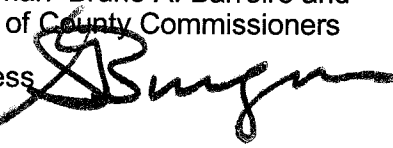


Memorandum

MIAMI-DADE
COUNTY

Date: January 10, 2008

To: Honorable Chairman Bruno A. Barreiro and
Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Implementing Orders and Administrative Orders

Agenda Item No. 8(L)(1)(A)

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution adopting Implementing Order 1-1 (Implementing Orders) and rescinding Administrative Order 1-1 (Administrative Orders). It is also recommended that the BCC rescind current Administrative Orders (A.O.s), except those containing a blend of policy and procedural elements, and adopt those implementing specific policies of the BCC, as the Board's Implementing Orders (Attachment 1-A) in accordance with the guidance of the County Attorney (Attachment 2).

BACKGROUND

Administrative Orders (A.O.s) have traditionally been utilized to identify operating methods and administrative policies and procedures, establish fees that departments charge to the public, and/or implement specific policies of the Board. Previously, these Administrative Orders were developed by the County Manager and submitted to the Board for approval, in accordance with the Home Rule Charter and County policy.

On January 23, 2007, Section 5.02 of the Home Rule Charter was amended to state: "The Mayor shall have the power to issue and place into effect administrative orders, rules, and regulations. The organization and operating procedure of administrative departments shall be set forth in regulations, which the Mayor shall develop, place into effect by administrative orders, and submit to the Board." Subsequently, the County Attorney transmitted a memorandum to the County Manager noting the distinction between Administrative Orders as defined by the amended Charter and those Administrative Orders that implement specific Board legislation or otherwise fall under the Board's authority. The Attorney determined that such A.O.s should be identified as "Implementing Orders" (or I.O.s) and separately maintained.

Prior A.O.s addressing County administrative procedures under the purview of the Mayor will retain the title of Administrative Orders (Attachment 1-B). Additionally, those prior A.O.s which incorporate or blend both policy and administrative elements will remain in effect until amended by the Mayor or the Board, as appropriate for the subject matter (Attachment 1-C). Implementing Order 1-1 reflects these Home Rule Charter amendments and delineates the use of Implementing Orders as a legislative vehicle. This process also rescinds four Administrative Orders no longer in effect due to legislative and programmatic changes (Attachment 1-D).

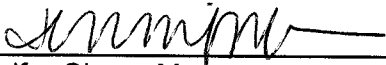
In accordance with the Attorney's guidance, the Office of Strategic Business Management (as the department responsible for maintaining the County's Administrative Orders) reviewed 155 current A.O.s and identified each as an Implementing Order or Administrative Order, or in certain cases, a blend of the two containing both policy and procedural components. The results of this review, including the

reason for the respective designation of each A.O., have been reviewed by the Office of the County Attorney and are indicated in the attached document. Of the 161 prior Administrative Orders, 111 were determined to be Implementing Orders, 35 to be Administrative Orders and 15 to be a blend.

The Office of Strategic Business Management (OSBM) will continue to process Implementing Orders and Administrative Orders for transmittal to the Board and maintain the A.O. /I.O. automated system on the County's intranet site. Currently, Administrative Orders are assigned a specific number based on its topic/category and a sequential number within that specific topic. Both legislative vehicles will use that numbering system, with an indication next to the number as to whether it is an Implementing Order or Administrative Order. This will allow for easy reference when looking for related legislation regarding a specific topic.

Similarly, the Clerk of the Board will continue to be the official record keeper of all Implementing and Administrative Orders. County departments will continue to be responsible for the content of all I.O.s and A.O.s under their respective purview, as well as for developing new and amended I.O.s as may be directed by the Board.

Attachments



Jennifer Glazer-Moon
Director, Office of Strategic Business Management

cmo02308

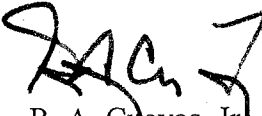


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 10, 2008

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

SUBJECT: Agenda Item No. 8(L) (1) (A)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 8(L) (1) (A)

Veto _____

01-10-08

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING IMPLEMENTING ORDER 1-1 (IMPLEMENTING ORDERS), RESCINDING ADMINISTRATIVE ORDER 1-1 (ADMINISTRATIVE ORDERS), RESCINDING CURRENT ADMINISTRATIVE ORDERS, EXCEPT FOR THOSE ADMINISTRATIVE ORDERS CONTAINING BOTH POLICY AND PROCEDURAL ELEMENTS, AND ADOPTING THE IMPLEMENTING ORDERS OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners of Miami-Dade County desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated by herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board approves Implementing Order 1-1 (Implementing Orders) in the form attached hereto, and authorizes the Mayor or his designee to exercise any and all rights contained therein.

Section 2. This Board approves the rescinding of the Administrative Orders on the attached list titled "Proposed Implementing Orders"; approves the adoption of those rescinded Administrative Orders as Implementing Orders; approves the rescinding of those Administrative Orders on the attached list titled "Proposed Administrative Orders to be Rescinded"; and authorizes County personnel to exercise any and all rights contained therein.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
10th day of January, 2008. This resolution shall become effective ten (10) days after the
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective
only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

OR

Oren Rosenthal

A.O.I.O. No.: 1-1
Ordered: 7/23/2002
Effective: 8/2/2002

MIAMI-DADE COUNTY
ADMINISTRATIVE IMPLEMENTING ORDER

~~ADMINISTRATIVE ORDERS~~ IMPLEMENTING ORDERS

AUTHORITY:

Section 5.02 of the Miami-Dade County Home Rule Amendment and Charter.

