

House Bill No. 1559

An act relating to Broward County; revising the Charter of Broward County; providing for the office of Mayor of Broward County; providing for the mayor's election, qualifications, duties, responsibilities, and powers; providing duties of certain county officers; providing for alteration of composition of County Commission; providing for election, duties, responsibilities, and powers of commissioners; providing a ballot question; providing for a referendum; providing effective dates.

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

Section 1. Section 1.07 of Article I of the Charter of Broward County is amended to read:

ARTICLE I  
POWERS OF GOVERNMENT

Section 1.07 DIVISION OF POWERS

This Charter hereby establishes the separation between the legislative and ~~executive administrative~~ functions of this government; ~~the establishment and adoption of policy shall be the responsibility of the Legislative Branch and the execution of that policy shall be the responsibility of the Administrative Branch.~~ All powers and duties of the government which are legislative or quasi-judicial in nature shall be exercised and performed by the County Commission, except as the County Commission delegates by ordinance. All powers and duties that are executive or administrative in nature shall be exercised or performed by the Mayor or such other executive or administrative officer or employee as the Mayor shall designate, except as otherwise specifically provided for in this Charter.

Section 2. Section 2.01 of Article II of the Charter of Broward County is amended to read:

ARTICLE II  
LEGISLATIVE BRANCH: COUNTY COMMISSION

Section 2.01 COMPOSITION, TERMS, QUALIFICATIONS AND COMPENSATION OF MEMBERS

A. The legislative power of the County shall be vested in the Broward County Commission, hereinafter referred to as the "Commission."

B. Before the general election of 2002, the Commission shall be composed of seven (7) members elected countywide. The Commission shall divide the County into seven (7) districts of contiguous territory as nearly equal in population as practical after each decennial census. The seven (7) Commissioners shall be electors of the County and must be residents of the particular district for which seat they seek election at the time of their election for six (6) months prior to the date on which they qualify for election. Commencing subsequent to the presidential preference primary, in 2000, only the

qualified electors residing within each individual district may vote for the commissioner representing that district. Commissioners in office and who are removed from their district as a result of redistricting may serve out the balance of their term.

C. Commencing with the general election of 2002, the Commission shall be composed of nine members elected from single-member districts.

(1) Subsequent to the decennial census of 2000, but at least 6 months before the qualification period for the general election of 2002, the Commission shall divide the county into nine single-member districts of contiguous territory as nearly equal in population as practicable. This procedure shall be repeated within 6 months after publication of each decennial census. In the division of the county into nine single-member districts, consideration shall be given to minority representation on the County Commission of Broward County. Commissioners in office who are removed from their district as a result of redistricting in 2002 or after a subsequent decennial census may serve out the balance of their terms.

(2) Before the qualification period for the general election of 2002, each of the Commission districts shall be assigned a number.

(3) Commissioners holding office in districts 1, 3, 5, and 7 as denominated before the redistricting above provided shall fill district seats 1, 3, 5, and 7 created in this section for the remaining 2 years of their 4-year elected terms.

(4) County Commissioners from districts 2, 4, 6, 8, and 9 shall be elected in the general election of 2002 from districts as redrawn for terms of 4 years.

(5) Only the qualified electors residing within each individual district may vote for the Commissioner representing that district. Each Commissioner must be an elector of the county and must be a resident of the particular district for which he or she seeks election. A Commissioner must be a resident of the district 6 months before the date on which he or she qualifies for election, except as provided for in this section.

D.B. The County Commission Commissioners shall be elected on a partisan basis for staggered terms of ~~4~~ ~~four~~ (4) years. The terms of office shall begin on the Tuesday ~~2~~ ~~two~~ (2) weeks following the day of the general or special election.

E. Except as provided in this section, election of County Commissioners shall be as provided for by law.

F.C. The Commissioners' salaries shall be determined and established in accordance with general law pertaining to compensations for Commissioners of non-charter counties. The Commissioners shall not be reimbursed for expenses other than those specifically approved by the Board of County Commissioners. ~~Moneys~~ ~~Monies~~ will only be reimbursed when properly incurred on County business.

