

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to Broward County; creating the charter of
8 the City of West Park; providing for the corporate name
9 and purpose of the charter; establishing form of
10 government and territorial boundaries of the municipality;
11 providing powers of the municipality and of certain
12 officers; providing for election and terms of office of a
13 city commission, including the mayor and vice mayor, and
14 providing for qualifications, powers, and duties of and
15 restrictions on its membership; establishing circumstances
16 which create vacancies in office and providing for filling
17 vacancies and for forfeiture and recall; providing a
18 procedure for establishing compensation and expense
19 reimbursement for the mayor and city commission; providing
20 for rules of procedure; providing for a city
21 administrator, city clerk, and city attorney and powers
22 and duties of each; providing restrictions on expenditure
23 of city funds; authorizing establishment of city boards

24 | and agencies; providing for commission meetings,
 25 | procedural rules, and recordkeeping and voting at
 26 | meetings; providing for emergency ordinances; providing
 27 | for budget requirements, adoption, and amendment and
 28 | establishing a fiscal year; providing procedures for
 29 | authentication, recording, and disposition of ordinances,
 30 | resolutions, and charter amendments; establishing the
 31 | right to determine, order, levy, assess, and collect
 32 | taxes; providing for borrowing by the city; providing for
 33 | an annual independent audit; providing for quasi-judicial
 34 | procedures; establishing election requirements and
 35 | guidelines; providing for charter amendments and review;
 36 | providing for severability; providing for standards of
 37 | conduct; providing for a personnel system; providing
 38 | requirements for charitable contributions; providing for
 39 | transition, including a referendum on incorporation and
 40 | alternate manners of elections for the city commission,
 41 | initial election and terms, and date of creation and
 42 | establishment of the municipality; providing for interim
 43 | adoption of codes and ordinances and taxes and fees;
 44 | providing for payment of certain revenues and for
 45 | transitional ordinances and resolutions; entitling the
 46 | city to state shared and local option gas tax revenues;
 47 | providing for the sharing of certain revenues; providing
 48 | for the city commission to rename the city under certain
 49 | circumstances; providing an effective date.

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 51 | Be It Enacted by the Legislature of the State of Florida:

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Section 1. Corporate existence; form of government; boundary and powers.--

(1) CORPORATE EXISTENCE.--In order to preserve, protect, and enhance the quality of life and residential character of West Park, a municipal corporation known as the City of West Park (the "city") is hereby created pursuant to the Constitution of the State of Florida (the "State"). The corporate existence of the city shall commence upon approval of the electorate and pursuant to the provisions of this charter.

(2) FORM OF GOVERNMENT.--The city shall have a "commission-administrator" form of government.

(3) CORPORATE BOUNDARY.--

A portion of Sections 29 and 30, Township 51 South, Range 42 East, Broward County, Florida, described as follows:

Beginning at a point on the South line of said Section 30, said point being 535.00 feet Westerly of the Southeast corner of said Section 30, as measured along said South line;

Thence along the municipal boundary of the Town of Pembroke Park, as established by Chapter 63-1772, Laws of Florida, the following 23 courses and distances;

79 | Thence Northerly a distance of 50 feet to the
 80 | Southwest corner of Tract "N" of a subdivision known
 81 | as "LAKE FOREST SECTION 3", as recorded in Plat Book
 82 | 35, Page 15, of the Public Records of Broward County,
 83 | Florida;

84 |
 85 | Thence continue Northerly along the West boundary of
 86 | said Tract "N" to the Northwest corner of said Tract
 87 | "N";

88 |
 89 | Thence continue Northerly a distance of 25 feet to the
 90 | centerline of Lime Tree Concourse which is a dedicated
 91 | street of the subdivision of said "LAKE FOREST SECTION
 92 | 3";

93 |
 94 | Thence Easterly along the centerline of said Lime Tree
 95 | Concourse to the point of intersection of the said
 96 | centerline with the East boundary of the Southeast
 97 | One-Quarter (SE 1/4) of said Section 30;

98 |
 99 | Thence continue Easterly along said centerline a
 100 | distance of 305.10 feet;

101 |
 102 | Thence Southerly to the Northeasterly corner of Tract
 103 | "O" of said subdivision of "LAKE FOREST SECTION 3";

104 |
 105 | Thence continue Southerly on a bearing of South
 106 | 00°15'07" East a distance of 100 feet, to a point;

107
108 Thence Easterly a distance of 80.64 feet on a bearing
109 of North 82°30'53" East to the Northwesterly corner of
110 Lot 4, Block 21 of said subdivision of "LAKE FOREST
111 SECTION 3";

112
113 Thence Southerly along the Westerly lines of Lots 4,
114 5, and 6 of said Block 21 a distance of 246 feet to
115 the Northwest corner of Lot 33 of said Block 21;

116
117 Thence Southerly along the West line of Lot 33 of said
118 Block 21 a distance of 145 feet to the Southwest
119 corner of said Lot 33;

120
121 Thence Easterly along the South boundaries of Blocks
122 21 and 31 to the Southeast corner of Block 31 of said
123 subdivision of "LAKE FOREST SECTION 3";

124
125 Thence continue Easterly along a projection of the
126 South boundary of said Block 31 a distance of 800 feet
127 to a point on the East boundary of the Southwest One-
128 Quarter (SW 1/4) of said Section 29;

129
130 Thence run Northerly and along the West boundary of
131 the Southeast One-Quarter (SE 1/4) of said Section 29
132 to the Northwest corner of said Southeast One-Quarter
133 (SE 1/4) of said Section 29;

134

135 Thence continue Northerly along the West boundary of
 136 the Northeast One-Quarter (NE 1/4) of said Section 29
 137 to a point 265 feet South of the Northeast corner of
 138 the South One-Half (S 1/2) of the Northwest One-
 139 Quarter (NW 1/4) of said Section 29;

141 Thence Westerly along the North boundary of Lot 21,
 142 Block 37 of the subdivision of "LAKE FOREST SECTION
 143 4", as recorded in Plat Book 43, Page 45, of the
 144 Public Records of Broward County, Florida, to the
 145 Northwest corner of said Lot 21;

147 Thence continue Westerly to the Southeast corner of
 148 Tract "R", Block 40 of said subdivision of "LAKE
 149 FOREST SECTION 4";

151 Thence continue Westerly along the South boundaries of
 152 said Tract "R" and the South boundary of Tract "RA" of
 153 said subdivision of "LAKE FOREST SECTION 4" to the
 154 Southwest corner of said Tract "RA";

