

ORDINANCE NO. 2003-11

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DIRECTING THE TOWN ADMINISTRATOR AND THE TOWN ATTORNEY TO PREPARE A REFERENDUM PROPOSING AMENDMENTS TO THE TOWN'S CHARTER, AS DELINEATED IN EXHIBIT "A" ATTACHED; ALONG WITH THE PROPOSED BALLOT QUESTIONS, AS DELINEATED IN EXHIBIT "B" ATTACHED, DIRECTING THE TOWN ADMINISTRATOR TO REQUEST A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2003, TO ALLOW THE TOWN'S ELECTORATE TO DETERMINE IF THE CHARTER SHOULD BE AMENDED; DIRECTING THE TOWN CLERK TO PROVIDE PROPER NOTICE FOR THE ELECTION; AUTHORIZING THE USE OF PAPER BALLOTS; AUTHORIZING THE USE OF MAIL BALLOTS IN LIEU OF VOTING AT PRECINCTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 7.02 (a) (1) of the Charter of the Town of Southwest Ranches provides that the Town Council may by Ordinance propose amendments to the Town's Charter; and

WHEREAS, upon passage of the initiating ordinance the proposed amendments shall be submitted to a vote of the electors at the next general election or at a special election; and

WHEREAS, on January 10, 2002, the Town Council adopted Resolution 2002-25, creating the Charter Review Advisory Committee; and

WHEREAS, on June 27, 2003, the Charter Review Advisory Committee submitted a report containing recommendations for Charter amendments; and

WHEREAS, the Town Council has reviewed the recommendations of the Charter Review Advisory Committee; and

WHEREAS, the Town Council has made modifications to the recommendations and has provided direction to the Town Administrator and the Town Attorney for development of a referendum to propose the Charter amendments; and

WHEREAS, the Town Council has authorized the Town Administrator to seek approval from the Supervisor of Elections to hold a special election on November 4, 2003, to allow the Town's electorate to determine if the Charter should be amended; and

WHEREAS, Section 101. 5640 of the Florida Statutes requires that counties use an electronic or electromechanical precinct tabulation voting system, but does not require municipalities to use this type of voting system; and

WHEREAS, Section 100.3605(1) of the Florida Statutes permits a municipality to authorize the use of paper ballots if permitted via an ordinance; and

WHEREAS, the use of a paper ballot and the possible use of a mail in ballot pursuant to Section 101.6102, Florida Statutes, will substantially reduce the Town's election costs;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: The Town Council hereby directs the Town Administrator and Town Attorney to prepare a referendum proposing amendments to the Town's Charter, as set forth in Exhibit "A" attached, and in accordance with the Ballot Questions contained in Exhibit "B", attached hereto, with such changes as may be required by the Supervisor of Elections' Office to effectuate the intent of this Ordinance.

Section 3: The Town Council hereby directs the Town Administrator to seek approval from the Supervisor of Elections to hold a special election on November 4, 2003, at the Town's sole expense, to allow the Town's electorate to determine if the Charter should be amended.

Section 4: The Town Council hereby directs the Town Clerk to provide proper notice for the proposed referendum and the election and to coordinate with the Supervisor of Elections to have the referendum placed on the ballot.

Section 5: Pursuant to Section 100.3605(1), Florida Statutes, the Town hereby permits the use of paper ballots to be utilized in lieu of an electronic or electromechanical precinct tabulation voting system.

Section 6: If acceptable to the Supervisor of Elections pursuant to Section 101.6102, Florida Statutes, in an effort to substantially reduce election costs, the Town hereby approves for Charter Amendment referendums the use of mail in ballots in lieu of polling places and voting precincts.

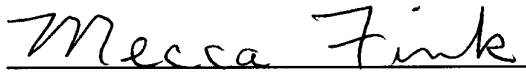
Section 7: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 8: Severability. If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property or circumstance.

Section 9: Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 12th day of August, 2003.

PASSED AND ADOPTED ON SECOND READING this 18th day of August, 2003.



