

MEMORANDUM

Agenda Item No. 4(D)

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

DATE: January 21, 2010

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

SUBJECT: Ordinance relating to
Rules of Procedure of the
Board of County
Commissioners

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(D)
1-21-10

ORDINANCE NO. _____

ORDINANCE AMENDING RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS BY DELETING PROVISIONS PROVIDING THAT CHAIRPERSON AND VICE-CHAIRPERSON SHALL NOT SERVE FOR MORE THAN TWO CONSECUTIVE YEARS; 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 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION.

PART 1. GOVERNING RULES

* * *

PART 2. OFFICERS

Rule 2.01 Chairperson and Vice-Chairperson.

(a) *Chairperson.*

- (1) *Election, term~~[[term—~~term—limitation~~]]~~, and removal.* A chairperson of the board of county commissioners shall be elected for a term of two (2) years by the vote of at least seven (7) commissioners at the commission meeting following the installation of the county commissioners during each even-numbered year. The chairperson's term

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.

shall commence on January 1 of the following year. The chairperson may be removed prior to the expiration of his or her term by the vote of nine (9) commissioners. ~~[[No commissioner shall serve as chairperson of the county commission for more than two consecutive years.]]~~

* * *

(b) *Vice-chairperson.*

- (1) *Election, term*~~[[*term limitation*]]~~ *and removal.* A vice-chairperson of the board of county commissioners shall be elected for a term of two (2) years by the vote of at least seven (7) commissioners at the commission meeting following the installation of the county commissioners during each even-numbered year. The term of office for the vice-chairperson of the board shall commence on January 1 of the following year. The vice-chairperson may be removed prior to the expiration of his or her term by the vote of at least seven (7) commissioners. ~~[[No commissioner shall serve as vice-chairperson of the county commission for more than two consecutive years.]]~~

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.

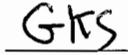
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Prime Sponsor: Commissioner Bruno A. Barreiro