

ORDINANCE NO. 21-27

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA PROVIDING FOR THE RE-CREATION AND RE-ESTABLISHMENT OF THE GEOGRAPHIC BOUNDARIES FOR FOUR (4) ELECTION DISTRICTS IN THE CITY OF COOPER CITY IN ACCORDANCE WITH SECTION 3.03 OF THE CITY CHARTER; PROVIDING FOR FINDINGS AND CONCLUSIONS OF THE CITY COMMISSION; PROVIDING FOR THE IMPLEMENTATION OF REVISED ELECTION DISTRICTS TO BE EFFECTIVE FOR THE ELECTIONS TO BE HELD IN THE CITY OF COOPER CITY, FLORIDA, COMMENCING AT THE GENERAL MUNICIPAL ELECTION IN NOVEMBER 2022, AND THEREAFTER; PROVIDING A FORM OF REQUEST TO THE SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, FLORIDA, TO IMPLEMENT THE REVISED PLAN ESTABLISHED PURSUANT TO THIS REDISTRICTING ORDINANCE AND TO CREATE FUNCTIONAL DISTRICTS CONSISTENT WITH THE IDENTIFICATION OF GEOGRAPHIC BOUNDARIES FOR ELECTION DISTRICTS; PROVIDING FOR THE ATTACHMENT OF ELECTION DISTRICT MAPS, CHARTS, STREET ADDRESSES, AND GRAPHIC DESCRIPTIONS, WHICH SHALL BE ATTACHED TO AND MADE A PART OF THIS ORDINANCE; PROVIDING FOR AUTHORIZATION AND DIRECTION TO THE CITY ADMINISTRATION TO IMPLEMENT THE TERMS, CONDITIONS, AND PROVISIONS OF THIS ORDINANCE EFFECTIVE FOR THE NEXT ENSUING GENERAL MUNICIPAL ELECTION OF NOVEMBER 2022 OR AS OTHERWISE PROVIDED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, §3.03 of the City Charter of the City of Cooper City, Florida provides for the establishment of four (4) election districts, each containing as close to 25% of the total population of the City as possible in a contiguous region without dividing any residential community, and so that no election district has a population

variance of more than 10% from any other election district; and

WHEREAS, §3.03 of the City Charter further requires the City Commission to review the election districts within six (6) months after the release of any U.S. Decennial Census; and

WHEREAS, the City has contracted with Florida Atlantic University (“FAU”) to conduct an independent review and analysis of the City’s election districts based on the 2021 census data; and

WHEREAS, after considering FAU’s analysis and recommendations; the City Commission has determined that it is necessary to amend the City’s election districts to ensure compliance with the City Charter, as well as state and federal law; and

WHEREAS, the City has identified the various options for the election districts to be formally adopted and is prepared to commence the implementation of revised election districts in the City of Cooper City as required by law; and

WHEREAS, the City Commission finds that the proposal by FAU attached hereto as Exhibit “A” provides for four (4) compact, contiguous commission districts nearly equal in population size as possible without dividing any residential community; and

WHEREAS, the City Commission further finds that the attached proposal provides for the lowest population variance for the four (4) commission districts among the various proposals offered by FAU; and

WHEREAS, the term “residential community” is not defined in the City

Charter, or state or federal law, and this term has been interpreted by the City Commission to mean the residential subdivisions within what might otherwise be considered to be a larger development; and

WHEREAS, the City Commission finds that Embassy Lakes is comprised of multiple residential communities, none of which are divided by the FAU proposal; and

WHEREAS, the City Commission finds that accepting the findings, conclusions and recommendations prepared by FAU, and attached hereto as Exhibit “A,” and implementing the new election districts for the November 2022 general municipal election is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as true and correct and incorporated herein by this reference.

Section 2. The City Commission specifically finds and determines that it has reviewed the election districts and complied with Section 3.03 of the City Charter wherein geographic boundaries have been designated, prepared and identified by and pursuant to a contract between the City of Cooper City and Florida Atlantic University. The City Commission further finds that “residential community,” as referenced in Section 3.03 of the City Charter, is interpreted to mean the residential subdivisions within what might otherwise be considered to be a larger development, and that no residential communities are divided by the proposal attached hereto as Exhibit “A.”

Section 3. The City Commission hereby ratifies, confirms, and adopts the following findings, conclusions, and recommendations prepared by Florida Atlantic University, dated November 5, 2021, the same incorporated herein by this reference and made apart hereof, and hereby selects OPTION 3C, attached hereto and incorporated herein as **Exhibit “A”**, as recommended. OPTION 3C reflects the changes contained therein to the election districts of the City of Cooper City.

Section 4. The City Commission further finds, determines and concludes that the State of Florida Election Code, Chapters 97 through 106, Florida Statutes, as amended, specifically applies to the City's implementation of revised election districts in the City of Cooper City, consistent with this Ordinance.

Section 5. The City Commission acknowledges the requirements of §101.002, Florida Statutes, as amended, which specifies that the Board of County Commissioners of Broward County, Florida, upon recommendation and approval of the Supervisor of Elections of Broward County, Florida, shall have the power and authority to alter or create new election districts or precincts, subject to the concurrence by the City Commission.

Section 6. Based upon the requirements of §101.002, Florida Statutes, the City Administration is hereby authorized and directed to transmit a certified copy of this Ordinance along with as **Exhibit "A"**, reflecting the changes contained therein to the City’s election districts, to the Supervisor of Elections of Broward County, Florida.

Section 7. The City of Cooper City through its City Commission and City

Administration, hereby formally advises the Supervisor of Elections of Broward County, Florida that the City has fulfilled its obligations under the City Charter and Section 101.002, F.S., and elected to alter the City’s election districts as provided for in **Exhibit “A”**, in accordance with the recommendation of Florida Atlantic University. Accordingly, the City Clerk is directed to transmit a certified copy of this ordinance for the Supervisor of Elections of Broward County, Florida.

Section 8. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. 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 10. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED on First Reading this _____ day of September, 2021.

PASSED AND FINAL ADOPTION on Second Reading this ____ day of September, 2021.

GREG ROSS
Mayor

ATTEST:
{00477136.1 3451-0000000}

JENNA MONTOYA, CMC
Acting City Clerk

Approved As To Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____
Commissioner Shrouder _____