

ORDINANCE NO. 2009- 11

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES TO CREATE A NEW SECTION ENTITLED "PLACEMENT AND REMOVAL OF AGENDA ITEMS"; PROVIDING FOR INCLUSION IN THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Southwest Ranches ("Town") desires to adopt procedures relative to Town Council meetings and agenda items; and

WHEREAS, the Town finds that it is in the best interest of the Town to have a policy to govern how actionable items can be placed on and removed from the agenda; and

WHEREAS, the policies for the Town Council meetings will serve as a valuable reference guide for all those in whom the public has placed its trust; and

WHEREAS, the adoption of these Town Council agenda procedures is in the best interest of the general health, safety, and welfare of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

Section 2: That a Section entitled "Placement and Removal of Agenda Items", of the Code of Ordinances of the Town of Southwest Ranches, Florida is hereby created and read as follows:

Placement and Removal of Agenda Items.

Except for cases of an emergency nature or matters of legal necessity, all matters where action is sought shall be placed or removed on the governing body's agenda pursuant to the following procedure:

A. The Town Administrator, the Town Attorney, the Mayor, or any member of the Town Council, may place items on the governing body's agenda. Requests to place an item onto the agenda can either occur through a written

request, electronic or otherwise, or via oral directive given to the Town Administrator at any noticed meeting or workshop of the Town Council. The written request, shall state the purpose of the item/action, the major points to be covered, the reasons for needed action, and the action desired by the Town Council. The Town Administrator shall assist in timely preparing the necessary background materials. All requests to place items onto the agenda shall be made not less than two (2) weeks prior to the regular or special meeting contemplated. If the item requests specific action that would require adoption of a Resolution or Ordinance, all information relating to the item shall be submitted to the Town Administrator not less than three (3) weeks prior to the regular or special meeting contemplated.

B. Once an item has been placed upon the agenda it may only be removed by the person(s) who placed the item on the agenda, except in the event that pertinent information relating to an agenda item is missing or unaccounted for, then the Town Administrator may remove the item from the agenda, but shall continue the item to a fixed time and place at which the missing or unaccounted for information will be available.

C. Nothing herein shall be deemed to prevent any item from being discussed, it solely prohibits the Town Council from taking action on an item that has not been placed on an agenda.

Section 3: It is the intention of the Town Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Town of Southwest Ranches

Section 4. The Town Clerk is hereby directed, if necessary, to record a copy of this Ordinance in the Public Records of Broward County, Florida.

Section 5. Conflicts. 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. Severability. If any word, phrase, clause, sentence or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 2nd day of April, 2009, on a motion made by Council member Aster Knight and seconded by Council Member Doug McKay.

PASSED AND ADOPTED ON SECOND READING this 7th day of May, 2009 on a motion made by Council Member Aster Knight and seconded by Council Member Freddy Fisikelli.


Nelson	<u>Y</u>
Breitkreuz	<u>Absent</u>
Fisikelli	<u>Y</u>
Knight	<u>Y</u>
McKay	<u>Y</u>

Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>



Jeff Nelson, Mayor

Attest:



Susan Owens, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney

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