



**ORDINANCE NO. 19-12-3**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, REPEALING RESOLUTION NO. 19-10-2, ADOPTED NOVEMBER 5, 2019; AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," ARTICLE V ENTITLED, "BOARDS, COMMISSIONS AND COMMITTEES;" CREATING SECTION 2-130, TO BE ENTITLED, "PUBLIC SAFETY ADVISORY BOARD;" ESTABLISHING THE PUBLIC SAFETY ADVISORY BOARD AS A PERMANENT CITY ADVISORY BOARD; PROVIDING FOR COMPOSITION; PROVIDING FOR DUTIES, MISSION AND SCOPE; PROVIDING FOR RULES OF PROCEDURE; PROVIDING FOR STANDARDS OF CONDUCT FOR MEMBERS; RATIFYING THE APPOINTMENT OF MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 1.05 of the Cooper City Charter provides for the establishment by the City Commission of boards that are necessary for the public function of the city and advisory boards; and

**WHEREAS**, law enforcement and fire rescue services comprise the largest portion of the City's annual budget; and

**WHEREAS**, the City of Cooper City (the "City") seeks to re-establish its Public Safety Advisory Board ("PSAP") as a permanent board to provide advice and recommendations to the City Commission on public safety matters and to assist with oversight of the City's contracts for law enforcement and fire rescue services; and

**WHEREAS**, on November 5, 2019, the City Commission adopted Resolution No. \_\_\_\_\_, 19-10-2, thereby re-establishing the PSAB; however, it is the intention and desire of

the City Commission to establish the PSAB, by ordinance, as a permanent board and codify the PSAB in the City's Code of Ordinances; and

**WHEREAS**, the City Commission has held a public hearing in accordance with Florida law; and

**WHEREAS**, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that the adoption of this ordinance is in the best interest of the citizens and residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**Section 1. RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. CHAPTER 2 OF CITY CODE AMENDED.** That Section 2-130, to be entitled "Public Safety Advisory Board" of Article V "Boards, Commissions and Committees" of Chapter 2, entitled "Administration" of the City Code of the City of Cooper City, Florida, is hereby created to read, as follows:

**ARTICLE V. BOARDS, COMMISSIONS, AND COMMITTEES**

Sec. 2-130. Public Safety Advisory Board

A. Creation, composition and qualifications.

(1) There is hereby created and established the City of Cooper City Public Safety Advisory Board (the "Board") consisting of five (5) members who are residents of the City and have education, training, background or experience which is pertinent to service on the Board. In order to prevent any potential conflict of interest, any person who is employed by or whose immediate family member( ie: parent, spouse, child, sibling or registered domestic partner) is employed by BSO or by the police or fire rescue agencies of the adjacent cities of Davie, Hollywood or Pembroke Pines, shall not be eligible for appointment to the Board. Each member of the Commission shall nominate

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Words in underlined type are additions.

one (1) person to the Board. The members of the Board shall serve on the Board without compensation and shall not be reimbursed for travel, mileage, or per diem expenses for their Board service. The members of the Board shall serve at the pleasure of the appointing commissioner, in accordance with Section 2-116(b)(3) of the City Code.

- (2) In the event of the resignation or removal of any member of the Board, the Commission member who appointed such person shall appoint another person to fill the vacancy.
- (3) In the event that a member of the Board shall be absent and unexcused from a duly-called meeting of the Board for three meetings, then, in that event, such member shall automatically be removed as a member of the Board effective upon notification to such person from the City Manager.
- (4) The City Manager or his designee shall provide or designate necessary staff support for the Board in coordination with the City Clerk's Office. The City Attorney's Office shall serve as legal counsel to the Board.

B. Advisory capacity.

- (1) The powers and duties of the Board shall be solely of an advisory nature to the City Manager and City Commission. The City Manager, or his or her designee, shall attend the meetings of the Board, and shall guide and direct the Board, and shall assign public safety research tasks to the Board, which tasks he finds will facilitate the public safety needs of the City. Those assignments shall expressly include, but may not be limited to, the following:
  - A) Monitoring the operational and financial components of any contracts between the City and any vendor providing law enforcement and/or fire rescue services; and
  - B) Assisting City staff in researching, on a concurrent basis, alternative approaches to the provision of Public Safety Services to the City from the Broward Sheriff's Office, adjacent cities, and directly by fire and police personnel of the City; and
  - C) Performing other duties or tasks that may be assigned by the City Manager or the City Commission, from time to time.
- (2) The City Manager shall arrange for the provision of pertinent information and data to the Board, including, but not limited to, providing a copy of the existing City-BSO Agreements, and the audit study conducted for the City by Matrix Consulting. The City Manager, by virtue of his office as City Manager, shall be responsible for communicating to the City Commission the pertinent work and recommendations of the Board.

