

ORDINANCE NO. 2014-__

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE CODE OF THE CITY OF CORAL GABLES, FLORIDA, TO MOVE THE FUNCTION OF PREPARATION OF THE COMMISSION MEETING AGENDA FROM THE CITY MANAGER TO THE CITY CLERK, AND MOVING THE AGENDA COORDINATOR POSITION AND BUDGETED FUNDS FROM UNDER THE OFFICE OF CITY MANAGER TO UNDER THE OFFICE OF CITY CLERK, AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, under section 2-69(i) of the City Code, "[a]ny member of the commission, the city manager, the city attorney, or the city clerk may place an item on the agenda";

WHEREAS, the preparation of the agenda is a ministerial function;

WHEREAS, an analysis of other jurisdictions indicates that many of those jurisdictions place the function of preparing the agenda under the Office of the City Clerk;

WHEREAS, the City Commission believes it appropriate for the City Clerk to oversee this ministerial function;

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Section 2-69(b) of the Code of the City of Coral Gables, Florida, is hereby amended to read as follows:

Agenda form; availability; support information. The agenda shall be prepared by the ~~city manager~~ city clerk in appropriate form approved by the commission. The ~~city manager~~ city clerk shall make available to the commissioners a copy of the agenda before the meeting. Absent an emergency, all support information for agenda items shall be available no later than three calendar days before the regular meeting, except where other dates are requested by state statute. If the support information is not available, the agenda item shall be removed from the agenda and considered at a later meeting.

Consistent with the timeframe requirements as set forth in subsection (b), the following shall be posted on the internet, to the extent possible: "The City Commission Agenda", simultaneous with its distribution:

- (1) The supplemental agenda, and any other information related to the upcoming agenda simultaneous with its distribution;
- (2) The city clerk's report and annotation to the agenda immediately after its release by the city clerk, subsequent to the city commission meeting to which it applies.

SECTION 3. The position of agenda coordinator, mentioned in section 2-69(j) of the City Code, along with the funds budgeted for such position, shall be moved from under the Office of City Manager to under the Office of City Clerk to assist the City Clerk in performing the agenda preparation function.

SECTION 4. SEVERABILITY.

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. REPEALER.

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 6. CODIFICATION.

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of Section 2 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 7. EFFECTIVE DATE.

This ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY