MEMORANDUM

Agenda Item No. 7(C)

(Second Reading 10-20-15)

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

DATE: May 5, 2015

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

SUBJECT: Ordinance relating to Commission on Ethics and Public Trust; creating Section 2-1077 of the Code, authorizing the Commission on Ethics and Public Trust to enforce the Public Service Honor Code when approved by the Board of County Commissioners in the form of an implementing order; empowering the Commission on Ethics and Public Trust to issue letters of instruction and letters of reprimand for violations of the Public Service Honor Code committed by elected County officials and all other County officials and employees not subject to the administrative authority of the Mayor

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa, and Co-Sponsors Commissioner Daniella Levine Cava, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman and Commissioner Juan C. Zapata.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum

MIAMI-DADE COUNTY

Date: October 20, 2015

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Related To Commission on Ethics and Public Trust

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The proposed ordinance creates Section 2-1077 of the Code and authorizes the Commission on Ethics and Public Trust (Commission) to enforce the Public Service Honor Code once approved by the Board of County Commissioners in the form of an Implementing Order.

Implementation of this ordinance will not have a fiscal impact to the County and any additional work under the proposed ordinance will be absorbed using existing staff of the Commission.

Edward Marquez
Deputy Mayor

Fis05515

MEMORANDUM

(Revised)

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

DATE: October 20, 2015

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 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. 7(C)
10-20-15

ORDINANCE NO. _____

ORDINANCE RELATING TO COMMISSION ON ETHICS AND PUBLIC TRUST; CREATING SECTION 2-1077 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AUTHORIZING THE COMMISSION ON ETHICS AND PUBLIC TRUST TO ENFORCE THE PUBLIC SERVICE HONOR CODE WHEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE FORM OF AN IMPLEMENTING ORDER; EMPOWERING THE COMMISSION ON ETHICS AND PUBLIC TRUST TO ISSUE LETTERS OF INSTRUCTION AND LETTERS OF REPRIMAND FOR VIOLATIONS OF THE PUBLIC SERVICE HONOR CODE COMMITTED BY ELECTED COUNTY OFFICIALS AND ALL OTHER COUNTY OFFICIALS AND EMPLOYEES NOT SUBJECT TO THE ADMINISTRATIVE AUTHORITY OF THE MAYOR; PROVIDING FOR 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. Chapter 2, Section 2-1077 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

CHAPTER 2. ADMINISTRATION

* * *

[[~~Secs. 2-1077--2-1085. Reserved.~~]]

>>**Sec. 2-1077. Authorizing Commission on Ethics and Public Trust to Enforce the Public Service Honor Code.**

Notwithstanding any provision to the contrary, the Miami-Dade Commission on Ethics and Public Trust shall be authorized to enforce the Public Service Honor Code ("Honor Code") when such Honor Code is approved by the Board of County Commissioners in the form of an implementing order. The Commission on Ethics and Public Trust shall be empowered to issue letters of instruction

and letters of reprimand for violations of the Honor Code committed by elected County officials and all other County officials and employees not subject to the administrative authority of the Mayor.<<

>>**Secs. 2-1078 – 2-1085. Reserved**.<<

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: RAC

Prepared by: GKS

Gerald K. Sanchez

Prime Sponsor: Commissioner Rebeca Sosa
Co-Sponsors: Commissioner Daniella Levine Cava
Commissioner Audrey M. Edmonson
Commissioner Sally A. Heyman
Commissioner Juan C. Zapata