

**AFFIDAVIT OF NANCY FRY
VALIDITY OF SIGNATURES ON PETITION**

PETITION TO MOVE THE COCONUT CREEK CITY COMMISSION TO A NOVEMBER ELECTION CYCLE AND PROVIDE FOR AN ELECTED MAYOR AND FOUR (4) COMMISSION DISTRICTS

State of **Florida**
County of **Broward**

BEFORE ME, the undersigned notary, personally came and appeared **Nancy Fry**, who being duly sworn, deposes and says under oath that:

1. She is a resident of the City of Coconut Creek, Florida, has reached the age of majority and is legally competent to make this Affidavit;
2. She has initiated and signed the petition for the above-summarized City Charter changes, and the verbatim language of the complete petition, as well as 94 signatures in agreement thereto, are attached hereto as "**Composite Exhibit A**;"
3. She knows the other persons who signed the petition, and the signatures are their true signatures and they are legal voters of the State of Florida and of Broward County, and specifically registered and eligible to vote for municipal elections in and for the City of Coconut Creek, Florida, as is required by this petition, and that their residence addresses are correctly stated next to each name expressing agreement with the petition.

FURTHER AFFIANT SAYETH NAUGHT.

Under penalties of perjury, Nancy Fry declares that she has read the foregoing Affidavit and the facts stated in it are true.

X 
Name of Person Swearing or Affirming

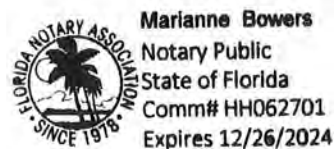
Sworn to and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 13th day of March, 2024, by Nancy Fry as citizen organizer of above-summarized petition. She is personally known to me/or has produced _____ (type of identification) as identification and did take an oath.

X 
Signature of Notary Public – State of Florida

X Marianne Bowers
Name of Notary Typed, Printed or Stamped

Place Notary Seal Below:

[Attachment of "Composite Exhibit A"]



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

- a. *Composition.* The City Commission of Coconut Creek is a five (5) member governing body. The City Commission consists of a Mayor and four (4) district Commissioners, with all Commissioners elected at large. All members of the City Commission must be a resident of 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 Mayor) and additionally, within the district (for Commissioner) in which he/she has filed his/her candidacy and has been duly elected, or forfeit the office. 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 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 Mayor, 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 be eligible to hold the office of Commissioner. For the office of 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, shall 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 shall execute and deliver to the City Clerk an affidavit of primary domicile and length of residency within the City (and/or district, as applicable) at the time of filing for his/her candidacy. Each candidate shall also provide two (2) proofs of identification showing the candidate's address of 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.* Commencing in 2030, The regular election of the City Commissioners shall be held biannually in November on a date concurrent with any national, statewide or countywide election, in accordance with the laws of the State of Florida and as provided in the City's Charter and Code of Ordinances, with municipal elections continuing on their regular March schedule until then. Law on the second Tuesday in March in years when the Commissioners' terms have expired. At the March 13, 2029 election, and at duly scheduled elections continuing thereafter, the candidate for the office of Mayor (at large), and for each office of Commissioner, respectively, who receives the greatest number of votes, among all candidates for that particular seat, shall be elected. Voters shall vote for only one (1) candidate for the office of Mayor, and one (1) candidate for office of Commissioner in each district. When there is only one (1) qualified candidate for an individual seat, the candidate shall be deemed to have voted for himself/herself and the person's name shall 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 shall 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
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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 for the March 13, 2029 General Election from five (5) district Commissioners to four (4) district Commissioners with one (1) citywide elected Mayor, and to require that all future regular municipal elections be held biannually on a date concurrent with any national, statewide or countywide election. Beginning in November 2030 and continuing thereafter, City Commission elections shall be held every two (2) years in November of every even numbered year. Beginning with the March 13, 2029 municipal elections, all seats will be placed on the ballot. It is the intent of the City to have staggered City Commission terms and elections, and the City Commission will adopt such other ordinances as are necessary to shorten future terms of office in order to facilitate such goal. The City Commission will adopt such other ordinances as are necessary to extend existing, or shorten future, terms of office in order to facilitate the goal of ensuring that all of the terms of office simultaneously end upon the general election on March 13, 2029, and that terms of office are staggered thereafter.
1. Transition. On March 13, 2029, all four (4) Commission seats and the Mayor shall be on the ballot for election. The Mayor shall serve for a four (4) year term, less the amount of time required to transition from a March to a November election cycle, and such term shall expire every four (4) years thereafter. At least ninety (90) days prior to that election, the City Clerk at a public meeting of the City Commission shall draw lots to determine the other two (2) commission districts which shall have a four (4) year term, less the amount of time required to transition to a November election cycle, commencing on March 13, 2029, and continuing thereafter. The City Clerk will place one lot in for each of the four (4) commission districts, save for any commissioners elected in 2027 that were re-elected in 2029. The two (2) districts chosen shall each have a one (1) year, eight (8) month term to facilitate the transition to a November election cycle with their subsequent election on November 5, 2030. The two (2) districts not chosen, including any seats not eligible to draw lots, shall each have a three (3) year, eight (8) month term that expire on November 2, 2032. Starting from the November 2, 2032 election, and thereafter, the two (2) district commission seats on the ballot will each have a four (4) year term, and continuing thereafter.
- e. Term Limits. After the City Commission's reorganization in March 2029, 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, provided those terms were at least two (2) complete years in length. Any partial terms served prior to November 2030 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.

