

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON
3 NOVEMBER 5, 2024, THE DATE OF THE GENERAL ELECTION, TO DETERMINE
4 WHETHER TO AMEND THE BROWARD COUNTY CHARTER (“CHARTER”) TO
5 REMOVE ALL MEMBERSHIP CATEGORIES FOR THE BROWARD COUNTY
6 HOUSING COUNCIL (“COUNCIL”) THAT ARE PRESCRIBED IN SECTION 11.06 OF
7 THE CHARTER, INCLUDE A PROVISION ALLOWING THE BOARD OF COUNTY
8 COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TO ESTABLISH
9 MEMBERSHIP CATEGORIES OF THE COUNCIL BY ORDINANCE, AND PROVIDE
10 THAT THE COUNCIL BE COMPOSED OF AT LEAST SEVENTEEN (17) VOTING
11 MEMBERS AND NO MORE THAN NINETEEN (19) TOTAL MEMBERS; AND
12 PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

13 (Sponsored by Commissioner Hazelle P. Rogers)

14
15 WHEREAS, Section 11.06 of the Broward County Charter (“Charter”) creates the
16 Broward County Housing Council (“Council”) and prescribes the membership categories
17 of the Council;

18 WHEREAS, certain membership categories prescribed in Section 11.06 of the
19 Charter refer to entities no longer in existence or require a level of specificity in
20 membership composition that has resulted in extended vacancies on the Council;

21 WHEREAS, the Council has requested the Board of County Commissioners of
22 Broward County, Florida ("Board"), amend the Charter to remove all membership
23 categories for the Council that are prescribed in Section 11.06 of the Charter, provide that
24 the Board shall establish the membership categories of the Council by ordinance to allow
25 greater flexibility for membership categories on the Council, and provide that the total
26 membership of the Council be composed of at least seventeen (17) voting members and
27 no more than nineteen (19) total members; and

28 WHEREAS, the Board finds that the public interest will be served by amending the
29 Charter as requested by the Council, subject to voter approval, NOW, THEREFORE,

30 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
31 BROWARD COUNTY, FLORIDA:

32 Section 1. Subject to an affirmative vote of the general electorate,
33 Section 11.06 of the Charter of Broward County, Florida, entitled "Broward County
34 Housing Council," is hereby amended to read as follows (with the remaining paragraphs
35 being relettered as necessary):

36 **Sec. 11.06. Broward County Housing Council.**

37 A. There shall be a Broward County Housing Council that shall serve in an
38 advisory capacity to the County Commission and facilitate coordination
39 between the County, Municipalities, the business community, and not-for-
40 profit groups to address housing issues including, but not limited to,
41 affordable housing, workforce housing, and homelessness.

42 B. Membership. The Broward County Housing Council shall be ~~comprised~~
43 composed of at least seventeen (17) voting members and no more than

44 ~~nineteen (19) total members. Sixteen (16) members shall be voting~~
45 ~~members. The membership~~ of the Broward County Housing Council shall
46 ~~be appointed as follows: established by ordinance of the County~~
47 ~~Commission.~~

48 (1) ~~One (1) member shall be the owner of a business that employs at~~
49 ~~least fifty (50) employees. This member shall be appointed by the~~
50 ~~Broward County Commission;~~

51 (2) ~~One (1) member shall be the owner of a business that employs fewer~~
52 ~~than fifty (50) employees. This member shall be appointed by the~~
53 ~~Broward County Commission;~~

54 (3) ~~One (1) member shall be a recipient of Section 8 housing assistance~~
55 ~~or another housing assistance program. This member shall be~~
56 ~~appointed by the Broward County Commission;~~

57 (4) ~~One (1) Broward County Commissioner. This member shall be~~
58 ~~appointed by the Broward County Commission;~~

59 (5) ~~One (1) member shall be the Chief Executive of a recognized, not-~~
60 ~~for-profit homeless organization. This member shall be appointed by~~
61 ~~the Broward County Commission;~~

