



April 28, 2005

**ETHICS COMMISSIONERS**

**Kerry E. Rosenthal, Chairman**  
**Robert H. Newman, Vice Chairman**  
**Gail Dotson**  
**Dawn Addy**  
**Elizabeth M. Iglesias**

Alan W. Rigerman  
17910 N.W. 84<sup>th</sup> Avenue  
Miami, FL 33015

**ROBERT A. MEYERS**  
EXECUTIVE DIRECTOR

**RE: COMPLAINT 05-07**

**MICHAEL P. MURAWSKI**  
ADVOCATE

Dear Mr. Rigerman:

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

The Ethics Commission has dismissed the above-captioned complaint filed against the Board of County Commissioners. However, the Ethics Commission ordered the issuance of a letter of advice to you regarding your rights under the applicable section of the Citizens' Bill of Rights.

Section (A) (5) (Right to be heard) of the Home Rule Charter Citizens' Bill of Rights provides that "so far as the orderly conduct of public business permits, any interested person has the right to appear before the Commission or any municipal council or any County or municipal agency, board or department for the presentation, adjustment or determination of an issue, request or controversy within the jurisdiction of the governmental entity involved; provided nothing herein shall prohibit the Commission or any municipal council from referring a matter to a committee of each of their respective bodies to conduct a public hearing; unless prohibited by law. Matters shall be scheduled for the convenience of the public and the agenda shall be divided into approximate time periods so that the public may know approximately when a matter will be heard. Nothing herein shall prohibit any governmental entity or agency from imposing reasonable time limits for the presentation of a matter."

In accordance with this provision of the Home Rule Charter, the Board of County Commissioners has enacted rules of procedure for citizen presentations to the Board of County Commissioners and for public hearings on matters presented to the Board of County Commissioners. The rules of procedure do not require a citizen to be sponsored by their commissioner to be heard at a public meeting.

Rule 6.02 of the Board of County Commissioners Rules of Procedure provides that " any citizen shall be entitled to be placed on the official agenda of a regular meeting of the commission and be heard concerning any matter within the scope of the jurisdiction of the commission." The rules provide that such matters may be placed on the agenda by either the County Manager or a member of the Board of County Commissioners. The matter must be scheduled by the Monday of the week preceding the Board of County Commissioners meeting. However, please be advised that neither the rule nor the Citizens' Bill of Rights require that your matter be placed on a particular agenda.

Further, the rule provides that citizens have the right to be heard during public hearings on matters presented for action to the Board of County Commissioners. Public hearings are generally scheduled before Commission committees. The date of the public hearing on a matter can be accessed through the county website at [www.miamidade.gov](http://www.miamidade.gov) under county legislation and ordinances. You may also contact the County Manager's office or a matter's sponsor to determine when a matter is scheduled for public hearing.

Finally, although you are guaranteed a right to be heard, the Board of County Commissioners may place reasonable restrictions on the length of presentations and other restrictions for the purpose of maintaining an orderly and efficient government.

If you have any further questions regarding your right to be heard or the procedure for presenting a matter to the Board of County Commissioners, please call the undersigned at

(305) 579-2594 or Ardyth Walker, Staff General  
Counsel at (305) 350-0616.

SINCERELY YOURS,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS  
Executive Director

cc: The Honorable Joe A. Martinez, Chair,  
Board of County Commissioners  
George Burgess, County Manager  
Robert Ginsburg, County Attorney