

ORDINANCE NO. 19-240

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 2.56(c) OF THE TOWN CODE, TITLED TOWN ATTORNEY SELECTION AND APPOINTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 2, 2017, the Town of Miami Lakes (the “Town”) adopted Ordinance, 17-205, which created the Town Attorney Selection and Appointment; and

WHEREAS, on February 12, 2019, the Town Council discussed and provided direction to the Town Attorney to draft changes to the to the Town Attorney Selection process in order to streamline the selection process; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council hereby amends Chapter 2, Article III, Section 2.56, of the Town Code as set forth in **Exhibit “A”** hereto, which is incorporated herein.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.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. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

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FIRST READING

The foregoing ordinance was offered by Councilmember Dieguez who moved its adoption on first reading. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Carlos O. Alvarez	yes
Councilmember Luis Collazo	yes
Councilmember Josh Dieguez	yes
Councilmember Jeffrey Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on first reading this 12th day of March 2019.

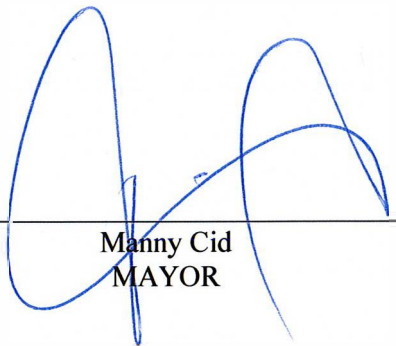
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SECOND READING

The foregoing ordinance was offered by Councilmember Dieguez who moved its adoption on first reading. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

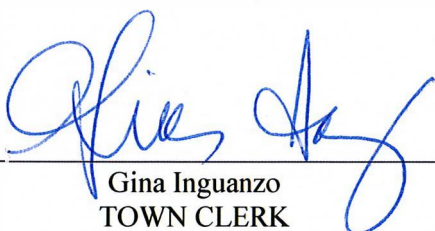
Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Carlos O. Alvarez	yes
Councilmember Luis Collazo	yes
Councilmember Joshua Dieguez	yes
Councilmember Jeffery Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on first reading this 9th day of April 2019.



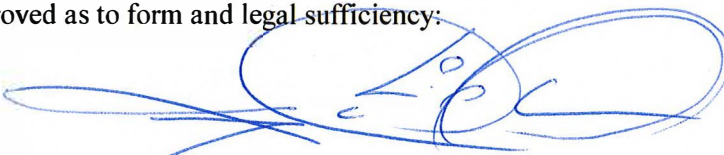
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”¹

Article III. OFFICERS AND EMPLOYEES

[...]

Section 2.56. - Town Attorney.

[...]

(2) *Resolution adopting the Town Council workshop findings and appointing a selection-an advisory committee.* After the conclusion of the Town Council workshop, a resolution shall be adopted by the Town Council which shall include the findings of the ~~W~~workshop. Additionally, each ~~e~~Council ~~m~~Member shall appoint a resident of Miami Lakes, who shall have resided in the Town for a period of no less than two years, to serve as a member of a selection advisory committee, in order to provide advice and public input. The Town Manager shall serve as a non-voting member of the selection advisory committee, ~~to~~ and provide guidance and serve as a liaison between the committee and the Town.

(3) ~~Position shall be Advertised~~ Procurement/Advertisement

- a. Should the Town Council choose to hire an in-house counsel, the position shall be advertised in a newspaper of general circulation and provide no less than 30 days to submit applications for consideration**
- b. Should the Town Council choose to hire an outside counsel, the process will be initiated through a Request for Proposals (“RFP”), or a Request for Qualifications (“RFQ”), in accordance with the Town’s procurement process as stated in Article V, Division 2. The process shall be concluded within two months and reviewed by the selection committee. At the conclusion of the two months, the Town Council shall review a short list of recommendations by the Town Council, conduct any necessary group, or one on one, and shall be concluded within three months after receipt of the short list.**

(4) Selection-Shortlist. ~~The Town manager and the search firm, if any, otherwise, the Town HR liaison will narrow the applicant list to ten to 15 applicants to be interviewed by the selection committee. The selection committee shall be responsible to interview each candidate and present a short list of five to seven candidates to the Town Council. Town Council shall take into consideration the selection committee’s suggestion; however, the Town Council may consider other candidates that may or may not have been interviewed or~~

¹ Additions to the text are shown in underline and deletions from the text are shown in ~~strikethrough~~.

considered by the Selection Committee. The Procurement or Advertisement process shall be completed within two months. Following the procurement or advertisement process, the selection advisory committee shall review the candidates remaining and shall develop a short list of recommendations for the Town Council's consideration within two months. Following the review period by the advisory committee, the Town Council shall review the shortlist and make a selection within one month, unless the time period is extended by majority vote of the Council.