

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** June 20, 2023

**DEPARTMENT:** City Attorney

**TITLE:**

Ordinance No. 2023-13 – Second Reading – Ballot language to allow for the election districts to be amended by ordinance after each decennial census

**SUMMARY:**

On March 8, 2022, the qualified voters of the City approved, by referendum, the changing of the City's at-large voting system to a single-member district voting system. The City is seeking a referendum to allow for the district boundaries to be amended, by ordinance, after each decennial census if required to comply with law.

**BACKGROUND AND JUSTIFICATION:**

Section 166.031, Florida Statutes, authorizes the governing body of a municipality to submit proposed amendments to the Charter of the municipality in the form of an ordinance to the electors of the municipality. On March 8, 2022, the qualified voters of the City approved by referendum an amendment to the City's Charter changing the at-large voting system to a single-member district voting system (Ordinance No. 2021-22). To implement the single-member districts and to comply with the Voting Rights Act of 1965 and the Equal Protection Clause of the United States Constitution (14th Amendment), the City Commission contracted with Florida Atlantic University to evaluate the City's four (4) at-large election districts based on apportionment data from the US Census Bureau to present redistricting map alternatives. After multiple public meetings and City Commission meetings, the Commission adopted one of the FAU redistricting maps in Ordinance No. 2023-05.

The City wishes to conduct a referendum on the question of whether Section 2 of Article II (election districts) of the Charter of the City of Lake Worth Beach should be amended to provide for the routine review and analysis of the geographical boundaries of the election districts after each decennial census and to amend the districts, by ordinance, to comply with applicable law. This referendum, if adopted, would be held in the City on March 19, 2024.

At the June 6, 2023 City Commission meeting, the ordinance passed unanimously on first reading with a request that the language be simplified for second reading. The revised ordinance provides the following changes: (1) "single-member election districts" are now referred to as "election districts"; (2) the confirmation of existing boundaries has been removed; (3) the ballot title has been revised to be: "Redistricting of Election Districts to Comply with Applicable Law"; and (4) the ballot summary has been revised to read as follows: Shall the City of Lake Worth Beach amend its Charter at Section 2, Article II to authorize election districts to be amended, by ordinance, after each decennial census to ensure that the districts comply with applicable law?

**MOTION:**

Move to approve/disapprove Ordinance No. 2023-13 approving ballot language to allow for the election districts to be amended by ordinance after each decennial census.

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A  
Ordinance 2023-13  
House Bill No. 411