



CHARTER REVISION BOARD MEETING
FORT LAUDERDALE EXECUTIVE AIRPORT
RED TAILS CONFERENCE ROOM
6000 NW 21ST AVENUE, FORT LAUDERDALE, FL 33309
THURSDAY, FEBRUARY 1, 5:30 PM

AGENDA

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

II. DETERMINATION OF QUORUM

III. APPOINTMENT OF CHAIR AND VICE CHAIR

IV. APPROVAL OF MEETING MINUTES: JANUARY 4, 2024

V. OLD BUSINESS:

(Drafts of proposed revisions are attached.)

- Sec. 3.15. - Initiative; petition for proposed ordinance.
- Sec. 3.03. - Qualification of members; forfeiture of office.
- Sec. 3.13. - Meeting place; meetings to be public.
 - Meetings: examples from other cities
 - Agenda Preparation: examples from other cities
- Sec. 3.09. - Organization meeting.
- Sec. 3.10. - Special meeting to seat a new member.
- Sec. 4.05 – City manager; appointment; qualifications; compensation.

VI. NEW BUSINESS:

- Sec. 3.05. - Designation of vice-mayor.
- Sec. 3.06. - Powers vested in commission; limitations.
- Sec. 3.07. - Not to direct appointment of employees.
- Sec. 3.08. - Forfeiture of office.
- Sec. 3.11. - Regular meetings.
- Sec. 3.12. - Special meetings—How called.
- Sec. 3.14. - Quorum and vote.
- Sec. 3.15. - Initiative; petition for proposed ordinance.
- Sec. 3.16. - Circulating petition for an election.
- Sec. 3.17. - Commission required to take action.
- Sec. 3.18. - Time of holding election.
- Sec. 3.19. - Ballots.
- Sec. 3.20. - Referendum elections.
- Sec. 3.21. - Recall.

- Sec. 3.22. - Offenses relating to petitions.

VII. CHARTER REVISION BOARD DISCUSSION

VIII. PUBLIC INPUT

ADJOURN

PURPOSE: ADVISE THE CITY COMMISSION ON THE PROPRIETY OF THE EXISTING CHARTER AND, FURTHER, TO MAKE SUCH SUGGESTIONS AND RECOMMENDATIONS TO PERFECT SAID CHARTER SO AS TO ESTABLISH A BETTER GOVERNMENT OF AND FOR THE CITY.

NOTE: TWO OR MORE CITY COMMISSIONERS AND/OR ADVISORY BOARD MEMBERS MAY BE PRESENT AT THIS MEETING. IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, HE/SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IF YOU DESIRE AUXILIARY SERVICES TO ASSIST IN VIEWING OR HEARING THE MEETINGS, OR READING MEETING AGENDAS AND MINUTES, PLEASE CONTACT THE CITY CLERK AT (954) 828-5002 AND ARRANGEMENTS WILL BE MADE TO PROVIDE THESE SERVICES.

OLD BUSINESS

Sec. 3.15. Initiative and referendum; petition for proposed ordinance.

(a) Power to initiate and reconsider ordinances.

(i) Initiative. The electors of the city shall have the power to propose ordinances to the city commission and, if the city commission fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a city election. Such power shall not apply to the city's budget or community investment plan, any amendment of the city's budget or community investment plan, salaries or benefits of elected officials, city officers, or employees, ~~or recall of elected officials, or reversal of business decisions, including, but not limited to, contractual obligations or the issuance of debt.~~ In addition, such power shall not apply to any ordinance levying taxes, ~~changing the actual zoning map designation of a parcel or parcels of land,~~ or changing the actual list of permitted, conditional, or prohibited uses within a zoning category.

(ii) Referendum. The electors of the city shall have power to require reconsideration by the city commission of any adopted ordinance and, if the city commission fails to repeal an ordinance so reconsidered, to approve or reject it at a city election. Such power shall not apply to any ordinance levying taxes, changing the actual zoning map designation of a parcel or parcels of land, or changing the actual list of permitted, conditional, or prohibited uses within a zoning category.

(b) Commencement of proceedings. A minimum of ten electors may commence initiative or referendum proceedings by filing an affidavit with the city clerk (the "Affidavit") stating that they will constitute the petitioners' committee (the "Committee"). The Affidavit shall state the names and addresses of the Committee members and shall specify the address to which notices to the Committee are to be sent. The Affidavit shall also set out in full the text of the proposed initiative ordinance or cite the ordinance sought to be reconsidered.

(c) The Committee shall submit the proposed ordinance, together with a proposed petition ~~on a form provided by the city ("Petition")~~, to the city attorney, who shall have thirty days from receipt to find whether the proposed ordinance and the proposed petition ~~form~~ are legally sufficient. In the event the city attorney finds that the proposed ordinance or the proposed petition ~~form~~ is, or both are, are legally insufficient, the city attorney shall inform the committee of the circumstances of the legal insufficiency, and the Committee shall have thirty days from receipt of the city attorney's notice of legal insufficiency within which to redraft and resubmit the proposed ordinance or the proposed petition ~~form~~ or both to the city attorney. The city attorney shall have thirty days from receipt of the redrafted proposed ordinance

Commented [PB1]: This may be superfluous: Section 100.361, Municipal Recall, provides, in part:
(11) INTENT.—It is the intent of the Legislature that the recall procedures provided in this act shall be uniform statewide. Therefore, all municipal charter and special law provisions which are contrary to the provisions of this act are hereby repealed to the extent of this conflict.

Commented [PB2]: "Ordinances initiated by other than the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to paragraph (a)." (Normal two-reading adoption.) §166.041(3)(c), Fla. Stat. (2023).

"Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, . . . shall be enacted pursuant to the following procedure:" §166.041(3)(c), Fla. Stat. (2023).

or proposed petition ~~form~~ or both within which to find the redrafted proposed ordinance or proposed petition ~~form~~ or both legally sufficient or legally insufficient.

(d) Following a finding by the city attorney that the proposed ordinance and Petition is ~~are~~ legally sufficient, ~~the city will develop the petition form to be used, and~~ the city clerk may, at the Committee's request and expense, issue the appropriate Petition blanks to the Committee.

(e) Petitions.

(i) Number of signatures. Initiative Petitions must be signed by at least 1% of the total number of electors registered to vote at the last regular city election. Referendum Petitions must be signed by at least 1% of the total number of electors registered to vote at the last regular city election.

Commented [PB3]: §99.095, Fla. Stat. (2023), Petition process in lieu of a qualifying fee and party assessment.

(ii) Form and content. All portions of a Petition shall be assembled as one instrument. Each signature shall be executed in ink and shall be followed by the printed name and address of the person signing. Throughout circulation, Petitions shall contain or have attached the full text of the ordinance proposed or sought to be reconsidered.

(iii) Qualifying Filing deadline. Petitions must be filed with the city clerk or the city clerk's designee within 180 days of the date of the city attorney's finding that the proposed ordinance and Petition are legally sufficient ~~filing the Affidavit relating to such initiative or referendum.~~

(f) Procedure for filing of Petitions.