C. Rules of procedure; quorum.

- (1) The Board shall adopt rules of procedure not inconsistent with the ordinances of the City and the laws of the State of Florida and shall utilize Robert's Rules of Order recently revised 1990 Edition for the rules of procedure to guide the conduct of meetings of the Board.
- (2) At the first meeting of the Board, the Board shall select one of its members to serve as the Chairperson and another member to serve as the Vice-Chairperson.
- (3) Three (3) members shall constitute a quorum for the transaction of the business of the Board. Official action shall be taken by the Board only upon the concurring vote of a majority of the members present at an official meeting of the Board.
- (4) The Board shall meet once per month, or more often as may be determined by a majority of the Board or requested by the City Manager.

D. Mission; and duties.

- (1) The mission of the Board is to assist the City in accomplishing the City's goal of continuing to assure the provision of outstanding Public Safety Services to the residents of and businesses in the City, and providing a recommendation to the City Manager.
- (2) Any necessary action of the Board shall be in the form of a written recommendation of the Board, signed by the Board Chairperson, and delivered to the City Manager, who shall present the recommendation of the Board to the Mayor and City Commission.

E. Standards of conduct for members.

All members of the Board shall be subject to the applicable standards of conduct for public officers and employees, as set by Federal, State, County, City or other applicable law pursuant to City Code Section 2-102.

**Section 3. Repealer.** Resolution No. \_\_\_\_\_, 19-10-2, adopted on November 5, 2019, is hereby repealed.

**Section 4. Membership.** The membership of the PSA~~P~~B, appointed by the City Commission on November 5, 2019 pursuant to Resolution No. \_\_\_\_\_, 19-10-2, is hereby ratified and confirmed.

**Section 5.** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the

City of Cooper City, 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 6.** 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 7.** 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 validity of the remaining portions or applications remaining in full force and effect.

**Section 8.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_ day of \_\_\_\_\_, 2019.**

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
Kathryn Sims  
City Clerk

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Curran \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Meltzer \_\_\_\_\_  
Commissioner Pulcini \_\_\_\_\_

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney

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**RESOLUTION NO. 19-10-2**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, CONCERNING PUBLIC SAFETY SERVICES; RE-ESTABLISHING A PUBLIC SAFETY ADVISORY BOARD AND PROVIDING FOR ITS DUTIES AND RESPONSIBILITIES; RE-APPOINTING BOARD MEMBERS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on February 13, 2018, the City Commission of the City of Cooper City (the “City”) adopted Resolution No. 18-1-3 (the “Resolution”), thereby creating a Public Safety Advisory Board (the “PSAB”); and

**WHEREAS**, the Resolution provided for the sunset and termination of the PSAB on February 12, 2019, unless otherwise extended by the City Commission; and

**WHEREAS**, on December 18, 2018, the City Commission approved the extension of the PSAB through September 2019; and

**WHEREAS**, the City is continuing to negotiate with the Broward Sheriff’s Office (“BSO”) for law enforcement and fire rescue services; and

**WHEREAS**, irrespective of whether the City enters into a new contract for services with BSO or secures law enforcement and fire rescue services from another source, the City Commission finds that public participation and public input remains an important component to addressing the City’s public safety needs; and

**WHEREAS**, pursuant to City Charter Sec. 1.05(2), the City Commission desires to re-establish the PSAB as a committee of continuing existence to provide ongoing input and recommendations to the City Commission; and

**WHEREAS**, the City Commission finds that re-establishing the PSAB to providing

continuous input to the City Commission on matters related to public safety is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. Public Safety Advisory Board Created.**

**I. - Creation, composition and qualifications.**

- A. There is hereby created and established the City of Cooper City Public Safety Advisory Board (the "Board") consisting of five (5) members who are residents of the City and have education, training, background or experience which is pertinent to service on the Board. In order to prevent any potential conflict of interest, any person who is employed by or whose immediate family member( ie: parent, spouse, child, sibling or registered domestic partner) is employed by BSO or by the police or fire rescue agencies of the adjacent cities of Davie, Hollywood or Pembroke Pines, shall not be eligible for appointment to the Board. Each member of the Commission shall nominate one (1) person to the Board. The members of the Board shall serve on the Board without compensation and shall not be reimbursed for travel, mileage, or per diem expenses for their Board service. The members of the Board shall serve at the pleasure of the City Commission for a one-year term and may be reappointed in accordance with the process outlined herein.
- B. In the event of the resignation or removal of any member of the Board, the Commission member who nominated such person shall nominate another person to fill the vacancy, for the unexpired portion of the term of the member vacating such position, subject to approval of the City Commission.
- C. In the event that a member of the Board shall be absent and unexcused from a duly-called meeting of the Board for three meetings, then, in that event, such member shall automatically be removed as a member of the Board effective upon notification to such person from the City Manager.
- D. The City Manager or his designee shall provide or designate necessary staff support for the Board in coordination with the City Clerk's Office. The City Attorney's Office shall serve as legal counsel to the Board.

