

ORDINANCE NO. 180-04-113

AN ORDINANCE OF THE CITY OF LAUDERHILL CALLING FOR A REFERENDUM REGARDING THE PROPOSED AMENDMENT TO THE CITY OF LAUDERHILL CODE OF ORDINANCES, PART 1, CHARTER, ARTICLE VI, CITY MANAGER, SECTION 6.02, APPOINTMENT, QUALIFICATIONS, COMPENSATION, TO REQUIRE A COMPREHENSIVE BACKGROUND INVESTIGATION AS PART OF THE CITY MANAGER`S QUALIFICATIONS TO APPEAR ON THE GENERAL ELECTION BALLOT TO BE HELD ON NOVEMBER 6, 2018 BASED UPON THE RECOMMENDATION OF THE CHARTER REVIEW BOARD; PROVIDING THE BALLOT QUESTION TO BE USED IN THE REFERENDUM; PROVIDING THAT THE PROPOSED CHARTER AMENDMENT SHALL BE EFFECTIVE NOVEMBER 2018 IF THE REFERENDUM RECEIVES A MAJORITY VOTE IN FAVOR OF THE AMENDMENT; PROVIDING THAT NOTICE REQUIREMENTS HAVE BEEN MET; DIRECTING THE CITY CLERK TO FORWARD COPIES OF THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY THE CITY MANAGER/CHARTER REVIEW BOARD)

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. That the City of Lauderhill Code of Ordinances, Part 1, Charter, Article VI, City Manager, Section 6.02, Appointment, Qualifications, Compensation, would be amended if the referendum receives a majority vote in favor of the amendment to read as follows:

Section 6.02. - Appointment; qualifications; compensation.

The commission, by four or more votes, shall appoint a city manager who shall serve pursuant to the terms of the city manager's employment contract. The commission, by a majority vote, shall from time to time fix the city manager's compensation. The commission shall conduct an annual performance review of the city manager in accordance with the process established by resolution. Qualifications shall be determined by the commission by resolution. The city manager shall be appointed solely on the basis of executive and administrative qualifications, which shall include a comprehensive background investigation. The city manager need not be a resident of the city or the State of Florida at the time of appointment, but thereafter shall reside within the city at a time to be determined by the commission.

SECTION 2. That the proposed amendment to the City of Lauderhill Code of Ordinances, Part 1, Charter, Article VI, City Manager, Section 6.02, Appointment, Qualifications, Compensation, is subject to a referendum being submitted to the registered electors of the City of Lauderhill and a majority vote by the registered electors in favor of such amendment to the Charter.

SECTION 3. Pursuant to Florida Statutes, Section 166.031, the City of Lauderhill hereby calls for a referendum to be held on the November 6, 2018 general election ballot, to submit to the registered electors of the City of Lauderhill, the question of whether the Charter of the City of Lauderhill, Section 6.02 should be amended to require that the City Manager be subject to a comprehensive background investigation as part of his qualifications.

SECTION 4. That the Ballot Title shall read:

REFERENDUM AMENDING CHARTER SECTION 6.02 TO REQUIRE A COMPREHENSIVE BACKGROUND INVESTIGATION AS PART OF THE CITY MANAGER`S QUALIFICATIONS.

SECTION 5. That the Ballot Summary and Question shall read as follows and shall offer the following two choices:

Shall the City of Lauderhill amend its Charter, Section 6.02, to require a comprehensive background investigation as part of the City Manager`s qualifications, as described in Ordinance 180-04-113.

_____ FOR amending the City Charter to require the City Manager be subject to a comprehensive background investigation, as described in Ord. 180-04-113.

_____ AGAINST amending the City Charter to require the City Manager be subject to a comprehensive background investigation, as described in Ord. 180-04-113.

SECTION 6. Providing that the City of Lauderhill shall pay for, and appropriate the necessary funds, to pay for the referendum.

SECTION 7. That the City Clerk and City Attorney are hereby authorized to make any amendments or changes to the Ballot Title, the Ballot Summary, the Ballot Question, or the referendum as may be required or necessitated based upon the rules, regulations and policies of the Supervisor of Elections.

SECTION 8. That the City Manager and the City Attorney are hereby authorized to prepare and execute any and all documents necessary to fulfill the terms and intent of this Ordinance.

SECTION 9. That all notice requirements have been met.

SECTION 10. That the City Clerk is hereby directed to immediately provide a copy of this Ordinance to the chief administrative officer of Broward County, the Broward League of Cities, the newspapers and media; and to any other interested parties.

SECTION 11. That the effective date of the Charter Amendment, if approved by a majority vote of the referendum in favor of the amendment, shall become effective November 2018 if the referendum receives a majority vote in favor of the amendment.

SECTION 12. That if the proposed amendment receives a majority vote in favor of the amendment, then the City Clerk shall forward a copy of this Ordinance to the Municipal Code Corporation for incorporation into the City of Lauderhill Charter and shall file the revised Charter with the Department of State.

SECTION 13. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 14. Should this ordinance or any part thereof be declared invalid by a Court of competent jurisdiction, the invalidity of any part of this ordinance shall not otherwise affect the validity of the remaining provisions of this ordinance, which shall be deemed to have been enacted without the invalid provision.

SECTION 15. This Ordinance shall be deemed effective upon its passage and adoption.

DATED this 14 day of May, 2018.

PASSED on first reading this 30 day of April, 2018.

PASSED AND ADOPTED on second reading this 14 day of
May, 2018.



PRESIDING OFFICER

ATTEST:



CITY CLERK

	FIRST READING	SECOND READING
MOTION	<u>Bates</u>	<u>Benson</u>
SECOND	<u>Thurston</u>	<u>Thurston</u>
M. BATES	<u>Yes</u>	<u>Excused</u>
H. BENSON	<u>Yes</u>	<u>Yes</u>
H. BERGER	<u>Yes</u>	<u>Yes</u>
K. THURSTON	<u>Yes</u>	<u>Yes</u>
R. KAPLAN	<u>Yes</u>	<u>Yes</u>