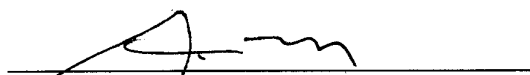
Mecca Fink, Mayor

Attest:



Arielle Haze Tynor, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
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EXHIBIT A

**TOWN OF SOUTHWEST RANCHES
PROPOSED CHARTER AMENDMENTS
FOR REFERENDUM IN NOVEMBER 2003**

NOTE: NEW WORDS INSERTED IN THE TEXT ARE UNDERLINED AND WORDS DELETED ARE LINED THROUGH WITH HYPHENS.

1. Section 2.03. Vice Mayor

The Vice Mayor shall act as Mayor in the absence of the Mayor. The Vice Mayor shall be selected from among council members for a period of 2 1 years by a majority of the Council at the first meeting of the Council after each election. in March of each year. ~~No Council member shall serve consecutive terms as Vice Mayor unless no other Council member is willing to serve as Vice Mayor.~~

2. At Large Election of Mayor and Members of the Town Council.

~~**Section 2.04. Election and terms of office.**~~

~~(a) — MAYOR. Except as provided in Section 9.03(e), 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.~~

~~(b) — TOWN COUNCIL. Except as provided in Section 9.03(e), each Council member other than 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. Subsequent to the decennial census of 2000, but at least 6 months before the qualifying period for the municipal election of 2002, the Council shall divide the Town into four residential districts which shall be as nearly equal in population as practicable. The Council shall designate each of the districts one of the numbers 1 through 4. Each seat number shall correspond with a residential district number. Beginning with the municipal election of 2002, and for each election thereafter, the four members of the Council other than the Mayor must be electors of the Town and residents of the particular residential district on the date on which they qualify for election. Council members in office who are removed from their district as a result of the redistricting subsequent to the decennial census of 2000, or after a subsequent decennial census, may serve out the balance of their terms. Each Council member shall remain in office until his or her successor is elected and assumes the duties of the position.~~

Section 6.01. Elections

~~(d) GENERAL ELECTION. The ballot for the general election shall contain the names of all qualified candidates for Mayor if the Mayor's term is expiring and for each of the two Council seats which are to be filled at the election as a result of two Council members' terms expiring, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each designated residential Council seat to be filled at that election. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidate receiving the most votes in each designated residential Council seat, respectively, shall be the duly elected Council member for that designated residential Council seat.~~

Section 2.04. Election and term of office.

(a) ELECTION AND TERM OF OFFICE. Each Council member and the Mayor shall be elected at large for 4-year terms by the electors of the Town in the manner provided in Article VI. Each Council member and the Mayor shall remain in office until his or her successor is elected and assumes the duties of the position.

(b) DESIGNATED SEATS. The Town Council shall be divided into the four existing seats, designated 1, 2, 3, and 4, to be voted on town-wide, with each qualified elector entitled to vote for one candidate for each seat. Qualified candidates may run for any council seat regardless of where they reside within the Town.

Section 6.01. Elections.

(d) GENERAL ELECTION. – The ballot for the general election shall contain the names of all qualified candidates for Mayor, if the Mayor's term is expiring, and for the two Council seats which are to be filled at that election as a result of two Council members' terms expiring, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each Council seat, with a maximum of one vote per candidate. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidate receiving the most votes in each designated Council seat, respectively, shall be the duly elected Council member for that designated Council seat. In the event of a tie vote, the tie shall be resolved in accordance with the Town's Election Ordinance, or in the absence of an Election Ordinance, Florida law.

3. **Section 2.06 Vacancies; forfeiture of office; filling of vacancies.**

Section 2.06(c)(2)

(2) If 1 year or more remains in the unexpired term, the vacancy shall be filled by special election to be held not sooner than ~~30~~60 days or more than ~~60~~120 days following the occurrence of the vacancy.

AND

Section 2.06(6)

(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 ~~30~~60 days or more than ~~60~~120 days after such appointment. Such election shall be held in the same manner as the initial election 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.

4. Section 2.07. Compensation; reimbursement for expenses.

2.07(a) The Council members shall be compensated at the rate of ~~\$300~~450 per month. The Mayor shall be compensated at the rate of ~~\$400~~600 per month. The Mayor and Council shall receive reimbursement in accordance with applicable laws, or as may be otherwise provided by ordinance, for authorized travel and per diem expenses incurred in the performance of their official duties.

