



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
5/20/2020	<input type="checkbox"/> Resolution	Ordinance Reading	5/20/2020	6/3/2020
File No.:	<input checked="" type="checkbox"/> Ordinance	Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
20-136	<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
\$	N/A	N/A		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Anabelle Lima-Taub, Commissioner	City Commission	
Strategic Plan Focus Areas:				
<input checked="" type="checkbox"/> Financial	<input type="checkbox"/> Organizational Capacity	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline				
Estimated Start Date: Upon adoption on Second Reading Estimated End Date: N/A				

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, THE "CONDOMINIUM TRANSPARENCY AND ACCOUNTABILITY ACT," ESTABLISHING REGISTRATION REQUIREMENTS FOR CODOMINIUM, MULTI-FAMILY HOMEOWNERS AND COOPERATIVE ASSOCIATIONS WITHIN THE CITY; CREATING REGISTRATION DATABASE TO BE AVAILABLE TO THE PUBLIC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The proposed ordinance will create a registry with helpful contact information to mitigate violations and expedite enforcement actions within all multi-family residential buildings in the City with a condominium or cooperative association.

Background:

The City frequently receives complaints and information requests that property management or condominium officials often would be able to resolve with less City involvement. City staff within the Code Compliance Division, consequently, spends considerable time researching condominium and cooperative association information and alleged violations. Commissioner Lima-Taub suggested that a condominium registration database be created and maintained by the City and that it be made available to the public. This registry will require the property manager and/or board members of associations to register and submit the following and update it annually:

1. Name of the association
2. Business address and the legal description of properties governed by the association
3. Name and contact information for the property manager or designated contact person for the association
4. A list of all officers and directors of the association with contact information
5. Website of the association, if any
6. An impression of the corporate seal of the association
7. A legible copy of the By-Laws
8. A list of planned capital projects, if any, from the date of application through October 1 of the following year
9. A copy of the most recent financial audit
10. Specify the location where all building permits for work in common areas shall be posted during construction

The registry and its attachments will be available, in accordance with the City's public records policies and procedures in digital form on an as-requested basis at no charge. Therefore constituents as well as city personnel will be able to find information that may otherwise be difficult to obtain. (The registry and attachments available will be the current year's and prior year's data.)

To create and maintain this registry, a fee of \$150 per registration and annual renewal is proposed. A Resolution adding this fee to the City's fee schedule will accompany this ordinance at second reading.

Why Action is Necessary:

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, an Ordinance adopted by the Commission is required to amend or repeal any ordinance previously adopted by the City Commission.

Cost Benefit:

***The cost/proceeds analysis has been updated after researching data from various sources (Department of Professional and Business Regulations, City Records, Sunbiz) It has been determined that a lower number of homeowner associations exist in the City. The new total is reflected below. Original calculated amount of homeowners associations was 400.

The proposed ordinance will reduce the time spent by city personnel researching information and will speedup the compliance process.

The revenue generated by the new fee will be used for code compliance and administrative efforts required to collect and manage the condominium registry.

An estimated 175 associations would be required to register. The fee would result in approximately \$26,250 in annual revenue ($175 \times \$150 = \$26,250$). The revenue will off set the cost of an employee (salary and benefits) to educate the associations, notify them, collect the information, collect the fee, deposit the funds, follow-up with associations that are non-compliant, and maintain the information in a readily accessible data-base. It will also offset the cost of supervising the initiative and the cost of the outreach assistance the staff member will need in the education efforts.

Estimated use of proceeds:

60% of FTE Assigned to task salary and benefits	\$15,750
Educational and enforcement materials	\$ 3,000
Contribution to Supervision and administration	\$ 2,000
Contribution to Digital Engagement Team Costs	\$ 5,000
Contingency / Uncollectible	\$ 500
TOTAL	\$26,250

PROPOSED ACTION:

Staff recommends the City Commission approve the proposed Ordinance.

ATTACHMENT(S):

Exhibit 1 – Proposed Ordinance