CITY OF DORAL MUNICIPAL CHARTER (Updated with November 3, 2026 adopted Charter amendments)[1]

PREAMBLE

We, the people of the City of Doral, in order to secure for ourselves the benefits and responsibilities of Home Rule, and 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. 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.

CITIZENS' BILL OF RIGHTS

(A) This government has been created to protect the governed, not the governing. In order to provide the public with full and accurate information, to promote efficient administration management, to make government more accountable, and to insure to all persons fair and equitable treatment, the following rights are guaranteed:

(1) *Convenient Access.* Every person has the right to transact City business with a minimum of personal inconvenience. It shall be the duty of the Mayor, the City Council and the City Manager to provide, within budgetary limitations,

---

[1]Editor's note(s)—Printed herein is the Charter of the City of Doral, Florida, adopted by referendum on June 24, 2003. Amendments to the Charter adopted by referendum on June 24, 2003, have been included and are indicated by parenthetical history notes following the amended provision. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, a uniform system of headings and catchlines has been used. Additions made for clarity are indicated by brackets.

Notes from 2003 Charter Commission—The following are notes which are included in the Charter as directed by the 2003 Charter Commission:

1. For historical purposes, the Commission wishes to note the following. The members of the original Charter Commission were as follows:

Jerome Reisman, Chair

Ernesto Anton, Vice Chair

Alicia Casanova, Member

Morgan Levy, Member

Santiago Sellan, Member

The attorneys were Richard Jay Weiss and Gilberto Pastoriza, assisted by Michael Marrero and Tony Recio, of the law firm of Weiss Serota Helfman Pastoriza and Guedes, P.A.

reasonably convenient times and places for registration and voting, for required inspections, and for transacting business with the City.

(2) *Truth in Government.* No municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.

(3) *Public Records.* Records of the City, its boards, agencies, departments and authorities shall be open for inspection at reasonable times and places convenient to the public, to the extent required by law.

(4) *Minutes and Ordinance Register.* The City Clerk shall maintain and make available for public inspection a register separate from the minutes showing the votes of each Councilmember on all ordinances and resolutions listed by descriptive title. The register shall be available for public inspection not later than 60 days after the conclusion of the meeting at which action was taken.

(5) *Right to be Heard.* So far as the orderly conduct of public business permits, any interested person has the right to appear before the City Council or City agency, board or department for the presentation, adjustment or determination of an issue, request, or controversy within the jurisdiction of the City. Matters shall be scheduled for the convenience of the public. The City Council shall adopt agenda procedures and schedule hearings in a manner that will enhance the opportunity for public participation. Nothing herein shall prohibit any governmental entity or agency from imposing reasonable time limits and procedures for the presentation of a matter.

(6) *Right to Notice.* Persons entitled to notice of a City hearing shall be timely informed as to the time, place and nature of the hearing and the legal authority pursuant to which the hearing is to be held. Failure by an individual to receive such notice shall not constitute mandatory grounds for canceling the hearing or rendering invalid any determination made at such hearing. Copies of proposed ordinances or resolutions shall be made available at a reasonable time prior to the hearing, unless the matter involves an emergency ordinance or resolution.

(7) *No Unreasonable Postponements.* No matter, once having been placed on a formal agenda by the City, shall be postponed to another date except for good cause shown.

(8) *Right to Public Hearing.* Upon a timely written request from any interested party, and after presentation of the facts to and approval by the Council, a public hearing shall be held upon any significant policy decision which is not subject to subsequent administrative or legislative review and hearing.

At any zoning or other hearing in which review is exclusively by certiorari, a party or his/her counsel shall be entitled to present his/her case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts. The decision of such agency, board, department or authority must be based upon the facts in the record. Procedural rules establishing reasonable time and other limitations may be promulgated and amended from time to time.

(9) *Notice of Action and Reasons.* Prompt notice shall be given of the denial in whole or in part of a request of an interested person made in connection with any City administrative decision or proceeding when the decision is reserved at the conclusion of the hearing. The notice shall be accompanied by a statement of the grounds for denial.

(10) *Managers' Report.* The City Manager shall periodically make a public status report on all major matters pending or concluded within his/her area of concern.

(11) *Budgeting.* In addition to any budget required by state law, the City Manager, at the direction of the Mayor, shall prepare a budget showing the cost of each department for each budget year. Prior to the City Council's first public hearing on the proposed budget required by state law, the City Manager shall issue a budget summary setting forth the proposed cost of each individual department and reflecting the personnel for each department, the purposes therefore, the estimated millage cost of each department and the amount of any contingency and carryover funds for each department.

(12) *Quarterly Budget Comparisons.* The City Manager shall issue a quarterly report showing the actual expenditures during the quarter just ended against one quarter of the proposed annual expenditures set forth in the budget. Such report shall also reflect the same cumulative information for the portion of the fiscal year that has elapsed.

(B) The foregoing enumeration of citizens' rights vests large and pervasive powers in the citizenry of the City. Such power necessarily carries with it responsibility of equal magnitude for the successful operation of government in the City. The orderly, efficient and fair operation of government requires the participation of individual citizens exercising their rights with dignity and restraint so as to avoid any sweeping acceleration in the cost of government because of the exercise of individual prerogatives, and for individual citizens to grant respect for the dignity of public office.

(C) All provisions of this Bill of Rights shall be construed to be supplementary to and not in conflict with the general laws of Florida.

ARTICLE I. CORPORATE EXISTENCE, FORM OF GOVERNMENT, BOUNDARY AND POWERS

Sec. 1.01. Corporate existence.

A municipal corporation known as the City of Doral (the "City") is hereby created pursuant to the Constitution of the State of Florida (the "State") and the Home Rule Charter of Miami-Dade County (the "County"). The corporate existence of the City shall commence upon the adoption of this Charter.

Sec. 1.02. Form of Government.

The City shall have a "Council-Manager" form of government.

Sec. 1.03. Corporate Boundaries.

The corporate boundaries of the City are legally described as follows (the "Legal Description"):

A PORTION OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Northeast corner of Section 8, Township 53 South, Range 40 East in Miami-Dade County, Florida, said corner also being the intersection of the Center line of NW 90 Street with the Center line of NW 97 Avenue; thence Westerly following the Center Line of NW 90 Street along the North line of said Section 8, said line being also the South boundary line of the Town of Medley, to the West boundary line of said Town of Medley and the Northwest corner of said Section 8; thence continue Westerly following the Center line of NW 90 Street, along the North line of Section 7, Township 53 South, Range 40 East, to the Northwest corner of said Section 7; thence continue Westerly following the Center Line of the NW 90 Street, along the North line of Section 12 in Township 53 South, Range 39 East, to the Easterly Limited Access Right-of-Way line of State Road No. 821 (Homestead Extension of Florida Turnpike) as shown on the Florida State Department of Transportation Right-of-Way Map Section 87005-2310 dated May 20, 1970; thence Southerly, along said Easterly Limited Access Right-of-Way line of State Road No. 821 through Sections 12, 13, 24, and 25 in Township 53 South, Range 39 East, to the point of intersection with the Center Line of NW 25 Street, said line also being the South line of said Section 25; thence Easterly following the Center Line of NW 25 Street along the South line of said Section 25 to the Southwest corner of Section 30, Township 53 South, Range 40 East; thence continue Easterly along the South line of said Section 30, said line also being the Northerly Right-of-Way line of the NW 25 Street Canal, to the point of intersection with the Center Line of NW 107 Avenue, said point also being the Southeast corner of said Section 30; thence Southerly following the Center Line of NW 107 Avenue along the West line of Section 32, Township 53 South, Range 40 East, to the Southwest corner of said Section 32; thence continue Southerly along the West line of Government Excess Lot 5 between Township 53 and 54 South, Range 40 East, to the Northerly Limited Access Right-of-Way line of State Road No. 836 (Dolphin Expressway Extension) as shown on the Florida State Department of Transportation Right-of-Way Map Section 87200-2521 dated May 17, 1971; thence Easterly, along said Northerly Limited Access Right-of-Way line of State Road No. 836 through said Government Excess Lot 5 and Government Excess Lot 4, and through Sections 33 and 34 in Township 53 South, Range 40 East, and through Government Excess Lot 3, to the Easterly Limited Access Right-of-Way line of State Road No. 826 (Palmetto Expressway) as shown on the Florida State Department of Transportation Right-of-Way Map Section 8726-101 recorded in Road Plat Book 72 at Page 61 of the Public Records of Miami-Dade County, Florida; thence Northerly, along the Westerly Limited Access Right-of-Way line of State Road No. 826 (Palmetto Expressway) through Sections 34, 27, and 22 in Township 53 South, Range 40 East, to the Center Line of NW 58 Street; thence Westerly following the Center Line of NW 58 Street, along the North line of said Section 22 and the North line of Section 21, Township 53 South, Range 40 East, to the Northwest corner of said Section 21, said corner also being the intersection of the Center line of NW 58 Street with the

Center Line of NW 97 Avenue; thence Northerly following the Center Line of NW 97 Avenue, along the East line of Section 17, Township 53 South, Range 40 East, and along the East line of said Section 8, to the Northeast corner of said Section 8, said corner also being the intersection of the Center line of NW 90 Street with the Center line of NW 97 Avenue, and the POINT OF BEGINNING.

