

**PROPOSED RESOLUTION 2024-R-12**

**RESOLUTION NO. 3860**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ADOPTED PURSUANT TO SECTION 3.11(D) OF THE CITY CHARTER, PROVIDING FOR THE APPOINTMENT TO FILL THE CITY COMMISSION VACANCY IN DISTRICT 4; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 3, 2024, a vacancy was created in the District 4 City Commission seat as a result of the resignation of Commissioner Angelo Castillo; and

**WHEREAS**, since, as of the effective date of Commissioner Castillo's resignation, there are more than 180 days remaining on the current term for District 4, the City Commission, in accordance with Section 3.11(d)(1) of the City Charter, adopted Ordinance 2017 which scheduled a special election for November 5, 2024, to elect a qualified individual to serve the remaining balance of the term of office for District 4; and

**WHEREAS**, Section 3.11(d) of the City Charter also provides for the City Commission to adopt a resolution setting forth the process of appointing a person to fill the vacancy until a special election; and

**WHEREAS**, the City Commission finds that the process for the appointment to fill the District 4 commission vacancy as set forth herein is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:**

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**SECTION 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein and made a specific part of this Resolution.

**SECTION 2.** The City Commission of the City of Pembroke Pines, in accordance with Section 3.11(d) of the City Charter, hereby provides for the following process to fill the City Commission vacancy in District 4:

- a. Any person eligible under the City’s Charter to hold the office of Interim Commissioner for District 4 may apply.
- b. All applicants shall file the application for the interim Commissioner for District 4 provided by the City Clerk.
- c. All applications shall be submitted to the City Clerk.
- d. The schedule for the application process is as follows:
  - April 18-24, 2024: The vacancy shall be advertised and applications received by the City Clerk.
  - April 24, 2024: The deadline for the City Clerk to receive completed applications shall be 11:59.59 on the evening of April 24, 2024.
  - Commissioners may privately meet individually with applicants, at their sole discretion, at any time prior to the selection of the Interim Commissioner for District 4, subject to compliance with Florida’s Sunshine Law.
  - May 1, 2024: The May 1, 2024, City Commission meeting shall commence at 5:30 p.m., or earlier subject to the number of Applicants and as may be directed by the Mayor and City Commission. The first order of business will be the public interviews of applicants by the City Commission.

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- May 15, 2024: The City Commission shall make the appointment of the Interim Commissioner for District 4, and the person appointed by the City Commission shall be sworn in and take office.
- e. The City Commission selection process at the May 15, 2024, meeting shall be conducted through a progressive series of votes, as more particularly described at the April 17, 2024, City Commission meeting, wherein in each round the Commissioners shall vote for the designated number of applicants for that round. Should no applicant receive three (3) votes in a round, then in the next sequential round the Commissioners shall vote for one (1) less applicant. This process shall continue until an applicant receives three (3) votes. At any time an applicant receives three (3) votes, the voting shall cease and the person receiving the three (3) votes shall be appointed as the Interim Commissioner for District 4.
- f. Pursuant to Section 112.3145(2)(b), Florida Statutes, the person appointed as Interim Commissioner for District 4 shall file the Form 6 with the Florida Commission on Ethics and the City Clerk within thirty (30) days of the appointment.

**SECTION 3.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

**SECTION 4.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

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**SECTION 5.** This Resolution shall become effective upon its passage and adoption by the City Commission.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS 17TH DAY OF APRIL, 2024.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

BY:

MAYOR ANGELO CASTILLO

MARLENE GRAHAM, CITY CLERK

CASTILLO

AYE

GOOD

AYE

APPROVED AS TO FORM:

RODRIGUEZ

AYE

OFFICE OF THE CITY ATTORNEY

SCHWARTZ

AYE