MEMORANDUM

Agenda Item No. 7(B)

(Second Reading 9-4-12)

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	**DATE:**	May 15, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Ordinance relating to Conflict of Interest and Code of Ethics Ordinance; amending Sec. 2-11.1(s) of the Code, to provide that lobbyists who have not made any lobbying expenditures during the preceding calendar year are not required to file lobbyist expenditure statement

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: September 4, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to Conflict of Interest and Code of Ethics

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The proposed ordinance limits the filing of lobbyist expenditure statements only to those lobbyists who have applicable expenditures during the reporting period. The implementation of this ordinance will not have a fiscal impact to the County.

Inson Kim
Director of Policy and Legislative Affairs

Fis6512

MEMORANDUM
(Revised)

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

DATE: September 4, 2012

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

SUBJECT: Agenda Item No. 7(B)

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(B)
9-4-12

ORDINANCE NO. _____

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(s) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT LOBBYISTS WHO HAVE NOT MADE ANY LOBBYING EXPENDITURES DURING THE PRECEDING CALENDAR YEAR ARE NOT REQUIRED TO FILE LOBBYIST EXPENDITURE STATEMENT; 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 2-11.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-11.1. Conflict of Interest and Code of Ethics Ordinance.

(a) *Designation.* This section shall be designated and known as the "Miami-Dade County Conflict of Interest and Code of Ethics Ordinance." This section shall be applicable to all County personnel as defined herein, and shall also constitute a minimum standard of ethical conduct and behavior for all municipal officials and officers, autonomous personnel, quasi-judicial personnel, advisory personnel, departmental personnel and employees of municipalities in the County insofar as their individual relationships with their own municipal governments are concerned. References in the section to County personnel shall therefor be applicable to municipal personnel who

[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.

serve in comparable capacities to the County personnel referred to.

* * *

(s) Lobbying

* * *

(6)(a) [[~~Commencing July 1, 1986, and~~]] >>O<<n July 1 of each year [[~~thereafter~~]], the lobbyist shall submit to the Clerk of the Board of County Commissioners a signed statement under oath, as provided herein, listing all lobbying expenditures in excess of twenty-five dollars ($25.00) for the preceding calendar year. A statement shall >>not<< be filed [[~~even~~]] if there have been no expenditures during the reporting period. The statement shall list in detail each expenditure by category, including food and beverage, entertainment, research, communication, media advertising, publications, travel, lodging and special events.

* * *

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.

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: GKS

Gerald K. Sanchez

Prime Sponsor: Commissioner Esteban L. Bovo, Jr.