(i) Certificate of Supervisor of Elections. Upon the Committee's payment to the Broward County Supervisor of Elections ("Supervisor of Elections") the cost of signature verification established by the ~~Broward County~~ Supervisor of Elections, the ~~Broward County~~ Supervisor of Elections shall complete a certificate as to compliance with the provisions of subsection (e) of this Section (the "Certificate"). If insufficient, the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be sent promptly to the Committee and the city clerk by electronic means with electronic verification of receipt.

(ii) Amendment. A Petition certified insufficient because it lacks the required number of valid signatures may be supplemented by the filing of additional signatures within fifteen days from the date of the Certificate (the "Supplementary Petition") upon the Committee's payment to the ~~Broward County~~ Supervisor of Elections the cost of signature verification established by the ~~Broward County~~ Supervisor of Elections. The ~~Broward County~~ Supervisor of Elections shall complete a Certificate as to the sufficiency of the Petition as amended by the Supplementary Petition (the "Amended Petition") and promptly

forward a copy of the Certificate to the Committee and the city clerk by electronic means with electronic verification of receipt.

- (iii) Submission to the city commission. If a Petition or Amended Petition is certified sufficient, or if a Petition is certified insufficient and the Committee does not elect to file a Supplementary Petition, or if an Amended Petition is certified insufficient, the city clerk shall promptly present the Certificate to the city commission.

(g) Action on Petitions.

- (i) Action by city commission. Upon receipt of a Certificate determining a Petition sufficient, the city commission shall promptly consider the proposed initiative ordinance or reconsider the referred ordinance. If the city commission fails to adopt a proposed initiative ordinance without any change in substance within 45 days or fails to repeal the referred ordinance within 30 days, it shall submit the proposed or referred ordinance to the electors of the city. If the city commission fails to act on a proposed initiative ordinance or a referred ordinance within the requisite time period, the city commission shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal the referred ordinance on the last day that the city commission was authorized to act on such matter.
- (ii) Submission to electors. The vote of the electorate on a proposed or referred ordinance shall be held in conjunction with the city's next regular municipal election, or in conjunction with an earlier available Broward County election as approved by the Supervisor or Elections, unless the city commission, at the Committee's request, elects an earlier vote of the electorate, provided that in such event, the election shall be by mail ballot election, and the Committee shall prepay the cost of the mail ballot election.
- (iii) Withdrawal of petitions. A Petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the electorate by filing with the city clerk a request for withdrawal signed by at least eight-tenths of the members of the Committee. Upon the filing of such request, the Petition shall have no further force or effect and all proceedings thereon shall be terminated.

(h) Results of election.

- (i) Initiative. If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

- (ii) Referendum. If a majority of the qualified electors voting on a referred ordinance vote for its repeal, it shall be considered repealed upon certification of the election results.

Sec. 3.03. - Qualification of members; forfeiture of office.

To be eligible to hold the office of mayor, a candidate shall have resided continuously in the City of Fort Lauderdale as a permanent resident for at least six (6) months immediately preceding the date of qualification for such office, shall be a citizen of the United States of America and an elector of the City of Fort Lauderdale at the time of qualification for such office, shall be otherwise qualified for such office as provided in this charter, shall hold no other public elective office, shall not be an officer, employee, or serving in any capacity in the government of the City of Fort Lauderdale at the time of filing a candidate oath in accordance with section 7.14 of this charter, and shall reside continuously as a permanent resident of the City of Fort Lauderdale during the term of office. Candidates for election as mayor shall comply with all of the rules and regulations set forth in this charter as to their conduct. Any candidate for mayor or any mayor who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office or candidacy.

To be eligible to hold the office of city commissioner, a candidate shall have resided continuously as a permanent resident of the city commission district for which such candidate seeks office for at least six (6) months immediately preceding the date of qualification for such office, except that in any year in which there has been a reestablishment ~~reapportionment~~ of city commission districts, a candidate for the office of city commissioner whose permanent residence in the City of Fort Lauderdale is in a different city commission district as a result of such reestablishment of city commission districts ~~reapportionment~~ may seek office as a city commissioner in the city commission district of his or her permanent residence that results from the reestablishment of city commission districts ~~reapportionment~~. In addition, to be eligible to hold the office of city commissioner, a candidate shall be a citizen of the United States of America and an elector of the City of Fort Lauderdale at the time of qualification for such office, shall be otherwise qualified for such office as provided in this charter, shall hold no other public elective office, shall not be an officer, employee, or serving in any capacity in the government of the City of Fort Lauderdale at the time of filing a candidate oath in accordance with section 7.14 of this charter, and shall reside continuously as a permanent resident of the district to which such commissioner is elected during the term of office. Candidates for election as city commissioner shall comply with all of the rules and regulations set forth in this charter as to their conduct. Any candidate for city commissioner or any city commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office or candidacy.

Sec. 3.13. - Meetings.

All regular meetings of the city commission shall be held at 1:30 p.m. on the first and third Tuesdays of each month, ~~except that in those months wherein there are five (5) Tuesdays, a meeting shall be held on the last such Tuesday in addition to the meetings on the first and third Tuesdays, at the discretion of the city commission.~~ If a meeting day shall fall on a legal holiday, then the meeting shall be held at 1:30 p.m. on the succeeding Wednesday. Provided, however, at any meeting the commission may, by resolution, reschedule commission meeting dates to dates other than as established in this section, provided that the resolution so adopted is published in the official newspaper of the city once at least three (3) days before the date so fixed. The city commission may, by motion, eliminate meetings for one (1) month each year to provide for vacations. A special meeting may be held elsewhere in the city under authority of a resolution previously adopted authorizing such meeting.

The agenda for meetings of the city commission shall be established by the city manager and shall provide for public hearings, ordinances, resolutions and motions to be heard at 6:00 p.m. at the meeting on the first and third Tuesday of each month.

Meetings of the city commission shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times and under the supervision of the city clerk. The commission shall prescribe its order of business, shall keep minutes of its proceedings, and shall by ordinance prescribe its own rules and identify a parliamentarian. The mayor shall maintain order at all meetings, and the police department, upon instructions of the mayor, shall expel any person from the meeting who refuses to obey the order of the mayor in relation to preserving order at the meetings. The commission may meet in conference session at a place other than the regular meeting place, but no official action shall be taken at such conference meeting.

Meetings

City of Plantation

Section 2.07. - City Council Procedures.

- (a) **Meetings.** The City Council shall meet regularly at least once every month at such times and places as the City Council may prescribe by resolution. Special meetings may be held on the call of the City Council President (as determined in section 2.07(e) of this Charter), the Mayor, or at the request of two (2) City Councilmembers to the City Clerk and when practicable, upon no less than seventy two (72) hours' notice to each Councilmember and the public, or such shorter time as the City Council President, Mayor, or two (2) City Councilmembers deem necessary in the event of an emergency.

Emergency Meetings. The first order of business at an emergency Council meeting shall be the determination, by an affirmative vote of at least four (4) Members of the Council that an emergency situation involving health, safety, or public welfare warranting Council action exists. Only matters relating to the emergency may be considered at the emergency meeting and any action taken at such meeting must be approved by at least three (3) Members of the Council, except for emergency ordinances which shall be adopted in accordance with state law.

- (b) **Rules and Minutes.** The City Council shall determine its own rules of procedure and order of business and shall keep minutes of its proceedings that shall be open for public inspection.
- (c) **Voting and Quorum.** Voting on ordinances and resolutions shall be by roll call or by such other means as may be adopted by the City Council. The City Clerk reports of Council action shall be written and permanently recorded. A majority of the City Council shall constitute a quorum. No action of City Council shall be valid or binding unless adopted by the affirmative vote of at least three (3) Members of the Council, except that if a majority or more Councilmembers are ineligible to vote on a particular item because State or County law requires the Councilmembers to abstain from voting, then the remaining Councilmembers may vote and approve the item by unanimous vote. The Mayor shall have no vote on any resolution or ordinance except in case there is an absence or disability of one Councilmember and a tie vote results among the remaining four (4) Councilmembers.
- (d) **Veto Override.** The City Council may, by an affirmative vote of at least four-fifths of the City Councilmembers, override the Mayor's veto of an ordinance or resolution authorized pursuant to section 3.01(j) of this Charter. If Council overrides a veto, the ordinance or resolution shall be effective as provided

therein. If City Council fails to override a veto, the ordinance or resolution shall fail and be of no effect.

- (e) **Election of Council President and President Pro Tem.** The Members of the City Council shall elect, at the first regular meeting after the certification of each general election and the assumption of office by Councilmembers elected thereby in accordance with section 6.02 of this Charter, and on the subsequent anniversary of such regular meeting (for a year in which no general election occurs), one of their Members as President of the Council who shall preside over its meetings, and enforce such rules as may be adopted by the Council and perform such other duties as may be prescribed by ordinances. The Council shall annually elect a President Pro Tem to act in the absence or disability of the President. If a vacancy occurs in the office of President or President Pro Tem, the City Council shall then select a new President or President Pro Tem from among its Members.

City of Miramar

Section 4.01. - Commission Meeting Procedure.

- (a) *Meetings.* The City Commission shall meet at such time and place as may be prescribed by Resolution or Ordinance. All meetings of the Commission shall be public, except as provided by Florida law. Special meetings may be held upon written request to the City Clerk by the Mayor, the City Manager, or three (3) Commissioners, and upon no less than twenty-four (24) hours' notice to each member and the public, or such shorter time as the City Manager shall deem necessary in case of an emergency.
- (b) *Rules and Minutes.* The City Commission shall determine its own rules of procedure and order of business and shall keep minutes that shall be open for public inspection.
- (c) *Quorum and voting.* Any three (3) members of the Commission shall constitute a quorum but a smaller number may meet from time to time. No action of the Commission shall be valid or binding unless adopted by the vote of at least three (3) Commissioners; provided, however, in the event that less than four (4) members of the Commission are eligible to vote on a particular matter due to vacancies or required abstention pursuant to Florida law, then the remaining members of the Commission may vote and approve such matter by majority vote.

City of Sunrise

Sec. 3.11. - Procedure and Meetings.

- (1) *Organizational.* No later than the third Tuesday in November 2010 following the general election and certification by the Supervisor of Elections, or as soon as may be practicable thereafter if there has been a disputed election, the Commission shall meet in its usual meeting place. At this time, the newly elected Mayor and/or Commissioners shall take the oath of office and assume the duties of the office.
- (2) *Regular.* The Commission shall meet regularly not less than once each month and at such times and places as shall be specified by resolution. All meetings, formal or informal, of the City Commission, all committees and all boards, elective or appointive, administrative or advisory, shall be conducted in open session, and the press and the public shall be permitted to attend any such meetings, except such private, executive sessions as may be permitted by law.
- (3) *Special.* Special meetings may be held on the call of the Mayor or of a majority of the members of the Commission, upon no less than twenty-four (24) hours' notice to each member, and the public. No business shall be conducted or a vote taken at a Special City Commission Meeting on business other than that subject or subjects, for which the special meeting is called.
- (4) *Workshop.* In addition to regular and special meetings, the Mayor, or a majority of the City Commission may call for workshop meetings for information on, and discussion of, municipal and related matters, which meetings may be conducted like regular meetings except that no resolution or ordinance may be adopted at a workshop meeting and provided that forty-eight (48) hours' advance notice of such meeting must be given to each member and the public.
- (5) *Emergency.* Emergency meetings may be held on the call of the Mayor or by a majority of the members of the Commission whenever there is a public emergency affecting life, health, safety or property or the public peace, and, whenever practicable, upon no less than three (3) hours' notice to each member, and the public.
- (6) *Rules and Journal.* The Commission shall determine its own rules and order of business and shall provide for keeping a written record or journal of its proceedings. The journal shall be a public record.
- (7) *Voting.* Voting on ordinances and resolutions shall be by roll call and shall be recorded in the journal. A majority of the Commission shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Commission. No action of the Commission,

except as otherwise provided in this Charter, in the preceding sentence, and in Section 3.05(3), shall be valid or binding unless adopted by the affirmative vote of the majority of the Commission present.

City of Hollywood

Sec. 2.04. Meetings.

(a) The commission shall schedule no fewer than 20 regular meetings per year and shall hold no fewer than 18 regular meetings per year, at such times and places as shall be specified by resolution.

(b) *Special.* The city clerk shall, at the request of the mayor or on written request of three (3) or more commissioners, call special meetings of the commission in the manner prescribed by ordinance. The commission shall have the same power to transact business at special sessions as at regular sessions.

(c) *Absences.* Absence from four (4) regular consecutive meetings of the commission shall operate to vacate a seat of a member unless such absence is occasioned by illness of such member. Absence from eight (8) regular consecutive meetings of the commission shall operate to vacate a seat of a member without regard to the reason for such absences.

(d) *Rules of Procedure.* The commission may determine its own rules of procedure.

(e) *Quorum.* A majority of all members of the commission shall constitute a quorum, but a smaller number may adjourn from time to time.

(f) *Citizens' Comments.* When the commission holds more than one regular meeting in a calendar month, the agenda for the second regular meeting of that month will contain an item titled "Citizens' Comments." When the commission holds one regular meeting in a calendar month, the agenda for that meeting will contain an item titled "Citizens' Comments." Citizens' Comments will be conducted as an open forum for any person to speak on issues that do not specifically appear on the agenda for that meeting. The commission may establish reasonable time limits for the length of Citizens' Comments and for the length of each person's comments during Citizens' Comments.

(g) All meetings, formal or informal, of the city commission, all committees and all boards, elective and/or appointive, administrative and/or advisory, shall be conducted in open session, and the press and public shall be permitted to attend any of such meetings wherein public affairs are to be discussed, except as otherwise allowed by law.

Hallandale Beach (ordinance)

Sec. 2-33. - Meeting time and place as prescribed.

