

ORDINANCE NO. C-26-

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 DELETING REFERENCES TO PRIMARY ELECTIONS, REMOVING THE REQUIREMENT OF TWO NEWSPAPER PUBLICATIONS FOR PUBLIC HEARINGS AND OTHER TYPES OF NOTICE, AND DISTINGUISHING AN INTERIM CITY MANAGER IN THE EVENT OF THE CITY MANAGER'S RESIGNATION OR TERMINATION FROM AN ACTING CITY MANAGER DURING TEMPORARY ABSENCES OF THE CITY MANAGER, 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 approval;

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

SECTION 1. That Section 4.06 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 4.06. - Acting city manager upon resignation of or during absence or disability of Designation of interim or acting city manager.

Upon the resignation of ~~or during the absence or disability of~~ the city manager, the city commission may by resolution designate ~~some~~ a properly qualified person, ~~either classified or exempt service,~~ to temporarily ~~execute~~ exercise the functions powers and duties of his or her office the city manager. The person thus designated shall be known as the ~~have the same powers and duties as the city manager, and shall be known while service as "interim-acting city manager."~~

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During the absence of the city manager, the city manager may designate a deputy city manager, assistant city manager, or department director to temporarily exercise the powers and duties of the city manager. The person thus designated shall be known as "acting city manager."

SECTION 2. That Section 4.08 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 4.08. - Removal or discharge.

The city manager may be removed or discharged by resolution of the city commission at any time. In such resolution the commission shall designate an ~~acting~~ interim city manager to serve in the place of the removed city manager, and the removed city manager shall vacate the office upon adoption of the resolution. Within five (5) days after the adoption of resolution removing or discharging him or her, such removed city manager shall have the right to have served upon him or her written statement of specific reasons for his or her discharge, if he or she so desires, by filing a demand for same with the city clerk, and leaving sufficient copies with the city clerk for service upon members of the city commission. Such written statement of specific reasons, signed by a majority of the city commission shall be delivered to such removed officer within five (5) days after service of such demand as aforesaid, and a definite time and date fixed in such written statement for a public hearing before the commission within not less than five (5) days and not more than ten (10) days after the service of such written statement. At the time and place specified the city commission shall convene as a body at a special meeting for the purpose of conducting a public hearing upon such charges. The removed city manager shall have the right to appear at such hearing to answer and rebut such charges or reasons, and he or she shall have the right to be represented by his or her own private counsel. At the conclusion of such hearing the commission shall adopt a resolution confirming such removal or reinstating such removed city manager. If reinstated he or she shall receive full pay for the period intervening between his or her removal and reinstatement.

An ~~acting~~ interim city manager may be removed at any time by resolution of the city commission, and such removed person shall not be entitled to a public hearing upon such removal.

SECTION 3. That Section 6.02 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 6.02. - Classified and nonclassified service.

All offices and positions of the city shall either be in the nonclassified service or in the classified service. The city manager and deputy city manager, city attorney and deputy city attorney, city clerk and city auditor shall be appointed by resolution of the city commission. Assistant city attorneys shall be appointed by the city attorney. Commission assistants shall be appointed by the City Commission. Assistant city clerks shall be appointed by the city clerk and assistant city auditors shall be appointed by the city auditor. All other nonclassified personnel shall be appointed by the city manager, who shall be empowered to execute employment contracts with such employees. The duration of such employment contracts shall not exceed two (2) years, and the pay provisions shall be in conformance with the salary range established in the city's pay ordinance. All positions in the classified service shall be filled in accordance with personnel rules and regulations; provided, however, that all positions in the classified service which, once filled, are subject to the provisions of any collective bargaining agreement shall be exempt from the applicability of such personnel rules and regulations. Positions in the nonclassified service shall be filled on the basis of relative ability, knowledge and skill. Such employees shall be entitled to fair and equitable compensation, with incentives and recognition for excellent performance. The nonclassified service shall include the following positions and levels:

- (a) The city manager and/or ~~acting~~ interim city manager.
- (b) Deputy city manager and deputy city attorney.
- (c) Assistant city managers.
- (d) Administrative assistants to the city manager.
- (e) The city attorney and assistant city attorneys.
- (f) All management category I positions.

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(g) City clerk and assistant city clerks.

(h) Commission assistants.

(i) City auditor and assistant city auditors.

Nonclassified personnel may not be assigned the duties of a vacant classified position except in accordance with personnel rules and regulations.

The classified service shall include all positions in the city's service, except those specifically placed in the nonclassified service. All persons in the classified service shall be subject to the civil service rules and regulations; provided, however, that regular employees in the classified service who are subject to a collective bargaining agreement shall not be subject to civil service rules and regulations.

SECTION 4. That Section 7.16 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 7.16. - Election; tie vote; ~~primary election to fill one vacancy.~~

At the each regular or special municipal election, the candidates for each office who shall receive the greatest number of votes for that office ~~at such regular or special municipal election,~~ shall be declared elected. A tie between two ~~(2)~~ candidates for the office of mayor or city commissioner shall be decided by lot to be conducted by the city attorney. ~~If in a municipal primary election a candidate shall receive a majority of valid votes cast for that office, such candidate shall be declared elected without the holding of a regular municipal election.~~

SECTION 5. That Section 10.03 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby repealed as follows:

~~Sec. 10.03. - Public hearings and public notice.~~

~~Unless otherwise specified herein a notice of public hearing before the city commission, a notice for invitation for bids, a notice to materialmen, and other types of notice required to be published, shall be published once a~~

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~~week for two (2) consecutive weeks in the official newspaper of the city, with the first publication at least twelve (12) days before date of such public hearing or time for filing bids, and second publication seven (7) days after the first publication. Provided, however, that the giving of notice in connection with the purchase of supplies, equipment and material needed in connection with the ordinary operation of the city, and not primarily used in connection with new public construction, shall be governed by the requirements pertaining to the department of purchases as provided in the "Code of Ordinances of City of Fort Lauderdale."~~

SECTION 6. That Sections 1, 2, 3, 4, and 5 of 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. _____

DELETING PRIMARY ELECTION REFERENCES,
REMOVING PUBLICATION REQUIREMENT,
AND UPDATING INTERIM AND ACTING CITY MANAGER TITLES

Should the City of Fort Lauderdale Charter be amended to delete references to primary elections, remove the requirement of two newspaper publications for public hearings and other types of notice, and distinguish the title of interim city manager, who is appointed in the event of the city manager's resignation or termination, from that of acting city manager, who is appointed during temporary absences of the city manager?

YES, for approval

NO, for rejection

SECTION 7. 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.

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SECTION 8. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 9. 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 Ordinances of the City of Fort Lauderdale, Florida, and to correct non-substantive scrivener’s errors in the codification of these Charter amendments.

SECTION 10. That this Ordinance shall be in full force and effect, as conditioned in Section 6, ten days from the date of certification by the Supervisor of Elections for Broward County, Florida, of approval by the electors of the ballot question.

PASSED FIRST READING this the _____ day of _____, 2026.

PASSED SECOND READING this the _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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