

MEMORANDUM

Substitute
Agenda Item No. 5(D)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to certain reporting requirements; amending section 2-11.40 of the Code, related to sunset review of boards; section 22-7, related to the Wage Theft Program; section 32-101, related to one-time lifetime adjustments of water and sewer bills; rescinding reporting requirements set forth in the above-referenced sections of the Code, rescinding the reporting requirement set forth in section 3 of Ordinance No. 19-17, related to electric vehicle infrastructure requirements

Ordinance No. 25-62

This substitute differs from the original item in that it:

- deletes Section 2-285.2, related to Miami-Dade Aviation Department Capital Improvements Acceleration from the title;
- on page 4, in the re-lettered subsection c, replaces the previous direction for administrative departments to evaluate any determination of the Chairperson of the Board of County Commissioners with the direction that the Chairperson of the Board County Commissioners shall if necessary prepare any appropriate legislation;
- deletes section 5 related to Section 2-285.2 of the Code in its entirety; and
- makes conforming changes in renumbering the previous sections 7, 8, and 9 to sections 6, 7, and 8.

Rule 5.06(i) of the Board's Rules of Procedure provides that where double underlining and double strike-through would not clearly show the differences between an original item and the substitute, comments may instead be provided. Pursuant to this rule, the preceding comprehensive description of the differences between the original item and the substitute is provided in lieu of double underlining and double strike-through for this item.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.


Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: July 1, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Fiscal Impact Statement for Ordinance Related to Certain Reporting Requirements Contained
in Sections 2-11.40, 22-7, and 32-101 of the Code and Contained in Ordinance No. 19-17

The proposed Ordinance eliminates a variety of monthly, quarterly, and annual reporting requirements for the administration. Additionally, it provides for an optional sunset review of County boards as directed by the Chairperson of the Board of County Commissioners. It is anticipated that this Ordinance will have a positive fiscal impact to Miami-Dade County as this will allow existing staff to redirect resources based on departmental needs.

A handwritten signature in black ink, reading "Roy Coley".

Roy Coley
Chief Utilities & Regulatory Services Officer

Memorandum



Date: July 1, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

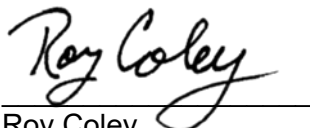
Subject: Social Equity Statement for Ordinance Relating to Rescinding Certain Reporting Requirements

The proposed Ordinance amends sections 2-11.40, 22-7, and 32-101 of the Code of Miami-Dade County, rescinding recurring reporting requirements. Additionally, the proposed item seeks to establish a revised sunset review process for County boards, to determine whether each board shall continue in its present form.

The item seeks to rescind or reduce certain recurring and ongoing reporting requirements that were created by Board of County Commission (Board) action. More specifically, the item shall rescind recurring reports related to wage theft enforcement provided on an annual basis, water billing credits provided on a quarterly basis, and electric vehicle infrastructure tracking provided on an annual basis.

Also, the legislation seeks to revise the sunset review process related to County Boards. Currently the code provides that all County boards created by the Board of County Commissioners through ordinance or resolution are subject to a sunset review process on a biennial schedule. Boards created pursuant to state or federal law are exempt from the requirements of Sec. 2-11.40. The proposed legislation would revise the process to provide that the Chairperson of the Board of County Commissioners may evaluate County boards, based on the County Mayor's recommendations and any other information that the Chairperson deems relevant, to determine whether each board shall continue in its present form, at his or her discretion.

The proposed legislation may reduce reporting significantly for certain County departments and offices. A social benefit nor burden can be determined at this time.

A handwritten signature in black ink, reading "Roy Coley".

Roy Coley
Chief Utilities and Regulatory Services Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 1, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Substitute
Agenda Item No. 5(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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 5(D)
7-1-25

ORDINANCE NO. 25-62

ORDINANCE RELATING TO CERTAIN REPORTING REQUIREMENTS; AMENDING SECTION 2-11.40 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATED TO SUNSET REVIEW OF BOARDS; SECTION 22-7, RELATED TO THE WAGE THEFT PROGRAM; SECTION 32-101, RELATED TO ONE-TIME LIFETIME ADJUSTMENTS OF WATER AND SEWER BILLS; RESCINDING REPORTING REQUIREMENTS SET FORTH IN THE ABOVE-REFERENCED SECTIONS OF THE CODE, RESCINDING THE REPORTING REQUIREMENT SET FORTH IN SECTION 3 OF ORDINANCE NO. 19-17, RELATED TO ELECTRIC VEHICLE INFRASTRUCTURE REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board has established various recurring and ongoing reporting requirements that have obligated the County administration and, over time, may have created significant additional work for County staff; and

