OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(A)
(Second Reading 2-21-12)

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

DATE: November 3, 2011

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Christopher Agrippa, Division Chief
Clerk of the Board Division

SUBJECT: Ordinance amending Ordinance No. 08-62 regarding the Office of the Miami-Dade County Property Appraiser, providing authority for the Property Appraiser to enter into contracts under specified circumstances; providing severability, inclusion in the Code, and an effective date

Ordinance No.12-07

Ordinance 08-62 adopted by the Miami-Dade Board of County Commissioners provides that the Property Appraiser may submit resolutions, ordinances, or reports related to his duties to the Clerk of the Board Division for placement on the next available agenda of the Board of County Commissioners.

Attached for placement on the November 3, 2011, Board of County Commissioners' agenda, is a proposed Ordinance submitted by the Property Appraiser amending Ordinance No. 08-62 regarding the Office of the Miami-Dade County Property Appraiser, providing authority for the Property Appraiser to enter into contracts under specified circumstances; providing severability, inclusion in the Code, and an effective date..

CA/fcd
Attachment

Memorandum

MIAMI-DADE COUNTY

Date: February 21, 2012

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

From: Honorable Pedro J. Garcia
Property Appraiser

Subject: Ordinance Amending Ordinance No. 08-62 providing authority to the Property Appraiser to enter into contracts under specified circumstances

---

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance amending section 2-70 of the Code of Miami-Dade County relating to the Miami-Dade County Office of the Property Appraiser (Property Appraiser), providing authority for the Property Appraiser to enter into third party agreements, without Board Approval, if funds for the agreement are within the Property Appraiser's approved budget.

SCOPE

The scope of this agenda item does not impact any Commission District.

FISCAL IMPACT/FUNDING SOURCE

No additional fiscal impact is related to this item.

TRACK RECORD/MONITOR

Agreements entered with third parties are monitored by the Office of the Property Appraiser.

BACKGROUND

Currently, the Property Appraiser has the authority to enter into third party agreements. However, any such agreements require Board approval.

In order to efficiently manage the duties of the Office of the Property Appraiser, it is requested that the Board adopt the attached ordinance providing the Property Appraiser the authority to enter into third party agreements without Board approval, so long as the funds for the agreement are within the Property Appraiser's approved budget.

Attachment

MEMORANDUM

(Revised)

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

DATE: February 21, 2012

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

SUBJECT: Amended Agenda Item No. 7(A)

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(A)
2-21-12

ORDINANCE NO. 12-07

ORDINANCE AMENDING ORDINANCE NO. 08-62 REGARDING THE OFFICE OF THE MIAMI-DADE COUNTY PROPERTY APPRAISER PROVIDING AUTHORITY FOR THE PROPERTY APPRAISER TO ENTER INTO CONTRACTS UNDER SPECIFIED CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Property Appraiser's annual budget is approved each year; and

WHEREAS, the budget process allows for the Property Appraiser to include in his submission expenditures for contracts the property appraiser expects to enter into in the next budget year,

NOW, THEREFORE, IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sections 2-70 of the Code of Miami-Dade County, Florida, are hereby amended to read as follows:[1]

Sec. 2-70. Duties and Powers of the Property Appraiser.

* * *

(5) The Property Appraiser may enter into agreements with third parties, subject to approval by the Board of County Commissioners. >>Such approval, however, shall not be required if funds for the agreement are within the Property Appraiser's approved budget. Contracts and purchases by the Property Appraiser shall not require competitive bids when the transaction involves funds within the Property Appraiser's approved budget,

[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.

provided the contract or purchase is made in accordance with the provisions of this section. Contracts and purchases exceeding the Property Appraiser's approved budget may be made by the Board of County Commissioners in accordance with the provisions of the Code. The Property Appraiser shall be authorized to contract for the purchase of goods and services subject only to the requirements of the procurement policy set forth in the implementing order approved by resolution of this Board. <<

* * *

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 on the later of: (a) 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; or, (b) the effective date of the resolution approving the implementing order provided for in this ordinance.

PASSED AND ADOPTED: February 21, 2012

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Jorge Martinez-Esteve