

EXHIBIT 1  
ORDINANCE NO. 2022-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF HALLANDALE BEACH TO AMEND THE PROVISIONS OF SECTION 8.01 "CHARTER AMENDMENT," INCLUDING REQUIREMENTS FOR REFERENDUM FOR AMENDMENT, EXTENDING TERM OF CHARTER REVIEW COMMITTEE, REQUIRING A BUDGET FOR CHARTER REVIEW COMMITTEE, INCORPORATING RESIDENCY REQUIREMENTS FOR CHARTER REVIEW COMMITTEE; PROVIDING THAT THIS ORDINANCE SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF HALLANDALE BEACH ON THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for the process for amendment of municipal charters which includes submission of a proposed amendment by ordinance to a referendum vote; and

**WHEREAS**, the Charter Review Committee for the City of Hallandale beach has reviewed the Charter and proposed certain amendments thereto; and

**WHEREAS**, the City Commission has determined that amendment of the charter in the manner stated herein is in the best interest of the residents of the City of Hallandale Beach.

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

**SECTION 1.** If approved, Section 8.01 "Charter Amendment," of the Charter shall be amended as follows:

**Sec. 8.01: - Charter amendment.**

(1) *Initiation by ordinance.* The commission may, by ordinance, initiate amendment of this Charter, except that amendments as permitted by state statute without referendum ~~affecting the following subjects~~ shall not require approval by referendum of the electors.:-

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37 ~~(a) Terms of elected officers and manner of their election.~~  
38 ~~(b) Distribution of powers among elected officers.~~  
39 ~~(c) Matters prescribed by this Charter relating to appointive boards.~~  
40 ~~(d) Any change in the form of government.~~  
41 ~~(e) Any other subject so provided by general law.~~  
42 (2) *Initiation by petition.* The electors of the city may propose amendments to  
43 this Charter by petition signed by at least ten (10) percent of the total number of  
44 qualified electors registered to vote in the last regular city election.

45 (a) *Form and content.* All papers of a petition shall be uniform in size  
46 and style, shall be in a form designated by the city clerk and shall be  
47 assembled as one (1) instrument for filing. Each signature shall be  
48 executed in ink ~~or indelible pencil~~ and shall be followed by the address  
49 of the person signing. Petitions shall contain or have attached thereto  
50 throughout their circulation the full text of the proposed Charter  
51 amendment.

52 (b) *Affidavit of circulator.* Each ~~paper of a~~ petition shall have attached to  
53 it when filed an affidavit executed by the circulator thereof, stating that  
54 he or she personally circulated the ~~paper~~petition, the number of  
55 signatures thereon, that all the signatures were affixed in his or her  
56 presence, that he or she believes them to be genuine signatures of the  
57 persons whose names they purport to be and that each signer had an  
58 opportunity before signing to read the full text of the proposed Charter  
59 amendment.

60 (c) *Certification of petition.* Upon certification of the sufficiency of the  
61 petition by the city clerk, such certification to include the validity of the  
62 names on the petition as qualified electors registered to vote in the last  
63 regular city election, the commission shall place the proposed  
64 amendment to a vote of the electors at the next regular election held not  
65 less than sixty (60) days after certification or at a special election called  
66 for such purpose.

67 (3) *Charter review committee.*

68 (a) *Creation.* There is created and established a body to be known as the City of  
69 Hallandale Beach Charter Review Committee. The committee shall be made up  
70 of individuals appointed by the city commission on or before the first Tuesday of  
71 November, 2019, by motion of the commission, and again every eight (8) years  
72 thereafter, on or before the first Tuesday of ~~November~~ May, and shall continue to  
73 exist until the committee renders the report described in subsection (g) of this

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74 section. This provision shall not be construed to preclude the city commission  
75 from appointing a Charter review committee at any other time.

76 (b) *Appointment and membership.* Only electors in the city who have resided  
77 continuously within the city for at least one (1) year preceding the date of  
78 appointment shall be eligible to serve on the committee. Members must maintain  
79 qualifications during their term on the committee. Each city commissioner shall  
80 nominate one (1) member of the Charter review committee. Nominations shall be  
81 approved by a majority vote of the city commission. The city commission shall  
82 select two (2) at-large additional committee members by majority vote in an effort  
83 to assure diversity within the committee. If a commissioner fails to make a  
84 nomination by the last regular meeting of May, the seat shall be filled at-large.

85 (c) *Purpose.* The purpose of the committee shall be to meet on a periodic basis,  
86 as needed, to identify and address issues of concern to the city relevant to its  
87 Charter.

88 (d) *Duties.* The duties of the committee shall be to study the existing city Charter  
89 with the view to improve the Charter so as to provide for the preservation of the  
90 general health, welfare and safety of the inhabitants of the city, and to make  
91 recommendations to the city commission for amendments and/or revisions to the  
92 Charter. The committee shall act only in an advisory capacity to the city  
93 commission.

94 (e) *Organization.*

95 1. After selection of the members of the committee, the first meeting of  
96 the committee shall be called by the city manager, who shall explain the  
97 duties of the committee and call for the election of the committee's  
98 chairman and vice-chairman.

99 2. The members of the committee shall elect a chairman and a vice-  
100 chairman. The chairman shall set the time, date and place of the  
101 meetings.

102 3. The committee may adopt such internal procedures and rules as may  
103 be necessary to carry out its functions, including but not limited to,  
104 policies relating to attendance.

105 (f) *Meetings.*

106 1. Notice. All meetings of the committee shall be open to the public, and  
107 public notice of such meetings shall be provided as is practical, and all  
108 meetings will maximize the use of electronic media.

109 2. Quorum. A quorum shall consist of a majority of the members.

110 3. Action of committee. The affirmative vote of at least four (4) members  
111 of the committee shall be required to carry out the functions of the  
112 committee.

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(g) *Report.* Within ~~six (6)~~ twelve (12) months of the committee's first meeting, the committee shall prepare a written report to the city commission detailing its findings and recommendations, a copy of which shall be available in the office of the city clerk for public review.

(h) *Budget.* The commission shall include, in the budget for the fiscal year in which the committee will be convened, such sums for the use of the committee in executing its duties as the commission deems reasonable. The committee may request additional funds, which shall be granted at the discretion of the commission.

**SECTION 2.** The Ballot Title shall be as follows:

CHARTER REVIEW AND AMENDMENT PROVISIONS

**SECTION 3.** At the General Municipal Election on November 8, 2022, the following question shall be placed on the ballot for consideration by the qualified electors of the City of Hallandale Beach, Florida, and shall read as follows:

Shall provisions of the Hallandale Beach Charter regarding Charter Review and Amendment be amended to extend the term of Charter Review Committee, provide for potential budget, and comply with state statute?

This proposed Charter amendment will have no financial impact on the City.

Yes ☐ No ☐

**SECTION 4. Advertisement.** The City Clerk is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the Code of Ordinances and the State of Florida Election Code.

**SECTION 5. Conflict.** All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

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**SECTION 6. Severability.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**SECTION 7. Effective Date.** The provisions of this ordinance shall become effective immediately upon adoption. The amendment contemplated herein shall become effective, if approved, upon certification of the vote in accordance with Florida Law.

PASSED on 1<sup>st</sup> Reading on \_\_\_\_\_, 2022.

ADOPTED on 2<sup>nd</sup> Reading on \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOY F. COOPER  
MAYOR

SPONSORED BY: CITY COMMISSION

ATTEST:

\_\_\_\_\_  
JENORGEN GUILLEN  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

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