CITY OF POMPANO BEACH
CHARTER AMENDMENT ADVISORY BOARD BY-LAWS 2016
Broward County, Florida

PREAMBLE:

We, the members of the City of Pompano Beach Charter Amendment Advisory Board (hereinafter referred to as the Board), in order to more efficiently conduct our meetings and carry out our duties, adopt these By-Laws for our internal governance.

Article I. Name:

The name of this Board shall be the City of Pompano Beach Charter Amendment Advisory Board.

Article II. Purpose:

The purpose of this Board shall be to advise, assist, support and advocate for the City of Pompano Beach City Commission on matters that will strengthen the Charter for residents of the City of Pompano Beach. The specific purposes of the Board may include the following responsibilities:

a. offer recommendations for improvements or amendments to the City Charter;

b. assist the City Commission in setting priorities, including participating in ongoing tasks of the charter review process;

c. address and resolve requests from the City Commission.

Article III. Objectives:

The primary objective of the Advisory Board is to report to and make recommendations to the City of Pompano Beach City Commission.

Article IV. Board Role Defined:

It is the role and sole prerogative of the City of Pompano Beach City Commission to enact policy. The Advisory Board is expected to offer recommendations for charter amendment changes and to provide information relevant to policies which impact the residents of the City of Pompano Beach.

The Board functions in an advisory capacity only. The Board will serve as a mechanism to:

a. Provide ongoing feedback on regulations, policies, and procedures;

b. Evaluate current board structure;

c. Identify new or alternative ways of doing business;

d. Determine areas of the City Charter that may need to be changed or improved as directed by the City of Pompano Beach City Commission;

e. Serve as an issues forum for residents;

f. Determine charter amendment priorities and needs.

Article V. Membership and Members:

1. **Membership:**

a. The Advisory Board shall consist of six (6) members.

b. The members of the Advisory Board shall be residents of the City of Pompano Beach;

c. The members of the Advisory Board shall not receive compensation for their services to the Board;

d. The members of the Advisory Board shall be appointed by the City of Pompano Beach City Commission;

2. **Term of Membership:**

a. Advisory Board Members serve on a volunteer basis only.

b. Member terms shall be for two (2) years. The term of office of each member shall coincide with the term of the appointing City Official.

c. Any member may resign from the Advisory Board by giving written notice to the Chair. The resignation shall be effective immediately upon receipt of such notice.

d. Upon notice of a resignation, the Chair shall notify the City of Pompano Beach City Commission to fill the vacancy;

3. **Officers:**

a. Officers shall include a Chair and Vice-Chair.

b. Officers shall be elected by simple majority of appointed members.

c. Officers shall serve a one (1) year term and may be re-elected.

d. Officers shall be elected at the first meeting of each calendar year.

e. Duties of officers shall be those commonly ascribed to these offices.

f. It is the Chair's responsibility to ensure compliance with the By-Laws.

g. The Vice-Chair shall perform the duties of the Chair when the Chair so desires, the Chair is absent, the Chair has declared a conflict of interest, or the office of the Chair is vacant. In the event the office of the Chair is vacant, the Board shall elect the Chair at the next scheduled quarterly meeting, or by special meeting, and whose term shall run until the elections at first meeting of the next calendar year.

4. **Member Responsibilities:**

a. Each member is expected to attend meetings and participate.

b. Each member is expected to review the issues that come before the Advisory Board in order to contribute to the resolution process.

c. The Board shall make periodic reports to the City Commission and shall submit written reports of its recommendations for Charter changes to the City Commission. When evaluating proposed Charter amendments, the members shall consider the following guidelines:

1. Constitutionality of amendments should not be doubtful, e.g. conflict with the Constitution, or Statutes, or Statutory preemption.

2. Amendment and ballot language should be clear, concise, and understandable.

3. Amendments should consider impact on City and County government.

4. Amendments should attempt to avoid specific, static dollar amounts that can only be changed by an amendment to the Charter.

