

ORDINANCE No. 2019-04

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 AMENDING THE PROCEDURES FOR 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 2018, the City Council passed Ordinance 2018-09, 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, its administration, directors and employees; and

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

CHAPTER 2. ADMINISTRATION

ARTICLE II. CITY COUNCIL

DIVISION 3. RULES AND PROCEDURES

* * *

2-70. – Same – Agenda

* * *

(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 office 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 concerning of the proposed agenda item. The city ~~administration's~~ 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 determine whether the proposed agenda item is consistent with the City's strategic plan. Proposed agenda items that promote the City's vision and goals outlined in the current strategic plan will be given a higher priority and placed on the agenda as soon as the analysis and recommendation is completed. Other items will be placed on the agenda at such time as the review is complete and recommendation is rendered.

~~The city manager shall endeavor to complete the review prior to the submission deadline specified in the city Charter. When~~ 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 does not promote the City's strategic plan ~~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. ~~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. No item placed on the agenda shall be sponsored by the Mayor or member of the City Council. Every item submitted by the Mayor and member of the City Council to the City Clerk for each City Council regular or special meeting agenda shall identify the City Administration and the appropriate department Mayor and Council as the sponsor. No member of the City Council may present more than four items at any meeting.~~

* * *

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.

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.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	No

PASSED AND ADOPTED on FIRST READING this 9 day of January, 2019.

PASSED AND ADOPTED on SECOND READING this 13 day of February, 2019.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY