

ORDINANCE #2014-18

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING REQUISITE BALLOT LANGUAGE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY 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 AUGUST 26, 2014 STATEWIDE/COUNTY PRIMARY 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 2013-2014 Charter review session; and

WHEREAS, on April 1, 2014, the Charter Revision Commission proposed and submitted to the City Council ten (10) 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 such actions as may be necessary to administer the special election for the City; and

WHEREAS, the City Council has had 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 to be 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 placing the Amendment ballot questions on the August 26, 2014 statewide/county primary 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 a part hereof by this 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 ballot language:

CREATE INDEPENDENT CITY OFFICE OF CHARTER ENFORCEMENT; INVESTIGATION PROCESS FOR LAW VIOLATIONS BY OFFICIALS; EMPLOYEES

It is proposed the Charter be amended to create the independent, City-funded Office of Charter Enforcement to investigate activities of City's elected, appointed and charter officials and employees that may constitute violations of Federal, State, County, and City laws, headed by a committee-appointed Charter Enforcement Official, and authorized to receive complaints, conduct investigations and hearings, issue findings, refer violations to appropriate agencies, and impose fines and other penalties.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

COMMITTEE RECOMMENDATION REQUIRED FOR HIRING CHARTER OFFICIALS; REVISED PROCESS FOR HIRING AND REMOVING CHARTER OFFICIALS

Currently, the Charter authorizes the appointing of the City's Manager and Attorney by Mayor's nomination, subject to City Council approval, and the removal of all Charter Officials (Manager, Attorney, and Clerk) by approval of the City Council. It is proposed the Charter be amended to require the participation and recommendation of a search committee to hire a Charter Official; to establish new procedures to remove Charter Officials; and to establish minimum qualifications for Charter Officials.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

ALLOWING GROUPING OF COUNCILMEMBER CANDIDATES ON BALLOT FOR MULTIPLE SEATS; ELIMINATING RUNOFF ELECTIONS; SETTING TERMS

Currently, the Charter authorizes qualification of Councilmember candidates by seat; majority vote selection; runoff elections; terms commencing day after general election. It is proposed the Charter be amended to provide for placement of all Councilmember candidates in one

group on ballot, with candidate(s) receiving highest number of votes elected; eliminate runoff elections and require random drawing to break ties; and provide for elected officials' terms to commence at first City Council meeting following election certification.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

**INDIVIDUALS LIMITED TO TWO TERMS IN ANY OFFICE;
TERM DEFINED AS TIME SERVED**

Currently, individuals are limited by Charter to serving two consecutive elected terms as Councilmember and two consecutive terms as Mayor. It is proposed the Charter be amended to limit any individual to no more than two four-year terms in any elected City office, and to define a term to be a period of service in any office of more than one year if elected and more than six months if appointed.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

**VICE MAYOR POSITION TO ROTATE
AMONGST COUNCILMEMBERS IN CERTAIN ORDER**

Currently, the Charter provides for the City Council to elect a Councilmember to serve as Vice-Mayor at the first Council meeting after each regular election. It is proposed the Charter be amended to provide for the Vice-Mayor position to automatically rotate amongst the Councilmembers for one-year terms in the following order, Seat 1, Seat 3, Seat 2, and Seat 4.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

PROVIDE PROCESS GOVERNING METHOD MAYOR AND COUNCILMEMBERS PLACE ITEMS ON THE CITY COUNCIL AGENDA

Currently, the Charter provides generally that the Council shall determine its rules of procedure and order of business. It is proposed the Charter be amended to govern the Mayor and Councilmembers' placement of items on Council agendas, including submittal time and quantity limits and a prohibition on placing non-published agenda items on agendas except in emergencies.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

REVISED PROCESS FOR CITY COUNCIL TO ESTABLISH BOARDS AND APPOINT INDIVIDUALS TO BOARDS

Currently, the Charter authorizes the City Council to establish City boards as it deems necessary, with board members to be appointed by the Mayor, subject to City Council approval. It is proposed the Charter be amended to require the City Council to establish the powers, duties, terms, and member qualifications for City created boards and committees, and to enable the Councilmembers to individually appoint members to serve on such boards and committees.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

PROVIDE FOR AN ADJUSTMENT TO THE SALARIES OF THE MAYOR AND COUNCILMEMBERS

Currently, the Charter provides for annual salaries of elected officials of \$50,000 for the Mayor and \$12,000 for each Councilmember, currently adjusted by cost of living increases to \$63,171 for the Mayor and \$15,153 for Councilmembers. It is proposed the Charter be amended to provide for the Mayor's salary to be \$60,000 and each Councilmember's salary to be fifty percent (50%) of the Mayor's salary, along with cost of living adjustments.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

**REDUCE RESIDENCY REQUIREMENT FOR QUALIFYING FOR
MAYOR OR COUNCILMEMBER FROM TWO YEARS TO SIX MONTHS**

Currently, the Charter requires an individual elector in the City to reside in the City continuously for at least two years prior to qualifying for candidacy for Mayor or Councilmember. It is proposed the Charter be amended to reduce the period of time an elector must continuously reside in the City prior to qualifying for candidacy for Mayor or Councilmember from two years to six months.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

**REDUCTION IN THE NUMBER OF SIGNATURES REQUIRED FOR
INITIATIVE AND REFERENDUM PETITIONS**

Currently, the Charter requires the submittal of signatures of at least ten percent of the total number of electors registered to vote at the last regular City election for initiative and referendum petitions. It is proposed the Charter be amended to reduce the number of signatures required to submit initiative and referendum petitions to an amount no less than three percent of the number of electors registered to vote at the last regular City election.

