

**MEMORANDUM**

Agenda Item No. 7(D)

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

**DATE:** (Second Reading 5-6-08)  
February 5, 2008

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

**SUBJECT:** Ordinance relating to  
County Boards

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The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez and Commissioner Dennis C. Moss.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/bw

# Memorandum



**Date:** May 6, 2008

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

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess".

**Subject:** Ordinance relating to County Boards

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The ordinance relating to County Boards will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Alina T. Hudak".

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Alina T. Hudak  
Assistant County Manager

fis002608



# MEMORANDUM

(Revised)

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

**DATE:** May 6, 2008

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

**SUBJECT:** Agenda Item No. 7(D)

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(D)

5-6-08

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO COUNTY BOARDS;  
AMENDING SECTION 2-11.39.2 OF THE CODE OF MIAMI-  
DADE COUNTY, FLORIDA, BY DELETING PROVISIONS  
WHICH PROVIDE THAT THE COMMISSION MAY BY  
RESOLUTION EXEMPT DESIGNATED COUNTY BOARDS  
FROM THE PROVISIONS OF THE CONFLICT OF INTEREST  
AND CODE OF ETHICS ORDINANCE; 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 2-11.39.2 of the Code of Miami-Dade County, Florida, is hereby  
amended to read as follows:<sup>1</sup>

**ARTICLE IB.**

**STANDARDS FOR CREATION AND  
REVIEW OF BOARDS GENERALLY**

\* \* \*

**Sec. 2-11.39.2. Application of the Miami-Dade County  
Conflict of Interest and Code of Ethics  
Ordinance.**

~~[[Notwithstanding any other provision of the Code or of  
any resolution, the Board of County Commissioners may by  
resolution determine that the members of designated county boards  
are exempt from the provisions of the Miami Dade County  
Conflict of Interest and Code of Ethics Ordinance (Section 2-11.1  
of the Code) as the same may be amended from time to time.  
Resolutions adopted under the authority of this section shall be~~

<sup>1</sup> 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.

~~effective for 2003 and thereafter.]] >>The provisions of the  
Miami-Dade County Conflict of Interest and Code of Ethics  
Ordinance shall be applicable to county boards.<<~~

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 Rebeca Sosa,  
Commissioner Jose "Pepe" Diaz,  
Commissioner Carlos A. Gimenez and  
Commissioner Dennis C. Moss