

ORDINANCE NO. 2024-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CHARTER OF THE CITY OF COCONUT CREEK BY AMENDING ARTICLE III, "CITY COMMISSION," SECTIONS 301, "COMPOSITION; ELIGIBILITY; ELECTION AND TERMS OF OFFICE," 302, "THE MAYOR AND VICE MAYOR," 303, "GENERAL POWERS AND DUTIES; COMPENSATION," 304, "PROHIBITIONS," AND 305, "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES;" AND BY AMENDING ARTICLE V, "ESTABLISHMENT OF REQUIRED BOARDS AND COMMITTEES," SECTION 501, "ORGANIZATION OF BOARDS AND COMMITTEES;" AND BY AMENDING ARTICLE VII, "REGISTRATION AND ELECTIONS," SECTIONS 709, "RECEIPT OF RETURN—CERTIFICATES OF ELECTION," AND 710, "FILING FEES FOR CANDIDATES;" AND LAST BY AMENDING ARTICLE IX, "GENERAL PROVISIONS," SECTIONS 907, "CHARTER REVIEW; CHARTER REVIEW BOARD," AND 908, "AUTHORITY OF COMMISSION TO DIVIDE CITY INTO VOTING DISTRICTS; (RE-DISTRICTING BOARD)," TO REORGANIZE THE COMPOSITION OF THE CITY COMMISSION FROM FIVE (5) DISTRICT COMMISSIONERS TO ONE (1) ELECTED MAYOR AND FOUR (4) DISTRICT COMMISSIONERS AND THE COMPLETE REVISION OF THE CHARTER TO ACCOMPLISH SAME; PROVIDING FOR THE FORM OF THE BALLOT QUESTION AND THE DATE OF THE ELECTION TO VOTE ON THE BALLOT ITEM; PROVIDING FOR FORMAL NOTICE OF THE ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CITY CHARTER UPON APPROVAL BY THE MAJORITY OF ELECTORS VOTING IN THE NOVEMBER 5, 2024 ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission is desirous of amending portions of the Charter of the City of Coconut Creek (hereinafter "City Charter") in order to reorganize the composition of the City Commission from five (5) District Commissioners to one (1) Elected Mayor (at large) and four (4) District Commissioners; and

WHEREAS, as stated in the City’s Charter Section 906, “Amendments to Charter,” the City may amend its Charter “as provided by the Florida Statutes;” and

WHEREAS, Section 166.031, Fla. Stat. (2023), allows a governing body of a municipality, by ordinance, to “submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries;” and

WHEREAS, the City has undertaken several months of research and discussion to determine the best way to achieve the desired reorganization with minimal impacts upon City operations; and

WHEREAS, the City Commission held two (2) public workshops, on September 13, 2023 and December 14, 2023, to discuss revisions and a variety of options for reorganization that would achieve the goals of the City Commission; and

WHEREAS, the City Commission ultimately selected the option to cancel the March 9, 2027 Municipal Election, redistrict the City into four (4) districts, and provide for an Elected Mayor to become effective no less than 270 days before the March 13, 2029 Municipal Election, consistent with the requirements of Section 166.0321, Fla. Stat. (2023); and

WHEREAS, at the March 13, 2029 Municipal Election, all seats will be on the ballot for the election - specifically, those qualified candidates for the seat of Elected Mayor (at large) and four (4) new District Commissioners (with geographically-specific qualifications, but elected at large); and

WHEREAS, an important objective of the reorganization is to reestablish staggered terms of office whereby the City Clerk will publicly draw lots no less than 90 days prior to March 13, 2029 to determine the two (2) seats held by District

Commissioners that will serve the traditional four (4)-year term alongside the Elected Mayor; and

WHEREAS, the other two (2) seats held by District Commissioners not drawn in the above-described process, will serve an initial two (2)-year term, with traditional four (4)-year terms thereafter, in order to initiate staggered terms for future elections on a biennial basis; and