SUPERSEDES:

This ~~administrative-Implementing order~~ supersedes previous Administrative Order 1-1, ordered July 23, 2002, effective August 2, 2002.

POLICY:

~~The County Manager has the power to issue and place into effect administrative orders, rules, and regulations. Administrative orders establish operating methods and administrative policies and procedures, establish fees that departments charge to the public, and/or delineate organizational responsibilities for identified procedures. Generally, they should be of a relatively permanent nature. Department Directors are encouraged to submit proposed administrative orders which will improve management procedures.~~

Implementing orders establish specific Board of County Commissioners (BCC) legislation or policies that fall under their authority, including establishing fees departments charge to the public. The BCC has the power to adopt policies through legislation and may direct the Mayor to draft or amend Implementing orders, or regulations, to effectuate policies. Implementing orders are submitted to the BCC for its action to accept, amend, or reject.

RATIFICATION OF NEW OR AMENDED ORDERS:

~~New or amended implementing~~ Implementing orders, along with a resolution and the County Manager ~~Mayor or his designee's recommendation memorandum, are submitted by the the County Manager~~ Mayor to the Board of County Commissioners for approval.

MODIFICATION TO ORDERS:

Modification to ~~implementing~~ Implementing orders may be offered from the Board of County Commissioners at any time by resolution.

RESCISSION OF PREVIOUS ORDERS:

~~Administrative-Implementing orders~~ may be rescinded by resolution and are submitted by the County Manager ~~Mayor to of the Board of County Commissioners for approval.~~

RESPONSIBILITY FOR UPDATES TO ORDERS:

~~Implementing orders should be of a relatively permanent nature. Department directors~~
~~The Mayor or his designees are are responsible for the content of all administrative orders~~
~~Implementing orders and should propose under their respective jurisdiction. Department~~
~~Directors are required to prepare new administrative~~ Implementing orders as directed by the
Board of County Commissioners, and as well as to review and propose updates to all
~~administrative orders~~~~them existing implementing~~ Implementing orders as necessary to ensure
consistency with newly adopted legislation, policies and/or procedures. When preparing new or
~~amended administrative~~ Implementing orders, Department Directors should consult with other
~~affected departments or agencies as needed.~~

MAINTENANCE OF ALL ORDERS:

~~The Clerk of the Board will maintain the official record of all administrative orders~~ Implementing
orders, including those amended or rescinded, in accordance with the requirements of the
Florida Statutes. In addition, the Mayor shall designate an administrative department Office of
~~Performance Improvement~~ Strategic Business Management (OSBM) will to maintain copies of
currently effective administrative orders Implementing orders, in hard copy and automated
format, for reference. Departments are responsible for maintaining electronic copies of
implementing Implementing orders under their jurisdiction.

PROCEDURE:

~~A Department Director who desires to prepare a new or to revise an existing administrative~~
~~order should submit the proposed administrative order, including any attachments, along with a~~
~~resolution and the County Manager's recommendation memorandum, to the Office of~~
~~Performance Improvement (OPI). OPI will review the package of documents for appropriate~~
~~format and consistency with approved legislation prior to finalization by the initiating department.~~
~~OPI is responsible for forwarding all new, modified, or to be rescinded administrative orders to~~
~~the County Manager for final approval and submission to the Board of County Commissioners.~~
~~The submitting department must allow sufficient time for OPI's review prior to the submission~~
~~deadline for a particular Board of County Commissioners agenda.~~

~~This administrative~~ Implementing order is hereby submitted to the Board of County
Commissioners of Miami-Dade County, Florida.

~~Steve Shiver~~
~~County Manager~~ Mayor

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
1-3	Gifts to the County	Establishes procedures for acceptance of gifts valued at over \$1,000, including artwork and architectural objects.	Office of Strategic Business Management
2-1	Items for Commission Action	Establishes policies and procedures for processing items to be presented for County Commission action.	Office of Agenda Coordination
2-4	Tort Liability Claims Settlements	Establishes procedures for investigating and adjusting, settling or compromising tort claims; establishes authority levels for same.	General Services Administration
2-5	Code Enforcement	Establishes code enforcement procedures for municipalities; identifies roles and responsibilities of hearing officer, County departments and County Clerk; discusses administrative costs; establishes procedures for closure of cases.	Team Metro
2-6	Disclosure of Interest Form (Zoning Application) of Planning, Development & Regulation	Establishes Disclosure of Interest Form required for matters appearing before the Zoning Appeals Board or Board of County Commissioners.	Planning and Zoning
2-7	Code Enforcement Emergency Remediation and Mitigation Fund	Establishes Code Enforcement Emergency Remediation and Mitigation Fund; establishes fund cap and policy regarding funds transfer; establishes roles and responsibilities of Finance Department and enforcement departments; identifies procedures for use of fund.	Team Metro
2-9	Restitution for Ethics Violations	Establishes the framework for assessment and collection of restitution for ethics violations.	Ethics Commission
3-1	Budget Amendments and Transactions	Establishes procedures for budget amendments and transactions and capital outlay substitutions.	Office of Strategic Business Management
3-9	Write-Off Accounts Receivable Arising from User Charges	Establishes limitations and procedure for departmental write-offs of uncollectable accounts.	Finance
3-11	Art in Public Places Program Implementation and Fund Transfer Procedure	Establishes procedures for the transfer of funds from departmental capital budgets to the Art in Public Places (AIPP) Trust Fund in a manner which ensures the self sufficiency of the Program without any dependency on the ad valorem tax operating fund.	Art in Public Places
3-13	Revocation of and Refusal to Renew Occupational Licenses of Entities Doing Business with Cuba	Governs the ministerial duty of the Miami-Dade County Tax Collector in revoking, or refusing to renew, the occupational licenses of entities that engage in business with or related to Cuba in violation of federal law.	Finance

