

RESOLUTION NO. 2023 – 022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REQUESTING THAT THE MAYOR AND THE TOWN CLERK THROUGH THIS RESOLUTION AUTHENTICATE THE ELECTORATE’S APPROVAL OF THREE CHARTER AMENDMENTS; DIRECTING THE TOWN CLERK TO INCORPORATE THE APPROVED CHARTER AMENDMENTS INTO THE TOWN’S CHARTER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 8, 2022, the Town’s electorate approved three amendments to the Town’s Charter; and

WHEREAS, pursuant to Section 4.07(a) of the Town’s Charter the Mayor and the Town Clerk must authenticate the Charter Amendments to reflect the approval of the electorate; and

WHEREAS, this Resolution is necessary to document the authentication of the Charter Amendments.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1. The above referenced recitals are true and correct and are incorporated herein by reference.

Section 2. The Broward County Supervisor of Elections will certify the results of the November 8, 2022, election, as follows:

SOUTHWEST RANCHES AMENDMENT # 1		
TOWN MAYOR RESIDENCY REQUIRMENT		
YES/SI/WI	2,941	88.34%
NO/NO/NON	388	11.66%

SOUTHWEST RANCHES AMENDMENT # 2		
FILLING COUNCIL VACANCIES		
YES/SI/WI	2,759	85.15%
NO/NO/NON	481	14.85%

SOUTHWEST RANCHES AMENDMENT # 3
 APPOINTMENT OF THE CHARTER REVIEW COMMITTEE
 YES/SI/WI 2,276 71.06%
 NO/NO/NON 927 28.94%

Section 3. The Mayor and the Town Clerk are hereby requested to authenticate the electorate’s approval of amending the following sections of the Town’s Charter as follows:

1. Section 2.04 (a) – Mayor Election Criteria.

(a) *Mayor.* The Mayor shall be elected at large for a 4-year term by the electors of the Town in the manner provided in Article VI. The Mayor shall remain in office until his or her successor is elected and assumes the duties of the position. The Mayor must be a resident of the Town for at least four (4) years preceding the election.

2. Section 2.06 (c) – Filling of vacancies.

(b) *Filling of vacancies.* A vacancy on the Council shall be filled as follows:

(1) The Town Council shall appoint a qualified elector to fill the vacancy within (120) one hundred-twenty days by majority vote. The appointed Council Member shall remain in office until the next general election, where an election will take place to either finish the unexpired portion of the original term, or commence a new term. In the event that a majority vote cannot be obtained within the one hundred-twenty (120) days, . The appointed Council Member shall remain in office until the next general election, where an election will take place to either finish the unexpired portion of the original term, or commence a new term. a special election will be held as soon as can be effectuated by the Supervisor of Elections, to complete the unexpired term.

(2) In the case of the Mayor, the Vice Mayor shall fill the vacancy and shall become the Acting Mayor until the next regularly scheduled election, where an election will take place to either finish the unexpired portion of the Mayor’s original term or commence a new term. A new Vice Mayor will be selected at the next Town Council Meeting. The Acting Mayor may run for such election or, upon

certification of the election results, shall resume that Council Member's original District Seat. In the event that the Acting Mayor's District Seat is up for election, the Acting Mayor may run for such election, and upon certification of the election results, shall no longer be Acting Mayor.

- ~~(1) If less than 1 year remains in the unexpired term, the vacancy shall be filled by the Council within 30 days.~~
- ~~(2) If 1 year or more remains in the unexpired term, the vacancy shall be filled by a special election to be held not sooner than 60 days or more than 120 days following the occurrence of the vacancy.~~
- ~~(3) Persons filling vacancies shall meet the qualifications specified in this Article.~~
- ~~(4) If no candidate for a vacancy meets the qualifications under this Article for that vacancy, the Council shall appoint a person qualified under this Article to fill the vacancy.~~
- ~~(5) Notwithstanding any quorum requirements established herein, if at any time the full membership of the Council is reduced to less than a quorum, the remaining members may, by majority vote, appoint additional members to the extent otherwise permitted or required under this subsection.~~
- ~~(6) In the event that all the members of the Council are removed by death, disability, recall, forfeiture of office, or resignation, or any combination thereof, the Governor shall appoint interim Council members who shall call a special election within not less than 60 days or more than 120 days after such appointment. Such election shall be held in the same manner as the initial elections under this Charter. However, if there are less than 6 months remaining in the unexpired terms, the interim Council appointed by the Governor shall serve out the unexpired terms. Appointees must meet all requirements for candidates provided for in this Article.~~
- ~~(7) In the event that the Council is required to fill the vacancy, within seven (7) days of the vacancy the Town shall publish notice to seek interested qualified candidates to fill the vacancy, who must respond to the notice within fifteen (15) days of publication. The Council shall~~

~~select a candidate to fill the vacancy from the interested-qualified candidate list within fifteen (15) days thereafter.~~

3. Section 7.03 – Appointment of Charter Review Committee.

The Council shall appoint a Charter Review Committee once every ten (10) years following the publication of the census, which shall contain at least five registered electors who are residents of the Town and whose responsibilities shall include the review and analysis of the Charter and recommendations to the Council of proposed Charter amendments, including, without limitation, issues such as District voting versus town-wide elections for Council members. All recommendations of the Charter Review Committee shall be considered by the Council ~~at least once every 4 years~~, and the Council may by ordinance propose amendments to this Charter upon recommendation of the Charter Review Committee. Upon passage of the initiating ordinance, the Council shall submit the proposed amendment to a vote of the electors of the Town at the next general election held within the Town or at a special election called for such purpose.

Section 4. The Town Clerk is hereby directed to incorporate the approved Charter Amendments into the Town's Charter.

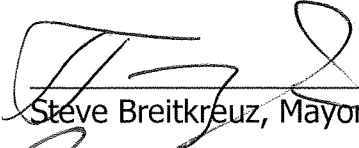
Section 5. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 8TH day of December, 2022 on a motion by

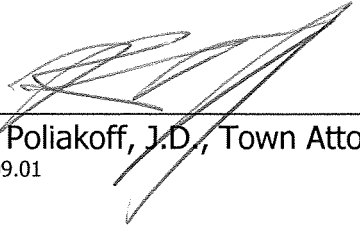
Jim Jablonski and seconded by Chm Hartmann.

Breitkreuz	<u>YES</u>	Ayes	<u>5</u>
Allbritton	<u>YES</u>	Nays	<u>0</u>
Hartmann	<u>YES</u>	Absent	<u>0</u>
Jablonski	<u>YES</u>	Abstaining	<u>0</u>
Kuczenski	<u>YES</u>		


Steve Breitkreuz, Mayor

ATTEST: 
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, J.D., Town Attorney
1001.209.01