



Hallandale Beach
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400 South Federal Hwy
Hallandale Beach, FL 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	November 1, 2017		Item Type: <small>(Enter X in box)</small>	Resolution	Ordinance	Other	
Fiscal Impact: <small>(Enter X in box)</small>	Yes	No	Ordinance Reading: <small>(Enter X in box)</small>		X		
	X				X		
				Public Hearing: <small>(Enter X in box)</small>	Yes	No	Yes
Funding Source:	534070		Advertising Requirement: <small>(Enter X in box)</small>	Yes		No	
						X	
Account Balance:	\$80,000		Quasi Judicial: <small>(Enter X in box)</small>	Yes		No	
						X	
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A			
Contract/P.O. Required: <small>(Enter X in box)</small>	Yes	No	Strategic Plan Priority Area: <small>(Enter X in box)</small> <div style="display: flex; justify-content: space-between;"> <div>Safety</div> <input type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <div>Quality</div> <input checked="" type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <div>Vibrant Appeal</div> <input type="checkbox"/> </div>				
		X					
Sponsor Name:	Roger M. Carlton, City Manager		Department: City Clerk		Mario Bataille, City Clerk		

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, DECLARING A VACANCY ON THE CITY COMMISSION; SCHEDULING A SPECIAL ELECTION TO OCCUR MARCH 13, 2018, TO FILL THE VACANCY OF SEAT 1; PROVIDING FOR QUALIFYING DEADLINES; DIRECTING PUBLICATION OF NOTICE OF THE SPECIAL ELECTION; AUTHORIZING THE CITY CLERK TO TAKE ALL REQUIRED MEASURES TO CONDUCT THE SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background:

A vacancy has occurred on the City Commission with the resignation of former Commissioner Anthony Sanders (Seat 1) on August 11, 2017. Pastor Sanders was elected to a four year term on November 4, 2014 and at the time of his resignation there was slightly more than fourteen (14) months remaining on his term set to expire upon the next regular City election scheduled for November 6, 2018.

Section 3.09 (3) (b) of the City's Charter provides: If no regular City or General Election is scheduled within twelve (12) months, the Commission shall schedule a Special Election to fill the unexpired term held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy or vacancies.

There being no regular City or General Election scheduled within twelve (12) months of the vacancy, the City Charter requires the City Commission to schedule a Special Election to fill the Commissioner (Seat 1) unexpired term. Upon further review of the Charter, staff in conjunction with the City Attorney determined the Special Election must be held between October 10, 2017 and November 9, 2017.

Therefore, pursuant to Florida Statute 100.151, staff requested consent from the Broward Supervisor of Elections to hold a Special Election no sooner than sixty (60) days, nor more than ninety (90) days following former Commissioner Sanders' resignation. On August 16, 2017, the Supervisor of Elections gave consent to hold a Special Election on November 7, 2017 or March 13, 2018 as part of the 2018 Municipal General Election (Exhibit 3)

During the August 16, 2017 City Commission meeting, staff and the City Attorney advised the City Commission on the City Charter restriction on timing and declaration of a November 7, 2017 Special Elections which would prevent the City from meeting the associated candidate qualifying period commencement deadline of August 28, 2017 set by the Supervisor of Elections. Moreover, the City Commission requested City Attorney Jennifer Merino to review the City Charter and provide to the Commission advice as to whether the Commission can appoint or hold a Special Election on March 13, 2017 to fill the unexpired term.

Current Situation

On September 27, 2017, after further legal research and assistance of former General Counsel to the Supervisor of Elections Sam Goren, the City Attorney recommended without objection that the Commission proceed to set the qualifying period and deadlines for the March 13, 2017 Special Elections and Seat 1 remain vacant until the Special Election, absent any special or urgent circumstances (Exhibit 2).

The attached proposed Ordinance would call the Special Election to fill the vacancy of Seat 1 for March 13, 2018 and set the qualifying period for January 2, 2018 at 8:00 AM and ending on January 8, 2018 at 12:00PM.

Why Action is Necessary:

Pursuant to Article III, Section 3.09(3) (b) of the City of Hallandale Beach Charter, If no regular City or General Election is scheduled within twelve (12) months, the commission shall schedule a Special Election to fill the unexpired term held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy or vacancies.

Pursuant to Florida Statue 100.151, County Commissioners or the governing authority of a municipality shall not call any Special Election until notice is given to the Supervisor of Elections and his or her consent is given.

Pursuant to Article IV, Section 4.01 of the City of Hallandale Beach Charter, the City Commission, by ordinance and subject to the provision of this Charter, shall have the power to call Regular and Special Elections as may be required by the city.

Fiscal Impact:

On August 22, 2017, the Broward County Supervisor of Elections provided an estimated cost of \$48,500 to hold the special election (Exhibit 4).

Proposed Action:

Staff recommends approval of the attached proposed Ordinance to call for a Special Elections on March 13, 2018 on first reading.

Attachment(s):

Exhibit 1 – Proposed Ordinance
Exhibit 2 – Hallandale Beach Special Election
Exhibit 3 – City Attornery Memorandum
Exhibit 4 – Estimated Election Costs
Exhibit 5 – List of Precincts

Prepared By:

Mario Bataille

Mario Bataille,
City Clerk