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**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
3-15	Uniform Minimum Standards for County-Wide Application, Assessment, Monitoring and Management Evaluation and Uniform Minimum Standards for County-Wide Application, Assessment, Monitoring and Management Evaluation and Performance Review of CBOs	Establishes uniform minimum standards to be applied County-wide and describes procedures for application, contracting, monitoring, and management evaluation and performance review of CBOs, other non-profits, and other organizations providing community services.	Office of Strategic Business Management
3-19	Prompt Payments	Implements prompt payment requirements for valid invoices submitted to the County or the Public Health Trust; establishes method for payment of interest; describes invoice and dispute resolution procedures.	Finance
3-20	Independent Private Sector Inspector General Services (IPSIG)	Establishes standards for requesting and funding IPSIG services, selecting an IPSIG, and supervising the activities of an IPSIG; sets reporting guidelines. The AO was originally prepared by Audit and Management Services (AMS).	Capital Improvements Construction Coordination
3-21	Bid Protest Procedures	Describes procedures and establishes filing fees for formal and informal bid protests.	Procurement
3-22	Community Small Business (CSBE) Program for the Purchase of Construction Services	Implements CSBE program for construction contracts. Establishes policies and procedures for certification, application of contract measures and prompt payment; describes training and assistance programs.	Small Business Development
3-23	Anti-Discrimination in Contracting, Procurement, Bonding, and Financial Services Activities	Prohibits discrimination in contracting, procurement, bonding, and financial services activities because of race, color, religion, ancestry, national origin, gender, pregnancy, age or disability.	Small Business Development
3-24	Responsible Wages and Benefits for County Construction Contracts	Implements responsible bidder ordinance; establishes administrative procedure for resolution of complaints regarding underpayment of required hourly wages or failure to comply with requirements of lessees on County-owned land involving privately funded construction improvements.	Small Business Development
3-26	Establishing the Threshold and Guidelines for Feasibility and Value Analysis/Engineering VA/E Studies for Miami-Dade County Construction Projects	Establishes the threshold and guidelines for conducting feasibility studies and performing Value Analysis/Engineering studies on Miami-Dade County construction projects	Capital Improvements Construction Coordination
3-27	Cone of Silence	Describes requirements, procedures, and exceptions for the Cone of Silence. Also describes disciplinary measures for violators of the Cone.	Procurement
3-29	Prohibiting County Contracting with Individuals and Entities Who are in Arrears to the County	Prohibits contractors that are in arrears to the County in excess of the enforcement threshold from obtaining new County contracts, extensions of contracts or new purchase orders; sets forth enforcement procedures.	Procurement

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
3-30	Living Wage Requirements for County Service Contracts	Mandates that contractors pay employees who are performing contracted services minimum wage rates; establishes enforcement, complain resolution and appeal procedures; delineates role of Living Wage Commission.	Procurement
3-31	Taping Procedures for All Proceedings of Selection and Negotiation Committees	Establishes process for audio taping of Selection and Negotiation Committee meetings.	Procurement
3-32	Community Business Enterprise (CBE-A/E) Program for the Purchase of Professional Architectural, Landscape Architectural, Engineering or Surveying and Mapping Services	Implements CBE program for A&E contracts governed by the Florida statutes. Establishes policies and procedures for certification, application of contract measures and prompt payment; establishes sanctions for violations; describes training and assistance.	Small Business Development
3-36	Programming Partnerships	Establishes program for programming partnerships between Parks Dept. and service providers. Defines types of partnership agreements, establishes evaluation, selection and contracting process; establishes program guidelines and requirements.	Parks and Recreation
3-37	Community Workforce Program	Implements community workforce utilization requirements for capital improvement projects in designated target areas.	Small Business Development
3-38	Master Procurement Administrative Order	Governs processes for the purchase of goods and services, including professional services (other than those professional services governed by Sec. 287.055 F.S. and Secs. 2-10.4 and 2-10.4.01 of the Miami-Dade County Code).	Procurement
3-39	Standard process for Construction of Capital Improvements, Acquisition of Professional Services, Construction Contracting, Change Orders and Reporting	Establishes standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by law.	Capital Improvements Construction Coordination
3-41	Small Business Enterprise (SBE) Program for the Purchase of Goods and Services	Applies to all County and Public Health Trust contracts for the purchase of goods and services, excluding construction and A&E. Establishes that a minimum of 5% of the total value of contracts \$50,000 and under be awarded to Micro Enterprises, and that Small Business Enterprise Measures be applied to contracts greater than \$50,000.	Small Business Development
3-42	Contractor Evaluation and Suspension	Establishes standards and procedures to restrict contractor involvement in future contracts based on past performance.	Capital Improvements Construction Coordination
3-44	Infill Housing Initiative	Establishes the process for the implementation and management of the Infill Housing Initiative for Miami-Dade County; responsibility lies with GSA.	GSA
4-4	Port of Miami Tariff No. 010	Includes dockage and other fees charged by the Seaport.	Seaport

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
4-15	Racing Permit Fees	Establishes fees to cover the cost of processing an application for a motor vehicle or motorcycle race.	Police
4-23	Use of Data Processing Equipment and Products to Obtain Tax Roll Information	Establishes fees for provision of tax roll information to mortgage brokers and other for-profit companies.	Property Appraiser
4-33	Fee Schedule for the Metro-Dade Police Department	Includes fees for police clearance letters, fingerprints, publications, firearms range maintenance, notary services.	Police
4-41	Schedule of Fees for Permits for Public Works Construction and Other Public Works Related Items	Includes fees for processing permits and inspection services for public works construction and for paving and drainage construction on public rights-of-way or private property.	Public Works
4-42	Fee Schedule for the Department of Environmental Resources Management	Includes fees for all environmental permits.	DERM
4-43	Animal Trades and Sales	Establishes procedure and approval authority for the trade or sale of animals.	Parks and Recreation
4-44	Landscape Trading	Establishes procedure and approval authority for the trade or sale of plants and/or landscape materials.	Parks and Recreation
4-46	Schedule of Fees for Permits for the Movement of Oversize and /or Overweight Vehicles and Charges for Personnel and Equipment	Includes fees for permits for the movement of oversize and/or overweight vehicles, and for personnel and equipment required for the movement of oversize and/or overweight vehicles.	Public Works
4-48	Fees Charged to the Public for Examining and Duplicating Records	Establishes fees for providing copies to the public in accordance with state law.	General Services Administration
4-49	Fees to be Charged for Verifying Liens on Real Property	Establishes fee to recover actual costs of providing telephone or written confirmation of the presence of liens, whether actual or impending, on real property located within the County.	Office of Strategic Business Management
4-50	Appointment, Licensing and Bond of Stevedores	Establishes application process and fees for stevedore licenses.	Seaport
4-51	Animal Services Fees	Establishes fees for animal services including registration, inoculations, spay/neuter services.	Police
4-56	Schedule of Fees and Tolls for the Venetian Causeway	Establishes schedule of fees for cash toll passage, Card/Pass passage and deposit and account replenishment amounts, monthly statement fees and causeway Card/Pass transfer fee for the Venetian Causeway.	Public Works
4-57	Schedule of Fees and Tolls for the Rickenbacker Causeway	Establishes schedule of fees for cash toll passage, Card/Pass passage and deposit and account replenishment amounts, monthly statement fees and causeway Card/Pass transfer fee for the Rickenbacker Causeway.	Public Works

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
4-60	Schedule of Fees for Permits for Public Works (Explosives)	Includes fees for cost of processing permits and inspection services for the use of explosives.	Public Works
4-63A	Building Department Fee Schedule (was Fee Schedule for Planning, Development & Regulation)	Includes permit processing and inspection fees for building construction and components.	Building
4-68	Schedule of All Services Levels and Fees for Department of Solid Waste Management	Includes fees for residential, multifamily and commercial collection, violation waste removal, civil court case processing, disposal and transfer, solid waste permits.	Solid Waste
4-76	Pollworkers, Troubleshooters, Verification Specialists and Elections Support Personnel	Establishes duties and pay rates for election day workers, including both County and non-County personnel.	Elections
4-82	Schedule of Fees for County Parking Facilities	Includes hourly and monthly parking rates and miscellaneous charges.	GSA
4-83	Fee Schedule for Private Branch Auto Tag Agencies	Establishes a schedule of service fees for branch auto tag agencies as well as rules, regulations and service fees to be paid by the agencies to the County.	Finance
4-85	Service Concurrence Fee Schedule, Standards, Evaluation Methods, Criteria, and Policies and Procedures	Identifies the methods and criteria to be utilized by Concurrence Review Agencies to evaluate applications for development orders and impacts on levels of services; establishes policies and procedures for concurrence review and fees for conducting concurrence analyses.	Planning and Zoning
4-86	Worthless Checks	Establishes procedures and fees for handling dishonored checks.	Finance
4-87	Fee Schedule for the Miami-Dade County Stormwater Utility	Establishes Stormwater Utility fees sufficient to plan, construct, operate and maintain stormwater management systems for UMSA, El Portal, & Miami Lakes.	DERM
4-88	Medical Examiner Fees for Service	Establishes cremation fee.	Medical Examiner
4-91	A.O. Outlining Procedures to Assess and Prioritize County Needs, and Evaluate CBOs Subject to Social and Human Services Committee Review	Provides for procedures to assess and prioritize County needs, evaluate Community-Based Organizations and make recommendations to the Board of County Commissioners.	Office of Strategic Business Management
4-94	Standards for Establishing the Nominating Process, Categories and Criteria for the County's Medal of Merit Award	Provides for standards for the Medal of Merit Award, describes award categories, and establishes criteria for award by the Board of County Commissioners.	Communications
4-97	Fee Schedule for Overdue Library Materials, Meeting Rooms, and Library Equipment	Establishes fee schedule for overdue Library materials, sets fee for library cards for patrons outside the Taxing District, and sets fees for the use of Library facilities and equipment.	Library