5. Amendments should not reference State Statute numbers; titles should be used instead. Amendments should not duplicate Statute provisions.

6. Amendments shall not usurp the City of Pompano Beach Board of Commission authority.

7. Amendments should avoid matters that would be more appropriate as Ordinances.

8. If a proposed Charter Amendment does not meet the above criteria, other means of addressing the problem may be suggested.

Article VI. Organizational Structure and Procedural Rules:

1. **Board Operation:**

a. The Board shall meet not less frequently than once each calendar quarter, at the call of the Chair or Vice-Chair, or at the call of any three members. Unless a different time and date is called, the Board shall meet at 7:00 pm on the second Wednesday of the quartered month. Except for the meeting at which officers are elected, the Chair may cancel the required quarterly meeting if there is no objection by any member, and there is no business to be considered.

b. Meeting minutes will be recorded for each meeting and approved by the Board at the next meeting.

c. A quorum shall consist of a simple majority of appointed members (four members) and shall be required to hold a meeting or take any action. A quorum being present, motions and resolutions shall carry by a majority of those members present.

d. All meetings shall be conducted in accordance with Robert's Rules of Order unless waived by the Chair.

e. Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted. Members shall only abstain from a vote when there is a valid conflict of interest pursuant to Florida law.

f. A rule of procedure may be suspended or waived at any meeting in which a quorum is present and by a majority vote of the Board members present, unless such rule is established by statute or applicable code.

Article VII. Bylaws and Amendments:

a. The Board shall adopt a set of written By-Laws at the organizational meeting of the Board. The By-Laws govern Board operation. A quorum being present and a majority vote of those members present shall be required for adoption or change of the By-Laws.

b. These By-Laws may be amended by a quorum and a majority vote of those members present, except where such amendment would be contrary to requirements or limitations set by statutes or applicable codes. An amendment may be proposed at any regular meeting of the Board, and shall not be acted upon until the following regular meeting.

c. Amendments to these By-laws shall be approved by the City Commission, and shall not be effective until approved by the City Commission.

Article VIII: Severability:

If any section, subsection, sentence, clause or phrase of these Bylaws is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Bylaws.

Article IX: Effective Date:

These Bylaws shall become effective upon adoption by the City Commission.

These Bylaws were approved by the Charter Amendment Board on the 8th day of June, 2016.

By: _____
Printed name: **Whitney Rawls**
Title: **Chair**
Date: **June 8, 2016**

These Bylaws were approved by the City of Pompano Beach City Commission on the 13th day of September, 2016.

orf. 28

RESOLUTION NO. 2015- 116

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REPEALING RESOLUTION NO. 95-229 AND RESOLUTION NO. 2001-151, WHICH CREATED AND AMENDED, RESPECTIVELY, THE CHARTER AMENDMENT ADVISORY BOARD, AND CREATING A NEW CHARTER AMENDMENT ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pompano Beach deems it wise and expedient to establish a Charter Amendment Advisory Board; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Resolution No. 95-229 and Resolution No. 2001-151, which created and amended, respectively, the Charter Amendment Advisory Board are hereby repealed.

SECTION 2. Establishment.

There is hereby created a Charter Amendment Advisory Board for the City of Pompano Beach.

SECTION 3. Membership.

Membership of this Board shall consist of six (6) members each of whom shall be City residents. The Mayor shall nominate for appointment one (1) member and each Commissioner shall nominate for appointment one (1) member who shall be a resident of the nominating Commissioner's district. The term of office for each member appointed by the City Official shall coincide with the term of the appointing City Official. Each newly elected or re-elected Mayor

and Commissioner shall appoint one (1) member to succeed the prior appointees, or may reappoint the previous appointees. In the event there is a vacancy other than by expiration of the term, the nomination for appointment shall be for the unexpired term by the City Official who nominated the member being replaced. Members of the Board shall be subject to removal for cause by the City Commission after a hearing before the City Commission. Unexcused absence from three consecutive meetings shall constitute cause for removal.

