MEMORANDUM

Agenda Item No. 7(B)

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

DATE: May 20, 2008

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

SUBJECT: Ordinance regarding the Property Appraiser of Miami-Dade County and the Office of the Property Appraiser

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This ordinance was amended by the Governmental Operations and Environment Committee to correct scrivener's errors and add language to Section 2-70 authorizing the Property Appraiser and the County Attorney to settle lawsuits in cases involving assessment challenges or related issues and requiring such

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Natacha Seijas, Commissioner Sally A. Heyman and Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum

MIAMI-DADE COUNTY

Date: May 20, 2008

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

From: George M. Burgess
County Manager

Subject: Ordinance regarding the Property Appraiser of Miami-Dade County and the Office of the Property Appraiser

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The ordinance regarding the Property Appraiser of Miami-Dade County and the Office of the Property Appraiser could have an estimated impact of up to $3.2 million if the primary election requires a run-off election before January 1, 2009. Other costs associated with the newly defined Office's duties and responsibilities as outlined in the ordinance will be subject to appropriation and approval by the Board of County Commissioners.

Cynthia W. Curry
Senior Advisor

Fis03308

MEMORANDUM

(Revised)

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

DATE: May 20, 2008

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

SUBJECT: Agenda Item No. 7(B)

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(B)

5-20-08

ORDINANCE NO. _____

ORDINANCE REGARDING THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY AND THE OFFICE OF THE PROPERTY APPRAISER; PROVIDING FOR THE TRANSFER OF DUTIES TO THE ELECTED PROPERTY APPRAISER AS HEAD OF THE OFFICE OF THE PROPERTY APPRAISER; PROVIDING FOR ELECTION OF THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY IN 2008 AND EVERY FOUR YEARS THEREAFTER; SETTING FORTH QUALIFYING DATES AND FEES TO RUN FOR PROPERTY APPRAISER AND REQUIREMENTS PERTAINING TO FAIR CAMPAIGN PRACTICES; SETTING FORTH THE COMMENCEMENT DATE OF THE TERM OF OFFICE, DUTIES OF THE OFFICE, COMPENSATION AND BENEFITS FOR THE OFFICE AND OTHER REQUIREMENTS RELATED TO SERVICE AS THE PROPERTY APPRAISER; PROVIDING FOR CONTINUED USE OF COUNTY PERSONNEL, FACILITIES, PURCHASING, LEGAL AND OTHER SERVICES; PROVIDING FOR APPLICABILITY OF COUNTY ORDINANCES, INCLUDING ORDINANCES RELATED TO LOBBYING, THE CODE OF ETHICS AND CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE; ALLOWING THE ELECTED PROPERTY APPRAISER TO PLACE ITEMS ON THE COUNTY COMMISSION AGENDA; REPEALING SECTIONS 2-69; CREATING SECTIONS 2-69 THROUGH 2-73 AND AMENDING SECTIONS 2-11.1.1, 12-5, 12-11, 12-17, 12-18 AND 12-21 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; 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 2-69 of the Code of Miami-Dade County is repealed in its entirety and new sections 2-69 through 2-73 are hereby created as follows:

Sec. 2-69. Election of the Property Appraiser of Miami-Dade County; Establishing Qualifying Period and Fee and Residency Requirements; Commencement of Term; Compliance with the Ethical Campaign Requirements Ordinance; Restricting Corporate Campaign Contributions; Vacancy in Office.

a. The duties of the Property Appraiser, previously carried out under the supervision of the Mayor, are transferred to the Property Appraiser of Miami-Dade County, who shall be elected pursuant to Section 5.04 of the Miami-Dade County Home Rule Charter, effective upon the commencement of the term of office of the Property Appraiser of Miami-Dade County.

b. Commencing with the general election held on November 4, 2008, the Property Appraiser of Miami-Dade County shall be elected by a majority of the qualified electors voting at a county-wide election held within Miami-Dade County, Florida. If no candidate receives a majority vote of qualified electors voting at the November 4, 2008 election, the Commission shall call a countywide runoff election to be held prior to January 1, 2009. Every four years thereafter, the Property Appraiser of Miami-Dade County shall be elected at a countywide election by a majority of the qualified electors voting at such election held in conjunction with the Miami-Dade County state Primary election. If no candidate receives a majority of the votes cast, there will be a runoff election at the time of the general election following the state primary election between the two candidates receiving the highest number of votes. Should a tie result, the outcome shall be determined by lot.

c. For the general election held on November 4, 2008, all candidates seeking election as the Property Appraiser of Miami-Dade County shall qualify using the method provided by ordinance no earlier than noon on the 84th day and no later than noon on the 68th day prior to the date of the election at which he or she is a candidate. Every four years thereafter, all candidates seeking election as the Property Appraiser of Miami-Dade County shall qualify using the method provided by ordinance with the Clerk of the Circuit Court no earlier than the 84th day and no later than noon on the 70th day prior to the date of the election at which he or she is a candidate. Each candidate for Property Appraiser of Miami-Dade County shall pay a filing fee of $5,000.00. All filing fees shall be paid into the general funds of the county. Each candidate for Property Appraiser of Miami-Dade County shall be a qualified elector

residing within Miami-Dade County for at least three years before qualifying.

d. All candidates seeking election as the Property Appraiser of Miami-Dade County shall comply with the Ethical Campaign Practices Ordinance codified at Sec. 2-11.1.1 of the Code of Miami-Dade County, Florida.

e. It is unlawful for any corporation incorporated under the laws of the State of Florida or any other state or any foreign country or any partnership or any other legal entity other than a natural person or corporation ("unincorporated associations") to make a contribution or expenditure, as defined in Chapter 106, Florida Statutes, in connection with the election of any candidate for the Property Appraiser of Miami-Dade County. Furthermore, it shall be unlawful for any candidate, political committee, or other person to knowingly accept or receive any contribution prohibited by this subsection, or for any officer or any director of any corporation, or any unincorporated association to consent to any contributions or expenditures by a corporation or unincorporated association prohibited by this section. In addition to any other penalties which may be applicable, any person who violates this subsection shall be punishable by a fine up to $500.00 or imprisonment not to exceed sixty days, or both. Notwithstanding the foregoing, this subsection shall not apply to: (1) a loan of money by a national or state bank made in accordance with the applicable banking laws and regulations in the ordinary course of business provided that any such loan shall be included in the reports filed by the candidates and political committees; (2) the receipt of interest or dividends on investments where the interest or dividends are received in accordance with the applicable banking laws and in the ordinary course of business provided that such interest and dividends shall be included in the financial records maintained by the candidate and political committees and reports where appropriate under the filing requirements of this Code; (3) a direct private communications by a corporation to its stockholders and their families or by an unincorporated association to its members and their families on any subject; nonpartisan registration and get-out-vote campaigns by a corporation aimed at stockholders and their families or by an unincorporated association aimed at its members and their families; and (4) the establishment, and administration by a corporation or an unincorporated association of a separate segregated fund which fund is to be created by voluntary individual contributions, including those solicited by the corporation or unincorporated association and

to be utilized for political purposes, provided that any such separate segregated fund shall be deemed to be a political committee for purposes of this ordinance and must comply with the requirements of Chapter 106, Florida Statutes, regardless of the level of expenditures or contributions.

f. The term of office of the Property Appraiser of Miami-Dade County shall commence on the first Tuesday after the first Monday in January following his or her election.

g. In the event of any vacancy in office of the Property Appraiser of Miami-Dade County, the person appointed by the Property Appraiser of Miami-Dade County as his or her deputy or next in authority shall act as the Property Appraiser of Miami-Dade County. The person serving as the acting Property Appraiser of Miami-Dade County shall meet the eligibility requirements for the office~~,~~ unless waived by the Board of County Commissioners by resolution. The person acting as the Property Appraiser shall serve only until the next county-wide election. A person elected at such countywide or runoff election, if necessary, shall serve for the remainder of the unexpired term of office vacated by the Property Appraiser.

Sec. 2-70. Duties and Powers of the Property Appraiser.

