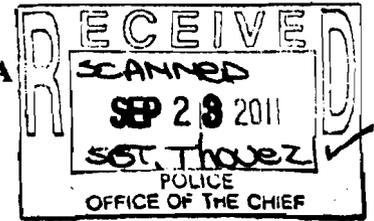


CITY OF HALLANDALE BEACH, FLORIDA
MEMORANDUM



DATE: September 23, 2011
TO: Honorable Mayor and City Commission
FROM: Ed Dion, Interim City Attorney *EAD*
SUBJECT: Safe Neighborhood Districts

CAD #24/93 & CMD #041/92

During the Special Meeting of the City Commission of September 14, 2011, discussion centered upon the operations of the Golden Isles and Three Islands Safe Neighborhood Districts. I volunteered to review the ordinances, resolutions and bylaws relating to the Districts and now advise the City Commission accordingly.

Golden Isles Safe Neighborhood District. By Ordinance No. 89-24, effective September 1, 1989, the City Commission created the Golden Isles Safe Neighborhood District in accordance with Section 163.506, Florida Statutes. The City Commission is the Board of Directors for that District. On November 7, 1989, the City Commission adopted Resolution No. 89-30, which created an Advisory Council to the Board and appointed five (5) individuals to the Advisory Council. On January 3, 2006, the City Commission adopted Resolution No. 2006-04, which repealed Resolution No. 89-30 and established that the Advisory Council would be comprised of one member from each street within the neighborhood, to serve at the pleasure of the Board of Directors. Bylaws of the Golden Isles Safe Neighborhood District were adopted by the Board of Directors on December 19, 1989. I have been unable to locate any bylaws for the Advisory Council.

Three Islands Safe Neighborhood District. The Three Islands Safe Neighborhood District was created by Ordinance No. 93-08 on August 20, 1993, in which the City Commission is the Board of Directors of the District. On September 7, 1993 an Advisory Council was created by Resolution No. 93-16, consisting of eleven (11) members, to serve until November 15, 1995. On September 13, 1994, the City Commission adopted Resolution No. 94-25 changing the composition of the Advisory Council to twelve (12) residents or property owners within the District, including the Chairman of the Council of the Three Islands Associations and their presidents, or designees, of the eleven condominiums. Thereafter, by Resolution No. 1999-1 dated April 20, 1999, the Advisory Council was reduced to eleven (11) members, who are the presidents of the condominium associations or their designees. Bylaws of the District were apparently adopted in 1993, but I have likewise been unable to find any bylaws for the Advisory Council.

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Both Safe Neighborhood Districts are required by their enabling ordinances to perform functions to advise the Board of Directors on certain matters, such as a Safe Neighborhood Improvement Plan, District budget and improvements, and an annual report. It appears that neither Advisory Council has had a quorum for the transaction of business for some time.

According to Roberts Rules of Order Newly Revised, the minimum number of voting members who must be present at a meeting in order to conduct business is usually specified by the bylaws. If not specified in the bylaws, then in most societies a quorum is a majority of the entire membership. In the absence of a quorum, the only actions which may be taken are to (1) fix the time to adjourn, (2) adjourn, (3) recess, and (4) take measures to obtain a quorum. Although the enabling ordinances require each Advisory Council to adopt bylaws, it does not appear that this was ever done. Therefore, going forward, the Board of Directors should insist that the Advisory Councils adopt bylaws to ensure the presence of a quorum. Alternatively, the Board of Directors may adopt bylaws on their behalf for that purpose and require the Advisory Councils to comply with them.

Additionally, the City Commission may wish to consider amending the Resolution appointing the Advisory Council for the Golden Isles Safe Neighborhood Districts to clearly specify the composition of the members and the manner in which those members approved by the Board of Directors. As currently comprised (i.e. one member from each street), there is no control over the membership of the Council.

If you have any questions, please do not hesitate to contact me.

cc: Mark Antonio, City Manager
Nydia Rafols-Sallabery, Deputy City Manager
Jim Buschman, City Clerk
Dwayne Flournoy, Police Chief
Patricia Ladolcetta, Director, Finance
Robert Fraidenburg, Deputy Director, Finance