

MEMORANDUM

Agenda Item No. 11(A)(9)

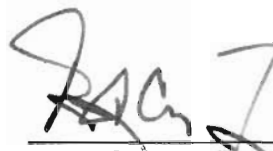
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 19, 2008

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

SUBJECT: Resolution Directing the
Clerk of the Board to Provide
A Questionnaire to Each
Candidate for Membership
On County Boards to Provide
Certain Information Regarding
Any Conflict Which May
Arise from Service on the
County Board

The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/dcp




MEMORANDUM

(Revised)

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

DATE: February 19, 2008

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

SUBJECT: Agenda Item No. 11(A)(9)

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. 11(A)(9)
02-19-08

RESOLUTION NO. _____

RESOLUTION DIRECTING CLERK OF THE BOARD TO PROVIDE A QUESTIONNAIRE TO EACH CANDIDATE FOR MEMBERSHIP ON COUNTY BOARDS REQUESTING CERTAIN INFORMATION REGARDING ANY CONFLICT OF INTEREST OR POTENTIAL CONFLICT OF INTEREST WHICH MAY ARISE FROM SERVICE ON THE COUNTY BOARD TO WHICH SHE OR HE MAY BE APPOINTED AND TO PROVIDE CANDIDATE'S RESPONSE TO THE BOARD PRIOR TO ANY APPOINTMENT

WHEREAS, for purposes of this resolution, the term "County Board" shall refer to every agency, authority, advisory board, regulatory board, quasi-judicial board, semiautonomous instrumentality, committee, task force or any other citizens' group created by this Board other than a board, committee, task force, or other citizens' group created by a County Commissioner for the purpose of advising him or her with regard to issues solely within his or her district; and

WHEREAS, this Board, from time to time, shall appoint one or more individuals to a County Board; and

WHEREAS, this Board wishes to direct the Clerk of the Board to provide a questionnaire to each candidate for a County Board requesting certain information in writing regarding any conflict of interest or potential conflict of interest which may arise if the individual is appointed to the County Board for which she or he is a candidate and to provide the candidate's response to the Board for consideration prior to the time that an appointment will be made,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board directs the Clerk of the Board (i) to provide a questionnaire prepared by the Ethics Commission to each candidate for membership on a County Board requesting the disclosure of any conflict of interest or potential conflict of interest which may arise from service on the County Board to which the candidate may be appointed, including but not limited to, (a) any Controlling Financial Interest (as defined below) of the candidate, either individually or through a member of his or her Immediate Family, in a corporation, firm, partnership or business entity that may appear before such County Board; (b) any employment of the candidate by a corporation, firm, partnership or business entity that may appear before such County Board; and (c) any membership of the candidate on the board of a business entity that may appear before such County Board; and (ii) to provide the information submitted by each candidate in response to the questionnaire to this Board before an appointment is made.

Section 3. For purposes of this resolution the term “Controlling Financial Interest” shall refer to ownership, directly or indirectly, of ten percent (10%) or more of the outstanding capital stock in any corporation or a direct or indirect interest of ten percent (10%) or more in a firm, partnership, or other business entity. The term “Immediate Family” shall refer to the spouse, parents and children of the person involved.

The foregoing resolution was sponsored by Senator Javier D. Souto and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GPK

Geri Bonzon-Keenan