

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF FORT LAUDERDALE ON MARCH 12, 2019, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF FORT LAUDERDALE FOR THEIR APPROVAL OR DISAPPROVAL PROPOSALS TO AMEND THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO ELIMINATE MUNICIPAL PRIMARY ELECTIONS AND PROVIDE FOR MUNICIPAL ELECTIONS IN CONJUNCTION WITH THE GENERAL ELECTION IN NOVEMBER 2020 AND EVERY FOUR YEARS THEREAFTER, PROVIDE FOR THE MAYOR AND COMMISSIONERS ELECTED IN 2018 TO SERVE UNTIL THEIR SUCCESSORS ARE ELECTED AND QUALIFIED IN THE NOVEMBER 2020 ELECTION, PROVIDE FOR FOUR-YEAR TERMS FOR THE MAYOR AND COMMISSIONERS BEGINNING IN 2020, PROVIDE FOR GENDER NEUTRALITY, REPLACE THE TERM "MAYOR-COMMISSIONER" WITH "MAYOR," SET THE COMPENSATION OF THE CITY AUDITOR AND CITY CLERK BY RESOLUTION OF THE CITY COMMISSION, DELETE REFERENCE TO THE CITY CLERK'S COMPENSATION BEING ESTABLISHED BY THE CITY'S PAY PLAN, DELETE THE TERM "MAYOR PRO TEM," AND CLARIFY THE PROCEDURE FOR CALLING SPECIAL MEETINGS OF THE CITY COMMISSION, AND PROVIDING FOR SPECIAL ELECTION PROCEDURES, SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 7.11 of the Charter of the City of Fort Lauderdale provides that special elections may be called by Resolution of the City Commission at any time provided 30 days intervene between the date of the adoption of such Resolution and the date of such election; and

WHEREAS, the City Commission has recommended that the Charter of the City of Fort Lauderdale be amended and that the proposals to amend said Charter be submitted to the electors on March 12, 2019; and

WHEREAS, it is the desire of the City Commission to submit to the electorate of the City of Fort Lauderdale at a special election a proposal to amend the Charter of the City of Fort Lauderdale, Florida, to eliminate municipal primary elections, to provide for municipal elections in November 2020 and every four years thereafter, to provide for the term of mayor and commissioners elected in 2018 to run through November 2020, and to provide for four-year terms for mayor and commissioners beginning in November 2020; and

WHEREAS, it is the desire of the City Commission to submit to the electorate of the City of Fort Lauderdale at a special election a proposal to amend the Charter of the City of Fort Lauderdale, Florida, to provide for gender neutrality, replace the term "mayor-commissioner" with "mayor," set the compensation of the city auditor and city clerk by resolution of the city commission, delete reference to the city clerk's compensation being established by the City's pay plan, delete the term "mayor pro tem," and clarify the procedure for calling special meetings of the city commission; and

WHEREAS, Section 166.031, Florida Statutes, provides that a governing body of a municipality may by ordinance submit to the electors of the municipality a proposed amendment to all or any part of its Charter except that part describing its boundaries, which proposed amendment shall be submitted to a vote of the electorate at the next general election held within the municipality or at a special election called for such purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That a special election is hereby called to be held on March 12, 2019, for the purpose of submitting to the electors of the City of Fort Lauderdale for their approval or disapproval two proposals to amend the Charter of the City of Fort Lauderdale, which proposals shall be submitted to the electors in a ballot to be used in the special election, said ballot to be in substantially the following form and shall hereinafter referred to as the "Ballot":

Charter Amendment No. _____
Municipal Elections

Should the Charter of the City of Fort Lauderdale be amended to eliminate municipal primary elections and to provide for municipal elections in conjunction with the general election in November 2020 and every four years thereafter, to provide for the mayor and commissioners elected in 2018 to serve until their successors are elected and qualified in the November 2020 election, and to

provide for four-year terms for the mayor and commissioners beginning in 2020?

☐ YES, for approval

☐ NO, for rejection

Charter Amendment No. _____
Municipal Elections

Should the Charter of the City of Fort Lauderdale be amended to provide for gender neutrality, replace the term “mayor-commissioner” with “mayor,” set the compensation of the city auditor and city clerk by resolution of the city commission, delete reference to the city clerk’s compensation being established by the City’s pay plan, delete the term “mayor pro tem,” and clarify the procedure for calling special meetings of the city commission?

☐ YES, for approval

☐ NO, for rejection

SECTION 2. That said special election shall be held at the same polling places in the several precincts, respectively, in the City as the polling places for the City’s regular municipal elections. The inspectors and clerks who shall conduct said special election (“Election Officials”) shall be the same as those selected and appointed for the City’s regular municipal election. The polling places for the special election shall be open from 7:00 a.m. to 7:00 p.m. on the same day. In accordance with the Constitution and the laws of the State of Florida, all qualified electors of the City shall be entitled and permitted to vote in the special election.

SECTION 3. Voting Instructions. Electors desiring to vote for the amendment to the Charter shall be instructed to do so by marking the oval adjacent to the words “YES, for approval” following the statement of the question relating to the amendment to the Charter. Electors desiring to vote against the amendment to the Charter shall be instructed to do so by marking the oval adjacent to the words “NO, for rejection” following the statement of the question relating to the amendment to the Charter.

SECTION 4. Printing of Ballot. The City Clerk is hereby authorized and directed to deliver a form of the Ballot set forth herein to the Supervisor of Elections of Broward County (“Supervisor”) for printing; to ascertain that the wording of the Ballot is correctly printed thereon;

and to ensure that any reprinting, if necessary, is ordered by the Supervisor, all within such time as is necessary to allow compliance with any mailing requirements imposed by law in connection with vote-by-mail ballots.

SECTION 5. Vote-By-Mail Ballots. Vote-by-mail ballots containing the questions set forth in Section 1 above shall be prepared for the use of qualified electors entitled to cast such Ballots in the referendum in accordance with Chapter 101, Florida Statutes.

SECTION 6. Special Election Procedure. The special election shall be held and conducted in the manner prescribed by law for holding special elections in the City. The Election Officials at each polling place in the several precincts, respectively, shall prepare and file return of such special election and deliver the same to Broward County Canvassing Board for canvassing in the manner provided by applicable law. Said returns shall be certified to the City Commission of the City ("Commission"), which shall declare the results thereof and record the same in its minutes along with the number of qualified electors of the City who voted at the special election on the questions proposed and the number of votes cast for and against approval of the questions on the Ballot. The Commission shall certify the results of said special election to the Florida Department of State in the manner provided by applicable law.

SECTION 7. Qualified Electors. The Supervisor is hereby authorized and requested to make up and certify a list of the names of all qualified electors residing in the City. A certified copy of such list shall be furnished to the City Clerk and filed among the records of the Commission.

SECTION 8. Notice of Special Election. The City Clerk shall prepare a notice of the special election in the manner required by law to be published together with an appropriate caption in such form as the City Clerk shall determine, in the Sun-Sentinel, a newspaper of general circulation in the City, once in the fifth, third, second, and first weeks prior to the week in which the special election is to be held, the first publication to be not less than 30 days prior to the date of such special election. The City Clerk shall secure from the publisher of said newspaper an appropriate affidavit of proof that the notice has been duly published, and said affidavit shall be made a part of the record of the Commission.

SECTION 9. Severability. In the event any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect..

SECTION 10. Rescission. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby rescinded..

SECTION 11. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED this the ____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI