ORDINANCE No. 2008-25-161

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA AMENDING SECTION 3 OF ORDINANCE NO. 06-04-85 TO EXPAND THE MEMBERSHIP OF THE ELDERLY AFFAIRS ADVISORY COMMITTEE FROM SEVEN (7) MEMBERS TO FIFTEEN (15) MEMBERS; AMENDING SECTION 4 OF ORDINANCE NO. 06-04-85 TO STAGGER THE TERMS OF OFFICE OF MEMBERS OF THE ELDERLY AFFAIRS ADVISORY COMMITTEE; AMENDING SECTION 12 TO CHANGE THE QUORUM REQUIREMENTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has created an Elderly Affairs ("Committee") to advise and make recommendations to the City Council with regard to matters pertaining to senior citizens residing in the City, and

WHEREAS, in accordance with Ordinance No. 2007-17-123, the terms of the members who previously served on the Committee have expired, and

WHEREAS, the City Council has determined that it would like to expand the number of members to the committee and to stagger the terms of the Committee members, and

WHEREAS, since the number of members is increasing, it is appropriate to change the number of members that must be present to constitute a quorum,

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. AMENDMENT: Section 3 of Ordinance No. 06-04-85 is hereby amended as follows:

MEMBERSHIP/APPOINTMENT:

The Committee shall be comprised of ~~seven (7)~~ fifteen (15) members. ~~The Mayor and each City Council member shall have the right to appoint a member to the Committee~~. Each Council member shall appoint (2) two members to the committee and the Mayor shall appoint three (3) members to the committee. Each committee member appointed by the Mayor and City Council shall serve at the pleasure of the Mayor or City Council member appointing such member.

SECTION 3. AMENDMENT: Section 4 of Ordinance No. 06-04-85 is hereby amended as follows:

TERM:

~~The terms of office for all Committee members shall commence upon appointment and shall coincide with the term of the Mayor or City Council member making the appointment. New Committee members shall be appointed at the next regularly scheduled City Council meeting following the commencement of the term of the Mayor or appointing City Council member.~~

In order that the terms of office of all members of the committee shall not expire at the same time, the initial appointments to the committee shall be

as follows: Seven (7) members of the committee shall be appointed for a term of two years from date of its first meeting and eight (8) members shall be appointed to the committee for a term of three years. Members appointed thereafter serve for a period of three years or until a successor is appointed, whichever occurs later.

SECTION 4. AMENDMENT: Section 12 of Ordinance No. 06-04-85 is hereby amended as follows:

SECTION 12. QUORUM: The presence of ~~four (4)~~ eight (8) or more Committee members shall constitute a quorum.

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 IN FULL ON THE 25th DAY OF JUNE, 2008.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 9TH DAY OF JULY, 2008

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK
Prepared by SONJA K. DICKENS, ESQ.
City Attorney

SPONSORED BY: Vice-Mayor Barbara Watson &
Councilwoman Sharon Pritchett

MOVED BY: Councilman Gilbert
SECOND BY: Councilwoman Pritchett

VOTE: 6-0

Mayor Shirley Gibson	X (Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No) (not present)
Councilman Melvin L. Bratton	X (Yes)	___(No)
Councilman Aaron Campbell	X (Yes)	___(No)
Councilman Andre' Williams	X (Yes)	___(No)
Councilwoman Sharon Pritchett	X (Yes)	___(No)
Councilman Oliver Gilbert, III	X (Yes)	___(No)

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City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169

Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman Andre Williams

Agenda Cover Page

Date: July 9, 2008
Fiscal Impact: No X Yes ☐
(If yes, explain in Staff Summary)
Funding Source:
Contract/P.O. Requirement: Yes ☐ No X ☐
Sponsor Name/Department:
Vice Mayor Barbara Watson & Councilwoman Sharon Pritchett

Public hearing ☐ Quasi-Judicial ☐
Ordinance **X** Resolution
1st Reading **X** 2nd Reading ☐
Advertising requirement: Yes ☐ No ☐
RFP/RFQ #_____ Yes ☐ No ☐

Title

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 3 OF ORDINANCE NO. 06-04-85 TO EXPAND THE MEMBERSHIP OF THE ELDERLY AFFAIRS ADVISORY COMMITTEE FROM SEVEN (7) MEMBERS TO 15 (FIFTEEN) MEMBERS; AMENDING SECTION 4 OF ORDINANCE NO. 06-04-84 TO STAGGER THE TERMS OF OFFICE OF MEMBERS OF THE ELDERLY AFFAIRS ADVISORY COMMITTEE; AMENDING SECTION 12 TO CHANGE THE NUMBER OF COMMITTEEE MEMBERS THAT MUST BE PRESENT TO CONSTITUTE A QUORUM; PROVIDING FOR ADOPTION OR REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDNG A SEVERABILITY CLAUSE; PROVIDNG FOR INCLUSION IN CODE; PROVINDING AN EFFECTIVE DATE.

Staff Summary

In accordance with Ordinance No. 06-0485, Section 3, and 4 will be amended to reflect the increase the number of members serving on the Elderly Affairs Committee and the length of term. The members will increase in numbers from seven (7) to fifteen (15) with staggered terms. Seven appointees will initially serve two (2) years and the remaining eight (8) appointees will serve three (3) years; all appointees following will be appointed for a term of three (3) years or until a successor is appointed, whichever occurs later. A total of eight (8) members will need to be present to form a quorum.

The Committee will continue to function in it's original capacity which is to advise the City Council in regards to policies and programs addressing the issues and needs of the elderly residents of the City.