5. Section 2.08. Rules of procedure.

The Council shall determine its own rules of procedure. Provided, however, in the absence of same, Roberts Rules of Order, latest edition, shall control.

6. Section 3.04. Absence or disability of Administrator.

To perform his or her duties during his or her temporary absence or disability, the Administrator may designate, by letter filed with the Town Clerk, an qualified Interim Town Administrator. ~~administrative officer of the Town.~~ In the event of failure or inability of the Administrator to make such designation, or should the person so designated by the Town Administrator be unsatisfactory to the Council, the Council may by resolution appoint an ~~officer of the Town~~ Interim Town Administrator to perform the duties of the Administrator until he or she shall return or his or her disability shall cease.

Section 3.05. Bond of Administrator.

The Administrator and, where applicable, an Interim Town Administrator, shall furnish a surety bond to be approved by the Council, and in such amount as the Council may fix, said bond to be conditioned on the faithful performance of his or her duties. The premium of the bond shall be paid by the Town.

7. **Section 3.06. Town Clerk**

The Administrator shall appoint a Town Clerk ~~or management firm to serve as~~ ~~Town Clerk~~ (the "Clerk"). The Clerk shall give notice of Council meetings to its members and the public, shall keep minutes of its proceedings, and shall perform such other duties as the Council or Administrator may prescribe from time to time. The Clerk shall report to the Administrator.

(Laws of Fla., ch. 2000-475, § 1)

8. **Section 3.08. Powers and duties of the Town Attorney.**

~~(e) — When so requested, furnish the Mayor, Council, or Administrator his or her opinion on any question of law involving respective powers and duties of the Mayor, Council or Administrator.~~

(e) When requested by the Mayor, Town Council, a member of the Town Council, or the Town Administrator, provide legal counsel on matters pertaining to powers and duties of the Mayor, Town Council, a member of the Town Council or the Town Administrator, or other matters relevant to the Town. The Town Council may, by Ordinance, establish the parameters under which a the Mayor, Town Council, a member of the Town Council or the Town Administrator can seek advice from the Town Attorney.

9. **Section 4.01. Council meeting procedure.**

The Council shall hold at least 11 monthly meetings in each fiscal year at such times and places as the Council may prescribe by rule. No meeting shall extend beyond 11 p.m. local time. Notwithstanding the aforesaid, the Council may conclude debate and voting on any agenda item under consideration at 11 p.m. An item tabled during the normal course of business is not deemed to be an item being debated and, accordingly, cannot be considered after 11:00 p.m. Notwithstanding the aforesaid, any item which is on the agenda, including tabled items, can be considered and voted on after 11:00 p.m., provided that prior to 11:00 p.m., a motion is made and carried by the unanimous vote of the Town Council, present and voting, to take up an item(s) after 11:00 p.m. Special meetings may be held on the call of the Mayor or upon the call of three members of the Council, and upon no less than 24 hours notice to each member of the public, or shorter time as a majority of the Council shall deem necessary in case of an emergency affecting life, health, property, or the public peace.

10. **Section 5.01. Quasi-judicial meeting procedures.**

All land use and quasi-judicial items relating to land use and zoning, require four affirmative votes of the Council. Any four members of the Council shall constitute a quorum for land use and quasi-judicial items. All voting shall be by roll call.

11. ARTICLE IX. TRANSITION PROVISIONS

~~Section 9.01. Referendum for incorporation~~

~~Upon approval by an affirmative vote of the voters voting in the referendum as provided in chapter 97 371, Laws of Florida, voting for incorporation in the election of March 14, 2000, a referendum election called for by this act shall be called by the Board of County Commissioners of Broward County for June 6, 2000, at which time the following question shall be placed upon the ballot in Precincts 47Z, 48Z, and 74Z (or any future restructuring or renumbering of said precincts of the geographical area described in Section 1.03, as may be determined by the Broward County Supervisor of Elections:~~

