

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY CHARTER BY CREATING A PREAMBLE, SUBJECT TO APPROVAL BY THE ELECTORATE AT A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018.

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 Charter of the City of Hollywood 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 amending the Charter by the creation of a preamble.

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 the City of Hollywood Charter is hereby amended by the creation of a preamble at the beginning of the Charter to read as follows:

We, the people of the City of Hollywood, acting under the Constitution and laws of the State of Florida, in order to secure the benefits and responsibilities of self-governance, granting each individual the opportunity for a voice in the government and for the health, welfare and quality of life for us and future generations, to provide for an honest and accountable Commission – Manager government, do hereby adopt this Charter. By this action, we secure unto ourselves the benefits of transparency and accessibility, and affirm the values of representative democracy, diversity and inclusiveness, justice, fiscal responsibility, citizen engagement, economic vitality,

(Coding: Words underscored are additions to existing law; words ~~struck through~~ are deletions from existing law.)

professional management, political leadership, environmental stewardship and sustainability, and regional cooperation.

Section 3: That the ballot language for the Charter amendment proposed in Section 1 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 6, 2018.

Section 5: That funding for the election is available in account 01.1103.00000.512.004993 – Elections.

Section 6: That 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 6, 2018, 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. 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, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

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 herewith be and the same are repealed to the extent of such conflict.

AN ORDINANCE AMENDING THE CITY CHARTER BY CREATING A PREAMBLE AT THE BEGINNING OF THE CHARTER, SUBJECT TO APPROVAL BY THE ELECTORATE AT A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018.

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

ADVERTISED on _____, 2018.

PASSED on first reading this _____ day of _____, 2018.

PASSED AND ADOPTED on second reading this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY

EXHIBIT A

CHARTER AMENDMENTS – REFERENDUM CREATION OF A PREAMBLE

This amendment would create a preamble at the beginning of the City Charter. The preamble would declare various reasons for the adoption of the Charter and would declare the intent of the people of Hollywood (i) to secure unto themselves certain specified benefits and (ii) to affirm certain specified values.

QUESTION

Should the City Charter be amended by the creation of a preamble at the beginning of the Charter?

Yes _____

No _____

Fiscal Impact of Proposed City Charter Amendment Creating a Preamble

The proposed charter amendment does not result in significant additional costs.