

By Representative Ritter

1 A bill to be entitled
2 An act relating to Broward County; providing
3 for extending the corporate limits of the Town
4 of Pembroke Park; providing for annexation of
5 unincorporated areas within Broward County;
6 providing for revision of the Charter of the
7 Town of Pembroke Park; providing for a
8 referendum; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. (1) South Central Broward as herein
13 described shall include all unincorporated lands bounded on
14 the south by the boundary of Broward County with Dade County,
15 on the east by the right-of-way forming a part of I-95, on the
16 north by the inclusion of all the rights-of-way of Pembroke
17 Road, and on the west by the inclusion of all of the
18 right-of-way of State Road 7.

19 (2) Carver Ranches as herein described shall include
20 the unincorporated area bounded on the north by Pembroke Road
21 starting at 40th Avenue going west to 58th Avenue, then south
22 to 23rd Street, then east to 56th Avenue; then south to
23 Hallandale Beach Boulevard; then east to 38th Avenue; then
24 north to 25th Street; then west to 40th Avenue and then north
25 to Pembroke Road.

26 (3) Miami Gardens and Utopia as herein described shall
27 include the unincorporated area bounded on the north by
28 Pembroke Road starting at 58th Avenue; then west to State Road
29 441; then south to the Miami Dade County Line; then east to
30 56th Avenue; then north to 38th Court; then east to 54th
31 Avenue; then north to 36th Court; then west to 56th Avenue;

1 then north to Hallandale Beach Boulevard; then east to 53rd
2 Avenue; then north to 25th Court; then west to 56th Avenue;
3 then north to 25th Court; then west to 58th Avenue; then north
4 to Pembroke Road.

5 (4) Lake Forest as herein described shall include the
6 unincorporated area within the following boundaries: on the
7 north by Hallandale Beach Boulevard; on the west by 48th
8 Avenue; on the South by County Line Road; and on the east by
9 32nd Avenue.

10 Section 2. A special election shall be scheduled by
11 the Board of County Commissioners of Broward County in
12 accordance with the provisions of law relating to elections
13 currently in force in Broward County on November 6, 2001. Only
14 registered voters residing in the unincorporated area within
15 South Central Broward County as described in this act may vote
16 in said election. A mail ballot shall not be used in said
17 election. The item that shall appear on the ballot of the
18 special election of November 6, 2001, shall be as follows:

19
20 Shall all of South Central Broward be annexed
21 into Pembroke Park in 2002 or in phases

22
23 Select one below:

24
25 All of the unincorporated areas of South
26 Central Broward shall be annexed into Pembroke
27 Park effective September 15, 2002.

28
29 The unincorporated areas of South Central
30 Broward shall become a part of Pembroke Park as
31 follows:

1
2 (a) Carver Ranches - September 15, 2002.
3 (b) Miami Gardens and Utopia - September 15,
4 2003.
5 (c) Lake Forest - September 15, 2004.
6 Section 3. If a majority of voters voting in the
7 unincorporated area within South Central Broward, as described
8 in this act, vote for annexation into Pembroke Park as of
9 September 15, 2002, the area described in this act shall be
10 deemed a part of the City of Pembroke Park and shall be
11 subject to the Charter as provided for in section 5 of this
12 act, which shall be the Charter of the City of Pembroke Park
13 effective September 15, 2002.

14 Section 4. If a majority of voters voting in the
15 unincorporated areas within South Central Broward, as
16 described in this act, vote for annexation into Pembroke Park
17 in phases, the various subdivisions of South Central Broward
18 as described in section 1 of this act shall be annexed into
19 Pembroke Park as follows:

20 (1) Carver Ranches shall be deemed a part of Pembroke
21 Park on September 15, 2002.

22 (2) Miami Gardens and Utopia shall be deemed a part of
23 Pembroke Park on September 15, 2003.

24 (3) Lake Forest shall be deemed a part of Pembroke
25 Park on September 15, 2004.

26 Section 5. Effective September 15, 2002, the Charter
27 of the City of Pembroke Park shall be as follows:

28 THE CHARTER OF THE CITY OF PEMBROKE PARK

29 ARTICLE I

30 ESTABLISHED PROVISIONS

31

1 Section 1.01. CONTINUATION AND POWERS.--The Town of
2 Pembroke Park, created by chapter 59-1722, Laws of Florida,
3 shall continue its corporate existence subject to the amended
4 provisions of this act, and is vested with all the
5 governmental, corporate, and proprietary powers required to
6 enable it to conduct municipal government, perform municipal
7 functions, and render municipal services, together with the
8 implied powers necessary to carry into execution all the
9 powers granted, and may exercise any power for municipal
10 purposes not expressly prohibited by the Constitution of the
11 State of Florida, general or special law, or the Broward
12 County Charter.

13 Section 1.02. MUNICIPAL ESTABLISHMENT AND
14 DESIGNATION.--The inhabitants of the Town of Pembroke Park and
15 the inhabitants of the formerly unincorporated areas of
16 Broward County known as Carver Ranches, Lake Forest, Miami
17 Gardens, and Utopia shall merge and shall be a body politic
18 and corporate, according to the boundaries herein established
19 and designated, or as same may hereafter be established and
20 designated, and shall be designated as the "City of Pembroke
21 Park," and shall have perpetual existence, and shall have a
22 common seal and may change the same at its pleasure from time
23 to time.

24 Section 1.03. ORDINANCES REMAIN IN EFFECT.--All
25 existing ordinances and resolutions of the municipality of the
26 Town of Pembroke Park regularly passed, promulgated, and
27 enrolled on the date of amendment of this Charter shall remain
28 in effect and unimpaired until repealed, amended, or modified,
29 provided such ordinances and resolutions are not inconsistent
30 with the provisions of this Charter or special acts providing
31 for same.

1 Section 1.04. OFFICERS HOLD RESPECTIVE OFFICES UNTIL
2 SUCCESSORS ELECTED.--All officers heretofore elected or
3 appointed and holding office of the Commission of the Town of
4 Pembroke Park shall continue to hold their respective offices
5 within the City of Pembroke Park and to discharge the duties
6 thereof and receive the emoluments thereof until their
7 successors are elected and qualified and take office according
8 to the provisions of this Charter.

9 Section 1.05. TITLE OF PROPERTY RESERVED.--The title,
10 rights, and ownership of all property, both real and personal,
11 uncollected taxes, dues, claims, judgments, decrees, choses in
12 action, and all property and property rights held or owned by
13 the municipality named Town of Pembroke Park shall be retained
14 and vested in the City of Pembroke Park.

15 Section 1.06. CONTRACTS REMAIN BINDING.--All valid and
16 enforceable indebtedness, obligations, and contracts of the
17 Town of Pembroke Park, including all bonds issued and
18 outstanding, shall remain valid and enforceable,
19 notwithstanding the amendment of this Charter, and such
20 indebtedness, obligations, and contracts shall be imposed upon
21 and shall be binding upon the City of Pembroke Park.

