

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 7(D)

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

DATE:

(Second Reading 9-21-10)
May 4, 2010

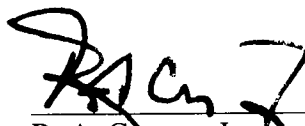
FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT:

Ordinance amending Section
25A-3(f) of the Code
providing for holding regular
meetings of the Board of
Trustees of the Public Health
Trust in Commission
Chambers

Ordinance No. 10-55

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez and Co-Sponsor Senator Javier D. Souto.

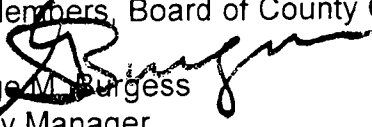


R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE
COUNTY

Date: September 21, 2010
Honorable Chairman Dennis C. Moss
To: and Members, Board of County Commissioners
From: 
George M. Burgess
County Manager
Subject: Ordinance amending Section 25A-3(F) of the Code of Miami-Dade County providing for holding regular meetings of the Board of Trustees of the Public Health Trust in commission chambers

The proposed ordinance requiring the Public Health Trust (PHT) to hold and televise its regular meetings in the commission chambers may have a fiscal impact to the County. Meetings that either start or continue past 4:30 p.m. will incur overtime cost for two to three individuals, which would be billed to the PHT. Overtime rates vary from \$50 per hour to \$64 per hour depending on the individual assigned. There is no charge for use of the facility during business hours if the meeting is mandated by the Board of County Commissioners.



Alina Hudak,
Assistant County Manager

Fis05910



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners **DATE:** September 21, 2010

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

SUBJECT: Agenda Item No. 7(D)

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(D)
9-21-10

ORDINANCE NO. 10-55

ORDINANCE AMENDING SECTION 25A-3(f) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR HOLDING REGULAR MEETINGS OF THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST IN COMMISSION CHAMBERS; 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. Chapter 25A-3(f) of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

Sec. 25A-3. Governing body.

* * *

(f) *Organization, powers and duties of the Board of Trustees.* The Board of Trustees shall organize after the members thereof have qualified to serve and shall elect one (1) of its voting members as Chairperson and one (1) of its voting members as Vice-Chairperson and shall designate a Secretary who may or may not be a member of the Board, and such other officers as the Board of Trustees may determine to be necessary.

The Board of Trustees shall hold regular meetings in accordance with the bylaws of the Trust and the Board may hold such other meetings as it deems necessary. The Trust shall hold and televise regular meetings of the Board of Trustees >>in Commission chambers.<<[[at the designated facilities of the Trust,

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.

~~provided, however, that annually the Board of Trustees shall hold and televise at least one (1) of its regular meetings in Commission chambers. The Board of Trustees shall have discretion in determining which of its regular meetings are held and televised in Commission chambers.]]~~ The regular meetings shall not conflict with the meeting schedule for the Board of County Commissioners or its committees. At the discretion of the Trust, other meetings may be held and televised in the Commission chambers. >>The Trust shall request use of Commission chambers for regular or other meetings of the Board of Trustees through the Chairperson of the Board of County Commissioners. The Chairperson of the Board of County Commissioners shall have final authority to approve the scheduling of such regular or other meetings of the Board of Trustees in the Commission chambers.<< Except as provided by law, all meetings of the Board shall be public and audio recorded and written minutes of the proceedings thereof shall be maintained by the Office of Internal Audit, as such term is hereafter defined. All actions taken at the meetings of the Board shall be promptly and properly recorded. Copies of all minutes and resolutions of the Board shall be forwarded to the Clerk of the Board of County Commissioners no later than ten (10) days subsequent to any meeting of the Board of Trustees.

* * *

Section 2. This ordinance shall supersede those provisions of any existing ordinance, resolution or policy in conflict herewith.

Section 3. 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 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance 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 5. 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: September 21, 2010

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Eugene Shy, Jr.

Prime Sponsor: Commissioner Joe A. Martinez
Co-Sponsor: Senator Javier D. Souto