

MEMORANDUM

IMFR
Agenda Item No. 2G

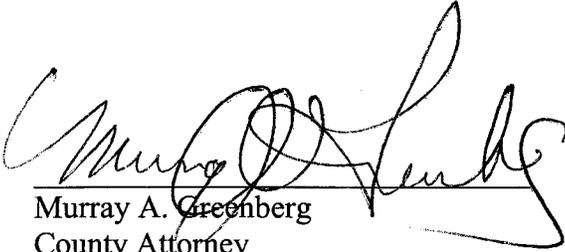
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 21, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance relating to
Conflict of Interest and
Code of Ethics Ordinance

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Katy Sorenson.


Murray A. Greenberg
County Attorney

MAG/bw

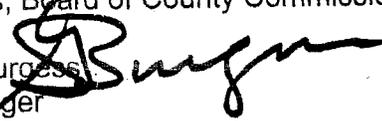
Memorandum

MIAMI-DADE
COUNTY

Date:

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

From: George M. Burgess
County Manager



Subject: Ordinance Relating to Conflict of Interest and Code of Ethics Ordinance

The proposed ordinance relating to Conflict of Interest and Code of Ethics Ordinance will have no fiscal impact to the County.

This ordinance, if approved, will increase the existing cap for acceptance of gifts from \$25 to \$100.



Assistant County Manager

Fiscal00306



MEMORANDUM

(Revised)

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

DATE: May 23, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 4 (L)

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

ORDINANCE NO. _____

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(e) TO PROHIBIT THE ACCEPTANCE OF GIFTS HAVING A VALUE IN EXCESS OF ONE HUNDRED DOLLARS; AMENDING DISCLOSURE REQUIREMENT; 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 2-11.1(e) of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-11.1. Conflict of Interest and Code of Ethics Ordinance.

* * *

(e) *Gifts.*

* * *

(3) *Prohibitions.* A person described in subsection (b)(1) through (6) shall neither solicit nor demand any gift. It is also unlawful for any person or entity to offer, give or agree to give to any person included in the term defined in subsection (b)(1) through (6) or for any person included in the term defined in subsection (b)(1) through (6) to accept or agree to accept from another person or entity, any gift for or because of:

a. An official public action taken, or to be taken, or which could be taken;

b. A legal duty performed or to be performed, or which could be performed; or

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.

c. A legal duty violated or to be violated, or which could be violated by any person included in the term defined in subsection (b)(1).

>>A person described in subsection (b)(1) through (6) shall not accept a gift from any person or entity where the gift has a value in excess of one hundred dollars (\$100.00).<<

(4) *Disclosure.* Any person included in the term defined in subsection (b)(1) through (6) shall disclose as provided herein any gift, or series of gifts from any one person or entity, having a value in excess of >>twenty-five dollars (\$25.00)<<[[~~one hundred dollars (\$100.00)~~]]. Said disclosure shall be made by filing a copy of the disclosure form required by Chapter 112, Florida Statutes, for "local officers" with the Clerk of the Board of County Commissioners simultaneously with the filing of the form with the Secretary of State.

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.

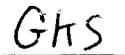
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Sponsored by Commissioner Katy Sorenson

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