22 Section 1.07. BOUNDARIES.--The City of Pembroke Park
23 shall include all formerly unincorporated lands bounded on the
24 south by the boundary of Broward County with Miami-Dade
25 County, on the east by the right-of-way forming a part of
26 I-95, on the north by the inclusion of all the rights-of-way
27 of Pembroke Road, and on the west by the inclusion of all of
28 the right-of-way of State Road 7 and all lands formerly
29 included within the Town of Pembroke Park.

30 Section 1.08. JURISDICTION.--The jurisdiction and
31 powers of the City of Pembroke Park shall extend over all

1 streets, sewers, parks, and lands within the corporate limits,
2 whether platted or unplatted, and in the airs above same; and
3 to and over all waters, waterways, streams, submerged lands,
4 and water bottoms; and to and over all persons, firms, and
5 corporations, property and property rights, occupations,
6 businesses, and professions whatsoever within said boundaries;
7 and to and over all property owned, leased, or operated by the
8 City of Pembroke Park outside the corporate limits.

9 Section 1.09. TITLE TO PUBLIC PROPERTY.--The title to
10 and jurisdiction over all streets, thoroughfares, parks,
11 alleys, public lots, and sewers within the City, and all other
12 property and municipal plants of the City now owned,
13 possessed, or operated by it, and all property of every kind
14 and character which the City may hereafter acquire within or
15 outside the City, or which may vest in it, or be dedicated to
16 it for its use or for the public use, shall be vested in the
17 City of Pembroke Park. Title to all public streets and the
18 public rights-of-way associated therewith, lying within the
19 area of the previously unincorporated areas of Broward County
20 which are now within the municipal boundaries of the City of
21 Pembroke Park are transferred from Broward County to the City
22 of Pembroke Park.

23 Section 1.10. FORM OF GOVERNMENT.--The municipal
24 government provided by this Charter shall be known as
25 "Commission-Manager Government." Pursuant to the provisions
26 and subject only to the limitations imposed by the
27 Constitution of the State of Florida and by this Charter, all
28 powers of the City shall be vested in an elective commission,
29 hereinafter referred to as "the Commission," which shall enact
30 local legislation, adopt budgets, determine policies, and
31 appoint a City Manager who shall execute the laws and

1 administer the government of the City. All powers of the City
2 shall be exercised in the manner prescribed by the Charter, or
3 if the manner is not prescribed, then in such manner as may be
4 prescribed by ordinance.

5 Section 1.11. CONSTRUCTION.--The powers of the City
6 shall be construed liberally in favor of the City, limited
7 only by the Constitution of the State of Florida, general law,
8 and specific limitations contained herein.

9 Section 1.12. FISCAL YEAR.--The fiscal year of the
10 City shall begin on the 1st day of October of each year and
11 shall end on the 30th day of September of the following year.
12 Such fiscal year shall also constitute the budget and account
13 year.

14 ARTICLE II

15 THE COMMISSION; MAYOR

16 Section 2.01. LEGISLATIVE POWERS.--The legislative
17 powers of the City shall be vested in and exercised by the
18 Commission, and the Commission shall have the power to pass
19 ordinances, adopt resolutions, appoint by resolution all
20 appointive officers and boards, and exercise all the powers
21 granted by the Constitution of the State of Florida, general
22 or special law, and as herein provided. The Commission shall
23 consist of five members, one of whom shall be the Mayor.

24 Section 2.02. DISTRICTS.--For the purpose of
25 representation upon and election of the Commissioners, the
26 City of Pembroke Park Commission shall, by ordinance, prior to
27 December 1, 2002, apportion the City in accordance with the
28 Constitution of the State of Florida and the United States
29 Constitution into four consecutively numbered districts.
30 Thereafter, by subsequently enacted ordinances, the City of
31 Pembroke Park Commission shall adjust the boundary lines of

1 said districts as may be required from time to time in order
2 that the apportionment of the City shall continue to be in
3 accordance with the Constitution of the State of Florida and
4 the United States Constitution, but in any event not less
5 frequently than within the first calendar year following each
6 decennial census.

7 Section 2.03. NUMBER, SELECTION, AND TERMS OF
8 COMMISSIONERS; INITIAL TERM OF COMMISSIONERS.--

9 (a) The Commission shall consist of four Commissioners
10 and a Mayor, with one Commissioner elected for each of the
11 four districts by vote of the electors residing and qualified
12 within the City. The Commissioners shall be elected for a
13 period of 4 years, or until their successors are elected and
14 qualified. The terms of office of the Commissioners shall be
15 staggered so that the terms of office of all Commissioners
16 shall not expire in the same year.

17 (b) In order to provide for staggered terms of office
18 for the Commissioners as provided in this section, at the
19 initial municipal election to be held in March 2003, the
20 Commissioners from Districts 1 and 3 shall be elected for a
21 term of 4 years and the Commissioners from Districts 2 and 4
22 shall be elected for a term of 2 years. In subsequent
23 elections, all Commissioners shall be elected for 4-year terms
24 to fill seats as terms expire in the respective districts.

25 (c) No individual shall serve as Commissioner for more
26 than two consecutive 4-year terms in office. This provision
27 shall be prospective and not retroactive, and shall not take
28 into account the present or past terms of elected
29 Commissioners from the Town of Pembroke Park.

30 Section 2.04. QUALIFICATIONS AND DISQUALIFICATIONS OF
31 COMMISSIONERS.--

1 (a) Commissioners shall have the following
2 qualifications:

3 1. They shall have been residents of the election
4 district from which they are elected for at least 6 months
5 immediately preceding taking office. Time of residency within
6 the unincorporated portion of South Central Broward County
7 prior to its incorporation into Pembroke Park shall be treated
8 as residency within a City district for the preceding
9 residency requirement, as long as an individual is a resident
10 of Pembroke Park at the time of qualification for office.

11 2. They shall have the qualifications of electors in
12 the City and shall be registered to vote in the City.

13 3. They must continue to reside during their term of
14 office in the respective election district from which they
15 were elected or appointed.

16 (b) Commissioners shall be disqualified to continue in
17 office in any of the following instances:

18 1. If a Commissioner ceases to possess any of the
19 qualifications set forth in paragraph (a) and if, after formal
20 notification thereof in writing by the commission, such member
21 fails or refuses to purge himself or herself of the
22 disqualification within 1 week after having received such
23 notification.

24 2. If a Commissioner is elected or appointed to and
25 assumes any other elected public office.

26 3. If a Commissioner has been convicted of a crime
27 involving moral turpitude, except such disqualification shall
28 not become effective until all appeals from such conviction
29 have been finally adjudicated, or the time for such appeal has
30 expired, or the member indicates in writing that he or she
31 does not intend to take such an appeal.

