

MEMORANDUM

Agenda Item No. 4(B)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 3, 2015

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

SUBJECT: Ordinance relating to the Rules
of Procedure of the Board of
County Commissioners;
amending Section 2-1 of the
Code to authorize commission
committee members to convene a
workshop of the committee under
certain circumstances

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney


RAC/smm



MEMORANDUM
(Revised)

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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 Mayor'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. 4(B)

2-3-15

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 AUTHORIZE COMMISSION COMMITTEE MEMBERS TO CONVENE A WORKSHOP OF THE COMMITTEE UNDER CERTAIN CIRCUMSTANCES; AND 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:¹

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

* * *

PART 4. COMMITTEES

Rule 4.01. COMMITTEES.

* * *

- (d) **POWERS OF COMMISSION COMMITTEES.** Commission committees and subcommittees are authorized:

* * *

>>(8) Notwithstanding any provision to the contrary in the Code, to convene a workshop of the committee to discuss matters within the committee's jurisdiction.

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.

including, but not limited to, discussion of matters referred to the committee by the commission chairperson. The commission committee may not take action on any matter considered at a committee workshop. Whenever such a workshop is called, a notice in writing signed by a majority of the committee members shall be served upon the commission chairperson, the committee chairperson, and the Clerk. Each signature by a committee member shall constitute a representation that, at the time of affixing his or her signature to the notice, the committee member has the present intention to attend the workshop. The Clerk shall forthwith serve verbal and written notice upon each member of the committee and the commission chairperson stating the date, hour and place of the workshop and the purpose for which such workshop is called, and no other business shall be discussed at that workshop. At least 24 hours must elapse between the time the Clerk receives notice in writing and the time the workshop is to be held. A committee workshop may be cancelled (1) by motion adopted at a meeting of the committee by a majority of committee members present; or (2) by a majority of the members of the committee serving notice containing the required signatures upon the commission chairperson, the members of the committee and the Clerk, who shall provide public notice when a workshop is cancelled. To the extent possible, the Commission Chambers shall be made available for a committee workshop whenever such a workshop is called.<<

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:



Michael J. Mastrucci

Prime Sponsor: Commissioner Barbara J. Jordan