MEMORANDUM

Agenda Item No. 7(E)

(Second Reading 05-09-06)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 7, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending Rule 5.05 (c) of Section 2-1 of the Code relating to 4-Day Rule

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro and Commissioner Sally A. Heyman.

Murray A. Greenberg
County Attorney

MAG/jls

Memorandum

MIAMI-DADE COUNTY

Date: May 9, 2006

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending rule 5.05 (C) of Section 2-1 of the Code relating to 4-Day Rule

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This ordinance amending rule 5.05 (C) of Section 2-1 of the Code of Miami –Dade relating to 4-Day Rule will have no fiscal impact on Miami-Dade County

The implementation of this ordinance exempts legislative package items from the 4-Day Rule requirement when placing said items on the agenda.

Deputy County Manager

00206

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: May 9, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(E)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(E)

05-09-06

ORDINANCE NO. _____

ORDINANCE AMENDING RULE 5.05 (c) OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO "4-DAY RULE"; PROVIDING FOR EXCEPTION FOR ITEMS CONTAINED IN COUNTY'S LEGISLATIVE PACKAGE; 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 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION

* * *

PART 5. CONDUCT OF MEETINGS; AGENDA

Rule 5.05 AGENDA

* * *

(c) "4-DAY RULE". A copy of each agenda item shall be furnished the members of the commission not later than four (4) working days before a vote may be called on the item. The provisions of this rule shall be deemed waived unless asserted by a commissioner before the board takes action on the resolution, ordinance, motion or other item in question. The provisions of the rule may not be waived under rule 7.01(n); however, this rule is

[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.

not applicable to special or emergency meetings called pursuant to Rule 3.02 >>or to items related to the County's legislative package<<.

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:

Approved by County Attorney as
to form and legal sufficiency:

Murray A. Greenberg

Sponsored by Commissioner Bruno A. Barreiro
and Commissioner Sally A. Heyman