156 Thence Northwesterly along the South boundary of said
 157 Tract "RA" to the Southeast corner of Lot 29A of said
 158 Block 40;

160 Thence continue Westerly along the South boundary of
 161 said Block 40 and along the South boundary of Block 50

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162 | of said subdivision of "LAKE FOREST SECTION 4" to the
 163 | Southwest corner of Lot 28 of said Block 50;

164 |
 165 | Thence Southerly to the Southeast corner of Tract "Q"
 166 | of said subdivision of "LAKE FOREST SECTION 4";

167 |
 168 | Thence Westerly to the Northwest corner of Lot 36, of
 169 | said Block 50;

170 |
 171 | Thence Southerly to the Southwest corner of said Lot
 172 | 36;

173 |
 174 | Thence Westerly along the South boundary of said Tract
 175 | "Q" and the extension thereof for a distance of 171.53
 176 | feet to a point on the West boundary of the Northeast
 177 | One-Quarter (NE 1/4) of said Section 30 said point
 178 | also being on the municipal boundary of the Town of
 179 | Pembroke Park, as established by Chapter 70-878, Laws
 180 | of Florida;

181 |
 182 | Thence Southerly along said municipal boundary and the
 183 | East line of the West One-Half (W 1/2) of said Section
 184 | 30 to the Southwest corner of the Southeast One-
 185 | Quarter (SE 1/4) of said Section 30;

186 |
 187 | Thence Easterly along the South line of said Section
 188 | 30 to the POINT OF BEGINNING.

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TOGETHER WITH

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191
192 Beginning at the Southwest corner of the Southeast
193 quarter of Section 29, Township 51 South, Range 42
194 East, run Westerly along the South boundary of the
195 Southwest quarter of said Section 29-51-42 to the
196 Southwest corner of Section 29-51-42 which is a common
197 corner of Sections 29 and 30, Township 51 South, Range
198 42 East and Sections 5 and 6, Township 52 South, Range
199 42 East; thence continue Westerly along the South
200 boundary of Section 30-51-42 a distance of 535.00
201 feet; thence Northerly a distance of 50 feet to the
202 Southwest corner of Tract 'N' of a subdivision known
203 as "LAKE FOREST SECTION 3" as recorded in Plat Book
204 35, Page 15 of the Public Records of Broward County,
205 Florida; thence continue Northerly along the West
206 boundary of said Tract 'N' to the Northwest corner of
207 said Tract 'N'; thence continue Northerly a distance
208 of 25 feet to the center line of Lime Tree Concourse
209 which is a dedicated street of the subdivision of
210 "LAKE FOREST SECTION 3"; thence Easterly along the
211 center line of said Lime Tree Concourse to a point of
212 intersection of the said center line with the East
213 boundary of the Southeast quarter of Section 30-51-42;
214 thence continue Easterly along said center line a
215 distance of 305.10 feet; thence Southerly to the
216 Northeasterly corner of Tract 'O' of said subdivision
217 of "LAKE FOREST SECTION 3"; thence continue Southerly

218 on a bearing of South 0° 15' 07" East a distance of
 219 100 feet to a point; thence Easterly a distance of
 220 80.64 feet on a bearing of North 82° 30' 53" East to
 221 the northwesterly corner of Lot 4, Block 21 of said
 222 subdivision of "LAKE FOREST SECTION 3"; thence
 223 Southerly along the Westerly lines of Lots 4 and 5,
 224 and 6 of said Block 21 a distance of 246 feet to the
 225 Northwest corner of Lot 33 of said Block 21; thence
 226 Southerly along the West line of Lot 33 of said Block
 227 21 a distance of 145 feet to the Southwest corner of
 228 said Lot 33; thence Easterly along the South
 229 boundaries of Blocks 21 and 31 to the Southeast corner
 230 of Block 31 of said subdivision of "LAKE FOREST
 231 SECTION 3"; thence continue Easterly along a
 232 projection of the South boundary of said Block 31 a
 233 distance of 800 feet to a point on the East boundary
 234 of the Southwest quarter of Section 29-51-42; thence
 235 Southerly and along the East boundary of said
 236 Southwest quarter of Section 29-51-42 to the point of
 237 beginning; said lands situate, lying and being in
 238 Broward County, Florida.

239
 240 TOGETHER WITH

241
 242 The South 15 feet of the Southwest quarter of Section
 243 30, Township 51 South, Range 42 East. Broward County,
 244 Florida.

TOGETHER WITH

A portion of Sections 24 and 25, Township 51 South,
Range 41 East, and Sections 19, 29 and 30, Township 51
South, Range 42 East, Broward County, Florida,
described as follows:

BEGINNING at the Northeast corner of the South One-
Half (S 1/2) of said Section 19, also being a point on
the municipal boundary of the City of Hollywood, as
established by Chapter 59-1369, Laws of Florida;

Thence Westerly along the North line of said South
One-Half (S 1/2) to the East line of the Southwest
One-Quarter (SW 1/4) of the Northwest One-Quarter (NW
1/4) of said Section 19, also being a point on the
municipal boundary of the City of Hollywood, as
established by Chapter 63-1426, Laws of Florida;

Thence continue Westerly along said North line, along
the North line of the Southeast One-Quarter (SE 1/4)
of said Section 24 and along said municipal boundary
to the West line of the Northeast One-Quarter (NE 1/4)
of the Southeast One-Quarter (SE 1/4) of said Section
24;

272 Thence continue along said municipal boundary to the
 273 centerline of right of way of Southwest 17 Street
 274 (Pembroke Road);

275
 276 Thence continue along said municipal boundary and
 277 along said centerline to a point on the centerline of
 278 State Road No. 7 (U.S. 441) also known as Southwest 60
 279 Avenue, said point also being on the municipal
 280 boundary of the City of Miramar, as established by
 281 Ordinance No. 72-14 of the City of Miramar;

282
 283 Thence Southerly along said centerline and said
 284 municipal boundary over and across said Sections 24
 285 and 25 to a point of intersection with the South line
 286 of said Section 25;

287
 288 Thence Easterly along said South line to the East line
 289 of said Section 25 and a point on the municipal
 290 boundary of the Town of Pembroke Park, as established
 291 by Chapter 70-878, Laws of Florida;

292
 293 Thence along said municipal boundary the following 6
 294 courses;

