

ORDINANCE No. 2007-24-130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, PROVIDING FOR A PROCEDURE FOR THE CITY TO ACCEPT DONATIONS; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on occasion, items and/or funding has been donated to the City, and

WHEREAS, the City would like to establish proper procedure for the acceptance of donations, and

WHEREAS, the City Council would like to provide for certain authorization to the City Manager with respect to the acceptance of donations,

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. DONATIONS UP TO \$25,000.00: The City Manager is hereby authorized to accept all donations valued up to \$25,000.00 upon determining that there is no conflict of interest with accepting said donation and upon determining that acceptance of said donation is not in contravention of any law.

SECTION 3. DONATIONS OVER \$25,000.00: All donations that are valued more than \$25,000.00, and that are not a part of a program intended to be supported by sponsors donations and that has been approved by the City Council, must be approved by the City Council.

SECTION 4. PROGRAM DONATIONS: The City Manager shall have the authority to accept donations valued at any amount, so long as the donation is a part of a program intended to be supported by sponsorship donations and that is previously approved by the City Council.

SECTION 5. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

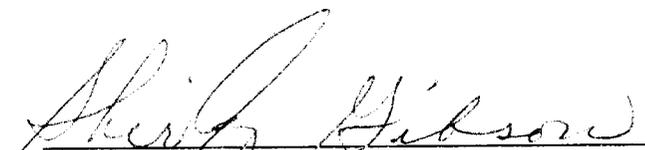
SECTION 6. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. 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 8. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 24TH DAY OF OCTOBER 2007.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 14th DAY OF NOVEMBER, 2007.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS. ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilman Braynon
SECONDED BY: Councilman Bratton

VOTE: 4-0

Mayor Shirley Gibson	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Vice Mayor Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Aaron Campbell	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilwoman Sharon Pritchett	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilman André Williams	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

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City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



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

Agenda Cover Page

Date: November 14, 2007

Fiscal Impact: No **X** Yes
(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:
Danny Crew, City Manager

Public hearing

Ordinance **X**

1st Reading

Advertising requirement: Yes x No

RFP/RFQ/Bid #

Quasi-Judicial

Resolution

2nd Reading X

Title

An Ordinance of the City Council of the City of Miami Gardens, Florida, providing for a procedure for the City to accept donations; providing for authorization to the city manager; providing for adoption of representations; repealing all ordinances in conflict; providing a severability clause; providing for inclusion in code; providing an effective date.

Staff Summary

At various times, the City receives offers of property to be donated. The attached Ordinance is being proposed, in an effort to establish the necessary procedures that we recommend would be appropriate. It allows the City Manager to accept donations to a Council-approved program supported by sponsorship donations; and to accept donations up to \$25,000 and requires Council approval for donations over \$25,000.

The proposed ordinance was approved on first reading on October 24, 2007.

Recommendation:

We recommend that the City Council approve the ordinance on second reading, providing for procedures for the City to accept donations.

**I-2) ORDINANCE
2ND READING
DONATION ACCEPTANCE**