Shall the above-described Charter amendment be adopted?

Yes _____
No _____

Section 4. 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 and 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 5. Call for Special Election; Request Service of 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 August 26, 2014 statewide/countywide primary 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 6. 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 7. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 8. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 9. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

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

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Absent
Councilwoman Sandra Ruiz	Yes

PASSED AND APPROVED on FIRST READING THIS 14th day of May 2014.

PASSED AND ADOPTED on FIRST READING THIS 28th day of May 2014.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

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




WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, PL
CITY ATTORNEY

EXHIBIT “A”



TO: Mayor Luigi Boria
Members of the City Council

CC: Joe Carollo, City Manager
Dan Espino, City Attorney

FROM:  Jesse A. Jones, Chair, Charter Review Commission
Members of the Charter Review Commission

DATE: April 1, 2014

RE: Charter Review Commission Final Transmittal

On behalf of the Doral Charter Review Commission, and pursuant to Section 6.02 of the City Charter, the following is the Charter Review Commission's report which also contains the specific Charter Amendment Resolutions adopted by the Charter Review Commission. The following Resolutions contain the ballot titles, ballot language, and proposed amendments that shall be submitted to the City of Doral electors within the time frames as specified in the City Charter.

• **PROPOSED CHARTER AMENDMENTS – REQUIRED TO BE PLACED ON THE BALLOT IN THIS SPECIFIC ORDER**

1. 2014-09 – Office of Charter Enforcement – provides for the establishment of the independent City Office of Charter Enforcement to provide for the investigation and enforcement of violations of federal, state, county, and local laws.
2. 2014-02 – Charter Officers – providing a process for the removal and replacement of Charter Officers (City Manager, City Attorney, and City Clerk), and providing minimum qualifications for the Charter Officers. Also provides that the appointment of the Charter Officers is done by the Council, and not by the Mayor, subject to Council approval.
3. 2014-15 – Runoff Elections and Group Voting – eliminates runoff elections and provides for Councilmembers to run in a group during each municipal election with the candidate receiving the highest number of votes elected to the seat.
4. 2014-10 – Only Two Terms in Office – provides for a limitation on the number of terms in office for any individual to be two terms in any elected office in the City of Doral.
5. 2014-13 – Rotation of Position of Vice-Mayor – provides for the position of Vice-Mayor to rotate amongst the Councilmember seats. Commencing in 2014, the Vice-Mayor will be the



Councilmember in Seat 1. In 2015, the Vice-Mayor will be the Councilmember in Seat 3. In 2016, the Vice-Mayor will be the Councilmember in Seat 2. In 2017, the Vice-Mayor will be the Councilmember in Seat 4. The rotation will continue on an annual basis.

6. 2014-06 – Agenda Process – provides a specific process for the Council and Mayor to place items on the Council agenda, and also prohibits lay down items except in documented emergencies.
7. 2014-07 – Boards and Committees - provides for the entire City Council to appoint members to City boards and committees.
8. 2014-14 – Salary Adjustment – provides for the adjustment of the Mayor’s salary to \$60,000.00. The Councilmembers’ salaries shall be 50% of the Mayor’s salary. The salaries shall be adjusted in accordance with the consumer price index.
9. 2014-12 – Residency Requirement – provides for a reduction in the residency requirement for candidates to be no less than six months prior to qualifying. The current residency requirement of two years is of suspect constitutional validity. Rather than await a challenge, the Charter Review Commission determined the change in the residency requirement was legally necessary.
10. 2014-05 – Initiative Referendum – provides for a reduction in the number of signatures necessary to submit an item for placement on a referendum ballot from 10% of the number of electors registered to vote in the last City election to 3% of the number of electors registered to vote in the last City election.

The order that these items are included in this report is the same order that the Charter Review Commission has determined that these items should be placed on the ballot for the Doral electorate to consider at the special election.

OTHER NON-CHARTER MATTERS

1. The Councilmembers have the Charter Authority to direct the City Manager to employ staff to serve Councilmembers for City business (e.g. secretarial pool).
2. A correction should be made to the scrivener’s error in Section 7.04 by replacing the word “sex” with “gender”.
3. The City Council should appoint the Charter Review Commission in a timely manner as required by Section 6.02 of the City Charter.



4. The City Council should negotiate with the County to enhance the level of service with respect to the libraries in the City as the County is required to maintain the same level of service as when the City was incorporated.
5. Designate the City Attorney as the City Council Parliamentarian, and utilize the Office of Charter Enforcement, if the amendment passes, to investigate and enforce any parliamentary issues that may arise.
6. The Charter Amendment related to the Office of Charter Enforcement, if it passes, will provide the Councilmembers with the ability to enforce the provisions related to “interference with staff.”

