

ORDINANCE NO. 2024-105

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF CORAL SPRINGS AS A WHOLE TO REMOVE OR REPLACE OBSOLETE, SUPERSEDED, GENDER BIASED LANGUAGE, INEFFECTIVE LANGUAGE, AND/OR OTHER TECHNICAL ERRORS THAT ARE NON-SUBSTANTIVE; PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH LAW; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF CORAL SPRINGS AT THE NOVEMBER 2024 GENERAL ELECTION MUNICIPAL BALLOT AND SHALL BECOME EFFECTIVE AS PROVIDED FOR BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 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 Coral Springs; and

WHEREAS, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the City Commission of the City of Coral Springs, Florida, in ordinance format; and

WHEREAS, the City Commission, pursuant to Section 7.01 of the Charter of the City of Coral Springs created a Charter Review Committee to engage in a comprehensive review of the City Charter; and


WHEREAS, the Charter Review Committee completed its designated function and forwarded its recommendations to the City Commission; and

WHEREAS, the City Commission has publicly reviewed, considered, and directed that this Ordinance be prepared and that the appropriate Charter Referendum question be included herein and submitted to the qualified electors of the City of Coral Springs, Florida at the November, 2024 General Municipal Election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The provisions of the Charter of the City of Coral Springs identified below, shall be amended to be read as follows:

CERTIFICATION
I certify this to be a true and correct copy of the official record of the City of Coral Springs. WITNESSETH my hand and official seal of the City of Coral Springs, Florida, this the 7 day of MAY, 2024.

City Clerk

Section 1.03. Boundaries.

An official map of the City of Coral Springs denoting the official boundaries, present or as amended, shall be maintained by the eCity eClerk.

Section 2.01. Powers of the city.

The eCity shall have all the powers possible for a city to have under the Constitution and laws of this sState as fully and completely as though they were specifically enumerated in this Charter, in accordance with the provisions of the "Municipal Home Rule Powers Act," codified at Chapter 166, Florida Statutes, as the same now exists or as it may be amended from time to time, and with Article VIII, Section 2 of the Florida Constitution, entitled "Municipalities."

Section 2.02. Powers to be liberally construed.

The powers of the eCity under this Charter shall be construed liberally in favor of the eCity, and specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers stated in this aArticle.

Section 2.03. Intergovernmental relations.

The eCity may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof, or the United States or any agency thereof.

Section 3.01. City Commission.

The government of the City shall be vested in a City Commission consisting of five (5) members, who shall be elected from the eCity at large.

Section 3.02. Election and terms of office for Commissioners, Mayor and Vice-Mayor.

There shall be a general election in each even-numbered year on the second Tuesday of November, or such other date as may be set by general law, or as otherwise provided for hereinafter, for the purpose of electing members of the City Commission.

Candidates shall qualify for the office of Mayor, seat one (1); or Commissioner, seat two (2), seat three (3), seat four (4), or seat five (5).

The Mayor shall be elected for a two-year term of office. The two (2) remaining Commission seats shall each be elected for a four-year term.

The City Commission shall elect from among its members a Vice-Mayor. Election of the Vice-Mayor shall be accomplished annually at the first regularly scheduled meeting following a eCity election in which Commissioners have been elected. In non-election years the election of Vice-Mayor shall be accomplished at the second regularly scheduled Commission meeting held ~~on the third Wednesday of in~~ the month in which the eCity general election is held. The individual elected as Vice-Mayor may not serve more than two (2) consecutive terms in office as Vice-Mayor.

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Section 3.03. Vacancies.

(a) *Vacancies defined.* The office of a Commissioner shall become vacant upon death, resignation, removal from or forfeiture of office in any manner authorized to law, such vacancy or forfeiture to be declared by the remaining members of the Commission.

(b) *Forfeiture of office.* A Commissioner shall forfeit ~~his~~ their office if the Commissioner:

* * * *

(c) *Filling of vacancies by the City Commission.* A vacancy on the Commission shall be filled in one of the following ways:

(1) If there is less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the regular City election, the Commission by a majority vote of the remaining members may choose a successor to serve until a newly elected Commissioner is qualified. If two (2) years remain in the term of the vacant seat at the time of the next regular election, that seat shall be filled by election for the remaining two (2) years.

(2) If there is more than six (6) months remaining in the unexpired term and no regular eCity election is scheduled within six (6) months, the Commission may fill the vacancy on an interim basis and a majority of the remaining Commissioners shall then schedule a special election to be held not sooner than ninety (90) days following the occurrences of the vacancy.

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Section 3.04. Qualifications of commissioners.