~~INCORPORATION OF THE TOWN OF SOUTHWEST RANCHES~~

Select one below:

~~The charter of the Town of Southwest Ranches shall provide for incorporation, municipal powers, and a Town Council Administrator form of government and shall provide for election of the Mayor and the other members of the Town Council at large.~~

~~The charter of the Town of Southwest Ranches shall provide for incorporation, municipal powers, and a Town Council Administrator form of government and shall provide, beginning with the municipal election of 2002, that the Mayor and each other member of the Town Council shall be elected at large, but, other than the Mayor, each Council member must reside within one of four separate residential districts.~~

~~In the event that the second choice of the ballot proposition provided for in this section receives the majority of the votes cast in the referendum called for in this section, the provisions of Section 2.04 and Section 6.01(d) of the Charter shall instead read as follows:~~

~~Section 2.04 Election and terms of office.~~

~~(a) MAYOR. Except as provided in Section 9.03(c), 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.~~

~~(b) TOWN COUNCIL. Except as provided in Section 9.03(c), each Council member other than 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. Subsequent to the decennial census of 2000, but at least 6 months before the qualifying period for the municipal election of 2002, the Council shall divide the Town into four~~

~~residential districts which shall be as nearly equal in population as practicable. The Council shall designate each of the districts one of the numbers 1 through 4. Each seat number shall correspond with a residential district number. Beginning with the municipal election of 2002, and for each election thereafter, the four members of the Council other than the Mayor must be electors of the Town and residents of the particular residential district on the date on which they qualify for election. Council members in office who are removed from their district as a result of the redistricting subsequent to the decennial census of 2000, or after a subsequent decennial census, may serve out the balance of their terms. Each Council member shall remain in office until his or her successor is elected and assumes the duties of the position.~~

~~Section 6.01 Elections.~~

~~(d) GENERAL ELECTION. The ballot for the general election shall contain the names of all qualified candidates for Mayor if the Mayor's term is expiring and for each of the two Council seats which are to be filled at that election as a result of two Council members' terms expiring, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each designated residential Council seat to be filled at that election. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidate receiving the most votes in each designated residential Council seat, respectively, shall be the duly elected Council member for that designated residential Council seat.~~

(Laws of Fla., ch. 2000-475, § 1)

Editor's note—Since the town did vote in the affirmative to have the mayor elected at large, and the council members reside in their respective districts, §2.04 and §6.01(d) reflect the language set forth in §9.01.

Section 9.0201. Creation and establishment of Town.

For the purpose of compliance with Florida Statutes relating to assessment and collection of ad valorem taxes, the Town is hereby created and established effective June 6, 2000. (Laws of Fla., ch. 2000-475, § 1).

~~Section 9.03. Initial election of Council members; dates; qualifying period; certification of election results; induction into office.~~

~~(a) DATES. Following the adoption of this Charter in accordance with Section 9.01, a special election for the election of the Mayor and four Council members shall be held on July 25, 2000.~~

~~(b) QUALIFYING PERIOD. Any individual wishing to run for Mayor or one of the four Council seats shall qualify as a candidate with the Broward County Supervisor of Elections between June 8, 2000, and June 23, 2000, in accordance with the provisions of this Charter and general law.~~

~~(e) CERTIFICATION OF ELECTION RESULTS. For the initial election, a canvassing board shall be appointed by the Board of County Commissioners of Broward County to certify the results of the election. At the first election under this Charter, the four candidates for Council member receiving the highest number of votes shall be elected. At such initial election, seats shall not be designated. Of the elected candidates, the two receiving the greatest number of votes shall serve until their successors are elected in March 2004 and assume the duties of the office, and the remaining two shall serve until their successors are elected in March 2002 and assume the duties of the office. The candidate receiving the highest number of votes shall occupy seat 1, the candidate receiving the second highest number shall occupy seat 2; the candidate receiving the third highest number shall occupy seat 3; and the candidate receiving the fourth highest number shall occupy seat 4. Thereafter, all Council members shall be elected for 4 year terms. The mayoral candidate receiving the highest number of votes shall be elected. The Mayor shall be elected at the first election to serve until his or her successor is elected in March 2004 and assumes the duties of the office, and for a 4 year term at all subsequent elections.~~

~~(d) INDUCTION INTO OFFICE. Those candidates who are elected on July 25, 2000, shall take office at the initial Council meeting, which shall be held at 7:30 p.m. on August 8, 2000, at a place to be designated by the Mayor. (Laws of Fla. ch. 2000-475, § 1).~~

Section 9.0402. Temporary nature of Article.