62 (6) ~~One (1) member shall be the Chief Executive of a not-for-profit~~
63 ~~housing organization. This member shall be appointed by the~~
64 ~~Broward County Commission;~~

65 (7) ~~One (1) member shall be a licensed real estate professional~~
66 ~~appointed by the Florida Association of Realtors;~~

- 67 (8) ~~One (1) member shall be a banker appointed by the Broward County~~
68 ~~Commission;~~
- 69 (9) ~~One (1) member shall be appointed from the Broward County~~
70 ~~League of Cities, which member shall be an officer of the~~
71 ~~organization;~~
- 72 (10) ~~One (1) member shall be the City Manager of a city in Broward~~
73 ~~County with more than 50,000 residents. This member shall be~~
74 ~~appointed by the Broward County League of Cities;~~
- 75 (11) ~~One (1) member shall be the City Manager of a city in Broward~~
76 ~~County with less than 50,000 residents. This member shall be~~
77 ~~appointed by the Broward County League of Cities;~~
- 78 (12) ~~One (1) member shall be appointed by the Builders Association of~~
79 ~~South Florida;~~
- 80 (13) ~~One (1) member shall be the Director or designee from the Florida~~
81 ~~Atlantic University Center for Urban Redevelopment and Education;~~
- 82 (14) ~~One (1) member shall be a member of the Broward County School~~
83 ~~Board chosen by a majority vote of the School Board;~~
- 84 (15) ~~One (1) member shall be appointed by the Broward County Housing~~
85 ~~Authority;~~
- 86 (16) ~~One (1) member shall be a mortgage broker appointed by the Florida~~
87 ~~Association of Mortgage Brokers;~~
- 88 (17) ~~The County Administrator, or his or her designee, shall serve as a~~
89 ~~permanent, nonvoting member of the Council.~~

90 C. ~~The Broward County Commission, at its discretion, may appoint additional~~
91 ~~members to the Broward County Housing Council, provided that the Council~~
92 ~~shall be comprised of no more than nineteen (19) members with an odd~~
93 ~~number of voting members.~~

94 . . .

95 Section 2. A referendum election is called for the General Election on
96 November 5, 2024, and at such other times as permitted for voting under Chapter 101,
97 Florida Statutes, to determine whether to amend Section 11.06 of the Broward County
98 Charter relating to the membership of the Council.

99 Section 3. Upon voter approval of the amendment to the Charter as provided
100 herein, and enactment of the ordinance that establishes membership categories for the
101 Council, all sitting members of the Council shall continue to serve their term pursuant to
102 Section 11.06 of the Broward County Charter provided they continue to meet the
103 qualifications for appointment as stated in the subject ordinance.

104 Section 4. In accordance with Section 100.342, Florida Statutes, at least thirty
105 (30) days' notice of the referendum election shall be published by the Broward County
106 Administrator in a newspaper of general circulation in Broward County. The publication
107 shall be made at least twice, including once in the fifth week and once in the third week
108 prior to the week in which the referendum is to be held. The notice is hereby attached as
109 Exhibit A and made a part hereof. Notice can also be made in accordance with
110 Section 50.0311, Florida Statutes, either in addition to or in lieu of notice in accordance
111 with Section 100.342, Florida Statutes.

112 Section 5. Said referendum election shall be held between the hours of
113 7:00 a.m. and 7:00 p.m. on November 5, 2024, and at such other days and times as
114 provided under applicable law, including for early voting as provided by Section 101.657,
115 Florida Statutes, at the polling places established in Broward County. All registered and
116 qualified electors in Broward County shall be eligible to vote in the referendum election.
117 Vote-by-mail ballots and early voting access for the referendum shall be made available
118 as provided by law.

119 Section 6. The election boards consisting of the clerks and inspectors
120 appointed to serve for the November 5, 2024, General Election are hereby appointed to
121 serve in the referendum election in the manner provided by law.

122 Section 7. The Broward County Canvassing Board shall canvass the returns in
123 said election and shall certify the results of the referendum election as provided by law.