TERM OF THE CHARTER REVIEW COMMISSION

As there is a difference of opinion as to the term of the Charter Review Commission, in order to avoid any potential controversy, the Charter Review Commission would specifically request that the Council recognize or authorize the Charter Review Commission to operate up through the date of the referendum election on the Charter Amendments. This would permit the Charter Review Commission to insure that the referendum election is conducted pursuant to the Charter and may permit the Charter Review Commission to further educate the electorate as to the purpose of each charter amendment.

CRC RESOLUTION NO. 2014-09

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO CREATE THE OFFICE OF CHARTER ENFORCEMENT; TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO SELECT AN INDIVIDUAL TO SERVE AS THE HEAD OF THE OFFICE OF CHARTER ENFORCEMENT; TO PROVIDE FOR THE AUTHORITY OF THE OFFICE OF CHARTER ENFORCEMENT TO INVESTIGATE VIOLATIONS OF FEDERAL, STATE, COUNTY, AND CITY LAWS, CHARTER PROVISIONS, ORDINANCES, AND OTHER REGULATORY PROVISIONS BY CITY ELECTED OFFICIALS, APPOINTED OFFICIALS, AND EMPLOYEES, RELATED TO CONDUCT, ETHICS, AND PUBLIC DECORUM; PROVIDING FOR MONETARY AND OTHER PENALTIES; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to

the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to establish the Office of Charter Enforcement to provide for the designation of an individual to investigate violations of Federal, State, and City laws, charter provisions, ordinances, and other regulatory provisions by City elected officials, appointed officials, and employees related to conduct, ethics, and public decorum, including monetary and other penalties, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**ESTABLISH CITY OFFICE OF CHARTER ENFORCEMENT
INCLUDING PROCESS FOR INVESTIGATING ETHICS AND
DECORUM VIOLATIONS**

Shall the Charter be amended to create the independent City Office of Charter Enforcement to investigate violations of Federal, State, County, and City laws, charter provisions, ordinances, and other regulatory provisions by City elected officials, appointed officials, and employees; provide for enforcement and penalties; provide for a process to designate an individual as the head of the

Office of Charter Enforcement; provide a process for filing complaints, conducting investigations, holding hearings, and issuing findings?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chairman Reisman who moved its adoption. The motion was seconded by member Bush and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	Yes

PASSED and ADOPTED this 31 day of March, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

SEC. 2.07 OFFICE OF CHARTER ENFORCEMENT.

(a) An Office of Charter Enforcement ("OCE") is hereby created. The responsibility of the OCE shall be enforcement of provisions of Federal Law, State Law, County Law, this Charter, City Ordinances, and Regulations. The OCE shall investigate matters including, but not limited to, violations of Federal Law, State Law, County Law, this Charter, City Ordinances, and Regulations related to conduct, public decorum, and ethics. The OCE's responsibility and mission is to insure compliance with Federal law, State law, County law, the City Charter, and City Ordinances, Resolutions, Rules and Regulations, enacted pursuant Charter authority. The OCE shall oversee, and if necessary, investigate all City activities of all elected officials, all Charter Officials, all employees, appointed positions, and any activity which negatively reflects on Doral's government.

(b) The Office shall be headed by the Charter Enforcement Official. The organization and administration of the OCE shall be independent from the City Council, City departments, and City employees, to assure that no interference or influence external to the OCE affects the objectivity of the OCE.

(c) The OCE shall be one person selected as follows: No later than September 1, 2014, the Chief Judge of the Circuit Court for the 11th Judicial Circuit of Florida, or if he/she declines, or is unable to act, then the Chair of the Miami-Dade County Ethics Commission shall appoint three (3) individuals from the following group of individuals to comprise the City of Doral OCE Selection and Oversight Committee: Deans of the Law Schools located in Miami-Dade County, retired Circuit Court, Appellate, or Supreme Court Judges residing in Miami-Dade County, current or former directors of the Miami-Dade County Ethics Commission, and individuals who are retired from service as the head of the Miami-Dade County Attorneys' Office. In the event an individual appointed to the OCE Selection and Oversight Committee vacates their position, the Chief Judge for the 11th Judicial Circuit of Florida, or the Chair of the Miami-Dade County Ethics Commission, whoever is responsible for appointing the members of the OCE Selection and Oversight Committee, shall appoint a qualified individual to fill the vacancy.

(d) No later than November 1, 2014, the Selection and Oversight Committee shall select a person qualified to perform the tasks described in Charter Section 2.07(a).

(e) The head of the OCE shall be experienced in matters of government ethics, enforcement proceedings, Roberts Rules of Order, and conduct of public official, management, public employees in public matters.

(f) Individuals may file a written complaint with the OCE by filing a sworn statement with the City Clerk's Office, under seal. A complaint may only serve as a basis for a good cause finding if it is signed by an identified person who verifies the contents of the complaint by including the following statement: "Under penalties of perjury, I declare that I have read the foregoing complaint and that based on my personal knowledge the facts stated in it are true." The OCE shall develop a complaint form consistent with the requirements of this paragraph.

Upon the receipt of a complaint, or on his/her own initiative, the OCE shall conduct an investigation, and if the OCE determines there is good cause to conduct an investigation, the OCE shall, issue written charges which shall include a statement of the facts upon which said charges are based. All charges and statements of the OCE shall be filed with the City Clerk's Office, and be part of the Public Record.

