

**CITY OF HALLANDALE BEACH, FLORIDA**

**MEMORANDUM**

**DATE:** November 26, 2019  
**TO:** Charter Review Committee  
**FROM:** Greg Chavarria, City Manager  
**SUBJECT:** Background Information for the 2019/20 Charter Review Committee

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Section 8.01(3) of the City's Charter establishes the City of Hallandale Beach Charter Review Committee. The Committee is made up of individuals appointed by the City Commission and shall continue to exist until the Committee renders a report.

The purpose of the Committee is to meet on a periodic basis, as needed, to identify and address issues of concern to the City relevant to its Charter. The duties of the Committee are to study the existing Charter with the view to improve it and to provide for the preservation of the general health, welfare and safety of the inhabitants of the City. The Committee is to make recommendations to the City Commission for any Charter changes deemed necessary.

The Committee's formal existence ends once it submits its final report. Section 8.01(3) of the City's Charter further states that within six (6) months of the Committee's first meeting, the committee shall prepare a final report detailing its findings and recommendations; a copy of which shall be made available in the office of the City Clerk for public view. This Committee's Final Report would, according to the Charter, be due by June 3, 2020, but it is subject to an earlier deadline of April 28, 2020, as further described below, to fulfil the Supervisor of Elections schedule for inclusion of questions on the General Election Ballot of November 3, 2020.

A quorum is required for the Committee to conduct business. Quorum consists of a majority of the members, and action by the Committee requires an affirmative vote of at least four (4) members. Attendance by phone may be permitted, but will not count toward quorum requirements.

Once the Final Report is submitted to the City Commission, the City Commission considers it and determines which of the recommendations of the Committee concerning proposed changes to the City Charter shall be submitted to the residents for consideration at an election (Florida Statutes 166.031)

**Background:**

The previous Charter Review Committee was appointed on June 1, 2011. That Charter Review Committee held public meetings to review the City Charter and received comments from the public during a six-month period.

The last Charter Review was completed in the last quarter of 2011 and its Final Report was presented to the City Commission for condensation at the January 18, 2012 meeting of the City Commission. A copy of the 2011 Committee's Final Report is provided with this Agenda as Item 4.B. (Exhibit "1").

During the previous Charter Review Cycle, Susan H. Churuti of Bryant, Miller, Olive P.A. served as the Committee's Facilitating Attorney. She provided an outline of recommendations to accompany the Committee's Final Report. (See Item 4.B. Exhibit "2")

Following consideration of the Charter Review Committee's Final Report, the City Commission adopted Ordinance No. 2012-07, Ordinance No. 2012-09 and Ordinance 2012-10. These ordinances outlined three (3) ballot questions to be presented to the voters for referendum during the November 6, 2012 General Election. (See Item 4.B. Exhibit "3")

Subsequently, the voters approved all three (3) ballot questions. They have been codified and are now reflected in the City Charter.

#### **Current Situation:**

The Committee's first step will be to nominate a chair and a vice-chair to lead the proceedings. Second, the committee must determine a schedule and methodology for review of the Charter and development of its Final Report. With respect to the schedule, the Committee must keep in mind additional time constraints. The City must inform the Broward County Supervisor of Elections (SOE) of its intent to go to referendum, if the City Commission so decides, as soon as possible.

If the Committee recommends that questions should be included for referendum, and if the City Commission approves, the final ballot questions are due to the SOE on the first day of Qualifying: June 8, 2020 by 5:00 p.m. (See Item 5.C. Exhibit 1 for proposed timeline). Therefore, it is recommended that the Committee submit its Final Report no later than April 28, 2020 for inclusion on the May 6, 2020 City Commission Agenda.

#### **Attachments:**

##### ***Item 4.A.***

Exhibit 1 - City Charter

Exhibit 2 - CRC Committee Member Listing

##### ***Item 4.B.***

Exhibit 1 - 2012 Charter Review Committee Report

Exhibit 2 - Ordinances Approving Final Ballot Questions (2012-07, 2012-09, 2012-10)

Exhibit 3 - Facilitating Attorney's Report Submitted by Bryant, Miller, Olive P.A.\_ 2011

##### ***Item 4.C.***

Exhibit 1 – Proposed Timeline