

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ARTICLE II, SECTION 6 TO CHAPTER 57-174, LAWS OF FLORIDA SPECIAL ACTS OF 1957 AS SUBSEQUENTLY AMENDED AND SUPPLEMENTED, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF POMPANO BEACH, FLORIDA, MODIFYING THE DATES FOR MUNICIPAL GENERAL ELECTIONS; EXPANDING THE TERMS OF OFFICE OF CITY COMMISSIONERS; STAGGERING TERMS OF CITY COMMISSIONERS; PROVIDING THAT IF ANY OF THE AMENDMENTS ARE APPROVED BY A MAJORITY OF THE VOTERS AT THE SPECIAL ELECTION OF MARCH 10, 2020, THEN EACH SUCH AMENDMENT SHALL BECOME A PART OF THE CITY'S CHARTER UPON CERTIFICATION AND ACCEPTANCE OF THE ELECTION RESULTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has duly considered the proposed Charter amendments, which provide for modifying the dates of municipal elections, expanding the terms of City Commissioners, and staggering the terms of City Commissioners so that all Commissioners do not come up for reelection at the same time, by all qualified electors within the City; and

WHEREAS, Section 261 of the City's Charter provides for the method of amending the City Charter; and

WHEREAS, the City Commission of the City of Pompano Beach has deemed it to be in the best interest of the citizens and residents of the City of Pompano Beach that the proposed amendments to the City Charter shall be submitted to a vote of the electors; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

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

SECTION 1. The following referendum questions amending Chapter 57-174, Laws of Florida Special Acts of 1957 as subsequently amended and supplemented, otherwise known as the Charter of the City of Pompano Beach, shall be presented to the electorate of the City of Pompano Beach at the March 10, 2020 Special Municipal Election, and, if any of the following referendum questions are approved by a majority of the electorate at said election and met all conditions for approval, each said approved amendment shall be legally effective and shall become a part of the City Charter upon certification and acceptance of the election results.

PROPOSED AMENDMENT #1

CHANGE MUNICIPAL ELECTION DATES, EXTEND CURRENT TERMS;

SHALL SECTION 6 OF THE CHARTER OF THE CITY OF POMPANO BEACH BE AMENDED TO TRANSITION ALL FUTURE MUNICIPAL ELECTIONS TO THE **FIRST SECOND** TUESDAY OF MARCH BY MOVING THE NEXT SCHEDULED MUNICIPAL GENERAL ELECTION IN NOVEMBER OF 2020 TO MARCH OF 2021 AND BY EXTENDING THE CURRENT TERMS OF THE MAYOR AND COMMISSIONERS FROM NOVEMBER OF 2020 TO MARCH OF 2021 IN ORDER TO ACCOMMODATE THAT CHANGE.

YES _____

NO _____

PROPOSED AMENDMENT #2

EXPAND DISTRICT COMMISSIONER TERMS OF OFFICE;

SHALL SECTION 6 OF THE CHARTER OF THE CITY OF POMPANO BEACH BE AMENDED TO PROVIDE FOR ELECTION OF DISTRICT COMMISSIONERS TO A TERM OF FOUR YEARS **FROM THE CURRENT TWO YEAR TERM.**

YES _____

NO _____

PROPOSED AMENDMENT #3

STAGGER TERMS;

SHALL SECTION 6 OF THE CHARTER OF THE CITY OF POMPANO BEACH BE AMENDED TO STAGGER ELECTION YEARS FOR COMMISSIONERS BY PROVIDING THE TERMS OF OFFICE FOR ELECTED COMMISSIONERS FROM ODD NUMBERED DISTRICTS AT THE NEXT SCHEDULED MUNICIPAL ELECTION BE FOR AN INITIAL TERM **OF THREE YEARS** AND THEN WITH EQUAL TERMS **OF OFFICE** FOR ALL COMMISSIONERS IN **FUTURE** ELECTIONS.

YES _____

NO _____

If all the proposed amendments are approved, Section 6 entitled, “Office of Commissioner and Mayor-at-Large,” will read as indicated below:

Sec. 6. OFFICE OF COMMISSIONER AND MAYOR-AT-LARGE.

The City Commission shall consist of a number of electors of the city corresponding to the number of districts established pursuant to Article I, Section 3, of this Charter, one (1) Commissioner to be elected from each of said districts by vote of only the electors within that district, and a Mayor elected by vote of all electors within the City. In accordance with the laws governing municipal elections in Broward County, future municipal elections shall be transitioned to be held on the first Tuesday in ~~November~~ March of ~~even-number~~ appropriate years ~~during general elections~~. For the municipal general election of March ~~2012~~ 2021, the terms of office of City Commissioners who were elected from odd-numbered districts shall expire when successors are sworn in but not later than one week after the general election in ~~November of 2014~~ March of 2024, and ~~for the municipal general election of March 2013~~, the terms of office of City Commissioners who were elected from even-numbered districts shall expire when

successors are sworn in but not later than one week after the general election in ~~November~~ March of ~~2014~~ 2025. Successor Commissioners shall be elected for terms to fill seats for terms of ~~two~~ four years or until their successors are elected and qualified to fill seats as terms expire in the respective districts. Also, for the municipal general election of March ~~2013~~ 2021, the term of office of the Mayor shall expire when a successor is sworn in but not later than one week after the ~~general municipal~~ election in ~~November~~ March of ~~2016~~ 2025. Successor Mayors shall be elected for terms of four (4) years or until their successors are elected and qualified.

CODING: Words in ~~struck through~~ type are deletions from existing law;
Words in underscored type are additions.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. This Ordinance shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
6/17/19
l:ord/charter/2019-149a