Section 302. The Mayor and Vice Mayor.

- a. ~~Appointment.~~ Election. 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 the same month the municipal elections were held the previous year ~~in March~~, provided at least four (4) members are present, the Commission shall, as the first order of business, reorganize, to wit:

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1. The incumbent Mayor, or in his/her absence the incumbent Vice Mayor, shall ask for nominations for Mayor. After all nominations have been made and each nomination is duly seconded, the nominations shall be closed. The City Clerk shall then call the roll of Commission members and each Commissioner member shall cast an affirmative vote for the Commission member of his/her choice. The Commissioner who receives a majority vote shall be ~~elected~~ appointed as Mayor for a term that terminates the following year or upon redistricting and the Mayoral election, whichever is sooner.
 2. In the event no Commissioner receives a majority of the votes cast on the first ballot, balloting with sequential roll calls shall continue until one Commissioner receives a majority vote.
 3. Commissioners 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 incumbent Mayor has served two (2) consecutive full terms as Mayor, he/she shall not be re-~~appointed~~~~elected~~ to a third consecutive term as Mayor.
 4. In the event there is only one nominee and second for Mayor, the nominee shall be seated as Mayor.
 5. If there is no Mayor or incumbent Vice Mayor seated on the new or existing Commission, a temporary Commission chair~~person~~~~man~~ may be ~~appointed~~~~elected~~ from the incumbent members by a majority vote for the sole purpose of selecting a Mayor as set forth above.
 6. The newly elected Mayor shall call for nominations for Vice Mayor, and election of Vice Mayor shall be held using the same procedure and eligibility requirements as for election of Mayor. If the incumbent Vice Mayor has served two (2) consecutive full terms, he/she shall not be eligible for a third consecutive term as Vice Mayor.

b. *Appointment of Vice Mayor after Redistricting.* After the reorganization of the City Commission on March 13, 2029, and continuing thereafter, the swearing in of newly elected members of the City Commission will occur at the next regularly scheduled Commission meeting after the election or a Special Meeting called for such purpose, after the certified election results are received and provided at least four (4) members are present. At that meeting (or in years where there are no newly elected members of the City Commission, at the first regular meeting in March or November, whichever is consistent with the election cycle), the Commission shall, as the first order of business, reorganize, to wit:

1. The Elected Mayor, or, in his/her absence, the incumbent Vice Mayor, shall ask for nominations for Vice Mayor. After all nominations have been made and each nomination is duly seconded, the nominations shall be closed. The City Clerk shall then call the roll of Commission members and each member shall cast an affirmative vote for the Commission member of his/her choice. The Commissioner who receives a majority vote shall 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 Commissioner receives a majority of the votes cast on the first ballot, balloting with sequential roll calls shall continue until one (1) Commissioner receives a majority vote.
3. Commission members shall not nominate themselves, but they may second any nomination. Only elected Commissioners shall be eligible for the office of Vice Mayor, except that if the incumbent Vice Mayor has served two (2) consecutive full or partial terms as Vice Mayor, he/she shall not 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 shall be seated as Vice Mayor.
5. If there is no Elected Mayor or incumbent Vice Mayor seated on the new or existing Commission, a temporary Commission chairperson may be appointed from the incumbent members by a majority vote for the sole purpose of selecting a Vice Mayor as set forth above.

b.c. *Duties.*

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1. The Mayor shall preside at meetings of the Commission, shall be recognized as head of the City Government for all ceremonial purposes but shall have no administrative duties except as specified in subparagraph b.2. below, or as prescribed by law. The Vice Mayor shall act as Mayor during the absence or disability of the Mayor, and likewise shall have no administrative duties. In the absence of the Mayor and Vice Mayor, the member with the longest tenure on the Commission shall preside at the meeting. In the event of a tie, the tie shall be decided by coin toss.
 2. The Mayor 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 shall sign all ordinances and resolutions of the City Commission. The Mayor shall have the power to set the date and location for regular meetings as provided by law, and call special sessions as prescribed by law and this Charter.

