

ORDINANCE No. 2020-03

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING REQUISITE BALLOT LANGUAGE FOR THE SUBMISSION TO THE ELECTORS OF THE PROPOSED AMENDMENTS TO THE CITY CHARTER PREPARED BY THE CHARTER REVISION COMMISSION, PURSUANT TO SECTION 6.02 OF THE CITY CHARTER; PROVIDING FOR COPIES OF THE TEXT OF THE CHARTER AMENDMENTS TO BE MADE AVAILABLE FOR PUBLIC INSPECTION; AUTHORIZING THE CITY CLERK TO REQUEST AND UTILIZE THE SERVICES OF THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO ADMINISTER A SPECIAL ELECTION BY PLACING THE CHARTER AMENDMENT BALLOT QUESTIONS ON THE NOVEMBER 3, 2020 UNITED STATES PRESIDENTIAL ELECTION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 6.02 of the Charter of the City of Doral (the "City") requires a quinquennial review of the City Charter by a Charter Revision Commission, comprised of five (5) resident electors, with each member of the City Council appointing one member of the Charter Revision Commission; and

WHEREAS, a Charter Revision Commission was appropriately convened for the 2019-2020 Charter review session; and

WHEREAS, on April 1, 2019, the Charter Revision Commission proposed and submitted to the City Council six (6) amendments to the City Charter (the "Amendments"), necessitating the City Council to submit the Amendments to the electors of the City; and

WHEREAS, in order to submit the Amendments to the electors of the City, the City Council must approve legally sufficient ballot language via ordinance and transmit same to the Miami-Dade County Supervisor of Elections, along with an

appropriate request for a special election, thereby authorizing the Miami-Dade County Elections Department to take the actions as may be necessary to administer the special election for the City; and

WHEREAS, the City Council has prepared and considered the ballot language contained herein, and, after careful deliberation and upon the recommendation of the City Attorney, the City Council finds the ballot language as provided herein is legally sufficient; and

WHEREAS, the Mayor and Council desire to provide requisite ballot language for submission to the electors of the City, to provide copies of the Amendments to be available to the public for inspection, and to direct the City Clerk to request and utilize the services of the Miami-Dade County Supervisor of Elections to administer a special election by the Amendment ballot questions on the November 3, 2020 United States presidential election.

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

Section 1. Recitals. The above-referenced recitals are confirmed, adopted, and incorporated herein and made part hereof by reference.

Section 2. Approved Ballot Language. The following ballot language for the Amendments comprised of a ballot title, summary question and response, is found legally sufficient and approved. The Amendments shall be submitted to the electors via the following language:

**EXPAND THE ROLE OF OFFICE OF CHARTER ENFORCEMENT; REVISE PROCESS
FOR SELECTION CHARTER ENFORCEMENT OFFICIAL.**

It is proposed that the Charter be amended to revise the requirements for the appointment of the Selection Committee and permit the members of the Selection Committee to be appointed by the Mayor and Council; establish minimum qualifications for the Charter Enforcement Official; expand the role of the Office of Charter Enforcement to include investigations and enforcement of persons doing business with the city and clarify the process for establishing the operating budget?

YES FOR APPROVAL _____

NO FOR REJECTION _____

**ADOPT A PROCESS FOR NAMING CITY PROPERTIES THAT DOESN'T LIMIT THE
NAMING TO POSTHUMOUS NOMINEES.**

It is proposed that the Charter be amended to adopt a procedure for naming properties and facilities after an individual or organization that does not limit the naming and designations to posthumous nominees?

YES FOR APPROVAL _____

NO FOR REJECTION _____

CHANGE THE MINIMUM QUALIFICATIONS FOR THE POSITION OF CITY MANAGER.

Currently the Charter authorizes the City Manager to have minimum qualifications of a combination of a bachelor's degree, and three (3) years' public administration experience; or ten (10) years' experience in a City Manager or Assistant City Manager position. Shall the Charter be amended to replace the bachelor's degree as the minimum educational requirement and require a master's degree in public administration, business administration or other related fields from an accredited college or university?

YES FOR APPROVAL _____

NO FOR REJECTION _____

CHANGE THE MINIMUM QUALIFICATIONS FOR THE POSITION OF CITY ATTORNEY.

Currently the Charter authorizes the City Attorney to have no less than five years of experience of practice in Florida and at least three years of experience in local government law. Shall the minimum requirements be amended to require the City Attorney to have been admitted to practice in Florida for no less than ten years and to have no less than five years of experience in the practice of local government law?

YES FOR APPROVAL _____

NO FOR REJECTION _____

**CHANGE THE ELECTION TO PLURALITY OCCURRING MAY OF EACH EVEN
NUMBERED YEAR; ELIMINATING RUN-OFF ELECTIONS;**

It is proposed the Charter be amended to change the election to a plurality election in May of even numbered years eliminating runoff elections. The change to May will result in an increase of approximately eighteen (18) months in the terms of the officials elected in 2018 and 2020. Shall the Charter be amended to a plurality election in May of even numbered years eliminating runoff elections.

YES FOR APPROVAL _____

NO FOR REJECTION _____

**CHANGE CHARTER COMMISSION REVIEW TO EVERY SIX YEARS AND EXTEND
COMMISSION'S TERM TO GENERAL ELECTION.**

Currently the Charter provides that the Charter Revision Commission shall meet every fifth year. Shall the Charter be amended to provide that the Charter Revision Commission shall meet every sixth year and continue until the day after the general election?

YES FOR APPROVAL _____

NO FOR REJECTION _____

Section 3. Public Inspection of Amendments. The full text of the Amendments, attached hereto as Exhibit "A" and incorporated herein and made a part hereof by this reference, shall be made available for public inspection during regular business hours at ad through the office of the City Clerk. The City Clerk is directed to make copies of the Amendments and this Ordinance available for public inspection and copying.

Section 4. Call for Special Election. Request Service of the Miami-Dade County Supervisor of Elections. In order to submit the Amendments to the Electors of the City, a special election is hereby called and requested of the Miami-Dade County Supervisor of Elections, to run concurrent with, and by placing the Amendment ballot questions on, the November 3, 2020 U.S. Presidential Election. The City Clerk is hereby directed to request and utilize the services of the Miami-Dade County Supervisor of Elections to administer the election.

Section 5. 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 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. 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.

Section 8. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Councilmember Mariaca 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 Christi Fraga	No
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 12 day of February, 2020.

PASSED AND ADOPTED on SECOND READING this 11 day of March, 2020.




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