

## MEMORANDUM

Agenda Item No. 4(E)

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

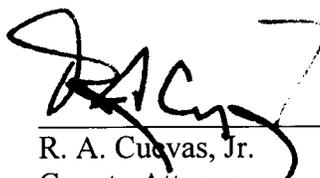
**DATE:** March 16, 2010

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

**SUBJECT:** Ordinance amending Article XCIX of the Code, creating the Miami-Dade County Social and Economic Development Council (SEDC); specifically amending Sec. 2-1444 of the Code to provide the SEDC additional powers and duties and amending Sec. 2-1445 to restructure the staff support provided to the SEDC

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

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

**DATE:** March 16, 2010

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County Attorney

**SUBJECT:** Agenda Item No. 4 (E)

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(E)  
3-16-10

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING ARTICLE XCIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA CREATING THE MIAMI-DADE COUNTY SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL (SEDC); SPECIFICALLY AMENDING SECTION 2-1444 OF THE CODE TO PROVIDE THE SEDC ADDITIONAL POWERS AND DUTIES AND AMENDING SECTION 2-1445 TO RESTRUCTURE THE STAFF SUPPORT PROVIDED TO THE SEDC; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners (the “Board”) created the Miami-Dade County Social and Economic Development Council (“SEDC”) on November 19, 2002; and

**WHEREAS**, the original ordinance established SEDC as an advisory board to the Board; and

**WHEREAS**, it is in the best interest of the County to expand the powers and duties of the SEDC and allow its esteemed members the authority to recommend contracts to the Mayor or Mayor’s designee that would further the mission of SEDC and provide for the economic betterment of Miami-Dade County; and

**WHEREAS**, in order to fulfill this new role the SEDC should be given a budget and empowered to spend said allocated budget to further the purpose of the SEDC; and

**WHEREAS**, in an effort to aide the volunteer members of the SEDC fulfill its duties, this Board desires to amend the ordinance to provide the SEDC with an Executive Director; and

**WHEREAS**, this Board desires to move the SEDC under the Office of the Chair thereby requiring Section 2-1445 to be amended to reflect that the support staff is to come from the Office of the Chair rather than the County Manager,

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

Section 1. Section 2-1444 of Article XCIX of the Code of Miami-Dade County,  
Florida, is hereby amended to read as follows<sup>1</sup>

**ARTICLE XCIX.**

**SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL**

\* \* \*

**Section 2-1444 Duties and Functions**

The Council shall be charged with the following duties,  
functions and responsibilities and will report biannually to  
the ~~[[Economic Development and Housing Committee]]~~  
>>Housing and Community Development Committee or its  
successor committee<<:

\* \* \*

d. To make findings and recommendations on a quarterly  
basis to the Mayor of Miami-Dade County and the Board of  
County Commissioners regarding the necessary measures  
to ensure full recovery and future socioeconomic  
development.

>>e. To accept and expend administrative and  
programmatic resources to achieve its mission

f. The Council, by a majority vote, shall recommend to the  
Board of County Commissioners contracts that should be  
executed in furtherance of the mission of the Council.

g. Perform any other function reasonably related to the  
execution of the Council's functions and responsibilities.<<

**Section 2-1445 Staff Support**

>>(a)<<The ~~[[County Manager]]~~ >>Office of the Chair<< shall provide  
adequate ~~[[departmental]]~~ staff support and access to the necessary  
resources to enable the Council to carry out its duties, functions and  
responsibilities.

<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.

>>(b) There shall be an Executive Director appointed to the Council to facilitate its mission. The Executive Director shall be appointed by the County Mayor in consultation with the Chairperson of the Board of County Commissioners. Removal of the Executive Director shall also be done by the County Mayor in consultation with the Chairperson of the Board of County Commissioners.  
>>(c) Subject to the Miami-Dade County budgetary process and the availability of funds, the County shall include in its annual budget administrative costs and additional funds for programmatic activities. Request for administrative and programmatic funds are to be made in accordance with established County procedures.<<

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:

Shannon D. Summerset

Prime Sponsor: Senator Javier D. Souto