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
4-98	Schedule of Fees for Routine Medical Services Rendered to Incarcerated Inmates	Establishes fee schedule for routine medical services rendered to incarcerated inmates; provides that funds to be derived will assist in defraying the cost of indigent over the counter medication; provides that all inmates will receive required care regardless of their ability to pay.	Corrections
4-100	Policies and Procedures, Departmental Responsibilities, Fees and Fines for Parking Spaces for Persons Transporting Young Children and Strollers	Establishes departmental responsibilities, fees, and fines for implementing ordinance regarding baby stroller parking.	Planning and Zoning
4-101	Schedule of Fees for Team Metro	Includes fees for court case processing and lien collection/settlement.	Team Metro
4-104	Schedule of Fees for Subscription to Receive BCC Regular and Special Meeting Agendas and Clerk's Summary of Minutes	Establishes fee schedule for an annual subscription which entitles the purchaser to receive agendas for regular and special Board of County Commissioners meetings and Clerk's Summary of Meeting Minutes via U.S. mail for a twelve month period.	Clerk of the Board
4-107	Fee Schedule for the Consumer Services Department	Includes regulatory and licensing fees for ambulance, locksmith, moving, water metering, telecommunications, for-hire transportation and motor vehicle repair, title loan, towing and immobilization services.	Consumer Services
4-108	Rules and Regulations for an Electronic Filing System for Limited Branch Offices	Establishes rules and regulations for Limited Branch Offices (LBO) using the Electronic Filing System (EFS) to file applications for certificates of title and vehicle registration in partnership with private branch auto tag agencies.	Finance
4-110	Fee Schedule for Water and Sewer Department	Includes fees for water and wastewater for wholesale and retail customers and related service fees.	Water and Sewer
4-111	Fee Schedule for Department of Planning and Zoning	Includes fees for Certificates of Occupancy and Use, zoning amendment applications, zoning inspections, and other related services.	Planning and Zoning
4-112	Fee Schedule for Building Code Compliance	Includes application fees for approval of products, materials or systems and certificates of competency.	Building Code Compliance
4-113	Daily Subsistence Fees to be Assessed to All Incarcerated Inmates	Establishes a fee for charging inmates a fair portion of their daily subsistence costs during incarceration.	Corrections
4-114	Schedule of Fees for the Platting of Property by the Public Works Department	Establishes schedule of fees to offset the cost of processing various subdivision plat applications.	Public Works
4-115	Building Permit Process	Establishes procedures to facilitate the timely issuance of building permits, including time requirements for plans review.	Building

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
4-116	Fee Schedule for Miami-Dade Corrections and Rehabilitation Department Monitored Release Program	Establishes a fee for charging inmates in the Monitored Release Program for a fair portion of the cost of supervision and installation of electronic monitoring equipment.	Corrections
4-117	Fee Schedule for Miami-Dade Corrections and Rehabilitation Department Work Release Program	Establishes a fee for charging inmates in the Monitored Release Program for a fair portion of the cost of supervision and installation of electronic monitoring equipment.	Corrections
4-119	Fee Schedule for Miami-Dade Park and Recreation Department	Includes fees for all park educational and recreational programs and for rental or use of park facilities.	Parks and Recreation
4-120	Building Permit Process Alternatives	Describes aspects of the permitting by affidavit process not specifically prescribed by the Florida Statutes. Establishes expedited plans review service.	Building
4-121	Fee Schedule for Miami-Dade County Courts Self Help, Collection Court and Drive Legal Programs	Establishes fees charging defendants corresponding to the Self Help, Collection Court and "Drive Legal" programs for the monitoring of compliance and completion of the courses / payments as ordered by the Courts.	Clerk of Courts
4-123	Fire Prevention Fees	This A.O. lists fees for fire prevention permit, plans review and establishment of fire emergency vehicle zone activities. Is superseded Fire Board Resolution No. 28-00, which replaced prior AOs 4-45 and 4-54. It also supersedes AO 4-77.	Fire
7-1	Outside Employment and Gratuities	Requires department director approval for outside employment; prohibits acceptance of tips or gratuities. Previously titled "Conflict of Interest".	Human Resources
7-2	Political Participation	Specifies permitted and prohibited political activities for County employees; establishes personnel policies regarding political activity.	County Manager
7-12	Employee Patent Rights	Clarifies the respective rights of the County and employees regarding patented or copyrighted products or concepts.	Human Resources
7-13	Employees Arrested on Charges Resulting from Job	Establishes policy and procedure for provision of legal counsel to employees charged with criminal offenses as a direct result of their performance of assigned job duties.	Human Resources
7-15	Rates for Special Off-Duty Law Enforcement Services	Establishes rates to be charged for the provision of off-duty law enforcement services, including hourly rates and administrative surcharge.	Police
7-17	Reimbursement for Moving Expenses	Establishes guidelines and procedures for payment of moving expenses to new County employees; sets reimbursement rates.	Finance
7-20	Disposal of Unclaimed Personal Property	Establishes policy and procedures for handling of unclaimed property, including "lost and found" items, contraband and firearms.	GSA
7-23	Reimbursement to County Employees for Loss of Personal Property	Establishes procedures and maximum limits for reimbursement to employees for loss of personal property, including required tools.	GSA

