

1 EXHIBIT 1

2 ORDINANCE NO. 2018 -

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE
4 CITY OF HALLANDALE BEACH, FLORIDA, CREATING SECTION 2-38
5 "AGENDA PREPARATION" IN CHAPTER 2, "ADMINISTRATION," TO
6 CODIFY THE AGENDA PREPARATION PROCESS AND
7 RESPONSIBILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR
8 SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING
9 FOR AN EFFECTIVE DATE.

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11 WHEREAS, Florida Statutes Sec. 166.041 imposes a minimum uniform method for the
12 adoption of municipal ordinances and resolutions and requires that they be presented in writing
13 prior to consideration by the local governing body; and

14 WHEREAS, the City's Code contains no references or guidance in relation to the
15 agenda preparation process for meetings; and

16 WHEREAS, the City Commission wishes to create greater transparency for the
17 commission meeting process and clarify the responsibilities for the meeting preparation
18 process; and

19 WHEREAS, the Mayor and City Commission find that it is in the best interest of the
20 residents of the City to codify an agenda preparation process.

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

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

25 SECTION 2. Chapter 2 "Administration," of the Code of Ordinances of the City of
26 Hallandale Beach, Florida, Division 2, Section 2-38, "Agenda Preparation," is created as follows:

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28 **ARTICLE II. – CITY COMMISSION**

29 **Sec 2-38. - AGENDA PREPARATION.**

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31 (a) The City Clerk is responsible for preparing meeting agendas. The City Manager,
32 City Clerk, City Attorney, or any Commissioner may place an item on a meeting
33 agenda for action.

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- 35 (b) *Consent Agenda.* The City Manager is directed to designate a consent agenda
- 36 listing those items deemed by the City Manager to be noncontroversial. Prior to
- 37 the approval of the items on the consent agenda, any item therein may be
- 38 withdrawn by a City Commissioner, the City Manager, the City Attorney, or City
- 39 Clerk. Such withdrawal shall be nondebatable. After such items have been
- 40 withdrawn from the consent agenda, the Commission may consider a motion to
- 41 adopt the remaining items listed in the consent agenda in a single motion. Any
- 42 resident may request an item be pulled from the consent agenda during public
- 43 participation, but the granting of such a request will be at the discretion of the
- 44 City Commission.
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- 46 (c) *Staff Responsibilities.* The City Manager shall decide the order of items on the
- 47 agenda. The City Manager shall take all necessary steps to avoid unnecessary
- 48 duplication of supporting documentation for items on the agenda. Each item
- 49 placed on the agenda shall have sufficient supporting documentation to enable
- 50 the City Commissioners to prepare for discussion on that item. Items requiring a
- 51 resolution or ordinance may not be placed on the agenda unless the City
- 52 Attorney has provided the necessary resolution or ordinance.
- 53
- 54 (d) *Removal or Pulling of Items.* No item placed on the agenda may be removed
- 55 from the published agenda without the consent of the person placing such item
- 56 on the agenda. At the meeting, the Mayor may declare that an item is pulled (a
- 57 term used to indicate removal) or deferred from the meeting's agenda, and no
- 58 vote shall be required in that event. If any commissioner objects, the pulling or
- 59 deferral of an item on the agenda may be overruled by a majority vote of
- 60 commissioners present.
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- 62 (e) *Distribution.* Agendas should be distributed seven calendar (7) days before a
- 63 regular meeting, including workshops, (e.g. the Wednesday preceding a
- 64 Wednesday meeting), but shall be distributed no later than 5:00 p.m. on the sixth
- 65 day preceding the meeting (e.g. the Thursday before a Wednesday meeting).
- 66 The agenda packet shall be delivered to the members of the City Commission
- 67 electronically. Printed copies may be delivered upon request.

(f) Addenda to the regular meeting agenda may be prepared with the approval of the Mayor or City Manager prior to any session of the City Commission, but should be distributed to Commissioners no less than forty-eight (48) hours before the meeting.

(g) As a courtesy, the City Manager shall be responsible for ensuring that individuals known to be specially affected by a particular item on the agenda item be notified. Such notice need not be in writing, but may be by telephone if conditions warrant. Failure to provide this notification shall not be grounds to challenge the validity of a commission action.

SECTION 3. Conflict. All resolutions, 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.

SECTION 4. 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 5. 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 6. Effective date. This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED on 1st reading on _____, 2018.

PASSED AND ADOPTED on 2nd reading on _____, 2018.

KEITH S. LONDON
MAYOR

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105 SPONSORED BY: VICE MAYOR MICHELE LAZAROW

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108 ATTEST:

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112 JENORGEN M. GUILLEN

113 CITY CLERK

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117 APPROVED AS TO LEGAL SUFFICIENCY

118 FORM

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122 JENNIFER MERINO

123 CITY ATTORNEY