MEMORANDUM

Agenda Item No. 7(D)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	November 4, 2010
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Ordinance relating to the Rules of Procedure amending Section 2-1 of the Code regarding excused absences of commissioners from commission and committee meetings

This ordinance was amended at the Government Operations Committee to add that the Clerk of the Board note in the minutes when a Commissioner arrives at a committee or County Commission meeting, when the Commissioner arrives after the meeting has commenced.

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum

MIAMI-DADE COUNTY

Date: November 4, 2010

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

From: George M. Burgess
County Manager

Subject: Ordinance relating to the Rules of Procedure of the Board of County Commissioners, amending Section 2-1 of the Code

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The proposed ordinance regarding excused absences of Commissioners from Commission and Committee meetings will not have a fiscal impact to the County. The ordinance allows any Commissioner who notifies the Chairperson, Committee Chairperson, or Clerk of the Board that he or she will be absent prior to the start of any scheduled meeting to be noted as excused in the minutes of the meeting.

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

Fis8110

MEMORANDUM

(Revised)

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

DATE: November 4, 2010

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

SUBJECT: Agenda Item No. 7(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. 7(D)
11-4-10

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA REGARDING EXCUSED ABSENCES OF COMMISSIONERS FROM COMMISSION AND COMMITTEE MEETINGS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, County Commissioners may not be able to attend all of the numerous County Commission and committee meetings, due to County, professional or other obligations; and

WHEREAS, this ordinance will give the Clerk of the Board clear direction to note a Commissioner's excused absence in the meeting minutes in certain circumstances,

NOW, THEREFORE, 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]

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

* * *

PART 4. COMMITTEES

Rule 4.01. Committees.

* * *

[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.

(o) *Members' Attendance.* Committee attendance requirements shall be established by the chairperson of the commission, after receiving recommendations by a commission committee of the whole regarding any attendance requirements. >>Any Commissioner who notifies the Committee Chairperson or the Clerk of the Board that he or she will be absent from a committee meeting prior to the start of such scheduled meeting shall be noted as excused in the minutes of the meeting.<< >>The Clerk of the Board shall note in the minutes when a Commissioner arrives at a committee meeting, if the Commissioner arrives after the meeting has commenced.<<[2]

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PART 5. CONDUCT OF MEETINGS; AGENDA

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Rule 5.02. Roll call.

The clerk shall call the roll of the members and the names of those present shall be entered in the minutes. [[~~In the event the roll call reflects the absence of any member on official county business that fact shall be noted in the minutes. Any county commissioner who intends to be absent from any commission meeting shall notify the clerk of the board of the intended absence as soon as convenient.~~]] >>Any Commissioner who notifies the Chairperson or the Clerk of the Board of County Commissioners that he or she will be absent from a County Commission meeting prior to the start of such scheduled meeting shall be noted as excused in the minutes of the meeting.<< >>The Clerk of the Board shall note in the minutes when a Commissioner arrives at a County Commission meeting, if the Commissioner arrives after the meeting has commenced.<<

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

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[2] Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

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:

Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Joe A. Martinez