

1 A bill to be entitled

2 An act relating to Broward County; creating the charter of
3 the City of West Park; providing for the corporate name
4 and purpose of the charter; establishing form of
5 government and territorial boundaries of the municipality;
6 providing powers of the municipality and of certain
7 officers; providing for election and terms of office of a
8 city commission, including the mayor and vice mayor, and
9 providing for qualifications, powers, and duties of and
10 restrictions on its membership; establishing circumstances
11 which create vacancies in office and providing for filling
12 vacancies and for forfeiture and recall; providing a
13 procedure for establishing compensation and expense
14 reimbursement for the mayor and city commission; providing
15 for rules of procedure; providing for a city
16 administrator, city clerk, and city attorney and powers
17 and duties of each; providing restrictions on expenditure
18 of city funds; authorizing establishment of city boards
19 and agencies; providing for commission meetings,
20 procedural rules, and recordkeeping and voting at
21 meetings; providing for emergency ordinances; providing
22 for budget requirements, adoption, and amendment and
23 establishing a fiscal year; providing procedures for
24 authentication, recording, and disposition of ordinances,
25 resolutions, and charter amendments; establishing the
26 right to determine, order, levy, assess, and collect
27 taxes; providing for borrowing by the city; providing for
28 an annual independent audit; providing for quasi-judicial

29 | procedures; establishing election requirements and
 30 | guidelines; providing for charter amendments and review;
 31 | providing for severability; providing for standards of
 32 | conduct; providing for a personnel system; providing
 33 | requirements for charitable contributions; providing for
 34 | transition, including a referendum on incorporation and
 35 | alternate manners of elections for the city commission,
 36 | initial election and terms, and date of creation and
 37 | establishment of the municipality; providing for interim
 38 | adoption of codes and ordinances and taxes and fees;
 39 | providing for payment of certain revenues and for
 40 | transitional ordinances and resolutions; entitling the
 41 | city to state shared and local option gas tax revenues;
 42 | providing for the sharing of certain revenues; providing
 43 | for the city commission to rename the city under certain
 44 | circumstances; providing an effective date.

45 |

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

47 |

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

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

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

59 | (3) CORPORATE BOUNDARY.--

60 |
 61 | A portion of Sections 29 and 30, Township 51 South,
 62 | Range 42 East, Broward County, Florida, described as
 63 | follows:

64 |
 65 | Beginning at a point on the South line of said Section
 66 | 30, said point being 535.00 feet Westerly of the
 67 | Southeast corner of said Section 30, as measured along
 68 | said South line;

69 |
 70 | Thence along the municipal boundary of the Town of
 71 | Pembroke Park, as established by Chapter 63-1772, Laws
 72 | of Florida, the following 23 courses and distances;

73 |
 74 | Thence Northerly a distance of 50 feet to the
 75 | Southwest corner of Tract "N" of a subdivision known
 76 | as "LAKE FOREST SECTION 3", as recorded in Plat Book
 77 | 35, Page 15, of the Public Records of Broward County,
 78 | Florida;

79 |
 80 | Thence continue Northerly along the West boundary of
 81 | said Tract "N" to the Northwest corner of said Tract
 82 | "N";

83 |

84 Thence continue Northerly a distance of 25 feet to the
85 centerline of Lime Tree Concourse which is a dedicated
86 street of the subdivision of said "LAKE FOREST SECTION
87 3";

88
89 Thence Easterly along the centerline of said Lime Tree
90 Concourse to the point of intersection of the said
91 centerline with the East boundary of the Southeast
92 One-Quarter (SE 1/4) of said Section 30;

93
94 Thence continue Easterly along said centerline a
95 distance of 305.10 feet;

96
97 Thence Southerly to the Northeasterly corner of Tract
98 "0" of said subdivision of "LAKE FOREST SECTION 3";

99
100 Thence continue Southerly on a bearing of South
101 00°15'07" East a distance of 100 feet, to a point;

102
103 Thence Easterly a distance of 80.64 feet on a bearing
104 of North 82°30'53" East to the Northwesterly corner of
105 Lot 4, Block 21 of said subdivision of "LAKE FOREST
106 SECTION 3";

107
108 Thence Southerly along the Westerly lines of Lots 4,
109 5, and 6 of said Block 21 a distance of 246 feet to
110 the Northwest corner of Lot 33 of said Block 21;

111

112 Thence Southerly along the West line of Lot 33 of said
113 Block 21 a distance of 145 feet to the Southwest
114 corner of said Lot 33;

115
116 Thence Easterly along the South boundaries of Blocks
117 21 and 31 to the Southeast corner of Block 31 of said
118 subdivision of "LAKE FOREST SECTION 3";