295
 296 Thence Northerly along said East line to the Southwest
 297 corner of the Northwest One-Quarter (NW 1/4) of the
 298 Southwest One-Quarter (SW 1/4) of the Southwest One-
 299 Quarter (SW 1/4) of said Section 30;

300
301 Thence Easterly along said South line to the Southeast
302 corner of the Northwest One-Quarter (NW 1/4) of the
303 Southwest One-Quarter (SW 1/4) of the Southwest One-
304 Quarter (SW 1/4) of said Section 30;

305
306 Thence Northerly along the West line of the East
307 Three-Quarters (E 3/4) of the Southwest One-Quarter
308 (SW 1/4) of said Section 30 to the Northeast corner of
309 the South One-Half (S 1/2) of the Southwest One-
310 Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4)
311 of the Southwest One-Quarter (SW 1/4) of said Section
312 30;

313
314 Thence Westerly along the North line of said South
315 One-Half (S 1/2) to the West line of said Section 30;

316
317 Thence Northerly along the said West line to the
318 Northwest corner of the South One-Half (S 1/2) of the
319 Northwest One-Quarter (NW 1/4) of said Section 30;

320
321 Thence Easterly along the North line of said South
322 One-Half (S 1/2) to the Northeast corner of said South
323 One-Half (S 1/2), said point also being on the
324 municipal boundary of the Town of Pembroke Park, as
325 established by Chapter 63-1772, Laws of Florida;

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327 Thence along said municipal boundary the following 5
 328 courses;

329
 330 Thence Northerly along the East line of the Northwest
 331 One-Quarter (NW 1/4) of said Section 30 to a point of
 332 intersection with the North right of way line of
 333 Hallandale Beach Road, also known as State Road No.
 334 824 and Hallandale Beach Boulevard;

335
 336 Thence Easterly along said North right of way line to
 337 a point of intersection with the East line of the West
 338 One-Half (W 1/2) of the Northwest One-Quarter (NW 1/4)
 339 of the Northwest One-Quarter (NW 1/4) of said Section
 340 29;

341
 342 Thence Northerly along said East line to the
 343 Northeast corner of the Northwest One-Quarter (NW
 344 1/4) of the Northwest One-Quarter (NW 1/4) of the
 345 Northwest One-Quarter (NW 1/4) of said Section 29;

346
 347 Thence Westerly along said North line to the Northwest
 348 corner of said Section 29, which is a common corner of
 349 Sections 19, 20, 29 and 30 , Township 51 South, Range
 350 42 East;

351
 352 Thence Northerly along the East line of the Southeast
 353 One-Quarter (SE 1/4) of said Section 19 to the POINT
 354 OF BEGINNING.

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LESS THEREFROM:

Those lands annexed by the Town of Pembroke Park, as established by Ordinance No. 77-7-3 of the Town of Pembroke Park described as follows:

Lot 1 thru 12 inclusive in Block 4 of "MIAMI GARDENS ESTATES, SECTION 8", according to the plat thereof, as recorded in Plat Book 44, Page 33, of the Public Records of Broward County, Florida;

AND LESS:

Those lands annexed by the Town of Pembroke Park, as established by Ordinance No. 74-9-1 of the Town of Pembroke Park described as follows:

All of "MIAMI GARDENS ESTATES SECTION 9", according to the plat thereof, as recorded in Plat Book 61, Page 16, of the Public Records of Broward County, Florida;

AND LESS:

Those lands annexed by the Town of Pembroke Park, as established by Ordinance No. 77-4-1 of the Town of Pembroke Park described as follows:

The East One-Half (E 1/2) of the East One-Half (E 1/2) of Government Lot 1, LESS the West 43 feet thereof, and the Northeast One-Quarter (NE 1/4) of the

383 Northwest One-Quarter (NW 1/4) of said Section 30,
 384 lying North of the North right of way line of
 385 Hallandale Beach Boulevard.

386
 387 (4) POWERS.--The city shall have all available
 388 governmental, corporate, and proprietary powers and may exercise
 389 them, except when prohibited by law. Through the adoption of
 390 this charter, it is the intent of the electors of the city that
 391 the municipal government established herein have the broadest
 392 exercise of home rule powers permitted under the State
 393 Constitution and laws of the state.

394 (5) CONSTRUCTION.--This charter and the powers of the city
 395 shall be construed liberally in favor of the city.

396 Section 2. Commission; mayor.--

397 (1) CITY COMMISSION.--There shall be a city commission
 398 (the "commission") vested with all legislative powers of the
 399 city, consisting of four members ("commission members") and the
 400 mayor. Commission members shall occupy seats numbered 1 through
 401 4. References in this charter to commission members shall
 402 include the mayor, unless the context dictates otherwise. Unless
 403 otherwise stated within this charter, all charter powers shall
 404 be exercised by the commission.

405 (2) MAYOR.--The mayor shall preside at meetings of the
 406 commission and be a voting member of the commission. The mayor
 407 shall be recognized as the head of city government for all
 408 ceremonial purposes, for purposes of military law, and for
 409 service of process and execution of duly authorized contracts,
 410 deeds, and other documents, and as the city official designated

411 to represent the city when dealing with other governmental
 412 entities.

413 (3) VICE MAYOR.--The vice mayor shall act as mayor in the
 414 absence of the mayor. The vice mayor shall be elected from among
 415 commission members for a period of 2 years by a majority of the
 416 commission at the first meeting of the commission after each
 417 election.

418 (4) ELECTION AND TERMS OF OFFICE.--

419 (a) Election and term of office.--Each commission member
 420 and the mayor shall be elected at large for 4-year terms by the
 421 electors of the city in the manner provided in section 5. Each
 422 commission member and the mayor shall remain in office until his
 423 or her successor is elected and assumes the duties of the
 424 position.

425 (b) Designated seats.--The city commission shall be
 426 divided into four seats, designated 1, 2, 3, and 4, to be voted
 427 on citywide, with each qualified elector entitled to vote for
 428 one candidate for each seat.

429 (5) QUALIFICATIONS.--Candidates for commission member
 430 shall qualify for election by the filing of a written notice of
 431 candidacy with the clerk of the city at such time and in such
 432 manner as may be prescribed by ordinance and payment to the
 433 clerk of the sum of \$100, plus any fees required by Florida
 434 Statutes, as a qualifying fee. A person may not be a candidate
 435 for more than one office in the same election. Only electors of
 436 the city who have resided continuously in the city for at least
 437 1 year preceding the date of such filing shall be eligible to
 438 hold the office of commission member. If at the conclusion of

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439 the qualifying period no elector shall have filed for candidacy,
 440 the commission seat shall be open for a period of 5 days and any
 441 qualified elector who has resided in the city continuously for
 442 at least 1 year preceding the date of such filing may file a
 443 written notice of candidacy for said commission seat in
 444 accordance with the remaining provisions of this section.