124 Section 8. The County Administrator shall furnish a certified copy of this
125 adopted Resolution to the Supervisor of Elections for Broward County promptly upon
126 adoption by the Board.

127 Section 9. The title and summary of the referendum question to appear on the
128 November 5, 2024, General Election, as embodied in this enabling Resolution, shall be
129 as follows:

130 **Membership of Broward County Housing Council and the Procedure for**

131 **Establishing Membership**

132 “Shall the Broward County Charter be amended to remove the prescribed membership
133 categories for the Broward County Housing Council (Council), to allow the Broward
134 County Board of County Commissioners to establish the membership of the Council by

135 ordinance, and to provide that the Council be composed of at least seventeen voting
136 members and no more than nineteen total members?"

137 YES _____

138 NO _____

139 Section 10. Severability.

140 If any portion of this Resolution is determined by any court to be invalid, the invalid
141 portion will be stricken, and such striking will not affect the validity of the remainder of this
142 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
143 legally applied to any individual, group, entity, property, or circumstance, such
144 determination will not affect the applicability of this Resolution to any other individual,
145 group, entity, property, or circumstance.

146 Section 11. Effective Date.

147 This Resolution shall be in force and take effect immediately upon its adoption by
148 an affirmative vote of no fewer than six (6) members of the Broward County Board of
149 County Commissioners.

ADOPTED this _____ day of _____, 2024. **PROPOSED**

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Karina D. Rodrigues 05/08/2024
Karina D. Rodrigues (date)
Assistant County Attorney

By: /s/ Annika E. Ashton 05/08/2024
Annika E. Ashton (date)
Deputy County Attorney

Exhibit A

NOTICE OF REFERENDUM ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, TO DETERMINE WHETHER TO AMEND THE BROWARD COUNTY CHARTER RELATING TO THE MEMBERSHIP OF THE BROWARD COUNTY HOUSING COUNCIL.

A countywide referendum election will be held on Tuesday, November 5, 2024, and at such other times as provided for by Chapter 101, Florida Statutes, for the purpose of determining whether to amend the Broward County Charter relating to the membership of the Broward County Housing Council.

As set forth in enabling Resolution No. 2024-____, adopted on ____, by the Board of County Commissioners of Broward County, Florida, the title and summary to appear on the referendum ballot shall be as follows:

Membership of Broward County Housing Council and the Procedure for Establishing Membership

“Shall the Broward County Charter be amended to remove the prescribed membership categories for the Broward County Housing Council (Council), to allow the Broward County Board of County Commissioners to establish the membership of the Council by ordinance, and to provide that the Council be composed of at least seventeen voting members and no more than nineteen total members?”

YES _____

NO _____

A complete copy of the proposed amendment is available at [\[insert URL\]](#).

The referendum shall be held on November 5, 2024, between the hours of 7:00 a.m. and 7:00 p.m., and at such other days and times as provided under applicable law, including for early voting as provided by Section 101.657, Florida Statutes, at the polling places established in Broward County. All registered and qualified electors of Broward County shall be eligible to vote in said referendum election. Vote-by-mail ballots for the referendum election shall be prepared and made available as provided by law.

The Broward County Canvassing Board shall canvass the returns and certify the results of the referendum election to the Board of County Commissioners of Broward County, Florida, the Broward County Administrator, and the Florida Department of State, to be recorded and filed in appropriate public records.

Instructions:

A. Publish two (2) times:

Once on: October 1, 2024
Once on: October 15, 2024

B. Furnish two (2) proofs of publication and invoice to:

Mary Anne Darby, Deputy Clerk
Records, Taxes and Treasury Division
Broward County Governmental Center
115 S. Andrews Avenue, Room 336-U
Fort Lauderdale, Florida 33301

C. Furnish one (1) proof of publication and invoice to:

Broward County Attorney's Office
Broward County Governmental Center
115 S. Andrews Avenue, Room 423
Fort Lauderdale, Florida 33301