WHEREAS, once approved by a majority of the members of the City Commission, this ordinance providing City Charter amendments will be placed on the November 5, 2024 election ballot, and thus will be a legislative referendum; and

WHEREAS, pursuant to Section 166.031, Fla. Stat. (2023), said changes to the City Charter will become effective only upon approval of this legislative referendum by a majority of the electors of the City of Coconut Creek voting in the November 5, 2024 election; and

WHEREAS, the City Commission finds and determines that this legislative referendum is in the best interests of the City of Coconut Creek.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Charter Amendment. That the Charter of the City of Coconut Creek, Florida, is hereby amended by amending Article III, “City Commission,” Sections 301, “Composition; Eligibility; Election and Terms of Office,” 302, “The Mayor and Vice Mayor,” 303, “General Powers and Duties; Compensation,” 304, “Prohibitions,” 305, “Vacancies; Forfeiture of Office; Filling of Vacancies,” also by amending Article V, “Establishment of Required Boards and Committees,” Section 501, “Organization of Boards and Committees,” and also by amending Article VII, “Registration and Elections,”

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Sections 709, "Receipt of Return—Certificates of Election," and 710, "Filing Fees for Candidates;" and last by amending Article IX, "General Provisions," Sections 907, "Charter Review; Charter Review Board," and 908, "Authority of Commission to Divide City Into Voting Districts; (Re-Districting Board)," to read and provide as follows:

Section 301. Composition; Eligibility; Election and Terms of Office.

- a. *Composition.* The City Commission of Coconut Creek is a five (5) member governing body, and may be referred to throughout the City's Charter and Code of Ordinances as the "City Commission" or "Commission," collectively, and "Commission member," singularly. Until its reorganization on March 13, 2029, the City Commission consists of five (5) District Commissioners, each primarily domiciled in the district in which he/she has filed his/her candidacy and is elected at large. After its reorganization on March 13, 2029, the City Commission will consist of an Elected Mayor (referred to as "Elected Mayor" or "Mayor," unless the context dictates otherwise) and four (4) District Commissioners (referred to as "District Commissioner(s)" or "Commissioner(s)," unless the context dictates otherwise), with all members elected at large. All members of the City Commission must meet residency requirements and be primarily domiciled at the time of filing for candidacy, and continuously throughout his/her term of office, in the City's corporate boundaries (for the Elected Mayor and District Commissioners) and additionally, within the district (for District Commissioners) in which he/she has filed his/her candidacy and has been duly elected; otherwise, said office(s) is automatically forfeited. There shall be a City Commission of five (5) members, one member elected from each of the five (5) districts within the City. Each candidate for Commissioner shall be elected at large and shall be a resident of and be primarily domiciled at the time of filing in the district in which he/she has filed his/her candidacy. Each candidate shall execute and deliver to the City Clerk an affidavit of primary domicile at the time of filing his/her candidacy. Each candidate shall also provide two (2) proofs of identification showing the candidate's address of domicile, one being a Florida Driver's License or Florida State Identification Card, plus an electric bill or water bill, or other evidence of address. Each candidate shall also provide two (2) proofs of identification showing the candidate's address of domicile, one being a Florida Driver's License or Florida State Identification Card, plus an electric bill or water bill, or other evidence of address. Each Commissioner shall at all times remain primarily domiciled in the district in which he/she is elected. The candidate in each district receiving the greatest number of votes, among all candidates from that district, shall be elected. Voters shall vote for only one candidate in each district.
- b. *Eligibility.* For the office of Elected Mayor, resulting from the March 13, 2029 reorganization, Only qualified voters, who have been primarily domiciled in residents of the City or residents of any land annexed into the City for a minimum of twelve (12) continuous months prior to filing as a candidate for office, shall will be eligible to hold the office, of Commissioner. Prior to and after the reorganization on March 13, 2029, for the office of District Commissioner, only qualified voters who have been primarily domiciled in the district in which he/she has filed his/her candidacy for a