445 (6) VACANCIES; FORFEITURE OF OFFICE; FILLING OF
 446 VACANCIES.--

447 (a) Vacancies.--The office of a commission member shall
 448 become vacant upon his or her death, resignation, or removal
 449 from office in any manner authorized by law or by forfeiture of
 450 his or her office.

451 (b) Forfeiture of office.--

452 1. A commission member shall forfeit his or her office if
 453 at any time during his or her term he or she ceases to maintain
 454 his or her permanent residence in the city or if he or she
 455 otherwise ceases to be a qualified elector of the city.

456 2. A commission member shall be subject to forfeiture of
 457 his or her office, in the discretion of the remaining commission
 458 members, if he or she is absent without good cause from any
 459 three consecutive regular meetings of the commission during any
 460 calendar year or if he or she is absent without good cause from
 461 any four regular meetings of the commission within any 12-month
 462 period.

463 3. The commission shall be the sole judge of the
 464 qualifications of its members and shall hear all questions
 465 relating to forfeiture of a commission member's office,
 466 including whether or not good cause for absence has been or may

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467 be established. The burden of establishing good cause shall be
468 on the commission member in question; however, any commission
469 member may at any time during any duly held meeting move to
470 establish good cause for his or her absence or the absence of
471 any other commission member, from any past, present, or future
472 meeting or meetings, which motion, if carried, shall be
473 conclusive. A commission member whose qualifications are in
474 question or who is otherwise subject to forfeiture of his or her
475 office shall not vote on any such matters. The commission member
476 in question shall be entitled to a public hearing on request
477 regarding an alleged forfeiture of office. If a public hearing
478 is requested, notice thereof shall be published in one or more
479 newspapers of general circulation in the city at least 1 week in
480 advance of the hearing. Any final determination by the
481 commission that a commission member has forfeited his or her
482 office shall be made by resolution. All votes and other acts of
483 the commission member in question prior to the effective date of
484 such resolution shall be valid regardless of the grounds of
485 forfeiture.

486 (c) Filling of vacancies.--A vacancy on the commission
487 shall be filled as follows:

488 1. If less than 1 year remains in the unexpired term, the
489 vacancy shall be filled by the commission within 30 days.

490 2. If 1 year or more remains in the unexpired term, the
491 vacancy shall be filled by a special election to be held not
492 sooner than 30 days or more than 60 days following the
493 occurrence of the vacancy.

494 3. Persons filling vacancies shall meet the qualifications
 495 specified in this section.

496 4. If no candidate for a vacancy meets the qualifications
 497 under this section for that vacancy, the commission shall
 498 appoint a person qualified under this section to fill the
 499 vacancy.

500 5. Notwithstanding any quorum requirements established
 501 herein, if at any time the full membership of the commission is
 502 reduced to less than a quorum, the remaining members may, by
 503 majority vote, appoint additional members to the extent
 504 otherwise permitted or required under this subsection.

505 6. In the event that all the members of the commission are
 506 removed by death, disability, recall, forfeiture of office, or
 507 resignation, or any combination thereof, the Governor shall
 508 appoint interim commission members who shall call a special
 509 election within not less than 30 days or more than 60 days after
 510 such appointment. Such election shall be held in the same manner
 511 as the initial elections under this charter. However, if there
 512 are less than 6 months remaining in the unexpired terms, the
 513 interim commission appointed by the Governor shall serve out the
 514 unexpired terms. Appointees must meet all requirements for
 515 candidates provided for in this section.

516 (7) Compensation; reimbursement for expenses.--

517 (a) The commission members shall be compensated at the
 518 rate of \$300 per month. The mayor shall be compensated at the
 519 rate of \$400 per month. The mayor and commission shall receive
 520 reimbursement in accordance with applicable law, or as may be
 521 otherwise provided by ordinance, for authorized travel and per

522 diem expenses incurred in the performance of their official
 523 duties.

524 (b) An ordinance establishing, increasing, or decreasing
 525 compensation of the mayor or commission may be adopted at any
 526 time; however, in no event shall any establishment of
 527 compensation or any increase in compensation become effective
 528 prior to the first day of the first month following the first
 529 regular election of the city subsequent to the adoption of such
 530 ordinance.

531 (8) RULES OF PROCEDURE.--The commission shall determine
 532 its own rules of procedure.

533 Section 3. Administrative.--

534 (1) CITY ADMINISTRATOR.--There shall be a city
 535 administrator (the "administrator"), who shall be the chief
 536 administrative officer of the city. The administrator shall be
 537 responsible to the commission for the administration of all city
 538 affairs.

539 (2) APPOINTMENT; REMOVAL; COMPENSATION.--The commission
 540 shall appoint a qualified individual or firm for an indefinite
 541 term by an affirmative vote of at least four commission members.
 542 The commission may remove the administrator at any time by an
 543 affirmative vote of at least four commission members. For voting
 544 purposes, the mayor shall be considered as a commission member.
 545 The compensation and benefits of the administrator shall be
 546 fixed by the commission. Any consideration of the removal of the
 547 administrator must be an agenda item with public notice given.

548 (3) POWERS AND DUTIES OF THE ADMINISTRATOR.--The
 549 administrator shall:

- 550 (a) Be responsible for the hiring, supervision, and
 551 removal of all city employees.
- 552 (b) Direct and supervise the administration of all
 553 departments and offices, but not city boards or agencies, unless
 554 so directed by the commission from time to time.
- 555 (c) Attend all commission meetings and have the right to
 556 take part in discussion, but not the right to vote.
- 557 (d) Ensure that all laws, provisions of this charter, and
 558 acts of the commission, subject to enforcement or administration
 559 by him or her or by officers subject to his or her direction and
 560 supervision, are faithfully executed.
- 561 (e) Prepare and submit to the commission a proposed annual
 562 budget and capital program.
- 563 (f) Submit to the commission and make available to the
 564 public an annual report on the finances and administrative
 565 activities of the city as of the end of each fiscal year.
- 566 (g) Prepare such other reports as the commission may
 567 require concerning the operations of city departments, offices,
 568 boards, and agencies.
- 569 (h) Keep the commission fully advised as to the financial
 570 condition and future needs of the city and make such
 571 recommendations to the commission concerning the affairs of the
 572 city as he or she deems to be in the best interests of the city.
- 573 (i) Execute, with the mayor, contracts, deeds, and other
 574 documents on behalf of the city, as authorized by the
 575 commission.