1 4. If a Commissioner is absent from four consecutive
2 regular meetings of the Commission, unless such absences are
3 excused by the Commission by resolution setting forth the fact
4 of such excuse, such action to be duly entered upon the
5 record.

6 (c) In the event of the disqualification of a
7 Commissioner, the Commission shall forthwith, by proper
8 resolution, declare the existence of a vacancy on the
9 Commission and shall thereafter proceed to fill the vacancy on
10 the Commission as provided for in this Charter.

11 Section 2.05. MAYOR.--The Mayor shall preside at the
12 Commission meetings and shall maintain order and decorum,
13 shall be recognized as the official head of the City
14 government for all ceremonial purposes and by the Governor for
15 the purpose of military law, and shall execute all instruments
16 to which the City is a party when directed to do so by the
17 Commission, unless otherwise provided by this Charter or by
18 ordinance, but he or she shall have no regular administrative
19 duties. The Mayor shall be a member of the Commission, shall
20 vote, and shall have the right to debate on all issues coming
21 before the Commission. The Mayor shall have all the duties,
22 powers, privileges, and obligations possessed and imposed upon
23 a Commission member.

24 Section 2.06. SELECTION AND TERM OF MAYOR.--The Mayor
25 shall be permitted to reside anywhere within the City and
26 shall be elected at large in accordance with the provisions of
27 this Charter. The term of office for the Mayor shall be for 2
28 years and until his or her successor is elected and qualified.
29 No individual shall serve more than four consecutive 2-year
30 terms as the Mayor.

31

1 Section 2.07. QUALIFICATIONS AND DISQUALIFICATIONS OF
2 MAYOR.--

3 (a) The individual holding the office of Mayor shall
4 have the following qualifications:

5 1. He or she shall have been a resident of the City
6 for at least 6 months immediately preceding taking the office.
7 Time of residency within the unincorporated portion of South
8 Central Broward County prior to its incorporation into
9 Pembroke Park shall be treated as residency within a City
10 district for the preceding residency requirement, as long as
11 he or she is a resident of Pembroke Park at the time of
12 qualification for office.

13 2. He or she shall have the qualifications of an
14 elector in the City and shall be registered to vote in the
15 City.

16 3. He or she must continue to reside in the City
17 during the term of his or her office.

18 (b) An individual serving as Mayor shall be
19 disqualified to continue in the office in any of the following
20 instances:

21 1. If he or she ceases to possess any of the
22 qualifications set forth in paragraph (a) and, after normal
23 notification in writing by the Commission, fails to purge
24 himself or herself of disqualification within 1 week after
25 having received such notification.

26 2. If he or she is elected or appointed to and assumes
27 any other elected office.

28 3. If he or she has been convicted of a crime
29 involving moral turpitude, except such forfeiture shall not
30 become effective until any appeals from such conviction have
31 been fully adjudicated, or the time for such appeals has

1 expired, or he or she indicates in writing that he or she does
2 not intend to take such an appeal.

3 4. If he or she is absent from four consecutive
4 regular meetings of the Commission, unless such absences are
5 excused by the Commission, by resolution setting forth the
6 facts of such excuse, such action to be duly entered upon the
7 record.

8 (c) In the event of the disqualification of the Mayor,
9 the Commission shall, forthwith by proper resolution, declare
10 the existence of a vacancy in the office of Mayor and shall
11 thereafter proceed to fill the vacancy as provided in this
12 Charter.

13 Section 2.08. VICE MAYOR.--The Commission, at the
14 regularly scheduled meeting in March of each year, shall elect
15 the Vice Mayor by majority vote. The Vice Mayor shall have
16 the privileges, powers, and duties of the Mayor in the Mayor's
17 absence or disability.

18 In the event of the death, resignation, or removal of
19 the Mayor, the Vice Mayor shall vacate the office of the
20 Commissioner and shall serve as the interim Mayor until a
21 successor is determined in accordance with the provisions of
22 this Charter.

23 Section 2.09. COMPENSATION AND EXPENSES.--The
24 Commission may determine the annual salary of the Commission
25 members by ordinance. Nothing in this paragraph shall limit
26 the right of any Commissioner to be reimbursed for expenses
27 actually incurred by him or her, with Commission approval,
28 while performing duties on behalf of the City.

29 Section 2.10. OATH OF OFFICE.--The Mayor and each
30 Commissioner, before entering upon the discharge of the duties
31

1 of his or her office, shall take and subscribe of the
2 following oath before some judicial officer of the state:

3 "I do solemnly swear or affirm that I will
4 support, protect, and defend the Constitution
5 and Government of the United States and of the
6 State of Florida and I will bear true faith,
7 loyalty, and allegiance to the same, and that I
8 am entitled to hold office under the
9 Constitution of the United States, the
10 Constitution of the State of Florida, and the
11 Charter and the ordinances of the City of
12 Pembroke Park, and that I will faithfully
13 perform the duties of the office of which I am
14 about to enter. So help me God."

15 Section 2.11. PROCEDURE FOR FILLING VACANCIES.--

16 (a) In the event a vacancy occurs on the Commission
17 and no more than 6 months remain in the unexpired term, the
18 vacancy shall be filled by appointment of an individual by a
19 majority vote of the Commission.

20 (b) In the event a vacancy in the position of Mayor
21 occurs and no more than 6 months remain in the unexpired term
22 of the Mayor, the Vice Mayor shall complete the term of the
23 Mayor. The vacancy thus created on the Commission shall be
24 filled in the manner that the vacancy of a Commissioner is
25 generally filled under the terms of this Charter. The
26 Commission shall then appoint a new Vice Mayor by resolution.

27 (c) If more than 6 months remain in an unexpired term
28 of the Mayor or a Commissioner, the vacancy shall be filled by
29 special election to be held not sooner than 45 days or more
30 than 90 days following the occurrence of the vacancy, unless
31 there is a city, county, state, or national election scheduled

1 to take place on any date within 60 days beyond such 90-day
2 period, in which case the vacancy shall be filled by special
3 election on the first such election date.

4 (d) In the event that a majority of the members of the
5 Commission are removed by death, disability, law, or
6 forfeiture of office, the Governor shall make interim
7 Commission appointments and the Commission shall call a
8 special election as provided in paragraph (c) to fill the
9 vacancies.

10 Section 2.12. COMMISSION TO BE THE JUDGE OF
11 QUALIFICATIONS OF ITS MEMBERS.--The Commission shall be the
12 judge of the election and qualification of its members and for
13 such purpose shall have the power to subpoena witnesses and
14 require the production of records, but the decision of the
15 Commission in any such case shall be subject to review by the
16 courts.