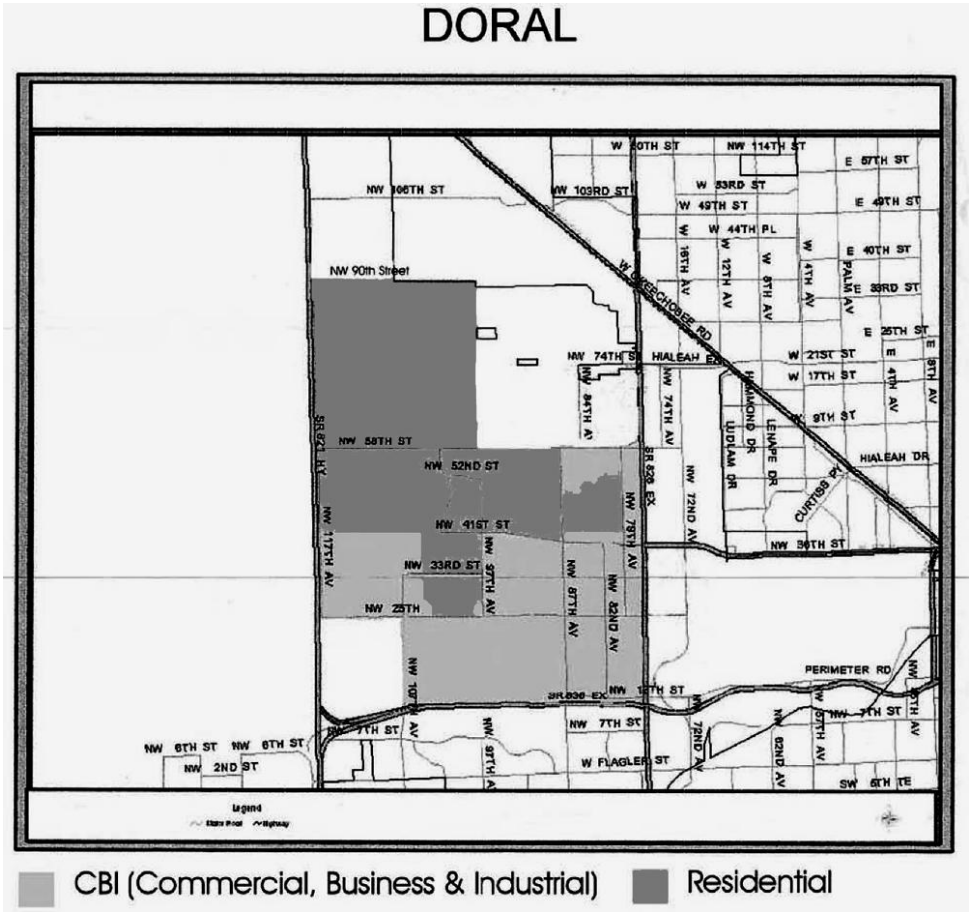
The corporate boundaries are generally described as follows (the "General Description") and shown on the following map (the "Map"). In case of a conflict between the Legal Description, the Map and the General Description, the Legal Description shall govern.

Northern Boundary: NW 90th Street between 97th Avenue and the Florida Turnpike and NW 58th Street between State Road 826 and NW 97th Avenue.

Eastern Boundary: NW 97th Avenue between NW 58th Street and NW 90th Street and State Road 826 between State Road 836 and NW 58th Street.

Southern Boundary: State Road 836 between State Road 826 and NW 107th Avenue and NW 25th Street between 107th Avenue and the Florida Turnpike.

Western Boundary: NW 107th Avenue between State Road 836 and NW 25th Street and the Florida Turnpike between NW 25th Street and NW 90th Street.



Sec. 1.04. Powers.

The City shall have all available governmental, corporate and proprietary powers and may exercise them except when prohibited by law. Through the adoption of this Charter, it is the intent of the electors of the City that the municipal government established herein have the broadest exercise of home rule powers permitted under the Constitution and laws of the State.

State law reference(s)—Municipal home rule powers, F.S. ch. 166.

Sec. 1.05. Construction.

This Charter and the powers of the City shall be construed liberally in favor of the City.

ARTICLE II. CITY COUNCIL; MAYOR

Sec. 2.01. City Council.

There shall be a City Council (the "Council") vested with all legislative powers of the City, consisting of four members ("Councilmembers") and the Mayor. Collectively, Councilmembers and the Mayor are "Members of the Council". Councilmembers shall occupy seats numbered 1 through 4 (individually each is a "Seat").

Sec. 2.02. Mayor and Vice Mayor.

(a) *Mayor.* The Mayor shall preside at meetings of the Council and be a voting member of the Council. In addition, the Mayor shall have the following specific responsibilities:

i) Present "State of the City" and budgetary addresses annually.

ii) Be recognized as head of the City government for all ceremonial purposes, for purposes of military law, and for service of process.

iii) Be the official designated to represent the City in all dealings with other governmental entities, except that no official action or position may be taken by the Mayor on behalf of the City except as authorized by the Council.

iv) Execute contracts, deeds and other documents on behalf of the City as authorized by the Council.

(b) *Vice-Mayor.* During the absence or incapacity of the Mayor, the Vice-Mayor shall have all the powers, authority, duties and responsibilities of the Mayor. At the Council meeting following certification of the election results for the regular City election, or in any calendar year in which there is no regular City election, at the first Council meeting in the month of November, the Vice-Mayor shall be appointed to serve a one year term as follows: In 2014, the Vice-Mayor shall be the Councilmember occupying Seat 1. In 2015, the Vice-Mayor shall be the Councilmember occupying Seat 3. In 2016, the Vice-Mayor shall be the Councilmember occupying Seat 2. In 2017, the

Vice-Mayor shall be the Councilmember occupying Seat 4. This rotation shall continue each year thereafter.

Sec. 2.03. Election and term of office.

(a) Election and term of office. Each Councilmember and the Mayor shall be elected at-large for four years in the manner provided in Article V of this Charter.

(b) Limitations on lengths of service. For the purposes of determining length of service, a "Term" shall be defined as serving any period of time as either Mayor or Councilmember. No person shall serve as either Mayor or Councilmember for more than four Terms during the person's lifetime. Terms served as a Councilmember and Terms served as Mayor shall be counted separately and independently. No person shall serve as either Mayor or Councilmember for more than two consecutive elected terms. An individual who has served two consecutive terms as a Councilmember or as Mayor must be out of office for four years, before seeking reelection in the same position previously held. This period out of office would not apply to individuals who have served two consecutive terms as a Councilmember and seek the position of Mayor; however, the four-year period out of office requirement would apply to individuals who have served two consecutive terms as a Mayor and seek the position of Councilmember. An individual who is appointed to the position of Councilmember for a period of six (6) months, or less, shall not be considered to have served a term. An individual who is elected to the position of Councilmember or Mayor for a period of one (1) year, or less, shall not be considered to have served a term.

Sec. 2.04. Qualifications.