576 (j) Implement the purchase code and guidelines adopted by
 577 the commission for the acquisition of goods and services for the
 578 city.

579 (k) Perform such other duties as are specified in this
 580 charter or as may be required by the commission.

581 (4) ABSENCE OR DISABILITY OF ADMINISTRATOR.--To perform
 582 his or her duties during his or her temporary absence or
 583 disability, the administrator may designate, by letter filed
 584 with the city clerk, a qualified administrative officer of the
 585 city. In the event of failure of the administrator to make such
 586 designation, or should the person so designated by the city
 587 administrator be unsatisfactory to the commission, the
 588 commission may by resolution appoint an officer of the city to
 589 perform the duties of the administrator until he or she shall
 590 return or his or her disability shall cease.

591 (5) BOND OF ADMINISTRATOR.--The administrator shall
 592 furnish a surety bond to be approved by the commission, and in
 593 such amount as the commission may fix, said bond to be
 594 conditioned on the faithful performance of his or her duties.
 595 The premium of the bond shall be paid by the city.

596 (6) CITY CLERK.--The administrator shall appoint a city
 597 clerk or management firm to serve as city clerk (the "clerk").
 598 The clerk shall give notice of commission meetings to its
 599 members and the public, shall keep minutes of its proceedings,
 600 and shall perform such other duties as the commission or
 601 administrator may prescribe from time to time. The clerk shall
 602 report to the administrator.

603 (7) CITY ATTORNEY.--The commission shall appoint a
 604 qualified individual or firm to serve as the city attorney for
 605 an indefinite term by an affirmative vote of at least four
 606 commission members. The commission members may remove the city
 607 attorney at any time by an affirmative vote of at least four
 608 commission members. The compensation and benefits of the city
 609 attorney shall be fixed by the commission. The city attorney
 610 shall report to the commission. The city attorney shall take
 611 office immediately on appointment, and the terms and conditions
 612 shall subsequently be reduced to a written contract. The
 613 commission shall have the authority to engage such additional
 614 legal counsel as it deems advisable and necessary.

615 (8) POWERS AND DUTIES OF THE CITY ATTORNEY.--The city
 616 attorney or other attorney, designated and approved by the
 617 commission, shall, to the extent required by the commission:

618 (a) Attend all regular and special meetings of the
 619 commission.

620 (b) Act as the legal advisor to and counselor for the city
 621 and its officers in the matters relating to their official
 622 duties.

623 (c) Approve all contracts, bonds, and other instruments in
 624 which the city is concerned and shall endorse on each his or her
 625 approval of the form and correctness thereof. No contract with
 626 the city shall take effect until his or her approval is so
 627 endorsed thereon.

628 (d) When requested to do so by the commission, prosecute
 629 and defend on behalf of the city all complaints, suits, and
 630 controversies in which the city is a party.

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631 (e) When so requested, furnish the mayor, commission, or
 632 administrator his or her opinion on any question of law
 633 involving the respective powers and duties of the mayor,
 634 commission, or administrator.

635 (f) Perform such other professional duties as required of
 636 him or her by resolution of the commission or as prescribed for
 637 municipal attorneys in the general laws of the state which are
 638 not inconsistent with this charter.

639 (9) EXPENDITURE OF CITY FUNDS.--No funds of the city shall
 640 be expended except pursuant to duly approved appropriations or
 641 for the payment of bonds, notes, or other indebtedness duly
 642 authorized by the commission and only from such funds so
 643 authorized.

644 (10) City boards and agencies.--Except as otherwise
 645 provided by law, the commission may establish or terminate such
 646 boards and agencies as it may deem advisable from time to time.
 647 The boards and agencies shall report to the commission. Members
 648 of boards and agencies shall be appointed by the commission by
 649 resolution.

650 Section 4. Legislative.--

651 (1) COMMISSION MEETING PROCEDURE.--

652 (a) Meetings.--The commission shall hold at least 11
 653 monthly meetings in each fiscal year at such times and places as
 654 the commission may prescribe by rule. No meeting shall extend
 655 beyond 11 p.m. local time. Notwithstanding the aforesaid, the
 656 commission may conclude debate and voting on any agenda item
 657 under consideration at 11 p.m. Special meetings may be held upon
 658 the call of the mayor or upon the call of three members of the

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659 commission, and upon no less than 24 hours' notice to each
 660 member and the public, or such shorter time as a majority of the
 661 commission shall deem necessary in case of an emergency
 662 affecting life, health, property, or the public peace.

663 (b) Quorum and voting.--Except as otherwise provided in
 664 this charter, any three members of the commission shall
 665 constitute a quorum. The affirmative vote of three members of
 666 the commission shall be required for any legislative action. All
 667 voting shall be by roll call.

668 (2) PROHIBITIONS.--

669 (a) Appointments and removals.--Neither the commission nor
 670 any of its members shall in any manner dictate the appointment
 671 or removal of any city administrative officers or employees whom
 672 the administrator or any of his or her subordinates is empowered
 673 to appoint, but the commission members may express their views
 674 and fully and freely discuss with the administrator anything
 675 pertaining to appointment and removal of such officers and
 676 employees.

677 (b) Interference with administration.--Except for the
 678 purpose of inquiries and investigations made in good faith, the
 679 commission or its members shall deal with city officers and
 680 employees who are subject to the direction and supervision of
 681 the administrator solely through the administrator, and neither
 682 the commission nor its members shall give orders to any such
 683 officer or employee, either publicly or privately. It is the
 684 express intent of this charter that recommendations for
 685 improvement in city government operations by individual
 686 commission members be made solely to and through the

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687 | administrator. Commission members may discuss with the
 688 | administrator any matter of city business; however, no
 689 | individual commission member shall give orders to the
 690 | administrator.

691 | (c) Holding other office.--No elected city official shall
 692 | hold any appointive city office or city employment while in
 693 | office. No former elected city official shall hold any
 694 | compensated appointive city office or city employment until 1
 695 | year after the expiration of his or her term.

696 | (3) EMERGENCY ORDINANCES.--

697 | (a) Authorization; form.--To meet a public emergency
 698 | affecting life, health, property, or the public peace, the
 699 | commission may adopt, in the manner provided by Florida
 700 | Statutes, one or more emergency ordinances, but such ordinances
 701 | may not enact or amend a land use plan or rezone private
 702 | property; levy taxes; grant, renew, or extend any municipal
 703 | franchise; set service or user charges for any municipal
 704 | services; or authorize the borrowing of money, except as
 705 | provided under the emergency appropriations provisions of this
 706 | charter, if applicable. An emergency ordinance shall be
 707 | introduced in the form and manner prescribed for ordinances
 708 | generally, except that it shall be plainly designated in a
 709 | preamble as an emergency ordinance and shall contain, after the
 710 | enacting clause, a declaration stating that an emergency exists
 711 | and describing it in clear and specific terms.

712 | (b) Procedure.--Upon the affirmative vote of four
 713 | commission members, an emergency ordinance may be adopted with
 714 | or without amendment or rejected at the meeting at which it is

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715 introduced. For voting purposes, the mayor shall be considered
 716 as a member of the commission. After its adoption, the ordinance
 717 shall be advertised and printed as prescribed for other
 718 ordinances.

719 (c) Effective date.--Emergency ordinances shall become
 720 effective upon adoption or at such other date as may be
 721 specified in the ordinance.

722 (d) Repeal.--Every emergency ordinance, except emergency
 723 appropriation ordinances, shall automatically be repealed as of
 724 the 61st day following its effective date, but this shall not
 725 prevent reenactment of the ordinance under regular procedures
 726 or, if the emergency still exists, in the manner specified in
 727 this section. An emergency ordinance may also be repealed by
 728 adoption of a repealing ordinance in the same manner specified
 729 in this section for adoption of emergency ordinances.

730 (e) Emergency appropriations.--To meet a public emergency
 731 affecting life, health, property, or the public peace, the
 732 commission, by resolution, may make emergency appropriations. To
 733 the extent that there are no unappropriated revenues to meet
 734 such appropriation, the commission may by such emergency
 735 resolution authorize the issuance of emergency notes, which may
 736 be renewed from time to time, but the emergency notes and
 737 renewals in any fiscal year shall be paid not later than the
 738 last day of the fiscal year succeeding that in which the
 739 emergency appropriations were made.

740 (4) ANNUAL BUDGET ADOPTION.--

741 (a) Balanced budget.--Each annual budget adopted by the
 742 commission shall not provide for expenditures in an amount
 743 greater than the revenues budgeted.

744 (b) Budget adoption.--The budget shall be adopted in
 745 accordance with applicable Florida Statutes and any amendments
 746 thereto.

747 (c) Specific appropriation.--The budget shall be specific
 748 as to the nature of each category of appropriations. Reasonable
 749 appropriations may be made for contingencies, but only within
 750 defined spending categories.

751 (5) FISCAL YEAR.--The fiscal year of the city government
 752 shall begin on the first day of October and shall end on the
 753 last day of September of the following calendar year, unless
 754 otherwise defined by Florida Statutes. Such fiscal year shall
 755 also constitute the annual budget and accounting year.

756 (6) APPROPRIATION AMENDMENTS DURING THE FISCAL YEAR.--

757 (a) Supplemental appropriations.--If, during any fiscal
 758 year, revenues in excess of those estimated in the annual budget
 759 are available for appropriation, the commission may by ordinance
 760 make supplemental appropriations for the fiscal year up to the
 761 amount of such excess.

762 (b) Reduction of appropriations.--If, at any time during
 763 the fiscal year, it appears probable to the administrator that
 764 the revenues available will be insufficient to meet the amounts
 765 appropriated, he or she shall report to the commission without
 766 delay, indicating the estimated amount of the deficit and his or
 767 her recommendations as to the remedial action to be taken. The
 768 commission shall then take such action as it deems appropriate

769 to prevent any deficit spending not covered by adequate
 770 reserves.

771 (7) AUTHENTICATION, RECORDING, AND DISPOSITION OF
 772 ORDINANCES, RESOLUTIONS, AND CHARTER AMENDMENTS.--

773 (a) Authentication.--The mayor and the clerk shall
 774 authenticate, by their signatures, all ordinances and
 775 resolutions adopted by the commission. In addition, when charter
 776 amendments have been approved by the electors, the mayor and the
 777 clerk shall authenticate, by their signatures, the charter
 778 amendment, such authentication to reflect the approval of the
 779 charter amendment by the electorate.

780 (b) Recording.--The clerk shall keep properly indexed
 781 books in which shall be recorded, in full, all ordinances and
 782 resolutions enacted or passed by the commission. Ordinances
 783 shall, at the direction of the commission, be periodically
 784 codified. The clerk shall also maintain the charter in current
 785 form as to all amendments.

786 (c) Printing.--The commission shall, by ordinance,
 787 establish procedures for making all resolutions, ordinances,
 788 technical codes adopted by reference, and this charter available
 789 for public inspection and available for purchase at a reasonable
 790 price.

791 (8) BORROWING.--

792 (a) Subject to the referendum requirements of the State
 793 Constitution, if applicable, the city may from time to time
 794 borrow money and issue bonds or other obligations or evidence of
 795 indebtedness (collectively, "bonds") of any type or character
 796 for any of the purposes for which the city is now or hereafter

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797 authorized by law to borrow money, including to finance the cost
 798 of any capital or other project and to refund any and all
 799 previous issues of bonds at or prior to maturity. Such bonds may
 800 be issued pursuant to one or more resolutions adopted by a
 801 majority of the commission.

802 (b) The city may assume all outstanding indebtedness
 803 related to facilities it acquires from other units of local
 804 government and be liable for payment thereon in accordance with
 805 its terms.

806 (9) INDEPENDENT AUDIT.--The commission shall provide for
 807 an independent annual audit of all city accounts and may provide
 808 for more frequent audits as it deems necessary. Such audits
 809 shall be made by a certified public accountant or firm of such
 810 accountants who have no personal interest, direct or indirect,
 811 in the fiscal affairs of the city government or any of its
 812 officers.

813 Section 5. Elections.--

814 (1) ELECTORS.--Any person who is a resident of the city,
 815 has qualified as an elector of the state, and registers to vote
 816 in the manner prescribed by law shall be an elector of the city.

817 (2) NONPARTISAN ELECTIONS.--All elections for the offices
 818 of commission member and mayor shall be conducted on a
 819 nonpartisan basis.

