

1 EXHIBIT 1

2
3 ORDINANCE NO. 2022-

4
5 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE
6 CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 23,
7 CODE OF ORDINANCES, SEC. 23-8 EXCEPTION TO BID
8 REQUIREMENTS TO ADD SUBSECTION (8) AUTHORIZING WAIVER
9 FOR CONFLICT WITH STATE LAW REQUIREMENTS; PROVIDING FOR
10 CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR
11 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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13 **WHEREAS**, the City of Hallandale Beach Procurement Code currently provides
14 authority to City Manager to select the evaluation committee to review proposals received
15 in response to a Request For Proposals (RFPs); and

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17 **WHEREAS**, Section 218.391, Fla. Stats., Auditor Selection Procedures, requires
18 the City Commission of a municipality to establish an auditor selection committee which,
19 at a minimum, consists of at least three members to assist the governing body in selecting
20 an auditor to conduct annual audits for the City; and

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22 **WHEREAS**, other statutes may require procedures and processes not
23 contemplated by the City Procurement Code; and

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25 **WHEREAS**, the Mayor and City Commission find that amending Chapter 23 to
26 authorize waiver in the event of any conflict with state law to be in the public interest.

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28 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
29 **CITY OF HALLANDALE BEACH, FLORIDA:**

30 **SECTION 1. Amendment.** Chapter 23, Sec. 23-8, Exception to bid requirements,
31 of the City of Hallandale Code of Ordinances is hereby amended to add to Sec. 23-8(8)
32 as follows:

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(8) To the extent the provisions of this Chapter conflict with procurement requirements of State Law, the provisions of this Chapter are waived, and the City shall abide by the requirement of State Law.

SECTION 3. Codification. It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words “ordinance” or “section” may be changed to other appropriate words.

SECTION 5. Effective Date. This Ordinance shall take effect upon final approval.

PASSED AND ADOPTED ON 2ND reading on _____, 2022.

SPONSORED BY: CITY ADMINISTRATION

63 ATTEST:

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66 _____
67 JENORGEN M. GUILLEN, CMC
68 CITY CLERK

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70 APPROVED AS TO LEGAL SUFFICIENCY
71 AND FORM

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JENNIFER MERINO
CITY ATTORNEY