

MEMORANDUM

Amended
Agenda Item No. 7(A)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE:

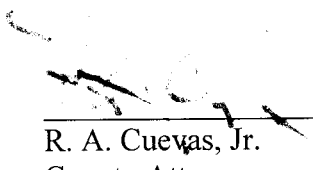
(Second Reading 11-3-09)
July 21, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance amending Section
2-11.38.1 of the Code,
requiring background checks
of applicants for County boards

Ordinance No. 09-95

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



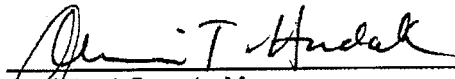
Date: November 3, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending Section 2-11.38.1 of the Code; requiring background checks of applicants for County Boards

According to the Office of the Inspector General staff, background checks of applicants to County Boards can be accomplished using existing staff resources.


Assistant County Manager

fis05709



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 3, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Amended
Agenda Item No. 7(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

ORDINANCE NO. 09-95

ORDINANCE RELATING TO COUNTY BOARDS;
AMENDING SECTION 2-11.38.1 OF THE CODE OF MIAMI-
DADE COUNTY, FLORIDA, REQUIRING THAT
BACKGROUND CHECKS BE PERFORMED BY INSPECTOR
GENERAL REGARDING APPLICANTS FOR COUNTY
BOARDS; PROVIDING SEVERABILITY, INCLUSION IN THE
CODE AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-11.38.1 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

Sec. 2-11.38.1. Process of appointment.

(a) Vacancies occurring on any board shall be advertised in
publications of general circulation. Twice a year advertisements
shall appear setting forth a list of all County boards; any special
qualifications necessary for membership on the board; and the
County telephone number to call for additional information.

(b) Prior to its making appointments to County boards, the
Board of County Commissioners shall be furnished >>(1)<< a list
setting forth the qualifications and demographic background of all
new candidates for membership[[,]]>>;<< [[~~along with~~]] >>(2)<<
a list of the qualifications and demographic backgrounds of the
present members of the board to which an appointment is being
made>>; and (3) a copy of a background check regarding criminal
history, if any, of each applicant performed by the Office of the
Inspector General.<<

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored
and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now
in effect and remain unchanged.

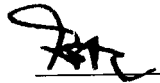
* * *
Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, 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.

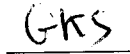
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **November 3, 2010**

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Prime Sponsor: Commissioner Audrey M. Edmonson