

MEMORANDUM

Agenda Item No. 7(B)

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

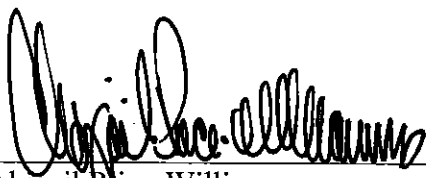
DATE: March 6, 2018

(Second Reading 6-5-18)

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to Rules of Procedure of the Board of County Commissioners; amending section 2-1 of the Code; providing an exception from committee consideration for selection and appointment of persons to serve as members of the Public Health Trust Board of Trustees and the Jackson Health System General Obligation Bond Citizens' Advisory Committee; providing an exception from committee consideration for non-impasse Public Health Trust Collective Bargaining Agreements

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

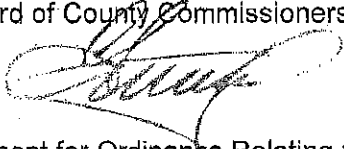


Abigail Price-Williams
County Attorney


APW/smm

Memorandum



Date: June 5, 2018
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 Rules of Procedure of The Board
of County Commissioners – Exceptions to Committee Requirement

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.



Alina Hudak
Deputy Mayor

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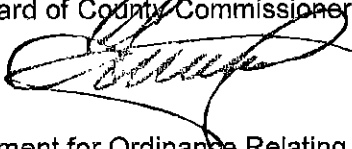
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Memorandum




Date: June 5, 2018

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 Rules of Procedure of The Board
of County Commissioners – Exceptions to Committee Requirement

The implementation of this ordinance will not have any measurable social equity benefit or burden.



Alina T. Hudak
Deputy Mayor

FIS04518 SE180383



MEMORANDUM

(Revised)

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

DATE: June 5, 2018

FROM: Abigail Price-Williams
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
- 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(B)
6-5-18

ORDINANCE NO. _____

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AN EXCEPTION FROM COMMITTEE CONSIDERATION FOR SELECTION AND APPOINTMENT OF PERSONS TO SERVE AS MEMBERS OF THE PUBLIC HEALTH TRUST BOARD OF TRUSTEES AND THE JACKSON HEALTH SYSTEM GENERAL OBLIGATION BOND CITIZENS' ADVISORY COMMITTEE; PROVIDING AN EXCEPTION FROM COMMITTEE CONSIDERATION FOR NON-IMPASSE PUBLIC HEALTH TRUST COLLECTIVE BARGAINING AGREEMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 25A of the Code of Miami-Dade County ("Code"), the governing body of the Public Health Trust is a Board of Trustees composed of seven voting members; and

WHEREAS, Chapter 25A provides that the Board of County Commissioners ("Board") selects and appoints five voting Trustees to serve on the Public Health Trust Board of Trustees from a list of nominees submitted by the Public Health Trust Nominating Council ("Nominating Council"); and

WHEREAS, Chapter 25A further provides that the Nominating Council shall submit to this Board a list of nominees containing a total number of names equal to the number of vacancies plus the names of two additional nominees, and that this Board shall select and appoint the trustee from that list; and

WHEREAS, the list of such nominees is then reviewed by this Board after consideration by a committee of this Board; and

WHEREAS, Chapter 25A separately provides that two voting trustees shall be designated by the Mayor and the Chairperson of the Miami-Dade Legislative Delegation, respectively, and that such designations then be presented at the next regularly scheduled meeting of this Board for review; and

WHEREAS, it is the desire of this Board that the selection and appointment of all Public Health Trust Board of Trustees nominees and designees be presented at a regularly scheduled meeting of this Board without prior consideration by a committee of this Board; and

WHEREAS, Chapter 2, Article CXLIV of the Code provides that five members of the Jackson Health System General Obligation Bond Citizens' Advisory Committee (the "Citizens' Advisory Committee") shall be appointed by resolution of this Board from persons nominated by the Nominating Council; and

WHEREAS, Chapter 2, Article CXLIV of the Code further provides that the remaining four members of the Citizens' Advisory Committee shall be designated by specific community stakeholders, and that such designations may then be ratified by this Board; and

WHEREAS, it is the further desire of this Board that appointment and ratification of Citizens' Advisory Committee nominees and designees be presented at a regularly scheduled meeting of this Board without prior consideration by a committee of this Board; and

WHEREAS, pursuant to Chapter 25A of the Code, the Trust is not authorized to enter into a contract with any labor union or other organization representing employees without first having obtained approval of this Board; and

WHEREAS, it is also the desire of this Board that all Public Health Trust labor unions or other organizations representing employees be presented at a regularly scheduled meeting of the Board for review without consideration first by a committee of this Board,

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:¹

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

* * *

PART 4. COMMITTEES

Rule 4.01. Committees.

* * *

(j) Exceptions to Committee Requirement.

* * *

(2) Quasi-judicial items, special taxing districts, ordinances for first reading, consent agenda items, other than items related to certificates of transportation, district office fund allocations, special presentations, namings, renamings or codesignations of County roads, facilities or properties, citizens' presentations, bid

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.

protests, settlements, options to renew contracts, >>selection and appointment of persons to serve as members of the Public Health Trust Board of Trustees and the Jackson Health System General Obligation Bond Citizens' Advisory Committee, non-impasse Public Health Trust Collective Bargaining Agreements,<< resolutions recommending the acceleration and deceleration of Building Better Communities General Obligation Bond Program funding of projects using unspent bond proceeds, including interest earnings and premium funds, notwithstanding Rule 4.01(d)(6), ordinances related to debt obligations, resolutions related to debt obligations, resolutions urging an entity or person to take stated action, resolutions taking a position or seeking direction from the Board on legislation or administrative action at the federal, state or local level, resolutions related to contract lobbyist conflict waiver requests and resolutions expressing intent shall be heard directly by the county commission, items awarding, granting or amending or relating to an award or grant of Targeted Jobs Incentive Fund, Qualified Targeted industry Business incentives, property or utility tax exemptions in enterprise zones, or Brownfield Economic Development Initiative Loans Funds or similar incentives and tax exemption programs; provided, however, any such item relating to an award of Community Redevelopment Agency funding or Community Development Block Grant funding or other funding administered by the Public Housing and Community Development department, or successor department, shall not be excepted from committee review by this subsection (j)(2). On such items, the public shall have the same rights to participate and be heard at the county commission as they would have received had the item been heard in committee.

* * *

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:

Approved by County Attorney as
to form and legal sufficiency:

AW

Prepared by:

MSM

Christopher C. Kokoruda
Suzanne Villano-Charif
Michael J. Mastrucci

Prime Sponsor: Commissioner Sally A. Heyman