The Property Appraiser of Miami-Dade County shall serve as the head of the Office of the Property Appraiser with the following specific powers and responsibilities:

(1) The Property Appraiser of Miami-Dade County shall perform the duties and functions pertaining to assessing all property in Miami-Dade County as required by and in accordance with the Florida Constitution and Florida Statutes, including~~,~~ but not limited to~~,~~ the following specific responsibilities:

a. Annual determination of exempt status, classification and valuation of real and personal property in Miami-Dade County;

b. Preparation of real and personal property tax rolls.

c. Delivery of real and personal property tax rolls to the Department of Revenue and taxing authorities within Miami-Dade County;

d. Certification of value to all taxing authorities for purposes of preparation of budget[s] and adoption of

millage[s].

e. Mailing of TRIM ("Truth and Responsibility in Millage") notices to all property owners in Miami-Dade County~~,~~ under the mark, brand or seal of the Property Appraiser of Miami-Dade County.

f. Certification of the assessment rolls to the Tax Collector.

g. Completion of any pending or unfinished tasks or duties that were originally begun or undertaken by the Miami-Dade County Property Appraisal Department or the predecessor Property Appraiser.

(2) The Property Appraiser may sue and be sued in his or her name and official capacity in cases involving assessment challenges or related issues. Any suit by or against the Property Appraiser may be settled or compromised by the Property Appraiser and the County Attorney or their designees, if the Property Appraiser and County Attorney determine that said settlement or compromise is in the best interests of Miami-Dade County after considering the legal liability, potential litigation expenses, potential financial exposure of the County and the precedential effect of such litigation. The settlement of all such litigation shall be reported quarterly to the County Commission.

(3) The Property Appraiser, upon request of the Mayor and/or the County Manager, shall provide the proposed budget for purposes of preparing the budget for the Office which will be considered by the Board of County Commissioners in its adoption of the County's annual budget.

(4) The Property Appraiser may enter into interdepartmental agreements with other County departments as may be necessary to carry out the purposes and provisions of this ordinance.

(5) The Property Appraiser may enter into agreements with third parties, subject to approval by the Board of County Commissioners.

(6) The Property Appraiser may submit proposed resolutions, ordinances or reports related to his or her duties to the Clerk of the Board of County Commissioners and such items shall be placed on the next available agenda of the Board of County Commissioners.

(7) The Property Appraiser may become associated with The Florida Association of Property Appraisers; The Property Appraisers' Association of Florida and/or such other organizations dedicated to supporting and advocating on behalf of Property Appraisers in the State of Florida.

(8) The Property Appraiser may perform any other lawful acts which the Property Appraiser may consider necessary or desirable in carrying out the purposes and provisions of this ordinance.

Sec. 2-71. Applicability of County Ordinances to the Property Appraiser.

The Property Appraiser of Miami-Dade County shall be subject to the ordinances of Miami-Dade County to the same extent as other department directors of Miami-Dade County, including, but not limited to, the Code of Ethics and Conflict of Interest Ordinance codified at Section 2.11.1 et seq. of the Code of Miami-Dade County, Florida, Section 2-1076 et seq. of the Code relating to the Office of the Inspector General, and Section 2-1795 of the Code relating to the County's annual budget. The Property Appraiser of Miami-Dade County shall devote his or her full time service to the office of Property Appraiser and shall not be otherwise employed.

Sec. 2-72. The Property Appraiser's Salary, Compensation and Benefits.

The salary, compensation and benefits of the Property Appraiser of Miami-Dade County for 2009 shall be $153,000.00 and he or she shall receive Class 1 Executive Benefits and thereafter salary, compensation and benefits shall be fixed annually by the Board of County Commissioners.

Sec. 2-73. Employees of the Office of the Property Appraiser; Salary, Compensation and Benefits of Such Employees; Use of County Facilities and Services. County Attorney's Office to Provide Legal Counsel.

1. Upon the commencement of the term of office of the elected Property Appraiser of Miami-Dade County elected in November, 2008 and subject to the approval of the Mayor, the employees assigned to the Property Appraisal department prior to the election of the Property Appraiser of Miami-Dade County shall be assigned to the Office of the Property Appraiser of Miami-Dade County. Thereafter, the Mayor shall, in accordance with the Code and Personnel Rules,

appoint such employees and other personnel as may be necessary to operate the Office, except that the Property Appraiser of Miami-Dade County shall appoint employees to all positions in the Office which are exempt from the County's classified service.

2. The salaries, compensation and benefits of all Office employees within the classified service shall be fixed by the County Commission upon recommendation of the Mayor, subject to the provisions of any applicable collective bargaining agreement. The salaries, compensation and benefits of those employees appointed by the Property Appraiser shall be fixed by the County Commission upon recommendation of the Property Appraiser of Miami-Dade County, subject to the provisions of any applicable collective bargaining agreement.

3. The Property Appraiser of Miami-Dade County shall utilize general County services and facilities, including but not limited to, purchasing, centralized computer services, general services administration, and personnel. Legal services shall be provided by the County Attorney's Office.

Section 2. Section 2-11.1.1 of the Miami-Dade County Code is hereby amended to read as follows: [1]

Sec. 2-11.1.1. Ethical Campaign Practices Ordinance.

(A) *Applicability of Ethical Campaign Practices Ordinance.* The Ethical Campaign Practices Ordinance shall extend to: (i) Candidates, and their respective campaign staffs, for the Miami-Dade County Commission or Mayor; (ii) Candidates, and their respective campaign staffs, for the Miami-Dade Fire and Rescue Service District Board; (iii) Candidates, and their respective campaign staffs, for Miami-Dade County Community Councils; (iv) Candidates, and their respective campaign staffs, for any municipal elective office within Miami-Dade County; and (v) >>Candidates, and their respective campaign staffs, for the Property Appraiser of Miami-Dade County; and<< [[~~v~~]] >>(vi)<< Any candidate, and his or her campaign staff, for elective office

[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.

with a constituency in whole or in part in Miami-Dade County who agrees to abide by the mandatory and/or voluntary fair campaign practices provided in subsections (C) and (D). As used herein, "candidate" means any person to whom any one (1) or more of the following applies:

(1) Any person who receives contributions or makes expenditures, or gives his or her consent for any other person to receive contributions or make expenditures, with a view to bringing about his or her election to, or retention in, public office.

(2) Any person who appoints a treasurer and designates a primary depository.

(3) Any person who files qualification papers and subscribes to a candidate's oath as required by law.

(B) *Miami-Dade County Commission on Ethics and Public Trust.* The Miami-Dade County Commission on Ethics and Public Trust ("Ethics Commission") shall have jurisdiction over the Ethical Campaign Practices Ordinance. The Ethics Commission shall be empowered to review, interpret, render advisory opinions and letters of instruction and enforce the mandatory and voluntary fair campaign practices provided in subsections (C) and (D).

(C) *Mandatory Fair Campaign Practices.*

(1) *Prohibitions.* A candidate, and his or her campaign staff, for the Miami-Dade County Commission, Mayor of Miami-Dade County, Miami-Dade Fire and Rescue Service District Board, Miami-Dade County Community Councils or for any municipal elective office within Miami-Dade County shall not:

(a) With actual malice make or cause to be made any untrue oral statement about another candidate or a member of his or her family or staff which exposes said person to hatred, contempt, or ridicule or causes said person to be shunned or avoided, or injured in his or her business or occupation;

(b) With actual malice publish or cause to be published by writing, printing, picture, effigy, sign or otherwise than by mere speech any untrue statement about another candidate or a member of his or her family or staff which exposes said person to hatred, contempt, or ridicule or causes said person to be shunned or avoided, or injured in his or her business or occupation;

(c) Willfully injure, deface or damage or cause to be injured, defaced or damaged by any means any campaign poster, sign, leaflet, handbill, literature or other campaign material of another candidate;

(d) Knowingly obtain, or cause to be obtained the campaign property of another candidate with the intent to, temporarily or permanently, deprive the candidate of a right to the property or a benefit therefrom; or

(e) Knowingly file with the Ethics Commission a groundless or frivolous complaint against another candidate. Miami-Dade County Ethical Campaign Practices Ordinance Sec. 2-11.1.1.

* * *

(3) *Penalties.* In addition to any other penalty provided by law, a finding by the Ethics Commission that a candidate or a member of his or her staff has violated one (1) or more of the mandatory fair campaign practices shall subject said candidate, a member of his or her staff, or both, to an admonition or public reprimand and/or a fine of five hundred dollars ($500.00) for the first such violation and one thousand dollars ($1,000.00) for each subsequent violation.

The Ethics Commission may also order a person who violates a mandatory fair campaign practice to pay restitution when the person or a third party receives a pecuniary benefit as a result of the person's violation. The procedure for determining restitution shall be governed by an administrative order adopted by the County Commission and rules of procedure promulgated by the Ethics Commission.

Section 3. Section 12-5 of the Miami-Dade County Code is hereby amended to read as follows:

Sec. 12-5. Campaign contributions and expenditures.

Except as otherwise provided by the Home Rule Charter or by ordinance adopted by the Commission, the provisions of the election laws of the State of Florida regarding campaign contributions and expenditures shall apply to elections for the Office of Mayor of Miami-Dade County, Miami-Dade County Board of County Commissioners >>, Property Appraiser of Miami-Dade County << and Miami-Dade County Community Councils.

Section 4. Section 12-11 of the Miami-Dade County Code is hereby amended to read as follows:

Sec. 12-11. Receipt of qualification papers of candidates; examination; determination of compliance with election laws.

(a) In elections conducted for the Office of Mayor, members of the Board of County Commissioners, >> Property Appraiser of Miami-Dade County,<< members of the Fire Board, and members of community councils, the Miami-Dade County Supervisor of Elections, acting on behalf of the Clerk of the Circuit Court, shall receive the qualification papers and fees from all candidates for such offices. Only those candidates whose qualification papers and fees are in compliance with the applicable election laws of the State of Florida, provisions of the Home Rule Charter, and ordinances relating to such offices by the end of the qualifying period shall be deemed to have qualified.

(b) Any qualified elector may challenge the qualifications of a candidate for the Office of Mayor, County Commissioner, >>Property Appraiser of Miami-Dade County,<< Fire Board member, or Community Council member for whom that elector is eligible to vote by filing a sworn written statement with the Miami-Dade County Supervisor of Elections within ten (10) days from the date on which qualifying ended for such office. Upon receipt of a sworn written statement, the Supervisor of Elections shall forward it to the Inspector General within three (3) business days.

(c) The Inspector General, upon receipt of a sworn written statement challenging the qualifications of a candidate, shall have ten (10) days to conduct an investigation as to the allegation(s) contained within such statement. If the Inspector General determines that the candidate does not meet the qualifications of the office for which he or she has qualified, the Inspector General is authorized and directed to file and prosecute an appropriate action in Circuit Court with an attorney other than the County Attorney. For purposes of this subsection (c), the provisions of Section 2-1076 (f) shall not apply.

(d) Filing an Affidavit and Proof of Residency to Qualify for Election. Candidates for the office of County Commissioner, >>Property Appraiser of Miami-Dade County,<< Community Council, and Mayor shall submit a sworn affidavit at the time of qualifying that provides their current address of legal residence and affirms that they have met the residency requirements pursuant to Section 1.04 of the Miami-Dade County Home Rule Charter and Article II, Section 18-24 of the Code, respectively >>or the requirements of Section 2-69, as applicable<<. The affidavit shall be on a form provided by the Miami-Dade County Supervisor of Elections. In addition to filing the affidavit, candidates shall submit proof of residency which shall include one of the following documents: voter's registration, driver's license, property tax receipt, homestead exemption, utility bill or lease agreement.

(e) Penalties. In addition to any other penalties which may be applicable, any person who knowingly misrepresents their legal residency shall be subject to perjury and punished by a fine not to exceed one thousand dollars ($1,000.00) or by imprisonment not to exceed sixty (60) days, or both such fine and imprisonment.

Section 5. Section 12-17 of the Miami-Dade County Code is hereby amended to read as follows:

Sec. 12-17. Electronic reporting.

Candidates for the Office of Mayor of Miami-Dade County, Miami-Dade County Board of County Commissioners, >>Property Appraiser of Miami-Dade County,<< Miami-Dade County Community Council and Miami-Dade County Fire Board shall file their Campaign Treasurer's Reports on diskettes or CD-ROMs simultaneously with and in addition to an original signed report as required by Section 106.07, Florida Statutes. The original signed Campaign Treasurer's Report as well as the required copy on diskette or CD-ROM shall be delivered to the Miami-Dade County Department of Elections on or before the due date. The format for Campaign Treasurer's Reports submitted on diskettes or CD-ROMs shall be the same as the original signed report. The Supervisor of Elections shall determine the required format for Campaign Treasurer's Reports and shall provide copies upon request.

Section 6. Section 12-18 of the Miami-Dade County Code is hereby amended to read as follows:

Sec. 12-18. Electronic posting.