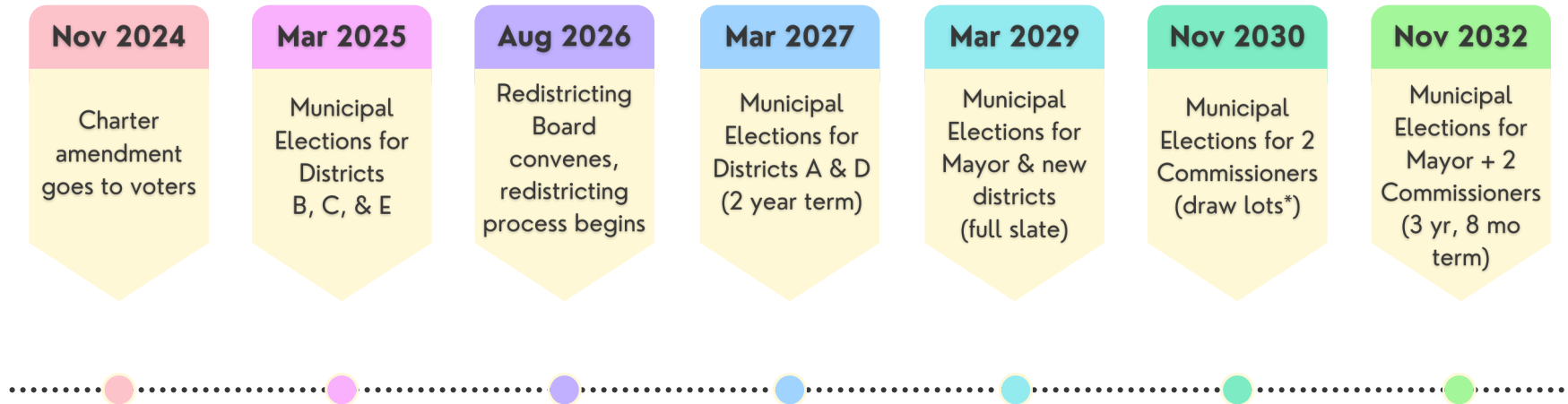
Section 303. General Powers and Duties; Compensation.

- a. All powers of the City shall be vested in the Commission except as otherwise provided by law or this Charter.
 - b. Three (3) Commission members shall be considered a quorum, except as provided in Section 302.a., 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 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 shall be deemed to have failed and no action 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 shall have the power to periodically establish the annual salaries of its members. ~~Each The City Commissioner~~ 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 ~~member of the~~ Commissioner 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 shall be ~~estimated~~ fixed at least forty-five (45) days prior to the deadline date of filing for that seat by any candidate. All proposals to increase Commission salaries, or to initiate other benefits, shall be subject to a specific Commission vote for those intended purposes.
 2. Expenses. The Commission 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 shall be subject to a specific Commission vote.
 - d. Salaries and Compensation of Officers and Employees; and Bonds.
 1. The Commission 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 shall be paid by the City.
 3. The Commission may authorize the payment to any City Commissioner, officer or employee hired or appointed by City Commission for travel and relevant expenses for any municipal service. All payments shall be based on acceptable evidence of actual expenses incurred.
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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 district from which elected (for Commissioners) and the City at large (for Mayor) 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 of 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. If the vacated Commission seat is that of the ~~Mayor or 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 302a., ~~herein.~~ ~~upon filling of the vacancy by election of the new Commissioner, the Commission shall elect one of its members to hold the position(s) so vacated.~~ In the instance that the Mayor's seat is vacated, and the Vice Mayor assumes the role as Acting Mayor during the interim in accordance with Section 302 b.1., the Commission shall elect by a majority vote an Acting Vice Mayor who shall serve until the vacancy is filled by election of the new Mayor ~~Commissioner~~.

Redistricting & Transition to November Proposed Timeline



*Any Commissioners elected to a 2-year term in 2027 and re-elected in 2029 are not eligible to draw lots for a shortened term and will automatically be placed in a full term seat. The partial term served by the Commissioners up for election in November 2030 will not count toward their term limits.