(a) Each candidate for nomination and election as a member of the Commission shall:

(1) Be a duly qualified elector of the eCity, and

(2) Have resided in the eCity for the last past six (6) months immediately preceding the date of qualification.

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The eCommission shall keep a complete record of all its proceedings and a copy from such record, certified by the eCity eClerk, shall be competent evidence in all courts of this state.

The records of the eCommission proceedings shall be open to the public at all reasonable times under the supervision of the eCity eClerk.

Section 4.01. Qualifications of electors.

Any person who is a resident of the eCity, who has qualified as an elector of the state and who registers in the procedural manner prescribed by general law shall be an elector of the eCity.

Section 4.09. Oath of office.

All ~~elective officers~~ elected officials taking office, before starting their duties shall take and subscribe to the following oath of office:

"I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States and of the Charter of the City of Coral Springs; that I am duly qualified to hold office under the Constitution of the state and the Charter of the City of Coral

Springs and that I will well and faithfully perform the duties for _____ upon which I am now about to enter. So help me God."

If any ~~elective officer~~ elected official taking office fails to ~~qualify for~~ take the oath of office within thirty (30) days after election, the office shall be declared vacant and a successor appointed as this act provides. If any elective officer through illness or unavoidable absence cannot be present to take the oath of office the Commission may by a majority vote extend for a reasonable period of time within which the elective officer shall take office.

Section 5.03. Dismissal; reinstatement.

(a) *Procedure.* If the Commission dismisses the City Manager, the Commission shall, upon written request of the City Manager, set out the reasons for dismissal, and upon written demand of the discharged City Manager and within ten (10) days from such demand, hold a public hearing on such charges, at which hearing the dismissal shall be affirmed or reversed in the sole discretion of the Commission. The decision of the Commission at any such public hearing shall be final and conclusive and ~~no appeal shall lie therefrom~~ there shall be no right of appeal.

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Section 6.01. Oath.

Every officer of the eCity shall, before entering upon the duties of their office, take and subscribe to an oath or affirmation, to be filed in the office of the Commission, that the officer will support, protect and defend the Constitution and laws of the United States and of the State of Florida, and the Charter and all ordinances of the eCity, and in all respects faithfully discharge the duties of ~~his~~ their office.

Section 6.02. Bond of officers.

(a) Except in the case of officers whose bonds are specially provided for by this Charter, the Commission shall determine, by resolution, whether such officer, clerk or employee shall give bond and the amount of penalty thereof.

(b) All officers required to give bond, and all officers, clerks and employees of whom bond is required by the Commission, shall, before entering upon their respective duties, give bond with surety to be approved by the Commission, conditioned for the faithful performance of the duties of their respective offices, which bond, unless otherwise specially provided by this Charter, shall be payable to the eCity, and in such penalty as the Commission prescribes. The Commission shall accept as surety on any official bond only a good, solvent, surety company authorized to do business in the State of Florida.

(c) The premium on bonds shall be paid by the eCity, and filed with the City Clerk.

Section 6.03. Appointment; Charter officers.

The eCity eCommission shall appoint a eCity mManager and a eCity aAttorney and may appoint an iInternal aAuditor, except as provided in Article VII, who shall not be members of the eCity eCommission, and shall fix their compensation:

(a) A eCity mManager - the eCity mManager shall appoint all other employees and fix their compensation, except as otherwise provided in the Charter, subject to the eCity's annual budget.

(b) A eCity aAttorney - the eCity aAttorney shall be employed under terms and conditions deemed advisable by the eCity eCommission, which may include the appointment of a law firm. The eCity aAttorney shall have been admitted to practice in the State of Florida for five (5) years and having not less than two (2) years' experience in the practice of law for local government. The eCity aAttorney has sole discretion to appoint, promote, suspend, demote, remove, or terminate deputy and assistant city attorneys, subject to the eCity's annual budget.

(c) The City eCommission may appoint, at any time, an iInternal aAuditor. The iInternal aAuditor shall be an individual who is a licensed certified public accountant or a business entity consisting of licensed certified public accountants to advise the Commission on matters affecting municipal finance, other matters prescribed by general or special law, and as otherwise directed by the Commission. In each calendar year that an iInternal aAuditor is not appointed, the Commission shall evaluate whether or not to appoint an iInternal aAuditor no later than September 30 of that calendar year.

Section 6.05. Creation of additional boards, commissions, offices, departments.

The Commission may designate or create such other offices, departments, divisions, boards, or commissions, as necessary for the administration of the affairs of the eCity, and provide for the duties and powers of the officers and employees of such office, department, division, board or commission.

