

MEMORANDUM

EDHS
Agenda Item No. 1(E)5

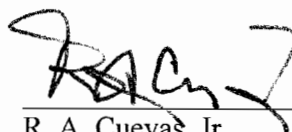
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: June 11, 2008

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

SUBJECT: Ordinance amending
Article XLVII of the
Code relating to
Metro-Miami Action
Plan Trust

The accompanying ordinance was placed on the agenda by the Economic Development and Human Services Committee.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum



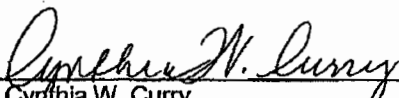
Date: October 2, 2007

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

From: George M. Burgess
County Manager

Subject: Ordinance amending Article XLVII of the Code of Miami-Dade, Florida, relating to Metro-Miami Action Plan Trust

The Ordinance relating to the Metro-Miami Action Plan Trust does not have a fiscal impact to Miami-Dade County.


Cynthia W. Curry
Senior Advisor

fs03207



MEMORANDUM

(Revised)

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

DATE: October 2, 2007

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

SUBJECT: Agenda Item No.

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. 4(L)

Veto _____

9-4-07

Override _____

ORDINANCE NO. _____

ORDINANCE AMENDING ARTICLE XLVII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO METRO-MIAMI ACTION PLAN TRUST, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

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

Section 1. Section 2-502 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

Sec. 2-502. Governing Body.

(a) The governing body of the Trust shall be a Board of Trustees composed of ~~[[twenty-one (21)]]~~ >>fifteen (15)<< voting members.

* * *

Section 2. Section 2-503 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 2-503. Appointment and tenure.

(a) *Nominating council.* Trustees shall be appointed by resolution of the Board of County Commissioners >>(hereinafter known as "Board")<< after having been selected by the Metro-Miami Action Plan Trust Nominating Council (hereinafter known as "Nominating Council") established and described herein. The Nominating Council shall be comprised of five (5) voting members, ~~[[one (1)]]~~ >>two (2)<< of whom shall be the Chairperson of the Board of Trustees of the Trust >>and

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.

the Chair of the Board's Economic Development Committee<< and ~~[[four (4)]]~~ >>three (3)<< of whom shall be appointed by the ~~[[Mayor]]~~ >>Chair of the Board of County Commissioners<< and ratified by the Board ~~[[of County Commissioners]]~~. No acting Trustee of the Trust, other than the Chairperson of the Board of Trustees, shall serve on the Nominating Council, nor shall any acting member of the Nominating Council, other than the Chairperson of the Board of Trustees, be eligible to serve on the Board of Trustees of the Trust. In serving on the Nominating Council, the Chairperson of the Board of Trustees of the Trust shall not vote on or participate in any way in any matter affecting the Chairperson's appointment to the Board of Trustees of the Trust. The members of the Nominating Council shall be appointed for staggered three-year terms and shall not serve more than >>two (2) consecutive and complete<< ~~three (3)~~ >>years each as set forth in Section 2-503(d) of this article<< ~~[[consecutive terms]]~~. The sole function of the Nominating Council shall be to solicit, screen, interview and recommend for appointment the best qualified candidate for each vacancy of the Board of Trustees. The Nominating Council and the procedures under which it will operate shall be approved by the Board of County Commissioners. The Nominating Council shall submit to the Board of County Commissioners one (1) nominee for each vacancy on the Trust Board. The slate of nominees shall be submitted directly to the Board of County Commissioners no later than September 1 of each year. As applicable, Section 2-11.36 et seq. of the Code of Miami-Dade County shall govern the establishment and activities of the Nominating Council. In the event the Commission is unable to appoint a member to the Board of Trustees pursuant to said section(s), no action of the Trust shall be rendered void because of such inability on the part of the Commission.

* * *

(d) *Tenure of Trustees.* The Trustees shall serve terms of three (3) years each; provided, however, that of the original Board of Trustees, the Board of County Commissioners shall select one-third for a term of one (1) year and one-third for a term of two (2) years. No Trustee shall be permitted to serve more than >>two (2)<< ~~[[three (3)]]~~ consecutive and complete terms of three (3) years each unless so authorized by a two-thirds vote of the full membership of the Board of County Commissioners.

* * *

Section 3. Section 2-505 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 2-505. Organization; staff support.

* * *

(e) The Trust shall present ~~[[an annual]]~~ >>quarterly << financial ~~[[report]]~~ >>reports, << including a current statement of all accounts>>, to the Commission Auditor<<. >>Said reports shall also include information concerning an assessment of the performance of each agency funded by the Trust.<< The Trust shall not be able, however, to establish any bank accounts without the express approval of either the Board of County Commissioners or the County Manager; provided, however, that the Trust can establish an account for Miami-Dade Community Foundation monies to receive and expend non-County monies which the Trust receives. No County monies nor income from County accounts shall be deposited into the Miami-Dade Community Foundation account.

* * *

Section 4. 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 5. 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 part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be re-numbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. 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.

APW
(JCS)

Prepared by:

Shannon D. Summerset

Sponsored by Economic Development and Human Services Committee