

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE XI OF THE CITY CHARTER ENTITLED "CHARTER REVIEW COMMITTEE", BY AMENDING SECTION 11.02 ENTITLED "APPOINTMENT, MEMBERSHIP AND RECORDS" AND SECTION 11.03 ENTITLED "RESPONSIBILITIES", SUBJECT TO APPROVAL BY THE ELECTORATE AT A REFERENDUM TO BE HELD ON NOVEMBER 5, 2024.

WHEREAS, Florida Statutes Section 166.031(1) provides, in part, that "[t]he governing body of a municipality may, by ordinance, ... submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality"; and

WHEREAS, Article XI of the City of Hollywood City Charter creates a charter review committee to be appointed every six years and to submit proposed Charter amendments to the City Commission; and

WHEREAS, Article XI of the Charter requires the City Commission to place the charter review committee's proposals on the ballot; and

WHEREAS, the charter review committee has proposed amendments to ARTICLE XI of the Charter entitled "Charter Review Committee".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Article XI of the City of Hollywood City Charter is hereby amended to read as follows¹:

ARTICLE XI. CHARTER REVIEW COMMITTEE

* * *

¹ Underscored words are additions to existing text; words ~~struck through~~ are deletions from existing text.

Sec. 11.02. Appointment, membership and records.

(a) *Appointment.* There shall be a charter review committee appointed by resolution of the city commission at the first regular city commission meeting in January ~~March~~ of 2023 ~~2017~~ and every ten (10) ~~six (6)~~ years thereafter.

(b) *Membership.* The charter review committee shall consist of no less than nine (9) and no more than ~~eleven (11)~~ members. In appointing the members, the city commission shall make every reasonable effort to appoint at least one (4) member from each city district. The members shall be residents and registered voters of the city at the time of appointment and throughout their terms. The immediate past chair and vice-chair shall be non-voting ex officio members. No elected official of the state, county or any municipality, nor any city employee, may serve as a voting member of the charter review committee.

(c) *Term of appointment.* The term of each member of the charter review committee shall expire the day after the presidential or gubernatorial election, whichever appears first, held after the first Monday in November one (1) year after the year in which said members were appointed. The city commission may, by resolution, extend the term, but only to enable the committee to complete its work for the then current ten (10) ~~six (6)~~-year cycle.

* * *

Sec. 11.03. Responsibilities.

(a) *Hearings.* During its term, the charter review committee shall hold at least three (3) public hearings.

(b) *Charter amendments and revisions.* By a vote of two-thirds (2/3) of its then current membership, the charter review committee may submit proposals to amend or revise the Charter to the city commission. The charter review committee must submit to the city commission any proposed Charter amendments or revisions with associated ballot language no later than the first Tuesday in April ~~June~~ of the year in which the term of the charter review committee expires. The city commission shall place the charter review committee's proposals with the associated ballot language on the ballot at the next presidential or gubernatorial election, whichever occurs first.

* * *

(d) *Exercise of responsibilities.* In exercising its responsibilities, the charter review committee shall:

* * *

(4) Request of the city commission authorization and funding for the employment of professional and expert assistance ~~assistants~~ as may be necessary to carry out the committee's duties.

Section 3: That the ballot language for the Charter amendments proposed in Section 2 above shall be as set forth in the attached Exhibit "A".

Section 4: That the Charter amendments set forth in this Ordinance shall be submitted to a vote of the electors of the City of Hollywood at an election to be held on November 5, 2024.

Section 5: That funding for the election is available in account 001.111001.51200.549930.000000.000.000 – Elections.

Section 6: Pursuant to the requirements of Florida Statute Section 100.342, notice of the election on the Charter amendments set forth in this Ordinance shall be given at least 30 days in advance of the election and shall be given in a newspaper of general circulation published in Broward County. The notice shall be published at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held.

Section 7: That if the Charter amendments set forth in this Ordinance are approved by a majority of the electors voting in the election scheduled for November 5, 2024, such amendments shall take effect as of the day immediately following the certification of the results of the election and shall be incorporated into the Charter of the City of Hollywood, and they may be renumbered as appropriate to incorporate them into the Charter.

Section 8: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such determination shall not affect the validity of any remaining portions of this Ordinance.

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Section 9: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 10: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised _____, 2024.

PASSED on first reading this _____ day of _____, 2024.

PASSED AND ADOPTED on second reading this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY

EXHIBIT A

CHARTER AMENDMENTS – REFERENDUM VARIOUS AMENDMENTS TO ARTICLE XI OF THE CITY CHARTER ENTITLED “CHARTER REVIEW COMMITTEE”

These amendments would amend Article XI of the City Charter entitled “Charter Review Committee”. Specifically, the amendments seek to change the frequency of its appointment from six years to ~~every~~ ten years; changes when the committee is to be appointed ~~by the city commission~~ from March to January; changes when the committee shall submit to the city commission any proposed Charter amendments along with associated ballot language from June to April, and seeks to clean up existing grammar and language ~~to make the Charter more cohesive and consistent.~~

QUESTION

Should Article XI of the City Charter entitled “Charter Review Committee” be amended in the various ways described above?

YES _____

No _____

Fiscal Impact of Proposed City Charter Amendments concerning The City Commission

The proposed Charter amendments do not result in significant additional costs.