



## MEMORANDUM

Agenda Item No. 7(G)

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

**DATE:** January 21, 2010

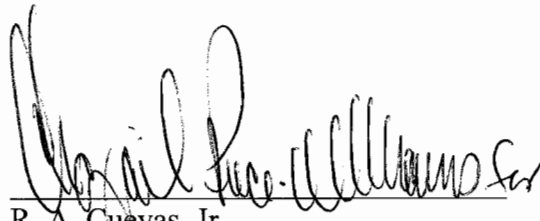
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**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

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**The Housing & Community Development committee amended the attached ordinance by adding the following language: "or any other term limit applicable to a particular board member."**

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/cp

# Memorandum



**Date:** January 21, 2010  
**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

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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.

A handwritten signature in cursive script, appearing to read "Jennifer Glazer-Moon".

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

fls02310



# MEMORANDUM

(Revised)

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

**DATE:** January 21, 2010

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

**SUBJECT:** Agenda Item No. 7(G)

**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

Agenda Item No. 7(G)

Veto \_\_\_\_\_

1-21-10

Override \_\_\_\_\_

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:<sup>1</sup>

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

<sup>1</sup> 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.

years on that board<< >>or any other term limit applicable to a particular board member.<<<sup>2</sup>

(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.

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<sup>2</sup> Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

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:

ADW

Prepared by:

GKS

Gerald K. Sanchez

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