Section 6.07. Responsibility for records.

All books, records and documents used by any City officer or City employee in their office or pertaining to their duties shall be deemed the property of the eCity, and the chief officer in charge of such office shall be responsible therefor.

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Section 6.09. City Finance Director.

The City Manager shall appoint the eCity Finance Director. The Finance Director shall assist the City Manager in all financial matters and be the custodian of all ~~money~~ monetary assets of the eCity and shall keep it in the manner and place as determined by the Commission.

Section 6.11. Civil service.

The Commission may in its discretion establish a system of personnel administration, based on merit principles and scientific methods, governing the appointment, promotion, transfer, layoff, dismissal, suspension, removal and discipline of certain of its officers and employees, and other incidents of eCity employment; provided, however, that no ordinance establishing a civil service system for eCity employees shall become effective until approved at a referendum.

Section 7.01. Periodic review of Charter.

A. At its first regular meeting in March, 2013, and every tenth year thereafter, the Commission may appoint a Charter rReview eCommittee consisting of fifteen (15) individuals, who are not members of the Commission, to serve in an advisory capacity to the Commission. If established, Each Commission member shall recommend and nominate three (3) individuals to serve on the eCommittee as regular members, which appointments shall be approved by a majority vote of the Commission. Individuals appointed to the Charter rReview eCommittee

shall be citizens of the City of Coral Springs. The City Clerk and the City Attorney shall advise the Commission in advance of the date when such appointments may be made.

B. If appointed, the Charter ~~r~~Review eCommittee shall commence its proceedings within thirty (30) days after the eCommittee is appointed by the Commission. The eCommittee shall review the Charter and provide input to the Commission to modernize, and improve the Charter. The public shall be given an opportunity to speak and participate at Charter ~~r~~Review eCommittee meetings in accordance with the rules of the Charter ~~r~~Review eCommittee. All recommendations by the Charter ~~r~~Review eCommittee shall be forwarded to the Commission in ordinance form for consideration not later than March 1 of the year following the appointment of the Charter ~~r~~Review eCommittee and in time for any recommendations to be considered by the Commission as provided in subsection C below.

C. The Commission shall consider the recommendations of the Charter ~~r~~Review eCommittee at the second regular meeting in ~~November~~ March and the first regular meeting in ~~December~~ April of the year following appointment of the Charter ~~r~~Review eCommittee.

SECTION 3. The Ballot Title shall be as follows:

**REMOVAL OR REPLACEMENT OF OBSOLETE, SUPERSEDED
PROVISIONS, INEFFECTIVE LANGUAGE, AND OTHER NON-SUBSTANTIVE
TECHNICAL ERRORS**

SECTION 4. The following question shall be placed on the ballot for consideration by the qualified electors of the City of Coral Springs, Florida, at the November 5, 2024 General Municipal Election in Broward County, Florida. The election ballot question shall read as follows:

The current Charter has certain provisions that are obsolete, superseded, gender biased, contains ineffective language, and/or has other technical errors that are non-substantive. Should the Charter be amended to remove or replace obsolete provisions, superseded provisions, gender bias, ineffective language, and/or other technical errors that are non-substantive?

YES FOR APPROVAL ☐ NO FOR REJECTION ☐

SECTION 5. Advertisement. The City Clerk of the City of Coral Springs is hereby authorized and directed to advertise the referendum election contemplated herein in accordance with the Charter and Code of Ordinances of the City of Coral Springs, Florida, as well as the State of Florida Election Code.

SECTION 6. Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion thereof be held or declared by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall be considered as eliminated and shall not affect the validity of the remaining portions or applications of this ordinance.

SECTION 7. Codification. It is the intention of the City Commission of the City of Coral Springs that the provisions of this Ordinance shall become and made a part of the Charter of the City of Coral Springs, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section", "Article", or other word or phrase in order to accomplish such intention.

SECTION 8. Conflicts. That all Ordinances or parts of Ordinances, Resolutions, or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.


SECTION 9. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED ON FIRST READING THIS 20 DAY OF March, 2024.

PASSED ON SECOND READING THIS 3 DAY OF April, 2024.


SCOTT BROOK, Mayor

ATTEST:


GEORGIA ELLIOTT, CMC, City Clerk

Unanimous ☒
Motion /2nd

Yes No

—	—	MAYOR BROOK
—	—	VICE MAYOR CERRA
✓	—	COMMISSIONER CARTER
—	—	COMMISSIONER METAYER BOWEN
—	✓	COMMISSIONER SIMMONS

ABSENT

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