The City Commission shall appoint two (2) alternate members of the Charter Amendment Board, who are residents of the City, to be designated as Alternate 1 and Alternate 2. Each alternate shall be appointed for a term of three (3) years, said terms to run concurrently. Alternate members shall be subject to removal for cause by the City Commission. Alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Charter Amendment Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows.

SECTION 4. Powers and Duties.

1. Immediately after their appointment, the Board shall meet and organize by electing from the membership a Chairman and a Vice Chairman. The Board may adopt rules and regulations of the conduct of its meetings including the methods of calling a meeting. The Board shall keep minutes of its meetings.

2. The Board shall advise the City Commission on the propriety of the existing Charter and make such suggestions and recommendations for changes to the Charter as shall tend

to establish the better government of and for the City of Pompano Beach, Florida. The Board shall make periodic reports to the City Commission and shall submit written reports of its recommendations for Charter changes to the City Commission.

3. If a proposed Charter change affects the duties or activities of a particular department of the City, the Board may, through the City Manager, discuss with or invite comments from the department head.

SECTION 5. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 6. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 9th day of December, 2014.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

GBL/jrm
12/2/14
l:reso/2015-116

Original 6

RESOLUTION NO. 2001- 151

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CITY RESOLUTION NUMBER 95-114 TO PROVIDE FOR ALTERNATE MEMBERS OF THE CHARTER AMENDMENT BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission established the Charter Amendment Board without the provision for alternate members; and

WHEREAS, the City Commission now wishes to add alternate membership to the Charter Amendment Board; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That City Resolution No. 95-114 be and the same is hereby amended as follows:

. . .

Section 3: Membership.

Membership of this Board shall consist of five (5) members each of whom shall be City residents. Each Commissioner shall nominate for appointment one (1) member who shall be a resident of the nominating Commissioner's district. The term of office for each member appointed by the City Commissioner shall coincide with the term of the appointing Commissioner. Following each municipal election, each newly elected or re-elected Commissioner shall appoint one (1) member to succeed the prior appointees, or may reappoint the previous appointees. Such appointments shall be made prior to June 1. In the event there is a vacancy other than by expiration of the term, the nomination for appointment shall be for the unexpired term.

The City Commission shall appoint two (2) alternate members of the Charter Amendment Board, who are residents of the City, to be designated as Alternate 1 and Alternate 2. Each alternate shall be appointed for a term of three (3) years, said terms to run concurrently. Alternate members shall be subject to removal for cause by the City Commission. Alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Charter Amendment Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows.

. . .

SECTION 2: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 24th day of April, 2001.

WILLIAM F. GRIFFIN, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

GBL/jrm
3/14/01
l:reso/2001-215

RESOLUTION NO. 95- 229

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REPEALING RESOLUTION 95-114 WHICH CREATED THE CHARTER AMENDMENT BOARD AND CREATING A NEW CHARTER AMENDMENT ADVISORY BOARD; PROVIDING FOR TERMS OF OFFICE OF ITS MEMBERS AND THEIR POWERS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pompano Beach, Florida deems it wise and expedient to establish a Charter Amendment Advisory Board; now, therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Resolution 95-114 which created the Charter Amendment Board is hereby repealed in its entirety.

SECTION 2. Establishment.

There is hereby created a Charter Amendment Advisory Board for the City of Pompano Beach.

SECTION 3. Membership.

Membership of this Board shall consist of five (5) members each of whom shall be City residents.

Members shall be appointed by resolution of the City Commission. A Commissioner from each district shall nominate for appointment one (1) member who shall be a resident in the district of the nominating Commissioner. Terms of the first members should be as follows: one member shall serve one year; two members shall serve two years; and two members shall serve three years. All members appointed in the future after the expiration of the original terms shall be appointed to serve for a period of three years. Nominations to fill any subsequent vacancy

shall be made by the Commissioner in whose district the appointment originated. In the event a vacancy occurs otherwise than by expiration of the term, the appointment filling the vacancy shall be for the unexpired term. Members of the Board shall be subject to removal for cause by the City Commission after a hearing before the City Commission. Unexcused absence from three consecutive meetings shall constitute cause for removal.

