MEMORANDUM Agenda Item No. 11(A)(6)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

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

SUBJECT: Resolution requiring the County Mayor or County Mayor's designee to provide the County Commission with periodic reports regarding delegations of authority from County Mayor to County Manager

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

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

SUBJECT: Agenda Item No. 11(A)(6)

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 Mayor'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)(6)
5-5-09

RESOLUTION NO. _____

RESOLUTION REQUIRING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE COUNTY COMMISSION WITH PERIODIC REPORTS REGARDING DELEGATIONS OF AUTHORITY FROM COUNTY MAYOR TO COUNTY MANAGER OR COUNTY MANAGER'S DESIGNEE

WHEREAS, Section 2.02 of the Home Rule Charter provides that the Mayor is responsible for the management of all administrative departments of the County government; and

WHEREAS, the Mayor occasionally delegates his authority to the County Manager and/or the County Manager's designees; and

WHEREAS, on February 23, 2007, the Mayor delegated the following responsibilities/actions to the County Manager and/or the County Manager's designees:

- Award of Contracts - as delegated by the procurement ordinance
- Appointments of Selection Committees
- Permits
- Recruitment of Department Directors
- Employee Performance Reviews
- Performance-Based Bonuses other than executive level staff
- Special Recognition Increases other than executive level staff
- Special Pay Adjustments for employees other than executive level staff
- Requests for Classification Action
- Exemptions from the Classified Service
- Personnel Change Documents
- Disciplinary Action Appeals
- Pipeline Requests
- Waiver of Residency Requirements
- Authorization to pay Administrative Leave (AD) during emergencies
- Employee Protection Ordinance (whistleblower) issues
- Anniversary Letters 5-20 years
- Supervisor Certification Program certificates
- Contracts and grant-related documents once approved by the Board
- All domestic and international travel requests

- Leave slips (directors and Manager's immediate staff)
- Agenda Items
- Take-Home Vehicles
- Telecommunications Device & Service Requests; and

WHEREAS, the Mayor has retained the authority to perform the following responsibilities/actions:

- Interagency Agreements
- Settlement Agreements greater than $200,000
- Purchase Change Orders and Emergency Purchase Orders (pursuant to authorized procurement procedures) of $25,000 or Greater
- Departmental Tables of Organization
- Appointment of Department Directors
- Review of promotion or new hires in executive/senior management prior to appointment
- Executive Salary Reviews and Merit Increases for CMO and department staff
- Pay Increases Greater than 5 percent within one year (including promotions/transfers)
- Special Pay Adjustments for executive level staff
- CES Waivers
- Red-Circle Requests
- Negotiation of Collective Bargaining Agreements
- Drop rehires
- Granting Departure Incentive Program (DIP) benefits
- Anniversary Letters 25+; and

WHEREAS, the Board desires to be kept apprised of delegations of authority by the Mayor to the County Manager and/or his designees,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee shall provide this Board with a report every six (6) months stating those responsibilities/actions which have been delegated by the Mayor to the County Manager and/or the County Manager's designee. The report should be submitted in the least costly electronic format to reduce printing costs and the use of paper.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. 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. GKS

Gerald K. Sanchez