Candidates for Councilmember or Mayor shall qualify for election by filing a written notice of candidacy with the City Clerk at such time and in such manner as may be prescribed by ordinance (the "Qualifying Date") and payment of a qualifying fee of $200 to the City Clerk. A person may not be a candidate for Councilmember and Mayor in the same election. Only electors of the City who have resided continuously in the City for at least two years preceding their Qualifying Date shall be eligible to hold the office of Councilmember or Mayor. If at the conclusion of the qualifying period no elector has filed or qualified for the position of Mayor or a particular Seat, then the qualifying period for Mayor or for that particular Seat shall be reopened for a period of five business days for qualification in the manner provided in this Section.

Sec. 2.05. Vacancies; forfeiture of office; filling of vacancies.

(a) *Vacancies.* The office of a Member of the Council shall become vacant upon his/her death, resignation, removal from office in any manner authorized by law, or by forfeiture of his/her office.

(b) *Forfeiture of office.*

(i) *Forfeiture by disqualification.* A Member of the Council shall forfeit his/her office if at any time during his/her term s/he ceases to maintain his/her permanent residence in the City or otherwise ceases to be a qualified elector of the City.

(ii) *Forfeiture by absence.* A Member of the Council shall be subject to forfeiture of his/her office, in the discretion of the remaining Members of the Council, if s/he is absent without good cause from any six regular meetings of the Council during any calendar year, or if s/he is absent without good cause from any four, or three as to the Mayor, consecutive regular meetings of the Council, whether or not during the same calendar year.

(iii) *Procedures.* The Council shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Council office, including whether or not good cause for absence has been or may be established. The burden of establishing good cause shall be on the Member of the Council in question; provided, however, that any Member of the Council may at any time during any duly held meeting move to establish good cause for the absence of himself or any other Member of the Council, from any past, present or future meeting(s), which motion, if carried, shall be conclusive. A Member of the Council whose qualifications are in question or who is otherwise subject to forfeiture of his/her office shall not vote on any such matters. The Member of the Council in question shall be entitled to a public hearing on their request regarding an alleged forfeiture of office. If a public hearing is requested, notice thereof shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing. Any final determination by the Council that a Member of the Council has forfeited his/her office shall be made by resolution. All votes and other acts of the Member of the Council in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

(c) *Filling of vacancies.* A vacancy on the Council shall be filled as follows:

(i) If the vacancy occurs in a Seat and six months or less remain in the unexpired term, the vacancy shall be filled by vote of the Council. If the vacancy occurs in the office of Mayor, the vacancy in the Mayor's position and the temporary vacancy on the Council during service by the Vice Mayor as Interim Mayor, shall be filled as provided by subparagraph (iii) below.

(ii) If more than six months remain in the unexpired term of a Councilmember and the vacancy is not the Vice-Mayor's position when the Vice-Mayor is serving as Interim Mayor, the vacancy shall be filled by a special election to be held not sooner than 45 days or more than 90 days following the occurrence of the vacancy, unless there is a City, County, State or a national election scheduled to take place within 150 days, in which case the vacancy shall be filled by special election on the first such election date.

(iii) If the Mayor's position becomes vacant, the Vice-Mayor shall serve as Interim Mayor, with all powers of Mayor, until the next regularly scheduled federal, state, county, or City of Doral election. When the Vice Mayor becomes Interim Mayor, the Council, by majority vote shall appoint an interim Councilmember to fill the

Vice Mayor's vacant seat only until the required election of the Mayor. The Council shall then appoint a new Vice-Mayor within thirty days of the Vice-Mayor becoming Interim Mayor. The Councilmember serving as Interim Mayor shall serve as Mayor until the newly elected Mayor is sworn into office. Should the Interim Mayor seek election as Mayor, he or she shall declare for such and resign his or her Council seat as required for candidacy eligibility requirements of Florida law. Should the Interim Mayor not seek election as Mayor, the Interim Mayor shall return to the position of Councilmember previously held to serve the remainder of his or her unexpired term if any.

(iv) Persons filling vacancies shall meet the qualifications specified in this Article II.

(v) If no candidate for a vacancy meets the qualifications under this Article for that vacancy, the Council shall appoint a person qualified under this Article to fill the vacancy.

(vi) Notwithstanding any quorum requirements established in this Charter, if at any time the full membership of the Council is reduced to less than a quorum, the remaining members may, by majority vote, appoint additional members to the extent otherwise permitted or required under this subsection (c).

(vii) In the event that all Members of the Council are removed by death, disability, recall, forfeiture of office and/or resignation, the Governor shall appoint an interim Council who shall call a special election within not less than 30 days or more than 60 days after such appointment. Such election shall be held in the same manner as the initial elections under this Charter; provided, however, that if there are less than six months remaining in any unexpired terms, those particular interim Members of the Council appointed by the Governor shall serve out the unexpired terms. Appointees shall meet the requirements for candidates specified in this Article.

Sec. 2.06. Compensation; reimbursement for expenses.

Councilmembers shall receive a maximum compensation capped in the amount of $56,483 per fiscal year. The Mayor shall receive a maximum compensation capped in the amount of $80,690 per fiscal year. The aforementioned compensation amounts may only be increased pursuant to a charter amendment. The Council shall also receive reimbursement in accordance with applicable law, or as may be otherwise provided by ordinance, for authorized expenses incurred in the performance of their official duties.

Sec. 2.07. Office of the Inspector General.

The Office of Inspector General is herein established as an independent body to perform investigations, audits, reviews, and oversight of municipal matters including City contracts, programs, projects, and expenditures, in order to identify efficiencies, and to detect, investigate and prevent fraud, waste, mismanagement, misconduct, and abuse of power. The Office shall have the power to subpoena witnesses, administer oaths, and require the production of records, in order to conduct its investigations.

The Inspector General shall be appointed by the Inspector General Selection Committee. Each Councilmember shall appoint one person to be a member of the Inspector General Selection Committee and select its own officers. Current Councilmembers may not appoint themselves to the Inspector General Selection Committee. Members appointed to the Inspector General Selection Committee shall be generally knowledgeable in the areas of public affairs, public administration, finance, taxation, or electoral administration. Similar experiences in related areas may also be considered. Before any appointment by the Inspector General Selection Committee shall become effective, the appointment must be approved by a majority vote of the City Council. The Inspector General may be removed from office upon a super majority (4/5) vote of the City Council. Such Office's appointment, reappointment, term, functions, authority, and powers shall be further established by Ordinance. The Inspector General need not be a full-time City employee, and may be retained individually or through a firm on a negotiated contract basis.

(Ord. No. 2024-14, § 3, 5-8-2024/11-5-2024)

Ord. No. 2024-14, § 3, adopted May 8, 2024, repealed the former § 2.07, and enacted a new § 2.07 as set out herein. The former § 2.07 pertained to office of charter enforcement and derived from Ord. No. 2014-18, § 2, adopted May 28, 2014, elected on Aug. 26, 2014; and Ord. No. 2020-03, § 3(Exh. A), adopted March 11, 2020, elected on Nov. 3, 2020.

Sec. 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. The procedure and criteria adopted by the city shall not, however, limit the naming and designations to posthumous nominees.

ARTICLE III. ADMINISTRATIVE

Sec. 3.01. Reserved.

Ord. No. 2024-14, § 3, adopted May 8, 2024, repealed § 3.01, which pertained to appointment; removal; compensation of the manager and derived from Res. No. 14-99, § 4(Exh. A), adopted Aug. 4, 2014, elected on Nov. 4, 2014.

Sec. 3.02. Appointment of the City Manager, City Attorney and City Clerk.

(a) In the event of a vacancy in the position of City Manager, City Attorney or City Clerk (collectively the "Charter Officers"), the members of the City Council shall each appoint one member to the search committee as provided in this Section. In order to be qualified to be appointed to the search committee, an individual shall be an elector and resident of the City for no less than two (2) years prior to their appointment to the search committee.

(b) The City Council shall appoint the search committee by resolution and provide for a time period of no more than sixty (60) days for the search committee to complete its duties. The City Council may extend the term of the search committee for an additional period of time upon receiving a written request from the search committee. In addition, the City Council may, in the resolution, include additional qualifications for the Charter Officer position, other than those provided in the City Charter.

(c) All meetings of the search committee shall be open to the public, and comply with the provisions of Florida's Sunshine Law, Section 286.011, Fla. Stat., as may be amended from time to time, and Florida's Public Records Law, Section 119.07, Fla. Stat., as may be amended from time to time. A quorum of the search committee shall be no less than three (3) members.

(d) The search committee has the authority to hire consultants or firms to assist in the recruitment, evaluation, interview, and recommendation process relating to candidates to fill the vacant Charter Officer position. In addition, the search committee shall publicly advertise the existence of the vacant position and the search committee's desire to have qualified individuals, or firms submit resumes or proposals to fill the vacant position.

(e) Following the review of any resumes, recommendations, and interviews, the search committee shall forward the names of no less than two (2) and no more than four (4) candidates to fill the vacant Charter Officer position. If the City Council does not select any of the recommended candidates to fill the vacant position, the City Council shall request that the search committee continue the interview process for new candidates, and extend the term of the search committee.

(f) Once the City Council has hired the individual to fill the vacant Charter Officer position, the search committee shall be disbanded without any further action by the City Council.

Sec. 3.03. Removal of City Manager, City Attorney, or City Clerk.

The City Council shall, prior to any City Council vote on the removal of any of the Charter Officers, specifically include the consideration of the removal of the Charter Officer as an agenda item on a City Council agenda, along with specific agenda items regarding the appointment of the search committee, and the appointment of an interim Charter Officer. The inclusion of an agenda item related to the removal of the Charter Officer shall include sufficient documentation to educate the Mayor and Councilmembers regarding the basis for the proposed action so that the members of the City Council may make a reasoned and informed decision regarding the potential removal of a Charter Officer. If the City Council votes to remove a Charter Officer, the Council shall, at the same meeting, appoint a search committee as provided in this Charter to search for a candidate to fill the vacant position, and appoint an interim Charter Officer. A Charter Officer may be removed by a majority vote of the City Council, pursuant to this Section.

Sec. 3.04. Powers and duties of the Manager.

The Manager shall:

(1) Be responsible for the hiring, supervision and removal of all City employees, except as otherwise limited in Section 4.02 herein;

(2) Direct and supervise the administration of all departments and offices but not City boards or agencies, unless so directed by the Council from time to time;

(3) Attend all Council meetings and have the right to take part in discussion but not the right to vote;

(4) Ensure that all laws, provisions of this Charter and acts of the Council, subject to enforcement and/or administration by him/her or by officers subject to his/her direction and supervision, are faithfully executed;

(5) Prepare and submit to the Council a proposed annual budget and capital program;

(6) Submit to the Council and make available to the public an annual report on the finances and administrative activities of the City as of the end of each fiscal year;

(7) Prepare such other reports as the Council may require concerning the operations of City departments, offices, boards and agencies;

(8) Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as s/he deems to be in the best interests of the City;

(9) Execute contracts, deeds and other documents on behalf of the City as authorized by the Council;

(10) Pursue the collection of all allowable fees and taxes and maximize financial revenues as necessary to sustain the City and the service levels set by the Council; and

(11) Perform such other duties as are specified in this Charter or as may be required by the Council.

Sec. 3.05. Minimum Qualifications for City Manager.

The City Manager shall be no less than thirty (30) years of age, and have the minimum qualifications of a combination of a Master's degree in public administration, business administration or other related fields from an accredited college or university, and three (3) years' public administration experience; or ten (10) years' experience in a City Manager or Assistant City Manager position, which is certified by the International City Manager's Association.

Sec. 3.06. Absence or disability of Manager.

To perform his/her duties during his/her temporary absence or disability, the Manager may designate by letter filed with the City Clerk, a qualified administrative officer of the City. In the event of the failure of the Manager to make such designation, or should the person so designated by the Manager be unsatisfactory to the Council, the Council may by resolution appoint an officer of the City to perform the duties of the Manager until s/he shall return or his/her disability shall cease.

Sec. 3.07. Bond of the Manager.

The Council may provide by ordinance for the Manager to furnish a fidelity bond to be approved by the Council, and in such amount as the Council may fix. The premium of the bond shall be paid by the City.

Sec. 3.08. City Clerk.

(a) *Duties.* The City Clerk ("Clerk") shall give notice of Council meetings to its members and the public, shall keep minutes of its proceedings and shall perform such other duties as the Council may prescribe from time to time. The Clerk shall report to the Council.

(b) *Appointment; compensation.* The Council shall appoint the Clerk for an indefinite term. The compensation and benefits of the Clerk shall be fixed by the Council.

Sec. 3.09. Minimum Qualifications for City Clerk.

The minimum qualifications for the City Clerk shall be as follows: Either a degree from an accredited four-year United States college or university in a related field (public administration or business administration), or four (4) years' experience as a City Clerk and designation or pursuing designation as Certified Municipal Clerk by the International Institute of Municipal Clerks.

Sec. 3.10. City Attorney.

The City Attorney shall be an individual attorney or law firm that shall perform the duties of the City Attorney under such terms, conditions, and compensation as may be established by the Council. The City Attorney shall report to the Council.

3.11. Minimum Qualifications for City Attorney.

The minimum qualifications for the City Attorney shall be as follows: The City Attorney shall have been admitted to practice in the State of Florida for no less than ten (10) years at the time of their appointment, be a member of good standing in the Florida Bar, and have no less than five (5) years of experience in the practice of law for local government.

Sec. 3.12. Expenditure of City funds.

No funds of the City shall be expended except pursuant to duly approved appropriations.

Sec. 3.13. Competitive bid requirement/purchasing.

Contracts for public improvements and purchases of supplies, materials or services shall be awarded or made on the basis of clearly drawn specifications and competitive bids or proposals, except as provided by law or in cases where the Council specifically determines that it is impracticable to do so.

Sec. 3.14. City boards and agencies.

(a) Except as otherwise provided by law, the Council shall establish or terminate such boards and agencies as it may deem advisable from time to time. The boards and agencies shall report to the Council. Members of boards and agencies shall consist of five (5) members. The Mayor and City Councilmembers shall each appoint one (1) member to each board or agency. The method for appointment of alternate members shall be pursuant to the City's Code of Ordinances. The Council by affirmative vote of a majority of its members may remove members of boards and agencies.

(b) The Council may organize itself into standing committees, special committees, and ad hoc committees, which may include non-Councilmembers. Upon formation of any such committees, the Council may appoint its members.

ARTICLE IV. LEGISLATIVE

Sec. 4.01. Council meeting procedure.

(a) *Meetings.* The Council shall hold at least 11 regular monthly meetings in each calendar year, at such times and places as the Council may prescribe by rule. Special meetings may be held on the call of the Mayor or Manager or upon the call of three Councilmembers and upon no less than 48 hours' notice to each member and the public, or such shorter time as a majority of the Council shall deem necessary in case of an emergency affecting life, health, property or the public peace.

(b) *Rules and minutes.* The Council shall determine its own rules of procedure and order of business and shall keep minutes open for public inspection.

(c) *Quorum and voting.* Any three Members of the Council shall constitute a quorum but a smaller number may adjourn from time to time and may compel the attendance of absent members in a manner and subject to the penalties prescribed by the rules of the Council. Voting on ordinances shall be by roll call on final reading. Except as otherwise specially provided in this Charter, no action of the Council shall be valid or binding unless adopted by the affirmative votes of at least three Members of the Council. In the event that three or more Members of the Council are ineligible to vote on a particular matter due to required abstention pursuant to Florida law, then the remaining Members of the Council may vote and approve such matter by unanimous vote.

(d) *Meeting time limits.* No meeting of the Council shall extend later than 11:00 p.m. except upon the affirmative vote of four Members of the Council present at the meeting.

Sec. 4.02. Prohibitions/Authority.

(a) [*Termination.*] The City Manager may terminate Department Directors except if the Council, by ⅘ majority vote, disapproves said termination.

(b) *Appointments and removals.* Other than as expressly provided for in Section 4.02 of this Charter, neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the Manager or any of his/her subordinates is empowered to appoint, but the Council may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees. Each Councilmember and the mayor, however, shall have the authority to individually hire, supervise, direct, and remove his/her corresponding staff member(s). The City Manager shall retain the right to enforce reasonable discipline the Councilmembers' staff, including termination, for violations of the City's laws and policies. The City Manager must provide advanced notice to Councilmember to whom the staff member reports. All hires, discipline, and termination of City Council staff shall be processed by City personnel in accordance with applicable and prevailing law.

