

ORDINANCE NO. 2018 - 012

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE III "BOARDS, COMMITTEES, DISTRICTS AND AUTHORITIES," SECTIONS 2-71 THROUGH 2-76 OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES TO PROVIDE FOR BOARD AND COMMITTEE RULES OF APPOINTMENT, QUALIFICATIONS, TERM, ADMINISTRATIVE REQUIREMENTS, DEFAULT NUMBER OF MEMBERS AND OTHER REGULATIONS RELATING TO ADVISORY BOARDS AND COMMITTEES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the commission workshop meetings of February 13, 2017, March 13, 2017 and April 17, 2017 the City Commission reviewed the composition, powers and responsibilities of all City Advisory Boards and Committees; and

WHEREAS, the Mayor and the City Commission have determined that it is in the best interest of the residents of the City to establish and codify general rules applicable to advisory boards and committees.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby incorporated herein.

SECTION 2. Chapter 2 "Administration," Sections 2-71 through 2-76 of the Code of Ordinances of the City of Hallandale Beach, Florida are hereby repealed and replaced to read as follows:

ARTICLE III. - BOARDS, COMMITTEES, DISTRICTS AND AUTHORITIES
DIVISION 1. -GENERAL POLICIES FOR ADVISORY BOARDS AND COMMITTEES

Sec. 2-71. - Appointment of members; Qualifications; vote of commission.

(a) Boards and Committees will be created by ordinance and have five (5) members unless a greater number of members is specifically stipulated in the enabling authority. All members of boards and committees, including alternate members, shall be appointed by a majority vote of the city commission. Individual members of the commission may not give direction to nor interfere with board or committee actions.

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38 (b) Nomination and appointment to boards and committees shall be as follows, unless
39 otherwise required by law:

40 (1) On boards and committees consisting of five members, each member of
41 the city commission shall have one nomination.

42 (2) On boards and committees consisting of seven members, each member of
43 the city commission shall have one nomination and two members will be
44 appointed by the commission-at-large.

45 (3) On boards and committees of membership other than five or seven, the city
46 commission shall specify the method of appointment in the enabling ordinance.

47 (4) The city commission may appoint an alternate member to each board or
48 committee to serve as a substitute for absent regular members; and while so
49 serving, the substitute shall have the full power and authority of the absent
50 member. No special qualifications shall be required to serve as an alternate
51 member of any such board, authority or agency except as otherwise provided by
52 law.

53 (5) By motion, any commissioner may nominate a person to another
54 commissioner's appointment should it be vacant for more than three commission
55 meetings.

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57 (c) Qualifications.

58 (1) Members of board or committees shall be a resident of Hallandale Beach and
59 shall maintain residency in Hallandale Beach during the term of appointment,
60 unless composition of the board or committee is otherwise constituted. All
61 appointees must provide proof of residency unless the appointment is exempt
62 from the residency requirement.

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64 (2) Individuals seeking appointments to a board or committee are to complete the
65 application and submit to the City Clerk. Appointees will complete an application
66 following appointment if not received prior to the appointment.

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68 (3) Except as authorized by the enabling authority, board or committee members
69 may not be members of the city commission or city officials or employees. The
70 city commission, officials and employees may attend or be designated to attend

71 the board or committee meetings in an advisory or administrative capacity, such
72 as a liaison function, without voting privileges.

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74 (4) At any given time, board members may not serve on more than one board
75 and one committee or on two boards or on two committees.

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77 (5) Members must have no debt obligation with the city or be a party in litigation
78 adverse to the city.

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80 (d) *Vacancies.* As necessary or as requested by a commissioner, the City Clerk's Office
81 will advertise the availability of Board and Committee openings. Applicants are to
82 complete a board or committee application and submit to the City Clerk. As applications
83 are received, the City Clerk, through the City Manager, will advise the Commission of the
84 application and vacancies. Appointments will be considered during the "City Commission
85 Communications" portion of commission meetings.

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87 **Sec. 2-72. - Terms; reappointment.**

88 The members and alternate members of all boards and committees shall serve at the
89 pleasure of the city commission and shall be appointed for terms of approximately two years,
90 with terms expiring on the date of the city commission organizational meeting following each city
91 commission election. Appointees serve at the pleasure of the nominating commissioner or other
92 appointing authority. If the nominating commissioner vacates his or her office for any reason,
93 the terms of respective advisory board or committee member nominated by that commissioner
94 shall terminate at the same time the commissioner's office is vacated. However, each member
95 and alternate member shall continue to serve until a successor is appointed. All members and
96 alternate members are eligible for reappointment.

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98 **Sec. 2-73. - Election of officers.**

99 All boards and committees shall appoint a Chairperson, Vice-Chair, Secretary and
100 Treasurer (if necessary) for a one (1) year term at their first board or committee meeting. No
101 person can serve more than two (2) consecutive terms at any one officer position. No person
102 may serve as the same category of officer contemporaneously on more than one board, but
103 may hold a different office on a second board or committee.

Sec. 2-73 Administration of Boards and Committees.

(a) Boards and committees will operate under 'Roberts Rules of Order'.

(b) The Secretary shall be responsible for the preparation of meeting minutes. The minutes shall include the date, time, location and name of the board, the name of the committee members and whether they are in attendance, all motions, the makers and those who second, and the vote. Verbatim minutes are not necessary. The secretary will have two (2) weeks from the day of the meeting, to prepare typed minutes and provide a copy to each member and to the staff liaison. Within five (5) days of approval of the minutes by vote of the board or committee a copy must be sent to the City Clerk for distribution to the City Manager and city commission.

