

ORDINANCE No. 2006-13-94

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 4, OF ORDINANCE NO. 2005-15-53, RELATING TO CAMPAIGN CONTRIBUTIONS OR EXPENDITURES BY NATIONAL OR STATE BANKS, CORPORATIONS OR UNINCORPORATED ASSOCIATIONS; 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 of Miami Gardens previously adopted Ordinance No. 2005-15-53 ("Ordinance"), which established the guidelines for campaign contributions, and

WHEREAS, when the City adopted the Ordinance, it piggy-backed on the Miami-Dade Ordinance that prohibited campaign contributions or expenditures by national or state banks, corporations or unincorporated associations, and

WHEREAS, in December of 2005, Miami-Dade County lifted the prohibition against campaign contributions or expenditures by national or state banks, corporation or unincorporated associations, and

WHEREAS, the City Council deems it necessary and appropriate to amend Section 4 of the Ordinance to delete the prohibition of contributions or expenditures by national state banks, corporations or unincorporated associations,

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. AMENDMENT: Section 4 of Ordinance No. 2005-15-53 is hereby amended as follows:

Section 4. ~~**CONTRIBUTIONS OR EXPENDITURES BY NATIONAL OR STATE BANKS, CORPORATIONS OR UNINCORPORATED ASSOCIATIONS:**~~ It shall be unlawful for any national or state bank or any corporation, incorporated under the laws of the State of Florida, or any other state or foreign country or any unincorporated association to make a contribution or expenditure in connection with the election of any candidate for Mayor or City Council. Furthermore, it shall be unlawful for any candidate for elective office to accept or receive any contribution prohibited by this section or for any officer or any director of any corporation, bank, or any unincorporated association to consent to any contributions or expenditures by a corporation, bank or unincorporated association prohibited by this Section. **GOVERNING LAW:** All campaign contributions shall also be governed by Chapter 106, Florida Statutes.

SECTION 3. **CONFLICT:** All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. **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 5. **INCLUSION IN CODE:** It is the intention of the City Council of the City of Miami Gardens that the provision 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 6. **EFFECTIVE DATE:** This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 14<sup>TH</sup> DAY OF JUNE,  
2006.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 28<sup>TH</sup> DAY OF JUNE, 2006.

ATTEST:

  
SHIRLEY GIBSON, MAYOR

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: COUNCILMAN ULYSSES HARVARD

MOVED BY: Councilman Harvard  
SECONDED BY: Councilman Bratton

**VOTE: 7-0**

Mayor Shirley Gibson	<u>  x  </u> (Yes)	<u>      </u> (No)
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	<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)

SKD/ejec