MEMORANDUM

GO

Agenda Item No. 1(G)2

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

DATE: May 11, 2010

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

SUBJECT: Ordinance amending Sections 2-471 and 2-1782 of Code; to provide at the end of each fiscal year all unexpended balances within the Division of the Offices of the Commission Auditor and Intergovernmental Affairs shall be transferred to the Division of the Office of the Chair

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss and Co-Sponsor Commissioner Bruno A. Barreiro .

for

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date:

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

From: George M. Burgess
County Manager

Subject: Ordinance amending sections 2-471 and 2-1782 related to unexpended funds from the Commission Auditor and Intergovernmental Affairs

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The Ordinance requiring the transfer of all unexpended balances at the end of the fiscal year from the Office of the Commission Auditor and the Office of Intergovernmental Affairs, to the Office of the Chair under the Board of County Commissioners to be administered as part of the pool budget will have no fiscal impact to the County budget.

Jennifer Glazer-Moon,
Special Assistant/ Director of the Office of Strategic Business Management

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MEMORANDUM

(Revised)

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

DATE: April 6, 2010

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

SUBJECT: Agenda Item No. 4(E)

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(E)
4-6-10

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 2-471 AND 2-1782 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; TO PROVIDE AT THE END OF EACH FISCAL YEAR ALL UNEXPENDED BALANCES WITHIN THE DIVISION OF THE OFFICES OF THE COMMISSION AUDITOR AND INTERGOVERNMENTAL AFFAIRS SHALL BE TRANSFERRED TO THE DIVISION OF THE OFFICE OF THE CHAIR UNDER THE BOARD OF COUNTY COMMISSIONERS BUDGET TO BE ADMINISTERED AS PART OF THE POOL BUDGET; AND 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 2-471 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:[1]

Sec. 2-471. Created and Established.

There is hereby created the Office of the Commission Auditor. The organization and administration of the Office of Commission Auditor shall be sufficiently independent to assure that no interference or influence external to the office shall adversely affect the independence and objectivity of the Commission Auditor. The Office of the Commission Auditor shall be provided a discrete budget and staffing allowance. >>The Office of the Commission Auditor shall be a division under the budget of the Board of County Commissioners. At the end of each fiscal year all unexpended balances within the division of the Office of the Commission Auditor shall be transferred to the division of the Office of the Chair under the Board of County Commissioners budget to be administered as part of the pool budget by the Chairperson of the Commission in accordance with Section 2-1 of the Code.<< The Commission Auditor shall head the Office of the Commission Auditor and shall have the power to appoint, employ, and remove such assistants, employees and personnel as deemed necessary for the efficient and effective administration of the affairs of the office. The Commission Auditor

[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 report solely to and receive direction from the Board of County Commissioners ("Commission"). The Commission shall determine the appropriate salary and benefits package for the Commission Auditor.

Section 2. Section 2-1782 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 2-1782. Budget and Director.

The Board shall provide the Office of Intergovernmental Affairs with a budget and staffing allowance. >>The Office of Intergovernmental Affairs shall be a division under the budget of the Board of County Commissioners. At the end of each fiscal year all unexpended balances within the division of the Office of Intergovernmental Affairs shall be transferred to the division of the Office of the Chair under the Board of County Commissioners budget to be administered as part of the pool budget by the Chairperson of the Commission in accordance with Section 2-1 of the Code.<< There shall be a Director, who shall head the Office of Intergovernmental Affairs and shall have the power to appoint, employ, and remove such assistants, employees and personnel as deemed necessary for the efficient and effective administration of the Office. An appropriate salary and benefits package for the Director shall be recommended by the Director of the Employee Relations Department and subject to approval by the Mayor or designee and the Chair or designee. The approval or disapproval by the Chair or designee shall prevail in the event both the Mayor or designee and the Chair or designee do not approve or disapprove the recommendation. If the recommendation is not so approved, then the Director of the Employee Relations Department shall provide a new recommendation subject to approval process set forth above.

Section 3. 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 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. 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: APW

Prepared by: GBK

Geri Bonzon-Keenan

Prime Sponsor: Chairman Dennis C. Moss
Co-Sponsor: Commissioner Bruno A. Barreiro