minimum of twelve (12) continuous months prior to filing as a candidate will be eligible to hold the office. Length of residency upon any land that is subsequently annexed into the City or land that has been re-designated within another district's boundaries due to redistricting by the City, within the preceding twelve (12)-month period, will count toward the minimum length of residency calculation. Each candidate must execute and deliver to the City Clerk an affidavit of primary domicile and length of residency within the City (and district, as applicable) at the time of filing for his/her candidacy. Each candidate must also provide two (2) proofs of identification showing the candidate's address of primary domicile, one (1) being a Florida Driver's License or Florida State Identification Card, plus an electric bill or water bill, or other evidence of address.

- c. ~~*Election and Terms.*~~ The regular election of the City Commissioners shall ~~will~~ be held biennially on the second Tuesday in March in odd-numbered years in accordance with the laws of the State of Florida, and as provided in the City's Charter and Code of Ordinances. ~~Law on the second Tuesday in March in years when the Commissioners' terms have expired. All eligible electors in the City of Coconut Creek, without regard to their district of residency, may vote for only one (1) candidate for each office on the ballot. The candidate for each office who receives the greatest number of votes, among all the qualified candidates for a particular office, will be elected. When there is only one (1) qualified candidate for a given office, the candidate will be deemed to have voted for himself/herself and the person's name will not appear on the ballot. After an election and receipt of the certified election results, all newly elected and/or re-elected City Commission members will be sworn into office and seated at the next regularly scheduled Commission Meeting or a special meeting organized for such purpose.~~
- ~~1. Commencing with the elections in March, 2023, two (2) Commissioners shall be elected, one each from districts A and D for four-year terms expiring upon the certification of election results and the swearing in of their successor. Commencing with the elections in March, 2021, three (3) Commissioners shall be elected, one each from districts B, C, and E for four-year terms expiring upon the swearing in of their successor after certification of election results.~~
 - ~~2. Commissioners newly elected and/or re-elected in a duly certified election shall be sworn into office and seated at the second regularly scheduled Commission meeting in March of election years, however if the certified election results have not been received prior to the meeting or the meeting is not held for any reason, the swearing in shall be held at the next regularly scheduled Commission Meeting or may be held at a special meeting noticed pursuant to state law after certification of the election results.~~
 - ~~3. Term Limits. No person may appear on a ballot for election after serving three (3) consecutive elected terms, whether the three (3) elected terms were for full or partial terms. Fulfillment of a term by appointment by the City Commission shall not count as an election subject to the previous limitation. Elections prior to November 2020 shall not count towards term limits. An individual who cannot be~~

~~elected to office pursuant to this section may subsequently appear on a ballot for reelection only after being out of office for at least one (1) full term.~~

- d. Terms. Minimum Length of Residence. Each candidate shall be a resident of and be primarily domiciled in his/her district in which he/she has filed his/her candidacy for at least twelve (12) months prior to filing as a candidate for office but for a change in district of said candidate due to redistricting by the City that has occurred within the preceding twelve (12) month period in which case the combined residency of the candidate's prior and current districts shall be considered for qualification. It is the intent of the City Commission to reorganize its composition at the March 13, 2029 Municipal Election from five (5) District Commissioners to one (1) Elected Mayor (at large) and four (4) District Commissioners, and to provide for staggered terms of office and biennial elections thereafter. The City Commission is hereby authorized to adopt such other ordinances as are necessary to extend certain existing terms of office in order to have all offices simultaneously end upon the Municipal Election held on March 13, 2029, and provide that terms of office are staggered thereafter; as well as adopt such ordinance(s) as are necessary to cancel the March 9, 2027 Municipal Election, in order to effectuate the above stated goals. The Municipal Election held on March 11, 2025 will be administered in the normal course, with the traditional four (4)-year term of office for the seats appearing on that ballot. It is the intent of the City to reorganize the composition of the City Commission with minimal impact upon City operations.