WHEREAS, from time to time, it would be advisable for this Board to review such requirements to determine if some should be rescinded to promote efficiency within County government; and

WHEREAS, on June 5, 2024, this Board adopted Resolution No. R-519-24, which directed the County Mayor or County Mayor's designee to prepare a written report listing all Board directives, resolutions, and ordinances that were adopted prior to December 2020, and that currently require the administration to prepare reports on a monthly, quarterly, or other periodic basis; and

WHEREAS, on January 24, 2025, a report was issued in response to Resolution No. R-519-24, and this report listed several reporting requirements that were created by ordinance and that may be rescinded by this ordinance; and

WHEREAS, this Board wishes to rescind certain recurring and ongoing reporting requirements that were created by ordinance and are listed in Attachment A to this ordinance; and

WHEREAS, through the rescission of these reporting requirements, this Board aims to reduce duplicative or outdated administrative burdens, improve the efficient use of County resources, and allow staff to redirect time and effort toward more impactful services and priorities that better serve the public,

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

Section 1. The foregoing recitals are hereby approved and incorporated herein.

Section 2. Section 2-11.40 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-11.40. “Sunset” review of boards.

~~[[Commencing with calendar year 2001 the initial board program category shall be reviewed and every year thereafter in the following manner:~~

~~(a) By February 1, 2001 and by February 1 each year thereafter, each board's chairperson shall submit a report, approved by the board, to the County Mayor setting forth the following information concerning the board:~~

~~(1) Whether the board is serving the purpose for which it was created.~~

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.

- ~~(2) Whether the board is serving current community needs.~~
- ~~(3) A list of the board's major accomplishments.~~
- ~~(4) Whether there is any other board, either public or private, which would better serve the function of the board.~~
- ~~(5) Whether the ordinance creating the board should be amended to better enable the board to serve the purpose for which it was created.~~
- ~~(6) Whether the board's membership requirements should be modified.~~
- ~~(7) The cost, both direct and indirect, of maintaining the board.~~
- ~~(8) Whether the County board is meeting performance measures developed to determine their effectiveness in achieving stated goals.~~

- ~~(b) By March 15, 2001 and by March 15, each year thereafter, the County Mayor shall deliver to the Board of County Commissioners the report submitted by the chairperson of each board, pursuant to subsection (a) of this section, together with the recommendation or comments that the County Mayor submits.~~
- ~~(c) By April 15, 2001 and by April 15 each year thereafter, the chairperson shall make an oral presentation to the Board of County Commissioners should it be the desire of the Board. Said presentation shall be based upon the report set forth in subsection (a) above. The Board of County Commissioners shall evaluate the chairperson's report, the County Mayor's recommendations and any other information it deems relevant to determine whether the board shall continue in its present form.]]~~

- >>(a) The Chairperson of the Board of County Commissioners may evaluate County boards, based on the County Mayor's recommendations and any other information that the Chairperson deems relevant, to determine whether each board shall continue in its present form.

The Chairperson may consider the following factors in evaluating County boards:

- (1) Whether the board is serving the purpose for which it was created.
- (2) Whether the board is serving current community needs.
- (3) A list of the board's major accomplishments.

- (4) Whether there is any other board, either public or private, which would better serve the function of the board.
- (5) Whether the ordinance creating the board should be amended to better enable the board to serve the purpose for which it was created.
- (6) Whether the board's membership requirements should be modified.
- (7) The cost, both direct and indirect, of maintaining the board.
- (8) Whether the County board is meeting performance measures developed to determine their effectiveness in achieving stated goals.<<

[[~~(d)~~]]>>(b)<<The >>Chairperson of the<< Board of County Commissioners shall determine whether to abolish, continue, consolidate or modify the board.

[[~~(e)~~]]>>(c)<< At the conclusion of this review process[[~~-, affected County departments~~]] >>the Chairperson of the Board of County Commissioners shall<< [[~~must follow up on the Board of County Commissioners' action and~~]], if necessary, prepare the appropriate legislation to abolish, consolidate or modify a board if it is not continued in its present form.