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**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
7-28	Sexual Harassment	Establishes County policy prohibiting sexual harassment in the workplace; defines sexual harassment; specifies complaint procedure and roles and responsibilities for assuring compliance.	Fair Employment Practices
7-31	Name Clearing Hearings	Establishes policy and procedures for name clearing hearings, required when an employee is dismissed for charges that "stigmatize" the employee's reputation, and the employee denies the truth of the charges.	Human Resources
7-32	Aviation and Seaport Department Promotional Expenses	Sets forth steps and procedures relating to the use of Airport and Seaport Department budgeted promotional funds, and policy and procedures for the allocation, budgeting, and expenditure of promotional funds derived from Airport revenue subject to United States Code.	Aviation/ Seaport
7-33	Rates for Special Off-Duty Fire Rescue Services	Establishes rates to be charged for the provision of off-duty fire services, including hourly rates and administrative surcharge.	Fire
7-34	Naming of a Public Road Right of Way in Honor of a County Employee who Gives his or her life in the Line of Duty	Provides procedures for naming a public right of way in honor of an employee who gives his or her life in the line of duty.	Public Works
7-35	Personnel Policy for Contractual Employment Services	Establishes policy and procurement responsibility for the use of contractual employment services.	Human Resources
7-36	Workplace Violence	Establishes prohibition on workplace violence; prohibits employees from carrying unauthorized weapons onto County property; sets forth reporting and enforcement procedures and management guidelines.	Human Resources
7-37	Unlawful Harassment	Prohibits unlawful harassment of employees in the workplace; established reporting and enforcement procedures.	Fair Employment Practices
7-40	Community Mentoring Initiative	Resolution 86-03 directing the County Manager to establish rules allowing Miami-Dade County employees one hour of administrative leave per week, not to exceed five hours per month, to mentor or participate in other school or community related activities.	Human Resources
8-3	Special Event Permits in Park and Recreation Department Facilities	Establishes standard procedure of application, evaluation and permitting of Special Events in County owned and operated park and recreation facilities.	Parks and Recreation
8-4	Sale or Lease of County Real Property	Establishes roles, responsibilities and procedures for the sale or lease of County owned real property.	GSA
8-5	Permission to Conduct Private Business on Public Property	Provides for administrative process whereby permits to conduct private business on County property may be applied for and approved.	GSA
8-6	Smoke-Free Workplace	Prohibits smoking inside County facilities and within a 20-ft outside area. Outlines complaint and enforcement procedures.	GSA

**MIAMI-DADE COUNTY
PROPOSED IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
8-7	Deering Estate at Cutler Fee Waivers and Fee Reductions	Establishes limited authority for the waiver of rental fees by the County Manager for use of facilities at the Deering Estate at Cutler by private not-for-profit organizations and public agencies.	Parks and Recreation
10-2	Parking Rules and Regulations of the Dade County Aviation Department	Delegates authority for parking enforcement to Aviation Director; powers include issuance of Uniform Parking Complaint and Ticket Citations, direction and control of vehicular traffic, and removal of illegally parked vehicles.	Aviation
10-4	Standards for Producing a Visitor Information Map for Distribution by Any Rental Car Companies in Dade County	Provides for standards for producing, approving and regulating Visitor Information Maps for distribution by the rental car industry.	Consumer Services
10-5	Interest Paid by the Miami-Dade Water and Sewer Department on Customer Water and Sewer Deposits	Establishes rate of interest to be paid on Water and Sewer customer deposits.	Water and Sewer
10-7	Appeal Procedures for General Hauler and Landscaper Permit Revocations and Denials	Establishes departmental administrative procedures for appeals associated with denied or revoked general hauler or landscaper permits.	Solid Waste
10-9	Valuation of Unsafe Structures	Establishes uniform valuation criteria to guide the Building Official in comparing the cost of completion, alteration, repair and/or replacement of unsafe buildings or structures to their value.	Building
10-12	Zoning Procedures for Advertisement of Issuance of Rockmining Certificate of Use and Rights to Appeal	Establishes a procedure for notification of the issuance of a rockmining certificate of use and the process to appeal the Director's decision to issue such certificate.	Planning and Zoning
11-1	Energy Management Incentive Program and Energy Investment Fund	Implements the Comprehensive Energy Management Program (CEMP) by requiring each County department to submit to the Office of Management and Budget annual energy consumption objectives; provides for use of energy savings by department and by Energy Investment Fund.	Office of Strategic Business Management
11-2	Testing of Energy Saving Products	Establishes procedure for carrying out the County's Life Cycle Costing policy.	GSA
11-3	Life Cycle Costing Procedure	Establishes procedure for assuring that equipment purchased is reviewed to determine those purchases for which life cycle costing is the appropriate method of evaluation.	GSA

