MEMORANDUM

Agenda Item No. 7(E)

(Second Reading 10-10-06)

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

DATE: May 23, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending Sec. 2-8.9 of the Code (The Living Wage Ordinance) to add in-warehouse cargo handling at aviation department facilities

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Natacha Seijas.

Murray A. Greenberg
County Attorney

MAG/bw

Memorandum

MIAMI-DADE COUNTY

Date: October 10, 2006

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

From: George M. Burgess
County Manager

Subject: Ordinance Amending Section 2-8.9 of the Code Relating to Living Wage Ordinance to Add In-warehouse Cargo Handling at Aviation Department

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The proposed ordinance amending Section 2-8.9 of the Code of Miami-Dade County relating to the Living Wage Ordinance to add in-warehouse cargo handling at the Miami-Dade Aviation Department (MDAD) facilities will not have a fiscal impact to the County.

If the proposed ordinance is approved, the Department of Business Development will utilize existing resources to monitor service contractors at MDAD facilities to ensure they are complying with the Living Wage ordinance.

Since it is uncertain whether the existing service contractors at MDAD facilities are already complying voluntarily with the Living Wage Ordinance or not, a fiscal impact to the service contractors cannot be determined at this time.

Assistant County Manager

fiscal00806

MEMORANDUM

(Revised)

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

DATE: October 10, 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)

10-10-06

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-8.9 OF THE CODE OF MIAMI-DADE COUNTY (THE LIVING WAGE ORDINANCE) TO ADD IN-WAREHOUSE CARGO HANDLING AT MIAMI-DADE COUNTY AVIATION DEPARTMENT FACILITIES AS A COVERED SERVICE; AMENDING SECTION 2-8.9 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners on May 11, 1999, enacted Ordinance 99-44 establishing a Living Wage requirement for specified County service contracts, specified permittees and for County employees, which was codified in the County Code as Section 2-8.9 ("Living Wage Ordinance"); and

WHEREAS, the Board of County Commissioners in the Living Wage Ordinance established an advisory board known as the Living Wage Commission to make recommendations to the Board of County Commissioners regarding the effectiveness of the Living Wage Ordinance; and

WHEREAS, the Living Wage Ordinance includes ramp services such as loading and unloading cargo to and from aircraft at Miami-Dade Aviation Department ("MDAD") facilities as a covered service; and

WHEREAS, since the loading and unloading of cargo to and from aircraft is already a covered service, it is advisable to add in-warehouse cargo handling as a specified covered service and thereby bring the warehouse portion of the cargo handling process within the ambit of the Living Wage Ordinance,

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

Section 1. Section 2-8.9 of the Code of Miami-Dade County, Florida, is hereby amended as follows:[1]

Sec. 2-8.9. Living Wage Ordinance For County Service Contracts and County Employees.

DEFINITIONS

* * *

(F) "*Covered Services*" are any one (1) of the following:

* * *

(2) *Service Contractors at Aviation Department Facilities.*

Any service provided by a Service Contractor at a Miami-Dade County Aviation Department Facility is a covered service without reference to any contract value:

* * *

>>(K) In-warehouse cargo handling<<

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

[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.

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:

Eric A. Rodriguez

Sponsored by Commissioner Natacha Seijas