17 Section 2.13. MEETINGS OF COMMISSION.--The Commission
18 shall meet at such times and places as may be prescribed by
19 its rules, but not less than once each month, except that the
20 Commission may designate 1 month each year during which no
21 meetings of the Commission are required to be held. All
22 official meetings of the Commission shall be public and all
23 citizens shall have access to the minutes and records thereof
24 at all reasonable times.

25 Section 2.14. SPECIAL MEETINGS.--The Mayor and any two
26 members of the Commission or the City Manager may call special
27 meetings of the Commission upon at least 24 hours' written
28 notice to each member. The notice shall be served personally
29 or left at the usual place of residence or place of business
30 of the particular individual sought to be notified. It shall
31 set forth specifically the matter to be considered at such

1 meetings and no official action may be taken on any matter not
2 set forth in the notice.

3 Section 2.15. LEGISLATIVE PROCEDURE.--A majority of
4 all members of the Commission shall constitute a quorum, but a
5 lesser number may adjourn from day to day and compel the
6 attendance of absent members in such a manner and under such
7 penalties as may be prescribed by ordinance. The affirmative
8 vote of three members shall be necessary to adopt any
9 ordinance or resolution.

10 Section 2.16. ORDINANCES AND RESOLUTIONS.--A proposed
11 ordinance or resolution shall be introduced in written or
12 printed form at any regular or special meeting of the
13 Commission and shall embrace but one subject and matters
14 properly connected therewith. The enacting of all ordinances
15 shall be "Be it Enacted by the City of Pembroke Park." A
16 proposed ordinance may be read by title, or in full, on at
17 least 2 separate days and shall, at least 10 days prior to
18 adoption, be noticed once in a newspaper of general
19 circulation in the City of Pembroke Park. The Commission may,
20 by a majority vote, declare an emergency to dispense with the
21 necessity for such readings, and an ordinance may be passed on
22 both readings at the same meeting if, upon the second reading
23 thereof, four affirmative votes are cast in favor of the
24 passage thereof.

25 Every ordinance or resolution shall, upon its final
26 passage, be recorded in a book kept for that purpose, and
27 shall be signed by the Mayor and the City Clerk.

28 ARTICLE III

29 ADMINISTRATION

30 Section 3.01. CITY MANAGER.--The City Manager shall be
31 the administrative head of municipal government under the

1 direction and supervision of the Commission. The City Manager
2 shall be chosen solely on the basis of his or her executive
3 and administrative qualifications, without regard to his or
4 her political beliefs, and shall be over the age of 21 years.

5 Section 3.02. APPOINTMENT AND COMPENSATION OF CITY
6 MANAGER.--The Commission shall appoint the City Manager by
7 resolution approved by a majority of the Commission. No
8 Commissioner shall receive such appointment during the term
9 for which he or she shall have been elected, nor within 1 year
10 after the expiration of his or her term. The City Manager
11 shall receive compensation as the Commission may fix and
12 determine.

13 Section 3.03. REMOVAL OF THE CITY MANAGER.--The
14 Commission may remove the City Manager by a majority vote of
15 its members. Any removal of the City Manager shall be by two
16 separate votes of the Commission, both of which must receive a
17 majority vote of its members, with an interval of not less
18 than 7 days between each vote.

19 Section 3.04. POWERS AND DUTIES OF THE CITY
20 MANAGER.--The City Manager shall be responsible to the
21 Commission for the proper administration of all affairs of the
22 City coming under his or her jurisdiction, and to that end,
23 his or her powers are and they shall be to:

24 (a) Ensure that all laws, ordinances, revisions of
25 this Charter, and acts of the Commission subject to
26 enforcement or administration by him or her are faithfully
27 executed.

28 (b) Attend all Commission meetings with the right to
29 take part in the discussion, but having no vote.

30
31

1 (c) Recommend to the Commission for adoption such
2 measures as he or she may deem necessary or expedient in the
3 interest of the City.

4 (d) Appoint and, when necessary for the good of the
5 City, remove any officer or employee of the City, except as
6 otherwise provided by this Charter, and except that he or she
7 may authorize the head of a department or office to appoint
8 and remove subordinates in such department or office.

9 (e) Exercise, control, and direct supervision over all
10 departments and divisions of the municipal government.

11 (f) Advise and consult with all officers and official
12 heads of the several departments of the city relative to the
13 affairs of any such department, and to make recommendations to
14 the Commission respecting such departments as he or she may
15 see fit.

16 (g) Fix the salary of officers and employees within
17 the scope of the pay scale plan approved by the Commission.

18 (h) Endorse on all contracts, bonds, and other
19 instruments in writing in which the municipality is interested
20 his or her approval of the substance thereof.

21 (i) Prepare the budget annually and submit it to the
22 Commission and be responsible for its administration after
23 adoption.

24 (j) Prepare and submit to the Commission, as of the
25 end of the fiscal year, a complete report on the finances and
26 administrative activities of the municipality for the
27 preceding year.

28 (k) Keep the Commission fully advised of the financial
29 condition and future needs of the City, and make such
30 recommendations as seem desirable to him or her.

31

1 (l) Enforce all terms and conditions imposed in favor
2 of the City or its inhabitants in any public utility franchise
3 to ensure that they are faithfully kept and performed.

4 (m) Purchase supplies, services, materials, and
5 equipment for the various departments of the City government;
6 and in such capacity shall have the right to purchase
7 supplies, services, materials, and equipment for any
8 department in the City as set forth by ordinance of the
9 Commission.

10 (n) Approve or prescribe in written form the internal
11 organization of each department.

12 (o) Assign and transfer administrative functions,
13 powers, and duties among and within departments in writing.

14 (p) Perform such other duties as may be prescribed by
15 this Charter or required by ordinance or resolution of the
16 Commission, not inconsistent herewith.

17 Section 3.05. CITY MANAGER TO MAKE CERTAIN
18 APPOINTMENTS OR REMOVALS.--Neither the Commission nor any of
19 its members shall direct or request the appointment of any
20 person to, or his or her removal from, office by the City
21 Manager or by any of the City Manager's subordinates or in any
22 manner take part in the appointment or removal of officers and
23 employees in any administrative services of the City. Except
24 for the purpose of inquiry, the Commission shall deal with the
25 administrative department solely through the City Manager and
26 neither the Commission nor any member thereof shall give
27 orders or make requests of any subordinates of the City
28 Manager, either publicly or privately.

29 Section 3.06. ABSENCE OF THE CITY MANAGER.--In the
30 case of the absence or disability of the City Manager for a
31 period of 14 days or less, the City Manager may designate by

1 letter to the Commission an Assistant City Manager to perform
2 the duties of the office. In the case of the absence or
3 disability of the City Manager for a period in excess of 14
4 days, the Commission shall designate by resolution an
5 Assistant City Manager or other qualified person who is
6 currently employed by the City in a supervisory capacity to
7 perform the duties of the office.