- (a) *Regular.* The commission shall meet at such times and places as shall be specified by resolution. All meetings, formal or informal, of the city commission, all committees and all boards, elective or appointive, administrative or advisory, shall be conducted in open session; and the press and public shall be permitted to attend any of such meetings.
- (b) *Special.* Special meetings may be held on the call of the mayor or of a majority of the members of the commission, and whenever practicable, upon no less than 12 hours' notice to each member and the public.
- (c) *Workshop.* In addition to regular and special meetings, the mayor or the commission, by a majority vote, may decide to hold workshop meetings for information on and discussion of municipal and related matters, which meetings may be conducted like regular meetings; except that no resolution or ordinance may be adopted at a workshop meeting.
- (d) *Organization.* Following the regular city election and certification by the supervisor of elections, or as soon as may be practicable thereafter, if there has been a disputed election, the commission shall call a meeting at the city hall, at which time the newly elected commissioners shall assume the duties of their offices. No regular meeting shall be held until results are certified by the supervisor of elections.

Lauderhill

Sec. 2-151. - Regular meetings.

Regular meetings of the city commission shall be held on the second and last Monday of each month, at 6:00 p.m. in the commission chambers within the city or any other location within the city as may be designated by majority vote of the commission members present either physically or via a form of telecommunication. Any regular meeting may be rescheduled or cancelled by a majority vote of the commission. Petitions and communications from the public shall convene at 6:00 p.m. at the beginning of every regular meeting, and shall terminate prior to 6:30 p.m. The remainder of the regular meeting shall commence immediately following the conclusion of petitions and communications from the public or at 6:30 p.m., whichever shall occur first. The chair, or a designee, of each city board and committee is required to submit a written report annually by September 1st to update the city commission as to the status of matters being addressed by them. If the city commission wishes to have a presentation of the report by the board, the city commission will request the presentation to be held during a workshop meeting on

a rotating basis as necessary. The scheduling of the various boards or committees to their presentations shall be approved by the city manager.

Sec. 2-152. - Special meetings, emergency meetings.

- (a) Special meetings of the commission may be held when scheduled and noticed by the city manager, mayor, or in the absence of the mayor the vice-mayor, or in the absence of the mayor and vice-mayor, the commissioner who most recently had served as vice-mayor, at least seventy-two (72) hours beforehand. Said meeting shall be held in the city at a time and place designated in a notice of meeting which will be sent electronically to each commissioner subsequent to its preparation. Agenda items for special meetings should be matters of a nature that cannot be held in abeyance until the next regular meeting. Those agenda items must be set forth in the notice of meeting for any special meeting. The city manager must schedule a special meeting upon the written request to have same by three (3) members of the commission. Said written request shall contain the purpose for which the request is made, and also contain the time, place and date of such meeting.
- (b) Emergency meetings may be scheduled and noticed by the city manager; the mayor; or in the absence of the mayor, the vice-mayor; or in the absence of the mayor and vice-mayor, the commissioner who most recently had served as vice-mayor, with at least eight (8) hours' notice beforehand. The requirement of at least eight (8) hours' notice may be waived in the event of an emergency as set forth in chapter 8½. Such a meeting shall be held in the city at a time and place designated in a notice of meeting which will be sent electronically to each commissioner subsequent to its preparation, or delivery of notice may be waived completely by the mayor or a commissioner. Emergency meetings should be called only in the event of a dire emergency that would affect the health, safety and welfare of the residents of the city and cannot be held in abeyance until the calling of a special or regular commission meeting. The notice of meeting for an emergency meeting must set forth therein the business to be discussed at said meeting. The city manager must schedule an emergency meeting upon the written request to have same by three (3) members of the commission. Said written request shall contain the purpose for which the request is made, and also contain the time, place and date of such proposed meeting.

Pembroke Park

Sec. 2-42. - Date and time for regular meetings.

The Town Commission shall meet for regular meetings on the second Wednesday of each and every month at the hour of 7:00 p.m.; or as soon thereafter as possible. In the event of a holiday, or other special circumstance, the Town Commission, by majority vote, may reschedule, cancel or continue a regular meeting of the Town Commission.

Pembroke Pines

§ 30.10 REGULAR MEETINGS.

The City Commission shall hold two regular meetings per month. The time and day of holding the meetings shall be determined by resolution from time to time. Regular meetings of the City Commission which fall on a legal holiday shall be held on the evening of the following business day.

§ 30.11 SPECIAL MEETINGS.

(A) The Mayor, or a majority of the Commission members shall request, in writing, the calling of special meetings of the Commission whenever in his or their opinions the public business may require it. The request for a special meeting shall be served on or communicated to the City Clerk or, in his absence, the Deputy City Clerk. The official on whom the request for a special meeting has been served shall promptly cause the notice or call to be served on each member of the Commission and the Mayor, either in person or at their place of residence.

(B) No special meeting shall be called unless at least 48 hours' notice in writing is given in advance of the meeting, both to each Commission member and to the public.

(C) The City Clerk shall as soon as possible affix a copy of the notice or call of a special meeting on the front door of the City Hall so that it is visible from the exterior of the building. The notice shall state the date, hour, and place of the meeting and the purpose for which the meeting is called, and no business shall be transacted thereat, except such as is stated in the notice.

(D) Special meetings may be called without written notice during the course of a regular meeting on motion passed by a majority vote of the Commission.

Lauderdale Lakes

Sec. 2-51. - Meetings.

Rule 1. Regular meetings of the city commission shall be held on the second and fourth Tuesday of every month in the place designated as the City Hall commencing at 7:00 p.m., except that the city commission may, upon reasonable notice, reschedule its regular meeting to such other date, time, and place as the city commission deems necessary, in the event of an emergency, as defined under [section 26-1](#) of the Lauderdale Lakes Code of Ordinances, or upon such other exigent, exceptional or unforeseen circumstance, as determined by the city commission pursuant to an adopted resolution. The city commission may cancel a regular meeting if three members of the commission vote to do so at the meeting immediately prior to the regular meeting which is to be canceled. Special meetings of the city commission may be held at any time in the City Hall upon the call of the mayor pursuant to not less than two days' notice, in writing, directed to each member of the commission and posted on the bulletin board at City Hall, which notice shall specify the purpose of the special meeting. Notice of special meetings may be waived by consent of all members of the commission who are present, which waiver shall be entered in the minutes of such special meetings. Special meetings shall be called by the mayor upon request, in writing, of three members of the city commission, which may include the mayor, specifying the purpose of the special meetings.

Rule 1-A. Each regular meeting of the city commission shall be conducted between the hours of 7:00 p.m. and 11:00 p.m. At 11:00 p.m. the city commission shall cease further discussion of the business on the table, should any there be, and upon motion determine whether or not (a) the meeting shall be adjourned, (b) the business or conduct of the meeting should be extended until 11:30 p.m., or (c) the meeting shall be recessed until a time to be appointed by the city commission. If the city commission determines upon the majority vote of those commissioners present to extend the subject meeting to the hour of 11:30 p.m. the same shall be extended until such hour, at which time the city commission shall determine, upon motion of the majority vote of those commissioners present, whether or not to (a) adjourn the meeting or (b) recess such meeting until a time to be appointed by the city commission.

