the mayor and vice-mayor, the commissioner who most recently had served as vice-mayor, with at least eight (8) hours notice beforehand. The requirement of at least eight (8) hours notice may be waived in the event of an emergency as set forth in chapter 8 . Such a meeting shall be held in the city at a time and place designated in a notice of meeting which will be ~~hand-delivered, or sent electronically via e-mail or facsimile~~ to each commissioner, ~~or delivered to the residence of each commissioner immediately~~ subsequent to its preparation, or delivery of notice may be waived completely by the mayor or a commissioner. Emergency meetings should be called only in the event of a dire emergency that would affect the health, safety and welfare of the residents of the city and cannot be held in abeyance until the calling of a special or regular commission meeting. The notice of meeting for an emergency meeting must set forth therein the business to be discussed at said meeting. The city manager must schedule an

emergency meeting upon the written request to have same by three (3) members of the commission. Said written request shall contain the purpose for which the request is made, and also contain the time, place and date of such proposed meeting.

SECTION 2. That the City of Lauderdale Code of Ordinances Chapter 2, Administration, Article IV, City Commission, Section 2-154, Attendance, is hereby amended to read as follows:

**Sec. 2-154. - Attendance.**

The city manager or acting city manager, city clerk or deputy city clerk, city attorney or assistant city attorney, and the chief of police or one of his assistants shall attend all meetings of the commission. Whenever a matter is before the commission which concerns the approval of a plat, the ~~community development director~~, city planner, the city engineer, or one of their assistants designees shall also be in attendance. Other department heads or their assistants shall be present when legislation that affects their department is being considered. A city commissioner may attend a meeting via a form of telecommunication in extraordinary circumstances so long as there is a quorum of commissioners physically present at the meeting. Extraordinary circumstances shall include: a health condition, a justifiable scheduling conflict due to other city-related business, or as otherwise determined by the city commission on a case-by-case basis.

SECTION 3. That the City of Lauderdale Code of Ordinances Chapter 2, Administration, Article IV, City Commission, Section 2-157, Agenda, is hereby amended to read as follows:

**Sec. 2-157. - Agenda.**

(a) There shall be an agenda published for each regular city commission meeting. Said agenda shall disclose the order of business and by title describe the proposed legislation. All members of the city commission, and the city manager, may place items on the agenda. Each item, once placed on the agenda, will show in captions therein the name of the person putting it on the agenda. The agenda for a regular meeting will close at ~~noon~~ 3:00 p.m. on the ~~eleventh~~ thirteenth day preceding the regular meeting day. At the meeting, the order of business set forth in the published agenda for that meeting will be followed. The commission may deviate from the order only by a vote of four (4) members, or a unanimous vote if four (4) or fewer commissioners are present.

(b) \* \* \*

(c) \* \* \*

SECTION 4. That the City of Lauderdale Code of Ordinances Chapter 2, Administration, Article IV, City Commission, Section 2-158, Propagation of agenda

items; amendment of agenda; reading of legislation by title only, is hereby amended to read as follows:

**Sec. 2-158. - Propagation of agenda items; amendment of agenda; reading legislation by title only.**

(a) Each ordinance and resolution on the agenda for a regular city commission meeting shall be prepared or approved as to form by the city attorney and shall be submitted to the mayor and commission members at least five (5) days prior to the meeting at which such ordinance or resolution will be considered.

(b) The requirement of subsection (a) may be waived when time is of the essence by a vote of four (4) commission members, or a unanimous vote if four (4) or fewer commissioners are present, said vote being taken prior to the consideration of the ordinance or resolution which was not submitted five (5) days prior to the meeting. Approval by the commission shall be a prima facie determination that time is of the essence as to the ordinance or resolution so approved.

(c) Each ordinance and resolution on the agenda for a special city commission meeting shall be prepared or approved as to form by the city attorney and shall be submitted to the city clerk at least eight (8) hours prior to the meeting at which such ordinance or resolution will be considered. The city clerk shall immediately distribute the legislation to the city manager and commission members electronically. ~~by delivery to their respective offices in city hall.~~ These requirements may not be waived, except in the case of an emergency pursuant to chapter 8 of this Code and F.S. Chapter 252, in which event the provisions of this subsection shall be waived upon the written declaration of an emergency as set forth in chapter 8 .

SECTION 5. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 6. This ordinance shall take effect immediately upon its passage and adoption.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

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PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

	FIRST READING	SECOND READING
MOTION	_____	_____
SECOND	_____	_____
M. BATES	_____	_____
H. BERGER	_____	_____
R. CAMPBELL	_____	_____
D. GRANT	_____	_____
K. THURSTON	_____	_____