**II. - Advisory capacity.**

The powers and duties of the Board shall be solely of an advisory nature to the City Manager and City Commission. The City Manager, or his or her designee, shall attend the meetings of the Board,

and shall guide and direct the Board, and shall assign public safety research tasks to the Board, which tasks he finds will facilitate the public safety needs of the City. Those assignments shall expressly include, but may not be limited to, the following:

- A) Monitoring the operational and financial components of any contracts between the City and any vendor providing law enforcement and/or fire rescue services; and
- B) Assisting City staff in researching, on a concurrent basis, alternative approaches to the provision of Public Safety Services to the City from BSO, adjacent cities, and directly by fire and police personnel of the City.

The City Manager shall arrange for the provision of pertinent information and data to the Board, including, but not limited to, providing a copy of the existing City- BSO Agreements, and the audit study conducted for the City by Matrix Consulting. The City Manager, by virtue of his office as City Manager, shall be responsible for communicating to the City Commission the pertinent work and recommendations of the Board.

### **III. - Rules of procedure; quorum.**

- A. The Board shall adopt rules of procedure not inconsistent with the ordinances of the City and the laws of the State of Florida and shall utilize Robert's Rules of Order recently revised 1990 Edition for the rules of procedure to guide the conduct of meetings of the Board.
- B. At the first meeting of the Board, the Board shall select one of its members to serve as the Chairperson and another member to serve as the Vice-Chairperson.
- C. Three (3) members shall constitute a quorum for the transaction of the business of the Board. Official action shall be taken by the Board only upon the concurring vote of a majority of the members present at an official meeting of the Board.
- D. The Board shall meet once per month, or more often as may be determined by a majority of the Board or requested by the city manager.

### **IV. - Mission; and duties.**

- A. The mission of the Board is to assist the City in accomplishing the City's goal of continuing to assure the provision of outstanding Public Safety Services to the residents of and businesses in the City, and providing a recommendation to the City Manager.
- B. Any necessary action of the Board shall be in the form of a written recommendation of the Board, signed by the Board Chairperson, and delivered to the City Manager, who shall present the recommendation of the Board to the Mayor and City Commission.

### **V. - Standards of conduct for members.**

All members of the Board shall be subject to the applicable standards of conduct for public officers and employees, as set by Federal, State, County, City or other applicable law pursuant to City Code Section 2-102.

**Section 3. Board Members Appointed.**

That in accordance with this Resolution, the following persons are hereby appointed to serve on the Board:

NOMINATED BY: PERSONS APPOINTED TO BOARD

Mayor Ross: David Nall

Commissioner Meltzer: Ryan Shrouder

Commissioner Pulcini: Brenda Kezar

Commissioner Curran: Lori Green

Commissioner Green: \_\_\_\_\_

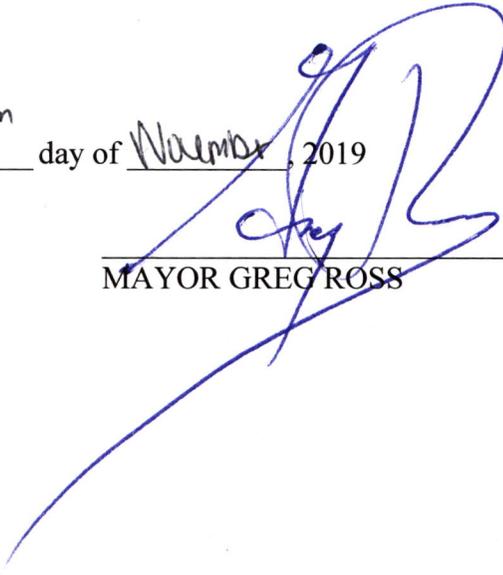
**Section 4. Implementation.** That the City Manager is authorized to take any action which is necessary for the implementation of the purposes of this Resolution and the presentation of a proposed Public Safety Services Agreement to the Commission for approval.

**Section 5. Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

**Section 6. Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

**Section 7. Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

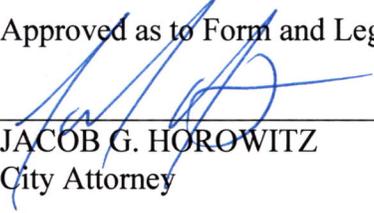
PASSED AND ADOPTED this 5<sup>th</sup> day of November, 2019

  
MAYOR GREG ROSS

ATTEST:

  
KATHRYN SIMS  
City Clerk

Approved as to Form and Legal Sufficiency:

  
JACOB G. HOROWITZ  
City Attorney

**ROLL CALL**

Mayor Ross  
Commissioner Meltzer  
Commissioner Pulcini  
Commissioner Curran  
Commissioner Green

