



AGENDA REPORT
February 12, 2019

**Legislative Intent and Permission to Advertise, re: Ordinance Imposing
Term Limits upon Planning & Zoning Board, Bryan A. Lober. District 2**

SUBJECT:

Planning & Zoning Board of Directors Term limits

FISCAL IMPACT:

None.

DEPT/OFFICE:

District 2

REQUESTED ACTION:

It is requested the Board of County Commissioners approve legislative intent and grant permission to advertise an Ordinance imposing a three term limit on the Planning & Zoning Board members.

SUMMARY EXPLANATION and BACKGROUND:

This request seeks to direct staff to draft an ordinance imposing a three term limit upon the of the Planning & Zoning Board members with the following requirements. The term for Planning and Zoning Board members is one year.

Any Planning & Zoning Board member who has served three consecutive terms shall be ineligible to serve for a period of one term following the service triggering the application of the three term limit.

A member must remain off the Planning & Zoning Board for a minimum of one term prior to being eligible for reappointment to the Planning & Zoning Board whereupon he or she will, once again, be subject to a three term limit.

Planning & Zoning Board members who have completed three consecutive terms of service on the Planning & Zoning Board shall be automatically removed upon conclusion of the third term of service. The Planning & Zoning Board need not take notice of an appointee's duration of service for removal as such removal is intended to be triggered automatically at the end of the third consecutive term. This revision will modify County Code, which presently indicates, in pertinent part, a board member "shall serve until his successor is appointed."

Alternates serving on the Planning & Zoning Board are wholly excluded from this agenda item as no term limit shall be applied with respect to one's service as an alternate. More specifically, upon conclusion of three years of service on the Planning & Zoning Board one may immediately be appointed to an alternate position with no time limitation for service as an alternate. Moreover, one may serve any number of terms as an alternate and shall not be limited from thereafter being appointed to the Planning & Zoning Board due to any duration of service as an alternate.

Since the Planning and Zoning Board members also serve as members of the Local Planning Agency, the intent of the proposal is to revise the terms for Local Planning Agency board members and alternates to match the terms of the Planning and Zoning board members and alternates.

ATTACHMENTS:

Description

No Attachments Available



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

February 13, 2019

M E M O R A N D U M

TO: Eden Bentley, County Attorney

RE: Item J.6., Legislative Intent and Permission to Advertise for an Ordinance Imposing Term Limits upon the Planning and Zoning Board

The Board of County Commissioners, in regular session on February 12, 2019, approved legislative intent and granted permission to advertise for an ordinance imposing term limits upon the Planning and Zoning board members of eight years on and two years off; and included a waiver provision that if a Commissioner cannot find a person to fill a position on the Planning and Zoning board that he or she can bring the issue to the Board of County Commissioners, and if a majority approves, the eight-year term limit can be waived.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

cc: Each Commissioner
County Manager
Planning and Development Director