MEMORANDUM

Agenda Item No. 7(G)

(Second Reading 7-3-12)

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

DATE: May 1, 2012

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

SUBJECT: Ordinance relating to the Rules of Procedure; amending Section 2-1 of the Code, to provide an exception to the committee review requirement for items awarding, granting, amending or relating to an award or grant of Targeted Jobs Incentive Funds; Qualified Targeted Industry Business incentives; property or utility tax exemptions in Enterprise Zones

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: July 3, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to the Rules of Procedure amending Section 2-1 of the Code

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The proposed ordinance provides an exception to the committee review for items awarding, granting, amending or relating to an award or grant of Targeted Jobs Incentive funds, Qualified Targeted Industry business incentives, property or utility tax exemptions in Enterprise Zones, and Brownfield Economic Development Initiative loan funds. The implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

fis5512

MEMORANDUM

(Revised)

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

DATE: July 3, 2012

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

SUBJECT: Agenda Item No. 7(G)

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(G)
7-3-12

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RULES OF PROCEDURE; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE AN EXCEPTION TO THE COMMITTEE REVIEW REQUIREMENT FOR ITEMS AWARDING, GRANTING, AMENDING OR RELATING TO AN AWARD OR GRANT OF TARGETED JOBS INCENTIVE FUNDS; QUALIFIED TARGETED INDUSTRY BUSINESS INCENTIVES; PROPERTY OR UTILITY TAX EXEMPTIONS IN ENTERPRISE ZONES; BROWNFIELD ECONOMIC DEVELOPMENT INITIATIVE LOAN FUNDS OR SIMILAR INCENTIVES OR TAX EXEMPTION PROGRAMS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, effective economic development and job creation programs are critical to the Miami-Dade County's efforts to reverse the economic downturn affecting the County; and

WHEREAS, there is a great deal of competition from other localities attempting to attract new or expanding businesses to areas other than Miami-Dade County; and

WHEREAS, the incentives that Miami-Dade County provides to new businesses to relocate to or expand in the County, such as the Targeted Jobs Incentive Fund, Qualified Targeted Industry Business incentives, or ad valorem or utility tax exemption in Enterprise Zones, need to be provided to such businesses as expeditiously as possible to remain competitive with other localities; and

WHEREAS, other localities are making efforts to restructure their processes for providing economic development incentives to businesses, with the goal of shortening their processes to be more competitive; and

WHEREAS, the Board of County Commissioners desires to eliminate committee review for such items, so that Board action approving or adopting the referenced economic development and job creation incentives may be completed in the most expeditious manner possible,

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.

ARTICLE 1. IN GENERAL

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PART 4. COMMITTEES

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j) EXCEPTIONS TO COMMITTEE REQUIREMENT.

(1) An item that has not been considered by a committee may be placed on the agenda of the county commission if the chairperson of the committee to which the item has been referred requests a waiver in writing and the commission chairperson concurs.

(2) Quasi-judicial items, special taxing districts, ordinances for first reading, consent agenda items, district office fund allocations, special presentations, namings, renamings or codesignations of County roads, facilities or properties, approvals of namings, renamings or codesignations of federal, state or municipal roads, facilities or properties, citizens' presentations, bid

[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.

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protests, settlements, options to renew contracts, resolutions recommending the acceleration and deceleration of Building Better Communities General Obligation Bond Program funding of projects using unspent bond proceeds, including interest earnings and premium funds, resolutions urging an entity or person to take stated action, resolutions taking a position or seeking direction from the Board on legislation or administrative action at the federal, state or local level, resolutions related to contract lobbyist conflict waiver requests and resolutions expressing intent shall be heard directly by the county commission >>, items, awarding, granting, amending or relating to an award or grant of Targeted Jobs Incentive Fund, Qualified Targeted Industry Business incentives, property or utility tax exemptions in enterprise zones, or Brownfield Economic Development Initiative Loan Funds or similar incentives and tax exemption programs; provided, however, any such item relating to an award of Community Redevelopment Agency funding or Community Development Block Grant funding or other funding administered by the Public Housing and Community Development department, or successor department, shall not be excepted from committee review by this subsection (j)(2)<<. On such items, the public shall have the same rights to participate and be heard at the county commission as they would have received had the item been heard in committee.

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, 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 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: _____

Prepared by: _____

Cynthia Johnson-Stacks
Brenda Neuman

Prime Sponsor: Commissioner Rebeca Sosa