

ORDINANCE No. 2018-09

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING ARTICLE II, "CITY COUNCIL," IN CHAPTER 2, "ADMINISTRATION," OF THE CITY CODE OF ORDINANCES BY REVISING THE PROCEDURES FOR THE REVIEW BY THE ADMINISTRATION OF CITY COUNCIL ITEMS BEFORE BEING PLACED ON AN AGENDA FOR A CITY COUNCIL MEETING; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article II of Chapter 2 of the City of Doral's (the "City") Code of Ordinances (the "Code") provides, in part, for the rules and procedures governing the submission of agenda items by Council members for City Council meetings; and

WHEREAS, in 2017, the City Council passed Ordinance 2017-21, which created an administrative review process for City Council agenda items with the goal of further maximizing the efficacy of the City Council members and the efficiency of the City Council meetings; and

WHEREAS, the Mayor and City Council desire to modify the procedures as specified herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above Recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Code Amended. Article II, "City Council," of Chapter 2, "Administration," of the Code of Ordinances of the City of Doral is hereby amended as follows:

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CHAPTER 2. ADMINISTRATION

ARTICLE II. CITY COUNCIL

DIVISION 3. RULES AND PROCEDURES

* * *

2-70. – Same – Agenda

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- (b) Members of the City Council may submit items for placement on the agenda. All proposed agenda items shall be delivered to the City Manager's City Clerk's office at a minimum of three weeks before the City Council meeting in which the item will be discussed. All proposed agenda items shall be accompanied with background documentation and transmitted to the City Manager for review. Such background information shall be sufficient to permit clear analysis of the legislative objective. The City Manager shall work with City Departments and the City Attorney's office to review, provide feedback, and make recommendations of the proposed agenda item. The City Manager's feedback shall include a budget score for the item, as evaluated by the Finance Department, which will specify estimated cost of the item, whether an item is budgeted, and whether budgeted funds are otherwise available for the item. The City Manager shall endeavor to complete the review prior to the submission deadline specified in the City Charter. If the review of the proposed agenda item is complete, the City Manager shall prepare a recommended position on the item based on the administration's review and transmit the item to the City Clerk for inclusion in the agenda. If the review of proposed item requires additional time, the City Manager shall advise the Council member accordingly, and the item shall not be placed on the agenda until such time as the review is complete and a recommendation is rendered ~~and the City Council member may acquiesce to the Manager's request or request the incomplete item to be placed on the agenda.~~ The agenda item must nevertheless have sufficient information to comply with the Charter. These items shall be part of the meeting notice and part of the meeting agenda. The Council Member placing any such item on the agenda shall deliver to the City Clerk's office, for distribution to the other Members of City Council, a brief memorandum explaining the reason for the item and copies of all materials to be used in the member's presentation of the agenda item, including, but not limited to, reports, brochures, power point presentations and other visual or audio-visual displays, a minimum of three business days before a city council meeting. ~~The City Manager shall~~

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~~disclose at the start of a City Council meeting, during the setting of the order of business of the agenda, if any items were not thoroughly reviewed. Prior to setting the agenda, the City Council shall vote to either hear such items or defer same to a later meeting. No member of the city council may present more than four items at any meeting.~~

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Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 4. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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Section 6. **Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. **Effective Date.** This Ordinance shall become effective immediately

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The foregoing Ordinance was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Vice Mayor Rodriguez upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	No
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 11 day of April, 2018.

PASSED AND ADOPTED on SECOND READING this 13 day of June, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY

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