(c) Scheduling of Meetings.

(1) The meetings of board or committee may NOT conflict with any city commission meetings, special meetings or workshops that are posted. However, the city commission may schedule a town hall meeting, special meeting, or workshop on the same date and time as a board or committee meeting that has already been scheduled.

(2) Meetings may begin and end at any time the board or committee determines, by majority vote. Meetings must be advertised by the City Clerk and the Secretary of the board or committee must inform the City Clerk of the next two (2) month's meeting dates the day after each board or committee meeting. Therefore, the boards must have 'meeting dates' as an item on their agenda each month, unless meetings will be on a regular schedule.

(d) A majority of the total number of members will constitute a quorum. For a five-person board or committee, three (3) members shall constitute a quorum. For a seven-person board or committee, four (4) members shall constitute a quorum. For a ten-person board or committee, six (6) members shall constitute a quorum.

(e) The city commission must first approve events desired by board or committee before the event is scheduled.

(f) The Treasurer (if necessary) will be responsible for all funds allocated to the board or committee and must keep accurate records and receipts for all purchases and sales. A report is due to the City Clerk and Staff Liaison each month, within two (2) business days after the meeting.

(g) *Annual Reports.* Annual reports are required of each board and committee. The following procedures will be followed regarding annual board or committee reports presented to the city commission.

(1) An annual report from each board or committee will be scheduled by the City Clerk's Office.

(2) The board or committee Chair or designee, in conjunction with the departmental liaison, shall prepare the annual report. The annual report shall be submitted by the departmental liaison to the City Clerk so as to be received at least sixteen (16) days in advance of the date scheduled for the presentation to the commission. The report shall be included in the commission agenda.

(3) The annual report shall contain the following information:

- a. The purpose of the board or committee
- b. A listing of the current members with notation of any vacancies
- c. The significant activities or accomplishments during the past year
- d. Priority activities for the coming year
- e. Specific recommendations for city commission consideration, if any, provided the recommendations have been approved for submittal to the Commission by the majority of the board or committee members.

(4) The attendance of the board or committee departmental liaison is required at the commission meeting when the report is presented.

Sec. 2-74. - Attendance of board members and alternate board members.

(a) An attendance record of each scheduled board meeting shall be kept. All appointees and alternate appointees to a quasi-judicial board or committee are to attend all Board or Committee meetings.

(b) Any appointee to a board or committee or alternate appointee who has three (3) consecutive unexcused absences or has four (4) total unexcused absences in one (1) calendar year shall be automatically removed as a member of the respective board or committee. The Chair of the board or committee or staff liaison shall report such absences to the City Clerk. The City Clerk, through the City Manager, shall advise the commission of the removal of the board or committee member. Each board or committee member removed shall be notified in writing by the City Clerk.

(c) Excused Absences are absences for reasons such as illness, family emergencies, military obligation, court imposed legal obligations, participation in City activities or other reasons deemed appropriate by the Chair, or in the Chair's absence, by the Staff liaison. The member must advise the Chair or Staff Liaison in advance in order for the absence to be excused. The Chairperson must announce at the meeting the absence and whether the absence is excused or unexcused.

(d) Members of board or committee who are more than fifteen (15) minutes late to a meeting will automatically be recorded as having an unexcused absence, unless they have called in advance to notify the Chair or Staff Liaison that he or she will be delayed. However, the member may fully participate in the business of the board or committee once they have arrived to the meeting, including voting on items.

Sec. 2-75 Ad Hoc Committees. Ad Hoc Committees may be established administratively or by motion. Ad Hoc committees are committees of temporary tenure and shall not have a term of greater than six months.

207 **Sec. 2-76. - Exclusions.**

208 (a) All boards, authorities and agencies created by general law, special act of the
209 legislature, or pursuant to other authority, shall follow the requirements of the
210 enabling legislation when such legislation is in conflict with this chapter.

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212 (b) Specifically exempted from this chapter are all municipal pension boards, the
213 Nuisance Abatement Board and the Civil Service Board.

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215 **SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City
216 of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the
217 extent of such conflict.

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219 **SECTION 4. Severability.** Should any provision of this ordinance be declared by a
220 court of competent jurisdiction to be invalid, the same shall not affect the validity of the
221 ordinance as a whole, or any part thereof, other than the part declared to be invalid.

222
223 **SECTION 5. Codification.** It is the intention of the Mayor and City Commission that the
224 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such
225 intention the words "ordinance" or "section" may be changed to other appropriate words.

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227 **SECTION 6. Effective date.** This Ordinance shall take effect immediately upon
228 adoption.

229 PASSED AND ADOPTED on 1st reading on May 2, 2018.


230
231 PASSED AND ADOPTED on 2nd reading on May 16, 2018.

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233 
234 KEITH S. LONDON
235 MAYOR
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238 SPONSORED BY: CITY COMMISSION

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241 ATTEST:
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JENORGEN GUILLEN
INTERIM CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM


JENNIFER MERINO
CITY ATTORNEY

VOTE
AYE/NAY

Mayor London	<u>✓</u> / <u> </u>
Vice Mayor Lazarow	<u>✓</u> / <u> </u>
Comm. Butler	<u>✓</u> / <u> </u>
Comm. Dally	<u>✓</u> / <u> </u>
Comm. Taub	<u>Absent</u> / <u> </u>