**MIAMI-DADE COUNTY
PROPOSED ADMINISTRATIVE ORDERS**

AO No.	Title	Description	Department
2-2	Requests for Legal Opinion	Establishes procedure for requesting legal opinions from the County Attorney.	County Manager
2-3	Facsimile Signatures	Establishes procedures for delegation of County Manager's signature authority to execute documents; establishes format for signature of contract agreements.	County Manager
3-5	Memberships in Professional Organizations	Establishes County policy regarding employee and departmental membership in professional organizations.	Office of Strategic Business
3-7	Disposition of Audit Reports	Describes policy regarding disposition of audit reports, including process for response and corrective action plan by departments.	Audit and Management
3-34	Formation and Performance of Selection Committees	Establishes uniform procedures for formation and performance of selection committees in the formal, competitive procurement processes of Miami-Dade County, including competitive selection committees utilized in the acquisition of architectural and engineers.	Procurement
3-35	Purchasing Card Program	Establishes procedures for small purchases using a purchasing card.	Finance
5-1	Telecommunications Services	Centralizes and establishes procedures for the procurement of telecommunications equipment and services.	ETSD
6-2	Assignment, Operation, Acquisition, Maintenance and Disposal of County	Centralizes and establishes procedures for the acquisition, maintenance, distribution and replacement of County vehicles.	General Services Administration
6-3	Use of Private Vehicles	Establishes requirements and mileage reimbursement rates for employees using private vehicles for County business.	General Services Administration
6-5	Attendance at Local Conferences	Establishes procedure for approval of and reimbursement for employee attendance at local conferences.	Office of Strategic Business
6-6	Acquisition, Approval, Assignment, Installation, Maintenance and Billing of Wireless Devices	Establishes procedures for the assignment, installation, maintenance, back-up, and billing of wireless devices.	ETSD
6-7	Access to and Acceptable Use of Technology and Network Resources	Outlines policies regarding access to and acceptable use of Internet Services and Electronic Mail (e-mail) by County departments and agencies.	ETSD
7-3	Disciplinary Action	Establishes policies and procedures for various disciplinary actions, formal and informal counseling, resignation in lieu of disciplinary action, emergency action, and employee appeals.	Human Resources
7-5	Labor Organizations	Prescribes rules and regulations for union organizing activities; establishes right of union membership but prohibits employees from striking against the County pursuant to State law.	Human Resources
7-6	Personnel Policy on Equal Employment Opportunity	Establishes guidelines for implementation of equal employment opportunity policy in recruitment, hiring, compensation, promotion and training.	Fair Employment Practices
7-7	Employees Having Knowledge of a Crime	Establishes procedure for employees to report information regarding possible criminal activity to the authorities.	Human Resources

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**MIAMI-DADE COUNTY
PROPOSED ADMINISTRATIVE ORDERS**

AO No.	Title	Description	Department
7-14	Safety and Loss Prevention	Establishes policy, procedures, roles and responsibilities for Safety and Loss Prevention Program, which includes safety of County facilities and work environment, safety awareness, and injury/accident response protocol.	GSA
7-16	Administration and Delegation of Authority to Discipline	Establishes authority levels for the various disciplinary actions (dismissal, counseling, etc.) and procedures for delegation of authority by Department Directors.	Human Resources
7-18	Grievance Procedure	Establishes grievance procedure for the resolution of disputes or complaints concerning the terms and conditions of their employment.	Human Resources
7-19	Performance Evaluation	Establishes policy and procedures regarding annual performance evaluations, including coverage, frequency, merit and special recognition increases, probationary period, distribution and appeals policy.	Human Resources
7-21	Personnel Policy for Centralized Employment Services	Centralizes County personnel functions including position requisition, equal opportunity and affirmative action policies, classification action, and recruitment and screening of applicants.	Human Resources
7-24	Records Management Program	Establishes procedures and responsibilities for the retention and disposal of public records.	Clerk of Courts
7-27	Alcohol and Drug Screening for Pre-Employment and County Provided Physical Examinations	Establishes policies and procedures regarding alcohol and drug testing as part of pre-employment or County-provided physical examinations, including disciplinary action for positive tests or refusal to be tested.	Human Resources
7-38	Employees Whose Required License or Certification is Suspended, Revoked or Expired	Requires employees to notify supervisor upon suspension, revocation or expiration of required license or certification.	Human Resources
7-39	Employees Arrested On Duty or Off Duty	Requires employees to notify Department Director upon being arrested on or off duty.	Human Resources
7-41	Pre-employment Fingerprint Based Criminal History Records Check	Establishes policy to perform a comprehensive pre-employment fingerprint based criminal history records check on applicants, volunteers, and contractual temporary personnel prior to the commencement of employment/service with the County.	Human Resources
7-42	Ethics Awareness Programs	Codify existing procedures relating to ethics awareness and training of County employees.	Human Resources
8-1	Acquisition or Lease of Real Property	Establishes roles, responsibilities and procedures for acquiring or leasing any type of real property, including land, plant installations, service facilities, and other assets of a public nature.	General Services Administration
9-1	Organization of County Departments	Establishes that the organization of County Departments is updated through the annual budget process and reflected in the budget book.	Office of Strategic Business Management
9-2	Office of Community Relations	Establishes organizational structure of the Office of Community Relations.	Office of

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**MIAMI-DADE COUNTY
PROPOSED ADMINISTRATIVE ORDERS**

AO No.	Title	Description	Department
9-22	Delegation of Powers to the Department of Corrections and Rehabilitation	Establishes powers of the Corrections and Rehabilitation Department; establishes procedures for the apprehension of escaped or mistakenly released inmates.	Corrections
10-8	Rules and Regulations of the Miami-Dade Water & Sewer Department	Provides the current Rules and Regulations of the Miami-Dade Water and Sewer Department to be used in dealing with water or sewer customers.	Water and Sewer
10-10	Duties and Responsibilities of County Departments for Compliance with the Americans with Disabilities Act (ADA)	Delineates roles and responsibilities of departments and staff to ensure compliance with the ADA; establishes Departmental ADA Coordinator role.	General Services Administration
10-11	Privacy Standards	Policy relating to protecting the privacy and confidentiality of all customers' identifiable, personal, confidential information, including but not limited to, protected health information as required by the law.	General Services Administration