Rule 2. All meetings of the city commission shall be open to the public; provided, however, the number of persons admitted to any meeting of the city commission may be regulated and controlled by the commission in the interest of preserving decorum; provided, further, that the commission may order the ejection of any person whose conduct is inimical to orderly procedure, and provided, further, that the commission may not limit attendance to less than five citizens of the city in attendance at any meeting unless ejected for reasons provided in this section; provided, further, the mayor may order the ejection of any person whose conduct is inimical to orderly procedure without the authorization of the city commission.

State Law reference— Meetings in the Sunshine Law, meetings of governmental bodies shall be open to the public, F.S. § 286.011.

Rule 3. All meetings shall be attended by the city clerk, or a duly authorized deputy, who shall record the proceedings thereof, and by the chief of police, or a member of the police department, who shall act as sergeant-at-arms under the orders of the city commission.

Rule 4. The city clerk shall prepare an agenda for each of the regular meetings of the city commission to be held on each Tuesday of every month, and the city clerk shall provide each member of the city commission with a copy thereof at least six hours prior to the convening of the applicable city commission meeting. The city clerk shall include in such agenda such items as shall be directed by any member of the city commission, including the mayor, at least 24 hours prior to the convening of the subject meeting. No ordinance and/or resolution shall be placed on the agenda of a regular or special city commission meeting unless and until a facsimile copy of such ordinance and/or resolution, as proposed, shall have been made available to the members of the city commission on or before 12:00 noon of the day preceding the regular or special city commission meeting at which such ordinance and/or resolution is proposed to be considered on first reading. No ordinance and/or resolution which has not been made available to the members of the city commission at or before the times provided in this section, and no matter not included in the agenda, may be taken up except by unanimous consent of all members of the city commission present at such meeting. No matter may be considered at any special meeting not included in the call thereof, except by unanimous consent of all members of the commission present at such meeting.

Agenda Preparation

City of Sunrise

Sec. 2-33. Agenda; preparation, format, procedure.

- (a) The city manager shall be responsible for the preparation of all city commission meeting agendas.
- (b) With the exception of items requested by city commissioners, the city manager shall authorize all other items to be placed on the agenda in an orderly and timely fashion. Items requested by a city commissioner ("commissioner items") shall be placed under new business with a general description of the subject and the name of the sponsoring commissioner for discussion and/or action by the city commission at the next commission meeting provided that commissioner items are provided to the city manager forty-eight (48) hours prior to the day the agenda is distributed to the city commissioners. A city commissioner may request the city attorney to prepare a resolution or ordinance for consideration by the city commission. The city attorney shall promptly provide the sponsoring commissioner with a draft of the proposed ordinance or resolution. The sponsoring commissioner may then place the item on the next agenda or any future agenda, at the discretion of the sponsoring commissioner, by giving notice to the city manager to place said ordinance or resolution on the agenda forty-eight (48) hours prior to the day the agenda is distributed to the city commissioners.
- (c) An exception to the established format may be made by a majority vote of the city commission in attendance.
- (d) The mayor will decide on any procedures or format to be followed during city commission meetings which are not otherwise provided in this section.
- (e) A time limitation of three (3) minutes is established for each individual who desires to speak under the subjective categories of "open discussion" and "public hearings." There will be no responses to those speaking by any member of the city commission. The total time allotted to open discussion will be one (1) hour. Exception to these limitations may be approved by the city commission.
- (f) Public hearings, when advertised, shall be advertised for 5:30 p.m. and shall be considered at that time or as soon thereafter as the orderly disposition of commission business permits.
- (g) Unless otherwise directed by the mayor, regular city commission meetings will commence at 5:30 p.m.
- (h) The format of the commission meeting agenda for regular, special, and emergency meetings is hereby established as follows:

Call to order;

Roll call;

Moment of silence and pledge of allegiance;

Consent agenda (Any item shall be removed from the consent agenda for discussion and separate vote at the request of one (1) commissioner, the staff, or any member of the public. Any item removed from the consent agenda shall be heard at the consent discussion portion of that commission meeting.);

Special items;

City items;

Open discussion;

Commission/mayor reports;

City manager's report;

Consent discussion. (Discussion and separate vote shall be heard on items pulled from the consent agenda for discussion);

Quasi-judicial consent agenda (any item may be removed from the consent agenda by a commissioner, the staff, the applicant, or an affected party). Any item removed from the quasi-judicial consent agenda shall be tabled to the next regularly scheduled commission meeting for quasi-judicial hearing;

Public hearings;

Quasi-judicial hearings;

City clerk's report;

City attorney's report;

Old business;

New business;

Adjournment.

(i) Speakers under open discussion.

(1) As to business that relates to matters concerning the City of Sunrise, members of the public will be permitted to speak under the category "open discussion."

(2) The mayor may permit either a representative of a group, or a Sunrise resident, or an individual not a Sunrise resident to make a presentation before the commission. All speakers will be allowed three (3) minutes

speaking time. The total time allotted to open discussion will be one (1) hour.

- (3) The mayor may require multiple speakers on a topic to provide new comments and not duplicate or reiterate comments from prior speakers.
 - (4) The mayor may require speakers to hold their comments on agenda items until the particular item is heard.
 - (5) The requirements of this subsection (i) shall not be applicable to any official act taken to deal with an emergency situation if compliance would cause an unreasonable delay in the ability of the advisory board to act; any official act involving no more than a ministerial act; any meeting that is exempt from F.S. § 286.011; and any item that is a quasi-judicial item.
- (j) Members of the public requesting to speak or make a presentation before the commission during open discussion, will be required to sign a sign-in sheet provided by the city which will include their name and city of residence. The sign-in sheet will include the nature of the item, indicate the speaker's support, opposition or neutrality on an item, and designate a representative, if any, to speak for him or his group on an item. The sign-in sheet must be signed prior to the call to order.
- (k) Quasi-judicial proceedings. Except for rezonings, all land development applications that the staff has determined meet all applicable comprehensive plan requirements and land development regulations shall be placed on the quasi-judicial consent agenda for approval. All land development applications that the staff has determined do not meet all applicable requirements and regulations and all rezonings, shall be placed on an agenda for a quasi-judicial hearing. Rezoning shall be considered during two (2) quasi-judicial hearings. At the second quasi-judicial hearing for a rezoning, speakers should not be repetitious or duplicative and only new testimony and evidence shall be introduced.

The community development department shall prepare and provide a "Notice of Appearance Form by Affected Party" to persons who request information concerning participation in a quasi-judicial hearing. Any person, as defined in section 16-277, seeking to participate in a quasi-judicial hearing as an affected party should file the notice of appearance form by affected party with the community development department not later than 4:30 p.m. on the last business day before the scheduled meeting for the quasi-judicial item.

- (1) Quasi-judicial consent agenda. At the appropriate time during the meeting, the mayor will announce that the quasi-judicial consent agenda is the next item on the agenda. The mayor will announce that a commissioner, staff, the applicant or any affected party who is present may request that a

specific item be removed from the quasi-judicial consent agenda for quasi-judicial hearing at the next regularly scheduled commission meeting.

