

Item # 82₍₃₎

ADDITIONAL MATERIAL
Regular Meeting
June 1, 2021

SUBMITTED AT THE REQUEST OF

VICE-MAYOR
MICHAEL UDINE

PROPOSED

RESOLUTION NO. 2021-

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 PROVIDE FOR A COUNTYWIDE ELECTED MAYOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Tim Ryan)

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;

WHEREAS, pursuant to Article VIII, Section 1 of the Florida Constitution, the voters of Broward County have the constitutional right to determine the form of Broward County's governmental structure, which includes the authority to increase or decrease the size of the Board, establish Charter offices, and grant such powers to County Commissioners and Charter officers as the voters deem appropriate;

WHEREAS, the Board desires to place an amendment to the Charter before the voters at the November 8, 2022, General Election;

WHEREAS, the proposed amendment would change the Office of Mayor from being Commission-elected on an annual basis to being a new countywide Charter position elected on a partisan basis for a ~~four-year~~ two-year term;

WHEREAS, Broward County's voters should have the opportunity to exercise their right to decide whether the entire County should elect the Mayor of Broward County, with

1 A. The County Commission shall be composed of ~~nine (9)~~ ten (10) members
2 ~~elected from single-member districts.;~~ nine (9) Commissioners elected from
3 single-member districts; and one (1) Mayor elected at large. If the Office of Mayor ever
4 lapses due to the existence of a vacancy, the County Commission shall be composed of
5 nine (9) members from single-member districts.

6 . . .

7 (5) Beginning with the 2024 General Election, the Mayor shall be elected at
8 large, and shall serve for a term of ~~four (4)~~ two (2) years. The Mayor must
9 be a County elector and resident.

10 (6) Should there be a vacancy (as defined by Article X, Section 3 of the Florida
11 Constitution) in the Office of Mayor, the position shall automatically lapse
12 and the Office shall be deemed recreated so it may be filled for a new
13 ~~four-year~~ two-year term in the next general election cycle. If no candidate
14 qualifies during a general election cycle, the position shall be filled in the
15 general election cycle occurring two (2) years later.

16 B. Commissioners and the Mayor shall be elected on a partisan basis. The
17 terms of office for both Commissioners and the Mayor shall begin on the Tuesday
18 two (2) weeks following the day of the general election.

19 C. Except as provided in this Section, election of Commissioners and the
20 Mayor shall be as provided in Article VIII, Section 1(e), of the Florida Constitution.

21 D. The Commissioners' salaries shall be determined and established in
22 accordance with the general law of the State of Florida pertaining to compensation for
23 Commissioners of non-charter counties. The Mayor's salary shall be \$220,000 for the
24 2025 fiscal year (prorated for the first year), and for every fiscal year thereafter shall

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

1 Commissioner office," is hereby amended, effective November 8, 2024, to read as
2 follows:

3 **Sec. 2.02. Term limitation for County Commissioner office.**

4 ~~Effective with the terms of the Commissioners that commenced in November 2000,~~
5 ~~a~~An individual shall not be eligible for election as a Commissioner for more than three
6 consecutive four-year terms. Service as a Commissioner prior to the terms that
7 commenced in November 2000 shall not be considered in applying the term limitations of
8 this Section. An individual shall not be eligible for election as Mayor for more than ~~two~~
9 four consecutive four-year two-year terms. Service of a two-year term, or any other partial
10 term subsequent to November 2000, shall not be considered in applying the term
11 limitation provisions of this Section. For purposes of this section, the offices of Mayor
12 and County Commissioner shall be considered separate offices, and service as the Mayor
13 or County Commissioner shall not be considered when applying the term limitation
14 provisions in this section to the other office.

15 Section 3. Subject to an affirmative vote of the general electorate, Section 2.03
16 of the Charter of Broward County, Florida, entitled "Commission election of Mayor and
17 Vice-Mayor," is hereby amended, effective November 8, 2024, to read as follows:

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

19 A. ~~The County Commission shall elect one (1) Commissioner to the position~~
20 ~~of Mayor by a majority vote. The election of the Mayor shall occur on an annual basis,~~
21 ~~during the County Commission's annual organizational meeting, which shall take place~~
22 ~~no earlier than the third Tuesday of each November and no later than the third Tuesday~~

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1 Florida Statutes, at the polling places established in Broward County. All registered and
2 qualified electors in Broward County shall be eligible to vote in the referendum election.
3 Vote-by-mail ballots and early voting access for the referendum shall be made available
4 as provided by law.

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

8 Section 9. The Broward County Canvassing Board shall canvass the returns in
9 said election and shall certify the results of the referendum election as provided by law.

10 Section 10. The County Administrator shall furnish a certified copy of this
11 adopted Resolution to the Supervisor of Elections for Broward County promptly upon
12 adoption by the Board.

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

16 **BROWARD COUNTY MAYOR ELECTED AT LARGE**

17 "Shall the Broward County Charter be amended to provide a Charter Office of
18 Broward County Mayor, to be elected at large starting with the 2024 General Election,
19 with (1) the Mayor exercising such powers as granted by the Charter, (2) annual
20 compensation of \$220,000, adjusted annually for inflation, (3) no person eligible to serve
21 as Mayor for more than ~~two~~ four consecutive ~~four-year~~ two-year terms, and (4) a
22 prohibition on outside employment while serving as Mayor?"

23 YES _____

24 NO _____

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