1. Transition. On March 13, 2029, all four (4) District Commissioner seats and the Elected Mayor will be on the ballot for election. The Mayor will serve for a four (4)-year term and such term will expire every four (4) years thereafter. No less than ninety (90) days prior to March 13, 2029, the City Clerk, at a public meeting of the City Commission, will draw lots to determine the two (2) District Commissioner seats that will have a four (4)-year term commencing on March 13, 2029, alongside the office of Mayor. The City Clerk will ensure that a lot for each of the four (4) commission districts is placed into the drawing. The two (2) commission districts drawn will carry a four (4)-year term, and such terms of office will expire every four (4) years thereafter. The two (2) districts not drawn will carry a two (2)-year term that expires on March 11, 2031. Starting from the March 11, 2031 Municipal Election, and thereafter, the two (2) District Commissioner seats on the ballot will each have a four (4)-year term, and such terms of office will expire every four (4) years thereafter.

- e. Term Limits. After the City Commission's reorganization on March 13, 2029, no person may appear on a ballot for election after serving three (3) consecutive elected terms. An elected term, as used in this subsection, will include any amount of time in office after being elected at a municipal election held in the City, including a full four (4)-year term or any part thereof. In addition, an elected term applies to any elected office, interchangeably. Elected terms served prior to March 13, 2029, will not be included in the term limit computation established herein. An individual who is ineligible for office pursuant to this subsection may subsequently appear on a

ballot for reelection only after being out of office for at least one (1) election cycle, meaning a minimum of two (2) years.

Section 302. The Mayor and Vice Mayor.

- a. *Election Appointment Procedures before March 13, 2029.* After the swearing in of newly elected Commissioners, or, in years where there are no newly elected Commissioners, at the second regularly scheduled Commission meeting in March, or at a special meeting called for such purpose, provided at least four (4) members are present in all instances, the Commission ~~will~~shall, as the first order of business, reorganize, to wit:
1. The incumbent Mayor, or in his/her absence the incumbent Vice Mayor, ~~will~~shall ask for nominations for Mayor. After all nominations have been made and each nomination is duly seconded, the nominations ~~will~~shall be closed. The City Clerk ~~will~~shall then call the roll of Commission members and each Commissioner ~~will~~shall cast an affirmative vote for the Commission member of his/her choice. The Commissioner who receives a majority vote ~~will~~shall be ~~elected~~appointed as Mayor for a term that ends upon the following year's reorganization.
 2. In the event no Commissioner receives a majority of the votes cast on the first ballot, balloting with sequential roll calls ~~will~~shall continue until one (1) Commissioner receives a majority vote.
 3. Commissioners ~~must~~shall not nominate themselves but they may second any nomination. ~~Only elected Commissioners shall be eligible for the office of Mayor, except that if the~~An incumbent Mayor who has served two (2) consecutive full terms as Mayor, ~~he/she shall is~~ not eligible to be re-appointed~~elected~~ to a third consecutive term as Mayor.
 4. In the event there is only one (1) nominee and second for Mayor, the nominee ~~will~~shall be seated as Mayor.
 5. If there is no incumbent Mayor or incumbent Vice Mayor seated on the newly sworn-in ~~or existing~~ Commission, a temporary Commission chairperson~~man~~ may be ~~elected~~appointed from the incumbent members for the sole purpose of selecting a Mayor as set forth above.
 6. The newly ~~elected~~appointed Mayor ~~will~~shall call for nominations for Vice Mayor, and ~~election~~the appointment of Vice Mayor ~~will~~shall be ~~held~~conducted using the same procedure and eligibility requirements as for ~~election~~appointment of Mayor. If the incumbent Vice Mayor has served two (2) consecutive full terms, he/she ~~will~~shall not be eligible for a third consecutive term as Vice Mayor.
- b. *Appointment of Vice Mayor after Transition to Elected Mayor.* Commencing immediately after the March 13, 2029 Municipal Election, after the swearing in of newly elected members of the City Commission, or in years where there are no newly elected members of the City Commission, at the second regularly scheduled Commission meeting in March, or at a special meeting called for such purpose,

provided at least four (4) members are present in all instances, the Commission will, as the first order of business, reorganize, to wit:

