

# MEMORANDUM

Agenda Item No. 7(D)

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**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** (Second Reading 12-5-17)  
October 3, 2017

**FROM:** Abigail Price-Williams  
County Attorney

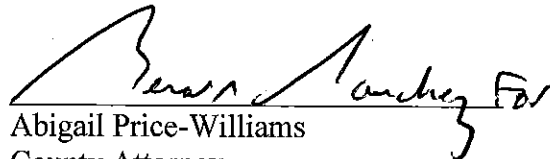
**SUBJECT:** Ordinance relating to the Rules  
of Procedure of the Board of  
County Commissioners of  
Miami-Dade County, Florida;  
amending section 2-1 of the  
Code; imposing a contract value  
limit on resolutions that appear  
on the consent agenda ratifying  
executed contracts allowed by  
law or previous Board action

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Ordinance No. 17-97

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan, and Co-Sponsors Vice Chairwoman Audrey M. Edmonson and Commissioner Joe A. Martinez.

  
Abigail Price-Williams  
County Attorney

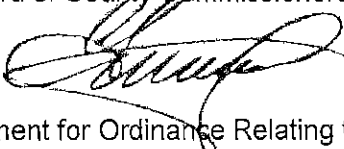
APW/cp

# Memorandum



**Date:** December 5, 2017

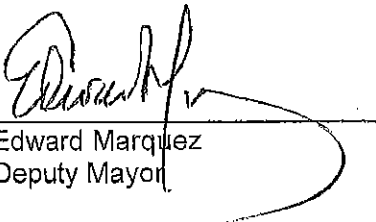
**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Fiscal Impact Statement for Ordinance Relating to the Rules of Board of County Commissioners

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The proposed ordinance relating to the Rules of the Board of County Commissioners (Board) amends Section 2-1 of the Code of Miami-Dade County imposing contract value limits on resolutions that appear on the consent agenda ratifying contracts executed by the Mayor, as allowed by law or previous action of the Board, as long as the contract value, including options-to-renew, do not exceed \$5 million. The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

  
Edward Marquez  
Deputy Mayor

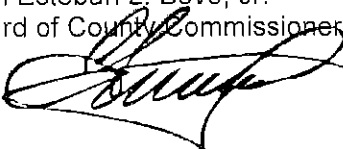
FIS00118 171941

# Memorandum



**Date:** December 5, 2017

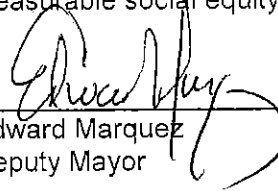
**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez   
Mayor

**Subject:** Social Equity Statement for Ordinance Relating to the Rules of Board of County Commissioners

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The proposed ordinance relating to the Rules of the Board of County Commissioners (Board) amends Section 2-1 of the Code of Miami-Dade County imposing contract value limits on resolutions that appear on the consent agenda ratifying contracts executed by the Mayor, as allowed by law or previous action of the Board, as long as the contract value, including options-to-renew, do not exceed \$5 million. The proposed ordinance is not anticipated to have any measurable social equity benefit or burden.

  
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Edward Marquez  
Deputy Mayor

FIS00118 SE 171941



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** December 5, 2017

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** 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
- Statement of social equity 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(D)  
12-5-17

ORDINANCE NO. 17-97

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; IMPOSING A CONTRACT VALUE LIMIT ON RESOLUTIONS THAT APPEAR ON THE CONSENT AGENDA RATIFYING EXECUTED CONTRACTS ALLOWED BY LAW OR PREVIOUS BOARD ACTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, Rule 5.05 sets forth those items that shall be considered consent agenda items, among other provisions; and

**WHEREAS**, Rule 5.05 provides that resolutions ratifying contracts executed by the Mayor as allowed by law or previous action of the Board, other than non-summer recess items, shall be considered consent agenda items; and

**WHEREAS**, there is no value limit on such contracts in Rule 5.05, which means that resolutions ratifying large contracts nonetheless may be considered consent agenda items; and

**WHEREAS**, this Board desires to impose a contract value limit on such items so that resolutions ratifying large contracts are not considered consent agenda items,

**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:<sup>1</sup>

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<sup>1</sup> 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.

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

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*Rule 5.05 Agenda.*

(a) *Order of business.*

(1) There shall be an official agenda for every meeting of the Commission, which shall determine the order of business conducted at the meeting. The order of business for Tuesday meetings shall be as follows:

1. Invocation as provided in Rule 5.05(g)
  - Roll call
  - Pledge of allegiance
  - Special presentations
  - Citizens' presentations
  - Reports of official county boards
  - Reasonable opportunity for the public to be heard as provided in Rule 6.06
  - Motion to set agenda
  - Commission auditor
  - Office of intergovernmental affairs
  - Office of community advocacy
2. Mayoral vetoes, mayoral reports.
3. Consent agenda:
  - a. Commissioner items.
  - b. Departmental items.
4. Ordinances for first reading.
5. Public hearings which shall be scheduled for 9:30 a.m.

6. a. Chairperson of the board of county commissioners.  
b. Policy matters for discussion by the board.
7. Ordinances for second reading.
8. Departments.
9. Additional departmental items.
10. Authorities, boards, councils and trusts.
11. County commissioners.
12. County manager [mayor].
13. County attorney.
14. Items subject to "4-day rule".
15. Clerk of the board.
16. Items scheduled for Thursday.
17. Summer recess items.

The following items shall be considered consent agenda items and placed in section 3.a or b. of the agenda, as appropriate:

1. Items approving or ratifying the submittal of grant applications and acceptance of grant awards, as long as required matching funds are appropriated in the County budget, as determined by the Office of Management and Budget.
2. Resolutions ratifying contracts executed by the Mayor, as allowed by law or previous action of the Board (non-summer recess items)  
>>provided the total value of the contract, including any options to renew, does not exceed \$5,000,000.00<<.
3. Resolutions approving in-kind contributions.

4. Resolutions making district office fund allocations.
5. Resolutions approving namings, renamings or codesignations of federal, state or municipal roads, facilities or properties.
6. Items awarding, granting, amending or relating to an award or grant of Targeted Jobs Incentive Fund, Qualified Targeted Industry Business incentives and tax exemption programs.
7. Resolutions approving donations of surplus County property, except those donations made for emergency purposes and to foreign governmental entities.
8. Resolutions approving the issuance or transfer of certificates of transportation for passenger motor carriers.

Notwithstanding any provision herein to the contrary, first or second reading items, public hearing items, quasi-judicial items, and items requiring a supermajority vote of the board shall not be placed in the consent agenda section of the agenda.

**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 5, 2017

Approved by County Attorney as  
to form and legal sufficiency:

GKS for APW

Prepared by:

CFJ

Monica Rizo Perez  
Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Barbara J. Jordan  
Co-Sponsors: Vice Chairwoman Audrey M. Edmonson  
Commissioner Joe A. Martinez