



## Legislation Text

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**File #:** 2020-R-45, **Version:** 1

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### MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-45.

PROPOSED RESOLUTION 2020-R-45 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, OPPOSING PROPOSED COUNTY CHARTER AMENDMENT #2 ON THE NOVEMBER 3, 2020 BALLOT, WHICH WOULD ALLOW THE COUNTY TO SUPERSEDE CITY ZONING AND OTHER REGULATIONS FOR CERTAIN COUNTY PROJECTS WITHIN MUNICIPALITIES; DIRECTING THE CITY CLERK TO TRANSMIT AND DISTRIBUTE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

This item was introduced under the Reports of the League Representatives at the October 7, 2020 Commission Meeting.

The City Attorney clarified actions by governmental entities pursuant to Section 106.113 of the Florida Statutes pertaining to what local governments can and cannot do regarding spending public funds in communication efforts. Governmental entities may spend public money or resources to develop and disseminate purely factual information that does not "expressly advocate."

The Board of County Commissioners of Broward County has placed on the ballot for the November 3, 2020, general election a proposed County Charter Amendment #2, which would give Broward County the power to supersede municipal zoning and regulatory authority for projects on County property that are funded in whole or in part by transportation surtax funds, even when the project will be within municipal borders (the "Proposed Charter Amendment #2").

The City Commission believes that Broward County's Proposed Charter Amendment #2 would be an intrusion of municipal home rule power, and therefore, opposes the Proposed Charter Amendment #2.

The City Commission approved a motion to draft and adopt Proposed Ordinance 2020-R-45.

**Enactment No. 3720.**

**FINANCIAL IMPACT DETAIL:** None.