

1 EXHIBIT 1
2 ORDINANCE 2021 -
3

4 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF
5 THE CITY OF HALLANDALE BEACH, FLORIDA, ADOPTING
6 SECTION 10-2, "PROCEDURE FOR COMMISSION APPROVAL
7 OF CHARITABLE CONTRIBUTIONS"; PROVIDING FOR
8 CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR
9 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
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12 **WHEREAS**, Article VIII, section 2(b) of the Florida Constitution provides that municipalities
13 have governmental, corporate and proprietary powers and may exercise any power for municipal
14 purposes except as otherwise provided by law; and

15 **WHEREAS**, the Supreme Court of Florida has recognized that a municipal purpose may
16 now comprehend all activities essential to the health, morals, protection and welfare of the
17 municipality; and

18 **WHEREAS**, the City seeks to adopt a process that will promote transparency and ensure
19 the proper and thoughtful exercise of the City Commission's authority when considering the
20 contribution of public funds to a charitable organization; and

21 **WHEREAS**, the Mayor and the City Commission have determined that it is in the best
22 interest of the residents of the City of Hallandale Beach to adopt Section 10-2, "Procedure for
23 Commission Approval of Charitable Contributions."

24 **NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF**
25 **HALLANDALE BEACH, FLORIDA:**
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27 **SECTION 1.** The foregoing "Whereas" clauses are incorporated herein.
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29 **SECTION 2.** Section 10-2 is hereby adopted as follows:
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31 **Sec. 10-2 – Procedure for Commission Approval of Charitable Contributions.**

32 (a) The City may contribute funds to charitable causes for municipal purposes as
33 permitted by law.

- (b) Prior to any contribution of funds to a charitable cause, the proposed contribution must be placed on an agenda for consideration of the City Commission.
- (c) A contribution of funds to a charitable cause may be approved by a majority of the members of the commission present if the commission determines that the contribution serves a municipal purpose. A municipal purpose is a public purpose that benefits the residents of the City.
- (d) This section does not apply to contracts with or purchases from charitable organizations providing specified goods or services to the City.

SECTION 3. 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 4. 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 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED on 1st reading on _____.

PASSED AND ADOPTED on 2nd reading on _____.

JOY F. COOPER
MAYOR

SPONSORED BY: MICHELE LAZAROW

ATTEST:

67 _____
68 JENORGEN GUILLEN
69 CITY CLERK
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71 APPROVED AS TO LEGAL SUFFICIENCY AND
72 FORM
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75 _____
76 JENNIFER MERINO
77 CITY ATTORNEY
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