ORDINANCE NO. 1372

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "PERSONNEL, PENSIONS AND RETIREMENT", ARTICLE I, ENTITLED "DEPARTMENT OF PERSONNEL", SPECIFICALLY AT SECTION 15-4, BY AMENDING THE TERMS OF OFFICE FOR PERSONNEL BOARD MEMBERS APPOINTED BY CITY COUNCILMEMBERS TO BE COTERMINOUS WITH THE TERM OF THE APPOINTING COUNCILMEMBER; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Chapter 15 of the Code of Ordinances ("Code") of the City of North Miami ("City"), establishes the Personnel Board of the City with specified term dates for board members; and

WHEREAS, the City desires to place all terms of office for members of boards and commissions on the same schedule to provide for consistency and simplification of the election process; and

WHEREAS, the Code currently provides for appointed members to serve a fixed term, even after the term of the appointing councilmember has expired; and

WHEREAS, it is recommended that the terms of Personnel Board members be coterminous with that of the appointing elected official to streamline the term schedule and to allow newly elected city council members to make appointments to the boards and commissions.

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

Section 1. Amendment to City of North Miami Code. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 15 of the City of North Miami Code of Ordinances, entitled "Personnel, Pensions and Retirement", Article I, entitled "Department of Personnel", specifically at section 15-4, by amending terms of office to allow for the terms of Personnel Board members to be coterminous with the term of the appointing councilmember, as follows:

CHAPTER 15. PERSONNEL, PENSIONS AND RETIREMENT

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ARTICLE I. DEPARTMENT OF PERSONNEL

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Sec. 15-4. Personnel board; appointment.

(a) There shall be a personnel board consisting of six (6) members who shall be appointed as follows: One (1) member by the mayor (without approval of the city council) designated as Group A; one (1) member by the city council (excluding the mayor) designated as Group B; one (1) member by the city council (excluding the mayor) designated as Group C; one (1) member elected by the employees designated as Group D; one (1) member elected by the employees designated as Group E; and one (1) member by the mayor with the approval of the city council who shall be designated the "alternate". No member of the personnel board shall be an employee of the City of North Miami. "Employee" shall mean the employees paid by the City of North Miami. The terms of office of the personnel board members shall run from the second Tuesday in June commencing in 1971 and the initial term for Group A shall be one (1) year; Group B, two (2) years; Group C, three (3) years; Group D, two (2) years; Group E, three (3) years, with all successive appointments for three (3) years. The term of the board member and alternate appointed by the mayor shall be coterminous with the mayor's term of office. The city council may at any time remove a board member from office and appoint a qualified person to serve out the unexpired term of any board member so removed. ~~The alternate shall be appointed for a term of three (3) years which shall commence on the second Tuesday of June 2009.~~

(b) The personnel manager shall prescribe rules, regulations and procedures in connection with election of the two (2) members to the board by the City of North Miami employees.

(c) Vacancies shall be filled in the same manner as original appointments were made and shall be for the unexpired term of the member whose position is vacated.

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Section 2. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. **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 4. **Codification.** The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. **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 8th day of April, 2014.

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 22nd day of April, 2014.

LUCIE M. TONDREAU
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: MAYOR LUCIE M. TONDREAU

Moved by: Galvin

Seconded by: Tondreau

Vote:

Mayor Lucie M. Tondreau	x (Yes)	_____ (No)
Vice Mayor Philippe Bien-Aime	x (Yes)	_____ (No)
Councilperson Scott Galvin	x (Yes)	_____ (No)
Councilperson Carol Keys, Esq.	x (Yes)	_____ (No)
Councilperson Marie Erlande Steril	x (Yes)	_____ (No)

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