

1 EXHIBIT 1

2 ORDINANCE NO. 2024-

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION
4 OF THE CITY OF HALLANDALE BEACH, FLORIDA,
5 AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE III
6 "BOARDS, COMMITTEES, DISTRICTS AND AUTHORITIES,"
7 SECTION 2-71 OF THE CITY OF HALLANDALE BEACH CODE
8 OF ORDINANCES TO AMEND ADVISORY BOARD AND
9 COMMITTEE QUALIFICATIONS TO REQUIRE BACKGROUND
10 CHECKS; AMENDING SECTION 2-74 TO PROVIDE HOLIDAY
11 SCHEDULING GUIDELINES; PROVIDING FOR CONFLICT;
12 PROVIDING FOR SEVERABILITY; PROVIDING FOR
13 CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
14

15 WHEREAS, persons appointed to advisory boards serve a vital function in
16 informing the policy decisions of the City; and

17 WHEREAS, the City has a vital interest in ensuring that those appointed to advisory
18 boards represent the City in a trustworthy and transparent manner; and

19 WHEREAS, unlike elected officials, advisory board members do not undergo a vetting
20 process by the public and opponents during an election; and

21 WHEREAS, the Mayor and the City Commission have determined that it is in the
22 best interest of the residents of the City to modify the general rules applicable to advisory
23 boards and committees to include background checks.

24
25 NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF
26 HALLANDALE BEACH, FLORIDA:

27
28 SECTION 1. The foregoing "Whereas" clauses are hereby incorporated herein.
29

30 SECTION 2. Chapter 2 "Administration," Section 2-71 of the Code of
31 Ordinances of the City of Hallandale Beach, Florida is hereby amended as follows:

32
33 **Sec. 2-71. - Appointment of members; Qualifications; vote of commission.**
34 (a) Boards and Committees will be created by ordinance and have five (5)

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35 members unless a greater number of members is specifically stipulated in the
36 enabling authority. All members of boards and committees, including alternate
37 members, shall be appointed by a majority vote of the city commission. Individual
38 members of the commission may not give direction to nor interfere with board or
39 committee actions.

40
41 (b) Nomination and appointment to boards and committees shall be as follows,
42 unless otherwise required by law:

43 (1) On boards and committees consisting of five members, each member
44 of the city commission shall have one nomination.

45 (2) On boards and committees consisting of seven members, each
46 member of the city commission shall have one nomination and two members
47 will be appointed by the commission-at-large.

48 (3) On boards and committees of membership other than five or seven, the
49 city commission shall specify the method of appointment in the enabling
50 ordinance.

51 (4) The city commission may appoint an alternate member to each board
52 or committee to serve as a substitute for absent regular members; and
53 while so serving, the substitute shall have the full power and authority of
54 the absent member. No special qualifications shall be required to serve as
55 an alternate member of any such board, authority or agency except as
56 otherwise provided by law.

57 (5) By motion, any commissioner may nominate a person to
58 another commissioner's appointment should it be vacant for more than three
59 commission meetings.

60 (c) Qualifications.

61 (1) Members of board or committees shall be a resident of Hallandale
62 Beach and shall maintain residency in Hallandale Beach during the term of
63 appointment, unless composition of the board or committee is otherwise
64 constituted. All appointees must provide proof of residency unless the
65 appointment is exempt from the residency requirement.

66 (2) Individuals seeking appointments to a board or committee are to
67 complete the application and submit to the City Clerk. Appointees will
68 complete an application following appointment if not received prior to the
69 appointment, and all appointments prior to application are conditional upon
70 successful completion of all application requirements and meeting all
71 qualification criteria.

72 (3) Except as authorized by the enabling authority, board or committee
73 members may not be members of the city commission or city officials or
74 employees. The city commission, officials and employees may attend or be
75 designated to attend the board or committee meetings in an advisory or
76 administrative capacity, such as a liaison function, without voting privileges.

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77 (4) Members must not be in default on any debt obligation with the city or
78 be a party in litigation adverse to the city.

79 (5) Background checks will be conducted on all prospective members prior to
80 their appointment. The background check shall include a report of all public
81 record Hallandale Beach Police Department incident reports involving the
82 prospective member.

83 a. Prospective members who have charges pending or who have ever
84 been convicted of a felony or a crime of moral turpitude shall not be
85 appointed. Prospective members charged with a misdemeanor may be
86 appointed if they were not convicted of the misdemeanor or if the date of
87 offense is five (5) years or more from the date of appointment. If the date
88 of offense is within five (5) years of the date of appointment, prospective
89 members shall not be appointed if the charge is pending or if they have
90 been convicted of the misdemeanor. Members of a city board who are
91 charged with any crime while appointed to a city board shall have an
92 obligation to report the crime to the city clerk and the member shall be
93 automatically removed from the city board by operation of this section.
94 Members who are convicted of any crime while on a city board shall
95 automatically forfeit their appointment to the city board by operation of
96 this section. For the purpose of this section any person who pleads
97 "guilty" or "nolo contendere" or who is found guilty shall be deemed to
98 have been convicted notwithstanding a suspension of sentence or a
99 withholding of adjudication. A member who is found "not guilty" may be
100 reappointed to the city board.

