

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 4, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to take all necessary steps to provide for publication of certain audits and reports on a central, publicly accessible website of the County; to make such website available for the County Clerk of Court and Comptroller to publish any audits performed in role of County auditor; and to provide a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.


Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 4, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(4)

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 ____, 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) ____, or 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 _____

Agenda Item No. 11(A)(4)
6-4-24

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO PROVIDE FOR PUBLICATION OF CERTAIN AUDITS AND REPORTS ON A CENTRAL, PUBLICLY ACCESSIBLE WEBSITE OF THE COUNTY; TO MAKE SUCH WEBSITE AVAILABLE FOR THE COUNTY CLERK OF COURT AND COMPTROLLER TO PUBLISH ANY AUDITS PERFORMED IN ROLE OF COUNTY AUDITOR; AND TO PROVIDE A REPORT

WHEREAS, the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter provides that all audits of the County and the municipalities and their boards, agencies, departments and authorities shall be open for inspection and copying, consistent with the requirements of the State of Florida's public records laws, at reasonable times and places convenient to the public; and

WHEREAS, this Board finds that making certain audits and reports available, at a minimum, on a central, publicly accessible website of the County is in the best interests of Miami-Dade County; and

WHEREAS, article V, section 16 of the Florida Constitution provides that the Clerk of the Circuit Court shall be the ex officio clerk of the board, auditor, recorder, and custodian of all county funds; and

WHEREAS, this Board finds that it is also in the best interest of Miami-Dade County to have any audits conducted by the Clerk of the Circuit Court in his or her role as County auditor available on the same website of the County,

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

Section 1. Directs the County Mayor or County Mayor's designee to take all steps necessary, subject to legally available funding, to provide for publication of the following completed audits and reports on a central, publicly accessible website of the County: (1) any operational, performance, or compliance audits, evaluations or reports completed by the Department of Audit and Management Services, or its successor department; (2) any audits conducted by an independent certified public accountant designated by the Board pursuant to section 5.03 of the Miami-Dade County Home Rule Charter; (3) any audits conducted by Miami-Dade County or submitted to Miami-Dade County pursuant to a provision of the Code of Miami-Dade County or a right to audit under a County contract. Publication of any such audits or reports shall be subject to any applicable exemptions or confidentiality requirements under Florida's Public Records Laws or other law, and publication on a central, publicly accessible website shall be in addition to any other method of publication, including any additional publication required by law or ordinance.

Section 2. Within 60 days of the effective date of this resolution, the County Mayor or County Mayor's designee shall place a report detailing the status of the implementation of the website described in section 1 on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure and, to the extent additional time is required, shall continue to provide the Board with reports in this manner, at 90-day intervals, until such implementation is complete.

Section 3. This Board further directs the County Mayor or County Mayor's designee to make the website described in section 1 available for the Clerk of the Circuit Court and Comptroller to publish any audits performed by his or her office in the role of County auditor and to develop a form interlocal agreement for use by the County and the Clerk when the Clerk wishes to utilize the County's website to publish such audits. The County Mayor or County Mayor's designee shall present the form interlocal to this Board for approval in accordance with section 2-9 and 2-10 of the Code of Miami-Dade County, and shall include information pertaining to the development of the form interlocal agreement in the reports to this Board required by section 2 above.

The Prime Sponsor of the foregoing resolution is Senator René García. It 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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of June, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Handwritten signature of Michael B. Valdes in black ink, consisting of the letters 'M', 'B', and 'V' in a stylized, cursive font, positioned above a horizontal line.

Michael B. Valdes