MEMORANDUM

Agenda Item No. 7(D)

(Second Reading 6-30-09)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

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

SUBJECT: Ordinance amending Article LXIII of the Code, creating the Miami-Dade County Black Affairs Advisory Board: specifically amending Sec. 2-832

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending Article LXII of the Code relating to the Miami-Dade County Black Affairs Advisory Board

---

The ordinance amending Article LXII of the Code relating to the Miami-Dade County Black Affairs Advisory Board will not have a fiscal impact to Miami-Dade County.

Irene Sayfan-Worton
Assistant County Manager

fis03709

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 7(D)

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 Mayor'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

Veto _____

Override _____

Agenda Item No. 7(D)

6-30-09

ORDINANCE NO. _____

ORDINANCE AMENDING ARTICLE LXIII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA CREATING THE MIAMI-DADE COUNTY BLACK AFFAIRS ADVISORY BOARD; SPECIFICALLY AMENDING SECTION 2-832 OF THE CODE TO ALLOW FOR INDIVIDUALS WHO HAVE SHOWN EXCEPTIONAL DEDICATION TO THE BLACK AFFAIRS ADVISORY BOARD TO SERVE IN EXCESS OF THE EIGHT YEAR TERM LIMIT AS ESTABLISHED BY SECTION 2-11.38.2; SAID REAPPOINTMENTS WOULD REQUIRE THE PASSAGE OF A RESOLUTION BY TWO-THIRDS OF THE FULL MEMBERSHIP OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners (the "Board") created the Miami-Dade County Black Affairs Advisory Board ("Black Affairs Advisory Board") on July 12, 1994; and

WHEREAS, each of the thirteen (13) members of the Board of County Commissioners is tasked with appointing one member to the Black Affairs Advisory Board; and

WHEREAS, said member is to be a permanent resident and elector of the County who possesses knowledge of and interest in Miami-Dade County's Black community; and

WHEREAS, the Ordinance provides that appointment after the initial term shall be for a term of three (3) years; and

WHEREAS, this Board desires to clarify the term of the initial appointment; and

WHEREAS, this Board desires to enable members of the Black Affairs Advisory Board who have exhibited exceptional dedication and service to continue serving on the Board in excess of the eight (8) year term limit as established by Section 2-11.38.2(b) of the Miami-Dade County Code; and

WHEREAS, a member may only serve in excess of the eight (8) year term limit upon the passage of a resolution by a two-thirds (2/3) vote of the full membership of the Board of County Commissioners,

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

Section 1. Section 2-832 of Article LXIII of the Code of Miami-Dade County, Florida, is hereby amended to read as follows[1]

ARTICLE LXIII.

MIAMI-DADE COUNTY BLACK AFFAIRS ADVISORY BOARD

* * *

Section 2-832 Composition

The Miami-Dade County Black Affairs Advisory Board shall be composed of thirteen (13) members who shall be permanent residents and electors of the County and who shall have a knowledge and interest in the County's Black community. Each County Commissioner shall appoint one member of the board. Appointments after the initial >>three-year<< term shall be for a term of three (3) years. >>Notwithstanding Section 2-11.38.2(b) of the Miami-Dade County Code, a Commissioner may reappoint an existing member to serve in excess of the eight (8) year term limit, provided that said member has demonstrated exceptional dedication and service to the board and that the reappointment is presented to the Board of County Commissioners in the form of a resolution and approved by a two-thirds (2/3) vote of the full membership of the Board of County Commissioners.<<

* * *

[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.

Section 3. 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 4. 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 5. 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: RAC

Prepared by: MD

Mandana Dashtaki

Prime Sponsor: Commissioner Joe A. Martinez

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

Legislative Notes

Agenda Item: **7(D)**

File Number: **091178**

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: June 8, 2009

Type of Item: Code Amendment

Prime Sponsor: Commissioner Joe A. Martinez

Summary

This ordinance amends Article LXIII of the Code of Miami-Dade County, Florida creating the Miami-Dade County Black Affairs Advisory Board (BAAB). The amendment extends the eight (8) year term limits for members who have shown exceptional dedication and service during their tenure on the board. A member may serve beyond the eight year term limit upon the passage of a resolution by a two-thirds (2/3) vote of the full membership of the Board of County commissioners (Board).

Background and Relevant Legislation

The Black Affairs Advisory Boards serves in an advocacy and advisory capacity and stands on the principle that all citizens should be educated, involved and served by its local county government. The BAAB is comprised of thirteen (13) volunteer members appointed by each member of the Board.

The current BAAB membership includes:

Didier Fabien	DISTRICT 11
Ronald Mumford	DISTRICT 10
Vacant	DISTRICT 12
Carolyn Nelson-Goedert	DISTRICT 4
Rev. Gregory Gay	DISTRICT 7

Vacant	DISTRICT 13
Dannie McMillion	DISTRICT 8
Vacant	DISTRICT 5
Prescilla Dames	DISTRICT 3
Marie Jose Ledan	DISTRICT 2
Edgar Wright	DISTRICT 1
Geraldine Lazarre	DISTRICT 6
Ketlyn Alexis	DISTRICT 9

The BAAB members whose term have reached or are reaching the eight year limit are as follows:

- Didier J Fabien (Chairman);
- Priscilla B. Dames (Vice Chair)

BAAB accomplishments include:

- **Annual Young Pillar Award Scholarship**
- **Village Dialogues Outreach Program (four dialogues each fiscal year)**
- **Respect Life Initiative focus on CBO coordination on school truancy and gun prevention**
- **Partnership with Haitian American Emergency Relief Committee to help Haiti with emergency relief, communication and assistance to the Haitian government**

Prepared by:
Mia B. Marin