

RESOLUTION No. 09 – 165

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA ACCEPTING THE SUBMISSION OF THE PROPOSED AMENDMENTS TO THE CITY CHARTER FROM THE 2008 CHARTER REVIEW COMMISSION; DIRECTING THE CITY CLERK AND CITY ATTORNEY TO PROCEED WITH ALL STEPS NECESSARY TO CALL FOR A REFERENDUM ON THE PROPOSED AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, as per Section 6.02 of the City Charter, the City of Doral City Council appointed a Charter Review Commission in November 2008 to determine if revisions to the City Charter are necessary; and

WHEREAS, the 2008 Charter Review Commission held nine (9) public meetings in which they discussed areas of interest in the Charter and whereby they determined their final recommendations to the City Council; and

WHEREAS, after much discussion and analysis, the 2008 Charter Review Commission respectfully submits their proposed amendments to the City Charter as presented in Exhibit "A" herein and requests that the City Council direct the City Clerk and City Attorney to proceed with all steps necessary to call for a referendum on the amendments to the City Charter.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. The City Council of the City of Doral hereby accepts the submission of the Proposed Amendments to the City Charter from the 2008 Charter Review Commission, a copy of which are attached hereto as Exhibit A.

Section 2. The City Council of the City of Doral hereby directs the City Attorney and City Clerk to proceed with all steps necessary to call for a referendum on the proposed amendments to the City Charter as presented by the 2008 Charter Review Commission.

Section 3. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilman 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 Michael DiPietro	Yes
Councilman Pete Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED and ADOPTED this 10th day of November, 2009.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY MORALES, ESQ., CITY ATTORNEY

EXHIBIT "A"

2008 Charter Review Committee Report and Recommendations to the City of Doral City Council

By:

**Committee Member Ramiro Areces
Committee Member Tom Daly
Committee Member Jerome Reisman
Vice Chairman Jesse Jones
Chairman Francois Illas**

In preparation for determining the recommendations being made to the City Council, the 2008 Charter Review Committee held nine (9) meetings on the following dates:

December 1, 2008

January 7, 2009

January 21, 2009

February 4, 2009

February 18, 2009

March 5, 2009

March 19, 2009 (Workshop)

March 25, 2009

April, 29th, 2009

On March 19th, 2009, the Committee held a Workshop to review the summary of recommendations and to determine a recommendation to the Council in keeping with proposed language in the preamble that stresses education as follows:

1. Funding for education as prescribed in the preamble (upon approval of language change by referendum) be appropriated by the City of Doral.
2. The education funds are granted to students of merit and need who meet qualifications that are to be established.
3. The education funds are to be segregated from the general fund as prescribed by Ordinance.

4. An advisory board is to be established if one is not already in existence that is to be authorized to provide counsel and guidelines for the implementation of this recommendation.
5. Upon the establishment of an Ordinance for these purposes to the satisfaction of Council, said Ordinance is to include a requirement for a 4/5 super majority for revocation of the Ordinance.

During the March 25th, 2009, Charter Review Committee Meeting, the Committee approved and respectfully submits the following recommendations for amendments to the City of Doral City Charter to the City Council for consideration and adoption:

1. Modify preamble to address ethics and courtesy. Proposed amendment would appear as follows:

Preamble. We, the people of the City of Doral, in order to secure for ourselves the benefits and responsibilities of Home Rule, in order to provide a municipal government to serve our present and future needs, do hereby adopt this Charter. The City Council and all of its boards, committees, commissions and employees shall at all times conduct themselves in accordance with common courtesy and consistent with the Code of Ethics of the state of Florida and Miami-Dade County.

2. Modify preamble to address municipal role. Proposed amendment would appear as follows:

Preamble. We, the people of the City of Doral, in order to secure for ourselves the benefits and responsibilities of Home Rule, in order to provide a municipal government to serve our present and future needs, and recognizing that the City exists for the purpose of providing for the health, education, safety and welfare of its citizenry, do hereby adopt this Charter.

3. Add new language in Charter to require ordinances that address Code of Ethics and Rules of Procedures. Proposed amendment would appear as follows:

Section 2.07 – Code of Ethics/Rules of Procedure. The Council shall pass ordinance(s) which address code of ethics and rules of procedures for the City Council and all of the City Boards. These ordinances may be amended from time to time as the Council deems in the best interest of the City.

4. Add new language in Charter to require procedure and criteria for naming City property/facilities after an individual and/or organization. Proposed amendment would appear as follows:

Section 2.08 - Naming of City Property/Facilities. The City Council shall develop a procedure and criteria to be used in determining whether City property/facilities should be named after an individual and/or organization.

5. Modify Section 5.01(C) increasing the time period between the City's general election and the run-off election to comply with the requirements of the Miami-Dade Elections Department. Proposed amendment would appear as follows:

(c) *Election dates.* An election shall be held in November of each even-numbered year, on the same day U.S. congressional elections are held, or if none are held in any year, on the first Tuesday following the first Monday of November of that year. A run-off election, if necessary, shall be held on the ~~third~~ fourth Tuesday in November. The Council shall hold no meetings between the general election and the swearing in of newly elected or re-elected Members of the Council, except in case of an emergency affecting life, health, property, or the public peace.