(c) *Interference with administration.*

(i) Except for the purpose of inquiries and investigations made in good faith, the Council or its members shall deal with officers and employees of the City who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement in City government operations by individual Members of the Council be made solely to and through the Manager. Members of the Council may discuss with the Manager any matter of City business; however, no individual Member of the Council shall give orders to the Manager.

(ii) A criminal conviction for willful violation of this Section shall be grounds for removal from office of any Member of the Council.

(d) *Holding other office.* No elected City official shall hold any appointive City office or employment while in office. No former elected City official shall hold any compensated appointive City office or employment until one year after the expiration of his/her term.

Sec. 4.03. Action requiring an ordinance.

In addition to other acts required by law or by specific provision of this Charter to be effected or authorized by ordinance, those acts of the Council shall be by ordinance which:

(1) Adopt or amend an administrative regulation or establish, alter or abolish any City office, department, board or agency;

(2) Establish a rule or regulation the violation of which carries a penalty;

(3) Levy taxes or appropriate funds;

(4) Grant, renew or extend a franchise;

(5) Set service or user charges for municipal services or grant administrative authority to set such charges;

(6) Authorize the borrowing of money;

(7) Convey or lease or authorize by administrative action the conveyance or lease of any lands owned by the City; or

(8) Amend or repeal any ordinance previously adopted, except as otherwise provided in this Charter.

State law reference(s)—Minimum mandatory procedure for adoption of ordinances, F.S. § 166.041.

Sec. 4.04. Emergency ordinances.

(a) *Authorization; form.* To address a public emergency affecting life, health, property or the public peace, the Council may adopt, in the manner provided in this Section, one or more emergency ordinances, but such ordinances may not: enact or amend a land use plan or rezone private property; levy taxes; grant, renew or extend any municipal franchise; set service or user charges for any municipal services; or authorize the borrowing of money except as provided under the emergency appropriations provisions of this Charter if applicable. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated in a preamble as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.

(b) *Procedure.* Upon the affirmative vote of four Members of the Council, an emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After its adoption, the ordinance shall be advertised and printed as prescribed for other ordinances.

(c) *Effective date.* Emergency ordinances shall become effective upon adoption or at such other date as may be specified in the ordinance.

(d) *Repeal.* Every emergency ordinance except emergency appropriation ordinances shall automatically be repealed as of the 61st day following its effective date, but this shall not prevent re-enactment of the ordinance under regular procedures, or if the emergency still exists, in the manner specified in this Section. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this Section for adoption of emergency ordinances.

(e) *Emergency appropriations.* The Council may make emergency appropriations in the manner provided in this Section. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may, by affirmative vote of four Members of the Council, enact an emergency ordinance authorizing the issuance of emergency notes, which may be renewed from time to time, but the emergency notes, including renewals thereof, shall be payable not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation ordinance was originally adopted.

Sec. 4.05. Annual budget adoption.

(a) *Balanced budget.* Each annual budget adopted by the Council shall be a balanced budget.

(b) *Specific appropriation.* The budget shall be specific as to the nature of each category of appropriations. Reasonable appropriations may be made for contingencies, but only within defined spending categories.

Sec. 4.06. Appropriation amendments during the fiscal year.

(a) *Supplemental appropriations.* If, during any fiscal year, revenues in excess of those estimated in the annual budget are available for appropriation, the Council may by ordinance make supplemental appropriations for the fiscal year up to the amount of such excess.

(b) *Reduction of appropriations.* If, at any time during the fiscal year, it appears probable to the Manager that the revenues available will be insufficient to meet the amounts appropriated, s/he shall report to the Council without delay, indicating the estimated amount of the deficit, and his/her recommendations as to the remedial action to be taken. The Council shall then take such action as it deems appropriate to prevent any deficit spending not covered by adequate reserves.

Sec. 4.07. Authentication, recording and disposition of ordinances; resolutions and Charter amendments.

(a) *Authentication.* The Mayor or the Clerk shall authenticate by his/her signature all ordinances and resolutions adopted by the Council. In addition, when Charter amendments have been approved by the electors, the Mayor and the Clerk shall authenticate by their signatures the Charter amendment, such authentication to reflect the approval of the Charter amendment by the electorate.

(b) *Recording.* The Clerk shall keep properly indexed books in which shall be recorded, in full, all ordinances and resolutions enacted or passed by the Council. Ordinances shall, at the direction of the Council, be periodically codified. The Clerk shall also maintain the Charter in current form as to all amendments.

(c) *Availability of Enactments.* The Council shall, by ordinance, establish procedures for making all resolutions, ordinances, technical codes adopted by reference, and this Charter available for public inspection and available for purchase at a reasonable price.

Sec. 4.08. Tax levy and assessments.

The City shall have the right to levy, assess and collect all such taxes and assessments as are permitted by law, including without limitation ad valorem, excise, franchise or privilege taxes and taxes on services and utilities.

Sec. 4.09. Independent audit.

The Council shall provide for an independent annual audit of all City accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers and shall be rotated at least every five years to a new certified public accountant or firm of such accountants. Residency in the City per se shall not constitute a direct or indirect interest.

Sec. 4.10. City Council agendas.

(a) All matters that come before the City Council for consideration shall be specific items on a City Council agenda.

(b) If a City Council member desires to have an item on the City Council regular meeting agenda for consideration, the City Council member shall submit the request for the agenda item to be included on the City Council regular meeting, to the City Clerk no less than seven (7) days prior to the City Council regular meeting.

(c) The City Council member shall submit supporting documentation related to the specific agenda item that is sufficient for the City Council to have notice of the specific agenda item request, and to be able to evaluate the agenda item at the regular City Council meeting. The supporting documentation shall be submitted to the City Clerk no less than four (4) business days prior to the regular City Council meeting.

(d) Each member of the City Council may submit up to four (4) items to the City Clerk for each City Council regular meeting agenda.

(e) The City Council shall not consider items that are presented by City Council members at a regular meeting that are not submitted pursuant to this Section. There shall be an exception for City Council items that are found to be an emergency, by an affirmative vote of no less than four (4) members of the City Council, and the emergency specifically relates to the public's health, safety, and welfare. In finding that the matter is an emergency under this Section, the City Council shall make a specific finding as to the nature of the emergency.

ARTICLE V. ELECTIONS[2]

Sec. 5.01. Elections.

(a) *Electors.* Any person who is a resident of the City, has qualified as an elector of the State and registers to vote in the manner prescribed by law shall be an elector of the City.

(b) *Nonpartisan elections.* All elections for the offices of Councilmember and Mayor shall be conducted on a nonpartisan basis.

---

[2]State law reference(s)—Florida election code, F.S. chs. 97—106.

(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 runoff election, if necessary, shall be held on the on the second Tuesday in December. 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.

(d) *General election.* The ballot for the general election shall contain the names of all qualified candidates for Mayor if the Mayor's term is expiring and for each of the two Council Seats which are to be filled as a result of two Councilmembers' terms expiring, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each Seat. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidates for each Seat receiving the most votes for that Seat shall be the duly elected Councilmembers. A tie between two or more candidates shall be decided by a run-off election.

(e) *Run-off election.* As applicable, the ballot for the run-off election shall contain the names of the two candidates for Mayor and the names of the two candidates for each Seat who received the most votes in the general election. The ballot shall instruct electors to cast one vote for Mayor and to cast one vote for each Seat. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidate for each Seat receiving the most votes shall be duly elected to that Seat. If a tie vote occurs in the run-off elections between candidates for the office of Mayor or any Seat, the tie shall be decided by lot under the direction of the Clerk.

(f) *Special elections.* Special elections, when required, shall be scheduled by the Council at such times and in such manner as shall be consistent with this Charter.

(g) *Single candidates.* No election for Mayor or any Seat shall be required in any election if there is only one duly qualified candidate for Mayor or for that Seat. The duly qualified candidate shall be deemed elected.

(h) *Absentee votes.* Absentee voting will be permitted as provided by the laws of the State and under such conditions as may be prescribed by ordinance from time to time; provided, however, that no ordinance shall limit the right to vote by absentee ballot available under State law.

