

ORDINANCE NO. 2013-03-291

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE II, DIVISION II, SECTION 2-56 ENTITLED "ORDER OF BUSINESS" OF THE CITY'S CODE OF ORDINANCES; 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 holds quasi-judicial hearings on zoning matters at 7 p.m. on the first Wednesday of each month, and

WHEREAS, City staff recommends that Zoning hearings be rescheduled to coincide with City Council meetings, and

WHEREAS, it is necessary to amend the City's Code of Ordinances to include quasi-judicial zoning hearings in the regular order of business at City Council meetings,

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. **AMENDMENT:** Article II, Division II of the City of Miami Gardens' Code of Ordinances shall be amended as follows:

Sec. 2-56. - Order of business.

Promptly at the hour set by this division on the day of each regular meeting, the members of the city council shall take their seats, and the business of the city council shall be

Added language is underlined. Deleted language is stricken through.

taken up for consideration and disposition in the following order:

- (1) Call to order/roll call.
- (2) Invocation.
- (3) Pledge of Allegiance.
- (4) Approval of minutes.
- (5) Order of business, items shall be pulled from the consent agenda at this time.
- (6) Special presentations.
- (7) Public comments.
- (8) Ordinances for first reading.
- (9) Ordinances for second reading (public hearings).
- (10) Resolutions for public hearings.
- (11) Consent agenda.
- (12) Resolutions on the regular agenda.
- (13) Quasi-Judicial Zoning hearings
- ~~(13)~~ (14) Reports of city manager/city attorney/city clerk.
- ~~(14)~~ (15) Reports of mayor and city council members.
- ~~(15)~~ (16) Written request, petitions and other written communications from the public.
- ~~(16)~~ (17) Adjournment.

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 CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Added language is underlined. Deleted language is stricken through.

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

PASSED ON FIRST READING ON THE 13th DAY OF FEBRUARY, 2013.

PASSED ON SECOND READING ON THE 27th DAY OF FEBRUARY, 2013.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 27th DAY OF FEBRUARY, 2013.

Added language is underlined. Deleted language is stricken through.


OLIVER GILBERT, III, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

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

SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: Vice Mayor Davis
Second by: Councilman Ighodaro

VOTE: 7-0

| | | |
|------------------------------------|----------------|------------|
| Mayor Oliver Gilbert, III | <u>X</u> (Yes) | _____ (No) |
| Vice Mayor Lisa Davis | <u>X</u> (Yes) | _____ (No) |
| Councilwoman Lillie Q. Odom | <u>X</u> (Yes) | _____ (No) |
| Councilman David Williams Jr | <u>X</u> (Yes) | _____ (No) |
| Councilwoman Felicia Robinson | <u>X</u> (Yes) | _____ (No) |
| Councilman Rodney Harris | <u>X</u> (Yes) | _____ (No) |
| Councilman Erhabor Ighodaro, Ph.D. | <u>X</u> (Yes) | _____ (No) |

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City of Miami Gardens Agenda Cover Memo

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|---|------------------------------------|-----------|--|---|------------------|-------------------------------|-----------|
| Council Meeting Date: | February 27, 2013 | | Item Type: | Resolution | Ordinance | Other | |
| | | | <i>(Enter X in box)</i> | | X | | |
| Fiscal Impact: <i>(Enter X in box)</i> | Yes | No | Ordinance Reading: <i>(Enter X in box)</i> | 1st Reading | | 2nd Reading | |
| | | X | Public Hearing: <i>(Enter X in box)</i> | Yes | No | Yes | No |
| | | | | | | X | |
| Funding Source: | N/A | | Advertising Requirement: <i>(Enter X in box)</i> | Yes | | No | |
| | | | | x | | | |
| Contract/P.O. Required: <i>(Enter X in box)</i> | Yes | No | RFP/RFQ/Bid #: | N/A | | | |
| | | X | | | | | |
| Strategic Plan Related <i>(Enter X in box)</i> | Yes | No | Strategic Plan Priority Area: | Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> | | | |
| | | X | Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communcation <input type="checkbox"/> | N/A | | | |
| Sponsor Name | Dr. Danny O. Crew, City Manager | | Department: | City Manager's Office | | | |

Short Title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE II, DIVISION II, SECTION 2-56 ENTITLED "ORDER OF BUSINESS" OF THE CITY'S CODE OF ORDINANCES; 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:

The City Council holds quasi-judicial hearings on zoning matters at 7 p.m. on the first Wednesday of each month. City staff recommends that Zoning hearing be rescheduled to the second Wednesday of each month to coincide with City Council meetings. As such, it is necessary to amend the City's Code of Ordinances to include quasi-judicial zoning hearings in the regular order of business at City Council meetings.

**ITEM I-1) ORDINANCE
SECOND READING/PUBLIC HEARING
Order of Business**

Proposed Action:

That the City Council approves the attached Ordinance.

Attachment:

None.