(g) After completing his or her investigation and determining that there is probable cause to believe a violation has occurred, the OCE shall notify the appropriate civil, criminal, or administrative agencies charged with enforcement related to the alleged violation. If no civil, criminal, or administrative agency has jurisdiction over the alleged violation, the matter shall be referred to a Hearing Officer, as provided for in this section, for a quasi-judicial enforcement proceeding.

- (1) The OCE shall refer findings of alleged criminal offenses to the Office of the State Attorney and/or the office of the United States Attorney.
- (2) The OCE shall refer findings of alleged civil offenses involving a violation of Chapter 112, Part III, Florida Statutes, to the Florida Commission on Ethics.
- (3) The OCE shall refer findings of alleged civil offenses involving a violation of the Miami-Dade County Code of Ethics to the Miami-Dade County Ethics Commission.
- (4) The OCE shall refer findings of alleged violations of The Florida Elections Code, Chapters 97 through 106, Florida Statutes, to the Florida Elections Commission (except as to alleged violations that may be criminal in nature, which shall be referred to the Office of the State Attorney).
- (5) The OCE shall refer other alleged violations to the appropriate civil, criminal, or administrative agency that would have jurisdiction over the same.

(h) Any civil infraction not covered by paragraphs (1) through (5) above, shall be stated in a complaint brought in the name of the OCE. The OCE may retain legal counsel not employed by the City to represent the OCE in prosecuting a complaint. The OCE shall serve the complaint of the alleged violator in any manner deemed proper service under the Florida Rules of Civil Procedure. A copy of the complaint shall also be filed with the City Clerk. Concurrently with such service, the OCE shall refer the complaint to a Hearing Officer chosen from a panel of Hearing Officers selected by the Selection and Oversight Committee. The alleged violator shall file a response to the complaint within thirty (30) days after service.

(i) In the event the facts lead to the conclusion that no violation has occurred, the OCE shall publish the findings of NO VIOLATION, conspicuously in the Miami Herald, the Doral Media, shall seek television coverage, and further publish those findings of NO VIOLATION on the City website. The OCE shall deliver copies of all final reports and findings to the alleged violator, the complainant, if any, the members of the City Council, the City Clerk, the City Manager, and the City Attorney.

(j) Except to any extent inconsistent with any provision of this Section, the Florida Rules of Civil Procedure and Florida Evidence Code, as amended, shall apply to all matters referred to a Hearing Officer under this Section.

(k) In addition to all other authority granted in this Section, the Hearing Officer **has the authority to:**

- (1) Issue scheduling orders, case-management orders, and briefing schedules;
- (2) Issue notices of hearings;
- (3) Hold hearings on any procedural or substantive matters related to the complaint;
- (4) Administer oaths and affirmations;
- (5) Issue subpoenas authorized by law, including those requiring attendance of witnesses and the production of documents and other items which may be used as evidence;
- (6) Rule upon motions presented and offers of proof and receive relevant evidence;
- (7) Issue appropriate orders to effectuate discovery;
- (8) Regulate the course of the hearing;
- (9) Dispose of procedural requests or similar matters; and
- (10) Enter any order, consistent with his or her authority, to carry out the purposes of this Charter provision.

(l) Within thirty (30) days after completion of the hearing process, the Hearing Officer shall issue a final order determining whether the OCE has proved the allegations of the complaint by a preponderance of the evidence. The final order shall contain detailed findings of fact and conclusions of law. If the Hearing Officer determines that misconduct has occurred, the final order shall specify the sanction(s) imposed, if any. The Hearing Officer may impose any of the following sanctions:

- (1) An individual determined to have committed **a violation** shall be assessed a monetary fine not to exceed Five Hundred Dollars (\$500.00) per violation.
- (2) In determining the amount of the fine, the Hearing Officer shall consider:
 - a. The gravity of the violation;
 - b. Whether it was intentional; and
 - c. Whether it is a repeat offense.
- (3) The Hearing Officer may determine that no fine shall be imposed upon making an affirmative, express finding that the violation was unintentional and *de minimus*.
- (4) In addition to a fine, the Hearing Officer may order the individual to relinquish for a period of time an administrative right or privilege provided under the City's **Charter**, Code of Ordinances, Resolutions, or Policies.
- (5) The Hearing Officer may also order a public reprimand or censure at a public meeting called for that purpose.

(m) All orders issued by the Hearing Officer, when final, are subject to judicial review as provided by applicable law.

(n) The OCE Selection and Oversight Committee shall be responsible for selecting a panel of qualified hearing officers. No later than November 1, 2014, the OCE Selection and Oversight Committee shall issue a request for letters of interest for retired judges who reside in Miami-Dade County to serve as City of Doral Hearing Officers. No later than December 1, 2014, the OCE shall select a panel of five (5) Hearing Officers to serve in the City of Doral. The Hearing Officers shall be placed on a rotating list for selection. Upon the issuance of a complaint, the City Clerk shall select the next Hearing Officer on the list to handle the hearing process.

(o) The OCE shall also issue a written statement every three (3) months from the date of his/her designation, stating the status of all pending complaints, together with the facts which have been discovered at that time. The OCE Selection and Oversight Committee shall review the OCE statements and reports at an annual meeting to be held in the month of May each year, and issue a report to the City Council with any recommendations.

