

MEMORANDUM

Agenda Item No. 7(B)

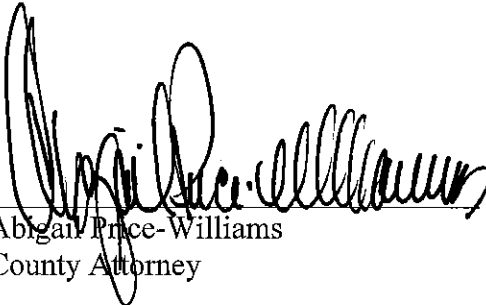
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: (Second Reading 7-10-18)
April 10, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the Rules of Procedure of the Board of County Commissioners; amending Section 2-1 of the Code of Miami-Dade County, Florida; providing that the 4-day rule does not apply to certain items that both urge the codesignation of a road and approve a codesignation of the same or an adjacent segment of the road

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


Abigail Price-Williams
County Attorney

APW/lmp

Memorandum



Date: July 10, 2018

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Subject: Fiscal Impact Statement for Ordinance Relating to Rules of Procedures for the Board of County Commissioners amending Section 2-1 of the Code

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

A handwritten signature in black ink, appearing to read "Edward Marquez", written over the printed name.

Edward Marquez
Deputy Mayor

FIS05018 180573

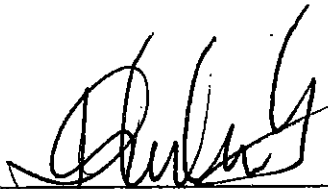
Memorandum



Date: July 10, 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 Amending Sections 2-1 of the Code – Legistar
180573

The proposed ordinance amends Sections 2-1 of the Code of Miami-Dade County (County), providing that the 4-day rule does not apply to certain items that both urge the codesignation of a road and approve a codesignation of the same or an adjacent segment of the road.

The proposed ordinance is not anticipated to have any measurable social equity benefit or burden.

Per 
Alma Hudak
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: July 10, 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)
7-10-18

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING THAT THE 4-DAY RULE DOES NOT APPLY TO CERTAIN ITEMS THAT BOTH URGE THE CODESIGNATION OF A ROAD AND APPROVE A CODESIGNATION OF THE SAME OR AN ADJACENT SEGMENT OF THE ROAD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Rule 5.05(a) of the Rules of Procedure of the Miami-Dade County Board of County Commissioners (“the Board”) provides that resolutions “approving namings, renamings or codesignations of federal, state or municipal roads, facilities or properties” may be considered consent agenda items for purposes of the meetings of the Board; and

WHEREAS, legislative items are already an exception to the 4-day rule; and

WHEREAS, both road codesignation items and urging items are exempt from committee review; and

WHEREAS, section 334.071, Florida Statutes, provides that the installation of state road designation signs shall be contingent on the applicable county or city commission passing a resolution in support of the particular honorary road designation; and

WHEREAS, this Board has adopted resolutions that both urge the codesignation of a road and approve a codesignation of the same or an adjacent segment of a road; and

WHEREAS, for example, this Board has adopted resolutions that both urge the Florida Legislature to codesignate the state-maintained portion of a particular road and approve a municipal codesignation of an adjacent city-maintained portion of the road; and

WHEREAS, this Board also has adopted resolutions that both urge the Florida Legislature to codesignate the state-maintained portion of a particular road and approve such codesignation pursuant to section 334.071; and

WHEREAS, county road codesignations require a public hearing, so this rule would not apply to that situation; and

WHEREAS, this Board wishes to amend its Rules of Procedure so that resolutions that both urge the codesignation of a road and approve a codesignation of the same or an adjacent segment of the road are not subject to the 4-day rule,

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 5. CONDUCT OF MEETINGS; AGENDA

* * *

Rule 5.05 Agenda.

* * *

- (c) *4-day rule.* A copy of each agenda item shall be furnished to the members of the commission not later than four (4) working days before a vote may be called on the item. The provisions of this rule shall be deemed waived unless asserted by a

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.

commissioner before the board takes action on the resolution, ordinance, motion or other item in question. The provisions of the rule may not be waived under Rule 7.01(o); however, this rule is not applicable to special or emergency meetings called pursuant to Rule 3.02, items related to the County's legislative package, >>items that both urge the codesignation of a road and approve a codesignation of the same or an adjacent segment of the road, <<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, items approved at a committee meeting recommending or rejecting award of contracts for public improvements, and purchases of supplies, materials, and services, including professional services, resolutions related to debt obligations that do not require a public hearing, and resolutions or motions directing the Mayor or his or her designee to prepare an item for consideration by the Commission.

* * *

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 GS

Lauren E. Wade

Prime Sponsor: Commissioner Rebeca Sosa

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