

**MEMORANDUM**

Agenda Item No. 7(B)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** (Second Reading 12-1-09)  
September 1, 2009

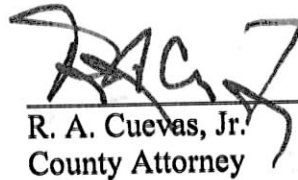
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Ordinance relating to Rules of  
Procedure; amending Section  
2-1 to provide that committees  
have jurisdiction over county  
boards

**Ordinance No. 09-108**

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss and Co-Sponsor Vice-Chairman Jose "Pepe" Diaz.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney


RAC/jls

# Memorandum



**Date:** December 1, 2009

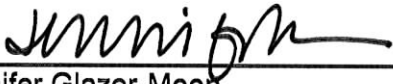
**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**From:** George M. Burgess   
County Manager

**Subject:** Ordinance relating to Rules of Procedure; amending Section 2-1 to provide that committees have jurisdiction over county boards

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The ordinance relating to Rules of Procedure, providing that committees have jurisdiction over county boards will not have a fiscal impact to Miami-Dade County.



Jennifer Glazer-Moon  
Special Assistant/Director, Office of Strategic Business Management

fis00410




# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** December 1, 2009

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

**SUBJECT:** Agenda Item No. 7(B)

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 Mayor'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

Agenda Item No. 7(B)

Veto \_\_\_\_\_

12-1-09

Override \_\_\_\_\_

ORDINANCE NO. 09-108

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT COMMITTEES HAVE JURISDICTION OVER COUNTY BOARDS; 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:<sup>1</sup>

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Section 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION

\* \* \*

PART 4. COMMITTEES

\* \* \*

Rule 4.01 COMMITTEES.

\* \* \*

(d) Powers of Commission Committees. Commission committees

<sup>1</sup> 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.

and subcommittees are authorized:

- (1) To maintain a continuous review of the work and performance of county agencies >>and, notwithstanding any provision to the contrary in the Code, county boards<< within the jurisdiction of each committee;
- (2) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (3) To request reports from departments >>and, notwithstanding any provision to the contrary in the Code, county boards<< performing functions reasonably related to each committee's jurisdiction[[s]];
- (4) To complete interim projects assigned by the chairperson of the commission;
- (5) To review and make recommendations with regard to prospective agenda items, and to propose or amend the same; and
- (6) Notwithstanding any provision to the contrary in the Code, to conduct public hearings, unless state or federal law requires the county commission to conduct a given hearing.

\* \* \*

(h) Committee Deliberations. A commission committee may take one of the following actions with respect to each matter referred to the committee for action:

- (1) Recommend favorably;
- (2) Recommend favorably with committee amendment(s);
- (3) Forward without recommendation, upon the unanimous vote of the members of the committee who are present;
- (4) Receive a report;

- (5) Lay the matter on the table resulting in the matter not being placed on an agenda of the county commission. >>A report submitted by a county board may not be laid on the table where the ordinance creating the county board requires that a report be submitted to the county commission<<; or
- (6) Defer or take no action on an item for a maximum of two consecutive committee meetings. Deferral of or failure to act on a matter beyond two consecutive committee meetings shall cause the matter to be laid on the table, as set forth in the preceding subparagraph.

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: December 1, 2009

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:

GKS

Gerald K. Sanchez

Prime Sponsor:

Chairman Dennis C. Moss

Co-Sponsor:

Vice-Chairman Jose "Pepe" Diaz