

ORDINANCE NO. 0-2021-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ADMINISTRATION", AMENDING ARTICLE II, ENTITLED "CITY COMMISSION", BY SPECIFICALLY AMENDING SECTION 2-34 ENTITLED "COMPREHENSIVE PROCEDURES FOR CITY COMMISSION MEETINGS" TO PROVIDE IN SUBSECTION (K) "VOTING PROCEDURES" A NEW ROTATION OF VOTING SYSTEM; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 4.06(b) of the City of Tamarac's Charter allows the City Commission to determine its own rules of procedure for meetings; and

WHEREAS, pursuant to the Charter, the City Commission adopted an Ordinance which established Comprehensive Procedures for City Commission Meetings ("Comprehensive Procedures") as codified in section 2-34 of the Code of Ordinances; and

WHEREAS, the Comprehensive Procedures serve as a valuable reference guide for all those in whom the public has placed its trust; and

WHEREAS, recently, the City Commission has been making changes to its Comprehensive Procedures and a change to subsection 2-34(k), "Voting Procedures" has been discussed; and

WHEREAS, the City Commission wishes to amend the Comprehensive Procedures to change the rotation of voting system.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, THAT:

Section 1: The foregoing WHEREAS clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2: The City Commission of the City of Tamarac hereby amends Chapter 2 of the City's Code of Ordinances, entitled "Administration", by amending

Article II of the City's Code of Ordinance, entitled "City Commission", by specifically amending Section 2-34, entitled "Comprehensive Procedures for City Commission Meetings", as follows:

ARTICLE II. – CITY COMMISSION

...

Sec.2-34. Comprehensive procedures for city commission meetings.

...

(k) Voting Procedures.

- (1) Every member present, when a question is put, shall vote unless the member has a conflict of interest. Any member abstaining from voting must make a brief statement for such request and will fill out all appropriate paperwork to be filed with the City Clerk at the meeting where the conflict is announced, pursuant to Chapter 112, Florida Statutes, as amended from time to time. The question shall then be immediately taken without further debate.
- (2) Voting on all legislation shall be oral and in open City Commission meetings. No proxy votes are permitted. When the City Clerk calls the roll, each member shall respond "yes," "no," "aye," "nay," or "abstain". No other comment is permitted during voting. Beginning on the effective date of this ordinance, the Mayor shall vote first on all matters and the order of voting for every other member shall rotate in a random manner except the Mayor votes last.
- (3) The City Clerk will announce whether the matter passed or failed.
- (4) The order of voting may be readdressed and changed by the City Commission after each election, and the change shall take effect upon passage of a resolution.

SECTION 3: It is the intention of the City Commission of the City of Tamarac, Florida, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Tamarac, 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 4: 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 remaining portions or applications remaining in full force and effect.

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: This Ordinance shall become effective immediately upon adoption.

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PASSED, FIRST READING this _____ day of _____, 2021.

PASSED, SECOND READING this _____ day of _____, 2021.

By _____
MICHELLE GOMEZ
MAYOR

ATTEST:

JENNIFER JOHNSON, CMC
CITY CLERK

I HEREBY CERTIFY that I
have approved this
ORDINANCE as to form.

HANS OTTINOT
INTERIM CITY ATTORNEY