

ORDINANCE NO. 2000-3235

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III ENTITLED "AGENCIES, BOARDS AND COMMITTEES" BY CREATING DIVISION 29, SECTIONS 2-190.139 THROUGH 2-190.143 THEREOF ESTABLISHING A DEBARMENT COMMITTEE; PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, in order to effectuate the goals and purposes of the Debarment Ordinance, to be codified in Sections 2-397 through 2-406 of the Miami Beach City Code, a Debarment Committee is required to be created.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Article III of Chapter 2 of the Miami Beach City Code entitled "Agencies, Board, and Committees," be amended as follows:

CHAPTER: 2 ADMINISTRATION

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ARTICLE III. AGENCIES, BOARDS AND COMMITTEES

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Division 29. DEBARMENT COMMITTEE

Sec. 2-190.139 ESTABLISHED. There is hereby established a Debarment Committee in Miami Beach whose purposes, power and duties, composition, membership qualifications, and general governing regulations are as follows:

Sec. 2-190.140 **PURPOSE:** The Committee's purpose is to evaluate and, if warranted, impose debarment as provided in Sections 2-397 through 2-406 of the City Code to exclude a contractor (and, in limited instances, a bidder or proposer) from City contracting and City approved subcontracting.

Sec. 2-190.135 **POWERS AND DUTIES:** The Committee is vested with the power and authority to conduct quasi-judicial hearings, as authorized and provided in Sections 2-511 through 2-513 of the City Code, with regard to debarment procedures and to impose penalties, all as more specifically set forth in Sections 2-397 through 2-406 of the City Code.

Sec. 2-190.141 **COMPOSITION:** The Committee shall consist of seven (7) voting members to be individually appointed by the Mayor and City Commissioners. If any member of the Committee abstains from voting at two (2) meetings within a calendar year, said member shall be automatically removed from the Committee. The Committee shall meet only as convened pursuant to the Debarment Ordinance set forth in Section 2-405 of the City Code.

Sec. 2-190.142 **KNOWLEDGE AND EXPERIENCE:** The Committee shall be composed of persons who possess outstanding reputations for civic activity and interest, integrity, responsibility, and business or professional ability.

Sec. 2-190.143 **SUPPORTING DEPARTMENTS: Office of the City Manager/Procurement Office.**

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SECTION 2. **CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. 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 other appropriate word.

SECTION 3. **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 4. **REPEALER.**

All resolutions, ordinances, or other City legislation in conflict herewith be and the same are hereby repealed.

SECTION 5. **EFFECTIVE DATE.**

This Ordinance shall take effect on the ____ day of _____, 2000.

PASSED and ADOPTED this 15th day of March, 2000.



MAYOR

ATTEST:

Robert Parcher
CITY CLERK

Ordinance No. 2000-3235

1st reading 2/23/00
2nd reading 3/15/00

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

M. H. [Signature] 2/23/00
City Attorney Date