



MEMORANDUM

Agenda Item No. 11(A)(1)

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


DATE: January 24, 2012

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

SUBJECT: Resolution requesting and directing the Mayor or designee to prepare a plan to increase the transparency of the County government by posting on the County's website in an on-going manner the public records of the County that may prove useful to the public

At its December 13, 2011 meeting, the Internal Management & Fiscal Responsibility Committee amended this item to direct the Mayor or designee to ensure that matters deemed confidential by state and federal law were not posted on the website and to develop a process to weigh whether information, even if not legally deemed confidential, should not be posted because the dangers that the information could be used to steal the identity of a private citizen or County employee outweigh the benefit of posting the information on the County's website.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro and Co-Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

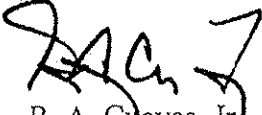


MEMORANDUM

(Revised)

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

DATE: January 24, 2012

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

SUBJECT: Agenda Item No. 11(A)(1)

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. 11(A)(1)
1-24-12

RESOLUTION NO. _____

RESOLUTION REQUESTING AND DIRECTING THE
MAYOR OR DESIGNEE TO PREPARE A PLAN TO
INCREASE THE TRANSPARENCY OF THE COUNTY
GOVERNMENT BY POSTING ON THE COUNTY'S WEBSITE
IN AN ON-GOING MANNER THE PUBLIC RECORDS OF
THE COUNTY THAT MAY PROVE USEFUL TO THE PUBLIC

WHEREAS, trust in government is at an all time low and it is important to restore
confidence and trust in government; and

WHEREAS, this Board embraces the ideals of government-in-the-sunshine and
transparency in government administration and operations; and

WHEREAS, the Constitution and the laws of Florida make most of the records of the
County government public records that are and should be open for the inspection and copying of
members of the public; and

WHEREAS, these important government goals would be advanced by using the
resources of the internet to post on the County's website a growing amount of the County's
public records on an ongoing basis to allow easy access and full transparency; and

WHEREAS, important strides in this regard have already occurred on the County's
website concerning records of the Clerk of the Board, Property Appraiser, Tax Collector,
Library, and the County's online check register, among others, and the County should continue
to expand the public records available on the world wide web,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor is requested and directed to prepare a plan to expand the County public records that are posted on the internet for easy access for the public to review and copy. This plan should review the public records of the County currently available on the internet; identify additional categories of public records that should be posted on the internet; establish a timetable and budget for such posting; and provide alternatives for some future time when all public records might automatically be posted on the internet. >>In preparing and implementing this plan, the Mayor or designee will take all steps necessary to ensure that no information exempted from the Public Records law is posted on the County's website and that information deemed confidential by state or federal law shall be exempted from disclosure. In addition, the Mayor or designee will develop a process to weigh whether certain information, although not deemed confidential under state or federal law, should not be posted because the dangers that the information could be used to steal the identity of a private citizen or County employee outweigh the benefit of posting the information on the web.<<¹

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro and the Co-Sponsor is Commissioner Esteban L. Bovo, Jr. 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:

¹ Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or »double arrowed« constitute the amendment proposed.

Joe A. Martinez, Chairman

Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro

Esteban L. Bovo, Jr.

Sally A. Heyman

Jean Monestime

Rebeca Sosa

Xavier L. Suarez

Lynda Bell

Jose "Pepe" Diaz

Barbara J. Jordan

Dennis C. Moss

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of January, 2012. 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.

TWL

Thomas W. Logue

5