



MEMORANDUM

Agenda Item No. 7(B)

(Second Reading 8-2-11)

June 7, 2011

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE:

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

SUBJECT: Ordinance amending Section 2-934
of the Code; pertaining to the
Agricultural Practices Advisory
Board; eliminating term limits
that a member may serve until his
or her successor has been appointed

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell and Co-Sponsors Commissioner Sally A. Heyman, and Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

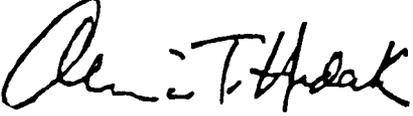
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Memorandum



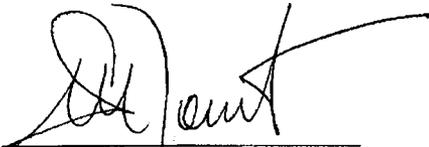
Date: August 2, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Alina T. Hudak
County Manager 

Subject: Ordinance amending Section 2-934 of the Code; pertaining to the Agricultural Practices Advisory Board

The proposed ordinance eliminating term limits and providing for a member to serve on the advisory board until his or her successor has been appointed and qualified will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Susanne M. Torriente". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Susanne M. Torriente
Sustainability Director

Fis4511



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: August 2, 2011

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

SUBJECT: Agenda Item No. 7(B)

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(B)
8-2-11

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-934 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO THE AGRICULTURAL PRACTICES ADVISORY BOARD; ELIMINATING TERM LIMITS; PROVIDING THAT A MEMBER MAY SERVE UNTIL HIS OR HER SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED; 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 2-934 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec 2-934. Terms[~~;~~ term limits].

Members shall be appointed for terms of four years>>.<< [~~and no member may serve more than two terms, consecutive or otherwise. Members of the Board as of the effective date of this ordinance ("Current Members") shall serve out the terms for which they were appointed. Thereafter, Current Members who have served only one term may be reappointed for one four-year term. Current members who have served two or more terms may not be reappointed to the Board.]~~] >>A member may serve until his or her successor has been duly appointed and qualified.<<

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.

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.

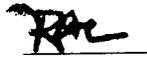
4

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:



Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Lynda Bell
Co-Sponsors: Commissioner Sally A. Heyman
Commissioner Barbara J. Jordan

5