820 (3) ELECTION DATES.--A special election shall be held on
 821 the second Tuesday in March 2005 and regular elections shall be
 822 held every 2 years thereafter according to the provisions of
 823 this charter.

824 (4) GENERAL ELECTION.--The ballot for the general election
 825 shall contain the names of all qualified candidates for mayor if
 826 the mayor's term is expiring and for each of the two commission
 827 seats which are to be filled at that election as a result of two
 828 commission members' terms expiring, and shall instruct electors
 829 to cast one vote for mayor, if applicable, and one vote for each
 830 commission seat, with a maximum of one vote per candidate. The
 831 candidate for mayor receiving the most votes shall be the duly
 832 elected mayor. The candidate receiving the most votes in each
 833 designated commission seat, respectively, shall be the duly
 834 elected commission member for that designated commission seat.

835 (5) SPECIAL ELECTIONS.--Special elections, when required,
 836 shall be scheduled by the commission at such times and in such
 837 manner as shall be consistent with this charter and state law.

838 (6) SINGLE CANDIDATES.--No election for mayor or any
 839 commission seat shall be required in any election if there is
 840 only one duly qualified candidate for mayor or for any
 841 commission seat.

842 (7) COMMENCEMENT OF TERMS.--The term of office of any
 843 elected official shall commence immediately after the election.

844 (8) OATH.--All elected officers, before entering upon
 845 their duties, shall take and subscribe to the following oath of
 846 office:

847
 848 I do solemnly swear (or affirm) that I will support,
 849 protect, and defend the Constitution and Government of
 850 the United States and of the State of Florida, and the
 851 charter of the City of West Park; that I am duly

852 qualified to hold office under the Constitution of the
 853 State and the charter of the City of West Park; and
 854 that I will well and faithfully perform the duties of
 855 (Mayor or commission member) upon which I am now about
 856 to enter. (So help me God.)

857
 858 (9) ELECTION LAWS.--The election laws of the state shall
 859 apply to all elections.

860 (10) RECALL.--The registered electors of the city shall
 861 have the power to recall and to remove from office any elected
 862 official of the city as provided by general law of the state.

863 Section 6. Charter amendments.--

864 (1) CHARTER AMENDMENTS.--This charter may be amended in
 865 accordance with the provisions of this section.

866 (2) PROCEDURE TO AMEND.--

867 (a) Initiation.--This charter may be amended in two ways:

868 1. By ordinance.--The commission may, by ordinance,
 869 propose amendments to this charter and, upon passage of the
 870 initiating ordinance, shall submit the proposed amendment to a
 871 vote of the electors at the next general election held within
 872 the city or at a special election called for such purpose.

873 2. By petition.--The electors of the city may propose
 874 amendments to this charter by petition pursuant to the
 875 requirements of chapter 166, Florida Statutes, as amended.

876 (b) Submission to electors.--Upon certification of the
 877 sufficiency of a petition, the commission shall submit the
 878 proposed amendment to a vote of the electors at a general
 879 election or special election to be held not less than 60 days or

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880 more than 120 days from the date on which the petition was
 881 certified or at a special election called for such purpose.

882 (c) Results of election.--If a majority of the qualified
 883 electors voting on a proposed amendment votes for its adoption,
 884 it shall be considered adopted upon certification of the
 885 election results. If conflicting amendments are adopted at the
 886 same election, the one receiving the greatest number of
 887 affirmative votes shall prevail to the extent of such conflict.

888 (3) APPOINTMENT OF CHARTER REVIEW COMMITTEE.--The
 889 commission shall appoint a charter review committee, which shall
 890 contain at least five registered electors who are residents of
 891 the city and whose responsibilities shall include the review and
 892 analysis of the charter and recommendations to the commission of
 893 proposed charter amendments, including, without limitation,
 894 issues such as district voting versus citywide elections for
 895 commission members. All recommendations of the charter review
 896 committee shall be considered by the commission at least once
 897 every 4 years, and the commission may by ordinance propose
 898 amendments to this charter upon recommendation of the charter
 899 review committee. Upon passage of the initiating ordinance, the
 900 commission shall submit the proposed amendment to a vote of the
 901 electors of the city at the next general election held within
 902 the city or at a special election called for such purpose.

903 Section 7. General provisions.--

904 (1) SEVERABILITY.--If any section or part of any section
 905 of this charter shall be held invalid by a court of competent
 906 jurisdiction, such holding shall not affect the remainder of
 907 this charter or the context in which such section or part of a

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908 section so held invalid may appear, except to the extent that an
 909 entire section or part of a section may be inseparably connected
 910 in meaning and effect with the section or part of a section to
 911 which such holding shall directly apply.

912 (2) CONFLICTS OF INTEREST; ETHICAL STANDARDS.--All
 913 commission members, officials, and employees of the city shall
 914 be subject to the standards of conduct for public officers and
 915 employees set by federal, state, county, or other applicable
 916 law.

917 (3) CITY PERSONNEL SYSTEM.--All new employments,
 918 appointments, and promotions of city officers and employees
 919 shall be made pursuant to personnel procedures to be established
 920 by the administrator from time to time.

921 (4) CHARITABLE CONTRIBUTIONS.--The city shall not make any
 922 charitable contribution to any person or entity unless
 923 authorized by the commission.

924 (5) VARIATION OF PRONOUNS.--All pronouns and any
 925 variations thereof used in this charter shall be deemed to refer
 926 to masculine, feminine, neutral, singular, or plural as the
 927 identity of the person or persons shall require and are not
 928 intended to describe, interpret, define, or limit the scope,
 929 extent, or intent of this charter.

930 (6) CALENDAR DAY.--For the purposes of this charter, a day
 931 shall mean a calendar day.

932 Section 8. Transition provisions.--

933 (1) CREATION AND ESTABLISHMENT OF CITY.--The City of West
 934 Park is hereby created and established effective March 1, 2005.

935 (2) INITIAL ELECTION OF COMMISSION MEMBERS; DATES;
 936 QUALIFYING PERIOD; CERTIFICATION OF ELECTION RESULTS; INDUCTION
 937 INTO OFFICE.--

938 (a) Dates.--Following the adoption of this charter by the
 939 electorate, a special election for the election of the mayor and
 940 four commission members shall be held on March 8, 2005.

941 (b) Qualifying period.--Any individual wishing to run for
 942 mayor or one of the four commission seats who is a qualified
 943 elector of the city and has resided continuously within the
 944 corporate boundaries described in this act for 1 year shall
 945 qualify as a candidate with the Broward County Supervisor of
 946 Elections between January 2 and January 15, 2005, in accordance
 947 with the provisions of this charter and general law.