(i) *Commencement of terms.* The Mayor and Councilmembers who are elected in elections held in November of any year, shall assume office on the first regular or special City Council meeting following certification of their election results. Once all newly elected officials have taken office the Council shall organize in accordance with the provisions of this Charter, and shall then proceed to select the Vice Mayor as designated in this Charter.

Sec. 5.02. Initiative and referendum.

(a) *Power to initiate and reconsider ordinances.*

(i) *Initiative.* The electors of the City shall have power to propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without any

change in substance, to adopt or reject it at a City election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of officers or employees of the City.

(ii) *Referendum.* The electors of the City shall have power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at a City election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of officers or employees of the City.

(b) *Commencement of proceedings.* A minimum of 25 electors shall commence initiative or referendum proceedings by filing with the Clerk or other official designated by the Council an affidavit stating they will constitute the petitioners' committee (the "Petitioners' Committee") and be responsible for circulating the petition and filing it in proper form, stating their names and addresses, specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. The affidavit of the Petitioners' Committee shall be accompanied by a filing fee in an amount equal to the fee charged by the Circuit Court of Miami-Dade County for the filing of a complaint as of the date the initiative or referendum proceedings are commenced. Promptly after the affidavit of the Petitioners' Committee is filed, the Clerk may, at the Petitioners' Committee's request and expense, issue the appropriate petition blanks to the Petitioners' Committee. Petitioners' proposed ordinance shall be approved as to legal sufficiency by the City Attorney prior to circulation.

(c) *Petitions.*

(i) *Number of signatures.* Initiative and referendum petitions must be signed by at least 10% of the total number of electors registered to vote at the last regular City election.

(ii) *Form and content.* All papers of a petition shall be assembled as one instrument for filing. Each signature shall be executed in ink and shall be followed by the printed name and address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.

(iii) *Affidavit of circulator.* At the time of filing, each paper of a petition shall include as an attachment an affidavit executed by the circulator thereof stating that s/he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his/her presence, that s/he believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

(iv) *Filing deadline.* All initiative and referendum petitions must be filed within 60 days of the date on which proceedings with respect to such initiative or referendum are commenced.

(d) *Procedure for filing.*

(i) *Certificate of Clerk; amendment.* Within 20 days after an initiative petition is filed or within five business days after a referendum petition is filed, the Clerk shall complete a certificate as to its sufficiency (the "Certificate"). If insufficient, the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be promptly sent to the Petitioners' Committee by registered mail. Grounds for insufficiency are only those specified in subsection (c) of this Section. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the Petitioners' Committee files a notice of intent to amend the petition with the Clerk or other official designated by the Council within two business days after receiving the copy of the Certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of the Certificate. Such supplementary petition shall comply with the requirements of subsection (c) of this Section. Within five business days after a supplementary petition is filed, the Clerk or other official designated by the Council shall complete a Certificate as to the sufficiency of the petition as amended and promptly send a copy of such Certificate to the Petitioners' Committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the Petitioners' Committee does not elect to amend or request Council review under paragraph (ii) of this subsection (d) within the time required, the Clerk or other official designated by the Council shall promptly present the Certificate to the Council and such Certificate shall then be a final determination as to the sufficiency of the petition.

(ii) *Council review.* If a petition has been certified insufficient and the Petitioners' Committee does not file notice of intent to amend it or if an amended petition has been certified insufficient, the Petitioners' Committee may, within two business days after receiving the copy of such Certificate, file a request that it be reviewed by the Council. The Council shall review the Certificate at its next meeting following the filing of such request and approve or disapprove it, and the Council's determination shall then be a final determination as to the sufficiency of the petition.

(e) *Action on petitions.*

(i) *Action by Council.* When an initiative or referendum petition has been finally determined sufficient, the Council shall promptly consider the proposed initiative ordinance or reconsider the referred ordinance by voting its repeal, all in the manner provided in Article IV. If the Council fails to adopt a proposed initiative ordinance without any change in substance within 45 days or fails to repeal the referred ordinance within 30 days, it shall submit the proposed or referred ordinance to the electors of the City. If the Council fails to act on a proposed initiative ordinance or a referred ordinance within the time period contained in this paragraph (i), the Council shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal the referred ordinance on the last day that the Council was authorized to act on such matter.

(ii) *Submission to electors.* The vote of the City on a proposed or referred ordinance shall be held not less than 30 or more than 60 days from the date the Council acted or was deemed to have acted pursuant to paragraph (i) of subsection (e) of this Section. If no regular election is to be held within the period described in this paragraph, the Council shall provide for a special election, except that the Council may, in its discretion, provide for a special election at an earlier date within the described period. Copies of the proposed or referred ordinance shall be made available at the polls.

(iii) *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the City by filing with the Clerk or other official designated by the Council a request for withdrawal signed by at least four-fifths of the members of the Petitioners' Committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

(f) *Results of election.*

(i) *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. If the proposed initiative ordinance fails, it or any ordinance that is substantially similar may not be submitted in accordance with this Article for at least one year from the date of election.

(ii) *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote for repeal, it shall be considered repealed upon certification of the election results.

Sec. 5.03. Form of ballots.

A charter amendment, ordinance or other ballot issue to be voted on by the electors shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice in accordance with state law.

State law reference(s)—Referenda, ballots, F.S. § 101.161.

ARTICLE VI. CHARTER AMENDMENTS

Sec. 6.01. Procedure to amend.

(a) *Procedure.* This Charter may be amended in accordance with the provisions of Section 6.03 of the Home Rule Charter of Miami-Dade County. The Council shall adopt an ordinance to implement this Article.

(b) *Results of election.* If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Sec. 6.02. Charter revision.

(a) *Charter Commission.* At its first regular meeting in November, 2023, and every tenth year thereafter, the Council shall appoint and fund a Charter revision commission (the "Charter Commission"). The Charter Commission shall commence its proceedings within 15 days after appointment by the Council. If the Charter Commission determines that a revision is needed, it shall draft such amendments to this Charter as it deems appropriate and submit the same to the Council not later than April 1st of the year following appointment. The Council shall, after submission of the proposed amendments to the Council, submit the proposed amendments to the electors of the City in accordance with the provisions of Section 6.01, in either an election in August of even-numbered years to coincide with the statewide and countywide primary election or an election in November of even-numbered years to coincide with the statewide, countywide, and city wide regular election.

(b) *Composition.* The Charter Commission shall consist of five electors residing in the City for at least five years. Each Member of the Council shall appoint one elector to the Charter Commission. No current member of the Council shall serve on the Charter Commission.

(c) *Business.* The Charter Revision Commission shall conduct its business in open and noticed meetings, pursuant to Florida law, as may be amended from time to time, which shall be on weekdays after regular business hours.

ARTICLE VII. GENERAL PROVISIONS

Sec. 7.01. Severability.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter or the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 7.02. Variation of pronouns.

All pronouns and any variation thereof used in this Charter shall be deemed to refer to masculine, feminine, neutral, singular or plural as the identity of the person or persons shall require and are not intended to describe, interpret, define or limit the scope, extent or intent of this Charter.

Sec. 7.03. Style and capitalization.

When a defined word is enclosed in quotes and in parentheses after the definition, that word shall be treated as a defined term in the remainder of this Charter, when capitalized.

Sec. 7.04. No discrimination.

The City shall not adopt any measure or policy or otherwise discriminate against any person due to race, religion, color, national origin, physical or mental disability, creed, sexual preference or gender. The City shall not adopt any policy regarding the use of City facilities that would discriminate against any person due to race, religion, color, national origin, physical or mental disability, creed, sexual preference or gender.

Sec. 7.05. Precedence over Related Laws.

In case of a conflict between the provisions of this Charter and the provisions of the City Code to be adopted pursuant thereto, the Charter terms shall control.

Sec. 7.06. Calendar day.

For the purposes of this Charter, a day shall mean a calendar day, unless otherwise specified.

ARTICLE VIII. TRANSITION PROVISIONS

Sec. 8.01. Temporary Nature of Article.

The following sections of this Article are inserted solely for the purpose of effecting the incorporation of the City and the transition to a new municipal government. Each section of this Article shall automatically, and without further vote or act of the electors of the City, become ineffective and no longer a part of this Charter at such time as the implementation of such section has been accomplished. In cases of a conflict between this Article and the remainder of the Charter the provisions of this Article shall govern.

