



## Legislation Text

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**File #:** 2020-08, **Version:** 1

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MOTION TO PASS PROPOSED ORDINANCE 2020-08 ON FIRST READING.

PROPOSED ORDINANCE 2020-08 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF PEMBROKE PINES AT ARTICLE III, ENTITLED "LEGISLATURE," AND IN PARTICULAR AMENDING SECTION 3.11 ENTITLED "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES"; PROVIDING THAT THE QUALIFIED INDIVIDUAL APPOINTED TO FILL A COMMISSION VACANCY RESULTING FROM THE RESIGNATION OF A DISTRICT COMMISSIONER SHALL SERVE THE REMAINING BALANCE OF TERM OF THE DISTRICT COMMISSIONER WHOSE RESIGNATION CREATED THE VACANCY; PROVIDING THAT A DISTRICT COMMISSIONER WHO RESIGNS FROM THE CITY COMMISSION SHALL NOT BE ELIGIBLE TO BE APPOINTED TO FILL THE COMMISSION VACANCY RESULTING FROM SUCH RESIGNATION; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF PEMBROKE PINES, ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE ADVERTISING OF THE REFERENDUM ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

DATE OF SECOND AND FINAL READING TO BE DETERMINED.

### **SUMMARY EXPLANATION AND BACKGROUND:**

1. At the City Commission meeting on Wednesday, June 18, 2020, Commissioner Schwartz introduced an item for discussion and possible action to direct the City Attorney to draft an ordinance to be considered at the August 5, 2020 commission meeting. City Attorney clarified that an ordinance rather than a resolution would be required, and that the deadline for the submittal of a ballot access request for the November 3, 2020 election is July 17, 2020, much earlier than the August 5, 2020 Commission Meeting. Therefore a Special Meeting of the Commission would need to be called to address a proposed ordinance.

2. Therefore, the Commission authorized the City Attorney to draft Proposed Ordinance 2020-08.

3. A Special Meeting was scheduled for Monday, June 22, 2020 at 6:00 PM.

4. Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the City of Pembroke Pines, Florida, and as amended, provides that such an amendment may be submitted to a referendum vote by the City Commission of the City of Pembroke Pines, Florida, in an ordinance format.

5. The City Commission of the City of Pembroke Pines seeks to propose an amendment to Section 3.11 of the City Charter, whereby an individual appointed to fill a vacancy on the City Commission resulting from the resignation of a district commissioner shall serve the remaining balance of the resigning commissioner's term and that the resigning commissioner may not be appointed to fill such vacancy.

6. The City Commission deems the proposed amendment to the City Charter, as detailed in Proposed Ordinance 2020-08, to be in the best interests of the citizens and residents of the City.

**FINANCIAL IMPACT DETAIL: N/A**