8 Section 3.07. CITY CLERK.--The City Manager shall
9 appoint an officer of the City who shall have the title of
10 City Clerk. The City Clerk shall receive such compensation as
11 may be fixed by the Commission. The City Clerk shall give
12 notice of meetings of the Commission; shall keep a journal of
13 the proceedings; shall authenticate by his or her signature,
14 and record in full in a book for that purpose, all ordinances
15 and resolutions; shall attest to and/or countersign by his or
16 her signature on all contracts, bonds, and other instruments
17 as required by law; shall perform the duties of registration
18 officer; shall have the power and authority to administer
19 oaths; and shall perform any other duties required by this
20 Charter and as may be assigned by the Commission or the City
21 Manager.

22 Section 3.08. CITY ATTORNEY.--

23 (a) The Commission shall appoint by resolution a City
24 Attorney who shall have been admitted to practice in the State
25 of Florida for at least 5 years, with no less than 2 of those
26 years in the practice of law for municipal or county
27 government.

28 (b) The City Attorney shall act as legal adviser to,
29 and as attorney and counselor for, the municipality and all of
30 its officers in matters relating to their official duties. The
31 City Attorney shall approve all contracts, bonds, leases, and

1 other instruments in writing in which the municipality is
2 concerned, and shall endorse on each his or her approval of
3 the form and correctness thereof, but failure to do so shall
4 not affect its validity. When required to do so by the
5 Commission, the City Attorney shall prosecute and defend, for
6 and on behalf of the City, all civil complaints, suits, and
7 controversies in which the City is a party. He or she shall
8 furnish the Commission, the City Manager, or the head of any
9 department, board, commission, or agency not included in any
10 department, his or her own opinion on any question of law
11 relating to the respective powers and duties of the person or
12 entity. In addition to the duties specifically imposed in
13 this section, the City Attorney shall perform such other
14 professional duties as may be required of him or her by
15 ordinance or resolution of the Commission, or as are
16 prescribed for City Attorneys under the general law of the
17 state which are not inconsistent with this Charter and with
18 any ordinance or resolution which may be passed by the
19 Commission.

20 (c) The compensation of the City Attorney shall be
21 fixed and determined by the Commission.

22 Section 3.09. DIRECTORS OF DEPARTMENTS.--At the head
23 of each department there shall be an officer of the City who
24 shall have supervision and control of the department and who
25 shall be appointed by, or may be removed by, the City Manager,
26 and who shall be under the City Manager's supervision and
27 control. Except as provided herein, two or more departments
28 may be headed by the same individual. The City Manager may
29 head one or more departments.

30 Section 3.10. DEPARTMENT OF FINANCE.--
31

1 (a) The Department of Finance shall be responsible for
2 the administration of financial affairs of the City. The
3 Department of Finance shall collect and distribute funds,
4 maintain a general accounting system for City government and
5 units thereof, compile fiscal estimates and reports, assist
6 the City Manager in preparation of budgets, assist the City
7 Manager in establishing controls for budget administration,
8 and develop and apply legal and policy provisions applicable
9 to the financial accounting.

10 (b) There shall be a Director of Finance who shall be
11 appointed and/or removed by resolution adopted by an
12 affirmative vote of the Commission and who, under the
13 supervision of the City Manager, shall be charged with the
14 administration of the Department of Finance. The Director of
15 Finance shall also act as the City Treasurer. The Director of
16 Finance shall have at a minimum a 4-year college degree with a
17 major in accounting and finance and at least 5 years of
18 experience in municipal accounting, taxation, budgeting, and
19 financial control. The Director of Finance shall furnish a
20 surety bond for the faithful and honest performance of his or
21 her official duties in such amount as the Commission may
22 determine. The cost of such surety bond shall be paid by the
23 City.

24 Section 3.11. CIVIL SERVICE.--The Commission shall
25 initiate and adopt a program for the establishment of City
26 personnel administration not provided for otherwise, and shall
27 do all things necessary to implement said program. The system
28 of City personnel administration shall govern the employees
29 and certain officers and shall be based on merit principles
30 and scientific methods in order to foster effective career
31

1 service in City employment and to employ those persons best
2 qualified for City services which they are to perform.

3 Section 3.12. PERSONNEL SYSTEM.--All appointments and
4 promotions of City officials and employees, except those
5 specifically exempted by ordinance, shall be made solely on
6 the basis of merit and fitness demonstrated by examination or
7 other evidence of competence and to this end, the Commission
8 shall, by ordinance, establish personnel procedures and rules.

9 Section 3.13. BUSINESS REPRESENTATIVE TO
10 COMMISSION.--There shall be a Business Representative who
11 shall be an advisor to the Commission on all matters affecting
12 the business community. The Commission shall solicit and
13 consider the advice of the Business Representative on all
14 matters formally considered by the Commission affecting the
15 business community within the City. The Business
16 Representative shall act in an advisory capacity, but may be
17 assigned additional responsibilities and duties as created by
18 the Commission. The Business Representative may attend all
19 Commission meetings with the right to take part in the
20 discussion and shall be seated on the dais along with members
21 of the City Commission, but have no vote. The procedure for
22 selection of the Business Representative and the terms and
23 conditions of the office shall be established by ordinance.

24 ARTICLE IV

25 ELECTIONS

26 Section 4.01. MUNICIPAL ELECTIONS.--The Commission
27 shall, by ordinance, make all regulations necessary or
28 desirable and not inconsistent with this Charter for the
29 conduct of municipal elections and for the prevention of fraud
30 therein.

31

1 Section 4.02. ELECTORS.--Any person who is a resident
2 of the City, has qualified as an elector of the state, and
3 registers to vote in the manner prescribed by law shall be an
4 elector of the City.

5 Section 4.03. NOMINATIONS.--Each candidate seeking
6 office of Commissioner or Mayor, meeting the qualifications of
7 section 2.04 or section 2.07, respectively, of this Charter
8 shall file a notice of candidacy and such other papers as may
9 be required by law with the City Clerk within the filing
10 period provided by law after paying a filing fee of \$50. Such
11 notice shall be filed on forms furnished by the City Clerk and
12 shall be certified by the City Clerk.

13 Section 4.04. NONPARTISAN ELECTIONS.--All elections
14 for the selection of Commissioners and Mayor shall be
15 nonpartisan. No candidate for office of Commissioner or Mayor
16 shall designate a political party affiliation in his or her
17 campaign. A violation of this section shall render the
18 candidate's election to the Commission or as Mayor null and
19 void, and such vacancies shall be filled in accordance with
20 the provisions of the Charter.

21 Section 4.05. ELECTION DATES.--A general election
22 shall be held in each odd-numbered year, on the first Tuesday
23 in March. A runoff election, if necessary, shall be held on
24 the third Tuesday in March.

25 Section 4.06. GENERAL ELECTION.--The ballot for the
26 general election shall contain the names of all qualified
27 candidates for Mayor and for each of the Commission seats
28 which are to be filled as a result of the Commissioner's term
29 expiring, and shall instruct electors to cast one vote for
30 Mayor and one vote for Commissioner for each district subject
31 to election. If any candidate for Mayor receives a number of

1 votes greater than 50 percent of the total number of ballots
2 cast for Mayor, such candidate shall be duly elected Mayor,
3 and no runoff election for Mayor shall be required. If any
4 candidate for a Commission seat receives a number of votes
5 greater than 50 percent of the total number of ballots cast in
6 the corresponding district, such candidate shall be duly
7 elected to the Commission and no runoff election for that
8 Commission seat shall be required.

9 Section 4.07. RUNOFF ELECTION.--There shall be a
10 runoff election for a particular elected office if none of the
11 candidates for that particular elected office receive more
12 than 50 percent of the votes cast for that office in the
13 general or special election. The ballot for the runoff
14 election shall contain the names of the two candidates for
15 Mayor, if applicable, and the names of the two candidates for
16 each Commission seat, if applicable, who received the highest
17 number of votes in the general or special election. The ballot
18 shall instruct electors to cast one vote for Mayor, if
19 applicable, and to cast one vote for Commissioner for each
20 district subject to election. The candidate for Mayor
21 receiving the highest number of votes cast shall be the duly
22 elected Mayor. The candidate for each Commission seat
23 receiving the highest number of votes cast in their respective
24 districts shall be duly elected to that Commission seat.

25 Section 4.08. SPECIAL ELECTIONS.--Special elections,
26 when required, shall be scheduled by the Commission at such
27 times and in such a manner as shall be consistent with this
28 Charter. Conduct of the election shall be the same as regular
29 municipal elections.

30 Section 4.09. SINGLE CANDIDATE.--No election for Mayor
31 or a Commission seat shall be required in any election if

1 there is only one duly qualified candidate for Mayor or for
2 the Commission seat.

3 Section 4.10. CANDIDATE LIMITED TO ONE OFFICE.--No
4 individual may be a candidate for both Commissioner and Mayor
5 in the same election.

6 Section 4.11. ELECTIONS GOVERNED BY STATE LAW OR
7 ORDINANCE.--Except as herein specifically provided, all
8 elections in the City shall be conducted substantially on the
9 principles governing state elections, or as the Commission
10 shall prescribe by ordinance.

11 Section 4.12. ABSENTEE VOTING.--Absentee voting shall
12 be permitted in all elections as provided by chapter 101,
13 Florida Statutes, as amended, and under certain conditions and
14 regulations as may be adopted by ordinance of the Commission.

15 Section 4.13. CANVAS OF ELECTION RETURNS.--The result
16 of election voting, when ascertained, shall be submitted to
17 the City Clerk by the Supervisor of Elections of Broward
18 County. Said returns shall be submitted by the City Clerk to
19 the Commission at the next Commission meeting following said
20 election, at which time the Commission shall certify the
21 results of the election by resolution. The City Clerk shall,
22 after the certification of said election, furnish a
23 Certificate of Election to each person shown to have been
24 elected.

25 Section 4.14. ADVERTISING FOR ELECTIONS.--The City
26 Clerk shall cause to be published in a newspaper of general
27 circulation in the City a notice of any primary, general,
28 runoff, or special election containing the date of election,
29 office or offices to be filled, or question at issue. Such
30 notice shall be published at least 15 days prior to an
31 election and again at least 1 day before an election.

1 of recommendations to the Commission within 180 days from the
2 date of appointment of the board.

3 In the event that the Charter Review Board fails to
4 submit its report to the Commission within 180 days from the
5 appointment of the Board, the Commission may submit for
6 referendum amendments to the Charter without the
7 recommendation of the Charter Review Board.

8 Section 5.04. EXPENSE FUND.--The Commission shall
9 provide sufficient funds for reasonable and necessary expenses
10 to be incurred by the Board in the performance of its duties.
11 The City Manager shall provide such administrative staff and
12 clerical personnel as may be necessary to assist the Board in
13 the proper performance of its duties and functions.

14 Section 5.05. ORGANIZATION.--The Board members shall
15 convene within 30 days after their appointment and elect a
16 chair and such other officers as may be deemed necessary, who
17 shall serve at the pleasure of the Board. All meetings of the
18 Board shall be open to the public. No action shall be taken by
19 the Board to recommend an amendment to the Charter except by
20 majority vote of the entire membership. The rules of procedure
21 adopted by the Board shall be filed by the City Clerk.

22 Section 5.06. FORFEITURE OF OFFICE.--A Charter Review
23 Board member shall forfeit the office if said person:

24 (a) Lacks any qualification for the office prescribed
25 by this Article or other applicable law including section
26 100.361, Florida Statutes, as amended;

27 (b) Is convicted of a felony while in office; or

28 (c) Fails to attend four consecutive regular meetings
29 of the Charter Review Board, unless such absences are excused
30 by the Board by a motion setting forth the reason for the
31 absence duly entered upon the minutes.

1 Subscribed to me and sworn to before me this _____ day of
2 _____

3
4 _____
5 Notary Public

6 (b) With each signature shall be stated the place of
7 residence of the signer, giving the street number or other
8 description sufficient to identify the residence location.

9 (c) All such papers pertaining to any one measure
10 shall have written or printed thereon the names and addresses
11 of at least five registered voters who shall constitute a
12 committee of the petitioners for the purposes hereinafter
13 named.

14 (d) All such elector initiative petition papers shall
15 be filed in the office of the City Clerk.

16 Section 6.03. PROCEDURE WHEN INSUFFICIENT.--

17 (a) Within 20 days after the filing of the petition,
18 the City Clerk shall certify on the petition the number of
19 registered voters whose signatures are appended thereto and
20 whether this number is at least 30 percent of the total number
21 of registered voters in the City as shown by the county voter
22 registration books.

23 (b) If by the City Clerk's certificate, the number of
24 signers is shown to be insufficient, such notice in writing
25 shall be given to the committee of petitioners. The petition
26 may be amended within 10 days from that date of such
27 certificate by filing supplementary petition papers with the
28 additional signatures required.

29 (c) The City Clerk shall, within 10 days after filing
30 the supplementary petition papers, certify on the amended
31 petition whether the number of signers to both the petition

1 and the amended petition is sufficient or insufficient. If it
2 is insufficient, the City Clerk shall notify each member of
3 the committee of petitioners in writing of that fact.

4 (d) The final finding of the insufficiency of a
5 petition shall not prejudice the filing of a new petition for
6 the same purpose.

7 Section 6.04. SUBMISSION TO COMMISSION.--

8 (a) If the City Clerk's certificate shows the number
9 of signers to be sufficient, the City Clerk shall submit the
10 proposed measure to the Commission at its next meeting.

