

ORDINANCE NO. 2024-1043

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ADMINISTRATION" TO CREATE NEW ARTICLE VIII TO BE ENTITLED "CHARTER REVIEW COMMITTEE," AND ENACT NEW SECTIONS 2-209 THROUGH 2-214; TO PROVIDE FOR THE APPOINTMENT OF A CHARTER REVIEW COMMITTEE AND DUTIES AND RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2022, the City Commission appointed a Charter Review Committee to review the City's Charter; and,

WHEREAS, at its January 9, 2024, meeting, the City Commission received the Final Report of the Charter Review Committee, which included a proposal relating to a Charter Review Committee; and,

WHEREAS, the Charter Review Committee recommended that the City Commission enact provisions in the City's Charter for a Charter Review Committee to be appointed and review the City's Charter no less frequently than every ten (10) years; and

WHEREAS, the City Commission agrees with the recommendations for a Charter Review Committee, but has determined to enact those provisions as part of the City's Code of Ordinances, and hereby finds it is in the best interest of the residents and citizens of the City to adopt this Ordinance.

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

Section 1: The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: Chapter 2 of the City's Code of Ordinances, entitled "Administration," is amended to create a new Division VIII, to be entitled "Charter Review Committee," and new Sections 2-109 through 2-214, as follows:

CHAPTER 2 – ADMINISTRATION

...

ARTICLE VIII – CHARTER REVIEW COMMITTEE

Sec. 2-209 – Creation of the Charter Review Committee

There shall be a Charter Review Committee appointed by resolution by the City Commission authorized to review and propose changes to the Charter of government for the City of Lighthouse Point commencing no less than once every ten (10) years. The City Commission may appoint a Charter Review Committee by resolution at any time it determines there is a need prior to the commencement of the ten (10) year period.

Sec. 2-210 – Composition and Qualifications

The Charter Review Committee shall consist of ten (10) members. Each Commissioner shall nominate one (1) responsible and qualified member. The Mayor shall appoint the remaining members, which shall consist of an attorney, a former Commissioner, a former Charter Review Committee member, one current Commissioner and one City employee. The qualifications for all Charter Review Committee members, except for the City employee member, shall be a qualified elector and resident of the City, with residency of not less than one (1) year prior to date of appointment to the Charter Review Committee. City staff liaison and an attorney from the City Attorney's office will attend meetings as support personnel.

Sec. 2-211 – Terms and Vacancies

The term of each member of the Charter Review Committee shall be one (1) year from the date of the first Charter Review Committee meeting after appointment. The term may be extended by the Mayor for an additional six (6) months. If a vacancy occurs on the Committee during the term, the Mayor may appoint any responsible and qualified member for any vacated position.

Sec. 2-212 – Chair and Vice Chair

The Mayor shall select the Chair of the Charter Review Committee. The Committee members shall elect a vice-chair and other officers as may be deemed necessary, at the first meeting of the Committee, which officers shall serve at the pleasure of the Committee. The Chair shall preside over meetings of the Committee, shall be the spokesperson for the Committee, shall assign work to the attorney for the Committee, and cause to be carried out such other business as the Committee deems necessary. In the absence or unavailability of the Chair, the Vice-Chair shall serve as presiding officer. The Vice-Chair shall have and exercise all duties of the Chair for meetings over which the Vice-Chair is called to preside.

Sec. 2-213 - Recommendations and Report of Committee.

The Charter Review Committee shall submit to the Commission such alterations, revisions, and amendments, if any, to the Charter. A majority vote of the Committee

shall be required to submit amendments to the Commission. The Board Attorney shall prepare a report to be delivered to the City Commission. Included within the report shall be the proposed amendments, along with the ballot title and summary. The Committee's recommendations shall be nonbinding, and the Commission shall have the sole discretion to determine which amendments, if any, it places on the ballot, the final working of any amendments, and the timing of any election on Charter amendments. Upon final approval by the Commission, a referendum will be held where an amendment is presented to the electorate for final adoption.

Sec. 2-214 – Maintenance of Records

The City Clerk shall maintain copies of all written, recorded, and electronic records of the Charter Review Committee in conformance with the laws of the State of Florida, as may be amended.

Section 3: It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, Florida.

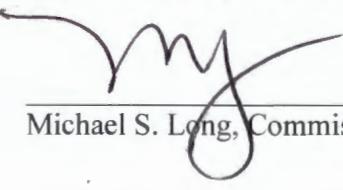
Section 4. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith, be and the same are hereby repealed, to the extent of such conflict.

