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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(C)

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

DATE: March 6, 2012

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

SUBJECT: Ordinance relating to Conflict of Interest and Code of Ethics Ordinance: amending Sec. 2-11.1(bb) of the Code, to require County employees to complete ethics course within specified time periods

Ordinance No.12-11

This attached ordinance was amended at the 2-14-12 Internal Management and Fiscal Responsibility Committee by inserting the following language: "The requirements of this subsection (bb) relating to the Ethics Course shall not be applicable to any municipality in Miami-Dade County unless said municipality has adopted an ordinance providing for the Ethics Course, and has entered into an interlocal agreement with the County authorizing the Ethics Commission to provide the Ethics Course provided for in this subsection."

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: March 6, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance relating to Conflict of Interest and Code of Ethics Ordinance

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The proposed ordinance requires each County employee within one hundred and eighty (180) days of the effective date of this ordinance or within sixty (60) days after being hired, submits to the Clerk of the Board a certificate of completion of an ethics course offered by the Miami-Dade County Commission on Ethics and Public Trust ("Ethics Course"). In addition, employees must complete a refresher course every two years. To the extent the Commission on Ethics and Public Trust finds it necessary to revise current curriculum and systems, any cost will be absorbed by their budget.

Office of the Mayor

Fis3512

MEMORANDUM

(Revised)

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

DATE: March 6, 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
Veto _____
Override _____

Agenda Item No. 7(C)
3-6-12

ORDINANCE NO. 12-11

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(bb) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO REQUIRE COUNTY EMPLOYEES TO COMPLETE ETHICS COURSE WITHIN SPECIFIED TIME PERIODS; 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 2-11.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-11.1. Conflict of Interest and Code of Ethics Ordinance.

* * *

(bb) [[~~[Affidavit required.]~~]] >>*Affidavit and Ethics Course.*<< Each person who is elected to serve as a member of the Board of County Commissioners or as Mayor of Miami-Dade County shall execute an affidavit, on a form prepared by the Ethics Commission, stating that he or she has read the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and agrees to comply with the provisions of said ordinance. Each elected official covered by the requirements of this subsection shall file the required affidavit with the Ethics Commission prior to being sworn into office. >>Each employee of the County, as defined in subsection (b)(5) and b(6), shall within one hundred and eighty (180) days of the effective

[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.

date of this ordinance or within sixty (60) days after being hired by the County, submit to the Clerk of the Board a certificate of completion of an ethics course offered by the Miami-Dade County Commission on Ethics and Public Trust ("Ethics Course"). Employees shall be required to complete a refresher Ethics Course every two years thereafter. Each employee who has completed a refresher Ethics Course shall submit to the Clerk of the Board a certificate of completion. The Ethics Course shall include, but not be limited to, a review of the following topics: the Conflict of Interest and Code of Ethics Ordinance; the Sunshine Law; and the Public Records Law.<< >>The requirements of this subsection (bb) relating to the Ethics Course shall not be applicable to any municipality in Miami-Dade County unless said municipality has adopted an ordinance providing for the Ethics Course, and has entered into an interlocal agreement with the County authorizing the Ethics Commission to provide the Ethics Course provided for in this subsection.<<[2]

* * *

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.

[2] Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

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: March 6, 2012

Approved by County Attorney as
to form and legal sufficiency: _____

Prepared by: GKS

Gerald K. Sanchez

Prime Sponsor: Commissioner Lynda Bell
Co-Sponsor: Commissioner Rebeca Sosa