Section 3. Sections 2.03 and 2.04 of Article II of the Charter of Broward County are amended, and section 2.06 is added to that article, to read:

ARTICLE II  
LEGISLATIVE BRANCH: COUNTY COMMISSION

Section 2.03 CHAIR, DUTIES OF THE OFFICERS AND ADMINISTRATORS

A. The Commission shall elect a Chairman or Chairwoman, hereinafter referred to as “Chair,” from its number by a majority vote not earlier than the third Tuesday of each November and no later than the third Tuesday of each December of each calendar year. ~~The Chair of the Commission shall serve as the chief officer of the legislative branch of County government and shall devote such time as is necessary to perform the duties of the office. The Chair, in addition to the powers and duties provided elsewhere in this Charter,~~ shall have the specific powers and duties to:

(1) ~~serve as the presiding officer at all Commission meetings of the Commission. The Chair shall appoint the members of all standing committees of the Commission and the chairperson and vice chairperson of each committee. There shall be as many standing and special committees as deemed necessary by the Chair.~~

(2) ~~Present annually, at the time designated by the Commission, a “State of the County” message, setting forth programs and recommendations to the Commission.~~

(3) ~~Serve as the official representative and ceremonial dignitary for the government of Broward County, with the prerogative to issue proclamations.~~

(4) ~~Sign ordinances, resolutions and other legislative documents for the Commission.~~

(5) ~~Call the Commission into regular and special session.~~

(6) ~~Preside over the committee charged with reviewing the nominations for department heads by the County Administrator, as provided in Article III.~~

B. The Commission shall elect from among its members a Vice Chairman ~~Vice-Chairman~~ or Vice Chairwoman ~~Vice-Chairwoman~~ with all the rights, privileges, and duties of the Chair in the absence of the Chair.

C. ~~All functioning duties now prescribed by the Constitution and Laws of Florida for the office of the Clerk of the Circuit Court or County Comptroller, which relate to their duties as the ex-officio Clerk of the Board of County Commissioners, are hereby transferred to the County Administrator or designate. Under the supervision of the Commission, the County Administrator shall:~~

(1) ~~Give due notice of the time and place of Commission meetings to Commission members and to the public.~~

(2) ~~Keep the official journal and minutes of Commission proceedings.~~

~~(3) Prescribe for the Commission any required publications of notices, ordinances or resolutions or Charter amendments.~~

~~(4) Maintain and make available for public inspection an indexed file containing copies of the Broward County Code, this Charter, every adopted ordinance, resolution, rule, regulation, and code of regulations, and every adopted amendment or notification of any of the foregoing.~~

~~(5) Perform such other duties as the Commission may prescribe.~~

#### Section 2.04 MEETINGS, RULES AND VOTING

A. The County Commission shall meet regularly at such times and places as the Commission may prescribe by rule. Special meetings may be held on the call of the Mayor, the Chair, or a majority of four (4) or more of members of the Commission upon no less than 12 twelve (12) hours effective notice to each member, except in the event of an emergency.

B. The Commission shall determine its own rules and order of business.

C. Voting on motions shall be required, and the vote of each Commissioner shall be recorded in the journal. No less than a majority of the members of the Commission shall constitute a quorum.

D. The Commission may take official action only through the adoption of ordinances or resolutions, except for matters for its own internal procedures or regarding investigations that it conducts.

E.D. The Commission, at its organizational meeting, shall elect its officers by a majority vote to serve for a period of 1 one (1) year. Such officers may serve consecutive terms.

#### Section 2.06 INTERFERENCE WITH EXECUTIVE BRANCH OF GOVERNMENT

Except for the purpose of enactment of ordinances and resolutions or inquiries, and investigations, or as otherwise provided for in this Charter, the Commission or its members shall deal with officers and employees who are subject to the direction or supervision of the Mayor solely through the Mayor, and neither the Commission nor its members may give orders to any such officer or employee, either publicly or privately. Nothing in this section may be construed to prohibit individual members of the Commission from closely scrutinizing, by questions and personal observation, all aspects of county government operations so as to obtain independent information to assist the members in the formulation of policies to be considered by the Commission. It is the express intent of this section, however, that such inquiry not interfere directly with executive or administrative operations of the County and that recommendations for change or improvement in County executive or administrative operations be made to and through the Mayor.

Section 4. Sections 3.01, 3.02, and 3.03 of Article III of the Charter of Broward County are amended, and sections 3.04 and 3.05 are added to that article, to read:

ARTICLE III  
EXECUTIVE ADMINISTRATIVE BRANCH: MAYOR,  
COUNTY ADMINISTRATOR

Section 3.01 ESTABLISHMENT OF EXECUTIVE ADMINISTRATIVE BRANCH: COMPOSITION

There shall be an executive administrative branch having jurisdiction over all operations of the County government not herein assigned to the legislative branch. The executive administrative branch shall be composed of the Mayor, the County Administrator, hereinafter referred to as the "Administrator," the officers and employees of the administrative officers and executive departments established by this Charter or created by the Commission, and the executive and administrative officers and employees of Boards and Commissions, except as otherwise provided for in this Charter.

Section 3.02 OFFICE OF THE MAYOR

Election of Mayor: Commencing with the 2000 general election, the office for Mayor of Broward County shall be filled on a partisan basis for a term of 4 years, which shall begin on the Tuesday 2 weeks following the day of the general election. Any subsequent term shall begin on the first Tuesday after the first Monday in January following the general election. The election for Mayor shall be conducted in the same manner as that for County Commissioner, except that the Mayor may reside anywhere within Broward County and shall be elected countywide. The Mayor must be a qualified elector residing within Broward County for at least 3 years before qualifying. The Mayor shall not serve as a member of the Commission. The Mayor shall be recognized and function as head of County government and shall devote such time as is necessary to perform the duties of the office. The Mayor shall have the following specific powers and responsibilities:

A. The Mayor shall be the chief executive officer of the County and shall have such executive and administrative powers, duties, and functions as are provided in Section 1.07 of this Charter.

B. The Mayor shall, within 10 days after final adoption by the Commission, have veto authority over ordinances or resolutions or any legislative, quasi-judicial, zoning, comprehensive-plan, or land-use decision of the Commission, including the budget or any particular component contained therein which was approved by the Commission; however, if any revenue item is vetoed, an expenditure item in the same or a greater dollar amount must also be vetoed. The Commission may, at its next regularly scheduled meeting after the veto occurs, override that veto by a two-thirds vote of the Commissioners present. The Mayor shall have no veto over redistricting as provided in Section 2.01 of this Charter.

C. The Mayor shall appoint the County Administrator. The Commission shall have 10 days within which to override the appointment of the County Administrator made by the Mayor by a vote of two-thirds of the Commissioners then in office. The Mayor may remove the County Administrator. The Commission shall have 10 days within which to override the Mayor's removal of the County Administrator by a two-thirds vote of those Commis-

sioners then in office. Additionally, the Commission, by a two-thirds vote of those Commissioners then in office, may remove the County Administrator without action of the Mayor.

D. The salary and expenses of the Mayor shall be determined and established in the same manner as Commissioners, as provided for in this Charter, except that the salary of the Mayor shall be equal to the salary for the highest paid constitutional officer in Broward County.

E. The Mayor shall have such administrative and secretarial staff as are deemed reasonably necessary to serve the Mayor in the performance of his duties. Such administrative and secretarial staff shall serve at the pleasure of the Mayor.

F. The Mayor shall prepare and submit the annual budget and capital program to the Commission, execute the budget and capital program in accordance with appropriations and ordinances adopted by the Commission, and carry into execution such other powers or duties as are required by this Charter or prescribed by the Commission.

G. The Mayor or the Mayor's designee shall sign all administrative or ministerial documents on behalf of the County, including, but not limited to, contracts, grant applications, satisfactions, and releases when such signature is not inconsistent with the laws of this state.

H. The Mayor shall have, in addition, the following powers and duties:

(1) To present annually, at a time designated by the Commission, a "State of the County" message, setting forth programs and recommendations.

(2) To serve as the official representative and ceremonial dignitary for the government of Broward County, with the prerogative to issue proclamations.

(3) To sign ordinances, resolutions, and other legislative documents.

I. All functioning duties now prescribed by the Constitution and laws of this state for the office of the Clerk of the Circuit Court or County Comptroller which relate to their duties as the ex officio Clerk of the Board of County Commissioners are transformed to the Mayor or his or her designee. Under the supervision of the Mayor, the County Administrator shall:

(1) Give due notice of the time and place of Commission meetings to Commission members and to the public.

