

ORDINANCE NO. 10032

AN ORDINANCE IMPLEMENTING THE "FIRST SOURCE HIRING AGREEMENT" AND SETTING AS A CONDITION PRECEDENT TO THE EXECUTION OF CONTRACTS RESULTING IN THE CREATION OF NEW PERMANENT JOBS, THE SUCCESSFUL NEGOTIATION OF A "FIRST SOURCE HIRING AGREEMENT" BETWEEN THE PRIVATE INDUSTRY COUNCIL OF SOUTH FLORIDA/SOUTH FLORIDA EMPLOYMENT AND TRAINING CONSORTIUM, AUTHORIZED REPRESENTATIVE OF THE CITY OF MIAMI, AND THE ORGANIZATION OR INDIVIDUAL RECEIVING SAID CONTRACT, UNLESS SUCH AN AGREEMENT IS FOUND TO BE INFEASIBLE BY THE CITY MANAGER, AND SUCH FINDING IS APPROVED BY THE CITY COMMISSION OF THE CITY OF MIAMI, WITH THE PRIMARY BENEFICIARIES OF THIS AGREEMENT BEING THE PARTICIPANTS OF THE CITY OF MIAMI, TRAINING AND EMPLOYMENT PROGRAMS AND OTHER RESIDENTS OF THE CITY OF MIAMI; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE.

WHEREAS, the City Commission has declared its intent "that public projects that are financed by public funds, CETA participants, who are eligible are to be given priority" (Motion 83-1018, November 16, 1983), and;

WHEREAS, the City Commission is desirous of supporting the concept of "First Source Hiring Agreement", which would give priority employment to City of Miami training and employment participants in hiring situations resulting from the support of public funds, from or through the City and/or special privileges granted by the City of Miami, and;

WHEREAS, the City Commission passed a Resolution "establishing an advisory committee to recommend a "First Source Hiring Agreement" policy for implementation by the City of Miami and appointing certain individuals to serve on that committee" (Resolution No. 84-898, July 31, 1984), and;

WHEREAS, the City Commission of the City of Miami wishes to assure continuing employment opportunities of residents of the City of Miami, and;

WHEREAS, the authorized representative shall negotiate the terms of the "First Source Hiring Agreements" on a project by

project basis with the recipient of contracts for facilities, services and/or grants and loans from or through the City of Miami, and;

WHEREAS, those organizations and individuals receiving contracts for facilities, services and/or grants and loans from or through the City of Miami should participate in the "First Source Hiring Agreement" as it is in the best interest of said parties and City of Miami residents, and;

WHEREAS, for the purpose of this resolution, contracts for facilities, services and/or grants and loans with the City of Miami are defined in Section 2 of this Ordinance, and;

WHEREAS, those organizations or individuals receiving the identified public funds, by the receipt of contracts for facilities, services and/or grants and loans would be required, precedent to the execution of said contracts to enter into negotiations with the authorized representative, as defined in Section 2. of the Ordinance, and to arrive at a "First Source Hiring Agreement" which is satisfactory to both parties, and;

WHEREAS, the special duties and responsibilities of the authorized representative necessary to implement "First Source Hiring Agreements" are spelled out in the provisions of a Resolution being considered for adoption by the City Commission on June 13, 1985; and

WHEREAS, a model "First Source Hiring Agreement" is attached herewith, for illustrative purposes only;

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

Section 1. That this Commission hereby approves implementation of the "First Source Hiring Agreement" policy and requires as a condition precedent to the execution of service contracts for facilities, services, and/or receipt of grants and loans, for projects of a nature that create new jobs, the successful negotiation of "First Source Hiring Agreements" between the organization or individual receiving said contract and the authorized representative unless such an agreement is found infeasible by the City Manager and such finding approved by the City Commission of the City of Miami at a public hearing.

Section 2. Definitions. For the purpose of the Ordinance, the following terms, phrases, words and their derivations shall have the following meanings:

A. Service Contracts means contracts for the procurement of services by the City of Miami which include professional services.

B. Facilities means all publicly financed projects, including but without limitation, unified development projects, municipal public works, and municipal improvements to the extent they are financed through public money services or the use of publicly owned property.

C. Services includes, without limitation, public works improvements, facilities, professional services, commodities, supplies, materials and equipment.

D. Grants and Loans means, without limitation, Urban Development Action Grants (UDAG), Economic Development Agency construction loans, loans from Miami Capital Development, Incorporated, and all federal and State grants administered by the City of Miami.

E. Authorized Representative means the Private Industry Council of South Florida/South Florida Employment and Training Consortium, or its successor as local recipient of federal and State training and employment funds.

Section 3. The authorized representative shall negotiate each "First Source Hiring Agreement".

Section 4. The primary beneficiaries of the "First Source Hiring Agreement" shall be participants of the City of Miami training and employment programs, and other residents of the City of Miami.

Section 5. All ordinances, or parts thereof, in conflict herewith are hereby repealed.

Section 6. Should any part of or provision of the Ordinance be declared by a court of competent jurisdiction to be invalid, same shall not affect the validity of the Ordinance as a whole.

PASSED ON FIRST READING BY TITLE ONLY THIS 18th
day of July, 1985.

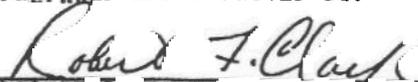
PASSED AND ADOPTED ON SECOND AND FINAL READING BY TITLE
ONLY this 12th day of September, 1985.

Maurice A. Ferre
MAURICE A FERRE, MAYOR

ATTEST

CITY CLERK

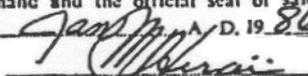
PREPARED AND APPROVED BY:


ROBERT F. CLARK
CHIEF DEPUTY CITY ATTORNEY

APPROVED AS TO FORM AND CORRECTNESS:


LUCIA A. DOUGHERTY
CITY ATTORNEY

I, Betty Kiri, Clerk of the City of Miami, Florida,
hereby certify that on the 21 day of Jan
A. D. 1986, a full, true and correct copy of the above
and foregoing ordinance was posted at the South Door
of the Dade County Court House at the place provided
for notice and publications by attaching said copy to
the place provided therefor.

WITNESS my hand and the official seal of said
City this 21 day of Jan, A. D. 1986

City Clerk