11 (b) Upon receiving the proposed measure, the
12 Commission shall proceed to consider it and shall take a final
13 action thereon within 90 days from the date it is submitted to
14 the Commission.

15 Section 6.05. DATE OF ELECTION.--

16 (a) If the Commission shall fail to pass the proposed
17 measure or shall pass it in a form different than set forth in
18 the elector initiative petition, then the measure shall be
19 submitted by the Commission to the vote of the electors at the
20 next municipal election if one is to be held not less than 90
21 days and not later than 120 days after the date of final
22 action by the Commission.

23 (b) If no election is to be held as provided by
24 subsection (a), then the commission shall call a special
25 election to be held not less than 90 days nor more than 120
26 days from the date of final action by the Commission.

27 (c) When submitted to a vote of the electors, the
28 measure shall be in the form set forth in section 6.06.

29 Section 6.06. FORM OF BALLOT; EFFECTIVE UPON ADOPTION
30 BY MAJORITY PARTICIPATING.--

31

1 parcel or parcels of land or that changes the actual list of
2 permitted, conditional, or prohibited uses within the T-1
3 Mobile Home Park Zoning District shall become effective unless
4 the amendment shall be approved by 99 percent of the electors
5 in the City voting in an election called for the purpose of
6 amending the T-1 Mobile Home Park Zoning District.

7 (b) Notwithstanding the foregoing conditions for
8 amendment of the T-1 Mobile Home Park Zoning District, this
9 section shall not restrict the owner of real property located
10 within the T-1 Mobile Home Park Zoning District from
11 requesting that the zoning classification of the owner's
12 property be changed to a zoning classification other than T-1
13 Mobile Home Park Zoning District.

14 Section 7.02. ADVISORY BOARDS.--

15 (a) The Commission may by resolution appoint advisory
16 boards, the members of which shall be residents of the City of
17 Pembroke Park who are qualified to act in an advisory capacity
18 to the Commission, the City Manager, or any department of the
19 City with respect to the conduct and management of property or
20 institution or the exercise of any public functions of the
21 City of Pembroke Park. The Commission shall determine the
22 purpose and functions of the advisory boards, the number of
23 members of each advisory board, the terms of office of the
24 advisory board members, and such other administrative matters
25 by ordinance. The members of such boards shall serve without
26 compensation and it shall be the duty of such boards to make
27 written recommendations to the Commission from time to time.
28 Members of all boards shall be subject to removal for cause by
29 the Commission after a hearing before the Commission.

30 (b) Paid City employees and elected officials of any
31 public jurisdiction shall not be eligible for membership on

1 any City advisory board unless provision for such membership
2 is provided in the enabling legislation of said board. No
3 person may serve on more than one board at the same time.

4 Section 7.03. GRANTING OF FRANCHISES.--The Commission
5 may by ordinance grant franchises of all kinds, to any
6 individual, firm, or corporation, for the use of City streets,
7 waters, and waterways, and recreational facilities, lands, and
8 ways, but no such franchise shall be granted for more than 15
9 years, nor shall it be exclusive. Such franchises may be
10 renewed for additional periods at the expiration date, if the
11 same procedure is followed as is required for new franchises.
12 No such franchise or renewal shall be assigned except by
13 consent and approval of the Commission.

14 Section 7.04. FRANCHISE NOTICE AND PUBLIC
15 HEARING.--Before any such franchise is granted, there shall be
16 a public hearing after notice has been published once in a
17 newspaper of general circulation in the City of Pembroke Park,
18 not less than 5 days prior to the hearing.

19 Section 7.05. GENERAL PROVISIONS OF
20 FRANCHISE.--Nothing contained in this Charter shall in any way
21 limit the Commission in the exercise of any of its lawful
22 powers with respect to public utilities or other franchises,
23 or prohibit the Commission from imposing in any such franchise
24 grant restrictions and provisions as it deems to be in the
25 public interest, provided they are not inconsistent with the
26 provisions of this Charter or the Constitution of the State of
27 Florida.

28 Section 7.06. COMPETITIVE BID REQUIREMENT.--

29 (a) Except as otherwise provided by law, all contracts
30 for public improvements and purchases of supplies, materials,
31 or services shall be awarded or made on the basis of clearly

1 drawn specifications and competitive bids or proposals, except
2 in cases where the Commission specifically determines that it
3 is impractical to do so by the affirmative vote of four
4 Commissioners.

5 (b) The Commission shall establish by ordinance the
6 procedure for notice of competitive bids or proposals, the
7 receipt and opening of said competitive bids or proposals, and
8 the awarding of the contracts related thereto.

9 Section 7.07. SALE OF PUBLIC PROPERTY.--

10 (a) The City of Pembroke Park is empowered to sell,
11 trade, exchange, or otherwise dispose of any lands,
12 improvements, public buildings, or other lands now owned or
13 hereafter acquired by the City under the terms set forth in
14 this section.

15 (b) Before any lands, the title to which is vested in
16 the City of Pembroke Park, shall be sold, traded, exchanged,
17 or otherwise disposed of, the Commission shall adopt a
18 resolution at a regular or special meeting of the Commission
19 particularly describing the land by legal description,
20 reference to a recorded plan or government survey, its
21 location by street number, if there be any, and the
22 description of all improvements located upon the land, and
23 shall declare how said land has been used since same has
24 belonged to the City, why it is no longer needed for public
25 purposes, and that the City does declare same surplus and
26 desires to sell the same. The resolution must be approved by
27 four members of the Commission. The provisions of this section
28 shall not apply to vacations of streets, alleys, or utility
29 easements.

30 (c) At any time not less than 30 days, nor more than
31 60 days, after the adoption of such resolution, the land shall

1 be offered for sale to the public and a notice shall be
2 published in a newspaper of general circulation in the City
3 two times before the date of sale, with the first publication
4 not less than 15 days before the date of sale, and the second
5 publication 1 week after the first publication, setting forth
6 on which date sale bids shall be received and protests heard.
7 Each sealed bid shall be accompanied by a cashier's check or
8 certified check payable to the City in an amount equal to 10
9 percent of the bid price. The City shall sell the property for
10 cash or other property of equal value, to the highest and best
11 bidder if a sale is made, but the City may reject any and all
12 bids.

13 (d) During a period of not less than 30 days, nor more
14 than 60 days between the adoption of the resolution and the
15 date of sale, taxpayers and registered electors of the City
16 may protest or object to the sale or propose other public uses
17 for said property, and the Commission may rescind its former
18 action and repeal the resolution declaring the property not
19 needed for public use, if it deems same expedient and proper.
20 If before the date of the proposed sale, a petition is filed
21 with the City Clerk signed by 15 percent of the registered
22 electors of the City objecting to said sale, no such sale
23 shall be made until the sale of said property has been
24 approved by a majority of the electors voting at a special
25 election, which election shall be called by the Commission by
26 resolution, and at said election only the registered electors
27 of the City of Pembroke Park shall be permitted to vote.

