

CRC RESOLUTION NO. 2018-002

A RESOLUTION OF THE BROWARD COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO SECTION 10.01 OF THE CHARTER OF BROWARD COUNTY, FLORIDA, ENTITLED, “BROWARD COUNTY OFFICE OF INSPECTOR GENERAL”; PROVIDING FOR THE INSPECTOR GENERAL’S DISCRETION AS TO WHETHER TO COMMENCE AN INVESTIGATION IF GOOD CAUSE EXISTS THAT AN ENTITY OR PERSON OVER WHOM THE INSPECTOR GENERAL HAS AUTHORITY HAS ENGAGED IN MISCONDUCT OR GROSS MISMANAGEMENT; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE COUNTY COMMISSION AT A SPECIAL REFERENDUM ELECTION TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 2018 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE COUNTY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 6.02 of the Broward County Charter, after two (2) public hearings and by an affirmative vote of at least thirteen (13) of the nineteen (19) members, the Broward County Charter Review Commission may submit a proposal to the Board of County Commissioners to amend or revise the Broward County Charter; and

WHEREAS, the Charter of Broward County, Florida mandates that all Charter amendments and revisions proposed by the Charter Review Commission must be submitted to

{00190742.1 3293-000000}

**Coding: Words in ~~struck-through~~ type are deletion from existing text.
 Words in underscoring type are additions.**

the County Commission no later than the first Tuesday in June of the year in which the term of the Charter Review Commission shall expire; and

WHEREAS, the Charter of Broward County, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the County Commission to the electorate at the next general election;

NOW, THEREFORE, BE IT RESOLVED BY THE BROWARD COUNTY CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of Broward County, Florida, the County Commission is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held in conjunction with the November 2018 General Election, a special referendum issue, the subject of which is proposed to amend Section 10.01, entitled “Broward County Office of Inspector General,” to provide the Inspector General with discretion as to whether to commence an investigation if good cause exists that an entity or person over whom the inspector general has authority has engaged in misconduct or gross mismanagement, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

BROWARD COUNTY OFFICE OF INSPECTOR GENERAL’S

DISCRETION TO COMMENCE AN INVESTIGATION

Shall the Broward County Charter be amended to give the Broward County Office of Inspector General discretion, as opposed to a mandate, to commence an
{00190742.1 3293-0000000}

Coding: Words in ~~struck-through~~ type are deletion from existing text.
Words in underscoring type are additions.

investigation if good cause exists that an entity or person over whom the inspector general has authority has engaged in misconduct or gross mismanagement?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of Broward County, Florida.

SECTION 4: That the County Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.
Adopted this ____ day of _____, 20__.

Thomas McDonald, Chairperson

APPROVED AS TO LEGAL FORM:

Samuel S. Goren, General Counsel

{00190742.1 3293-0000000}

Coding: Words in ~~struck-through~~ type are deletion from existing text.
Words in underscoring type are additions.

**RECORD OF VOTE
(CRC 2018-002)**

BUSCH	_____	McDONALD	_____
DAVIS	_____	MOSELEY	_____
DIPIETRO	_____	MOSKOWITZ	_____
FABRICIO	_____	NAVARRO	_____
FORMAN	_____	NORRIS-WEEKS	_____
GREENBERG	_____	PETTIS	_____
GUERRA	_____	REYES	_____
GUNZBURGER	_____	SMITH	_____
KANE	_____	WELLS	_____
MAYLOR	_____		

Resolution **CRC 2008-002** passed _____ on _____, 20__.

BROWARD COUNTY CHARTER REVIEW COMMISSION

Attest: _____
Carlos Verney, Executive Director

{00190742.1 3293-0000000}

Coding: Words in ~~struck through~~ type are deletion from existing text.
Words in underscored type are additions.

EXHIBIT "A"

Sec. 10.01. – Broward County Office of Inspector General

...

B. Functions, Authority, and Powers.

...

(2) The Inspector General ~~shall~~may commence an investigation if good cause exists that any Official, Employee, or Provider has engaged in misconduct or gross mismanagement.

{00190742.1 3293-0000000}

**Coding: Words in ~~struck-through~~ type are deletion from existing text.
 Words in underscored type are additions.**