

MEMORANDUM

Agenda Item No. 11(A) (24)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

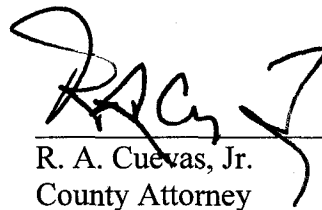
DATE: January 10, 2008

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

SUBJECT: Resolution directing County
Mayor to propose uniform
County public records fee
structure

R-66-08

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

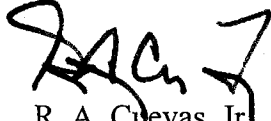


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 10, 2008


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

SUBJECT: Agenda Item No. 11(A) (24)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(24)

1-10-08

RESOLUTION NO. R-66-08

RESOLUTION DIRECTING COUNTY MAYOR TO STUDY
AND PROPOSE A UNIFORM COUNTY PUBLIC RECORDS
FEE STRUCTURE TO BE UTILIZED BY ALL COUNTY
AGENCIES AND DEPARTMENTS

WHEREAS, Miami-Dade County is required under the Public Records Law to make available for inspection and copying materials made or received in connection with official business which are used to perpetuate, communicate or formalize knowledge; and

WHEREAS, in order to comply with the Public Records Law, in many instances the cost associated with this compliance is significant; and

WHEREAS, along with making available public records, Miami-Dade County may expend significant resources and costs when determining whether certain records are exempt from disclosure under the Public Records Law; and

WHEREAS, under the Florida Public Records Law Miami-Dade County is entitled to impose fees for inspecting and copying public records; and

WHEREAS, currently there is no standardized policy and fee structure in place throughout the various agencies and departments of Miami-Dade County to deal with these obligations under the Public Records Law; and

WHEREAS, it is in the best interests of Miami-Dade County to have a uniform system in place setting a county-wide policy as to the criteria and amount of fees to be charged to inspect and copy public records,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor is directed to study and propose a uniform County public records fee structure utilized by all County

agencies and departments and report back to this Commission within 60 days from the adoption of this resolution.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Diaz and upon being put to a vote, the vote was as follows:

| | | | |
|----------------------|------------------------------------|--------------------|--------|
| | Bruno A. Barreiro, Chairman | aye | |
| | Barbara J. Jordan, Vice-Chairwoman | aye | |
| Jose "Pepe" Diaz | aye | Audrey M. Edmonson | aye |
| Carlos A. Gimenez | aye | Sally A. Heyman | aye |
| Joe A. Martinez | aye | Dennis C. Moss | aye |
| Dorin D. Rolle | aye | Natacha Seijas | absent |
| Katy Sorenson | aye | Rebeca Sosa | aye |
| Sen. Javier D. Souto | aye | | |

The Chairman thereupon declared the resolution duly passed and adopted this 10th day of January, 2008. 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: Kay Sullivan
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

KBD

Kenneth B. Drucker

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