MEMORANDUM

Agenda Item No. 7(F)

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

DATE: September 21, 2010

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

SUBJECT: Ordinance amending Chapter 25A of the Code removing certain non-voting ex officio members of the Public Health Trust Board of Trustees

At the July 15, 2010 Health, Public Safety & Intergovernmental Committee the substitute item was amended by keeping the Dean, University of Miami School of Medicine, as a non-voting, ex officio member of the Board of Trustees of the Public Health Trust, but preserving the removal of (i) the Mayor or his or her designee, and (ii) the Chief Executive Officer of the Trust, from the Board.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum

MIAMI-DADE COUNTY

Date: September 21, 2010

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

From: George M. Burgess
County Manager

Subject: Ordinance amending Chapter 25A of the Code removing non-voting ex officio members of the Public Health Trust Board of Trustees

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The ordinance amending Chapter 25A of the Code, removing the Mayor or his or her designee and the Chief Executive Officer of the Trust as non-voting ex officio members of the Public Health Trust Board of Trustees will have no fiscal impact to the County.

Alina Hudak,
Assistant County Manager

Fis06110

MEMORANDUM
(Revised)

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

DATE: September 21,2010

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

SUBJECT: Agenda Item No. 7(F)

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. 7(F)
9-21-10

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REMOVING CERTAIN NON-VOTING EX OFFICIO MEMBERS OF THE PUBLIC HEALTH TRUST BOARD OF TRUSTEES; 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 25A-3(a) of the Code of Miami-Dade County, Florida, is hereby amended as follows:[1]

Sec. 25A-3. Governing body.

(a) *Composition.* The governing body of the Trust shall be a Board of Trustees composed of seventeen (17) voting members none of whom shall be employees of the Trust. The voting membership shall include a member of the University of Miami Board of Trustees. In addition, the voting membership shall include the Chairperson of the Board of County Commissioners and a Commissioner designated by the Chairperson, or, alternatively, in his or her discretion, the Chairperson of the Board of County Commissioners may designate two (2) Commissioners to serve as voting members. The remaining voting membership shall be selected in accordance with Section 25A-3(d).

Additionally, the following shall be non-voting, ex officio members of the Board of Trustees: [[~~the Mayor or his or her designee; the Chief Executive Officer of the Trust;~~]] the Director, Office of Countywide Healthcare Planning; the Senior Vice President of Medical Affairs; Dean, University of Miami School of Medicine;[2] Dean, Florida International School of Medicine; the

[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.

[2] The Committee amended the item by eliminating the portion of the ordinance which would have removed the Dean of the University of Miami School of Medicine as a non-voting ex officio member.

Senior Vice President of Patient Care Services; Dean, University of Miami School of Nursing; the President of the Public Health Trust Medical Staff; and one of the Presidents from the local collective bargaining units representing employees of the Trust, who shall be selected by all such unit Presidents.

* * *

Section 2. This ordinance shall supersede those provisions of any existing ordinance, resolution or policy in conflict herewith.

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 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: ES

Eugene Shy, Jr.

Prime Sponsor: Commissioner Rebeca Sosa