

CITY CLERK
CITY OF SUNRISE

2020 JUN -5 PM 5: 08

SUNRISE, FLORIDA

ORDINANCE NO. 657

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, CALLING AND PROVIDING FOR A CITY CHARTER AMENDMENT REFERENDUM ELECTION, SAID REFERENDUM ELECTION TO BE HELD IN THE CITY IN CONJUNCTION WITH THE NOVEMBER 3, 2020 ELECTION TO DETERMINE WHETHER SECTION 3.17 OF THE CITY CHARTER SHALL BE AMENDED TO MAKE THE FIRE CHIEF A CHARTER OFFICER; PROVIDING FOR THE FORM OF BALLOT; PROVIDING FOR THE VOTING SCHEDULE; PROVIDING FOR REFERENDUM APPROVAL; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes §166.031 provides the methods by which a municipality may amend its Charter; and

WHEREAS, Florida Statutes §166.031 provides that the governing body of a municipality may submit an ordinance containing proposed Charter amendments to the electors of such municipality at an election held for that purpose; and

WHEREAS, the City Commission of the City of Sunrise, Florida has met, deliberated, and publicly conferred on the proposed Charter amendment and determined that it would be in the best interests of the City of Sunrise to submit it to the electorate at a referendum election called for such purpose pursuant to Florida Statutes §166.031.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. A City Charter Amendment Referendum Election in the City of Sunrise, Florida shall be held in conjunction with the election to be held on November 3, 2020. The order in which the proposed charter amendments shall appear on the ballot shall be determined by Resolution of the City Commission.

Section 2. Form of Ballot. In accordance with the City Charter Amendment Referendum Election authorized above, the following question shall be placed on the ballot for the election to be held on November 3, 2020, in the following ballot form:

Charter Amendment Question No. 1

Make Fire Chief a Charter Officer

The City has four Charter Officers who are the City Manager, the City Attorney, the City Clerk and the Chief of Police. Shall Article III, Section 3.17 of the City Charter be amended to provide that the Fire Chief is a Charter Officer?

_____ YES

_____ NO

Section 3. In the event a majority of the electors voting on such question approve this Charter Amendment Question, then Article III, Section 3.17 of the City Charter of the City of Sunrise is hereby amended with additions shown in underlined text and deletions shown in ~~strikethrough type~~ to provide as follows:

Sec. 3.17. - Charter Officers: City Manager, City Clerk, City Attorney, Fire Chief, and Chief of Police.

- (1) *Appointment.* The City Commission shall appoint the City Manager, City Clerk, City Attorney, Fire Chief, and Chief of Police; and each of these officers shall serve until a successor is appointed.
- (2) *City Manager.* The qualifications, duties and powers of the City Manager are as provided in this Charter (see Article IV), the ordinances and resolutions of the City Commission and as provided by law.
- (3) *City Clerk.* The City Clerk shall give notice of Commission meetings to its members, the City Manager, the City Attorney, and the public and shall keep the journal of its proceedings which shall be a public record. The City Clerk shall also perform other such duties as may be required by law, by this Charter, by city ordinance or by the Commission.
- (4) *City Attorney.* The City Attorney shall serve as the chief legal advisor to the City Commission and the City Manager and to all city departments, officers and agencies. The City Attorney shall assure that the city is represented in all legal and contract proceedings.
- (5) ~~Reserved.~~ Fire Chief. The Fire Chief shall be responsible for the protection of life and property, and fire and rescue services within the City.
- (6) *Chief of Police.* The Chief of Police shall be responsible for the prevention and control of crime, the safety and security of the city and its citizens, and the enforcement of the laws of the State of Florida and the City of Sunrise.

(7) *Filling Vacancies.* Whenever under this section it is necessary to fill a Charter Officer vacancy, the Commission shall do so as soon as is feasible and practicable or as otherwise provided in this section.

(8) *Removal.* The City Manager, City Clerk, City Attorney, Fire Chief, and Chief of Police may be removed by the Commission according to procedures established by the Commission.

The amendment in this Ordinance so approved by the voters shall then be in full force and effect as provided herein and such amendment to the City Charter shall become effective upon filing same with the Department of State of the State of Florida. In the event a majority of the electors voting upon such question shall disapprove the amendment contained herein, then said amendment shall become, thereupon, null and void.

Section 4. Voting Schedule. Voting shall take place as provided by law.

Section 5. Notice. The City Clerk of the City of Sunrise is hereby authorized and directed to advertise the referendum election contemplated herein and to coordinate all activities necessary to conduct the referendum election called for in Section 1 of this Ordinance and may authorize grammatical, typographical and formatting changes.

Section 6. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

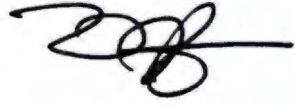
Section 7. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 8. Inclusion in the City Code. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Charter codified in the Code of Ordinances of the City of Sunrise, Florida.

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

PASSED AND ADOPTED upon this first reading this 12TH DAY OF MAY, 2020.

PASSED AND ADOPTED upon this second reading this 26TH DAY OF MAY, 2020.



Mayor Michael J. Ryan

Authentication:



Felicia M. Bravo
City Clerk



FIRST READING

MOTION: SCUOTTO
SECOND: KERCH

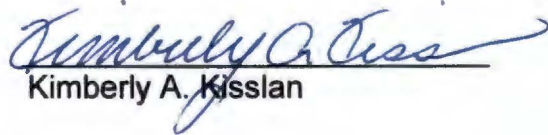
DOUGLAS: YEA
KERCH: NAY
SCUOTTO: YEA
SOFIELD: YEA
RYAN: NAY

SECOND READING

MOTION: SCUOTTO
SECOND: KERCH

DOUGLAS: YEA
KERCH: NAY
SCUOTTO: YEA
SOFIELD: YEA
RYAN: NAY

Approved by the City Attorney
as to Form and Legal Sufficiency



Kimberly A. Kisslan