

MEMORANDUM

Agenda Item No. 7(K)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	DATE:	(Second Reading 7-1-14) May 20, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	SUBJECT:	Ordinance replacing references to "County Manager" within Article XLVII relating to the Commission Auditor; amending Section 2-477 of the Code to remove such references; amending Section 2-479 of the Code to remove such references Ordinance No. 14-67

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: July 1, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Subject: Ordinance replacing references to "County Manager" within Article XLVII relating to the Commission Auditor; Amending Section 2-477 of the Code of Miami-Dade County, Florida, to remove such references; Amending Section 2-479 of the Code of Miami-Dade County, Florida, to remove such references

This proposed ordinance amends Section 2-477 of the Code of Miami-Dade County removing references to "County Manager" within Article XLVII relating to the Commission Auditor. Implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Inson Kim". The signature is written in a cursive style with a large, sweeping flourish at the end.

Inson Kim
Director of Policy and Legislative Affairs

FIs7514



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 1, 2014

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

SUBJECT: Agenda Item No. 7(K)

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 Mayor'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(K)
7-1-14

ORDINANCE NO. 14-67

ORDINANCE REPLACING REFERENCES TO "COUNTY MANAGER" WITHIN ARTICLE XLVII RELATING TO THE COMMISSION AUDITOR; AMENDING SECTION 2-477 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO REMOVE SUCH REFERENCES; AMENDING SECTION 2-479 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO REMOVE SUCH REFERENCES; 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 2-477 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-477. SCOPE OF AUTHORITY.

The Commission Auditor shall, to the extent provided for in the annual work program, perform the following functions and be charged with the following responsibilities on behalf of the Commission:

1. To determine the extent to which legislative policies are being faithfully, efficiently and effectively implemented by the ~~[[County—Manager]]~~ >>Mayor<< and County personnel;
2. To determine whether County programs are achieving their desired objectives;

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.

3. To review both the administrative control and executive control systems as established by the ~~[[County Manager]]~~ >>Mayor or the Mayor's designee<< and departmental personnel, and to determine whether such control systems are adequate and effective in accomplishing their objectives;

* * *

7. To review the reasonableness of all revenue estimates included in the Mayor's ~~[[and Manager's]]~~ proposed budgets;

8. To review all departmental budgets and perform an analysis of the ~~[[Manager's and]]~~ Mayor's proposed budgets and make recommendations to the Commission regarding adjustments to the proposed budgets;

* * *

11. The Commission Auditor shall serve as a voting member of any competitive selection committee convened for the purpose of recommending an external auditor to the ~~[[County Manager]]~~ >>Mayor or the Mayor's designee<<. The Commission Auditor shall also be apprised by the ~~[[County Manager]]~~ >>Mayor or the Mayor's designee<< of the activities of the external auditor and may monitor the conduct of, and responses to, external financial statement audits, and the resolution of audit findings. The Commission Auditor shall also work toward the elimination of duplicative audit work through cooperation with state, federal and external auditors, and the Clerk of the Circuit and County Courts when the Clerk is performing as auditor under Article V, Section 16 of the Florida Constitution and general laws of the State of Florida.

Section 2. Section 2-479 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-479. ANNUAL REPORT.

The Commission Auditor shall submit an annual report to the Commission within 60 days after the close of the fiscal year. The annual report shall indicate audits completed, major findings, corrective actions taken by the ~~[[County Manager]]~~ >>Mayor or the Mayor's designee,<< and significant findings which have not been fully addressed by the ~~[[County Manager]]~~ >>Mayor or the Mayor's designee<<.

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, 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 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: July 1, 2014

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Javier Zapata

Prime Sponsor: Chairwoman Rebeca Sosa