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ORDINANCE NO. 2012 - 09

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 6, 2012 TO DETERMINE WHETHER ARTICLE VI, "OFFICERS", DIVISION 1. "CITY ATTORNEY", SECTION 6.01, "CITY ATTORNEY," OF THE CITY CHARTER SHALL BE AMENDED TO PROVIDE THAT THE CITY ATTORNEY IS AUTHORIZED TO PROVIDE AN ANNUAL BUDGET FOR CONSIDERATION BY THE CITY COMMISSION; PROVIDING FOR THE VOTING SCHEDULE; PROVIDING FOR REFERENDUM APPROVAL; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.031, Florida Statutes, provides the methods by which a municipality may amend its charter; and

WHEREAS, Section 166.031, provides that the governing body of a municipality may, by ordinance, submit to the electors of such municipality proposed amendments of the Charter of such municipality at an election held for that purpose; and

WHEREAS, the Charter Review Committee established pursuant to Section 2-121 of the Hallandale Beach Code of Ordinances has recommended that Section 6.01 of the City Charter be amended to clarify that the City Attorney is authorized to provide for a budget for the City Attorney's Office; and

WHEREAS, the City Commission of the City of Hallandale Beach, Florida has met, deliberated, and publicly conferred on the proposal contained herein to amend the City's Charter; and

WHEREAS, the City Commission desires to submit the question of amending the City Charter to a vote of the electorate at a referendum called for such purpose pursuant to Section 166.031, Florida Statutes.

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

40 **SECTION 1.** The City Commission hereby calls for and orders the holding of a
41 referendum election to be held at the same time of the General Election on November 6, 2012,
42 to determine whether the amendment to the City's Charter, appearing in Sections 1 and 2 of this
43 Ordinance, shall be approved by a majority of votes cast in such election. All qualified electors
44 of the City of Hallandale Beach shall be entitled and permitted to vote in the referendum. The
45 referendum election shall be held and conducted in the manner prescribed by law for all
46 elections.

47
48 It is proposed that the City Charter referred to below be amended to read, if approved by
49 the electorate, as follows:

50
51 **ARTICLE VI - OFFICERS**
52 **DIVISION 1: - CITY ATTORNEY**
53 **Section 6.01: - City Attorney**

54 There shall be a city attorney of the city, appointed or removed, by a majority of the full
55 commission, who shall direct and supervise the city attorney's office, and who shall serve as
56 chief legal advisor to the commission, the city manager and all city departments, offices and
57 agencies and who shall assure that the city is represented in all legal proceedings and perform
58 any other duties prescribed by this Charter or by ordinance. The city attorney shall provide an
59 annual budget for consideration by the City Commission. The city commission shall include in its
60 annual budget for each fiscal year such sum as necessary for the city attorney to carry out his or
61 her duties.

62
63 **SECTION 2. Form of Ballot.** The form of the ballot for the Charter amendment provided
64 for herein shall be as follows:

65
66 **AUTHORIZE CITY ATTORNEY TO HAVE AN ANNUAL BUDGET**

67
68 Shall Section 6.01 of the City Charter be amended to provide that the city attorney shall
69 provide an annual budget for consideration by the City Commission. City Commission
70 will include in its annual budget such sums as are necessary for the city attorney to carry
71 out his or her duties?

72
73 _____ Yes, for approval

74
75 _____ No, for rejection

76

117 ATTEST:

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119

120

121 CITY CLERK

122

123 APPROVED AS TO LEGAL SUFFICIENCY

124 FORM

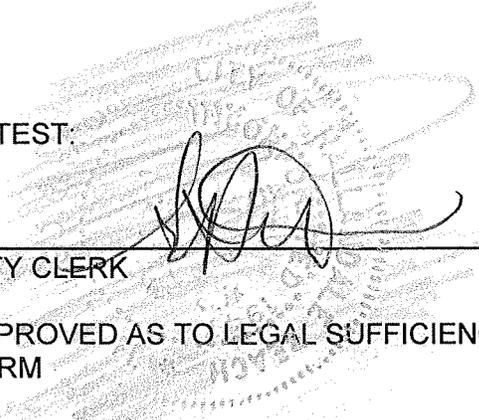
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127

128 V. LYNN WHITFIELD

129 CITY ATTORNEY



VOTE
AYE/NAY

Mayor Cooper	<input checked="" type="checkbox"/>
Vice Mayor Sanders	<input checked="" type="checkbox"/>
Comm. Lewy	<input checked="" type="checkbox"/>
Comm. London	<input checked="" type="checkbox"/>
Comm. Ross	<input checked="" type="checkbox"/>