948 (c) Certification of election results.--For the initial
 949 election, a canvassing board shall be appointed by the Board of
 950 County Commissioners of Broward County to certify the results of
 951 the election. At the first election under this charter, the four
 952 candidates for commission member receiving the highest number of
 953 votes shall be elected. At such initial election, seats shall
 954 not be designated. Of the elected candidates, the two receiving
 955 the greatest number of votes shall serve until their successors
 956 are elected on the second Tuesday in March 2009 and assume the
 957 duties of the office, and the remaining two shall serve until
 958 their successors are elected on the second Tuesday in March 2007
 959 and assume the duties of the office. The candidate receiving
 960 the highest number of votes shall occupy seat 1; the candidate
 961 receiving the second highest number shall occupy seat 2; the
 962 candidate receiving the third highest number shall occupy seat

963 3; and the candidate receiving the fourth highest number shall
 964 occupy seat 4. Thereafter, all commission members shall be
 965 elected for 4-year terms. The mayoral candidate receiving the
 966 highest number of votes shall be elected. The mayor shall be
 967 elected at the first election to serve until his or her
 968 successor is elected on the second Tuesday in March 2007 and
 969 assumes the duties of the office, and for a 4-year term at all
 970 subsequent elections.

971 (d) Induction into office.--Those candidates who are
 972 elected on March 8, 2005, shall take office at the initial
 973 commission meeting, which shall be held at 7:30 p.m. on March
 974 10, 2005, at a place to be designated by the mayor.

975 (3) TEMPORARY NATURE OF SUBSECTIONS (4)-(10).--The
 976 following subsections of this section are inserted solely for
 977 the purpose of effecting the incorporation of the city and the
 978 transition to a new municipal government. Subsections (4)-(10)
 979 of this section shall automatically, and without further vote or
 980 act of the electors of the city, become ineffective and no
 981 longer a part of this charter at such time as the implementation
 982 of such section has been accomplished.

983 (4) INTERIM ADOPTION OF CODES AND ORDINANCES.--Until
 984 otherwise modified or replaced by this charter or the
 985 commission, all codes, ordinances, and resolutions of Broward
 986 County, Florida, in effect on the day of adoption of this
 987 charter shall, to the extent applicable to the city, remain in
 988 force and effect as municipal codes, ordinances, and resolutions
 989 of the city. Until otherwise determined by the commission, said
 990 codes, ordinances, and resolutions shall be applied,

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991 interpreted, and implemented by the city in a manner consistent
 992 with established policies of Broward County on the date of this
 993 charter.

994 (5) TAXES AND FEES.--Until otherwise modified by the
 995 commission, all municipal taxes and fees imposed within the city
 996 boundaries by the county as the municipal government for
 997 unincorporated Broward County, which taxes and fees are in
 998 effect on the date of adoption of this charter, shall continue
 999 at the same rate and on the same conditions as if those taxes
 1000 and fees had been adopted and assessed by the city.

1001 (6) FIRST YEAR EXPENSES.--The commission, in order to
 1002 provide moneys for the expenses and support of the city, shall
 1003 have the power to borrow money necessary for the operation of
 1004 city government until such time as a budget is adopted and
 1005 revenues are raised in accordance with the provisions of this
 1006 charter.

1007 (7) TRANSITIONAL ORDINANCES AND RESOLUTIONS.--The
 1008 commission shall adopt ordinances and resolutions required to
 1009 effect the transition. Ordinances adopted within 60 days after
 1010 the first commission meeting may be passed as emergency
 1011 ordinances. These transitional ordinances shall be effective for
 1012 no longer than 90 days after adoption and thereafter may be
 1013 readopted, renewed, or otherwise continued only in the manner
 1014 normally prescribed for ordinances.

1015 (8) STATE SHARED REVENUES.--The city shall be entitled to
 1016 participate in all shared revenue programs of the state,
 1017 effective immediately on the date of incorporation. The
 1018 provisions of section 218.23, Florida Statutes, shall be waived

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1019 for the purpose of eligibility to receive revenue sharing from
 1020 the date of incorporation through the end of the state fiscal
 1021 year 2005-2006. The provisions of section 218.26(3), Florida
 1022 Statutes, shall be waived for the fiscal year 2005-2006, and the
 1023 apportionment factors for the municipalities and counties shall
 1024 be recalculated pursuant to section 218.245, Florida Statutes.
 1025 The initial population estimates for calculating eligibility for
 1026 shared revenues shall be determined by the University of Florida
 1027 Bureau of Economic and Business Research as of the effective
 1028 date of this charter. Should the bureau be unable to provide an
 1029 appropriate population estimate, the initial population for
 1030 calculating eligibility for shared revenues shall be established
 1031 at the level of 12,750.

1032 (9) GAS TAX REVENUES.--Notwithstanding the requirements of
 1033 section 336.025, Florida Statutes, to the contrary, the city
 1034 shall be entitled to receive local option gas tax revenues
 1035 beginning October 1, 2005. These revenues shall be distributed
 1036 in accordance with the interlocal agreement with Broward County.

1037 (10) SHARED REVENUES.--Broward County shall distribute to
 1038 the city, from taxes, franchise fees, and ad valorem taxes,
 1039 revenues collected within the municipal boundaries of the city.
 1040 This calculation shall be based upon a population projection of
 1041 12,750.

1042 Section 9. Within 1 year after the date of incorporation
 1043 of West Park, the City Commission of the City of West Park may,
 1044 by ordinance, upon four-fifths vote, amend the charter of the
 1045 City of West Park and rename said city.

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1046 Section 10. This act shall only take effect upon approval
1047 by a majority of those qualified electors residing within the
1048 proposed corporate limits of the proposed City of West Park as
1049 described in section 1(3) of the charter, voting in a referendum
1050 election to be called by the Board of County Commissioners of
1051 Broward County and to be held on November 2, 2004, in accordance
1052 with the provisions relating to elections currently in force
1053 except that:

1054 (1) This section of the charter shall take effect upon
1055 this act becoming a law.

1056 (2) If a majority of the qualified voters voting do not
1057 approve this act then this act shall not take effect.

1058 (3) If approved by a majority of the qualified voters
1059 voting then this act and charter shall take effect upon
1060 certification of the election results by the Broward County
1061 Supervisor of Elections.