

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2017-39

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA IDENTIFYING THE DUTIES AND POWERS OF EACH MEMBER OF THE CITY COMMISSION (INCLUDING THE MAYOR AND VICE MAYOR) AND CREATING SECTION 2-29 OF THE CODE OF THE CITY OF CORAL GABLES ENTITLED “COMMISSIONERS; DUTIES AND POWERS,” ESTABLISHING THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE OFFICE OF COMMISSIONER; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2017-30, enumerating the duties and powers of the Office of Mayor was adopted by the City Commission on July 11, 2017; and

WHEREAS, it is equally useful and appropriate to adopt an Ordinance setting out the duties and powers of each member of the City Commission (which includes the Mayor and Vice Mayor); and

WHEREAS, Commissioners have customarily exercised the authority of the Office of Commissioner, but it would be useful to codify this authority to provide clarity on the particular scope of that authority and to add additional powers where appropriate;

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That Section 2-29 of the Code of the City of Coral Gables, Florida, is hereby created to read as follows:

Section 2-29. Commissioners; Duties and Powers

- (a) Function. This ordinance specifies the duties and powers of each member of the City Commission, which includes the Office of the Mayor and Vice Mayor and which will be referred to as “City Commissioner” herein.
- (b) Duties. Each City Commissioner shall have the following authority:
 - (1) To sponsor and place items on the City Commission meeting agenda, including proposed Ordinances and Resolutions;
 - (2) To inquire of and receive information from City staff;
 - (3) To request *Sunshine* meetings consistent with established procedure;
 - (4) To use the City seal and his/her official title in the performance of City business;
 - (5) To have an office budget in an amount determined in the City budget;

- (6) To serve in his/her official capacity as a member of other boards and/or committees, upon which the City has a seat, when appointed by the Mayor or City Commission;
 - (7) To request and rely upon Ethics Opinions issued by the City Attorney's Office;
 - (8) To appear before City Boards and Committees;
 - (9) To propose to fellow Commissioners, at a City Commission meeting, the initiation of Chapter 164, F.S. proceedings with other government entities;
 - (10) To appear before other government entities, as appropriate, with the approval of the City Commission, when appearing on behalf of the City;
 - (11) To nominate individuals to serve on City Boards and Committees;
 - (12) To attend meetings on behalf of the City, when designated by the Mayor or City Commission, to represent the City Commission;
 - (13) To attend events in his/her official capacity;
 - (14) To attend executive sessions and shade meetings;
 - (15) To make motions and second motions;
 - (16) To request assistance from the City Manager, City Attorney or City Clerk, and their respective offices, in performing the functions herein, acknowledging that when disagreement exists, the matter shall be taken to the City Commission as a body;
 - (17) To request from the Mayor the placement of time-certain agenda items on the Commission agenda;
 - (18) To exercise all other authority otherwise provided in the City Charter and/or City Code.
- (c) The Vice Mayor shall serve as the Chair of the City Commission when the Mayor is unavailable.
 - (d) When the Mayor and Vice Mayor are unavailable and as appointed by the Mayor or by the remaining members of the City Commission, a Commissioner shall serve as the Chair of the City Commission.
 - (e) Three Commissioners may request a special meeting of the City Commission. A Commissioner may request a special meeting from the City Clerk who shall determine if two (2) additional members of the City Commission are in agreement with calling the special meeting; if so, the Clerk shall schedule the special meeting. Alternatively, a Commissioner may request a special meeting during a Commission meeting and, if two (2) additional members of the City Commission vote in favor, the Clerk shall schedule the special meeting. The Mayor and City Manager also have the authority to call special meetings consistent with Sec. 2-26 of the City Code.
 - (f) The City is committed to open government consistent with the *Sunshine* law. Commissioners shall not converse, outside of a public meeting, on matters that could foreseeably come before the Commission however, a Commissioner may send a one-way communication relating to a quasi-executive or quasi-legislative matter.

SECTION 2. REPEALER PROVISION.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed. This Ordinance does not repeal any provision of the Mayor's Ordinance.

SECTION 3. SEVERABILITY CLAUSE.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. CODIFICATION.

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective upon its passage and adoption.

PASSED AND ADOPTED THIS TENTH DAY OF OCTOBER, A.D., 2017.

(Moved: Lago / Seconded: Quesada)

(Yeas: Keon, Lago, Mena, Quesada, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: F-2)

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED:


RAUL FALDES-FAULI
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY