

ORDINANCE NO. 2010-27-235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING A LOCAL HIRING PROCESS FOR CITY RESIDENTS; ESTABLISHING PROCEDURES; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Councilman Gilbert desires to establish a local hiring process whereby City residents will be entitled to a five point preference over non-resident job applicants, and

WHEREAS, the establishment of a local hiring process will increase job opportunities and curtail residential flight to other cities in search of employment, and

WHEREAS, residents have a greater personal knowledge of the City and a personal stake in the community making them ideal candidates for City employment,

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 paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. ADOPTION OF ORDINANCE: The City Council of the City of Miami Gardens hereby adopts an Ordinance establishing a preferential hiring program for City residents.

Section 3. PURPOSE: The purpose of this Ordinance is to encourage the hiring of City residents.

Section 4. DEFINITIONS: The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

- A. *Applicant* means a person who has filed an application for employment in a particular position with the Department of Human Resources.
- B. *Position* shall mean a specific job approved in the City budget, or otherwise authorized by the City Manager.
- C. *Resident* shall mean any person whose usual place of domicile is located within the municipal boundaries of the City as established by the City's Charter.

Section 5. ESTABLISHMENT OF LOCAL HIRING PROCESS:

Except where federal or state law mandates to the contrary, any and all residents of the City making applications for initial employment, who shall have resided in the City six (6) months prior to making an application, shall be entitled to a five (5) point preference in hiring.

Section 6. ESTABLISHMENT OF PROCEDURES FOR APPLYING LOCAL PREFERENCE POINTS: The City Manager shall establish a process whereby the five (5) point residential preference is provided to all applicants for positions with the City, except as listed in Section 8 herein.

Section 7. ESTABLISHMENT OF REPORTING REQUIREMENTS: The City Manager shall submit quarterly reports to the Mayor and City Council outlining the following statistical data:

- A. The number of completed job applications submitted by City residents;

- B. The number of interviews afforded to residents; and
- C. The number of residents hired for employment within the City.

Section 8. EXCEPTIONS: This Ordinance shall not apply to the following employment positions:

- A. The City Manager;
- B. The City Attorney; and
- C. The City Clerk.

Section 9. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 10. 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 11. 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 section 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.

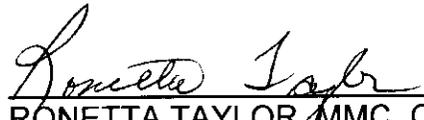
Section 12. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 8th DAY OF SEPTEMBER, 2010.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 22th DAY OF SEPTEMBER, 2010.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA K. DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: COUNCILMAN OLIVER GILBERT, III

Moved by: Councilman Gilbert
Second by: Councilwoman Pritchett

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	____ (No)
Vice Mayor Aaron Campbell	<u> X </u> (Yes)	____ (No)
Councilwoman Lisa Davis	<u> X </u> (Yes)	____ (No)
Councilman Oliver Gilbert III	<u> X </u> (Yes)	____ (No)
Councilman Andre' Williams	<u> X </u> (Yes)	____ (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	____ (No)
Councilwoman Felicia Robinson	<u> X </u> (Yes)	____ (No)