

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA IDENTIFYING THE DUTIES AND POWERS OF THE MAYOR CONSISTENT WITH SECTION 6 OF THE CITY CHARTER, AND CREATING SECTION 2-28 OF THE CODE OF THE CITY OF CORAL GABLES ENTITLED “MAYOR; DUTIES AND POWERS” ESTABLISHING THE FUNCTION, DUTIES, AND RESPONSIBILITIES OF THE OFFICE OF THE MAYOR; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor is the ceremonial head of the City and serves as the City’s representative in negotiations, meetings and functions; and

WHEREAS, the Mayor serves at the Chair of the City Commission; and

WHEREAS, Section 6 of the City Charter, provides that the Mayor presides at meetings of the City Commission and performs duties consistent with his or her office and the Charter as may be imposed by the Commission; and

WHEREAS, Section 6 of the City Charter also provides that the Mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil processes and by the Governor for military purposes; and

WHEREAS, the Mayor has customarily exercised the authority of the Office of Mayor but it would be useful to codify this authority to provide clarity on the particular scope of that authority.

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

SECTION 1. That Section 2-28 of the Code of the City of Coral Gables, Florida, is hereby created to read as follows:

Section 2-28. Mayor; Duties and Powers

- (a) Function. Section 6 of the City Charter vests the Mayor with the authority to preside over meetings of the Commission and to generally perform duties consistent with his or her office. This ordinance specifies the Mayor’s duties and powers.
- (b) Duties. The Mayor shall have the following authority:
 - (1) To serve as Chair of the City Commission including the authority to procedurally manage and administer commission meetings and ruling

on points of order which are final unless overridden by the City Commission.

- (2) To establish time limits for speakers.
 - (3) To represent the City Commission in negotiations, meetings, and functions.
 - (4) To designate other Commissioners to represent the City Commission in negotiations, meetings, and functions except as otherwise designated by the City Commission.
 - (5) To have the Chairpersons of Boards or Committees report to him or her on matters of procedure.
 - (6) To issue procedural orders in quasi-judicial matters.
 - (7) To rule on procedural motions by parties to quasi-judicial matters.
 - (8) To approve requests for time-certain matters.
 - (9) To appoint the Vice Mayor.
 - (10) To call special meetings of the City Commission consistent with Section 2-26 of the City Code.
 - (11) To exercise all other authority otherwise provided in the City Charter and/or City Code.
- (c) The Mayor's authority relating to procedural matters is subject to review by the City Commission.
- (d) Any proposed agreements that result from the Mayor's authority to negotiate on behalf of the City Commission are subject to review by the City Commission.
- (e) The Mayor may call on the parliamentarian to assist him or her on procedural matters including providing rulings on matters of parliamentary law.
- (f) If the Mayor wishes to move an item, he or she must turn the gavel over to the Vice Mayor. If the Vice Mayor is absent or has recused him or herself from the item, he or she may turn the gavel over to a designated Commissioner. The Mayor may second motions.

SECTION 2.

The City Attorney's Ordinance, currently codified as Section 2-201 of the City Code, shall be amended to reflect the City Attorney's role as parliamentarian.

SECTION 3. REPEALER PROVISION.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. 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 5. 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 6. EFFECTIVE DATE.

This ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2017.

(Moved: _____ / Seconded: _____)
(Yeas: _____)
(_____ Vote)
(Agenda Item: _____)

APPROVED:

RAUL FALDES-FAULI
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY