BROWARD COUNTY BALLOT QUESTION 1

Proposed by: Broward County Commission

Amends or restores Broward County Charter, Article III, sections 3.03 G; 3.06; Article IV,

Title: APPROVES SPECIAL LAW CS/HB 989 (2020) RELATING TO BROWARD COUNTY’S GOVERNMENTAL FUNCTIONS

Approves special law enabling County Administrator to continue serving as ex officio clerk of the County Commission and enabling County to continue serving as auditor and custodian of all County funds, which duties County has performed since 1975 and would otherwise be required to be transferred to the Clerk of Courts in 2025; and authorizing agreement to transfer County recorder duties to the Clerk of Courts before 2025, when such duties would otherwise automatically transfer.

YES _____________

NO _____________

Explanation:
On November 6, 2018, Amendment 10, proposed by the Florida Constitution Revision Commission, and passed by Florida voters, returned all County Charters to the original Florida Constitution provisions and duties for five elected County Constitutional Officers: Sheriff, Supervisor of Elections, Property Appraiser, Clerk of the Circuit Courts and Tax Collector, effective January 7, 2025. Basically, this eliminates the Home Rule provision that was placed in the Broward Counter Charter of 1974.

To partially reverse the effect of this Florida Constitution amendment in Broward County, Broward’s Legislative Delegation proposed House Bill (HB) 989, which was passed unanimously by the Florida House and Senate during the 2020 Legislative session. HB 989 allows Broward County to place a charter question on the November 3, 2020 ballot, which is shown above.

A Yes Vote returns the duties of ex-officio clerk of the County Commission to the County Administrator; the duties of custodian of all County Funds to the Department of Finance and Administrative Services; and the duties of Auditor to the County Auditor. The only new duty transferred to the Clerk of Courts is the duty of county recorder, as outlined in Amendment 10.

A No Vote would add to Broward’s Clerk of Courts duties: ex officio clerk of the County Commission, custodian of all County funds, the function of Auditor as well as the duty of County Recorder.
BROWARD COUNTY BALLOT QUESTION 2

Proposed by the Broward County Commission

Amends Broward County Charter, Article 11.01

Title: COUNTY REGULATION OF THE DEVELOPMENT OF SURTAX-FUNDED TRANSPORTATION IMPROVEMENTS ON COUNTY PROPERTY

To facilitate implementation of surtax-funded improvements to the countywide transportation system, shall the Broward County Charter be amended to provide that County ordinances regulating the development, including zoning, permitting, construction, operation, or administration, of transportation improvement projects that are (1) on County-owned or County-leased property and (2) funded in whole or in part with proceeds from the transportation surtax approved by the County’s voters in 2018, prevail over conflicting Municipal ordinances?

YES ____________

NO ______________

FINANCIAL IMPACT STATEMENT: It is estimated that this amendment will have no financial impact to Broward County.

Explanation:

Article XI, Section 11.01 is titled “Conflict of County Ordinances with Municipal Ordinances.” This Charter question adds Section 11.01 D to allow County Ordinances to prevail over conflicting Municipal ordinances for specific transportation projects, on County Owned or leased property. The specific projects would be only those funded by the voter passed Transportation Surtax. The ordinances could include zoning, permitting, construction, operation and/or administration of those projects. Public hearings would have to be held in the affected municipality and any construction would have to match current aesthetic standards.

A Yes Vote would allow County Ordinances to prevail for these specific projects on County-owned or leased Property.

A No Vote would allow the Municipality’s ordinances to continue to prevail for these specific projects on County-owned or leased property.