The following sections of this Article are inserted solely for the purpose of effecting the incorporation of the Town and the transition to a new municipal government. Each section of this Article shall automatically, and without further vote or act of the electors of the Town, become ineffective and no longer a part of this Charter at such time as the implementation of such section has been accomplished.

(Laws of Fla., ch. 2000-475, § 1)

Section 9.0503. Interim adoption of codes and ordinances.

Until otherwise modified or replaced by this Charter or the Council, all codes, ordinances, and resolutions of Broward County, Florida, in effect on the day of adoption of this Charter shall, to the extent applicable to the Town, remain in force and effect as municipal codes, ordinances, and resolutions of the Town. Until otherwise determined by the Council, said codes, ordinances, and resolutions shall be applied, interpreted, and implemented by the Town in a manner consistent with established policies of Broward County on the date of this Charter.

(Laws of Fla., ch. 2000-475, § 1)

Section 9.06.04. Taxes and fees.

Until otherwise modified by the Council, all municipal taxes and fees imposed within the Town boundaries by the County as the municipal government for unincorporated Broward County, which taxes and fees are in effect on the date of adoption of this Charter, shall continue at the same rate and on the same conditions as if those taxes and fees had been adopted and assessed by the Town.
(Laws of Fla., ch. 2000-475, § 1)

~~Section 9.07. First year expenses.~~

~~The Council, in order to provide moneys for the expenses and support of the Town, shall have the power to borrow money necessary for the operation of Town government until such time as a budget is adopted and revenues are raised in accordance with the provisions of this Charter.
(Laws of Fla., ch. 2000-475, § 1)~~

~~Section 9.08. Transitional ordinances and resolutions.~~

~~The Council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first Council meeting may be passed as emergency ordinances. These transitional ordinances shall be effective for no longer than 90 days after adoption, and thereafter may be readopted, renewed, or otherwise continued only in the manner normally prescribed for ordinances.
(Laws of Fla., ch. 2000-475, § 1)~~

Section 9.0905. State shared revenues.

The Town shall be entitled to participate in all shared revenue programs of the State, effective immediately on the date of incorporation. The provisions of section 218.23, Florida Statutes, shall be waived for the purpose of eligibility to receive revenue sharing from the date of incorporation through the end of the State fiscal year 2001-2002. The provisions of section 218.26(3), Florida Statutes, shall be waived for the fiscal year 2001-2002, and the apportionment factors for the municipalities and counties shall be recalculated pursuant to section 218.245, Florida Statutes. The initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research as of the effective date of this Charter. Should the bureau be unable to provide an appropriate population estimate, the initial population for calculating eligibility for shared revenues shall be established at the level of 9,000.
(Laws of Fla., ch. 2000-475, § 1)

Section 9.1006. Gas tax revenues.

Notwithstanding the requirements of section 336.025, Florida Statutes, to the contrary, the Town shall be entitled to receive local option gas tax revenues beginning October 1, 2000. These revenues shall be distributed in accordance with the interlocal agreement with Broward County.
(Laws of Fla., ch. 2000-475, § 1)

Section 9.1107. Shared revenues.

Broward County shall distribute to the Town, from taxes, franchise fees, and ad valorem taxes, revenues collected within the municipal boundaries of the Town. This calculation shall be based upon a population projection of 9,000 in anticipation of the year 2000 census.
(Laws of Fla., ch. 2000-475, § 1)

Section 9.1208. Conflicting provisions.

