

ORDINANCE NO. 2004-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF DORAL ENTITLED "ADMINISTRATION;" CREATING SECTION 2.6 ENTITLED "EXPENSE ALLOWANCE;" PROVIDING FOR THE PAYMENT OF AN EXPENSE ALLOWANCE TO THE MAYOR AND CITY COUNCIL MEMBERS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the City Council Charter Section 2.06 provides that the Mayor is to be compensated at the rate of ten thousand dollars (\$10,000.00) per fiscal year; and

WHEREAS, the City Council Charter Section 2.06 provides that Council Members are to be compensated at the rate of seven thousand two hundred dollars (\$7,200.00) per fiscal year; and

WHEREAS, the City of Doral was incorporated as a municipality effective June 24, 2003; and

WHEREAS, Council Members initially took office on August 21, 2003; and

WHEREAS, City Council members' expenses associated with doing the business of the City and serving as ambassadors to the City far exceed the amount of compensation they are being paid; and

WHEREAS, the City Council members spend numerous hours attending to their official duties as Council members and traveling to and attending functions as ambassadors of the City resulting in noncaptured expense which are not reimbursed; and

WHEREAS, most other municipalities in Dade County provide direct compensation and benefits which substantially exceed that paid by the City of Doral; and

WHEREAS, based on the above, a monthly expense stipend to cover the noncaptured costs associated with holding office and representing the City is more than appropriate; and

WHEREAS, it is in the best interests of the citizens and residents of the City of Doral to amend the City Code by the Ordinance to cover the noncaptured costs incurred by the Mayor and the City Council members; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 2, entitled "Administration," and specifically Section 2-6 entitled, "Expense Allowance for Council Members," of the City of Doral Code of Ordinances is hereby created to read as follows:

CHAPTER 2

ADMINISTRATION

Sec. 2-6. Expense Allowance for Council Members.

In addition to the compensation provided to the Mayor and City Council members pursuant to Section 2.06 of the City Charter, the Mayor and City Council members shall be entitled to the payment of a monthly non-accountable expense allowance. The allowance shall be one thousand six hundred dollars (\$1,600.00) per month for the Mayor and nine hundred dollars (\$900.00) per month for each Council member. The intent of this expense allowance is to provide an offset to the numerous expenses that are incurred by the Mayor and Council members in their official duties, but are not captured by receipt or other documentation. The Mayor and Council members shall be entitled to reimbursement for their expenses above and beyond the above stated amounts for travel and seminars.

Section 2. Repeal of Conflicting Provisions. To the extent any provisions of the Code, as made applicable to the City through Section 8.03 of the City Charter conflict with this Chapter, those provisions are repealed in its entirety.

Section 3. 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 4. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

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Section 5. Effective Date. This Ordinance shall be effective upon adoption on second reading and retroactive to October 1, 2003.

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

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilmember Michael DiPietro	yes
Councilmember Sandra Ruiz	yes
Councilmember Robert Van Name	yes

PASSED AND ADOPTED on First Reading this 9th day of June, 2004.

PASSED AND ADOPTED on Second Reading this 14th day of July, 2004.

ATTEST:

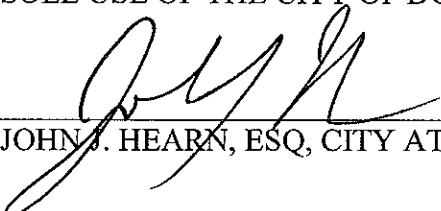


JUAN CARLOS BERMUDEZ, MAYOR



SHEILA PAUL, CMC, CITY CLERK

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



JOHN J. HEARN, ESQ, CITY ATTORNEY