



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Ordinance 26-08 (Commission)

DATE: May 12, 2026

DESCRIPTION: AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF COOPER CITY AT ARTICLE III, ENTITLED “LEGISLATIVE;” AND IN PARTICULAR AMENDING SECTION 3.10, ENTITLED “VACANCIES, FORFEITURES OF OFFICE, FILLING OF VACANCIES; “PROVIDING FOR THE FILLING OF VACANCIES ON THE CITY COMMISSION BY THE APPOINTMENT OF A QUALIFIED SUCCESSOR BY THE REMAINING MEMBERS OF THE CITY COMMISSION UNTIL THE NEXT REGULAR CITY ELECTION; REPEALING ORDINANCE NO. 26-08, ADOPTED ON MARCH 24, 2026; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF COOPER CITY, ON THE NOVEMBER 3, 2026 GENERAL ELECTIONS BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE ADVERTISING OF THE REFERENDUM ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

RECOMMENDATION:

Commissioner Shrouder requests that the Commission consider approving Ordinance No. 26-08, as amended, and that the Commission submit a proposed amendment to Section 3.10 of the City Charter regarding the process for filling vacancies on the City Commission. The ordinance also repeals the prior Ordinance No. 26-08, adopted on March 24, 2026, and replaces it with the amended proposed referendum ordinance.

BACKGROUND OF ITEM:

The proposed Charter amendment seeks to avoid the cost of special elections by allowing the remaining members of the City Commission to appoint a qualified successor to serve until the next regular City election, or for the remainder of the unexpired term, depending on how much time remains in the vacated seat’s term.

The ballot question asks whether the Charter should be amended to require that, when a vacancy occurs, the remaining Commission members shall, by a majority vote, appoint a qualified successor to fill the vacancy until the next regular City election in November of even-numbered years, thereby avoiding the cost of special elections to fill vacancies.

The proposed Charter amendment provides that:

1. In the event of a vacancy on the City Commission, the remaining members of the Commission shall appoint a qualified successor by majority vote within thirty days after the vacancy occurs.
2. If two years or less remain in the unexpired term of the vacated seat, the appointed successor would serve the remainder of the unexpired term, and no election would be held to fill the vacancy.
3. If more than two years remain in the unexpired term of the vacated seat, the appointed successor would serve until a successor is qualified and elected at the next regular City election in November of an even-numbered year.
4. The person elected at the next regular election would serve only the remainder of the unexpired term of the vacated seat.
5. If the Commission's membership falls below a quorum, the remaining members would appoint additional members by a majority vote.

ANALYSIS:

The proposed amendment would revise the vacancy process to provide a more predictable and cost-conscious way to fill Commission vacancies. Rather than requiring a special election when a vacancy occurs more than a specified number of days before the next regular City election, the amendment would permit the Commission to appoint a qualified successor and align any required election with the next regular City election.

This approach may reduce election-related costs, avoid compressed special-election timelines, and maintain continuity in City governance. It also preserves voter participation when more than two years remain in the unexpired term by requiring the seat to appear on the ballot at the next regular City election.

The ordinance requires voter approval because the proposed change amends the City Charter. If adopted by the City Commission, the proposed Charter amendment would be placed on the November 3, 2026, General Election ballot for consideration by the City's qualified electors.

ATTACHMENTS:

1. Amended Ordinance 26-08