1. The Elected Mayor, or in his/her absence the incumbent Vice Mayor, will ask for nominations for Vice Mayor. After all nominations have been made and each nomination is duly seconded, the nominations will be closed. The City Clerk will then call the roll of Commission members and each member will cast an affirmative vote for the Commission member of his/her choice. The District Commissioner who receives a majority vote will be appointed as Vice Mayor for a term that terminates upon the reorganization of the City Commission the following year.
2. In the event no District Commissioner receives a majority of the votes cast on the first ballot, balloting with sequential roll calls will continue until one (1) District Commissioner receives a majority vote.
3. Commission members must not nominate themselves but they may second any nomination. An incumbent Vice Mayor who has served two (2) consecutive full terms as Vice Mayor is not eligible to be re-appointed to a third consecutive term as Vice Mayor.
4. In the event there is only one (1) nominee and second for Vice Mayor, the nominee will be seated as Vice Mayor.
5. If there is no Elected Mayor or incumbent Vice Mayor seated on the newly sworn-in Commission, a temporary Commission chairperson may be appointed from the incumbent members for the sole purpose of selecting a Vice Mayor, as set forth above.

c. Duties.

1. The Mayor ~~will~~shall preside at meetings of the Commission, ~~will~~shall be recognized as head of the City Government for all ceremonial purposes but ~~will~~shall have no administrative duties except as specified in subparagraph ~~b~~c.2. below, or as prescribed by law. The Vice Mayor ~~will~~shall act as Mayor during the absence or disability of the Mayor, and likewise ~~will~~shall have no administrative duties. In the absence of the Mayor and Vice Mayor, the member with the longest tenure on the Commission ~~will~~shall preside at the meeting. In the event of a tie, the tie ~~will~~shall be decided by coin toss.
2. The Mayor ~~must~~shall sign all deeds, bonds, or other instruments of writing, relating or pertaining to real estate, to which the City is a party, except that the Commission may delegate this power, in specific instances, to the City Manager. The Mayor ~~must~~shall sign all ordinances and resolutions of the City Commission. The Mayor ~~will~~shall have the power to set the date and location for regular meetings as provided by law, and call special or emergency meetings, or workshops, sessions as prescribed by law and this Charter.

Section 303. General Powers and Duties; Compensation.

- a. All powers of the City ~~are~~shall be vested in the Commission except as otherwise provided by law or this Charter.
- b. Three (3) Commission members ~~are~~shall be considered a quorum, except as provided in Section 302.a. ~~and b.~~, and may do business for the City and may carry out all functions according to the law as if all members were present. A minimum of three (3) affirmative votes ~~are~~shall be required for an action to be undertaken by the City Commission, and, if any motion fails to achieve the affirmative vote of at least three (3) members of the Commission, then such motion ~~is~~shall be deemed to have failed and no action ~~is~~shall be taken by that motion. In the event that there are less than three (3) members of the Commission who are eligible to vote on a particular matter due to vacancy or required abstention pursuant to applicable state or county law, then the remaining member(s) of the Commission present may take action on a motion only upon unanimous affirmative vote.
- c. Compensation and Expenses of Commission.
 1. Compensation. The Commission ~~has~~shall have the power to periodically establish the annual salaries of its members. ~~Each~~The City Commissioner ~~will~~shall receive an automatic increase in salary effective the first of October each year based upon the Consumer Price Index, U.S. Department of Labor, All Urban Consumers, Miami/Fort Lauderdale area. The salary of a Commissioner ~~member~~ will~~shall~~ not be decreased during his/her current term of office except with his/her consent. The salary of any given Commission ~~member~~(District) seat ~~will~~shall be fixed at least forty-five (45) days prior to the deadline date ~~for~~of filing for that seat by any candidate. All proposals to increase Commission ~~member~~ salaries, or to initiate other benefits, ~~will~~shall be subject to a specific Commission vote for those intended purposes.
 2. Expenses. The Commission ~~has~~shall have the power to periodically establish policies and procedures relevant to expenses incurred by its members on City business, including advances, reimbursements, and expense allowances. All proposals to increase Commission expense allowances ~~will~~shall be subject to a specific Commission vote.
- d. Salaries and Compensation of Officers and Employees; and Bonds.
 1. The Commission ~~has~~shall have the power to fix the salaries of all other officers and employees hired or appointed by the City Commission, and to establish such bonds as in the opinion of the Commission are necessary for the faithful discharge of the duties of such officers and employees.
 2. The premium of any bond required by the Commission ~~will~~shall be paid by the City.
 3. The Commission may authorize the payment to any City Commissioner ~~member~~, officer or employee hired or appointed by City Commission for travel and

