

MEMORANDUM

HCD
Agenda Item No. 1(G)1

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

DATE: December 9, 2009

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

SUBJECT: Ordinance amending Chapter
2, Section 2-11.38.2 of the
Code, to provide that County
Commission may by specified
vote waive term limits for
members of County boards

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss and Co-Sponsor Commissioner Audrey M. Edmonson.

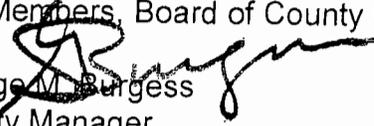


R. A. Cuevas, Jr.
County Attorney

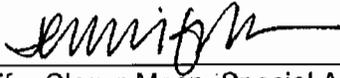
RAC/jls

Memorandum



Date:
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
From: 
George M. Burgess
County Manager
Subject: Ordinance Amending Section 2-11.38.2 of the Code providing that the Commission
may vote to waive term limits for members of county boards

The proposed legislation amending Section 2.11.38.2 of the Code providing the County Commission may by specified vote waive term limits for members of county boards will not result in a fiscal impact to Miami-Dade County.



Jennifer Glazer-Moon, Special Assistant/Director
Office of Strategic Business Management

fs02310



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** November 17, 2009
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No. 4(C)
County Attorney

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) 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. 4(C)
11-17-09

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 2, SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT COUNTY COMMISSION MAY BY SPECIFIED VOTE WAIVE TERM LIMITS FOR MEMBERS OF COUNTY BOARDS; 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. Chapter 2, Section 2-11.38.2, of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Chapter 2

ADMINISTRATION

ARTICLE IB. STANDARDS FOR CREATION AND REVIEW OF BOARDS GENERALLY

Sec. 2-11.38.2. Term of office.

(a) The terms of office of the members of each board shall be staggered.

(b) No board member shall serve more than eight (8) consecutive years on any one (1) board. The provisions of this section shall not apply to current board members. Nothing set forth in this subsection above shall prohibit any individual from being reappointed to a County board after a hiatus of two (2) years. >>Notwithstanding the foregoing, the Board of County Commissioners may by a resolution adopted by a two-thirds (2/3) vote of members present waive the restriction that a particular member of a board may not serve more than eight (8) consecutive years on that board.<<

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.

(c) Additionally, notwithstanding any other provision of the Code or of any resolution, the term of every board member nominated by a Commissioner shall automatically expire when:

- (1) The nominating Commissioner leaves office; or
- (2) The nominating Commissioner's term of office expires.

The provisions of this subsection shall be applicable to the terms of County Commissioners which expired in October 1998, and thereafter.

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, 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.

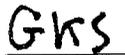
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Prime Sponsor: Chairman Dennis C. Moss
Co-Sponsor: Commissioner Audrey M. Edmonson