[[~~(f)~~]] ~~By March 15, 2018 and by March 15 each year thereafter, the Clerk of the Board shall deliver to the Board of County Commissioners a written report setting forth the gender composition of each County board then in existence. The Clerk of the Board shall submit its report for placement on an agenda of a meeting of the Board of County Commissioners.~~

(g) ~~The following board categories shall be reviewed in the following years and every other year thereafter:~~

- ~~(1) 2001: Policy Formulation, General Government, Internal Support, Culture and Recreation, and Physical Environment.~~
- ~~(2) 2002: Protection of People and Property, Transportation, and Health and Human Services.~~

(h) ~~All existing and newly created boards shall be administratively placed in the appropriate program category under subsection (g) above.~~

(i) ~~Any proposed Miami-Dade County ordinance or resolution~~

~~creating a board must be accompanied by a report from the County Mayor's Office setting forth the following information concerning the board:~~

- ~~(1) Whether there is a need for the proposed board.~~
- ~~(2) Whether the purpose of the proposed board could be accomplished in any other manner.~~
- ~~(3) The cost both direct and indirect of creating and maintaining such a board.~~
- ~~(4) A clear statement of the mission, desired outcomes and strategies for accomplishing such outcomes, and performance measures to assess whether such outcomes are being achieved. Such outcomes specified shall be measurable, concrete and specific.~~
- ~~(5) A date when the ordinance creating the board shall be repealed, contingent upon the completion of a review by the County Mayor and the Board of County Commissioners prior to said repeal date, to determine its effectiveness in achieving stated goals and to revise or modify program components for the full achievement of said goals. No board shall be created whose date for repeal is greater than five (5) years from the effective date of the enacting ordinance.~~

~~(j)]>(d)<<~~ Any and all boards created pursuant to state or federal law shall be exempt from the requirements of Section 2-11.40.

Section 3. Section 22-7 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Chapter 22 - WAGE THEFT

* * *

Sec. 22-7. Reporting.

A fiscal report regarding the administrative cost associated with the implementation of the Ordinance shall be submitted to the applicable BCC Committee within six months of its effective date and one year after its effective date. ~~[[Thereafter, such fiscal report shall be submitted annually.]]~~ The fiscal report should provide quarterly statistical data about the number of inquiries, number of petitions for hearings, number of hearings scheduled, the cost of the hearings, and the results of the hearings.

Section 4. Section 32-101 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**ARTICLE VI. - MIAMI-DADE WATER AND SEWER
AUTHORITY DEPARTMENT BILLING
PROCEDURES**

* * *

Sec. 32-101. One-Time Lifetime Credit for Customers.

* * *

~~[(4) The Department will provide a report to the Board of County Commissioners on a quarterly basis, which sets forth a detailed accounting of the one-time lifetime adjustments under R1164-04 and this section of the Code per year.~~

~~(5)]>>(4)<<~~ Nothing in this section shall affect the Department's Rules and Regulations that address the procedures and credits allowed when a concealed or visible leak has been discovered in connection with a single-family residential customer's account.

Section 5. This Board hereby rescinds section 3 of Ordinance No. 19-17, which requires annual reports on the appropriate percentage of required off-street electric vehicle supply equipment-ready spaces.

Section 6. 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 7. 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 8. 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, 2025

Approved by County Attorney as
to form and legal sufficiency:

GKS for GBK

Prepared by:

JEM

Cristina M. Rabionet
Lauren E. Morse

Prime Sponsor: Commissioner Eileen Higgins

Attachment A: Board Directives and Ordinances Adopted Prior to December 2020 and Resulting in Recurring Reports

Legistar No.	Requester	Department	Topic	Frequency	Hyperlink and/or Notes
190662	Daniella Levine Cava	RER	Electric Vehicle Infrastructure Requirements	Annual	https://www.miamidade.gov/govaction/matter.asp?matter=190662&file=false&fileAnalysis=false&yearFolder=Y2019
Section 2-11.40	Unknown	All Depts	Sunset Review Reports	Biennial	https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIBSTCRREBOGE_S2-11.40SUREBO
100638	Natacha Seijas	RER	Annual Report Relating to the Wage The Program	Annual	https://intra.miamidade.gov/gia/matter.asp?matter=100638&file=false&yearFolder=Y2010
R-1164-04 and Ordinance 11- 98	Javier Souto, Jose “Pepe” Diaz & Linda Bell	WASD	Quarterly Reports to the Board of County Commissioners of the One-Time Lifetime Adjustments issued under Resolution No. 1164-04 and Ordinance No. 11-98	Quarterly	https://www.miamidade.gov/govaction/matter.asp?matter=041820&file=true&fileAnalysis=false&yearFolder=Y2004
192003	Rebeca Sosa	MDAD	Ordinance No. 19-122 approving the Miami Dade Aviation Department (MDAD) Capital Improvements Acceleration Ordinance requires placement of a monthly Aviation Capital Program Report related to procurement activities and project financial status	Monthly	https://www.miamidade.gov/govaction/matter.asp?matter=192003&file=true&fileAnalysis=false&yearFolder=Y2019