

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SEA RANCH LAKES AT ARTICLE III SECTIONS 1, 2, AND 5 ENTITLED "THE MAYOR; HIS DUTIES, POWERS, ETC." PROVIDING FOR THE MAYOR TO BE SELECTED BY THE VILLAGE COUNCIL FROM ITS MEMBERS AND TO PROVIDE FOR CERTAIN MAYORIAL DUTIES AND POWERS; PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE VILLAGE OF SEA RANCH LAKES, ON THE MARCH 2024 MUNICIPAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article XIII, Section 1 of the Village of Sea Ranch Lakes, Florida Charter (the "Charter") provides that the Charter may be amended from time to time in accordance with the General Law of the State of Florida; and

WHEREAS, Chapter 166, Florida Statutes, as amended, further provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the Village of Sea Ranch Lakes, Florida (the "Village"); and

WHEREAS, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the Village Council of the Village of Sea Ranch Lakes, Florida, in an ordinance format.

WHEREAS, the Village Council has considered various forms of government and finds it to be in the best interest of the citizens and residents of the Village to submit the following referendum to the electors of the Village; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Article III entitled "The Mayor; His Duties, Power, Etc.", Section 1 shall be revised as follows:

The Mayor shall be the Chair of the Village Council ~~the chief administrative officer~~ of the Village of Sea Ranch Lakes, Florida, ~~and shall perform all duties and responsibilities as chief administrative officer consistent with the Charter and the Code of Ordinances. He/She shall have the following powers and duties:~~

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~~A. Subject to the approval of the Village Council, as set forth in the Code of Ordinances, he/she shall appoint, and when necessary for the good of the Village, and with the exception of the Chief of Police and Village Attorney, suspend or remove any of the Village employees and appoint administrative officers provided for under this Charter, except as otherwise provided by the Code of Ordinances and this Charter.~~

~~B. Direct and supervise the administration of the police department and the Village Clerk's office except as otherwise provided by this Charter or by law.~~

~~C. Attend and chair all Village Council meetings and shall have the right to take part in discussion and but shall not vote.~~

~~D. See that all laws, provisions of this Charter and acts of the Village Council or by those officers subject to his direction and supervision, are faithfully executed.~~

~~E. Make reports as the Village Council may request concerning the operation of Village departments, offices and agencies subject to the Mayor's direction and supervision.~~

~~F. Keep the Village Council advised as to the financial condition and future needs of the Village and make recommendations to the Village Council concerning the affairs of the Village.~~

~~G. Sign contracts on behalf of the Village pursuant to the provisions of appropriation ordinances and authority of the Village Council.~~

~~H. Perform such other duties as specified in the Charter, by law or as required by the Village Council.~~

a. Mayor: Each new Council shall, at the meeting at which it takes office, elect by majority vote one of its members as Mayor of the Village of Sea Ranch Lakes. The Mayor shall preside at all meetings of the Council.

b. Vice Mayor: At the same meeting at which the Mayor is selected, each Council shall also elect, by majority vote, a Vice Mayor. The Vice Mayor shall preside at meetings of the Council during any absence or disability of the Mayor, and he/she shall serve as Acting Mayor during any period in which the Mayor is absent or disabled.

c. Mayor's Powers with Respect to Council: The Mayor shall attend Council meetings and appear before the Council for the purpose of expressing his/her views on matters pending before the Council. He/she shall also have the power to present messages, reports and other communications to the Council and to propose legislation for the Council's consideration and to vote on all matters brought before the Village Council. The Mayor shall be recognized as the head of Village government for service of process, ceremonial matters, and the signature or execution of ordinances, contracts, deeds, bonds, and other instruments and documents and for purposes of military law. The Mayor shall also serve, as the ceremonial head of the Village and the Village official designated to represent the Village when dealing with other entities. The Mayor shall have no administrative duties other than those necessary to accomplish these actions, or such other actions as may be authorized by the Village Council or the Village Code of Ordinances, consistent with general or special law.

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SECTION 3. Article III entitled “The Mayor; His Duties, Power, Etc.”, Section 2 shall be revised as follows:

In case of sickness, absence or disqualification of the Mayor, the ~~Vice Mayor President~~ of the Village Council shall act for him/her and perform all his/her duties, all such acts of the Vice Mayor President of the Village Council shall be as valid as though executed by the Mayor. ~~The President while acting as Mayor at any Village Council meeting may vote as a member of the Village Council on any issues submitted to the Village Council for vote.~~

SECTION 4. Article III entitled “The Mayor; His Duties, Power, Etc.”, Section 5 shall be revised as follows:

The Mayor shall serve as Chair of the meetings ~~ceremonial head~~ of the Village of Sea Ranch Lakes, and ~~The Mayor~~ shall ~~not~~ vote at ~~any~~ Village Council meetings.

SECTION 5. The Charter of the Village Council of the Village of Sea Ranch Lakes shall be amended to provide for consistency throughout.

SECTION 6. The Ballot Title shall be as follows:

AUTHORITY OF THE MAYOR

SECTION 7. At the General Municipal Election in March of 2024, the following question shall be placed on the ballot for consideration by the qualified electors of the Village of Sea Ranch Lakes, Florida, and shall read as follows:

The Village of Sea Ranch Lakes, Florida currently provides that the Mayor is the Chief Administrative Officer of the Village and does not have a vote. Shall the Charter be amended to provide that the Mayor is selected by the Village Council and a voting member of the Council?

YES NO

SECTION 8. Advertisement. The Village Council of the Village of Sea Ranch Lakes, Florida is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the State of Florida Election Code and to coordinate with the Broward County Supervisor of Elections office the submittal of this Ordinance to referendum to be voted on at the March 2024 municipal election.

SECTION 9. Codification. It is the intention of the Village Council of the Village of Sea Ranch Lakes, Florida that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Village of Sea Ranch Lakes, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

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SECTION 10. Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Ordinance.

SECTION 11. Conflicts. All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 12. Effective Date. This Ordinance shall take effect upon its adoption by the Village Council and shall be submitted to referendum as set forth herein.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, ON FIRST READING, THIS ____ DAY OF NOVEMBER, 2023.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, ON SECOND AND FINAL READING, THIS ____ DAY OF DECEMBER, 2023.

VILLAGE OF SEA RANCH LAKES, FLORIDA

BY: _____
MAYOR JEFFREY NELSON

MIRON _____
BRUENER _____
VOLKERT _____
FULMER _____
TOMLINSON _____

ATTEST:

STARR PATON, VILLAGE CLERK

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