

ITEM #69

(Proposed Substitute Resolution)

**ADDITIONAL MATERIAL
REGULAR MEETING**

JUNE 7, 2022

**SUBMITTED AT THE REQUEST OF
COMMISSIONER STEVE GELLER**

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 8, 2022, THE DATE OF THE GENERAL ELECTION, TO DETERMINE WHETHER TO AMEND THE BROWARD COUNTY CHARTER TO ESTABLISH A TWO-YEAR TERM OF OFFICE FOR THE BROWARD COUNTY MAYOR AND TO INCREASE THE MAYOR'S SALARY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Senator Steve Geller)

WHEREAS, Section 2.06 of the Broward County Charter ("Charter") authorizes the Broward County Board of County Commissioners ("Board") to propose amendments and revisions to the Charter, subject to referendum of the general electorate; and

WHEREAS, the Board desires to place a referendum before the voters at the November 8, 2022, General Election that, if approved, would amend the Broward County Charter to provide that the Broward County Mayor is elected by the Board every two years instead of annually and would increase the Mayor's salary by 50%, NOW, THEREFORE,

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

Section 1. Effective November 19, 2024, and subject to an affirmative vote of the general electorate, Section 2.01 of the Charter of Broward County, Florida, titled "Composition, redistricting, terms, qualifications, and compensation of members," is hereby amended to read as follows:

1 **Sec. 2.01. Composition, redistricting, terms, qualifications, and**
2 **compensation of members.**

3 ...

4 D. ~~The Commissioners' salaries~~ Except as to the Mayor, a Commissioner's
5 salary shall be determined and established in accordance with the general law of the
6 State of Florida pertaining to salary and compensation for ~~C~~commissioners of non-charter
7 counties. The Mayor's salary shall be 150% of a Commissioner's salary. Commissioners
8 shall only be reimbursed for expenses that are specifically approved by the County
9 Commission, and when properly incurred on County business, in conformance with the
10 laws of the State of Florida.

11 ...

12 Section 2. Effective November 19, 2024, and subject to an affirmative vote of
13 the general electorate, Section 2.03 of the Charter of Broward County, Florida, titled
14 "Commission election of Mayor and Vice-Mayor," is hereby amended to read as follows:

15 **Sec. 2.03. Commission election of Mayor and Vice-Mayor**

16 A. The County Commission shall elect one (1) Commissioner to the position
17 of Mayor for a two-year term by a majority vote. The election of the Mayor shall occur on
18 ~~an annual basis, even numbered years~~ during the County Commission's annual
19 organizational meeting, which shall take place no earlier than the third Tuesday of each
20 November and no later than the third Tuesday of each December. The County
21 Commission may remove the individual from the position of Mayor by a majority vote. The
22 Mayor may serve consecutive terms.

23 B. ~~Following the election of the Mayor, t~~The County Commission shall elect a
24 Commissioner to the position of Vice-Mayor for a one-year term by a majority vote. The

1 election of the Vice-Mayor shall occur on an annual basis during the County
2 Commission's annual organizational meeting. In the Mayor's absence, the Vice-Mayor
3 shall have all the rights, privileges, and duties of the Mayor. The County Commission may
4 remove the individual from the position of Vice-Mayor by a majority vote. The Vice-Mayor
5 may serve consecutive terms.

6 . . .

7 Section 3. A referendum election is called for the General Election on
8 November 8, 2022, and at such other times as permitted for voting under Chapter 101,
9 Florida Statutes, to determine whether the Broward County Charter should be amended
10 to provide that the Broward County Mayor is elected by the Board to a two-year term with
11 an increased salary.

12 Section 4. In accordance with Section 100.342, Florida Statutes, at least thirty
13 (30) days' notice of the referendum election shall be published by the Broward County
14 Administrator in a newspaper of general circulation in Broward County. The publication
15 shall be made at least twice, including once in the fifth week and once in the third week
16 prior to the week in which the referendum is to be held. The notice is hereby attached as
17 Exhibit A and made a part hereof.

18 Section 5. Said referendum election shall be held between the hours of
19 7:00 a.m. and 7:00 p.m. on November 8, 2022, and at such other days and times as
20 provided under applicable law, including for early voting as provided by Section 101.657,
21 Florida Statutes, at the polling places established in Broward County. All registered and
22 qualified electors in Broward County shall be eligible to vote in the referendum election.
23 Vote-by-mail ballots and early voting access for the referendum shall be made available
24 as provided by law.

1 Section 6. The election boards consisting of the clerks and inspectors
2 appointed to serve for the November 8, 2022, General Election are hereby appointed to
3 serve in the referendum election in the manner provided by law.

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

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

9 Section 9. The title and summary of the referendum question to appear on the
10 November 8, 2022, General Election, as embodied in this enabling Resolution, shall be
11 as follows:

12 **TWO-YEAR TERM AND INCREASED COMPENSATION**
13 **FOR BROWARD COUNTY MAYOR**

14 Shall the Broward County Charter be amended to provide that the County
15 Commissioner elected by the County Commission to the position of Broward County
16 Mayor serve in that position for two years instead of for one year and that the Mayor's
17 compensation be 150% of a County Commissioner's compensation, commencing with
18 the County Commission's election of the Mayor in 2024?

19 YES _____

20 NO _____

21 Section 10. Severability.

22 If any portion of this Resolution is determined by any court to be invalid, the invalid
23 portion will be stricken, and such striking will not affect the validity of the remainder of this
24 Resolution. If any court determines that this Resolution, in whole or in part, cannot be

legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

Section 11. Effective Date.

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

ADOPTED this day of , 2022. **PROPOSED**

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

By /s/ Joseph K. Jarone 05/27/2022
Joseph K. Jarone (date)
Assistant County Attorney

By /s/ René D. Harrod 05/27/2022
René D. Harrod (date)
Chief Deputy County Attorney

JKJ/mb
Two Year Mayor Term
05/27/2022

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

Exhibit A

NOTICE OF REFERENDUM ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, THE DATE OF THE GENERAL ELECTION, TO DETERMINE WHETHER TO DETERMINE WHETHER TO AMEND THE BROWARD COUNTY CHARTER TO ESTABLISH A TWO-YEAR TERM OF OFFICE FOR THE BROWARD COUNTY MAYOR AND TO INCREASE THE MAYOR'S SALARY.

A countywide referendum election will be held on Tuesday, November 8, 2022, 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 to provide for a two-year term of office and an increased salary for the Broward County Mayor.

As set forth in enabling Resolution No. 2022-____, 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:

**TWO-YEAR TERM AND INCREASED COMPENSATION
FOR BROWARD COUNTY MAYOR**

Shall the Broward County Charter be amended to provide that the County Commissioner elected by the County Commission to the position of Broward County Mayor serve in that position for two years instead of for one year and that the Mayor's compensation be 150% of a County Commissioner's compensation, commencing with the County Commission's election of the Mayor in 2024?

YES _____

NO _____

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

The referendum shall be held on November 8, 2022, 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 4, 2022
Once on: October 18, 2022

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