relevant expenses for any municipal service. All payments ~~will~~ be based on acceptable evidence of actual expenses incurred.

Section 304. Prohibitions.

- a. *Holding Other Office or Employment Except as Authorized by Law.* ~~No Commissioner members must not~~ shall hold any office in this City (other than Mayor or Vice Mayor) or serve as a City employee during the term for which he/she is elected to office or be employed as a paid lobbyist.

Section 305. Vacancies; Forfeiture of Office; Filling of Vacancies.

- a. *Vacancies.* ~~An~~The office of the City Commissioner shall ~~will be considered~~ become vacant upon such member's his/her death, resignation, removal from office in any manner authorized by law, or forfeiture of his/her office.
- b. *Forfeiture of Office.* A Commissioner member shall forfeit his/her office if he/she (1) lacks at any time during his/her term of office any qualification of the office prescribed by this Charter or by law, (2) violates any express prohibition of this Charter, (3) is convicted of a felony, (4) fails to attend three (3) consecutive regular meetings of the Commission without being excused by the Commission at a meeting, or (5) fails to remain primarily domiciled in the City's corporate boundaries (for the Elected Mayor and District Commissioners) and additionally, within the district (for District Commissioners) in which he/she has been duly elected ~~district from which elected~~ for the entire term of office.
- c. *Filling of Vacancies.* A vacancy shall be filled by a person meeting all of the qualifications to hold the office sought within the City Commissioner as said qualifications are set forth in this Charter. All vacancies on the City Commission shall be filled by vote of the majority of electors within the City of Coconut Creek at an election. The City Commission, in accordance with Section 166.031(6), Florida Statutes, as may be amended, shall by ordinance provide procedures for holding elections to fill any vacancy in office caused by death, resignation, removal from office, or forfeiture of office. Such ordinance shall also provide procedures for filling a vacancy in candidacy caused by death, withdrawal, forfeiture or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two (2) candidates for an office.
- d. Prior to March 13, 2029, if the vacated Commission seat is that of the Mayor or Vice Mayor, upon filling of the vacancy by election of the new District Commissioner, the Commission shall elect one (1) of its members to hold the position(s) so vacated. In the interim, and if specifically instance that the Mayor's seat is vacated, and the Vice Mayor will assume the role as Acting Mayor during the interim in accordance with Section 302 cb.1., the Commission shall select by the appointment procedures set forth in Section 302, herein, a majority vote an Acting Vice Mayor who will serve until the vacancy is filled by election of the new District Commissioner. If the vacancy occurs after March 13, 2029 and the vacated seat is that of the

appointed Vice Mayor, the Elected Mayor will coordinate the appointment of a new Vice Mayor among the remaining members of the City Commission at the next regular or special meeting of the Commission, according to the procedure set forth in Section 302 b., herein.