Sec. 8.02. Interim Governing Body.

After adoption of this Charter but prior to the election and acceptance of office of the first elected Council, the governing body of the City shall be the Miami-Dade County Board of County Commissioners (the "County Commission"). In acting as the governing body for the City during this interim period, the County Commission shall provide all municipal services to the City but shall not make decisions which could reasonably be postponed until the election of the Council or which would materially alter or affect the status quo within the City boundaries. Once the Council is seated, notwithstanding the delivery of any services provided by virtue of Article IX of the Charter or any interlocal agreement with Miami-Dade County, it is understood that the Council shall make all decisions for the City.

Sec. 8.03. Interim Adoption of Codes and Ordinances.

Until otherwise modified or replaced by this Charter or the Council, all codes, ordinances and resolutions in effect on the date of adoption of this Charter shall, to the

extent applicable to the City, remain in full force and effect as municipal codes, ordinances and resolutions of the City.

Sec. 8.04. Taxes and Fees.

Unless otherwise modified by the Council, all municipal taxes and fees imposed within City boundaries by Miami-Dade County as the municipal government for unincorporated Miami-Dade County, which taxes and fees are in effect on the date of adoption of this Charter, shall continue at the same rate and on the same conditions as if those taxes and fees had been adopted and assessed by the City.

Sec. 8.05. Initial Election of City Council and Mayor; 2003 Election.

(a) *2003 Election.* This Section shall apply to the initial general and run-off elections for the Council. The general and run-off election in 2003 shall be held pursuant to the election procedures set forth in this Charter except as follows:

(i) Dates. The general election shall be held on July 22, 2003. The first City run-off election, if necessary, shall be held on August 5, 2003.

(ii) Qualification. Candidates must qualify for election by filing a written notice of candidacy for Councilmember or Mayor (but not both) with the Miami-Dade County Elections Department (the "Elections Department"), before 5:00 p.m., June 27, 2003 (the "Notice of Candidacy"). The Notice of Candidacy shall be signed by the candidate and notarized and include the following:

(A) A statement as to whether the candidate seeks the office of Councilmember or Mayor; if for Councilmember, a Seat 1—4 shall be designated;

(B) The candidate's certification that s/he is a qualified elector of the State, is registered to vote in the City and that the person has resided continuously within the area comprising the City since June 27, 2001;

(C) A check payable to the Elections Department in the amount of $200.00 in addition to any fees required by Florida Statutes, as a qualifying fee;

(D) Such other information or statement, if any, as may be required by the Elections Department.

(iii) The office of Mayor and four Seats will be filled.

(iv) The Mayor will be elected to a term expiring in November 2008.

(v) Two Councilmembers shall be elected to terms expiring in November 2008, as follows ("2008 Seats"):

(A) In the event two or less candidates run without opposition ("Unopposed Candidate(s)") each Unopposed Candidate shall be elected to a 2008 Seat. In the event that there are more than two Unopposed Candidates, the candidates elected to a 2008 Seat shall be decided by lot at the initial Council meeting.

(B) In the event that one or both 2008 Seats are not filled by Unopposed Candidates, the remaining 2008 Seat(s) shall be filled by those elected at the general election. In the event that more candidates are elected in the general election than 2008 Seat(s) remain to be filled, the 2008 Seat(s) shall be filled by the candidate(s) receiving the most votes in the general election.

(C) In the event that the 2008 Seats are not filled by either Unopposed Candidates or in the general election, the remaining 2008 Seat(s) shall be filled by the candidate(s) receiving the most votes in the run-off election.

(D) Ties shall be decided by lot at the first Council meeting.

(vi) The remaining two Councilmembers shall be elected to terms expiring in November 2006.

(b) *Induction into Office.* In the event that a run-off election is unnecessary, those candidates elected at the initial election shall take office at the initial Council meeting, which shall be held at 7 p.m. on August 4, 2003, at the Doral Park Country Club, Main Building, 5001 N.W. 104th Avenue. In the event that a run-off election is necessary, those candidates elected at the initial election shall take office at the initial Council meeting, which shall be held at 7 p.m. on August 21, 2003, at the Doral Park Country Club, Main Building, 5001 N.W. 104th Avenue.

Sec. 8.06. Initial Expenditures.

Upon receipt by the City of its first revenues, the City shall immediately pay the invoices for utilities and for expenses, if any, incurred in the drafting and production of this Charter, including but not limited to invoices for secretarial services, photocopies, mailing and other services authorized by the City's original Charter Commission.

Sec. 8.07. Fiscal Year and First Budget.

(a) *First Fiscal Year.* The first fiscal year of the City shall commence on the effective date of this Charter and shall end on September 30, 2003. The first budget shall be adopted on or before a date which is ten days after the date of the initial election of the Council. The first budget shall be adopted by resolution of the Council.

(b) *First Full Fiscal Year.* The first full fiscal year budget of the City for the fiscal year which commences on October 1, 2003, and ends on September 30, 2004, shall be adopted by resolution of the Council. The annual City budget for subsequent fiscal years shall be adopted by ordinance.

(c) *Contingency.* In the event that the Council is not elected and functioning in time to notify the County Property Appraiser of the proposed ad valorem tax millage rate and of the date, time and place of the first budget hearing of September 2003, for inclusion in the Property Appraiser's Section 200.069, Fla. Stat., notice to taxpayers, the Clerk of the Board of County Commissioners, as the Clerk of the interim governing body of the City, shall timely notify the County Property Appraiser of such information or the County Property Appraiser shall take notice of the provisions hereof. Accordingly, in such event only:

(i) the proposed municipal millage rate, for consideration at the first budget hearing, shall be the same proposed millage rate which Miami-Dade County utilizes for the unincorporated municipal services area of Miami-Dade County (the "UMSA") for consideration at its first budget hearing of September 2003; and

(ii) the first of the two required budget hearings to be held in September 2003, for the first full fiscal year of the City, shall be held in compliance with the time frames of Section 200.065(2)(c), Fla. Stat., on the first business day of the week commencing Monday, September 8, 2003, which date is not the date of the budget hearing for Miami-Dade County or for the Miami-Dade County School Board, and shall be held at 7:00 p.m. on such date at the Doral Park Country Club, Main Building, 5001 N.W. 104th Avenue.

(d) *Procedure.* The proposed and final ad valorem tax millage levy resolutions of the City, as required by Section 200.065, Fla. Stat., for the September 2003, budget hearings, may be adopted by resolution or by ordinance, as authorized by Section 200.065, Fla. Stat.

(e) *Conflict of provisions.* The provisions of this Section shall prevail over any conflicting provisions of this Charter concerning the levy of taxes or appropriation of funds.

(f) *Conflict with State law.* In the event that any of the procedures provided by this Section conflict with the Florida Statutes, the Council is authorized to replace such conflicting procedures by ordinance.

Sec. 8.08. Transitional Ordinances and Resolutions.

The Council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first Council meeting may be passed as emergency ordinances. These transitional ordinances shall be effective for a period of no longer than 180 days and thereafter may be readopted, renewed or otherwise continued only in the manner normally prescribed for ordinances.

Sec. 8.09. Interim Personnel.

(a) The Mayor may, subject to Council approval, appoint an interim Manager and interim staff for a period not to exceed 180 days to serve until such time as a permanent Manager is selected and begins work.

(b) The Council may appoint an interim Clerk for a period not to exceed 180 days from the date of the appointment.

ARTICLE IX. SPECIAL CONDITIONS

Sec. 9.1. Interlocal Agreements.

Within 180 days after the election of a municipal council, the City will enter into an interlocal agreement ("Interlocal Agreement") with Miami-Dade County to set forth contractual provisions establishing the municipality's relationship with Miami-Dade County to the extent required by the Charter.

Sec. 9.2. County Services.

The City shall remain a part of and receive services at least equal to the service level as of the date of approval of this Charter by the electors of the City, in perpetuity, from the:

(1) Miami-Dade Fire Rescue District,

(2) Miami-Dade Library System, and

(3) Miami-Dade Solid Waste Collection Service Area.

Private trash collection in place on the date of incorporation within the residential and commercial areas of Doral will continue. The County's Department of Solid Waste Management will provide services to all new residential customers and continue serving existing customers.

