

ORDINANCE No. 2007-04-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING AND ADOPTING AN ORDINANCE AS REQUIRED BY ARTICLE VI OF THE CITY OF MIAMI GARDENS CHARTER; IMPLEMENTING ARTICLE VI ENTITLED "CHARTER AMENDMENTS;" ENABLING THE CITY TO AMEND ITS CHARTER CONSISTENT WITH ARTICLE VI OF THE CITY OF MIAMI GARDENS CHARTER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VI of the City of Miami Garden's Charter entitled "Charter Amendments" provides that the Charter may be amended in accordance with the provisions of Section 5.03 of the Home Rule Charter of Miami-Dade County, and

WHEREAS, Article VI also provides that, in order to implement that Article, the Council must adopt an Ordinance expressly implementing same, and

WHEREAS, the City Council of the City of Miami Gardens finds it in the best interests of the citizens of Miami Gardens to adopt an Ordinance implementing Article 6 of the City Charter,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ORDINANCE: An Ordinance is hereby created to implement Article VI of the Miami Gardens Charter as follows:

Consistent with the requirements of Article VI of the City's Charter, the City Council of the City of Miami Gardens expressly adopts and officially implements Article

VI, entitled "Charter Amendments" of the City of Miami Gardens Charter in order to authorize future amendments to the City of Miami Garden's Charter consistent with Article VI.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 10TH DAY OF JANUARY, 2007.

ADOPTED AND PASSED ON SECOND READING BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24<sup>th</sup> DAY OF January, 2007.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: Sonja K. Dickens, City Attorney

MOVED BY: Vice Mayor Braynon  
SECONDED BY: Councilwoman Watson

VOTE: 7-0

Mayor Gibson	<u>  x  </u> (Yes)	<u>    </u> (No)
Vice Mayor Oscar Braynon, II	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Aaron Campbell Jr.	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman André Williams	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Barbara Watson	<u>  x  </u> (Yes)	<u>    </u> (No)

# City of Miami Gardens

1515-200 NW 167<sup>th</sup> Street  
Miami Gardens, Florida 33169



Mayor Shirley Gibson  
Vice Mayor Oscar Braynon II  
Councilman Melvin L. Bratton  
Councilman Aaron Campbell Jr.  
Councilman André Williams  
Councilwoman Sharon Pritchett  
Councilwoman Barbara Watson

## MEMORANDUM

**To:** Mayor and City Council  
**From:** Sonja K. Dickens  
City Attorney  
**Date:** January 24, 2007  
**Re:** Article VI - Charter Amendment

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Article VI of the City of Miami Garden's Charter entitled "Charter Amendments" provides that the Charter may be amended in accordance with the provisions of Section 5.03 of the Home Rule Charter of Miami-Dade County. Article VI also provides that, in order to implement that Article, the Council must adopt an Ordinance expressly implementing Section 5.03 of the Miami-County Charter. The attached item implements Article 6 of the City Charter.

**RECOMMENDATION:** To adopt this ordinance on second reading and public hearing.