- (2) Quasi-judicial hearing. An affected party who attends a quasi-judicial hearing may participate in the hearing by presenting testimony and cross examining witnesses only if the affected party has filed a notice of appearance by 4:30 p.m. on the last business day before the scheduled meeting for the quasi-judicial item with the community development department. The notice of appearance shall state with particularity the comprehensive plan requirement or land development regulation the person contends is not being properly applied and the nature of the affected party's legally recognizable interest that may be adversely affected by the city's approval of the land development application.
 - (3) Business day. For purposes of this section, business day shall exclude Saturdays, Sundays and city holidays.
- (l) In a quasi-judicial proceeding the following are automatically deemed part of the record:
 - (1) The community development department's staff report on file on the land development application;
 - (2) The city's comprehensive plan, the City Code and all other applicable codes.
 - (m) Motion to reconsider. An action of the city commission may be reconsidered only at the same meeting at which the action was taken. A motion to reconsider may be made only by a commissioner who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. Adoption of a motion to reconsider shall rescind the action reconsidered.
 - (n) Motion to rescind. A legislative action of the city commission taken at a previous meeting (the "previous action") may be rescinded at a subsequent meeting. A motion to rescind is not in order if something has been done in response to the previous action that cannot be undone; if the original motion created a contract and a contract has been entered into; if a resignation has been accepted; if a person has been removed from a post and the person has been officially notified; or if the action would result in a violation of a vested right. Motions to rescind shall be governed by the following process:
 - (1) A commissioner seeking rescission of a previous action shall place a motion to consider rescission on the agenda of a regular commission meeting. If a majority of the full membership of the city commission approves the motion to consider rescission, the motion to rescind shall be placed on the agenda of the next regular city commission meeting. If less than a majority of the city commission full membership votes in favor of the motion to consider

rescission, no motion to rescind the previous action shall be considered by the city commission. If the motion to rescind is not heard within six (6) months of the original vote on the previous action, the reconsideration of the item shall lapse and the original vote on the previous action shall be effective.

- (2) Approval of a motion to rescind requires the affirmative vote of a majority of the full membership of the commission.
- (3) If a motion to rescind is approved, the city commission shall, at the same meeting, set a date certain for consideration of the previous action.
- (4) Notwithstanding anything stated above, a motion to rescind shall not be in order unless the city commission determines:
 - a. Subsequent information has become known that (i) would have been material to the city commission's decision on the previous action and (ii) would have militated for a different result; or
 - b. A rescission of the previous action is imperative to avoid a material cost, risk, harm, or other jeopardy to the city or its citizens, and the material cost, risk, harm, or other jeopardy could not have been known at the time of the city commission's previous action.

Lauderhill

Sec. 2-157. - Agenda.

- (a) There shall be an agenda published for each regular city commission meeting. Said agenda shall disclose the order of business and by title describe the proposed legislation. All members of the city commission, and the city manager, may place items on the agenda. However, no individual can place more than a combined total of two (2) items on the proclamation/presentation sections of the agenda. Each item, once placed on the agenda, will show in captions therein the name of the person putting it on the agenda. The agenda for a regular meeting will close at 3:00 p.m. on the thirteenth day preceding the regular meeting day. At the meeting, the order of business set forth in the published agenda for that meeting will be followed. The commission may deviate from the order only by a vote of four (4) members, or a unanimous vote if four (4) or fewer commissioners are present.
- (b) Resolutions which appoint members to boards and committees by the commission as a whole shall be placed on an agenda at or prior to the time of appointment with no appointee designated therein and no name of any person putting that item on the agenda.
- (c) Any resolution or ordinance which is placed on an agenda for an applicant who has qualified to do so as provided by a provision of the Code or Land

Development Regulations shall not require the name of a person putting same on the agenda.

Pembroke Park

Sec. 2-94. - Duties and responsibilities.

The duties and responsibilities of the Town Manager shall be as follows:

* * *

- (d) To oversee the agenda for all meetings of the Commission including, but not limited to, special and workshop meetings.

* * *

Lauderdale Lakes

Sec. 2-51. - Meetings.

* * *

Rule 4. The city clerk shall prepare an agenda for each of the regular meetings of the city commission to be held on each Tuesday of every month, and the city clerk shall provide each member of the city commission with a copy thereof at least six hours prior to the convening of the applicable city commission meeting. The city clerk shall include in such agenda such items as shall be directed by any member of the city commission, including the mayor, at least 24 hours prior to the convening of the subject meeting. No ordinance and/or resolution shall be placed on the agenda of a regular or special city commission meeting unless and until a facsimile copy of such ordinance and/or resolution, as proposed, shall have been made available to the members of the city commission on or before 12:00 noon of the day preceding the regular or special city commission meeting at which such ordinance and/or resolution is proposed to be considered on first reading. No ordinance and/or resolution which has not been made available to the members of the city commission at or before the times provided in this section, and no matter not included in the agenda, may be taken up except by unanimous consent of all members of the city commission present at such meeting. No matter may be considered at any special meeting not included in the call thereof, except by unanimous consent of all members of the commission present at such meeting.

Hallandale Beach

Sec. 2-38. - Agenda preparation.

- (a) The city clerk is responsible for preparing meeting agendas. The city manager, city clerk, city attorney, or any commissioner may place an item on a meeting agenda for action.

- (b) *Consent agenda.* The city manager is directed to designate a consent agenda listing those items deemed by the city manager to be noncontroversial. Prior to the approval of the items on the consent agenda, any item therein may be withdrawn by a city commissioner, the city manager, the city attorney, or city clerk. Such withdrawal shall be nondebatable. After such items have been withdrawn from the consent agenda, the commission may consider a motion to adopt the remaining items listed in the consent agenda in a single motion. Any resident may request an item be pulled from the consent agenda during public participation, but the granting of such a request will be at the discretion of the city commission.
- (c) *Staff responsibilities.* The city manager shall decide the order of items on the agenda. The city manager shall take all necessary steps to avoid unnecessary duplication of supporting documentation for items on the agenda. Each item placed on the agenda shall have sufficient supporting documentation to enable the city commissioners to prepare for discussion on that item. Items requiring a resolution or ordinance may not be placed on the agenda unless the city attorney has provided the necessary resolution or ordinance.
- (d) *Removal or pulling of items.* No item placed on the agenda may be removed from the published agenda without the consent of the person placing such item on the agenda. At the meeting, the mayor may declare that an item is pulled (a term used to indicate removal) or deferred from the meeting's agenda, and no vote shall be required in that event. If any commissioner objects, the pulling or deferral of an item on the agenda may be overruled by a majority vote of commissioners present.
- (e) *Distribution.* Agendas should be distributed seven calendar days before a regular meeting, including workshops (e.g., the Wednesday preceding a Wednesday meeting), but shall be distributed no later than 5:00 p.m. on the sixth day preceding the meeting (e.g., the Thursday before a Wednesday meeting). The agenda packet shall be delivered to the members of the city commission electronically. Printed copies may be delivered upon request.
- (f) Addenda to the regular meeting agenda may be prepared with the approval of the mayor or city manager prior to any session of the city commission, but should be distributed to commissioners no less than 48 hours before the meeting.
- (g) As a courtesy, the city manager shall be responsible for ensuring that individuals known to be specially affected by a particular item on the agenda item be notified. Such notice need not be in writing, but may be by telephone if conditions warrant. Failure to provide this notification shall not be grounds to challenge the validity of a commission action.