Except as otherwise provided in this Article the County shall not have the right or ability to impair or infringe upon the functions and powers assumed by the City upon incorporation.

Sec. 9.3. Reserved.

Editor's note(s)—Charter section 9.3 was deleted by Ordinance No. 2009-12, adopted April 22, 2009, and approved by referendum on June 25, 2009.

Sec. 9.4. Local Patrol Police Services.

The City shall exclusively utilize the Miami-Dade Police Department for a specific level of patrol staffing for an initial period of three years. The utilization of the Miami-Dade Police Department for local patrol services may only be terminated for cause during this initial three (3) year period. Payment amounts and other pertinent items relating to the provision of local patrol services shall be set forth in a contract between the City and Miami-Dade County. Such contract shall also provide that "the initial three-year period" shall commence upon the execution of the Local Patrol Contract by all parties. At the end of the three (3) year period the City may elect not to renew the Local Patrol Contract at which point a transition period of no less than twelve (12) months will begin.

Sec. 9.5. Municipal Service Trust Fund.

The City agrees that Miami-Dade County may retain payments it would otherwise make to the City from fees collected by the County on behalf of the City to offset all or a portion of the amount due from the City to the MSTF.

Provide for payment of mitigation for fiscal year 2008—2009 due on or before September 30, 2009 and fiscal year 2009—2010 due on or before September 30, 2010 consistent with County Resolution 1268-08. No further payment of mitigation will be required after mitigation payment for fiscal year 2009—2010.

Sec. 9.6. Regulatory Control.

The local government comprehensive plan adopted by the City of Doral pursuant to Chapter 163, Part II, Florida Statutes, shall be consistent with the adopted Miami-Dade County Comprehensive Development Master Plan (CDMP) as it may be amended from time to time, as applied to the sites listed below:

DEPARTMENT/FACILITY	LOCATION
MIAMI-DADE POLICE DEPARTMENT	
Training Bureau Metro Training Center	9601 NW 58 Street
MDPD Headquarters Complex	9105 NW 25 Street
Doral Station (District 3)	9105 NW 25 Street
MIAMI-DADE FIRE DEPARTMENT	
Training Complex	9300 NW 41 Street
MDFD Headquarters Complex	9300 NW 41 Street
Emergency Operations Center	9300 NW 41 Street
Doral Station	9710 NW 36 Street
Fontainbleau Station	8825 NW 18 Terrace
DEPARTMENT OF SOLID WASTE MANAGEMENT	
Disposal Facility	
Resource Recovery	6990 NW 97 Avenue

The Miami-Dade County Board of County Commissioners may revise this list of facilities from time to time.

Any use or activity allowed by the CDMP over the listed sites may not be limited or impeded in any way by the local government comprehensive plan adopted by the City of Doral. Jurisdiction over the listed sites for purposes of zoning and building approvals (including but not limited to site plan approvals, issuance of building permits, building inspections, compliance with the Florida Building Code or other applicable building code, issuance of certificates of occupancy, zoning applications, special exceptions, variances, building and/or zoning moratoria, and all other types of functions typically performed by Building and/or Zoning Departments) water and sewer installations, compliance with environmental regulations, street maintenance (including sidewalks, if applicable) and utility regulation shall be and is hereby vested in Miami-Dade County regardless of any City of Doral code, charter, or ordinance provision to the contrary. So long as Miami-Dade

County maintains jurisdiction over the matters set forth in this paragraph, Miami-Dade County shall pay the costs of providing the services described herein.

This provision shall not alter or affect the legal rights of any person residing or owning real property within the City. The City shall not institute, intervene or otherwise participate in, in opposition to Miami-Dade County, any judicial or formal administrative proceeding regarding land use or development of the listed sites, or Miami-Dade County's planning or regulatory requirements for any listed facility of countywide significance. These Charter provisions shall be deemed self-executing.

Sec. 9.7. Continuing Obligations as to County Bonds.

The County has previously issued $41,580,000.00 Stormwater Utility Revenue Bond Series 1999 (the "Stormwater Bond") of which $38,805,000.00 remains outstanding as of May 1st, 2002, payable from stormwater utility fees collected in the unincorporated area and within a limited number of cities. The County assesses and collects the stormwater utility fee pursuant to Sections 24-61 through 24-61.5 of the County Code, as amended from time to time and Section 403.0893, Florida Statutes, as amended from time to time (the "Stormwater Utility Fees).

The County has issued $77,640,000 Public Service Tax Revenue Bonds (UMSA Public Improvements) Series 1999 (the "Series 1999 Public Service Bonds") currently outstanding in the principal amount of $71,295,000 and has issued an additional series of bonds in an amount not to exceed $60,000,000 (the "Series 2002 Public Service Bonds") prior to the City's incorporation payable from Public Service Taxes (defined below) collected in the unincorporated area. The County receives a public service tax pursuant to Section 166.231, Florida Statutes, as amended from time to time, and as of October 1, 2001, from a discretionary communications tax assessed pursuant to Chapter 202, Florida Statutes and Section 29 of the County Code (collectively, "The Public Service Tax"). If required by the County within 180 days of the adoption of this Chapter, the City agrees to enact an ordinance, pursuant to Section 202.19, Florida Statues, authorizing the levy of the discretionary services tax at a rate no less than the rate established by the County for communications services prior to the incorporation of the City.

The Stormwater Bonds, the Series 1996 Public Service Bonds, the Series 1999 Public Service Bonds, the Series 2002 Public Service Bonds, and any bonds issued in the future, provided that the City remains a part of the Stormwater utility system, that are secured either through Stormwater Utility Fees or Public Service Taxes ("Fees and Taxes") are referred to collectively in this Section as the "Bonds".

The City agrees that until the Bonds are retired the County shall have the right to receive and apply to debt service on the Bonds all of the Fees and Taxes collected within the unincorporated area and within the boundaries of the City. After the County has paid or satisfied the monthly debt service requirements on the Bonds, the County shall make a payment to the City, equal to its share of the remaining Fees and Taxes on deposit with the County. The City's share shall be all Fees and Taxes collected within the City annually minus its Debt Service Share. The City's Debt Service Share is determined by expressing the Fees and Taxes collected within the City at the time of incorporation as a percentage of the total Fees and Taxes collected within the unincorporated area at the time of

incorporation and any municipalities incorporated after 1998 and apply that percentage to the total annual debt service on the Bonds. The City may prepay its proportionate share of the aforementioned bonds at any time during the life of the bonds with out penalty.

The intent of this Section is to ensure that the City continues to collect revenues on behalf of the County which were collected by the County prior to the incorporation of the City and which were pledged and relied upon to pay for capital improvements provided by the County to the then existing unincorporated area to the benefit of the City.

Sec. 9.8. Favored Nation Status.

County Services.

If a subsequent incorporation is approved without the newly incorporated area being required to remain in the Miami-Dade Fire Rescue District, Miami-Dade Library System, Miami-Dade Solid Waste collection service area, or without contracting with the Miami-Dade Police Department for local patrol police services, the City will be entitled to modify its relationship with the County, so that the city will not be required to receive that particular service from the County. Both parties also agree that if a subsequent incorporation of any area is approved without conditions outlined in this agreement, and those terms would be beneficial to the City of Doral, the terms under this Charter will immediately be replaced with the terms granted to the subsequent, new, municipality (the "Most Favored Nation Status"). It is provided, however, that the Most Favored Nation Status shall not apply to mitigation payments into the Municipal Services Trust Fund, nor apply to any requirement to separately contract or pay for the provision of specialized police services.

The provisions of this Section, apply only to the service or services modified, and in no way alter the agreement regarding the remaining services.

Sec. 9.9. Rights of the City.

The City will be granted all rights powers and privileges afforded to all municipalities and provided under the general laws of the State of Florida subject only to the restrictions placed upon it by this Charter. The City will receive all other municipal revenue sources such as utility taxes including those that the County by right or may otherwise retain, such as the franchise fees, and will continue to receive all services that are provided to cities under the countywide budget.

Sec. 9.10. Modifications.

Any modifications to Article IX will require:

(1) All approvals normally required by the municipal charter, and

(2) Approval by 2/3rds of the total membership of the Miami-Dade County Board of County Commissioners.