

ORDINANCE No. 06-04-85

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA CREATING AN ELDERLY AFFAIRS COMMITTEE; 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 has determined that it would like to create an Elderly Affairs Advisory Committee ("Committee") to advise and make recommendations to the City Council with regard to matters pertaining to senior citizens residing in the City, and

WHEREAS, the City Council deems it appropriate to establish guidelines for appointment and membership of the Committee,

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 Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. CREATION: There is hereby created an Elderly Affairs Advisory Committee ("Committee") in the City of Miami Gardens, and

SECTION 3. MEMBERSHIP/APPOINTMENT: The Committee shall be comprised of seven (7) members. The Mayor and each City Council member shall have the right to appoint a member to the Committee. Each Committee member appointed by the Mayor and City Council shall serve at the pleasure of the Mayor or City Council member appointing such member.

SECTION 4. TERM: The terms of office for all Committee members shall

commence upon appointment and shall coincide with the term of the Mayor or City Council member making the appointment. New Committee members shall be appointed at the next regularly scheduled City Council meeting following the commencement of the term of the Mayor or appointing City Council member.

SECTION 5. REMOVAL: The Mayor or City Council member appointing a member to the Committee shall have the continuing right to remove the member so appointed and to appoint another member as often as the Mayor or City Council member shall deem appropriate in order to facilitate the business of the Committee. Upon such removal or appointment, the same shall be deemed effective upon confirmation of the removal or appointment by the City Council, which shall be deemed a purely ministerial act.

SECTION 6. COMPENSATION/EXPENSES: Each member of the Committee shall serve without salary or compensation

SECTION 7. DISCLOSURES: Each applicant for appointment to the Committee shall, as a prerequisite to consideration, file an application on a form to be provided by the City Clerk, present a Voter's Registration Card and State of Florida Driver's License or current State of Florida Identification Card.

SECTION 8. ATTENDANCE: Any member who fails to attend two (2) consecutive regular meetings of the Committee, without being excused by the Chairperson of the Committee, shall be subject to dismissal by the Mayor or City Council member who appointed the member. The Chairperson may excuse members from attendance for the following reasons: work conflict, religious holiday conflict, personal, or family illness or death. The Chairperson shall not excuse any Committee member for

more than three (3) meetings in any calendar year

SECTION 9. ELECTION OF OFFICERS. As soon as practicable, after the first appointment of Committee members, and on an annual basis thereafter, Committee members shall meet and elect three (3) of their members, one (1) to serve as Chairperson, one (1) to serve as Vice-Chairperson, and one (1) to serve as Secretary. The Vice-Chairperson shall chair meetings in the absence of the Chairperson.

SECTION 10. BYLAWS, RULES AND REGULATIONS: The Committee shall be governed by Robert's Rules of Order

SECTION 11. MEETINGS: The Committee Chairperson, or in his/her absence the Vice-Chairperson, shall call all Committee meetings, and all meetings shall be public. At the first regular meeting, the Committee shall establish a regular meeting date, location and time, and shall thereafter meet on a monthly basis. The City Clerk shall be informed of all regular meeting dates and special meeting dates.

SECTION 12. QUORUM. The presence of four (4) or more Committee members shall constitute a quorum.

SECTION 13. REPORTING: The Committee shall advise and make recommendations to the City Council by written memoranda. At the meeting of the City Council where the recommendations of the Committee are to be discussed and/or acted upon, the Committee shall cause one of its members to appear for the purpose of presenting the Committee's recommendation to the City Council.

SECTION 14. POWERS AND DUTIES: The Committee shall have the power to advise the City Council, and to submit written recommendations concerning the following:

- A. Policies and programs addressing the issues and needs of the elderly residents of the City.
- B. Health, safety, and welfare issues
- C. Recreational issues affecting the elderly.
- D. Delivery of services to the elderly, including health, medical, and social.
- E. Any other matters that the City Council seeks guidance from the Committee on.

SECTION 15. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 16. 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 17. 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 sections 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; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be

codified.

SECTION 18. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 11th DAY OF JANUARY, 2006

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 25th DAY OF JANUARY, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK
Prepared by SONJA K. DICKENS, ESQ.
City Attorney

SPONSORED BY: Councilwoman Sharon Pritchett

MOVED BY: Councilwoman Pritchett

SECONDED BY: Councilwoman Watson

VOTE: 6-0

Mayor Shirley Gibson	<u> </u> (Yes)	<u> </u> (No)	Not present
Vice Mayor Oscar Braynon II	<u> x </u> (Yes)	<u> </u> (No)	
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)	
Councilman Aaron Campbell Jr.	<u> x </u> (Yes)	<u> </u> (No)	
Councilman Ulysses Harvard	<u> x </u> (Yes)	<u> </u> (No)	
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)	
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)	