Campaign Treasurer's Reports submitted by candidates for the Office of Mayor of Miami-Dade County, Miami-Dade County Board of County Commissioners, >>Property Appraiser of Miami-Dade County,<< Miami-Dade County Community Council and Miami-Dade County Fire Board shall be posted on the Supervisor of Election's Website within three (3) business days of receipt of the diskettes or CD-ROMs by the Supervisor of Elections; provided, that diskettes or CD-ROMs required to be filed within four (4) days of an election shall be posted on the Supervisor of Election's Website no later than two (2) days before the date of the election.

Section 7. Section 12-21 of the Miami-Dade County Code is hereby amended to read as follows:

Sec. 12-21. Reporting of independent expenditures, aggregate contributions equal to or greater than $5,000.00.

(a) Reporting and Posting of Independent Expenditures.

(1) Reporting and posting of independent expenditures.

Each person who makes an independent expenditure with respect to any candidate for the Office of Mayor of Miami-Dade County, the Office of Commissioner of Miami-Dade County, >>Property Appraiser of Miami-Dade County,<< Miami-Dade County Community Council or Miami-Dade County Fire Board shall file a report ("Independent Expenditure Report") with the Miami-Dade County Supervisor of Elections on diskettes or CD-ROMs simultaneously with and in addition to an original signed Independent Expenditure Report, as required by section 106.071, Florida Statutes. The original signed Independent Expenditure Report as well as the required copy on diskette or CD-ROM shall be delivered to the Miami-Dade County Department of Elections on or before the due date. The format for Independent Expenditure Reports submitted on diskettes or CD-ROMs shall be the same as the original signed report. The Supervisor of Elections shall determine the required format for Independent Expenditure Reports and shall provide copies upon request. Independent Expenditure Reports submitted by a person or entity shall be posted on the Supervisor of Election's Website within three (3) business days of receipt of the diskettes or CD-ROMs by the Supervisor of Elections; provided, that diskettes or CD-ROMS required to be filed within four (4) days of an election shall be posted on the Supervisor of Election's Website no later than two (2) days before the date of election.

(2) Definitions.

a. For purposes of this section, "person" shall have the meaning ascribed to such term in Chapter 106, Florida Statutes, as amended and supplemented.

b. For purposes of this section, "independent expenditure" shall have the meaning ascribed to such term in Chapter 106, Florida Statutes, as amended and supplemented.

(b) Report regarding aggregate contributions equal to or greater than $5,000.00 within fourteen (14) days of the election. Each candidate for the Office of Miami-Dade County Mayor, the Office of Commissioner of Miami-Dade County, >> Property Appraiser of Miami-Dade County,<< the Miami-Dade County Fire Board, or Miami-Dade County Community Council who receives aggregate contributions equal to or greater than $5,000.00 within fourteen (14) days of the election, shall file a report (the "$5,000.00

Report") stating the names of the contributors, the amount of each contribution, the dates of the contributions and the aggregate amount of the contributions. The $5,000.00 Report shall be filed within two (2) business days of receipt by the candidate of aggregate contributions which are equal to or greater than $5,000.00. The $5,000.00 Report shall be filed each time a candidate receives aggregate contributions which are equal to or greater than $5,000.00, and shall be filed on diskettes or CD-ROMs simultaneously with and in addition to an original signed report. The original signed $5,000.00 Report as well as the required copy on diskette or CD-ROM shall be delivered to the Miami-Dade County Department of Elections on or before the due date. The format for $5,000.00 Reports submitted on diskettes or CD-ROMs shall be the same as the original signed report. The Supervisor of Elections shall determine the required format for $5,000.00 Reports and shall provide copies upon request. Each $5,000.00 Report submitted by a candidate for the Office of Mayor of Miami-Dade County, the Office of Commissioner or Miami-Dade County, >> Property Appraiser of Miami-Dade County,<< Miami-Dade County Community Council and Miami-Dade County Fire Board shall be posted on the Supervisor of Election's Website within two (2) business days of receipt of the diskettes or CD-ROMs by the Supervisor of Elections.

Section 8. 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 9. 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 10. 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:

Cynthia Johnson-Stacks
Lee Kraftchick
Oren Rosenthal

Sponsored by Commissioner Natacha Seijas,
Commissioner Sally A. Heyman and
Senator Javier D. Souto