(p) All investigations shall be completed within six (6) months from the date of the complaint, or the date on which the OCE commenced its investigation when there was not a complaint filed by an individual, and issue the findings, facts upon which said findings are based, together with any referral to law enforcement or Ethics Enforcement body.

(q) By becoming a City elected official, appointed official, or employee, each individual submits to OCE oversight, and is entitled to confront any person who makes accusations against that individual, which result in negative published findings by the OCE.

(r) From time to time, as the OCE determines necessary, the Miami-Dade County Ethics Commission's investigative staff may be employed for matters, the investigation of which, exceed the capacity of the OCE. The costs of such an investigation shall be determined prior to entering into such a relationship with Miami-Dade County Ethics Commission, and the specified contract amount shall be strictly followed. In the event additional investigation becomes necessary, the OCE shall present the state of the findings to the Broward County Inspector General, and together a decision shall be made whether to conclude the investigation or go forward.

(s) Each member of the OCE Selection and Oversight Committee shall be entitled to reimbursement of all reasonable expenses related to their service on the OCE Selection and Oversight Committee, and shall be provided a defense and indemnified and held harmless by The City of Doral from an action of any and every kind resulting from his/her position or activity on the OCE Selection and Oversight Committee.

(t) The Designee to head the OCE shall serve for a period of four (4) years, unless he/she retires or is otherwise removed for Florida statutory cause.

(u) Upon resignation or removal of the head of the OCE, the OCE Selection and Oversight Committee shall commence the process for retaining an individual to serve as the head of the OCE.

(v) The Doral City Council, shall, upon the certification of the election of this Charter Revision, immediately fund the Search and Oversight Committee and the designee to head the OCE with sufficient funds to perform the requirements of this Section, and insure that City facilities, equipment, and resources are available for use by the OCE, the Search and Oversight Committee, and the Hearing Officers.

(w) The provisions of this Charter Section may only be amended following a referendum election held in the City of Doral pursuant to an ordinance adopted by four (4) affirmative votes of the Doral City Council calling for such a referendum election related to the amendment of any provision of this Charter Section. The provisions of this paragraph shall not apply to any proposed amendments to this Charter Section proposed by any Charter Review Commission appointed subsequent to the adoption of this Section.

CRC RESOLUTION NO. 2014-02

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR A PROCESS FOR THE APPOINTMENT OF THE CITY MANAGER, CITY ATTORNEY, AND CITY CLERK (COLLECTIVELY “THE CHARTER OFFICERS”) BY PROVIDING FOR THE CITY COUNCIL TO APPOINT A SEARCH COMMITTEE, ESTABLISHING MINIMUM QUALIFICATIONS FOR THE CHARTER OFFICER POSITIONS, AND TO PROVIDE FOR A PROCESS FOR THE REMOVAL OF A CHARTER OFFICER; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City’s electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral Electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for an appointment process, a search committee, and removal process for the City Manager, City Attorney, and City Clerk, and to provide minimum qualifications for the City Manager, City Attorney, and City Clerk, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

HIRING AND REMOVAL OF THE CITY MANAGER

CITY ATTORNEY AND CITY CLERK

Currently the Charter authorizes the Mayor to nominate the City Manager and City Attorney, subject to City Council approval; removal of City Manager, City Attorney, and City Clerk occurs by City Council majority vote. Shall the Charter be amended to provide for a search committee to recommend a City Manager, City Attorney, and City Clerk; to provide for a removal process; and to establish minimum qualifications for City Manager, City Attorney, and City Clerk?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by member Mazzola who moved its adoption. The motion was seconded by Vice Chair Reisman and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Absent (Excused)
Eduardo Gomez	No

PASSED and ADOPTED this 13th day of March, 2014



JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

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) Recommend the appointment of a City Manager to the Council in accordance with Section 3.02 of this Charter.~~

~~ii) Recommend the appointment of a City Attorney to the Council in accordance with Section 3.07 of this Charter.~~

* * *

Sec. 3.01. City Manager.

There shall be a City Manager (the "Manager") who shall be the chief administrative officer of the City. The Manager shall be responsible to the Council for the administration of all City affairs.

Section 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.

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**Coding: Words in ~~struck through~~ type are deletion from existing text.
Words in underscored type are additions.**

(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.

Section 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. 3.02. Appointment; removal; compensation of the Manager.~~

~~The Manager shall be nominated by the Mayor subject to confirmation by a majority of the Council. Once a selection for Manager has been submitted to the Council and rejected, that name may not be resubmitted to the Council by the Mayor without approval by a majority of the Council. The Manager may be removed at any time by a majority of the Council either upon the recommendation of the Mayor or upon the Council's own motion. The term, conditions of employment, and compensation of the Manager shall be established by the Council.~~

Sec. ~~3.04~~3.03. Powers and duties of the Manager.

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**Coding: Words in ~~struck-through~~ type are deletion from existing text.
Words in underscored type are additions.**

The Manager shall:

- (1) Be responsible for the hiring, supervision and removal of all City employees;
- (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 bachelor'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 Association.

