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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(E)
(Second Reading 11-4-10)

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

DATE: September 10, 2010

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

SUBJECT: Ordinance amending Section 2-1 of the Code exempting from committee review items naming, renaming or codesignating County facilities and property and items approving federal, state or municipal namings, renamings and codesignations of roads, facilities and property

Ordinance No. 10-77

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum

MIAMI-DADE COUNTY

Date: November 4, 2010

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 of the Board of County Commissioners, amending Section 2-1 of the Code

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The proposed ordinance exempting the naming or renamings or codesignations of County roads, facilities, or properties, and the approval of naming, or renamings of Federal, State, or Municipal roads, facilities or properties from committee review will not have a fiscal impact to the County.

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

Fis8310

MEMORANDUM

(Revised)

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

DATE: November 4, 2010

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

SUBJECT: Agenda Item No. 7(E)

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(E)
11-4-10

ORDINANCE NO. 10-77

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, EXEMPTING FROM COMMITTEE REVIEW ITEMS NAMING, RENAMING OR CODESIGNATING COUNTY FACILITIES AND PROPERTY, AND ITEMS APPROVING FEDERAL, STATE OR MUNICIPAL NAMINGS, RENAMINGS AND CODESIGNATIONS OF ROADS, FACILITIES AND PROPERTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, road codesignations by the Board are exempt from committee review pursuant to the Board's Rules of Procedure; and

WHEREAS, codesignations of County facilities and property other than County roads are heard in committee; and

WHEREAS, items naming and renaming County roads, facilities and property also are heard in committee; and

WHEREAS, items approving codesignations, namings and renamings by the Florida Legislature or municipalities also are heard in committee; and

WHEREAS, in the case of codesignations by the Florida Legislature, section 334.071, Florida Statutes, provides that the installation of state codesignation markers shall be contingent on the appropriate city or county commission passing a resolution in support of the particular codesignation; and

WHEREAS, in the case of codesignations, namings and renamings of municipal streets by municipalities in Miami-Dade County, a municipality can codesignate, name or rename a municipal street without County approval, but the Board of County Commissioners approves municipal codesignations, namings and renamings before signage is placed on County infrastructure, such as street signs and traffic signal mast arms; and

WHEREAS, this Board desires to exempt from committee review all County namings, renamings and codesignations, as well as approvals of all state and municipal namings, renamings and codesignations,

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]

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. Rules of Procedure of County Commission.

* * *

PART 4. COMMITTEES

Rule 4.01 Committees.

* * *

(j) EXCEPTIONS TO COMMITTEE REQUIREMENT.

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[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.

(1) An item that has not been considered by a committee may be placed on the agenda of the county commission if the chairperson of the committee to which the item has been referred requests a waiver in writing and the commission chairperson concurs.

(2) Quasi-judicial items, special taxing districts, ordinances for first reading, consent agenda items, district office fund allocations, special presentations, [[~~road~~]] >>namings, renamings or<< codesignations >>of County roads, facilities or properties, approvals of namings, renamings or codesignations of federal, state or municipal roads, facilities or properties<<, citizens' presentations, bid protests, settlements, options to renew contracts, resolutions recommending the acceleration and deceleration of Building Better Communities General Obligation Bond Program funding of projects using unspent bond proceeds, including interest earnings and premium funds, resolutions urging an entity or person to take stated action, resolutions taking a position or seeking direction from the Board on legislation or administrative action at the federal, state or local level, resolutions related to contract lobbyist conflict waiver requests and resolutions expressing intent shall be heard directly by the county commission. On such items, the public shall have the same rights to participate and be heard at the county commission as they would have received had the item been heard in committee.

(3) Whenever the committee of jurisdiction considers a proposed road closing in a commission district where the district commissioner is not a member of the committee of jurisdiction, the County Manager shall notify the commissioner prior to the meeting. Under such circumstances, the committee may only lay the item on the table if the district commissioner attends the commission meeting and states that he or she supports laying the matter on the table.

* * *

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: November 4, 2010

Approved by County Attorney as
to form and legal sufficiency: RAC

Prepared by: JMM

Jess M. McCarty

Prime Sponsor: Commissioner Joe A. Martinez