

MEMORANDUM

Substitute
Alternate
Agenda Item No. 7(E)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

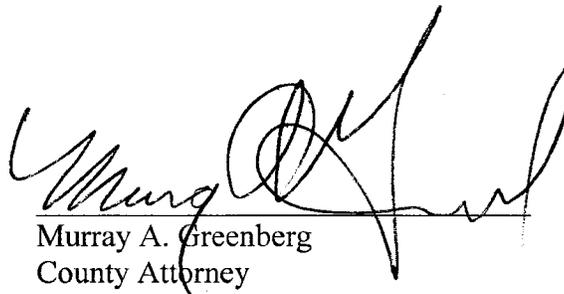
DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending the
Rules of Procedure of
County Commission
relating to authority to
sponsor or present items
on County Commission
agenda

The accompanying ordinance was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan and Commissioner Carlos A. Gimenez.

The substitute differs from the original alternate proposal in that it allows the Manager to recommend quasi-judicial items directly to the Board.



Murray A. Greenberg
County Attorney

MAG/bw

Memorandum



Date: May 8, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George J. Burgos
County Manager

Subject: Ordinance amending the Rules of Procedure of County Commission relating to authority to sponsor or present items on the County Commission agenda

The ordinance amending the Rules of Procedure of County Commission relating to authority to sponsor or present items on the County Commission agenda will not have a fiscal impact on Miami-Dade County



Susanne M. Torriente
Assistant County Manager

fiscal00206



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Substitute
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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 _____

Substitute

Alternate

Agenda Item No. 7(E)
5-8-07

ORDINANCE NO. _____

ORDINANCE AMENDING RULE 5.05(b)(1) OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO AUTHORITY TO SPONSOR OR PRESENT ITEMS ON COUNTY COMMISSION AGENDA; 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

* * *

(b) AUTHORITY TO SPONSOR OR PRESENT ITEMS ON AGENDA.

(1) Matters may be presented or sponsored by any county commissioner, a commission committee, the county ~~manager~~ >>mayor<<, the county attorney and the clerk of the commission. >>The mayor's authority to sponsor a

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.

matter shall be limited to departmental items and shall be non-delegable. The Board will not consider any such recommendation unless such recommendation has been approved in writing by the mayor. If, however, the mayor shall be incapacitated for a period in excess of _____ days, his or her authority to sponsor a departmental item shall be vested in the manager until the incapacity is removed. Notwithstanding the foregoing, the manager shall be able to recommend directly to the Board the waiver of competitive bidding as provided in Section 5.03 (D) of the Charter or quasi-judicial items.<<

* * *

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:



Murray A. Greenberg

Sponsored by Vice-Chairwoman Barbara J. Jordan
and Commissioner Carlos A. Gimenez