

MEMORANDUM

Amended
Agenda Item No. 7(D)

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

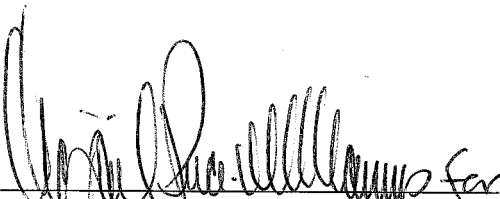
DATE: (Second Reading 12-7-10)
October 19, 2010

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

SUBJECT: Ordinance amending Section 2-1
of the Code regarding placement
of agenda items sponsored by
County Mayor upon inclusion
of information required by
Resolution No. R-530-10

Ordinance No. 10-85

The accompanying ordinance was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Carlos A. Gimenez and Commissioner Rebeca Sosa and Co-Sponsor Commissioner Audrey M. Edmonson.


R. A. Cuevas, Jr.
County Attorney

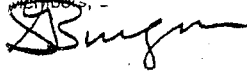
RAC/jls

Memorandum



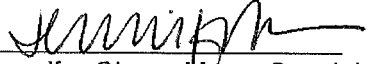
Date: December 7, 2010

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

From: George M. Burgess 
County Manager

Subject: Ordinance related to the Rules of Procedure of the Board of County Commissioners

The proposed ordinance regarding placement of agenda items sponsored by the Mayor not in compliance with the provisions of resolution No. R-530-10 as determined by the Commission Auditor will not have a fiscal impact to the County.


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

Fis0711



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** December 7, 2010
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Amended
County Attorney 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 _____

Amended
Agenda Item No. 7(D)
12-7-10

ORDINANCE NO. 10-85

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGARDING PLACEMENT OF AGENDA ITEMS SPONSORED BY COUNTY MAYOR UPON INCLUSION OF INFORMATION REQUIRED BY RESOLUTION NO. R-530-10; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

NOW, THEREFORE, 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

Sec. 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION

* * *

PART 4. COMMITTEES

Rule 4.01. COMMITTEES.

* * *

- (f) COMMITTEE AND COMMISSION AGENDAS. Administrative deadlines for printing the committee and commission agendas shall be established by the county ~~[[manager]]~~ >>Mayor<< and the county attorney that are sufficient to allow for timely printing of the committee and commission agendas. The commission chairperson, in consultation with the county attorney and county ~~[[manager]]~~ >>Mayor<<, shall assign all resolutions, ordinances for second

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.

reading, reports and other prospective agenda items received by the applicable administrative deadline to the appropriate committee agenda for consideration as required by these rules. Following any required committee consideration, the commission chairperson, in consultation with the county attorney and the county ~~[[manager]]~~ >>Mayor<<, shall place items on the appropriate commission agenda, as permitted by these rules. >>The Commission Auditor shall advise the Chairperson of any agenda item sponsored by the Mayor not in compliance with the provisions of Resolution No. R-530-10 prior to the Chairperson's assignment of such item to a committee or commission agenda. The Chairperson may determine, in his or her sole discretion, whether to place any item which is identified by the Commissioner Auditor as non-compliant, on any committee or commission agenda.<< A duly authorized designee of the county ~~[[manager]]~~ >>Mayor<<, the county attorney, ~~[[e#]]~~ the chairperson >>or the Commission Auditor<< may carry out the duties assigned to these persons pursuant to this paragraph.

* * *

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 7, 2010

Approved by County Attorney as
to form and legal sufficiency:

MAC

Prepared by:

GBK

Geri Bonzon-Keenan

Co-Prime Sponsor: Commissioner Carlos A. Gimenez
Co-Prime Sponsor: Commissioner Rebeca Sosa
Co-Sponsor: Commissioner Audrey M. Edmonson