

MEMORANDUM

Agenda Item No. 7(C)
(Second Reading 11-8-12)

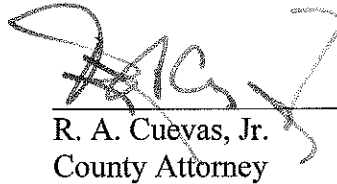
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 17, 2012

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

SUBJECT: Ordinance amending the
Rules of Procedure of the
County Commission; providing
that certain postponed items
shall be deemed withdrawn;
amending Section 2-1 of the
Code
Ordinance No. 12-95

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Lynda Bell.



R. A. Cuevas, Jr.
County Attorney


RAC/jls

Memorandum



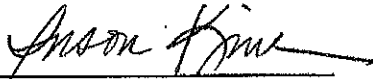
Date: November 8, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Amending the Rules of Procedures of the County Commission

The proposed ordinance amends the Rules of Procedures of the County Commission to allow an item that has been before the Board, and has been postponed indefinitely with no action for six (6) months to be withdrawn. The implementation of this ordinance will not have a fiscal impact on the County.



Inson Kim
Director of Policy and Legislative Affairs

Fis8712



MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

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

SUBJECT: Agenda Item No. 7(C)

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

Agenda Item No. 7(C)

Veto _____

11-8-12

Override _____

ORDINANCE NO. 12-95

ORDINANCE AMENDING THE RULES OF PROCEDURE OF THE COUNTY COMMISSION; PROVIDING THAT CERTAIN POSTPONED ITEMS SHALL BE DEEMED WITHDRAWN; AMENDING SECTION 2-1 OF THE CODE; 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:¹

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

* * *

PART 7. RULES OF DEBATE

Rule 7.01 Rules of debate.

* * *

(m) >>Expiration of postponed items. Once an item before the Board is postponed indefinitely, and no action is taken by the Board on such item for a period of six (6) months following the latest postponement, such item shall be deemed withdrawn. Consideration of the matter covered under the item shall require the introduction of a new item.<<

>>(n)<< *Adjournment.* A motion to adjourn shall always be in order and decided without debate.

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.

[[~~(n)~~]]>>(o)<<*Suspension of the rules.* No rule of procedure adopted by this board shall be suspended except by an affirmative vote of two-thirds (2/3) of the Commissioners present.

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.

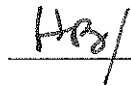
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: November 8, 2012

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Hugo Benitez

Prime Sponsor: Commissioner Sally A. Heyman

Co-Sponsor: Commissioner Lynda Bell