(2) Keep the official journal and minutes of Commission proceedings.

(3) Prescribe for the Commission any required publication of notices, ordinances, resolutions, or Charter amendments.

(4) Maintain and make available for public inspection an indexed file containing copies of the Broward County Code; this Charter; every adopted

ordinance, resolution, rule, regulation, and code of regulations; and every adopted amendment or notification of any of the foregoing.

~~Section 3.02 COUNTY ADMINISTRATOR: QUALIFICATIONS; ABSENCES AND DISABILITIES; REMOVAL~~

~~The Commission shall appoint the County Administrator by a vote of one (1) more than that which would constitute a majority vote of the full commission and can dismiss by a majority vote of the full commission. The Administrator shall be the head of the administrative branch and shall serve at the will of the Commission.~~

~~A.— Qualifications: The Administrator shall be chosen on the basis of qualifications required by a job description to be prepared by the Commission within thirty (30) days from the effective date of this Charter.~~

~~B.— Absences, or disabilities. By a letter filed with the Commission, the Administrator may designate a qualified County Administrative Officer or County employee to exercise the powers and perform the duties of the Administrator during the Administrator's temporary absence or disability. If the Administrator fails to make such a designation, or if there is a vacancy in the office of Administrator, the Commission shall designate by resolution a qualified County Administrative Officer or County employee to perform the duties of the Administrator during absence, disability or suspension, or during the vacancy in the office of Administrator.~~

Section 3.03 MAYOR: ABSENCE, INCAPACITY, VACANCY

A. During any absence of the Mayor from Broward County, the Chair of the County Commission shall automatically serve as acting Mayor, with emergency powers to act only when the people's interest requires and with such additional powers as the Mayor designates.

B. If the Mayor becomes incapable of performing the duties of the office, or if the Mayor is suspended in the exercise of his office, and in either case as long as the incapacity or suspension lasts, the Chair of the County Commission shall automatically serve as Acting Mayor, with all powers of the office.

C.(1) If there is a vacancy in the office of Mayor when there is less than 180 days remaining before the next regular countywide or general election, the County Commission shall, by a majority vote of those Commissioners then in office, choose a successor to serve as Mayor until that election, at which a Mayor shall be elected for the remainder of the unexpired term.

(2) If no countywide or general election is scheduled within 180 days after the vacancy in the office of Mayor, the County Commission shall first schedule a special election, including all necessary primary elections, to fill the unexpired term of the Mayor no sooner than 60 days, or more than 90 days, following the occurrence of the vacancy. The special election shall be conducted in the same manner as the regular election for Mayor.

(3) During the vacancy of the office of Mayor, the Chair of the County Commission shall serve as Acting Mayor, with all powers of the office.

~~Section 3.03 — POWERS, FUNCTIONS AND DUTIES OF THE COUNTY ADMINISTRATOR~~

~~A. The Administrator shall be the chief administrative officer of the County. The Administrator shall be responsible to the Commission for the proper administration of all County affairs placed in the Administrator's charge by or under this Charter. The Administrator shall direct and supervise the administration and functions of the County or of its departments, divisions, offices or agencies, except when prohibited by the Constitution and Laws of Florida and except when such functions are specifically assigned by this Charter to any department, division, office or agency whose head is not appointed by the Administrator.~~

~~B. Except as otherwise provided by the Constitution and Laws of Florida, or by this Charter, the Administrator shall appoint and, when deemed necessary for the good of the County, can suspend and remove County employees. The Administrator may authorize any appointive County department head to appoint, suspend or remove subordinates in that officer's department, division, office or agency. The Administrator shall have the power to nominate all administrative department heads of the County government and said nominations must be approved by a majority vote of the Commission. The right to suspend, remove or discharge any department head is reserved to the Administrator.~~

~~C. The Administrator shall see that all ordinances, resolutions and orders of the Commission and all laws of the State which are subject to enforcement by the Administrator, or by officers who are subject under this Charter to the Administrator's direction and supervision, are faithfully executed.~~

~~D. The Administrator shall prepare and submit the annual budget and capital program to the Commission and execute the budget and capital program in accordance with appropriations and ordinances adopted by the Commission.~~