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**Coding: Words in ~~struck-through~~ type are deletion from existing text.
 Words in underscoring type are additions.**

Sec. ~~3.06~~3.04. 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~~3.05. 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. 3.06. City Clerk.

(a) Duties. ~~The Council shall appoint a City Clerk (the "Clerk").~~ 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; ~~removal~~; compensation. The Council shall appoint the Clerk for an indefinite term. ~~The Clerk may be removed at any time by a majority of the Council either upon the recommendation of the Mayor or upon the Council's own motion.~~ The compensation and benefits of the Clerk shall be fixed by the Council.

3.07 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. ~~3.08~~3.07. City Attorney.

~~The Mayor shall nominate, subject to approval by a majority of the Council, The City Attorney shall be~~ an individual attorney or law firm that shall perform the duties of ~~to act as~~ the City Attorney under such terms, conditions, and compensation as may be established by the Council. The City Attorney shall report to the Council. ~~The City Attorney may be removed by the Council at any time.~~

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**Coding: Words in ~~struck through~~ type are deletion from existing text.
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3.09 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 five (5) years at the time of their appointment, be a member of good standing in the Florida Bar, and have no less than three (3) years' experience in the practice of law for local government.

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**Coding: Words in ~~struck-through~~ type are deletion from existing text.
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CRC RESOLUTION NO. 2014-15

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION, AMENDING CRC RESOLUTION NO. 2014-04 AND ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR THE ELIMINATION OF RUNOFF ELECTIONS; PROVIDE FOR THE CANDIDATES FOR COUNCILMEMBER TO BE PLACED IN A GROUP ON THE BALLOT; PROVIDING FOR THE DATE FOR COMMENCEMENT OF TERMS FOR ELECTED OFFICIALS; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral Charter Review Commission has the authority to submit proposals to amend the City of Doral Charter; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for the elimination of runoff elections, the placement of candidates for Councilmember seats in one group on the ballot, and the date for the commencement of terms of office for elected officials, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**ELIMINATING RUNOFF ELECTIONS; GROUPING OF
COUNCILMEMBER CANDIDATES ON BALLOT; COMMENCEMENT
OF ELECTED OFFICIALS' TERMS**

Currently the Charter authorizes runoff elections, qualification of candidates for Councilmember by seat; terms commence the day after a general election. Shall the Charter be amended to eliminate runoff elections; provide for the placement of all Councilmember candidates in one group on the ballot with the candidate receiving the highest number of votes being elected; provide the elected officials' term to commence at the first City Council meeting following election certification?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chairman Reisman who moved its adoption. The motion was seconded by member Bush and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	No

PASSED and ADOPTED this 1st day of April, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dn

EXHIBIT "A"

ARTICLE V. ELECTIONS

Section 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.

(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 fourth Tuesday in November.~~ The Council shall hold no meetings between the general election and the swearing in of newly elected or re-elected Members of the Council, except in case of an emergency affecting life, health, property, or the public peace.

(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~~ Councilmember Seats which are to be filled as a result of ~~the~~ Councilmembers' terms expiring, as provided herein.

(i) In 2014, and every four years thereafter, the ballot for the general election shall contain all of the qualified candidates for Councilmember Seats 2 and 4, and shall instruct the electors to vote for any two candidates. The candidate with the greatest number of votes shall be elected to Seat 2 for a four-year term, and the candidate with the second highest number of votes shall be elected to Seat 4 for a four-year term. In the event of a tie, the candidates who tie with the same number of votes shall have their names written on separate pieces of paper and placed in a sealed container. The City Clerk shall pick the name of the candidate out of the container. The first name pulled out of the container shall be elected to the respective seat.

(ii) In 2016, and every four years thereafter, the ballot for the general election shall contain all of the qualified candidates for Mayor and for Councilmember Seats 1 and 3, and shall instruct the electors to vote for the Mayor and any two candidates for Councilmember. The candidate for Mayor with the greatest number of votes shall be elected Mayor for a four-year term. The candidate for Councilmember with the greatest number of votes shall be elected to Seat 1 for a four-year term. The candidate for Councilmember with the second highest number of votes shall be elected to Seat 3 for a four-year term. In the event of a tie, the candidates who tied shall have their names written on separate pieces of paper and placed in a

sealed container. The City Clerk shall pick the name of the candidate out of the container. The name selected shall be elected to the respective seat.

~~, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each Seat. If any candidate for Mayor receives a number of votes greater than 50% of the total number of ballots cast, such candidate shall be the duly elected Mayor, and no run-off election for Mayor shall be required. If any candidate(s) for a Seat receive(s) a number of votes greater than 50% of the total number of ballots cast for that Seat, such candidate(s) shall be duly elected to the Council and no run-off election for that Seat(s) shall be required.~~

~~(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 term of office of any elected official will commence on the day following the general election, or if a run-off election is necessary for the office of Mayor or for any Seat open at that time, on the day following the run-off election.~~

(i) *Commencement of terms.* The members of the City Council 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.