28 (e) In any deed of conveyance the Commission may place
29 such conditions, limitations, and restrictions on the use of
30 such property by the purchasers as the Commission shall deem
31 proper.

1 (f) Any property designated as a park or recreational
2 facility shall be disposed of only after said disposal shall
3 be approved by the majority of votes in an election called for
4 the purpose of approving the disposition of said parcel or
5 parcels. The park or recreational facility may be disposed of
6 in accordance with the procedures set forth in paragraph (c)
7 after approval by a majority of the voters.

8 (g) All confiscated, unclaimed, or abandoned personal
9 property coming into the possession of the City, or any
10 personal property owned by the City which has become obsolete
11 or which has outlived its usefulness, or which has become
12 inadequate for public purposes for which it was intended shall
13 be disposed of by public auction, open competitive bidding,
14 direct sale, trade, or gift as set forth by ordinance of the
15 Commission.

16 Section 7.08. LEASES OF PUBLIC PROPERTY.--The City of
17 Pembroke Park is hereby authorized and empowered to lease any
18 lands, improvements, public buildings, recreational parks or
19 facilities, or property of the City to any person, firm, or
20 corporation for a period not to exceed 5 years after said
21 lease has been authorized by a duly enacted ordinance of the
22 Commission. Any lease of lands, improvements, public
23 buildings, recreational parks and facilities, or property of
24 the City for a period in excess of 5 years shall require
25 approval by a majority of the electors of the City voting in
26 an election called for the purposes of approving the terms of
27 said lease.

28 Section 7.09. INDEPENDENT ANNUAL AUDIT.--Prior to the
29 end of each fiscal year, the Commission shall designate a
30 certified public accountant or certified public accountants
31 who, as of the end of the fiscal year, shall make an

1 independent audit of accounts and other evidences of financial
2 transactions of the City government and shall submit their
3 report to the Commission and City Manager. Such accountant
4 shall have no personal interest, direct or indirect, in the
5 fiscal affairs of the City government or any of its officers.
6 The auditors shall not maintain any accounts or records of the
7 City business, but, within the specifications approved by the
8 Commission, shall audit the books and accounts kept by the
9 City of Pembroke Park.

10 Section 7.10. SEVERABILITY CLAUSE.--If any section or
11 part of a section of this Charter shall be held invalid by a
12 court of competent jurisdiction, such holding shall not affect
13 the remainder of this Charter, nor the context in which such
14 section or part of a section so held invalid may appear,
15 except that an entire section or part of a section may be
16 inseparably connected in meaning and effect with the section
17 or part of a section to which such holding shall directly
18 apply.

19 Section 7.11. EFFECTIVE DATE.--This Charter shall take
20 effect on September 15, 2002.

21 Section 6. The Charter of the City of Pembroke Park as
22 hereinbefore set out shall take effect on September 15, 2002,
23 except that if a majority of the voters voting in the special
24 election of November 6, 2001, vote for annexation in the City
25 of Pembroke Park in phases as provided in section 2, sections
26 2.02 and 2.03 of the Charter of the City of Pembroke Park
27 shall read as follows:

28 A. Section 2.02. DISTRICTS.--For the purpose of
29 representation upon and election of the Commissioners, the
30 City of Pembroke Park Commission shall, by ordinance, prior to
31 December 1, 2002, and December 1, 2004, apportion the City in

1 accordance with the Constitutions of the State of Florida and
2 of the United States into four consecutively numbered
3 districts. Thereafter, by subsequently enacted ordinances,
4 the City of Pembroke Park Commission shall adjust the boundary
5 lines of said districts as may be required from time to time
6 in order that the apportionment of the City shall continue to
7 be in accordance with the Constitutions of the State of
8 Florida and of the United States, but in any event not less
9 frequently than within the first calendar year following each
10 decennial census.

11 B. Section 2.03. NUMBER, SELECTION, AND TERMS OF
12 COMMISSIONERS; INITIAL TERM OF COMMISSIONERS.--

13 (a) The Commission shall consist of four Commissioners
14 and a Mayor, with one Commissioner elected for each of the
15 four districts by vote of the electors residing and qualified
16 within the City. The Commissioners shall be elected for a
17 period of 2 years, beginning in March 2005, or until their
18 successors are elected and qualified.

19 (b) In order to provide for staggered terms of office
20 for the Commissioners, at the municipal election to be held in
21 March 2005, the Commissioners from Districts 1 and 3 shall be
22 elected for a term of 4 years and the Commissioners from
23 Districts 2 and 4 shall be elected for a term of 2 years. In
24 subsequent elections, all Commissioners shall be elected for
25 4-year terms to fill seats as terms expire in the respective
26 districts.

27 (c) No individual shall serve as Commissioner for more
28 than two consecutive four 4-year terms in office. This
29 provision shall be prospective and not retroactive, and shall
30 not take into account the present or past terms of elected
31 Commissioners from the Town of Pembroke Park.

1 Section 7. All public roads and the public
2 rights-of-way associated therewith, lying within the limits of
3 the lands subject to annexation herein, as described in
4 section 1, are transferred from the jurisdiction of Broward
5 County to the jurisdiction of the annexing municipality.

6 Section 8. Upon annexation into the City of Pembroke
7 Park, the following shall govern the unincorporated areas
8 described in this act as to South Central Broward County:

9 (1) The present land use designation and zoning
10 provided for under the Broward County Comprehensive Plan and
11 Code of Ordinances of Broward County shall remain the law
12 governing the areas provided for in this act. The land use
13 designation and zoning of Broward County shall be deemed
14 conforming law.

15 (2) Any change of designated land use or zoning shall
16 be accomplished by enactment of the vote of the majority of
17 the full governing body of the municipality plus one.

18 (3) Notwithstanding subsections (1) and (2), any use,
19 building, or structure that is legally in existence at the
20 time that the unincorporated lands become a part of the
21 municipality, said use shall not be made a prohibited use by
22 the municipality, on the property of said use, for as long as
23 the use shall continue and not be voluntarily abandoned.

24 Section 9. Subsequent to the effective date of this
25 act, no annexation by any municipality shall be effective
26 within the area described in this act as South Central Broward
27 County.

28 Section 10. This act shall take precedence over all
29 other prior enacted law.

30 Section 11. The original charter of the Town of
31 Pembroke Pines, and all acts amendatory thereof are repealed.

1 Section 12. This act shall take effect only upon its
2 approval by a majority vote of those qualified electors of the
3 unincorporated area within South Central Broward County as
4 described in this act voting in referendum election to be
5 called by the Board of County Commissioners of Broward County
6 and to be held on November 6, 2001, in accordance with the
7 provisions of law relating to elections currently in force,
8 except that this section shall take effect upon becoming a
9 law.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31