~~E. The Administrator shall regularly examine the accounts, records and operations of every County department, division, office or agency. The Administrator shall make regular monthly reports to the Commission on County affairs; and shall keep the Commission fully advised on the financial condition and future needs of the County and make such recommendations on County affairs as deemed desirable by the Administrator.~~

~~F. The Administrator shall submit to the Commission at the end of the fiscal year a complete report on the finances and administrative activities of the County for the preceding year and prepare and make available for distribution to the public, within three (3) months after the end of each fiscal year, an annual report on County affairs during that fiscal year.~~

~~G. The Administrator shall carry into execution such other powers or duties as are required by this Charter or may be prescribed by the commission.~~

~~H. The Administrator shall coordinate all funding programs of all other governmental units with the County government.~~

~~I. The Administrator shall sign all administrative or ministerial documents on behalf of the Commission including, but not limited to, contracts, grant applications, satisfactions, and releases when signature by the Administrator is not inconsistent with the laws of the State of Florida.~~

#### Section 3.04 COUNTY ADMINISTRATOR; QUALIFICATIONS; ABSENCES AND DISABILITIES

A. Qualifications: The Administrator shall be chosen on the basis of qualifications required by a job description to be submitted by the Mayor, filed with the Commission, within 30 days after the effective date of this Charter.

B. Absences, or disabilities. By a letter filed with the Commission, the Mayor shall designate a qualified County Administrative Officer or County employee to exercise the powers and perform the duties of the Administrator during the Administrator's temporary absence or disability, subject to Section 3.02C.

#### Section 3.05 POWERS, FUNCTIONS, AND DUTIES OF THE COUNTY ADMINISTRATOR

A. The County Administrator shall be the chief operating officer of the County. The Administrator shall be responsible to the Mayor for the proper administration of all County affairs placed in the Administrator's charge by the Mayor or by this Charter. The Administrator shall direct and supervise the day-to-day administration and functions of the County or of its departments, divisions, offices, or agencies, under the supervision of the Mayor, except when prohibited by the Constitution and laws of this state and except when such functions are specifically assigned by this Charter to any department, division, office, or agency whose head is not appointed by the Administrator.

B. Except as otherwise provided by the Constitution and laws of this state or by this Charter, the Administrator shall appoint and, when deemed necessary for the good of the County, may discipline and remove County employees. However, County department heads shall be appointed, disciplined, and removed only with consent of the Mayor. The Administrator may, with the consent of the Mayor, authorize any appointive County department head to appoint, suspend, or remove subordinates in that officer's department, division, office, or agency.

C. The Administrator, under the direction of the Mayor, shall see that all ordinances, resolutions, and orders of the Mayor and all laws of the state which are subject to enforcement by the Mayor, Administrator, or officers who are subject under this Charter to the Mayor's or Administrator's direction and supervision are faithfully executed.

D. The Administrator, at the direction of the Mayor, shall regularly examine the accounts, records, and operations of every County department, division, office, or agency. The Administrator shall make regular monthly

reports to the Mayor and Commission on County affairs and shall keep the Mayor and Commission fully advised on the financial condition and future needs of the County and make recommendations on County affairs when assigned to do so by the Mayor.

E. The Administrator, at the direction of the Mayor, shall submit to the Commission at the end of the fiscal year a complete report on the finances and administrative activities of the County for the preceding year and prepare and make available for distribution to the public, within 3 months after the end of each fiscal year, an annual report on County affairs during that fiscal year.

F. The Administrator, under the direction of the Mayor, shall coordinate all funding programs of all other governmental units with the County government.

G. The Administrator shall perform such other duties and have such other functions as the Mayor prescribes.

H. Neither the Mayor nor any Commissioner shall be eligible for the position of Administrator during, or within 2 years after the expiration of, their respective terms.

Section 5. Sections 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, and 4.08 of Article IV of the Charter of Broward County are amended to read:

#### ARTICLE IV

#### EXECUTIVE ADMINISTRATIVE DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES

##### Section 4.01 GENERAL PROVISIONS

The citizens of Broward County expect certain services to be provided to them by departments, divisions, offices, and agencies of County government.