CRC RESOLUTION NO. 2014-10

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR INDIVIDUALS WHO SERVE AS EITHER MAYOR OR COUNCILMEMBER TO BE LIMITED TO SERVING A TOTAL OF TWO (2) TERMS IN ELECTED OFFICE FOR THE CITY OF DORAL; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors ; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for a limitation of no more than two (2) terms for any individuals elected to serve as either Mayor or Councilmember in the City of Doral, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**INDIVIDUALS LIMITED TO TWO TERMS IN OFFICE;
TERM IS TIME SERVED**

Currently the Charter limits individuals from serving more than two consecutive elected terms in their respective office. Shall the Charter be amended to limit any individual from serving more than two four-year terms as an elected official in the City of Doral; to provide for a term to be time served in the position of Mayor or Councilmember?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chairman Reisman who moved its adoption. The motion was seconded by member Bush and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	No

PASSED and ADOPTED this 1st day of April, 2014



JESSE A. JONES, CHAIR

ATTEST:



BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

ARTICLE II CITY COUNCIL; MAYOR.

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~~ terms 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 ~~more than two years of service as a Councilmember~~. No person shall serve as a Member of Council Mayor for more than two ~~consecutive elected~~ terms. ~~No person may serve as a Councilmember for more than two consecutive Terms. 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. 5.01 Elections.

~~(i) Commencement of terms. — The term of office of any elected official will commence on the day following the general election, or if a run-off election is necessary for the office of Mayor or for any Seat open at that time, on the day following the run-off election.~~

(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.

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Coding: Words in ~~struck-through~~ type are deletion from existing text.
Words in underscored type are additions.

CRC RESOLUTION NO. 2014-13

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR THE POSITION OF VICE-MAYOR TO BE ROTATED AMONGST THE COUNCILMEMBER SEATS ON AN ANNUAL BASIS; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors ; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is to provide for the Vice-Mayor position to rotate amongst the Councilmembers automatically in a specified order according to seats, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**VICE MAYOR TO BE APPOINTED BY
CITY COUNCIL IN SEAT ROTATION ORDER**

Currently the Charter provides for the City Council to elect a Councilmember to serve as Vice-Mayor. Shall the Charter be amended to provide for the Vice-Mayor position to automatically rotate amongst the Councilmembers for one-year terms in the following order, Seat 1, Seat 3, Seat 2, and Seat 4?

YES FOR APPROVAL _____
NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chairman Reisman who moved its adoption. The motion was seconded by member Mazzola and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	Yes

PASSED and ADOPTED this 1st day of April, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

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").

* * *

(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 ~~first~~ Council meeting following certification of the election results for the regular City election, after each 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 ~~Council shall elect a Councilmember as~~ 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.

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**Coding: Words in ~~struck through~~ type are deletion from existing text.
 Words in underscoring type are additions.**

CRC RESOLUTION NO. 2014-06

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR A PROCESS FOR COMMISSIONERS TO PRESENT ITEMS ON A CITY COUNCIL MEETING AGENDA; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for a process for members of the City Council to place items on City Council meeting agendas, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**PROCESS FOR CITY COUNCIL MEMBERS TO PLACE ITEMS ON
THE CITY COUNCIL AGENDA**

Shall the Charter be amended to provide a process governing City Council members' ability to place items on City Council agendas; including time limits for submittal of agenda items by members of the City Council, and a prohibition on placing non-published agenda items on agendas except in the case of emergencies?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chair Reisman who moved its adoption. The motion was seconded by member Mazzola and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Absent (Excused)
Eduardo Gomez	No

PASSED and ADOPTED this 13th day of March, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT “A”

Section 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.

CRC RESOLUTION NO. 2014-07

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR PROCESS FOR MEMBERS OF THE CITY COUNCIL TO ESTABLISH BOARDS AND COMMITTEES AND TO APPOINT MEMBERS TO BOARDS AND COMMITTEES; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for members of the City Council to establish boards and committees and to appoint individuals to the boards and committees, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**PROCESS FOR CITY COUNCIL MEMBERS TO ESTABLISH BOARDS
AND APPOINT INDIVIDUALS TO BOARDS**

Currently the Charter provides for the Mayor to appoint individuals to City boards and committees, subject to the City Council approval. Shall the Charter be amended to provide processes to have the City Council establish boards and committees, and to have members of the City Council appoint individuals to serve on City boards and committees?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chair Reisman who moved its adoption. The motion was seconded by member Mazzola and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Absent (Excused)
Eduardo Gomez	No

PASSED and ADOPTED this 13th day of March, 2014



JESSE A. JONES, CHAIR

ATTEST:



BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT “A”

Section 2.02. Mayor and Vice Mayor

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:

* * *

~~iv) May create and appoint subject to Council approval, committees of the Council which may include non-Councilmembers. The members of each committee shall select a chair.~~

3.10 City Boards and Committees

(a) The City Council may, at any time, create by (ordinance/resolution) boards and committees in connection with any necessary public functions of the City. The (ordinance/resolution) creating such bodies shall specify the powers and duties of the body or agency and the number, qualifications and terms of office of the members thereof. In addition, the ordinance/resolution establishing the committee or board shall include the length of time the committee/board shall serve, the goals and objectives of the committee/board, the expectations of the board/committee, the expected measurements and outcomes, if applicable, and the timing for any reports to be submitted to the City Council.

(b) Members of the advisory board or committee shall be appointed by resolution adopted by the City Council, and shall serve at the pleasure of the City Council unless otherwise specified. The City Council may at any time abolish any existing board or committee by (ordinance/resolution) and transfer the duties of same to any other board, committee, employee, or department.