119
120 Thence continue Easterly along a projection of the
121 South boundary of said Block 31 a distance of 800 feet
122 to a point on the East boundary of the Southwest One-
123 Quarter (SW 1/4) of said Section 29;

124
125 Thence run Northerly and along the West boundary of
126 the Southeast One-Quarter (SE 1/4) of said Section 29
127 to the Northwest corner of said Southeast One-Quarter
128 (SE 1/4) of said Section 29;

129
130 Thence continue Northerly along the West boundary of
131 the Northeast One-Quarter (NE 1/4) of said Section 29
132 to a point 265 feet South of the Northeast corner of
133 the South One-Half (S 1/2) of the Northwest One-
134 Quarter (NW 1/4) of said Section 29;

135
136 Thence Westerly along the North boundary of Lot 21,
137 Block 37 of the subdivision of "LAKE FOREST SECTION
138 4", as recorded in Plat Book 43, Page 45, of the

139 | Public Records of Broward County, Florida, to the
 140 | Northwest corner of said Lot 21;
 141 |
 142 | Thence continue Westerly to the Southeast corner of
 143 | Tract "R", Block 40 of said subdivision of "LAKE
 144 | FOREST SECTION 4";
 145 |
 146 | Thence continue Westerly along the South boundaries of
 147 | said Tract "R" and the South boundary of Tract "RA" of
 148 | said subdivision of "LAKE FOREST SECTION 4" to the
 149 | Southwest corner of said Tract "RA";
 150 |
 151 | Thence Northwesterly along the South boundary of said
 152 | Tract "RA" to the Southeast corner of Lot 29A of said
 153 | Block 40;
 154 |
 155 | Thence continue Westerly along the South boundary of
 156 | said Block 40 and along the South boundary of Block 50
 157 | of said subdivision of "LAKE FOREST SECTION 4" to the
 158 | Southwest corner of Lot 28 of said Block 50;
 159 |
 160 | Thence Southerly to the Southeast corner of Tract "Q"
 161 | of said subdivision of "LAKE FOREST SECTION 4";
 162 |
 163 | Thence Westerly to the Northwest corner of Lot 36, of
 164 | said Block 50;
 165 |

166 Thence Southerly to the Southwest corner of said Lot
 167 36;

168
 169 Thence Westerly along the South boundary of said Tract
 170 "Q" and the extension thereof for a distance of 171.53
 171 feet to a point on the West boundary of the Northeast
 172 One-Quarter (NE 1/4) of said Section 30 said point
 173 also being on the municipal boundary of the Town of
 174 Pembroke Park, as established by Chapter 70-878, Laws
 175 of Florida;

176
 177 Thence Southerly along said municipal boundary and the
 178 East line of the West One-Half (W 1/2) of said Section
 179 30 to the Southwest corner of the Southeast One-
 180 Quarter (SE 1/4) of said Section 30;

181
 182 Thence Easterly along the South line of said Section
 183 30 to the POINT OF BEGINNING.

184
 185 TOGETHER WITH

186
 187 Beginning at the Southwest corner of the Southeast
 188 quarter of Section 29, Township 51 South, Range 42
 189 East, run Westerly along the South boundary of the
 190 Southwest quarter of said Section 29-51-42 to the
 191 Southwest corner of Section 29-51-42 which is a common
 192 corner of Sections 29 and 30, Township 51 South, Range
 193 42 East and Sections 5 and 6, Township 52 South, Range

194 42 East; thence continue Westerly along the South
195 boundary of Section 30-51-42 a distance of 535.00
196 feet; thence Northerly a distance of 50 feet to the
197 Southwest corner of Tract 'N' of a subdivision known
198 as "LAKE FOREST SECTION 3" as recorded in Plat Book
199 35, Page 15 of the Public Records of Broward County,
200 Florida; thence continue Northerly along the West
201 boundary of said Tract 'N' to the Northwest corner of
202 said Tract 'N'; thence continue Northerly a distance
203 of 25 feet to the center line of Lime Tree Concourse
204 which is a dedicated street of the subdivision of
205 "LAKE FOREST SECTION 3"; thence Easterly along the
206 center line of said Lime Tree Concourse to a point of
207 intersection of the said center line with the East
208 boundary of the Southeast quarter of Section 30-51-42;
209 thence continue Easterly along said center line a
210 distance of 305.10 feet; thence Southerly to the
211 Northeasterly corner of Tract 'O' of said subdivision
212 of "LAKE FOREST SECTION 3"; thence continue Southerly
213 on a bearing of South 0° 15' 07" East a distance of
214 100 feet to a point; thence Easterly a distance of
215 80.64 feet on a bearing of North 82° 30' 53" East to
216 the northwesterly corner of Lot 4, Block 21 of said
217 subdivision of "LAKE FOREST SECTION 3"; thence
218 Southerly along the Westerly lines of Lots 4 and 5,
219 and 6 of said Block 21 a distance of 246 feet to the
220 Northwest corner of Lot 33 of said Block 21; thence
221 Southerly along the West line of Lot 33 of said Block

222 21 a distance of 145 feet to the Southwest corner of
 223 said Lot 33; thence Easterly along the South
 224 boundaries of Blocks 21 and 31 to the Southeast corner
 225 of Block 31 of said subdivision of "LAKE FOREST
 226 SECTION 3"; thence continue Easterly along a
 227 projection of the South boundary of said Block 31 a
 228 distance of 800 feet to a point on the East boundary
 229 of the Southwest quarter of Section 29-51-42; thence
 230 Southerly and along the East boundary of said
 231 Southwest quarter of Section 29-51-42 to the point of
 232 beginning; said lands situate, lying and being in
 233 Broward County, Florida.

234
 235 TOGETHER WITH

236
 237 The South 15 feet of the Southwest quarter of Section
 238 30, Township 51 South, Range 42 East. Broward County,
 239 Florida.

240
 241 TOGETHER WITH

242
 243 A portion of Sections 24 and 25, Township 51 South,
 244 Range 41 East, and Sections 19, 29 and 30, Township 51
 245 South, Range 42 East, Broward County, Florida,
 246 described as follows:

247
 248 BEGINNING at the Northeast corner of the South One-
 249 Half (S 1/2) of said Section 19, also being a point on

250 the municipal boundary of the City of Hollywood, as
 251 established by Chapter 59-1369, Laws of Florida;
 252
 253 Thence Westerly along the North line of said South
 254 One-Half (S 1/2) to the East line of the Southwest
 255 One-Quarter (SW 1/4) of the Northwest One-Quarter (NW
 256 1/4) of said Section 19, also being a point on the
 257 municipal boundary of the City of Hollywood, as
 258 established by Chapter 63-1426, Laws of Florida;
 259
 260 Thence continue Westerly along said North line, along
 261 the North line of the Southeast One-Quarter (SE 1/4)
 262 of said Section 24 and along said municipal boundary
 263 to the West line of the Northeast One-Quarter (NE 1/4)
 264 of the Southeast One-Quarter (SE 1/4) of said Section
 265 24;
 266
 267 Thence continue along said municipal boundary to the
 268 centerline of right of way of Southwest 17 Street
 269 (Pembroke Road);
 270
 271 Thence continue along said municipal boundary and
 272 along said centerline to a point on the centerline of
 273 State Road No. 7 (U.S. 441) also known as Southwest 60
 274 Avenue, said point also being on the municipal
 275 boundary of the City of Miramar, as established by
 276 Ordinance No. 72-14 of the City of Miramar;
 277

278 Thence Southerly along said centerline and said
 279 municipal boundary over and across said Sections 24
 280 and 25 to a point of intersection with the South line
 281 of said Section 25;

282
 283 Thence Easterly along said South line to the East line
 284 of said Section 25 and a point on the municipal
 285 boundary of the Town of Pembroke Park, as established
 286 by Chapter 70-878, Laws of Florida;

287
 288 Thence along said municipal boundary the following 6
 289 courses;

290
 291 Thence Northerly along said East line to the Southwest
 292 corner of the Northwest One-Quarter (NW 1/4) of the
 293 Southwest One-Quarter (SW 1/4) of the Southwest One-
 294 Quarter (SW 1/4) of said Section 30;

295
 296 Thence Easterly along said South line to the Southeast
 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 Northerly along the West line of the East
 302 Three-Quarters (E 3/4) of the Southwest One-Quarter
 303 (SW 1/4) of said Section 30 to the Northeast corner of
 304 the South One-Half (S 1/2) of the Southwest One-
 305 Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4)

306 of the Southwest One-Quarter (SW 1/4) of said Section
 307 30;

308
 309 Thence Westerly along the North line of said South
 310 One-Half (S 1/2) to the West line of said Section 30;

311
 312 Thence Northerly along the said West line to the
 313 Northwest corner of the South One-Half (S 1/2) of the
 314 Northwest One-Quarter (NW 1/4) of said Section 30;

315
 316 Thence Easterly along the North line of said South
 317 One-Half (S 1/2) to the Northeast corner of said South
 318 One-Half (S 1/2), said point also being on the
 319 municipal boundary of the Town of Pembroke Park, as
 320 established by Chapter 63-1772, Laws of Florida;

321
 322 Thence along said municipal boundary the following 5
 323 courses;

324
 325 Thence Northerly along the East line of the Northwest
 326 One-Quarter (NW 1/4) of said Section 30 to a point of
 327 intersection with the North right of way line of
 328 Hallandale Beach Road, also known as State Road No.
 329 824 and Hallandale Beach Boulevard;

330
 331 Thence Easterly along said North right of way line to
 332 a point of intersection with the East line of the West
 333 One-Half (W 1/2) of the Northwest One-Quarter (NW 1/4)

334 of the Northwest One-Quarter (NW 1/4) of said Section
 335 29;

336
 337 Thence Northerly along said East line to the
 338 Northeast corner of the Northwest One-Quarter (NW
 339 1/4) of the Northwest One-Quarter (NW 1/4) of the
 340 Northwest One-Quarter (NW 1/4) of said Section 29;

341
 342 Thence Westerly along said North line to the Northwest
 343 corner of said Section 29, which is a common corner of
 344 Sections 19, 20, 29 and 30 , Township 51 South, Range
 345 42 East;

346
 347 Thence Northerly along the East line of the Southeast
 348 One-Quarter (SE 1/4) of said Section 19 to the POINT
 349 OF BEGINNING.

350
 351 LESS THEREFROM:

352
 353 Those lands annexed by the Town of Pembroke Park, as
 354 established by Ordinance No. 77-7-3 of the Town of
 355 Pembroke Park described as follows:

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

360
 361 AND LESS:

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

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

391 Section 2. Commission; mayor.--

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

400 (2) MAYOR.--The mayor shall preside at meetings of the
 401 commission and be a voting member of the commission. The mayor
 402 shall be recognized as the head of city government for all
 403 ceremonial purposes, for purposes of military law, and for
 404 service of process and execution of duly authorized contracts,
 405 deeds, and other documents, and as the city official designated
 406 to represent the city when dealing with other governmental
 407 entities.

408 (3) VICE MAYOR.--The vice mayor shall act as mayor in the
 409 absence of the mayor. The vice mayor shall be elected from among
 410 commission members for a period of 2 years by a majority of the
 411 commission at the first meeting of the commission after each
 412 election.

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

414 (a) Election and term of office.--Each commission member
 415 and the mayor shall be elected at large for 4-year terms by the
 416 electors of the city in the manner provided in section 5. Each

417 commission member and the mayor shall remain in office until his
 418 or her successor is elected and assumes the duties of the
 419 position.

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

424 (5) QUALIFICATIONS.--Candidates for commission member
 425 shall qualify for election by the filing of a written notice of
 426 candidacy with the clerk of the city at such time and in such
 427 manner as may be prescribed by ordinance and payment to the
 428 clerk of the sum of \$100, plus any fees required by Florida
 429 Statutes, as a qualifying fee. A person may not be a candidate
 430 for more than one office in the same election. Only electors of
 431 the city who have resided continuously in the city for at least
 432 1 year preceding the date of such filing shall be eligible to
 433 hold the office of commission member. If at the conclusion of
 434 the qualifying period no elector shall have filed for candidacy,
 435 the commission seat shall be open for a period of 5 days and any
 436 qualified elector who has resided in the city continuously for
 437 at least 1 year preceding the date of such filing may file a
 438 written notice of candidacy for said commission seat in
 439 accordance with the remaining provisions of this section.

440 (6) VACANCIES; FORFEITURE OF OFFICE; FILLING OF
 441 VACANCIES.--

442 (a) Vacancies.--The office of a commission member shall
 443 become vacant upon his or her death, resignation, or removal

444 from office in any manner authorized by law or by forfeiture of
445 his or her office.

446 (b) Forfeiture of office.--

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

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

458 3. The commission shall be the sole judge of the
459 qualifications of its members and shall hear all questions
460 relating to forfeiture of a commission member's office,
461 including whether or not good cause for absence has been or may
462 be established. The burden of establishing good cause shall be
463 on the commission member in question; however, any commission
464 member may at any time during any duly held meeting move to
465 establish good cause for his or her absence or the absence of
466 any other commission member, from any past, present, or future
467 meeting or meetings, which motion, if carried, shall be
468 conclusive. A commission member whose qualifications are in
469 question or who is otherwise subject to forfeiture of his or her
470 office shall not vote on any such matters. The commission member
471 in question shall be entitled to a public hearing on request

472 regarding an alleged forfeiture of office. If a public hearing
473 is requested, notice thereof shall be published in one or more
474 newspapers of general circulation in the city at least 1 week in
475 advance of the hearing. Any final determination by the
476 commission that a commission member has forfeited his or her
477 office shall be made by resolution. All votes and other acts of
478 the commission member in question prior to the effective date of
479 such resolution shall be valid regardless of the grounds of
480 forfeiture.

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

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

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

489 3. Persons filling vacancies shall meet the qualifications
490 specified in this section.

491 4. If no candidate for a vacancy meets the qualifications
492 under this section for that vacancy, the commission shall
493 appoint a person qualified under this section to fill the
494 vacancy.

495 5. Notwithstanding any quorum requirements established
496 herein, if at any time the full membership of the commission is
497 reduced to less than a quorum, the remaining members may, by
498 majority vote, appoint additional members to the extent
499 otherwise permitted or required under this subsection.

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

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

512 (a) The commission members shall be compensated at the
513 rate of \$300 per month. The mayor shall be compensated at the
514 rate of \$400 per month. The mayor and commission shall receive
515 reimbursement in accordance with applicable law, or as may be
516 otherwise provided by ordinance, for authorized travel and per
517 diem expenses incurred in the performance of their official
518 duties.

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

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

528 Section 3. Administrative.--

529 (1) CITY ADMINISTRATOR.--There shall be a city
530 administrator (the "administrator"), who shall be the chief
531 administrative officer of the city. The administrator shall be
532 responsible to the commission for the administration of all city
533 affairs.

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

543 (3) POWERS AND DUTIES OF THE ADMINISTRATOR.--The
544 administrator shall:

545 (a) Be responsible for the hiring, supervision, and
546 removal of all city employees.

547 (b) Direct and supervise the administration of all
548 departments and offices, but not city boards or agencies, unless
549 so directed by the commission from time to time.

550 (c) Attend all commission meetings and have the right to
551 take part in discussion, but not the right to vote.

552 (d) Ensure that all laws, provisions of this charter, and
553 acts of the commission, subject to enforcement or administration
554 by him or her or by officers subject to his or her direction and
555 supervision, are faithfully executed.

556 (e) Prepare and submit to the commission a proposed annual
557 budget and capital program.

558 (f) Submit to the commission and make available to the
559 public an annual report on the finances and administrative
560 activities of the city as of the end of each fiscal year.

561 (g) Prepare such other reports as the commission may
562 require concerning the operations of city departments, offices,
563 boards, and agencies.

564 (h) Keep the commission fully advised as to the financial
565 condition and future needs of the city and make such
566 recommendations to the commission concerning the affairs of the
567 city as he or she deems to be in the best interests of the city.

568 (i) Execute, with the mayor, contracts, deeds, and other
569 documents on behalf of the city, as authorized by the
570 commission.

571 (j) Implement the purchase code and guidelines adopted by
572 the commission for the acquisition of goods and services for the
573 city.

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

576 (4) ABSENCE OR DISABILITY OF ADMINISTRATOR.--To perform
577 his or her duties during his or her temporary absence or
578 disability, the administrator may designate, by letter filed
579 with the city clerk, a qualified administrative officer of the
580 city. In the event of failure of the administrator to make such
581 designation, or should the person so designated by the city
582 administrator be unsatisfactory to the commission, the
583 commission may by resolution appoint an officer of the city to

584 perform the duties of the administrator until he or she shall
585 return or his or her disability shall cease.

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

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

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

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

613 (a) Attend all regular and special meetings of the
 614 commission.

615 (b) Act as the legal advisor to and counselor for the city
 616 and its officers in the matters relating to their official
 617 duties.

618 (c) Approve all contracts, bonds, and other instruments in
 619 which the city is concerned and shall endorse on each his or her
 620 approval of the form and correctness thereof. No contract with
 621 the city shall take effect until his or her approval is so
 622 endorsed thereon.

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

626 (e) When so requested, furnish the mayor, commission, or
 627 administrator his or her opinion on any question of law
 628 involving the respective powers and duties of the mayor,
 629 commission, or administrator.

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

634 (9) EXPENDITURE OF CITY FUNDS.--No funds of the city shall
 635 be expended except pursuant to duly approved appropriations or
 636 for the payment of bonds, notes, or other indebtedness duly

637 authorized by the commission and only from such funds so
 638 authorized.

639 (10) City boards and agencies.--Except as otherwise
 640 provided by law, the commission may establish or terminate such
 641 boards and agencies as it may deem advisable from time to time.
 642 The boards and agencies shall report to the commission. Members
 643 of boards and agencies shall be appointed by the commission by
 644 resolution.

645 Section 4. Legislative.--

646 (1) COMMISSION MEETING PROCEDURE.--

647 (a) Meetings.--The commission shall hold at least 11
 648 monthly meetings in each fiscal year at such times and places as
 649 the commission may prescribe by rule. No meeting shall extend
 650 beyond 11 p.m. local time. Notwithstanding the aforesaid, the
 651 commission may conclude debate and voting on any agenda item
 652 under consideration at 11 p.m. Special meetings may be held upon
 653 the call of the mayor or upon the call of three members of the
 654 commission, and upon no less than 24 hours' notice to each
 655 member and the public, or such shorter time as a majority of the
 656 commission shall deem necessary in case of an emergency
 657 affecting life, health, property, or the public peace.

658 (b) Quorum and voting.--Except as otherwise provided in
 659 this charter, any three members of the commission shall
 660 constitute a quorum. The affirmative vote of three members of
 661 the commission shall be required for any legislative action. All
 662 voting shall be by roll call.

663 (2) PROHIBITIONS.--

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

672 (b) Interference with administration.--Except for the
673 purpose of inquiries and investigations made in good faith, the
674 commission or its members shall deal with city officers and
675 employees who are subject to the direction and supervision of
676 the administrator solely through the administrator, and neither
677 the commission nor its members shall give orders to any such
678 officer or employee, either publicly or privately. It is the
679 express intent of this charter that recommendations for
680 improvement in city government operations by individual
681 commission members be made solely to and through the
682 administrator. Commission members may discuss with the
683 administrator any matter of city business; however, no
684 individual commission member shall give orders to the
685 administrator.

686 (c) Holding other office.--No elected city official shall
687 hold any appointive city office or city employment while in
688 office. No former elected city official shall hold any
689 compensated appointive city office or city employment until 1
690 year after the expiration of his or her term.

691 (3) EMERGENCY ORDINANCES.--

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

707 (b) Procedure.--Upon the affirmative vote of four
708 commission members, an emergency ordinance may be adopted with
709 or without amendment or rejected at the meeting at which it is
710 introduced. For voting purposes, the mayor shall be considered
711 as a member of the commission. After its adoption, the ordinance
712 shall be advertised and printed as prescribed for other
713 ordinances.

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

717 (d) Repeal.--Every emergency ordinance, except emergency
718 appropriation ordinances, shall automatically be repealed as of
719 the 61st day following its effective date, but this shall not

720 prevent reenactment of the ordinance under regular procedures
721 or, if the emergency still exists, in the manner specified in
722 this section. An emergency ordinance may also be repealed by
723 adoption of a repealing ordinance in the same manner specified
724 in this section for adoption of emergency ordinances.

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

735 (4) ANNUAL BUDGET ADOPTION.--

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

739 (b) Budget adoption.--The budget shall be adopted in
740 accordance with applicable Florida Statutes and any amendments
741 thereto.

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

746 (5) FISCAL YEAR.--The fiscal year of the city government
747 shall begin on the first day of October and shall end on the

748 last day of September of the following calendar year, unless
749 otherwise defined by Florida Statutes. Such fiscal year shall
750 also constitute the annual budget and accounting year.

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

752 (a) Supplemental appropriations.--If, during any fiscal
753 year, revenues in excess of those estimated in the annual budget
754 are available for appropriation, the commission may by ordinance
755 make supplemental appropriations for the fiscal year up to the
756 amount of such excess.

757 (b) Reduction of appropriations.--If, at any time during
758 the fiscal year, it appears probable to the administrator that
759 the revenues available will be insufficient to meet the amounts
760 appropriated, he or she shall report to the commission without
761 delay, indicating the estimated amount of the deficit and his or
762 her recommendations as to the remedial action to be taken. The
763 commission shall then take such action as it deems appropriate
764 to prevent any deficit spending not covered by adequate
765 reserves.

766 (7) AUTHENTICATION, RECORDING, AND DISPOSITION OF
767 ORDINANCES, RESOLUTIONS, AND CHARTER AMENDMENTS.--

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

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

781 (c) Printing.--The commission shall, by ordinance,
782 establish procedures for making all resolutions, ordinances,
783 technical codes adopted by reference, and this charter available
784 for public inspection and available for purchase at a reasonable
785 price.

786 (8) BORROWING.--

787 (a) Subject to the referendum requirements of the State
788 Constitution, if applicable, the city may from time to time
789 borrow money and issue bonds or other obligations or evidence of
790 indebtedness (collectively, "bonds") of any type or character
791 for any of the purposes for which the city is now or hereafter
792 authorized by law to borrow money, including to finance the cost
793 of any capital or other project and to refund any and all
794 previous issues of bonds at or prior to maturity. Such bonds may
795 be issued pursuant to one or more resolutions adopted by a
796 majority of the commission.

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

801 (9) INDEPENDENT AUDIT.--The commission shall provide for
802 an independent annual audit of all city accounts and may provide

803 for more frequent audits as it deems necessary. Such audits
804 shall be made by a certified public accountant or firm of such
805 accountants who have no personal interest, direct or indirect,
806 in the fiscal affairs of the city government or any of its
807 officers.

808 Section 5. Elections.--

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

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

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

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

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

833 (6) SINGLE CANDIDATES.--No election for mayor or any
 834 commission seat shall be required in any election if there is
 835 only one duly qualified candidate for mayor or for any
 836 commission seat.

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

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

842
 843 I do solemnly swear (or affirm) that I will support,
 844 protect, and defend the Constitution and Government of
 845 the United States and of the State of Florida, and the
 846 charter of the City of West Park; that I am duly
 847 qualified to hold office under the Constitution of the
 848 State and the charter of the City of West Park; and
 849 that I will well and faithfully perform the duties of
 850 (Mayor or commission member) upon which I am now about
 851 to enter. (So help me God.)

852
 853 (9) ELECTION LAWS.--The election laws of the state shall
 854 apply to all elections.

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

858 Section 6. Charter amendments.--

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

861 (2) PROCEDURE TO AMEND.--

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

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

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

871 (b) Submission to electors.--Upon certification of the
872 sufficiency of a petition, the commission shall submit the
873 proposed amendment to a vote of the electors at a general
874 election or special election to be held not less than 60 days or
875 more than 120 days from the date on which the petition was
876 certified or at a special election called for such purpose.

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

883 (3) APPOINTMENT OF CHARTER REVIEW COMMITTEE.--The
884 commission shall appoint a charter review committee, which shall
885 contain at least five registered electors who are residents of

886 the city and whose responsibilities shall include the review and
887 analysis of the charter and recommendations to the commission of
888 proposed charter amendments, including, without limitation,
889 issues such as district voting versus citywide elections for
890 commission members. All recommendations of the charter review
891 committee shall be considered by the commission at least once
892 every 4 years, and the commission may by ordinance propose
893 amendments to this charter upon recommendation of the charter
894 review committee. Upon passage of the initiating ordinance, the
895 commission shall submit the proposed amendment to a vote of the
896 electors of the city at the next general election held within
897 the city or at a special election called for such purpose.

898 Section 7. General provisions.--

899 (1) SEVERABILITY.--If any section or part of any section
900 of this charter shall be held invalid by a court of competent
901 jurisdiction, such holding shall not affect the remainder of
902 this charter or the context in which such section or part of a
903 section so held invalid may appear, except to the extent that an
904 entire section or part of a section may be inseparably connected
905 in meaning and effect with the section or part of a section to
906 which such holding shall directly apply.

907 (2) CONFLICTS OF INTEREST; ETHICAL STANDARDS.--All
908 commission members, officials, and employees of the city shall
909 be subject to the standards of conduct for public officers and
910 employees set by federal, state, county, or other applicable
911 law.

912 (3) CITY PERSONNEL SYSTEM.--All new employments,
913 appointments, and promotions of city officers and employees

914 shall be made pursuant to personnel procedures to be established
 915 by the administrator from time to time.

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

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

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

927 Section 8. Transition provisions.--

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

930 (2) INITIAL ELECTION OF COMMISSION MEMBERS; DATES;
 931 QUALIFYING PERIOD; CERTIFICATION OF ELECTION RESULTS; INDUCTION
 932 INTO OFFICE.--

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

936 (b) Qualifying period.--Any individual wishing to run for
 937 mayor or one of the four commission seats who is a qualified
 938 elector of the city and has resided continuously within the
 939 corporate boundaries described in this act for 1 year shall
 940 qualify as a candidate with the Broward County Supervisor of

941 Elections between January 2 and January 15, 2005, in accordance
942 with the provisions of this charter and general law.

943 (c) Certification of election results.--For the initial
944 election, a canvassing board shall be appointed by the Board of
945 County Commissioners of Broward County to certify the results of
946 the election. At the first election under this charter, the four
947 candidates for commission member receiving the highest number of
948 votes shall be elected. At such initial election, seats shall
949 not be designated. Of the elected candidates, the two receiving
950 the greatest number of votes shall serve until their successors
951 are elected on the second Tuesday in March 2009 and assume the
952 duties of the office, and the remaining two shall serve until
953 their successors are elected on the second Tuesday in March 2007
954 and assume the duties of the office. The candidate receiving
955 the highest number of votes shall occupy seat 1; the candidate
956 receiving the second highest number shall occupy seat 2; the
957 candidate receiving the third highest number shall occupy seat
958 3; and the candidate receiving the fourth highest number shall
959 occupy seat 4. Thereafter, all commission members shall be
960 elected for 4-year terms. The mayoral candidate receiving the
961 highest number of votes shall be elected. The mayor shall be
962 elected at the first election to serve until his or her
963 successor is elected on the second Tuesday in March 2007 and
964 assumes the duties of the office, and for a 4-year term at all
965 subsequent elections.

