

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CREATING CHAPTER 30, "CITY POLICIES, GENERALLY," SECTIONS 30.20, 30.21 AND 30.22 REGARDING LIMITATION ON SALE, LEASE OR PURCHASE OF CITY-OWNED REAL PROPERTY.

WHEREAS, in an effort to solve an issue created through the drafting of the ballot question regarding proposed amendments to ARTICLE XIII of the City's Charter entitled "Limitation on Sale, Lease or Purchase of City-Owned Real Property", the City Commission desires to enact the following Ordinance that mirrors the language adopted by the Charter Review Committee and approved by the City Commission, adding a sunset provision that goes into effect upon certification of the November 4, 2026 election results by the Broward County Canvassing Board.

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 Chapter 30 of the City of Hollywood Code of Ordinances is hereby amended to read as follows¹:

TITLE III: ADMINISTRATION

CHAPTER 30: CITY POLICIES, GENERALLY

[...]

LIMITATION ON SALE, LEASE OR PURCHASE OF CITY-OWNED REAL PROPERTY

Sec. 30.20. SALE OF CITY-OWNED REAL PROPERTY.

(a) Any property which the city proposes to sell or otherwise dispose of must be appraised by one independent, qualified appraiser. However, property which is listed by the Broward County Property Appraiser as having a value of not more than \$25,000.00 may be sold or disposed of without an appraisal. If such independent appraiser values the property in excess of \$250,000.00, an additional independent appraisal shall be obtained. If the two appraisals differ by more than 25%, a third independent appraisal shall be obtained.

¹ Underscored words are additions to existing text; words ~~struck through~~ are deletions from existing text; shaded text reflects changes between first and second readings.

(b) A five-sevenths (5/7) vote of the total commission membership shall be necessary for the sale or disposition of any property valued by any of the appraisers in excess of \$250,000.00.

(c) Notwithstanding the provisions of this section, any city-owned real property that is a park, a golf course or another recreational facility, a city-owned and designated historic property, or which is east of the Intracoastal which the city proposes to sell must be approved by a majority vote of the City's electors voting on such proposal.

Sec. 30.21. LEASE OF CITY-OWNED REAL PROPERTY.

(a) Any lease, or the functional equivalent of a lease, of real property owned by the city which has a term of 20 years or longer must be approved by a five-sevenths (5/7) vote of the city commission.

(b) Any lease, or the functional equivalent of a lease, of real property owned by the city which can be renewed and which term can reach 20 years, both without an additional vote of the city commission, must be approved by a five-sevenths (5/7) vote of the city commission.

(c) Notwithstanding the provisions of this section, any city-owned real property that is a park, a golf course or another recreational facility, a city-owned and designated historic property, or which is east of the Intracoastal which the city proposes to lease or otherwise encumber, inclusive of all options to renew, for 50 years or more must be approved by a majority vote of the city's electors voting on such proposal.

Sec. 30.22. PURCHASES OF REAL PROPERTY BY CITY.

(a) One independent, qualified appraisal shall be obtained for any property the city is considering purchasing. If the property is appraised at a value in excess of \$250,000.00, a second independent qualified appraisal shall be obtained. Any purchase of real property by the city in an amount in excess of \$250,000.00 must be approved by a five-sevenths (5/7) vote of the total commission membership.

(b) The threshold amount specified in subsection (a) shall be adjusted based on information contained in the "Certification of Taxable Value," designated as Form DR-420, received each year from the Broward County Property Appraiser. Specifically, the threshold amount shall be adjusted by multiplying it by an amount equal to a fraction the numerator of which is the difference between the amount designated as "[c]urrent year taxable value of real property for operating purposes" in the last "Certification of Taxable Value" received prior to the date of a purchase of property and the sum of the

amounts designated as "[c]urrent year net new taxable value" in each "Certification of Taxable Value" received from 2011 to the last "Certification of Taxable Value" received prior to the date of the purchase, and the denominator of which is the amount designated as "[c]urrent year taxable value of real property for operating purposes" in the "Certification of Taxable Value" received in 2010.

(c) Notwithstanding the provisions of this section, whenever two or more contiguous parcels of real property are unified under one owner and the city proposes to purchase one or more but not all of such contiguous parcels, a five-sevenths (5/7) vote of the total commission membership shall be required, regardless of the valuation of the parcels proposed to be purchased.

Section 3: That it is the intention of the City Commission that the proposed amendments to Article XIII of the City's Charter that were approved by the Charter Review Committee in 2024, and adopted for inclusion on the November 5, 2024 ballot by the City Commission, shall be placed as a Ballot Question on the November 4, 2026 election as proposed amendments to the City Charter, and that this Ordinance shall sunset and no longer be in effect upon certification of the election results by the Broward County Canvassing Board following the November 4, 2026 election.

Section 4: 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.

Section 5: 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.

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Section 6: 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