Sec. 3.09. - Newly elected officials.

At the time scheduled for the first regular city commission meeting after the certification of election results by the Broward County Canvassing Board, all newly elected officials shall take an oath of office and assume the duties of office.

Sec. 3.10.—Special meeting to seat a new member.

~~On the first Tuesday following the election of a new member, elected at other than a quadrennial regular election, the commission shall meet to receive such new member.~~

Sec. 4.05. - City manager; appointment; qualifications; compensation.

The city commission shall appoint a city manager who shall be the administrative head of the municipal government answerable to and under the direction and supervision of the city commission, and he or she shall hold office at the pleasure of the city commission. He or she shall receive such compensation as the city commission may by resolution fix and determine, and shall furnish such bond as the city commission may require. He or she shall be chosen solely on the basis of his or her executive and administrative qualifications, without regard to his or her political belief, shall be over the age of twenty-one (21) years, shall be a permanent resident of ~~reside in~~ the city during his or her term of office, but he or she need not be a resident of the city or state at the time of his or her appointment. A city manager shall serve the city on a full-time basis. He or she shall not be or become engaged in any other occupation. He or she shall not serve on any committee, board, or as an officer of any enterprise, compensated or not, while in the city's service, except by approval of the city commission by resolution.

NEW BUSINESS

Sec. 3.05. - Designation of vice-mayor.

- (a) At its first meeting after the regular triennial election of 1988, the city commission shall, by resolution, designate a district commissioner as vice-mayor. The vice-mayor selected in 1988 shall serve until the first city commission meeting to be held in April 1989 and at that meeting and at the first meeting in April for every year thereafter the city commission shall by resolution designate a district commissioner as vice-mayor. Should a commissioner decline or be otherwise disqualified from serving in the office of vice-mayor, then and in that event, another district commissioner shall be designated by resolution to serve in such office.
- (b) The vice-mayor shall preside at any meeting of the city commission from which the mayor is absent and shall perform those functions and duties set forth in section 4.04 hereof. Should the mayor resign from office or be otherwise unable to continue to serve as mayor, the vice-mayor shall serve as mayor until the vacancy in the office of mayor shall be filled as provided herein.

(Ord. No. C-86-77, § 3, 9-16-86)

Sec. 3.06. - Powers vested in commission; limitations.

The legislative powers of the city shall be vested in and exercised by the city commission, and the commission shall have the power to pass ordinances, adopt resolutions, appoint by resolution all appointive officers, boards and those employees specified in this charter as being appointed by the city commission, and exercise all other powers herein provided. All powers of the City of Fort Lauderdale, except as otherwise provided by this charter or by the Constitution of the State of Florida, are hereby vested in the city commission; and except as otherwise provided by this charter or by the Constitution of the State of Florida, the city commission may by ordinance or resolution prescribe the manner in which any powers of the city shall be exercised.

Sec. 3.07. - Not to direct appointment of employees.

Neither the city commission nor any of its members shall direct the appointment of any person to office or employment by the city manager, or in any manner prevent the city manager from using his or her own judgment in selecting those officers or employees which he or she is entitled to appoint or select under provisions of this charter, and the civil service system rules and regulations. Except for the purpose of inquiry, the commission and its members shall deal with the administrative service solely through the city manager, and neither the commission nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately. Nothing herein contained shall restrict the power of the commission at regular or special meetings by formal motion, resolution or ordinance to establish policies and require compliance therewith by all personnel in the service of the city.

(Ord. No. C-85-40, § 1, 5-7-85; Ord. No. C-18-47, § 17, 1-22-19)

Sec. 3.08. - Forfeiture of office.

Absence by any commissioner from four (4) consecutive regular meetings of the city commission shall operate to vacate the seat of such member, unless such absence is excused by the city commission, by formal action duly entered upon the minutes. Any member of the city commission who shall, while in office, be convicted of a felony, shall thereupon forfeit his or her office, notwithstanding any appeal or right of appeal he or she may take or have subsequent to such conviction. Any member of the city commission who shall violate the provisions of article VI, section 6.06 of this charter shall forfeit his or her office.

(Ord. No. C-18-47 , § 17, 1-22-19)

Sec. 3.11. - Regular meetings.

The city commission shall meet regularly at such times as may be specified by ordinance; provided, however, that it shall meet regularly not less than twice each month except that meetings may be eliminated for one (1) month each year to provide for vacations.

Sec. 3.12. - Special meetings—How called.

The mayor or the city manager, may call special meetings of the city commission upon at least six (6) hours' written or e-mail notice to each member, the city manager, city auditor, city clerk, and city attorney, served personally, transmitted by e-mail, or left at his or her usual place of residence. The call notice shall state the general purpose of the meeting. The regularity or validity of any proceedings, taken at any special meeting at which a majority of members of the city commission and city clerk is present, or where written waiver of call and consent in writing is filed, shall not be questioned on account of any omission or irregularity in calling such special meeting.

(Ord. No. C-18-47 , §§ 3, 17, 1-22-19)

Sec. 3.13. - Meeting place; meetings to be public.

All regular meetings of the city commission shall be held at the usual place of holding meetings of the city commission; but a special meeting may be held elsewhere in the city under authority of a resolution previously adopted authorizing such meetings. Meetings of the city commission shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times and under the supervision of the city clerk. The commission shall prescribe its own rules, regulations and order of business, and shall keep minutes of its proceedings. The mayor shall maintain order at all meetings, and the police department, upon instructions of the mayor, shall expel any person from the meeting who refuses to obey the order of the mayor in relation to preserving order at the meetings. The commission may meet in conference session at a place other than the regular meeting place, but no official action shall be taken at such conference meeting.

Sec. 3.14. - Quorum and vote.

A majority of all members of the city commission shall constitute a quorum, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The vote on any ordinance or resolution shall be taken by "yeas" and "nays" and the vote of each member of the city commission voting shall be entered on the official record of the meeting.

Sec. 3.15. - Initiative; petition for proposed ordinance.

Any proposed ordinance, including ordinances for the repeal or amendment of the "Code of Ordinances of the City of Fort Lauderdale, Florida," then in effect, may be initiated, submitted and enacted in the following manner:

- (a) A committee of not less than one thousand (1,000) electors of the city shall prepare and sign a petition addressed to the City Commission of the City of Fort Lauderdale requesting that a proposed ordinance attached to the petition be enacted. Each signer of the petition must be an elector of the city and shall sign his or her name in ink and shall indicate his or her place of residence and voting precinct. The petition shall have attached the certificate of the supervisor of elections indicating whether each of the signers is a qualified elector of the city. Thereafter, such signers shall be referred to as the committee, and one (1) member shall be designated therein as chairman of the committee. The committee shall have the right to request the city attorney, in writing, to assist in the drafting of such proposed ordinance in proper form, and such city attorney shall draft the proposed ordinance in proper form within thirty (30) days after being requested to do so by said committee in writing. He or she shall append to the drafted form of ordinance his or her opinion as to the legality of such proposed ordinance.
- (b) Such signed petition and proposed ordinance and the opinion of the city attorney shall be presented by the committee to the city commission at a regular meeting, after sixty (60) days prior notice to the city manager that such matter will be presented at such meeting. An opportunity shall be given for proponents and opponents of the proposed ordinance to be heard. At such meetings the city commission shall take definite action upon the ordinance by rejecting same, failing to take action upon same, passing same in prepared form upon first reading or passing same in amended form upon first reading. If passed on first reading in an amended form, the chairman of the committee shall state in open meeting whether the committee accepts or rejects the ordinance, as amended, and the decision of the chairman shall be binding upon the committee. If the committee accepts the amended ordinance, as aforesaid, or if the city commission accepts the proposed ordinance, same shall be placed upon its first reading at such meeting, upon the second reading at the next regular meeting. If the proposed ordinance is passed upon first reading, or if the proposed ordinance is amended and passed upon first reading, and such amended ordinance is accepted and approved by the chairman of the committee, it shall

be the duty of the city commission to pass such ordinance, and to continue reading such ordinance upon progressive readings at each regular meeting of the city commission until such ordinance is duly enacted.