SECTION 4. Powers and Duties.

1. Immediately after their appointment, the Board shall meet and organize by electing from the membership a Chairman and a Vice Chairman. The Board may adopt rules and regulations for the conduct of its meetings including the methods of calling a meeting. The Board shall keep minutes of its meetings.

2. The Board shall advise the City Commission on the propriety of the existing Charter and make such suggestions and recommendations for changes to the Charter as shall tend to establish the better government of and for the City of Pompano Beach, Florida. The Board shall make periodic reports to the City Commission and shall submit written reports of its recommendations for Charter changes to the City Commission.

3. If a proposed Charter change affects the duties or activities of a particular department of the City, the Board may, through the City Manager, discuss with or invite comments from the department head.

SECTION 5. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 6. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 5th day of September, 1995.

Emma Lou Olson
EMMA LOU OLSON, MAYOR

ATTEST:

Mary L. Chambers
MARY L. CHAMBERS, CITY CLERK

GBL/jrm
6/22/95
L:\RESO\95-312

RESOLUTION NO. 95- 114

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REPEALING RESOLUTIONS 63-49 AND 95-23 WHICH CREATED AND AMENDED RESPECTIVELY, THE CHARTER AMENDMENT ADVISORY BOARD AND CREATING A NEW CHARTER AMENDMENT BOARD; PROVIDING FOR TERMS OF OFFICE OF ITS MEMBERS AND THEIR POWERS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pompano Beach, Florida deems it wise and expedient to establish a Charter Amendment Board; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That Resolutions 63-49 and 95-23 which created and amended respectively, the Charter Amendment Advisory Board are hereby repealed in their entirety.

SECTION 2: Establishment.

There is hereby created a Charter Amendment Board for the City of Pompano Beach.

SECTION 3: Membership.

Membership of this Board shall consist of five (5) members each of whom shall be City residents. Each Commissioner shall nominate for appointment one (1) member who shall be a resident of the nominating Commissioner's district. The term of office for each member appointed by the City Commissioner shall coincide with the term of the appointing

Commissioner. Following each municipal election, each newly elected or re-elected Commissioner shall appoint one (1) member to succeed the prior appointees, or may reappoint the previous appointees. Such appointments shall be made prior to June 1. In the event there is a vacancy other than by expiration of the term, the nomination for appointment shall be for the unexpired term.

SECTION 4: Powers and Duties.

1. Immediately after their appointment, the Board shall meet and organize by electing from the membership a Chairman and a Vice Chairman. The Board may adopt rules and regulations for the conduct of its meetings including the methods of calling a meeting. The Board shall keep minutes of its meetings.

2. The Board shall advise the City Commission on the propriety of the existing Charter and make such suggestions and recommendations to perfect said Charter as shall tend to establish the better government of and for the City of Pompano Beach, Florida. The Board shall make periodic reports to the City Commission and shall submit a written report as to its recommendations for Charter changes to the City Commission on or before such date as the City Commission shall designate.

3. Where proposed Charter changes affect the duties or activities of particular departments of the City, the Board may, upon approval of the City Manager, discuss such proposed Charter changes with the department head to be affected thereby.

SECTION 5: If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 6: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 14th day of March, 1995.

E. PAT LARKINS, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

SVT:amd
3/16/95
c:\RESO\95-160

RESOLUTION NO. 95-23

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING RESOLUTION NO. 63-49 WHICH CREATED THE CHARTER AMENDMENT ADVISORY BOARD BY DELETING THE CITY ATTORNEY AS AN EX-OFFICIO SIXTH MEMBER OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That Section 2, "Membership", of Resolution No. 63-49 is hereby amended to read as follows:

SECTION 2: Membership.

The membership of this Board shall consist of men or women who are legal residents of the City of Pompano Beach, and shall consist of five (5) members serving without pay. Any vacancies in such Board shall be filled by the City Commission, and where such vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. That each Commission District shall be entitled to appoint one member to the Board.

