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

MEMORANDUM

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

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

DATE: September 18, 2012

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

SUBJECT: Ordinance transferring delegated authority from the County Manager to the County Mayor; creating Section 1-4.4 of the Code
Ordinance No. 12-94

The accompanying ordinance was placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: November 8, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Creating Section 1-4.4 of the Code of Miami-Dade County

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The proposed ordinance transfers delegated authority from the County Manager to the County Mayor or his designee. The implementation of this ordinance will not have a fiscal impact to the County.

Edward Marquez
Deputy Mayor

Fis9912

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(B)

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(B)
11-8-12

ORDINANCE NO. 12-94

ORDINANCE TRANSFERRING DELEGATED AUTHORITY FROM THE COUNTY MANAGER TO THE COUNTY MAYOR; CREATING SECTION 1-4.4 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 1-4.4 of the Code of Miami-Dade County, Florida, is hereby created to read as follows in its entirety:

Sec. 1-4.4. Transfer of Delegated Authority from the County Manager to the County Mayor.

Commencing with the elimination of the County Manager as a Miami-Dade County Home Rule Charter County officer on November 20, 2012, all delegations of Board authority, power and responsibility to the County Manager provided in enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions of the Code of Miami-Dade County are hereby delegated to the County Mayor or the County Mayor's designee. All references in enactments of this Board including, but not limited to, ordinances, resolutions, implementing orders, regulations, rules, and provisions of the Code of Miami-Dade County relating to the County Manager shall be deemed to be references to the County Mayor or the County Mayor's designee.

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:

Oren Rosenthal

Prime Sponsor: Commissioner Lynda Bell