Section 501. Organization of Boards and Committees.

Boards and Committees created in accordance with this Charter ~~will~~shall elect their officers from the appointed members and ~~will~~shall determine their rules of procedure subject to the provisions of this Charter that apply. Any vacancy on a Board or Committee ~~will~~shall be filled as provided by ordinance. Nominees to all Boards and Committees appointed by the Commission are not required to reside in any particular district of the City, except as set forth in Sections 907 and 908, herein, concerning the composition of the Charter Review Board and the Redistricting Board, respectively. ~~the District represented by the nominating Commissioner except for Charter Review Board and Redistricting Board.~~

Section 709. Receipt of Return—Certificates of Election.

The results of voting at each polling place, when ascertained, ~~must~~shall be certified by the County Supervisor of Elections to the City Clerk, who ~~will~~shall transmit such return to the City Commission at the first regular meeting following receipt of the certified election results or at a special meeting called for such purpose. At such meeting the City Commission ~~will~~shall receive the return, and the result as shown by such return ~~will~~shall be entered into the minutes of the meeting. Members of the City Commissioners ~~will~~shall continue to hold their offices and discharge the duties thereof until their successors are elected, as certified by the County Supervisor of Elections to the City Clerk, and duly sworn-in.

Section 710. Filing Fees For Candidates.

There ~~is~~shall be a one hundred and twenty-five dollar (\$125.00) filing fee plus an election assessment (as provided by Section 99.093, Fla. Stat., as may be amended) paid at the time of qualifying for office by each candidate for City Commission. ~~for each candidate for the office of Commissioner. In addition each candidate for Commissioner shall pay, at the time of qualifying for office, an election assessment as provided by F.S. 99.093 as may be amended from time to time.~~

Section 907. Charter Review; Charter Review Board.

In January, 1980, and every five (5) years thereafter, the Commission ~~will~~shall in January appoint a Charter Review Board consisting of five (5) electors of the City, one (1)

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from each district, holding no other office, appointment or employment in the government of the City of Coconut Creek except on advisory bodies of the City. Commencing with the reorganization of the City Commission on March 13, 2029 and thereafter, the composition of the Charter Review Board will include an appointed elector from each of the four (4) districts, and one (1) appointed elector who is selected by the Elected Mayor and resides in any district of the City; all of whom must not hold any other office, appointment or employment in the government of the City of Coconut Creek except on advisory bodies of the City. In addition, the Commission may appoint a Charter Review Board at any other time as it may deem necessary or desirable, having the required composition as stated herein. Such Board ~~must~~shall review the Municipal Charter, and within one hundred twenty (120) days after such appointment, submit to the Commission such alteration, revisions, and amendments, if any, to this Charter, as in its judgment are desirable. The Commission ~~will~~shall submit to the electors not later than the next succeeding general election or municipal election any such proposed alterations, revisions, or amendments. The members appointed to said Board ~~will~~shall serve without compensation and their terms ~~will~~shall expire one hundred twenty (120) days after their appointment.

Section 908. Authority of Commission to Divide City into Voting Districts; (Re-Districting Board).

The Commission, by ordinance and in accordance with the Laws of the State of Florida ~~will~~shall divide the City into ~~voting~~ districts. The Commission, by the same procedure and laws, may re-district the City. By July 15, 2026, t~~The City Commission will~~shall establish and appoint a Re-Districting Board, consisting of five (5) electors of the City holding no other office, except on advisory bodies of the City, one (1) from each district, ~~by July 15, 2026, and again by July 15, 2032 and each succeeding ten (10) years thereafter.~~ By February 13, 2032, and each succeeding ten (10) years thereafter, the City Commission will establish and appoint a Re-Districting Board, consisting of five (5) electors of the City holding no other office, except on advisory bodies of the City; the composition of the Re-Districting Board will include an appointed elector from each of the four (4) districts, and one (1) appointed elector who is selected by the Elected Mayor and resides in any district of the City. The City Commission ~~will~~shall, however, have the right to appoint a Re-Districting Board at any time upon a determination that population variances between districts require action, subject to having the required composition as stated herein. The terms of the members thereof ~~will~~shall expire one hundred twenty (120) days following appointment. The Re-Districting Board ~~must~~shall within one hundred twenty (120) days of appointment submit a report to the City Commission outlining the need for a re-districting, if any, and the recommendations with regard thereto. The City Commission ~~will~~shall, upon a determination by it of the need to re-district, amend by ordinance the boundaries of the existing ~~voting~~ districts.

