



ORDINANCE NO. 16-02-1325

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF NORTH LAUDERDALE AT ARTICLE 3, ENTITLED "LEGISLATIVE FORM OF GOVERNMENT," AND IN PARTICULAR AMENDING SECTION 3.2 ENTITLED "CITY COMMISSION; COMPOSITION; ELIGIBILITY; ELECTION AND TERM OF OFFICE"; PROVIDING FOR REDISTRICTING FOR THE CITY EVERY TEN (10) YEARS FOLLOWING THE CENSUS; PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE CODE OF ORDINANCES AND THE CHARTER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AS WELL AS THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF NORTH LAUDERDALE, ON THE NOVEMBER 2016 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

State of Florida
County of Broward
City of North Lauderdale

I hereby certify that this is a true and correct copy of
ORDINANCE # 16-02-1325
Witness my hand and the Official Seal of North Lauderdale
this 26 day of April, 2016.
Catrina Joreleri City Clerk

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 North Lauderdale, Florida; and

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

WHEREAS, the City Commission has recommended modifications to Article III, "Legislative Form of Government," and in particular has recommended the amendment of Section

3.2, "City Commission; Composition; Eligibility; Election and Term of Office" to provide for city-wide redistricting every ten (10) years; and

WHEREAS, the City Commission deems the proposed amendment to the City Charter, as detailed herein, to be in the best interests of the citizens and residents of the City.

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

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. Article III, entitled "Legislative Form of Government," shall be revised by amending Section 3.2 entitled "City Commission; Composition; Eligibility; Election and Term of Office" of the Charter of the City of North Lauderdale, as follows:

Section 3.2 City Commission; composition; eligibility; election; and-term of office; and redistricting

~~(e) Geographic boundaries shall be designated, prepared and identified not later than the first day of July, 2004, and every four (4) years thereafter by contract to the City of North Lauderdale with a four-year college or university or education research institution located within the State of Florida to be selected by the City Council [Commission] of the City of North Lauderdale, Florida. The election districts shall be of equal population, compact, proportional and logically related to the natural internal boundaries of the neighborhoods within the City. The principal of nondiscrimination and one man/one vote shall be adhered to strictly. In the event no candidate qualifies for election for any designated election district seats, then a special qualifying period shall be opened for five (5) calendar days after the close of the regular qualifying period and anyone from anywhere within the City may qualify for such seat. Thereafter, if no person qualifies for such seat, a vacancy shall be declared and filled in accordance with this Charter.~~

(e) Redistricting: Following the decennial census in 2020, and every ten (10) years thereafter, or sooner if it is determined by the Commission that districts shall have become unbalanced due to population shifts, the City Commission shall contract with an accredited four (4) year college or university located within the State of Florida for the purpose of identifying and designating the four (4) election districts within the City of North Lauderdale. The City Commission shall adopt the redistricting plan as designated, provided that the plan incorporates the principles of nondiscrimination and fairness. In the event an elected commission member no longer resides in the district from which he or she is elected as a direct result of the revisions to district boundaries in accordance with this section, that Commission member shall complete his or her term. Nothing contained within this section shall be construed to alter residence requirements for any candidate including incumbents, during subsequent regular elections. In the event no candidate qualifies for election for any designated election district seats, then a special qualifying period shall be opened for five (5) calendar days after the close of the regular qualifying period and anyone from anywhere within the City may qualify for such seat. Thereafter, if no person qualifies for such seat, a vacancy shall be declared and filled in accordance with this Charter.

Section 3. The Ballot Title shall be as follows:

TIMEFRAME FOR REDISTRICTING THE CITY OF NORTH LAUDERDALE

Section 4. At the General Municipal Election on November 8, 2016, the following question shall be placed on the ballot for consideration by the qualified electors of the City of North Lauderdale, Florida, and shall read as follows:

The City Charter currently requires the City to redistrict every four (4) years. In an effort to remain consistent with state and federal voting district boundaries, should the Charter be amended to require the City to conduct a redistricting analysis and provide for redistricting every 10 years following the decennial census, or sooner, if mandated by law?

This proposed Charter amendment will have no financial impact to the City.

YES NO

Section 5. **Advertisement.** The City Clerk of the City of North Lauderdale is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the Code of Ordinances of the City of North Lauderdale, Florida, as well as the State of Florida Election Code.

Section 6. **Codification.** It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 7. **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 8. **Conflicts.** All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 9. **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida the 9th day of February, 2016.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida this 23 day of February, 2016.

APPROVED AS TO FORM:

Samuel Goren, 2/23/16
CITY ATTORNEY SAMUEL GOREN

Jack Brady
MAYOR JACK BRADY

David G. Hilton
VICE MAYOR DAVID G. HILTON

ATTEST:

Patricia Vancheri
PATRICIA VANCHERI, CITY CLERK

