

ORDINANCE NO. 2018 - 013

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," OF THE HALLANDALE BEACH CODE OF ORDINANCES TO STREAMLINE BOARDS AND COMMITTEES, ELIMINATE CERTAIN BOARDS AND APPLY GENERAL PROVISIONS TO ALL ADVISORY BOARDS AND COMMITTEES; SPECIFICALLY RENAMING DIVISION 2 AS "ADVISORY BOARDS AND COMMITTEES"; AMENDING SECTION 2-101 RELATING TO THE "BEAUTIFICATION ADVISORY BOARD"; REPEALING DIVISION 3 SECTION 2-121 "CHARTER REVIEW COMMITTEE" AS SUPERSEDED BY CHARTER; REPEALING DIVISION 5, SECTIONS 2-171 TO 2-174 RELATING TO THE "HUMAN SERVICES ADVISORY BOARD"; RENUMBERING AND AMENDING DIVISION 7 "PLANNING AND ZONING BOARD"; RENUMBERING AND AMENDING DIVISION 8 "PUBLIC TRANSPORTATION BOARD"; RENUMBERING AND AMENDING DIVISION 10 "PARKS AND RECREATION ADVISORY BOARD"; 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 city commission directed that certain boards be eliminated and the city administration has proposed others for elimination based on a lack of meetings or purpose; 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, revise the codes applicable to specific committees to bring them into compliance with the new general rules and eliminate excessive 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.

37 **SECTION 2.** Chapter 2 "Administration," Article III "Boards, Committees, Districts and
38 Authorities," Division 2 of the Code of Ordinances of the City of Hallandale Beach, Florida shall
39 be entitled "Advisory Boards and Committees."
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41 **SECTION 3. Beautification Advisory Board.** Chapter 2, Article III, Division 2, Section
42 2-101 is hereby amended as follows:
43

44 **ARTICLE III. - BOARDS, COMMITTEES, DISTRICTS AND AUTHORITIES**
45 **DIVISION 2. - ADVISORY BOARDS AND COMMITTEES ~~Beautification Advisory~~**
46 **~~Board~~**
47

48 **Sec. 2-101. - Beautification Advisory Board Established; membership.**

49 ~~(a) Established; number of members; appointment.~~ There is established the Hallandale
50 Beach Beautification Advisory Board which shall consist of seven members appointed by the
51 city commission.

52 ~~(b) Terms. The members shall serve at the pleasure of the city commission.~~

53 ~~(c) Officers. The beautification advisory board shall select and designate from among its~~
54 ~~membership a chairman, vice chairman, secretary, and such other officers as may be deemed~~
55 ~~to be necessary by a majority of the full board. These officers shall serve at the pleasure of the~~
56 ~~beautification advisory board.~~

57 ~~(d) Duties. The duties of the beautification advisory board shall be to advise and~~
58 ~~recommend to the city commission action to be taken in the following matters as they concern~~
59 ~~beautification factors:~~

60 ~~(a)(1)~~ Overall appearance of the city.

61 ~~(b)(2)~~ Long range plans for beautification projects.

62 ~~(c)(3)~~ Such other matters pertaining to the beautification of the city referred to the
63 board by the city commission.
64

65 **SECTION 4. Repeal of Division 3 "Charter Review Committee."** Division 3, Section
66 2-121 is superseded by Charter and hereby repealed in its entirety. Section 2-121 shall be
67 reserved for future use.
68

SECTION 5. Repeal of Division 4 “Code Enforcement Board.” The Section 2-141 of the Code having previously been repealed by Ord. No. 2017-24, Division 4 “Code Enforcement Board” is hereby repealed for clarity and organizational purposes.

SECTION 6. Repeal of Division 5 “Human Services Advisory Board.” Division 5, Sections 2-171 through 2-174 are hereby repealed in their entirety and designated as reserved for future use.

SECTION 7. Renumbering and Amendment of Division 7. “Planning and Zoning Board.” Division 7, Sections 2-231 through 2-232 are hereby repealed and replaced as follows in Division 2, “Advisory Boards and Committees”:

Sec. 2-231102. - Created; membership; responsibilities.Planning and Zoning Board

(a) *Established.* A planning and zoning board is established, which shall consist of ~~seven~~ five (5) members designated in accordance with general advisory board nomination processes, one non-voting member designated by the school board, and two alternates designated by the City Commission at-large.

(b) *Appointments.* ~~The board shall be appointed by a majority vote of the city commission. Each city commissioner shall have one nomination and the mayor and vice-mayor shall each have one additional nomination.~~

(c) *Terms of office.* ~~All board members shall serve at the pleasure of the city commission and shall be appointed for a term of approximately two years, with all terms expiring on the date of the city commission organizational meeting following each biennial city commission election. However, each member shall continue to serve until a successor is appointed. All members are eligible for reappointment.~~

(d) *Special Qualifications.* ~~Each board member shall be a resident of the city and shall possess experience or interest in the fields of planning, zoning and land development.~~

(e) *Officers and voting.* ~~The board shall select a chairman and a vice chairman from among its membership. Board members shall vote on all matters before the board except where a legally constituted conflict of interest is established, and all votes shall be recorded and made public.~~

(f)(b) *Responsibilities.* The board shall review and make advisory recommendations to the city commission on applications for the following:

- (1) Changes to the zoning code text or official zoning map (rezonings);
- (2) Conditional uses;
- (3) Variances, other than those variances it has authority to approve pertaining to minor development under section 32-965(a);
- (4) Changes to the comprehensive land use plan;
- (5) Development review approval for major development;
- (6) Application for all plats of subdivision and resubdivisions of land; and
- (7) Such other matters as deemed appropriate by the city commission.

