

ORDINANCE NO. C-26-23

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONDITIONED ON THE APPROVAL OF A BALLOT MEASURE, BY PRESCRIBING A METHOD FOR RESOLVING A TIE IN NOMINATIONS TO THE CIVIL SERVICE BOARD NOMINATING COMMITTEE, MODIFYING THE COMPOSITION OF THE ELECTION BOARD THAT CERTIFIES THE RESULTS OF ELECTIONS FOR THE CLASSIFIED EMPLOYEES' RECOMMENDATION FOR APPOINTMENT TO THE CIVIL SERVICE BOARD, REMOVING THE CIVIL SERVICE BOARD'S DUTY TO REVIEW, CONSIDER, AND ADVISE THE CITY MANAGER CONCERNING JOB CLASS SPECIFICATIONS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Charter Revision Board has recommended to the City Commission that certain amendments be made to the Charter of the City of Fort Lauderdale, Florida; and

WHEREAS, the City Commission proposes certain amendments to the Charter of the City of Fort Lauderdale, Florida, to be submitted for voter consideration;

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

SECTION 1. That Section 6.04 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 6.04. - Civil service board; created; composition.

- (a) *Purpose of board.* There shall be a civil service board, the members of which shall be residents and electors of the City of Fort Lauderdale, who shall be in sympathy with the application of merit principles in connection with public employment. No member of the board shall hold or be a candidate for any elective public office.

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- (b) *Membership; appointment, etc.* The civil service board shall consist of three (3) members, one (1) of whom shall be recommended for appointment by the mayor, with approval of city commission; one (1) of whom shall be recommended for appointment by the city manager; and the third member shall be recommended for appointment by the regular employees of the City of Fort Lauderdale who are in the classified service as of May 31 of the year of the appointment. Each member shall be appointed by resolution for a full term of four (4) years, which resolution shall specify upon whose recommendation the member was appointed, and the expiration of his or her term of office. The present members of the board shall serve until the expiration of their terms of office or until their successors are appointed and qualified. If the office is vacated by death, resignation, removal or other effective cause prior to expiration of the term, the vacancy shall be filled by appointment by the city commission upon recommendation of the proper authority, for the balance of the unexpired term. All regular full terms shall be for a period of four (4) years from the expiration of the preceding term. Recommendations for appointment by the mayor and city manager shall be made to the city commission in writing at least twenty (20) days prior to expiration of the term of the member whose successor it is the duty of such officials, respectively, to recommend for appointment.

Recommendations for appointment by the employees shall be made in the following manner: At least forty (40) days before expiration of the term of the member to be filled upon recommendation of civil service employees, civil service employees shall be notified that for a period of seven (7) days sealed nominations will be received for members of a nominating committee representing the civil service employees. Any regular employee in the classified service shall have the right to nominate any other regular employee in the classified service as a member of such nominating committee. At the expiration of seven (7) days from such notification, ~~a list of all eligible employees so nominated shall be printed and delivered to each employee in the classified service, with instructions to vote for five (5) of the employees so nominated within seven (7) days thereafter. Upon tabulation of the results,~~ the five (5) employees receiving the highest number of votes nominations shall become the nominating committee to nominate up to three (3)

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candidates for the office to be filled. In instances in which there is a tie in nominations for the nominating committee, the employee(s) with the highest level of overall City seniority shall serve on the nominating committee. For the purposes of this section, overall City seniority shall be defined as an employee's length of continuous service with the City. Upon vote of the regular employees in the classified service, the person receiving the highest number of votes, and otherwise qualified, shall be recommended to the city commission for appointment. The city manager's designee and two (2) ~~city commissioners appointed by the mayor~~ members of the nominating committee shall constitute the election board and shall certify the results to the city commission in writing.

No person shall be eligible to be a member of the civil service board who is an officer or employee of the city or who is serving the city upon an advisory board or in any other capacity (except as a member of the civil service board), nor shall the husband or wife of such a person or other relative (as defined by law) of such a person be eligible for membership.

If, because of lack of sufficient time, or other valid reason, except willful failure to so do, proper nominations are not made before the expiration of a term, the incumbent shall hold over until his or her successor is appointed and qualified, but the term of the new appointee shall run for the balance of the full four-year term only. If, for any reason the mayor, city manager or employees of the city should fail to make their respective recommendations for appointment within sixty (60) days after expiration of a term, the city commission shall appoint a qualified person to membership upon said board, whose term shall run for the balance of the unexpired term only.

All members of the board shall file an oath to support and defend the Constitution of the United States and of the State of Florida, and to faithfully perform the duties of the office. The members of the board shall elect one (1) of their members to serve as a chairman for a two-year term.

(c) *Duties of the board.* The board shall:

(1) Hear appeals as outlined in section 6.04(d).

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- (2) Review and consider additional personnel rules or amendments to existing rules that may be recommended for adoption, and approve or disapprove, by motion, these rules.
 - ~~(3) Review and consider new class specifications or revisions and amendments to existing class specifications and advise the city manager, by motion, concerning these specifications.~~
 - (43) Meet at such times and places as shall be required to conduct the business of the board as outlined in paragraphs (1), and ~~(2) and (3)~~, above. Time and place of the meeting shall be specified by the call of the chairman of the board or by a majority of the board. All meetings shall be open to the public. Notice of each meeting shall be given in writing to each board member by the secretary of the board. Two (2) members shall constitute a quorum for the transaction of business.
- (d) *Appeals to the board.* Regular employees subject to personnel rules and regulations who are suspended, dismissed or demoted, or who believe the personnel rules have been improperly applied or misinterpreted to their detriment, may appeal to the board within thirty (30) calendar days from the date such action is taken, or from the date an employee by use of reasonable diligence should have become aware of the action causing the appeal, and the board shall hear and take action upon such appeal. Upon such appeal, the appealing employee and the city management staff shall have the right to be heard publicly and to present evidence. At the hearing of such appeal, technical rules of evidence shall not apply. The board shall make the final decision disposing of the appeal. If such final decision is in favor of the employee, the city manager shall reinstate the employee without loss of pay and benefits.
- (e) *Powers of the board.* The board, each member of the board, and the secretary to the board, who shall be designated by the city manager, shall have power to administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by this charter. Any person who shall fail to appear in response to a subpoena or to answer any

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question or produce any books or papers pertinent to any such investigation or hearing or who shall knowingly give false testimony therein shall be guilty of an offense and punishable as provided in section 1-6 of the Code.

SECTION 2. That this Ordinance shall not take effect unless a corresponding ballot measure is approved by a majority of the electors of the City of Fort Lauderdale voting at the election to be held on November 3, 2026. The ballot measure to be submitted shall be in substantially the following form:

CHARTER AMENDMENT NO. 5

CIVIL SERVICE BOARD

Should the City of Fort Lauderdale Charter be amended to prescribe a method for resolving a tie in nominations to the Civil Service Board Nominating Committee, modify the composition of the Election Board that certifies the results of elections for the classified employees' recommendation for appointment to the Civil Service Board, and remove the Civil Service Board's duty to review, consider, and advise the City Manager concerning job class specifications?

YES, for approval

NO, for rejection

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That, at the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in this Ordinance, to the numbering, lettering, and capitalization structure established in the Code of

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Ordinances of the City of Fort Lauderdale, Florida, and to correct non-substantive scrivener’s errors in the codification of this Charter amendment.

SECTION 6. That this Ordinance shall be in full force and effect, as conditioned in Section 2, ten days after the date of certification of election results by the Broward County Canvassing Board.

PASSED FIRST READING this 19th day of May, 2026.

PASSED SECOND READING this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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