A. The activities under the direction and supervision of the ~~Mayor Administrator~~ shall be distributed in an administrative organization which will efficiently and effectively provide, in the manner prescribed by the Administrative Code:

- (1) General Government Services;
- (2) Public Safety Services;
- (3) Physical Environmental Services;
- (4) Transportation Services;
- (5) Human Services;
- (6) Cultural and Recreation Services;
- (7) Economic Environmental Services; and
- (8) Other such services as prescribed by the Commission.

B. The activities under the direction and supervision of the Mayor Administrator shall be distributed among such departments, divisions, offices, and agencies as are established by this Charter or may be established or abolished by Administrative Code.

C. Except as otherwise provided in this Charter, or in the Administrative Code, each such department, division, office, or agency shall be administered by an officer appointed by the County Administrator under and subject under this Charter to the direction and supervision of the Mayor Administrator. Unless otherwise prohibited by this Charter, or by the Administrative Code, the County Administrator may serve as the head of one (1) or more such departments, divisions, offices, or agencies and may appoint one (1) person as the head of two (2) or more such departments, divisions, offices, or agencies.

#### Section 4.02 DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES

A. There shall be a Department of Finance and Administrative Services which shall be responsible for the administration of all financial affairs of County government under direction and supervision of the Mayor.

B. The Office of Tax Collector is hereby abolished, and all functions and duties of that office are hereby transferred to the Department of Finance and Administrative Services.

C. All fiscal functions and duties now prescribed by the Constitution and Laws of Florida for the office of Clerk of the Circuit Court and County Comptroller which relate to their duties as the custodian of all County funds, auditor and recordation of public documents are hereby transferred to the Department of Finance and Administrative Services. The Office of County Comptroller is hereby abolished.

D. The Department of Finance and Administrative Services shall:

(1) Assist the appropriate officer or officers of Charter Government in the preparation and execution of the County budget and capital program.

(2) Submit to the Mayor ~~appropriate officer or officers of Charter Government~~ through the Administrator at the end of each fiscal year a written report of the financial transactions of that year and a complete statement of the financial condition of the County at the end of the year.

(3) Perform such other duties as are ~~may be~~ prescribed by the Mayor Administrative Code.

#### Section 4.03 OFFICE OF THE COUNTY ATTORNEY

There shall be an Office of the County Attorney. The County Attorney shall be the chief legal counsel to the County and direct and supervise that office. The County Attorney shall be appointed and removed in the same manner as provided for in this Charter for the position of the County Administrator ~~by and serve at the pleasure of the Commission~~. The County Attorney may

appoint attorney assistants. The County Attorney may appoint special counsel as may be required upon approval of the Commission and Mayor. They shall represent ~~the Mayor, the County government,~~ the Commission, the County Administrator, and the department heads and County officers, all other departments and divisions of County government, and all Adjustment, Regulatory, and Advisory Boards in all legal matters affecting the County government; and, upon request, they shall represent all Constitutional Officers serving Broward County. The County Attorney and all assistant attorneys must shall be licensed to practice law in the State of Florida.

#### 4.04 CENTRAL SERVICES

There shall be contained within the Administrative Code of Broward County the operational components related to the following functions under the direction and supervision of Mayor and County Administrator:

- A. Personnel;
- B. Purchasing;
- C. Data Processing;
- D. Vehicle Operations and Maintenance;
- E. Records;
- F. Building and Maintenance; and
- G. All other functions as are determined by the Board of County Commissioners by ordinance or resolution.

The aforementioned components shall be provided to all departments, divisions, offices, and agencies of County government and all such departments, divisions, offices, and agencies shall be required to use said services. In an effort to improve the cost effectiveness of County government, all such services shall also be available to the Constitutional Officers who are not required by law to use them but who may find benefits for doing so. In addition, the advantages and provision of such functions, individually or in tandem, with the Constitutional Officers should be explored and utilized when appropriate. The extension of those functions to municipalities and the benefits of coordination and standardization in the sharing of these resources should likewise be explored and utilized when appropriate. Whenever possible, interlocal agreements between County government and municipalities should be encouraged so as to enhance the quality of life to the citizens of Broward County.