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**MIAMI-DADE COUNTY
PROPOSED BLENDED ADMINISTRATIVE/IMPLEMENTING ORDERS**

AO No.	Title	Description	Department
3-6	Petty Cash	Establishes limitations and procedures regarding the use of petty cash; assigns roles and responsibilities.	Finance
4-34	Permitting of Film and Videotape Productions	Establishes application process, insurance requirements and fees for film permits; centralizes film permitting in the Mayor's office.	Mayor's Office of Film and Entertainment
4-90	Organization and Operating Procedures of Metropolitan Dade County Stormwater Utility	Prescribes the organization and operating procedures of the County Stormwater Utility.	DERM
6-1	Travel on County Business	Establishes procedures for approving and controlling County travel.	Office of Strategic Business Management
7-4	Tuition Refund Program	Establishes program for reimbursement of 50% of tuition costs for approved coursework which will enable employees to improve their work performance.	Human Resources
7-8	Employee Suggestion Program	Establishes Employee Suggestion Program; identifies department roles and responsibilities, program eligibility requirements, evaluation criteria and award levels.	Human Resources
7-9	Overtime Policy	Establishes overtime policy for non-job basis employees, fire protection and law enforcement personnel; defines overtime; sets rates of compensation; sets policy regarding dual employment; establishes management guidelines for departments.	Human Resources
7-11	Emergency Service Award Program	Establishes policy and procedure for monetary awards for outstanding service under emergency conditions performed by police officers and firefighters who are not otherwise eligible for the payment of overtime (job basis employees).	Human Resources
7-26	Executive Service Award Program	Establishes eligibility, award criteria, nomination and selection process, and award amounts for Executive Service Award Program.	Human Resources
7-29	Alcohol and Drug Screening for County Employees Based upon Reasonable Suspicion	Establishes policy, procedure, and administrative action regarding alcohol or drug testing of employees based on reasonable suspicion of substance abuse.	Human Resources
7-30	Employee Recognition - Employees of the Month or Year (U. S. Savings Bonds)	Authorizes the award of U.S. Savings Bonds, cash bonuses and other benefits to employees recognized by the County Manager or their departments as Employees of the Month, Quarter, or Year; establishes award procedures.	Human Resources
8-2	Use, Care, Control and Disposal of County Property	Governs the use, care, control and disposal of property; designates department directors as property custodians.	GSA
10-3	Product Control Approval Procedures and Building Code Compliance Office	Governs the procedure for approval of certain categories of construction products for use within Miami-Dade County pursuant to the Florida Building Code.	Building Code Compliance

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**MIAMI-DADE COUNTY
PROPOSED ADMINISTRATIVE ORDERS
TO BE RESCINDED**

AO No.	Title	Description	Department
3-3	Black Business Enterprise Program for the Purchase of Goods, Services, Construction, and Professional Services	Establishes Black Business Enterprise Program; identifies eligibility criteria and applicability to County contracts.	Small Business Development
3-8	Office of Transportation Administration Procurement Construction Management of Stage I Rapid Transit System	Describes policies and organizational structure for Stage 1 Metrorail construction.	Transit
3-17	Hispanic Business Enterprise Program	Establishes Hispanic Business Enterprise Program; identifies eligibility criteria and applicability to County contracts.	Small Business Development
3-18	Women Business Enterprise Program	Establishes Women Business Enterprise Program; identifies eligibility criteria and applicability to County contracts.	Small Business Development

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MEMORANDUM

RECEIVED

APR 10 P 2 39

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

FROM: Murray A. Greenberg
County Attorney

DATE: April 10, 2007

SUBJECT: Updated: Effect of the "Strong Mayor" Charter Amendment on Administrative Orders

In response to additional questions raised at the April 9, 2007, Committee of the Whole, the following is an updated version of my February 21, 2007 Memorandum to George Burgess previously provided to all Board members:

Section 5.02 of the charter governs administrative orders. In the past, administrative orders have served as a vehicle both to (1) set forth the organization and operating procedures of administrative departments and (2) implement specific policies as directed by ordinances passed by the Board of County Commissioners. The majority of previous administrative orders implements specific policies of the Commission rather than sets forth the organization and operating procedures of the County.

Under the charter, the Mayor is responsible for the management of all administrative departments and has the authority, among other things, to execute contracts and other agreements for the County; take personnel actions, including the organization of departments and the determination of salaries, promotions, and disciplinary actions; and establish procedures governing the operation of County administrative departments. Section 5.02 gives the Mayor the power to promulgate administrative orders relating to these responsibilities, and to report such administrative orders to the Board. No action is required by the Board.

Also under the charter, the Board has the power to adopt policies through legislation and may direct the Mayor or the County Manager to draft regulations to effectuate the policies. The Board may require that any such regulations be submitted to the Board for its amendment or approval. Upon submission, the Board may accept, amend, or reject the proposed regulation. For clarity, these regulations should be called "implementing orders," rather than "administrative orders."

Administrative orders setting forth the regulation and operating procedures of County departments under the authority of the Mayor should be maintained separately from implementing orders under the authority of the Board. Prior administrative orders that accomplished these dual purposes remain in effect until amended by the Mayor or the Board, as appropriate for the subject matter.

Please call me if you wish to discuss these matters further.

cc: Honorable Carlos Alvarez, Mayor
George Burgess, County Manager

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