Sec. 2-232. —(c) Meetings.

~~(a) Establishment.~~ The planning and zoning board shall establish the time and place for all meetings and shall meet at least once each month on a regularly scheduled date. The board may elect not to hold a meeting when there are no scheduled items; when a quorum cannot be achieved; and during the month of December due to the holiday season. The board may schedule special meetings upon the call of the chairperson.

~~(b) Rules of procedure.~~ The board shall adopt rules of procedure necessary to the conduct of its business provided such procedures do not conflict with any requirements of this Code.

~~(c) Secretary and quorum.~~ The director shall serve as secretary to the board. A quorum for the conduct of business shall not be less than four members.

~~(d) Procedures.~~

~~(1) (d)~~ All board meetings shall be open to the public.

~~(2) (e)~~ The director or his designee shall be in attendance at all meetings as an advisor and be permitted to propound questions, give evidence and make recommendations.

~~(3) No action shall be taken on any application unless a quorum is present, and only upon a majority vote of all members present and voting. No member shall be permitted to abstain from voting unless he has a conflict of interest as defined in accordance with F.S. ch. 112.~~

~~(4) Minutes shall be kept of all meetings and proceedings and shall include the vote of each member on each question, and the motion shall state the reason or reasons being based upon the prescribed guides and standards of good zoning and planning principles. If a member is absent or abstains from voting, the minutes shall so indicate. The minutes should reflect that all prerequisites for board action have occurred, including, where applicable, advertisement, notices and postings.~~

~~(5)The board shall keep accurate records of its minutes which shall be filed, together with all resolutions, with the city clerk and shall be open for public inspection at reasonable times and hours.~~

~~(6)All board decisions shall be by motion.~~

Sections 2.231 to 2.250 are Reserved.

SECTION 8. Renumbering and Amendment of Division 10. "Parks and Recreation Advisory Board." Division 10, Sections 2-291 through 2-293 are hereby repealed and replaced as follows in Division 2, "Advisory Boards and Committees":

Sec. 2-291103. - Created and established; membership. Parks and Recreation Advisory Board

(a) There is created and established a parks and recreation advisory board for the city, which shall consist of ten residents of the city. Each of the five commissioners will appoint two board members to the parks and recreation advisory board.

Sec. 2-292. — Officers; meetings.

~~The parks and recreation advisory board is authorized to elect one of its members as chair and one of its members as vice chair. A copy of the minutes shall be filed with the city clerk pursuant to the policies and procedures for boards and committees, as amended from time to time.~~

Sec. 2-293. — (b) Functions and duties. The parks and recreation advisory board shall have the following functions and duties:

- (1) Make recommendations concerning the operation of all public parks, playgrounds, undeveloped park lands, public beaches and other recreational facilities within the city.
- (2) Recommend to the city commission and the city manager from time to time actions which it believes the city commission should take with reference to the acquisition, development and maintenance of parks, playgrounds and recreational facilities in the city.
- (3) Recommend rules and regulations for the operation of city parks, playgrounds and public recreational facilities.

Sections 2-291 to 2-300 are Reserved.

SECTION 9. Renumbering and Amendment of Division 8. "Public Transportation Board." Division 8, "Public Transportation Board," Sections 2-251 through 2-253 are hereby repealed and replaced as follows in Division 2, "Advisory Boards and Committees":

Sec. 2-25104. - Created; purpose; duties generally. Public Transportation, Traffic and Parking Advisory Board

There is created and established the Hallandale Beach Public Transportation/~~Flood Mitigation, Traffic and Parking~~ Board, which board is established for the purposes of assisting the city commission in planning, developing and implementing a mass transit program ~~and methods of disseminating information concerning flood damage prevention and addressing the issues of traffic and parking throughout the city.~~ The board shall serve in an advisory capacity to the city commission regarding matters related to the city's mass transit program, parking, and traffic reduction initiatives ~~issues involving flood mitigation, and the dissemination of information concerning flood damage prevention.~~ It shall exercise and perform such other duties as may be established by the city commission.

Sec. 2-252. - Members.

~~The public transportation/flood mitigation board shall consist of seven members.~~

Sec. 2-253. - Organization; quorum; meetings.

~~The members of the public transportation/flood mitigation board shall elect a chairman and such other officers as deemed necessary or desirable. A majority of the board shall constitute a quorum. No meeting shall be held except as provided under this division and unless a quorum of the board is present, but every matter upon which a vote is taken shall require at least four votes. The members shall set the time, date and place of the regular meetings of the board. All meetings of the board shall be open, and all members shall serve without compensation. The board may adopt such rules of procedure as it may deem necessary.~~

Sections 2-251 to 2-270 are Reserved.

SECTION 10. 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.

SECTION 11. 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 12. 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 13. Effective date. This Ordinance shall take effect immediately upon adoption.

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


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



KEITH S. LONDON
MAYOR

SPONSORED BY: CITY COMMISSION

ATTEST:



JENORGEN GUILLEN
INTERIM CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM



JENNIFER MERINO
CITY ATTORNEY

VOTE
AYE/NAY

Mayor London	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Vice Mayor Lazarow	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Butler	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Dally	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Taub	Absent / <input type="checkbox"/>