

# MEMORANDUM

Agenda Item No. 7(C)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** (Second Reading 7-7-11)  
May 17, 2011

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

**SUBJECT:** Ordinance relating to the Rules  
of Procedure amending Section  
2-1 of the Code to provide  
that the Chairperson of the  
Commission may cancel regular  
meetings of the Commission  
under certain circumstances

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez and Co-Sponsors Commissioner Bruno A. Barreiro, and Vice Chairwoman Audrey M. Edmonson.



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R. A. Cuevas, Jr.  
County Attorney

RAC/up

# Memorandum



**Date:** July 7, 2011

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Alina T. Hudak  
County Manager

A handwritten signature in black ink, appearing to read "Alina T. Hudak".

**Subject:** Ordinance amending Sections 2-1 of the Code to provide that the Chairperson of the Commission may cancel regular meetings of the Commission

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The proposed ordinance adding additional circumstances to which the Chairperson of the Commission can postpone or cancel a regular Board of County Commissioners meeting will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Jennifer Glazer-Moon".  
\_\_\_\_\_  
Jennifer Glazer-Moon, Special Assistant/Director  
Office of Strategic Business Management

Fis4111



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2011

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

**SUBJECT:** Agenda Item No. 7(C)

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(C)  
7-7-11

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, TO PROVIDE THAT THE CHAIRPERSON OF THE COMMISSION MAY CANCEL REGULAR MEETINGS OF THE COMMISSION UNDER CERTAIN CIRCUMSTANCES; 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:<sup>1</sup>

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Sec 2-1. Rules of Procedure of County Commission.

\* \* \*

PART 3. MEETINGS

*Rule 3.01 Regular meetings.*

- (a) The Commission shall hold regular meetings on the first and third Tuesday and Thursday of each month, and when the day fixed for any such regular meeting falls on a day designated by law as a legal holiday, such meeting may be held on another day selected by the Commission, or such meeting may be canceled at the

<sup>1</sup> 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.

discretion of the Commission. Unless otherwise determined by the Commission, regular meetings shall commence at 9:30 in the morning and shall end no later than 6:30 p.m. each day. Regular meetings may be otherwise postponed or canceled (1) by resolution or motion adopted at a regular meeting by a majority of the Commission members present ~~[[øø]]>>~~ (2) by the chairperson and six (6) other members of the commission serving notice containing the required seven (7) signatures upon the clerk who shall provide public notice when a meeting is canceled >>or (3) by the chairperson of the commission when: (a) the agenda for a meeting has not been provided to the members of the commission at least twenty-four (24) hours before the scheduled meeting; (b) the chairperson is in receipt of written communications from at least a majority of those commissioners then in office stating that said commissioners will not be attending the meeting; or (c) no action item has been placed on the agenda of a zoning or comprehensive development master plan meeting in compliance with the applicable notice requirements.<< All regular meetings shall be held in the Commission Chambers, Stephen P. Clark Center, 111 N.W. 1 Street, Miami, Florida 33128, or such location as may be approved by a majority of the Commission members present and shall be open to the public and all news media.

**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.

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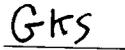
**Section 4.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Prime Sponsor: Chairman Joe A. Martinez  
Co-Sponsors: Commissioner Bruno A. Barreiro  
Vice Chairwoman Audrey M. Edmonson