

CITY CLERK
CITY OF SUNRISE

2020 JUN -5 PM 5:08

SUNRISE, FLORIDA

ORDINANCE NO. 659

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 3.02 OF THE CITY CHARTER SHALL BE AMENDED TO INCREASE THE RESIDENCY REQUIREMENT FOR A CANDIDATE TO QUALIFY FOR MUNICIPAL OFFICE FROM 1 YEAR TO 547 DAYS; 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 convened a 2019 Charter Review Board via Resolution No. 19-76 to review the City's Charter, and the 2019 Charter Review Board submitted its recommendations for changes to the Sunrise Charter via its Final Report dated January 23, 2020; and

WHEREAS, the Charter Review Board debated increasing the residency requirement from 1 year to either 18 months or 24 months and ultimately recommended increasing the residency requirement in Section 3.02 of the Charter from 1 year to 2 years because the Charter Review Board thought a longer residency requirement would give candidates a deeper understanding of the City and its residents' needs; and

WHEREAS, a residency requirement of 18 months ensures voters have the opportunity to become acquainted with the candidates' qualifications including their ability, character, personality, experience and reputation; and

WHEREAS, the City has many unique issues including but not limited to: traffic, development and re-development relating to the Sawgrass Mills Mall, the BB&T Center, the Sawgrass International Corporate Park, and undeveloped land; its location adjacent to the Florida Everglades; service as a regional utility system for the City and four (4) other municipalities; a large number of households in affordable housing units, including seniors and low-income families; etc.; and

WHEREAS, a residency requirement of 18 months ensures candidates know the residents of the City, are knowledgeable about the issues unique to the City, and are committed to serving the City; 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 accept such recommendation and 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. 3

Increase Candidate Residency Requirements

Shall Section 3.02 of the City Charter of the City of Sunrise be amended to increase the residency qualification from 1 year to 547 days for electors who reside in the City and want to qualify as a candidate to run for office of City Commissioner or Mayor?

_____ YES

_____ NO

Section 3. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance. In the event a majority of the electors voting on such question approve this Charter Amendment Question, then Article III, Section 3.02 of the City Charter of the City of Sunrise is hereby amended with additions shown in underlined text and deletions shown in ~~striketrough type~~ to provide as follows:

Sec. 3.02. Qualifications.

Any elector of the City of Sunrise who has resided continuously in the city for 547 days ~~one (1) year~~ prior to the beginning of the time for qualifying as a candidate for the office shall be eligible to hold the office of City Commissioner, or Mayor.

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. Additionally, in the event that this amendment is declared by a court of competent jurisdiction to be invalid, 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: YEA
SCUOTTO: YEA
SOFIELD: YEA
RYAN: YEA

SECOND READING

MOTION: SCUOTTO
SECOND: KERCH

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

Approved by the City Attorney
as to Form and Legal Sufficiency



Kimberly A. Kisslan