

ORDINANCE NO. 1450

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI, ENTITLED "ADMINISTRATION", ARTICLE III, ENTITLED "BOARDS, COMMITTEES, COMMISSIONS", SPECIFICALLY AT DIVISION 1, "IN GENERAL", TO REQUIRE THAT ALL CITY ADVISORY BOARDS AND COMMITTEES BE REVIEWED EVERY YEAR TO DETERMINE IF THERE IS A NEED OR DESIRE TO RETAIN THEM ("SUNSET REVIEW"); PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami ("City") currently has twenty (20) Boards, Committees and Commissions ("Boards") which have been established by the Mayor and City Council legislatively; and

WHEREAS, a large number of the Boards are inactive and have not met as a Board for a number of years; and

WHEREAS, it is recommended that the Mayor and City Council adopt procedures for a sunset review of Boards to determine whether they should be retained; and

WHEREAS, to ensure for the proper operation and administration of the City's Boards, it is requested that the Mayor and City Council approve the proposed amendments to the Code; and

WHEREAS, the Mayor and City Council of the City of North Miami have determined that the proposed amendments to Chapter 2, Article III, Division 1 of the Code of Ordinances is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment of Chapter 2, Article III, Division 1. Chapter 2 of the City Code of Ordinances, entitled "Administration", Article III, entitled "Boards, Committees, Commissions," specifically at Division 1. "In General" is amended as follows:

CITY OF NORTH MIAMI CODE OF ORDINANCES

CHAPTER 2. ADMINISTRATION

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ARTICLE III. BOARDS, COMMITTEES, COMMISSIONS

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DIVISION 1. GENERALLY

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Sec. 2-33. "Sunset" review of boards.

Commencing with calendar year 2021, city boards and committees shall be reviewed and every year thereafter in the following manner:

- (a) By February 1 each year, each board's chairperson shall submit a report, approved by the board, to the City Manager setting forth the following information concerning the board:
 - (1) Whether the board is serving the purpose for which it was created.
 - (2) Whether the board is serving current community needs.
 - (3) A list of the board's accomplishments.
 - (4) Whether there is any other board, either public or private, which would better serve the function of the board.
 - (5) Whether the ordinance creating the board should be amended to better enable the board to serve the purpose for which it was created.
 - (6) Whether the board's membership requirements should be modified.
 - (7) The cost, both direct and indirect, of maintaining the board.
- (b) By March 15 of the year in which a board is to be reviewed, the City Manager shall deliver to the Mayor and City Council the report submitted by the chairperson of each board, pursuant to subsection (a) of this section, together with the recommendation or comments that the City Manager submits.
- (c) During the month of April of each year in which a board is to be reviewed, the chairperson shall make an oral presentation to the Mayor and City Council based upon the report set forth in subsection (a) above. The Mayor and City Council shall evaluate the chairperson's report, the City Manager's recommendations and any other information it deems relevant to determine whether the board shall continue in its present form.
- (d) The Mayor and City Council shall determine whether to abolish, continue, consolidate or modify the board.
- (e) At the conclusion of this review process, affected City departments must follow up on the Mayor and City Council 's action and, if necessary, prepare the appropriate legislation to abolish, consolidate or modify a board if it is not continued in its present form.
- (i) Any and all quasi-judicial boards and boards created pursuant to state or federal law shall be exempt from the requirements of this Section.

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Section 2. **Repeal.** All ordinances or parts of ordinances in conflict or inconsistent are hereby repealed.

Section 3. **Conflict.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

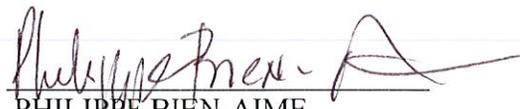
Section 4. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 28th day of January, 2020.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 11th day of February, 2020.


PHILIPPE BIEN-AIME
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Sponsored by: Estimé-Irvin

Vote:

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|--------------------------------|----------|-------|-------|------|
| Mayor Philippe Bien-Aime | <u>X</u> | (Yes) | _____ | (No) |
| Vice Mayor Alix Desulme, Ed.D. | <u>X</u> | (Yes) | _____ | (No) |
| Councilman Scott Galvin | <u>X</u> | (Yes) | _____ | (No) |
| Councilwoman Carol Keys, Esq. | <u>X</u> | (Yes) | _____ | (No) |
| Councilwoman Mary Estimé-Irvin | <u>X</u> | (Yes) | _____ | (No) |

Additions shown by underlining. Deletions shown by ~~overstriking~~.