

ORDINANCE No. 2015-13

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING ARTICLE III, "BOARDS, COMMITTEES, AND COMMISSIONS," IN CHAPTER 2, "ADMINISTRATION," OF THE CITY CODE OF ORDINANCES BY PROVIDING FOR THE OPPORTUNITY FOR COUNCIL MEMBERS TO SERVE AS LIAISONS TO ADVISORY BOARDS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article III of Chapter 2 of the City of Doral's (the "City") Code of Ordinances (the "Code") provides the rules and procedures for the advisory boards, committees, and commissions (the "Advisory Boards") for the City as may be created, from time to time, by the City Council; and

WHEREAS, the City Council, via Ordinance 2014-37, enacted a comprehensive policy that applies to all Advisory Boards, with intent of creating uniform policies and procedures for their efficient operation; and

WHEREAS, to further maximize the efficacy of the Advisory Boards, the City Council desires for individual Council members to serve as liaisons to the Advisory Boards.

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.

CODING: Words in ~~struck through~~ type are deletions from existing law;
Words in underscored type are additions.

Section 2. Code Amended. Article III, "Boards, Committees, and Commission," of Chapter 2, "Administration," of the Code of Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 2. ADMINISTRATION

ARTICLE III. BOARDS, COMMITTEES, AND COMMISSIONS

DIVISION 2. RULES AND PROCEDURES

Sec. 2-121. - Public appearances and requests.

* * *

Members of the city council are permitted to attend advisory board meetings but shall not vote or participate in discussion, except during public comment or as requested by the chairperson. A councilmember serving as a liaison to an Advisory Board may participate in the discussions of the corresponding Advisory Board, provided that the Councilmember or a member of that Advisory Board has requested the opportunity for the Councilmember to speak and the chairperson has approved and recognized the Councilmember

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Sec. 2-133. Councilmember Liaisons to Advisory Boards

The City Council may appoint any of its members at the beginning of each calendar year to act as a liaison to one or more Advisory Boards, for the purposes of providing information to the corresponding Advisory Board, participating and facilitating discussion of agenda items, and offering the City Council information and feedback on Advisory Board discussions and recommendations to the City Council. While the liaising Council member may participate in discussions, the liaising Council member may not vote on Advisory Board agenda items. Any Councilmember's participation in an Advisory Board meeting in the foregoing manner shall not preclude the Councilmember from participating in discussions of, and/or taking action on, Advisory Board proposed items during any duly-called Council meeting, provided that no other conflict exists. All notices advertising Advisory Board meetings published in accordance with the State of Florida's Sunshine Law shall include further notice that two or more Councilmembers may be present and participating in the noticed meeting.

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so that such Councilmember participation may be duly permitted under the State of Florida's Sunshine Law, as may be amended from time to time.

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ARTICLE VII. CODE OF ETHICS

DIVISION 1. GENERALLY

Sec. 2-383. – Improper Influence of advisory board members by Mayor and council Members; appearance before boards.

(a) The Mayor and Council Members of the city are hereby prohibited from:

(1) ~~Attempting to directly or indirectly to improperly influence influencing, or attempting to influence, the decision and/or official act of any member of any advisory board of the city which would bring pecuniary and/or other direct personal benefit to the influencing council member.;~~

(2) ~~Appearing before any such board except upon invitation of a majority of the members of such board; provided, however, that if the mayor or a council member shall appear before such board without invitation, he shall be presumed to have a financial or personal interest in any matter which he shall have advocated or espoused before the board and shall be disqualified to vote thereon in his official capacity.~~

(b) ~~Excepted from the provisions hereof is participation by the mayor or members of the council in the acts and deliberation of any board of which they are ex-officio members.~~

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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.

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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

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

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	No

PASSED AND ADOPTED on FIRST READING THIS 11 day of February, 2015.

PASSED AND ADOPTED on SECOND READING THIS 18 day of March, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, INTERIM CITY CLERK

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



WEISS SEROTA HELFMAN COLE BIERMAN & POPOK, PL
CITY ATTORNEY

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