#### Section 4.05 TRANSPORTATION SERVICES

Given the importance of transportation services, the responsibilities for County transportation services shall be integrated and afforded a highly visible and prominent position within the organization of the Administration to include an Office of Transportation or a Department of Transportation subject to the Mayor of Broward County.

Section 4.06 OFFICE OF COUNTY COMMISSION AUDITOR

The Commission shall appoint an auditor who shall be a Certified Public Accountant. At the time of the appointment, the auditor ~~must shall~~ have and maintain an active license, ~~must shall~~ be certified under the Public Accountancy Law in Florida, and ~~must shall~~ have sufficient experience in governmental accounting and auditing practices.

The auditor shall be responsible for the maintenance of internal controls and for the performance of such other duties assigned by the Commission. To the degree necessary to fulfill the responsibilities of the office, the auditor shall have the power and authority to:

A. Conduct financial and compliance, economy and efficiency, and performance audits of Charter government and officials with written reports submitted to ~~both~~ the Mayor, the Commission, and the Administrator.

B. Have free and unrestricted access to Charter government employees, officials, records, and reports; and, where appropriate, require all branches, departments, and officials of Charter government to provide oral and written reports and to produce documents, files, and other records.

## Section 4.08 ADMINISTRATIVE CODES

A. The Administrator under the direction of the Mayor shall prepare an Administrative Code ~~that sets which shall set~~ forth departmental organization of the government and the nature and scope of each department together with all required rules and procedures for the operation of such said departments and a comprehensive budget procedure. The County Commission shall review and adopt, with or without amendment, the Administrative Code. The Administrator under the direction of the Mayor ~~Administration~~ may, from time to time, submit any changes in any or all department organizations, including combinations, deletions, and creations of departments or divisions and transfer of responsibility between departments and divisions, to the Commission for review, amendment, and/or adoption. Additionally, the Administrator under the direction of the Mayor shall provide at least annually an organizational chart outlining the current structure of the County government.

B. The Administrative Code shall include the rules and regulations for a personnel system which shall include a salary schedule, provisions for vacations, sick leaves, insurance benefits and other benefits for all persons in accordance with the provisions of this Charter, and to formulate a procedure whereby an employee will have an opportunity to be heard upon his request pending discharge, suspension or any designated disciplinary action, and provide for such other duties as are necessary for an efficient personnel system consistent with state and federal laws.

Section 6. The office of Mayor of Broward County is created effective November 21, 2000, to be filled by the electors of Broward County at the general election in 2000. The Board of County Commissioners of Broward County shall schedule an election in accordance with the provisions of law relating to elections currently in force in Broward County for the general

election of 2000. The subject of such election shall be the election of Commissioners of Broward County, in accordance with section 2 of this act, and the election of the Mayor of Broward County in accordance with section 3.02 of Article III of the Charter of Broward County, as amended by section 4 of this act. In this election, the procedures prescribed in sections 101.6101-101.6107, Florida Statutes, may not be used.

Section 7. The item that shall appear on the ballot on the date of the presidential preference primary of 2000 shall be as follows:

“COUNTY TO BE GOVERNED BY COMMISSIONERS  
ELECTED FROM SINGLE-MEMBER DISTRICTS  
AND ELECTED EXECUTIVE MAYOR”

“Broward County shall be governed by commissioners and elected Mayor. The legislative branch of Broward County shall consist of seven (7) county commissioners elected from single-member districts. The Mayor shall be its chief executive officer with the right of veto over legislative acts. A professional County Administrator shall be the chief operating officer of the county. Subsequent to 2002, nine (9) county commissioners shall be elected from single-member districts.”

YES \_\_\_\_\_

NO \_\_\_\_\_

Section 8. This act, except for this section, which shall take effect upon becoming a law, shall take effect only if it is approved by a majority vote of those qualified electors of Broward County voting in a referendum to be held by the Board of County Commissioners of Broward County on the date of the presidential preference primary in 2000, in accordance with the provisions of law relating to elections currently in force in Broward County. In this election, the procedures prescribed in sections 101.6101-101.6107, Florida Statutes, may not be used. If this act is approved, it will take effect November 21, 2000, except that section 6 shall take effect on approval of this act.

Approved by the Governor May 26, 1999.

Filed in Office Secretary of State May 26, 1999.