966 (d) Induction into office.--Those candidates who are
967 elected on March 8, 2005, shall take office at the initial

968 commission meeting, which shall be held at 7:30 p.m. on March
969 10, 2005, at a place to be designated by the mayor.

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

978 (4) INTERIM ADOPTION OF CODES AND ORDINANCES.--Until
979 otherwise modified or replaced by this charter or the
980 commission, all codes, ordinances, and resolutions of Broward
981 County, Florida, in effect on the day of adoption of this
982 charter shall, to the extent applicable to the city, remain in
983 force and effect as municipal codes, ordinances, and resolutions
984 of the city. Until otherwise determined by the commission, said
985 codes, ordinances, and resolutions shall be applied,
986 interpreted, and implemented by the city in a manner consistent
987 with established policies of Broward County on the date of this
988 charter.

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

996 (6) FIRST YEAR EXPENSES.--The commission, in order to
 997 provide moneys for the expenses and support of the city, shall
 998 have the power to borrow money necessary for the operation of
 999 city government until such time as a budget is adopted and
 1000 revenues are raised in accordance with the provisions of this
 1001 charter.

1002 (7) TRANSITIONAL ORDINANCES AND RESOLUTIONS.--The
 1003 commission shall adopt ordinances and resolutions required to
 1004 effect the transition. Ordinances adopted within 60 days after
 1005 the first commission meeting may be passed as emergency
 1006 ordinances. These transitional ordinances shall be effective for
 1007 no longer than 90 days after adoption and thereafter may be
 1008 readopted, renewed, or otherwise continued only in the manner
 1009 normally prescribed for ordinances.

1010 (8) STATE SHARED REVENUES.--The city shall be entitled to
 1011 participate in all shared revenue programs of the state,
 1012 effective immediately on the date of incorporation. The
 1013 provisions of section 218.23, Florida Statutes, shall be waived
 1014 for the purpose of eligibility to receive revenue sharing from
 1015 the date of incorporation through the end of the state fiscal
 1016 year 2005-2006. The provisions of section 218.26(3), Florida
 1017 Statutes, shall be waived for the fiscal year 2005-2006, and the
 1018 apportionment factors for the municipalities and counties shall
 1019 be recalculated pursuant to section 218.245, Florida Statutes.
 1020 The initial population estimates for calculating eligibility for
 1021 shared revenues shall be determined by the University of Florida
 1022 Bureau of Economic and Business Research as of the effective
 1023 date of this charter. Should the bureau be unable to provide an

1024 appropriate population estimate, the initial population for
 1025 calculating eligibility for shared revenues shall be established
 1026 at the level of 12,750.

1027 (9) GAS TAX REVENUES.--Notwithstanding the requirements of
 1028 section 336.025, Florida Statutes, to the contrary, the city
 1029 shall be entitled to receive local option gas tax revenues
 1030 beginning October 1, 2005. These revenues shall be distributed
 1031 in accordance with the interlocal agreement with Broward County.

1032 (10) SHARED REVENUES.--

1033 (a) Broward County shall distribute to the city, from
 1034 taxes, franchise fees, and ad valorem taxes, revenues collected
 1035 within the municipal boundaries of the city. This calculation
 1036 shall be based upon a population projection of 12,750.

1037 (b) It is the intent of this charter that the
 1038 communication services tax imposed under section 202.19, Florida
 1039 Statutes, by Broward County, will continue within the city
 1040 boundaries during the period commencing with the date of
 1041 incorporation through December 31, 2005. Such revenues from the
 1042 tax shall be shared by Broward County with the city in
 1043 proportion to the projected city population of 12,750 compared
 1044 to the unincorporated population of Broward County before the
 1045 incorporation.

1046 Section 9. Within 1 year after the date of incorporation
 1047 of West Park, the City Commission of the City of West Park may,
 1048 by ordinance, upon four-fifths vote, amend the charter of the
 1049 City of West Park and rename said city.

1050 Section 10. This act shall only take effect upon approval
 1051 by a majority of those qualified electors residing within the

1052 | proposed corporate limits of the proposed City of West Park as
1053 | described in section 1(3) of the charter, voting in a referendum
1054 | election to be called by the Board of County Commissioners of
1055 | Broward County and to be held on November 2, 2004, in accordance
1056 | with the provisions relating to elections currently in force
1057 | except that:

1058 | (1) This section of the charter shall take effect upon
1059 | this act becoming a law.

1060 | (2) If a majority of the qualified voters voting do not
1061 | approve this act then this act shall not take effect.

1062 | (3) If approved by a majority of the qualified voters
1063 | voting then this act and charter shall take effect upon
1064 | certification of the election results by the Broward County
1065 | Supervisor of Elections.