(c) Members of City boards and committees shall serve without compensation unless otherwise stipulated, but shall receive necessary expenses approved by the City Council and supported by proper documentation. Such boards and committees shall be part of the municipal government and shall utilize the services of the regular departments of the City including the Office of City Attorney and City Clerk.

(d) Any member of any board, authority, council or agency or any advisory board, or committee created in pursuance of this Charter who becomes a candidate for any public elective office in the City of Doral shall automatically forfeit his office on any such board or agency.

~~Sec. 3.10. City boards and agencies.~~

~~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~~

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~~Council. Members of boards and agencies shall be appointed by the Mayor subject to the approval of the Council. The Council by affirmative vote of a majority of its members may remove members of boards and agencies.~~

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CRC RESOLUTION NO. 2014-14

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR AN ADJUSTMENT TO THE SALARIES PAID TO THE MAYOR AND COUNCILMEMBERS; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for an adjustment to the salaries for the Mayor and Councilmembers, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**PROVIDE FOR AN ADJUSTMENT TO THE SALARIES FOR THE
MAYOR AND COUNCILMEMBERS**

Currently the Charter provides for the Mayor's salary to be \$50,000, and the Councilmembers' salaries to be \$12,000; with adjustments for cost of living increases, which have adjusted the current salaries to \$63,171 for the Mayor and \$15,153 for Councilmembers. Shall the Charter be amended to provide for the Mayor's salary to be \$60,000, and the Councilmembers salary to be fifty percent (50%) of the Mayor's salary, with cost of living adjustments?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by member Gomez who moved its adoption. The motion was seconded by member Bush and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	Yes

PASSED and ADOPTED this 1st day of April, 2014



JESSE A. JONES, CHAIR

ATTEST:



BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

Sec. 2.06. Compensation; reimbursement for expenses.

~~Councilmembers shall receive compensation in the amount of \$12,000 per fiscal year.~~ The Mayor shall receive compensation in the amount of ~~\$60,000~~50,000 per fiscal year. Councilmembers shall receive compensation in the amount of fifty percent (50%) of the Mayor's salary per fiscal year. The above notwithstanding, the compensation for Councilmembers and the Mayor shall be adjusted each calendar year consistent with the Urban Consumer Price Index. 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.

CRC RESOLUTION NO. 2014-12

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR AN INDIVIDUAL HAVING TO RESIDE IN THE CITY OF DORAL FOR SIX MONTHS PRIOR TO QUALIFYING IN ORDER TO QUALIFY FOR CANDIDACY FOR THE OFFICE OF MAYOR OR COUNCILMEMBER; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for a residency requirement for any individual to qualify for candidacy for the office of Mayor or Councilmember to have resided in the City of Doral for at least six (6) months prior to qualifying, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**REDUCE RESIDENCY REQUIREMENT FOR QUALIFYING FOR
MAYOR OR COUNCILMEMBER FROM TWO YEARS TO SIX
MONTHS**

Currently the Charter requires an individual who is an elector in the City to reside in the City continuously for at least two years prior to qualifying for candidacy for the office of Mayor or Councilmember. Shall the Charter be amended to reduce the period of time an elector must continuously reside in the City prior to qualifying for candidacy for the office of Mayor or Councilmember from two years to six months?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chairman Reisman who moved its adoption. The motion was seconded by member Mazzola and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Yes
Eduardo Gomez	No

PASSED and ADOPTED this 1st day of April, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

Section 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 ~~six months~~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.

CRC RESOLUTION NO. 2014-05

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR THE NUMBER OF SIGNATURES NECESSARY TO SUBMIT INITIATIVE AND REFERENDUM PETITIONS TO BE NO LESS THAN THREE PERCENT (3%) OF THE TOTAL NUMBER OF ELECTORS REGISTERED TO VOTE AT THE LAST REGULAR CITY ELECTION; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VI of the City of Doral Charter, the City of Doral Charter Review Commission may submit proposals to amend the City of Doral Charter directly to the City's electors; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for the number of signatures necessary to submit initiative and referendum petitions to be no less than three percent (3%) of the total number of electors registered to vote at the last regular City election, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**REDUCTION IN THE NUMBER OF SIGNATURES FOR INITIATIVE
AND REFERENDUM PETITIONS**

Currently the Charter authorizes the submittal of initiative and referendum petitions signatures of at least ten percent of the total number of electors registered to vote at the last regular City election. Shall the Charter be amended to reduce the number of signatures necessary to submit initiative and referendum petitions to an amount no less than three percent of the number of electors registered to vote at the last regular City election?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Vice Chair Reisman who moved its adoption. The motion was seconded by member Mazzola and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Absent (Excused)
Eduardo Gomez	No

PASSED and ADOPTED this 13th day of March, 2014



JESSE A. JONES, CHAIR

ATTEST:



BARBARA HERRERA, CITY CLERK

DNT:dnt

EXHIBIT "A"

Section 5.02. Initiative and referendum.

* * *

(c) *Petitions.*

(i) *Number of signatures.* Initiative and referendum petitions must be signed by no less than ~~at least~~ three percent ~~10~~ (3%) of the total number of electors registered to vote at the last regular City election.