101 b. Nothing in this article shall be deemed to prevent someone from
102 serving on a board, agency, authority or committee if the person has
103 been convicted, pled guilty, or pled no lo contendere to one (1) or more
104 of the following crimes, as the statutes currently exist or may be
105 renumbered, or of the equivalent statute in another jurisdiction: driving
106 while license suspended (F.S. § 322.34(2) or F.S. § 322.03(5)); no valid
107 driver's license (F.S. § 322.03(1)); operating a commercial vehicle
108 without an appropriate license (F.S. § 322.03(b)); restricted license (F.S.
109 § 322.16); having more than one (1) license (F.S. § 322.03(1)(b));
110 expired registration (F.S. § 320.07(3)(c)); attaching tag not assigned
111 (F.S. § 320.261); no valid registration (F.S. § 320.02); no motorcycle
112 endorsement (F.S. § 322.03(4)); reckless driving (F.S. § 316.192);
113 unlawful display of license/failure to surrender license (F.S. § 322.03),
114 and permitting an unauthorized person to drive (F.S. § 322.36).
115

116 (d) *Vacancies.* As necessary or as requested by a commissioner, the City Clerk's
117 Office will advertise the availability of Board and Committee openings. Applicants
118 are to complete a board or committee application and submit to the City Clerk. As
119 applications are received, the City Clerk, through the City Manager, will advise the
120 Commission of the application and vacancies. Appointments will be considered during

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121 the "City Commission Communications" portion of commission meetings.

122

123 **SECTION 3.** Chapter 2 "Administration," Section 2-74 of the Code of
124 Ordinances of the City of Hallandale Beach, Florida is hereby amended as follows:

125 **Sec. 2-74. - Administration of boards and committees.**

126 (a) Boards and committees will operate under "Roberts Rules of Order."

127 (b) The secretary shall be responsible for the preparation of meeting minutes. The
128 minutes shall include the date, time, location and name of the board, the name of the
129 committee members and whether they are in attendance, all motions, the makers and
130 those who second, and the vote. Verbatim minutes are not necessary. The secretary
131 will have two weeks from the day of the meeting, to prepare typed minutes and provide
132 a copy to each member and to the staff liaison. Within five days of approval of the
133 minutes by vote of the board or committee a copy must be sent to the city clerk for
134 distribution to the city manager and city commission.

135 (c) Scheduling of meetings.

136 (1) The meetings of board or committee may not conflict with any city
137 commission meetings, special meetings or workshops that are posted.
138 However, the city commission may schedule a town hall meeting, special
139 meeting, or workshop on the same date and time as a board or
140 committee meeting that has already been scheduled.

141 (2) Meetings may begin and end at any time the board or committee
142 determines, by majority vote. Prior to the beginning of each calendar
143 year, all boards and committees must provide the city clerk with a
144 calendar of intended meetings for the year. Meetings must be advertised
145 by the city clerk and the secretary of the board or committee must inform
146 the city clerk of the next two month's meeting dates the day after each
147 board or committee meeting. Therefore, the boards must have 'meeting
148 dates' as an item on their agenda each month, unless meetings will be
149 on a regular schedule.

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150 (3) Meetings shall not be scheduled on holidays, including on the evening
151 before significant holidays. If a meeting falls on Election Day, it shall be
152 scheduled the following day.

153 (d) A majority of the total number of members will constitute a quorum. For a five-
154 person board or committee, three members shall constitute a quorum. For a seven-
155 person board or committee, four members shall constitute a quorum. For a ten-person
156 board or committee, six members shall constitute a quorum.

157 (e) The city commission must first approve events desired by board or committee
158 before the event is scheduled.

159 (f) The treasurer (if necessary) will be responsible for all funds allocated to the board
160 or committee and must keep accurate records and receipts for all purchases and sales.
161 A report is due to the city clerk and staff liaison each month, within two business days
162 after the meeting.

163 (g) Annual reports. Annual reports are required of each board and committee. The
164 following procedures will be followed regarding annual board or committee reports
165 presented to the city commission.

166 (1) An annual report from each board or committee will be due to the city
167 clerk by December 15 of each year and presented to the city commission by the
168 last meeting in April of the following year.

169 (2) The board or committee chair or designee, in conjunction with the
170 departmental liaison, shall prepare the annual report.

171 (3) The annual report shall contain the following information:
172 a. The purpose of the board or committee;
173 b. A listing of the current members with notation of any vacancies;
174 c. The significant activities or accomplishments during the past year;
175 d. Priority activities for the coming year;
176 e. Specific recommendations for city commission consideration, if any,

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177 provided the recommendations have been approved for submittal to the
178 commission by the majority of the board or committee members.

179 (4) The attendance of the board or committee departmental liaison is
180 required at the commission meeting when the report is presented.

181 **SECTION 4. Conflict.** All ordinances or portions of the Code of Ordinances of the
182 City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed
183 to the extent of such conflict.

184 **SECTION 5. Severability.** Should any provision of this ordinance be declared by
185 a court of competent jurisdiction to be invalid, the same shall not affect the validity of the
186 ordinance as a whole, or any part thereof, other than the part declared to be invalid.
187

188 **SECTION 6. Codification.** It is the intention of the Mayor and City Commission that
189 the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such
190 intention the words "ordinance" or "section" may be changed to other appropriate words.
191

192 **SECTION 7. Effective date.** This Ordinance shall take effect immediately upon
193 adoption.
194

195
196 PASSED ON 1ST reading on _____, 202__.

197 PASSED AND ADOPTED ON 2ND reading on _____, 202__.

198
199
200
201 _____
202 JOY F. COOPER
203 MAYOR

204 SPONSORED BY: COMMISSIONER ANABELLE LIMA-TAUB
205 MAYOR JOY F. COOPER
206

207
208 ATTEST:
209
210
211 _____
212 JENORGEN GUILLEN

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213 CITY CLERK
214 APPROVED AS TO LEGAL SUFFICIENCY
215 AND FORM:
216
217
218 _____
219 JENNIFER MERINO
220 CITY ATTORNEY
221

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