Section 3: Ballot Item Language. That the ballot question concerning the amendments of the City Charter relating to the reorganization of the City Commission,

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specifically amendments to Charter Sections 301, 302, 303, 304, 305, 501, 709, 710, 907, and 908, as further described herein, is consistent with the requirements set forth in Section 712 of the City Charter, and will be in the following form:

CHANGE TO ELECTED MAYOR AND FOUR (4) DISTRICT COMMISSIONERS INSTEAD OF FIVE (5) DISTRICT COMMISSIONERS

SHOULD THE CITY CHARTER BE AMENDED TO CREATE THE POSITION OF AN ELECTED MAYOR AND REDUCE THE NUMBER OF DISTRICT COMMISSIONERS FROM FIVE (5) TO FOUR (4)? THIS CHANGE WILL REQUIRE MODIFYING THE CITY'S DISTRICT MAP TO PROVIDE FOR ONLY FOUR (4) DISTRICTS AND AN ELECTED MAYOR (ALL ELECTED AT LARGE). THE MARCH 9, 2027 MUNICIPAL ELECTION WILL BE CANCELED AND ALL ELECTED OFFICES WILL BE ON THE BALLOT AT THE MARCH 13, 2029 MUNICIPAL ELECTION.

YES ☐

NO ☐

Section 4: Ballot Item. That the proposed City Charter amendments will be considered by the City's electors in the form of the ballot question provided herein at the election held in the City of Coconut Creek, Florida, on November 5, 2024.

Section 5: Notice of Election. Pursuant to the requirements of law, appropriate notice of said election will be published by the City Clerk at least thirty (30) days prior to the election on November 5, 2024. The publication must be made at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held. Said notice will recite that: "The complete text of the City Charter as proposed to be revised by the City Commission is available for inspection at City Hall, 4800 West Copans Road, Coconut Creek, Florida, between the hours of 7:00 a.m. and 6:00 p.m., Monday through Thursday."

Section 6: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 7: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision will not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 8: Incorporation into City's Charter. That the amendments to the City Charter as provided in this ordinance will be incorporated into the Charter of the City of Coconut Creek pursuant to Section 166.031(2), Fla. Stat., effective upon the

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certification of election results issued by the Broward County Supervisor of Elections showing approval by a majority of the electors of the City of Coconut Creek that voted in the November 5, 2024 election. If approved, the City Clerk will file this ordinance along with the certified election results with the Florida Department of State. If not approved by said voters, the Charter will not be amended hereby.

Section 9: Effective Date. That this ordinance will become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 25TH DAY OF APRIL, 2024.

PASSED SECOND READING THIS 9TH DAY OF MAY, 2024.


Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Welch	<u>Nay</u>	<u>Nay</u>
Railey	<u>Nay</u>	<u>Nay</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Brodie	<u>Aye</u>	<u>Aye</u>
Wasserman	<u>Aye</u>	<u>Aye</u>

File Path:O:\Documents\ORDINANCES\2024\ELECTED MAYOR, ELECTION DATES & TERMS\Ordinance 2024-019 (2nd Reading)\FINAL ORDINANCE 2024-019_ELECTED MAYOR CHARTER CHANGES(UPDATED 4.29.24).docx
Initials: EML
Date: 4.29.24

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