MEMORANDUM

Agenda Item No. 11(A)(15)

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

DATE: December 2, 2008

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

SUBJECT: Resolution directing the Mayor to implement a "Plain Language" policy

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: December 2, 2008

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

SUBJECT: Agenda Item No. 11(A)(15)

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)(15)
12-2-08

RESOLUTION NO. _____

RESOLUTION SETTING A "PLAIN LANGUAGE" POLICY FOR MIAMI-DADE COUNTY; DIRECTING THE MAYOR OR DESIGNEE TO IMPLEMENT THE PLAIN LANGUAGE POLICY

WHEREAS, shortly after taking office, Governor Charlie Crist issued Executive Order 07-01 (attached), which, among other things, instituted a "Plain Language Initiative" requiring all announcements, publications and other documents to contain clear and concise instructions and information; and

WHEREAS, as part of his Plain Language Initiative, the Governor strongly encouraged state agencies to move away from heavy reliance on the use of acronyms and required each state agency under his purview to develop a plan to implement the Plain Language Initiative; and

WHEREAS, while the Plain Language Initiative applied only to state agencies under the Governor's purview, he encouraged local governments and other government agencies that deal directly with the public to seriously consider joining the Plain Language Initiative; and

WHEREAS, heavy use of acronyms and unnecessarily complex memoranda, notices, website information and other communications not only make government more difficult for the community to understand, but has also led to confusion on recent items before this Board; and

WHEREAS, the Administration should do a thorough review of memoranda, notices, reports, letters, website information and other communications with the public, businesses and other government agencies, and revise such communications so as to make them easy to read and understand by using common language to the greatest extent possible; and

WHEREAS, making a conscious effort to use common, easy to understand language will help to make government more accessible to residents,

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

Section 1. It is the policy of Miami-Dade County to use plain language wherever possible and to make all memoranda, notices, reports, letters, website information and other communications as easy to read and understand as possible.

Section 2. The Mayor or Designee shall do a thorough review of all memoranda, notices, reports, letters, website information and other communications with the public, businesses and other governmental agencies to ensure that plain language is used and that these communications are as easy to read and understand as possible through the use of common language.

Section 3. Within 120 days of the effective date of this resolution, the Mayor or Designee shall (i) report back to this Board the results of the review set forth in section 2 above and (ii) provide a draft Implementing Order for the Board's approval that implements the plain language policy set forth in this resolution. The draft Implementing Order should set forth the most effective and cost-effective means of implementing a plain language policy.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 2nd day of December, 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. JMM

Jess M. McCarty

STATE OF FLORIDA

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 07-01

WHEREAS, the Constitutions of the United States and of Florida provide that "We, the people" establish our federal and state governments; and

WHEREAS, the Constitution of the State of Florida further confirms that all political power flows from the People to our government; and

WHEREAS, by accepting an elected, appointed, or other position in our state government, we have each chosen to take on the responsibility of public service dedicated to the people of Florida; and

WHEREAS, that commitment to service must prevail in the Office of the Governor and each executive agency within its purview; and

WHEREAS, an honest, open, and ethical structure within which government decisions are made is an important factor in building the people's trust and confidence in their government and its ability to serve the people; and

WHEREAS, to further the goal of maximizing service by the public's servants, the people of Florida must have access to their state government and their elected and appointed officials, our state government must be responsive to citizens who seek assistance from it, and our state government must communicate in a clear, easily understood manner.

NOW, THEREFORE, I, CHARLIE CRIST, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, and

all other applicable laws, do hereby promulgate the following Executive Order, to take immediate effect:

Section 1. I hereby direct the immediate adoption and implementation of a Code of Ethics by the Office of the Governor. This Code of Ethics applies to all employees within the Office of the Governor, as well as the secretaries, deputy secretaries, and chiefs of staff of all executive agencies under my purview. This Code of Ethics imposes clear, understandable standards that often go beyond the statutory Code of Ethics set forth in Chapter 112, Part III, Florida Statutes.

Each agency secretary is further directed to review and evaluate the current policies adopted at his or her agency in light of this Code of Ethics, with a view to using this Code as the base standard for his or her agency and adjusted for those unique program requirements and variables for his or her agency. Agency secretaries are to implement any agency-specific adjustments to the Code within forty-five (45) days of the date of this Order.

I further direct the immediate adoption and implementation of a Code of Personal Responsibility by the Office of the Governor. The Code of Personal Responsibility applies to all employees within the Office of the Governor and sets forth clear standards and procedures regarding appropriate conduct in the workplace.

Each agency secretary is directed to review and evaluate the Code of Personal Responsibility, with a view to determining whether the agency's existing personnel policies and procedures require any adjustments based on the standards set forth in that Code. The policy statements set forth in the Code of Personal Responsibility will serve as the minimum standards of conduct for all executive agencies within my purview.

Each agency secretary is to complete the review of the agency's existing personnel policies and implement any changes to them within forty-five (45) days of the date of this Order.

Each agency secretary is further directed to designate an individual at his or her agency to act as the agency's chief ethics officer. The agency's ethics officer will make reasonable efforts to ensure that the employees responsible for adhering to this Code become familiar with relevant ethics, public records and open meeting requirements. I hereby designate my General Counsel to act as the chief ethics officer for the Office of the Governor.

Each agency secretary is further directed to attend training on the subjects of ethics, public records, open meetings, records retention, equal opportunity and proper personnel procedures. Thereafter, each agency secretary will arrange for similar training of his/her employees on an annual basis.

I further direct the periodic review and evaluation of both the Code of Ethics and the Code of Personal Responsibility. The purpose of this periodic review shall be to develop further recommendations as necessary or appropriate to assure that we maintain and effectively enforce the highest ethical standards for state officials and employees, and promote consistency of State agency policies on ethics, public records, open meetings, and personnel matters.

Section 2. I hereby institute the Plain Language Initiative in the Office of the Governor and the executive agencies under my purview. The purpose of this initiative is to ensure that the announcements, publications, and other documents sent by my Office and these agencies contain clear and concise instructions and information. The

Governor's Office of Citizen Services will provide guidance for the development and implementation of this initiative.

Within ninety (90) days of this Executive Order, each agency, in coordination with the Governor's Office of Citizen Services, will adopt a plan to implement Plain Language guidelines and standards. While each agency's plan must take into account the unique programs and requirements of that agency and its customers, all Plain Language plans must provide for documents that include:

- Clear language that is commonly used by the intended audience;
- Only the information needed by the recipient, presented in a logical sequence;
- Short sentences written in the active voice that make it clear who is responsible for what; and
- Layout and design that help the reader understand the meaning on the first try (including adequate white space, bulleted lists, and helpful headings).

Section 3. I hereby create the Office of Open Government within the Office of the Governor. The Office of Open Government is charged with providing the Office of the Governor and each of the executive agencies under my purview with the guidance and tools to serve Florida with integrity and transparency.

To that end, the Office's primary functions will be: (1) to assure full and expeditious compliance with Florida's open government and public records laws, and (2) to provide training to all executive agencies under my purview on transparency and accountability. The Office will also have primary responsibility for ensuring that the Office of the Governor complies with public records requests in an expeditious manner.

Each agency secretary is further directed to designate a person at his or her agency who will act as the agency's public records/open government contact person.

Section 6. All state agencies under the direction of the Governor are hereby directed, and all other state agencies are hereby requested, to provide such assistance to the individuals carrying out the directions in this Executive Order as may be requested by them in furtherance of it.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 2nd day of January, 2007.

GOVERNOR

ATTEST:

SECRETARY OF STATE