

MEMORANDUM

TC

Agenda Item No. 2(D)

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

DATE: September 10, 2008

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

SUBJECT: Ordinance amending Sec.
2-1421 of the Code relating to
the fiduciary duty of the CITT

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum



Date:

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

From: George M. Borges
County Manager

Subject: Ordinance amending Section 2-1421 of the Code relating to the fiduciary duty of the CITT

The ordinance amending Section 2-1421 of the Code of Miami-Dade County relating to the fiduciary duty of the Citizens' Independent Transportation Trust (CITT) will not have a fiscal impact.

A handwritten signature in cursive script, appearing to read "Ysela Llort".

Ysela Llort
Assistant County Manager

fiscal05408

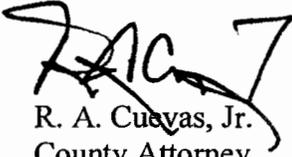


MEMORANDUM

(Revised)

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

DATE: June 17, 2008

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

SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and second reading (per Ordinance No. 02-117)
- 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 _____
Veto _____
Override _____

Mayor

Agenda Item No. 4(D)
6-17-08

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE FIDUCIARY DUTY OF THE CITIZENS' INDEPENDENT TRANSPORTATION 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 2-1421 of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

Sec. 2-1421. Citizens' Independent Transportation Trust created; powers over expenditure and use of proceeds of proposed Charter County Transit System Surtax.

* * *

(a) *Creation.* A Citizens' Independent Transportation Trust ("Trust") is hereby created. The Trust will have fifteen (15) members: one residing in each of Miami-Dade County's thirteen commission districts, one appointed by the Mayor without regard to such appointee's district of residence, and one appointed by the Miami-Dade League of Cities without regard to such appointees' district of residence. Members of the Trust shall be residents of Miami-Dade County who possess outstanding reputations for civic involvement, integrity, responsibility, and business and/or professional ability and experience or interest in the fields of transportation mobility improvements or operations, or land use planning. No person shall be eligible to serve as a member of the Trust who has any interest, direct or indirect, in a contract with the County or in any corporation, partnership or other entity that has a contract with the County, or who is a member of a community council. The Trust and the nominating

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

4

Committee, as defined below, will be comprised of members who are representative of the geographic, ethnic, racial and gender make-up of the County. >>The members of the Trust shall be deemed Trustees and shall have a fiduciary duty to the residents of Miami-Dade County as to the reasonable use of the Charter County Transit System Surtax funds.<<

* * *

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.

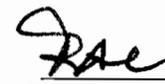
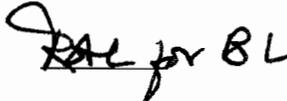
Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. The provisions of this amendment 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.

Section 5. This Ordinance may only be amended or repealed by a two-thirds vote of the Board. Any amendment or repeal of this Ordinance shall further require a minimum of six (6) weeks between first and second reading.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Bruce Libhaber

Prime Sponsor: Commissioner Carlos A. Gimenez

5