(c) If the city commission should:

- (1) Reject the proposed ordinance; or
- (2) Fail to take action upon said proposed ordinance; or
- (3) Pass the ordinance in an amended form not acceptable to the committee; or
- (4) Fail to pass the proposed ordinance upon first and second reading; or
- (5) Fail to pass an amended ordinance, acceptable to the committee, upon successive meetings; or
- (6) Do any act to delay passage of such ordinance; the chairman of the committee shall have the right to demand in writing that an election upon the matter of enactment of the proposed ordinance, or amended ordinance which has been accepted or approved by the committee, be held in the manner provided in section 3.18 of this charter, and at such meetings at which such demand in writing is presented, the said city commission shall take action either calling such election or refusing to call such election, and the failure to call such election shall constitute a refusal.

(Ord. No. C-18-47 , § 17, 1-22-19)

Sec. 3.16. - Circulating petition for an election.

After a demand for an election has been refused, as hereinbefore set out, the committee shall have the right to circulate petitions to obtain the signatures of registered electors of the city, equal in number to fifteen (15) percent of the qualified electors of the city, in order to compel the enactment of such ordinance or amended ordinance in the following manner:

- (a) Within ten (10) days after the demand for an election has been refused by the city commission, the clerk shall prepare a form of petition addressed to the city commission demanding that an election be called in the manner provided by section 3.18 of this charter in order that there may be submitted to the qualified electors of the city at such election the question of enactment by initiative proceedings of the proposed ordinance or amended ordinance. Such petition shall clearly outline the action sought and shall contain a copy of the ordinance proposed for enactment by the committee and shall contain spaces for signatures for electors and a form of affidavit for circulators to sign. All petitions shall be uniform in character and shall contain the names of each of the members of the committee of the petitioners, and designate the chairman thereof.

- (b) The chairman of the committee shall sign a receipt for the form of petition and shall return all signed petitions to the clerk within sixty (60) days from the date of said receipt.
- (c) Each elector of the city signing a petition shall sign his or her name as registered in the office of supervisor of elections of Broward County, Florida, in ink or indelible pencil, shall specify his or her voting precinct and shall place on the petition opposite his or her name the date he or she signed the petition and his or her place of residence in the city. Each counterpart of the petition shall contain appropriate lines for signatures by electors and a form of affidavit to be executed by the circulator thereof, verifying the fact that such circulator saw each person sign the counterpart of the petition, and that each signature appearing thereon is the genuine signature of the person it purports to be, and that such petition was signed in the presence of the affiant on the date indicated.
- (d) All counterparts of the petition shall be assembled and filed with the city clerk as one (1) instrument within sixty (60) days after receipt of such petition by the chairman, and when so filed, the clerk shall determine forthwith from the supervisor of elections if such petitions contain the signatures of electors constituting fifteen (15) percent in number of the registered electors of said city, and when such fact has been determined by report from the supervisor of elections, the city clerk shall submit such petitions and such affidavits to the city commission at its next regular meeting.
- (e) Any elector signing such petition shall have the right to file with the city clerk a demand in writing that his or her name be deleted and stricken from the petition, and upon the filing of such demand the name of such elector shall be stricken by the clerk and not be counted or computed in the total of electors signing the petition. No signature may be stricken after the clerk has certified the total of registered electors to the commission.

(Ord. No. C-18-47 , § 17, 1-22-19)

Sec. 3.17. - Commission required to take action.

If the certificate of the clerk, so submitted, shows that fifteen (15) percent of the registered electors of the city signed such petition and have not requested that their signatures be stricken or deleted, then it shall be the mandatory duty of the city commission at such meeting at which the clerk's certificate is presented to enact the ordinance in final form, or call an election for the purpose of submitting such proposed ordinance to the votes of the electorate.

Sec. 3.18. - Time of holding election.

If an election is scheduled to be held not less than thirty (30) days and not more than sixty (60) days after such meeting, such proposed ordinance shall be submitted to a vote of the electors at such election. If no election is to be held within the time aforesaid, the city commission shall provide for submitting the proposed ordinance to the electors at a special election to be held not later than sixty (60) days, nor earlier than thirty (30) days thereafter. At least ten (10) days before any such election the city clerk shall cause such proposed ordinance to be published, in one (1) issue of the official newspaper.

Sec. 3.19. - Ballots.

Ballots to be used when voting upon any such proposed ordinance shall state the title of the ordinance to be voted on and below it the two (2) propositions "For the proposed Ordinance" and "Against the proposed Ordinance." If a majority of the electors voting on any such proposed ordinance shall vote in favor thereof, it shall thereupon become an ordinance of the city, and a part of the "Code of Ordinances of the City of Fort Lauderdale," upon canvass of such votes and proper certification.

Sec. 3.20. - Referendum elections.

Any existing ordinance of the City of Fort Lauderdale, or any section or related sections of the "Code of Ordinances of the City of Fort Lauderdale," including ordinances approved by the electorate, may be repealed or amended, and any intended sale or lease of public property may be approved or rejected by a majority of the electors voting at a referendum election, when such matter is submitted to a referendum by the city commission, upon its own motion or as a result of initiative proceedings. In case of initiative proceedings, when the necessary requirements have been met, and proper petitions bearing the signatures of fifteen (15) percent of the registered electors have been filed, the city commission shall pass a resolution calling for a referendum election to be held under the same procedure as provided in section 3.18 and section 3.19 of this charter.

Sec. 3.21. - Recall.

Any or all of the members of the city commission may be removed from office by the electors of the city in the manner provided for by general law.

Sec. 3.22. - Offenses relating to petitions.

No person shall falsely impersonate another, or purposely write his or her name or residence falsely, in the signing of any petition for initiative, referendum or recall, or forge any name thereto, or sign any such paper with knowledge that he or she is not a qualified elector of the city. No person shall employ or pay another to accept employment or payment for circulating an initiative, referendum or recall petition. Any person violating any of the provisions of this section shall be deemed guilty of an offense and shall, upon conviction, be punished as provided by section 1-6 of the Code of Ordinances.

(Ord. No. C-18-47, § 17, 1-22-19)