

What is the City Charter

- The charter is the broad governing document establishing municipal government (similar to a Constitution)
 - Intent is to outline broad powers that enable governments to exist and take actions
- A charter is adopted by the people and is amended by the people through referendum
- Every city in Florida has a charter
- Pompano Beach Charter was enacted by the legislature in 1957
 - http://pombeach-fl.elaws.us/code/coor_appsid137606



Ordinance vs. Resolution

- Ordinances and resolutions are the legal mechanism by which elected bodies set matters of law or policy
- An **Ordinance** is an official legislative action of a governing body which action is regulation of a general and permanent nature and enforceable as a local law
 - A proposed ordinance must be read/voted on for at least two separate days
 - At least 10 days prior to adoption, a proposed ordinance must be noticed once in a newspaper of general circulation in the city
- A **Resolution** is an expression of a governing body concerning matters of administration, an expression of a temporary character or a provision for the disposition of a particular item of the administrative business of the governing body
 - One reading/vote
 - No requirement for advertisement in local newspaper

Proposed Amendment (1)

Issue	Current	Proposed
Contracts (Section 251)	No contract involving the payment of money out of the appropriations of more than one year shall be made for a period of more than five (5) years; nor shall any such contract be valid unless made or approved by ordinance.	No contract involving the payment of money out of the appropriations of more than one year shall be valid unless approved by resolution.

Proposed Amendment (2)

Issue	Current	Proposed
Lease term (Section 250)	<ul style="list-style-type: none">• Leases authorized by ordinance• Leases requiring capital improvements can not exceed 50 years• Other leases may not exceed 10 years• 50% of capital improvements shall be expended during the first 2 years and the remainder during the second 2 years	<ul style="list-style-type: none">• Leases approved by resolution with 2 readings• No preset limit on lease length in the charter (can be enacted by ordinance)• Commission can approve leases in the best interest of the city and each lease will specify the time period to expend capital improvements

Proposed Amendment (3)

Issue	Current	Proposed
Transfer of Property (Section 253)	Government agency to which land is transferred must have power of eminent domain (Note: CRAs power of eminent domain as removed in 2006)	Remove language about eminent domain <i>Note: this will allow easier transfer of City property to the CRA</i>