SECTION 2: If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid

provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 3: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 25th day of October, 1994.

E. PAT LARKINS, MAYOR

ATTEST:

MARY L. CHAMBERS
CITY CLERK

SVT:amd
10/15/94
RESO-5 95-21

RESOLUTION NO. 63-49

CITY OF POMPANO BEACH
Broward County, Florida
November 16, 1962

A RESOLUTION CREATING AND ESTABLISHING THE CHARTER AMENDMENT ADVISORY BOARD PRESCRIBING THE TERMS OF OFFICE OF THE MEMBERS OF SAID BOARD AND THEIR POWERS AND DUTIES.

WHEREAS, the City Commission of the City of Pompano Beach, Florida, deems it wise and expedient to establish a Charter Amendment Advisory Board; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: Establishment.

Pursuant to the provisions of Section 234, Article XXV of the Charter of the City of Pompano Beach, Florida, there is hereby established a Charter Amendment Advisory Board for said City.

SECTION 2: Membership.

The membership of this Board shall consist of men or women who are legal residents of the City of Pompano Beach, and shall consist of five (5) members serving without pay. Any vacancies in such Board shall be filled by the City Commission, and where such vacancy occurs otherwise than by expiration of the term, the appointment filling such vacancy shall be for the unexpired term. The City Attorney shall be an ex officio sixth (6th) member of said Board.

SECTION 3: Term.

All members of the Charter Amendment Advisory Board shall be appointed by the City Commission to serve a three (3) year term; provided, however, the City Commission may at any time abolish the Charter Amendment Advisory Board; herein provided further, that the first appointments shall be for the following terms:

(1) One member shall be appointed to serve for a period of one (1) year.

(2) Two members shall be appointed to serve for a period of two (2) years.

(3) Two members shall be appointed to serve for a period of three (3) years.

SECTION 4: Powers and Duties.

(1) Immediately after their appointment, the

Board shall meet and organize by electing from the membership a Chairman and a Secretary. The Board may adopt rules and regulations for the conduct of its meetings, including the methods of calling a meeting. The Board shall keep minutes of its meetings.

(2) The Board shall advise the City Commission on the propriety of the existing Charter and make such suggestions and recommendations to perfect said Charter as shall tend to establish the better government of and for the City of Pompano Beach, Florida. The Board shall make periodic reports to the City Commission and shall submit a written report as to its recommendations for Charter changes to be requested of any session of the Florida Legislature to the City Commission on or before such date as the City Commission shall designate.

(3) Where proposed Charter changes affect the duties or activities of particular departments of the City, the Board may, upon approval of the City Manager, discuss such proposed Charter changes with the department head to be affected thereby.

SECTION 5: Should any section or provision of this resolution or any portion thereof, or any paragraph, sentence 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 any part hereof, other than the part declared to be invalid.

SECTION 6: All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

PASSED AND ADOPTED this 16th day of November, 1962.

Jay Comfort
Mayor

ATTEST:

Paul Nunneker
City Clerk

CHARTER AMENDMENT ADVISORY BOARD

ESTABLISHED: RESOLUTION 63-49

POWERS AND DUTIES

The Powers and Duties of the Charter Amendment Advisory Board are as follows:

1. The Board may adopt rules and regulations for the conduct of its meetings, including the methods of calling the meeting. The Board shall keep minutes of its meetings.

2. The Board shall advise the City Commission on the propriety of the existing Charter and make such suggestions and recommendations to perfect said Charter as shall tend to establish the better government of and for the City of Pompano Beach, Florida. The Board shall make periodic reports to the City Commission and shall submit a written report as to its recommendations for Charter changes to be requested of any session of the Florida Legislature to the City Commission on or before such date as the City Commission shall designate.

3. Where proposed Charter changes affect the duties or activities of a particular department of the City, the Board may, upon approval of the City Manager, discuss such proposed Charter changes with the Department Head to be affected thereby.