This act shall take precedence over any other prior enacted law.
(Laws of Fla., ch. 2000-475, § 1)

EXHIBIT B

**SAMPLE BALLOT
MUNICIPAL SPECIAL ELECTION
NOVEMBER 4, 2003**

**OFFICIAL MUNICIPAL SPECIAL ELECTION
BROWARD COUNTY, FLORIDA
NOVEMBER 4, 2003**

**SOUTHWEST RANCHES
ADJUSTMENT TO THE TERM OF VICE MAYOR**

The current Town Charter provides that the Vice Mayor shall be elected by the Council Members and shall serve for a term of two years. The proposed amendment would change the term to one year and would provide that no Council Member shall serve consecutive terms as Vice Mayor unless no other Council Member is willing to serve as Vice Mayor.

Shall the above-described amendment be adopted?

YES
NO

**SOUTHWEST RANCHES
DELETING RESIDENTIAL DISTRICT SEATS**

The current Town Charter provides for four designated residential district seats, which are elected at large. Candidates must currently run for the district seat where they reside. The proposed amendment would eliminate residential districts and would allow candidates to run for any open seat regardless of where they reside within the Town.

Shall the above-described amendment be adopted?

YES
NO

**SOUTHWEST RANCHES
VACANCIES ON THE COUNCIL**

The current Town Charter provides that in the event of a vacancy a special election shall be held no sooner than 30 days, nor more than 60 days, following the occurrence of the vacancy. The proposed amendment extends the time of the special election by no sooner than 60 days nor more than 120 days following the occurrence of the vacancy.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
ADJUSTMENT IN SALARY OF ELECTED OFFICIALS

The current Town Charter provides that all Council Members shall be compensated at the rate of \$300 per month and the Mayor shall be compensated at the rate of \$400 per month. The proposed amendment would provide for the amounts to be increased to \$450 a month for Council Members and \$600 per month for the Mayor.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
RULES OF PROCEDURE

The current Town Charter provides that the Town Council shall determine its own rules of procedure. The proposed amendment would provide that in the absence of any rules of procedure, *Roberts Rules of Order*, latest edition, shall control.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
ABSENCE OR DISABILITY OF THE TOWN ADMINISTRATOR

The current Town Charter provides that the Town Administrator or the Town Council may designate a qualified administrative officer in the absence or disability of the Town Administrator. The proposed amendment would designate this individual as the Interim Town Administrator and would require the Interim Town Administrator to furnish a surety bond.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
TOWN CLERK AS MANAGEMENT FIRM

The current Town Charter specifically provides that the Town Clerk may be a management firm. The proposed amendment would remove this superfluous language and would bring this section into conformity with the Charter provision relating to the Town Administrator.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
ADJUSTMENT TO WHO CAN REQUEST THE TOWN ATTORNEY'S LEGAL ADVICE

The current Town Charter authorizes the Town Attorney to furnish the Mayor, Council, or Administrator with opinions on any question of law involving powers and duties of the Mayor, Council, or Administrator. The proposed amendment seeks to clarify this language and authorizes each Member of the Town Council and the Administrator to seek legal advice from the Town Attorney and authorizes the Town to adopt an Ordinance to set the parameters for obtaining legal advice.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
ADJUSTMENT TO COUNCIL MEETING PROCEDURES

The current Town Charter provides that no Council meeting shall extend beyond 11:00 p.m., unless an item is currently under discussion. The proposed amendment authorizes items to be heard past 11:00 p.m., if prior to 11:00 p.m., the presiding Town Council unanimously votes to hear the item beyond 11:00 p.m.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
ADJUSTMENT TO QUASI-JUDICIAL MEETING PROCEDURES

The current Town Charter provides that all quasi-judicial items relating to land use and zoning require four affirmative votes of the Council. Since land use decisions are not deemed to be quasi-judicial, the proposed amendment seeks to clarify that all land use decisions also require four affirmative votes of the Council.

Shall the above-described amendment be adopted?

YES
NO

SOUTHWEST RANCHES
DELETION OF TRANSITION PROVISIONS

The current Town Charter provides for the incorporation of the Town, the formation of the Town Council, the initial elections, the first Council's induction, startup funds, and transition requirements. Since the Town has already been incorporated, the proposed amendment seeks to remove the superfluous language from the Charter.

Shall the above-described amendment be adopted?

YES

NO