Section 5: If any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

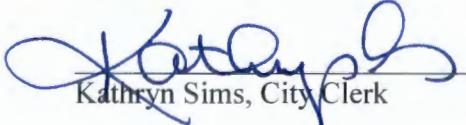
Section 6: This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THIS 23 DAY OF April, 2024.

PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA THIS 14 DAY OF May, 2024.


Michael S. Long, Commission President

ATTEST:


Kathryn Sims, City Clerk

APPROVED AS TO FORM:

WJD

Office of the City Attorney

Commission President Michael S. Long
Commission Vice President Patty Petrone
Commissioner Jason D. Joffe
Commissioner Everett Marshall
Commissioner Abby J. Stafford

Yes	No	Absent
✓	_____	_____
✓	_____	✓
✓	_____	_____
Y	_____	_____



Business Impact Estimate

This form should be included in the agenda backup for ordinances on first reading, and must be posted on the City's website by the time notice of the proposed ordinance is published.

Ordinance title/reference:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ADMINISTRATION" TO CREATE NEW ARTICLE VIII TO BE ENTITLED "CHARTER REVIEW COMMITTEE," AND ENACT NEW SECTIONS 2-209 THROUGH 2-214; TO PROVIDE FOR THE APPOINTMENT OF A CHARTER REVIEW COMMITTEE AND DUTIES AND RESPONSIBILITIES OF THE CHARTER REVIEW COMMITTEE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box and leave the remainder of the form blank.

- The ordinance is required for compliance with federal or state law or regulation;
- The ordinance relates to the issuance or refinancing of debt;
- The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the City;
- The ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - b. Sections 190.005 and 190.046, regarding community development districts;
 - c. Section 553.73, relating to the Florida Building Code; or
 - d. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The public purpose is to amend the City's Code of Ordinances relating to a City Charter Review Committee

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Lighthouse Point:

None

3. Estimate of direct compliance costs that businesses may reasonably incur:

None

4. Any new charge or fee imposed by the proposed ordinance:

None

5. Estimate of the City of Lighthouse Point's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

None

6. Estimate of the number of businesses likely to be impacted by the proposed ordinance:

None

7. Additional information (if any):

Prepared by: Michael D. Cirullo, Jr., City Attorney
Name and Title

Date: April 23, 2024

CITY OF LIGHTHOUSE POINT, FLORIDA
CITY COMMISSION AGENDA ITEM REPORT
DATE OF COMMISSION MEETING – May 14, 2024

AGENDA ITEM NO. - 12

PREPARED BY – Michael D Cirullo, Jr., City Attorney

DIRECTOR APPROVAL - Pa
ADMINISTRATOR APPROVAL - Pa

SUBJECT: Second Reading and Public Hearing of Ordinance 2024-1043 to amend Chapter 2 for the City's Charter Review Committee

1. BACKGROUND/HISTORY

At its September 12, 2022, City Commission meeting, consensus of the City Commission was for the Mayor to establish the framework for a Charter Review Committee.

At its October 25, 2022, meeting, the City Commission appointed the Charter Review Committee.

At its January 9, 2024, meeting, the City Commission received the Final Report of the Charter Review Committee. There are nine (9) proposals for ballot questions proposed by the Charter Review Committee.

The City Commission conducted two workshops on March 12, 2024 and April 3, 2024, to review the proposed charter amendments, including the wording of the proposed questions for the ballots and the proposed changes to the current charter. The City Commission decided to proceed with seven (7) of the proposals as Charter Amendments, and two (2) as ordinances. One of the ordinances relates to the Charter Review Committee.

Ordinance 2024-1043 was approved on First Reading at the April 24, 2024 Commission Meeting.

2. FINDINGS/CURRENT ACTIVITY

The proposed ordinance would amend Chapter 2 of the City's Code of Ordinances and create a new Division VIII for a Charter Review Committee, as well as Sections 2-109 through 2-114 to create the Charter Review Committee, provide for composition and qualifications of members, terms and vacancies of members, selection of Chair and Vice Chair, recommendations and reports of the Charter Review Committee, and maintenance of records.

3. ATTACHMENTS

Ordinance 2024-1043
Business Impact Statement

4. FINANCIAL IMPACT

None.

5. ACTION OPTIONS/RECOMMENDATION

Recommend that the City Commission conduct a public hearing and consider Ordinance 2024-1043 on second reading.