

# MEMORANDUM

Agenda Item No. 7(B)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** (Second Reading 11-5-13)  
September 4, 2013

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

**SUBJECT:** Ordinance amending Chapter  
2, Article CXL of the Code of  
Miami-Dade County, Florida,  
relating to Miami-Dade  
County Military Affairs  
Board; amending Membership  
of Military Affairs Board

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



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R. A. Cuevas, Jr.  
County Attorney

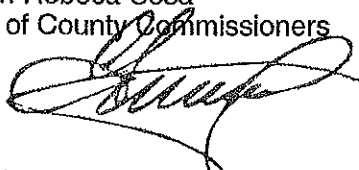
RAC/Imp

# Memorandum



**Date:** November 5, 2013

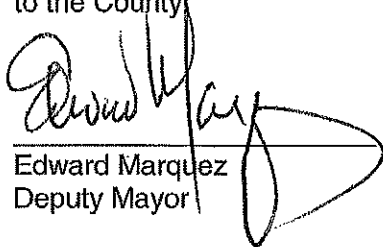
**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Ordinance Amending Chapter 2, Article CXL of the Code Relating to Miami-Dade County Military Affairs Board; Amending Membership of Military Affairs Board

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The proposed ordinance amends Chapter 2, Article CXL of the Code relating to the Military Affairs Board and amends Board membership. Implementation of this ordinance will not have a fiscal impact to the County

  
Edward Marquez  
Deputy Mayor

Fis9313



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** November 5, 2013

**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 Mayor'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)  
11-5-13

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

ORDINANCE AMENDING CHAPTER 2, ARTICLE CXL OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO MIAMI-DADE COUNTY MILITARY AFFAIRS BOARD; AMENDING MEMBERSHIP OF MILITARY AFFAIRS BOARD; 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, Article CXL, of the Code of Miami-Dade County, Florida, is hereby amended as follows:<sup>1</sup>

**Sec 2-2101. Creation of Military Affairs Board.**

There is hereby created and established pursuant to the Miami-Dade County Home Rule Charter, as amended, the Miami-Dade County Military Affairs Board (hereinafter the "Board").

\* \* \*

**Sect. 2-2103. Governing Board.**

(a) ***Composition and appointment.*** The Military Affairs Board shall consist of ~~[[twenty-four-(24)]]~~ >>twenty (20)<< voting members appointed as follows:

- (1) Each member of the Board of County Commissioners shall designate one (1) member who shall be approved by the County Commission; and
- (2) The Chairperson of the County Commission shall appoint one (1) member of the County Commission

<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.

who shall be the Military Liaison of the County Commission; and

- (3) The Mayor of Miami-Dade County shall appoint one (1) member of the Board; and
- (4) ~~[[The command staff of Southern Command shall appoint one (1) member]]>>~~The Chamber South shall appoint one (1) member<<; and
- (5) ~~[[The command staff at the United States Air Force Base in Homestead shall appoint one (1) member]]>>~~The Greater Homestead/Florida City Chamber of Commerce shall appoint one (1) member<<; and
- ~~[[6] The command staff at the United States Coast Guard District 7 shall appoint one (1) member; and~~
- ~~(7) The command staff at the United States Army National Guard Reserve Station located in Miami shall appoint one (1) member; and~~
- ~~(8) The command staff of the United States Navy and Marine Corps Reserves located in Hialeah shall appoint two (2) members: one (1) member representing the United States Navy; and one (1) member representing the United States Marine Corps; and]]~~

~~[[9]]>>~~(6)<< The Miami-Dade Defense Alliance shall appoint one (1) member; and

~~[[10]]>>~~(7)<< The Greater Miami Chamber of Commerce shall appoint one (1) member; and

~~[[11]]>>~~(8)<< The Red Cross shall appoint one (1) member.

The Military Affairs Board shall also consist of the following non-voting members:

- (1) The Director of the Miami Veteran's Administration Healthcare System shall appoint one (1) member; and

(2) Each Congressperson whose district includes a portion of Miami-Dade County shall appoint one (1) member; and

(3) Each United States Senator representing the State of Florida shall appoint one (1) member; and

~~[(4) The United States Attorney from the Southern District of Florida shall appoint one (1) member; and]]~~

~~[(5)]>>(4)<<~~ The State Attorney for Miami-Dade County shall appoint one (1) member~~[[.]]>>~~; and<<

>>(5) The command staff of Southern Command shall appoint one (1) member; and

(6) The command staff at the United States Air Force Base in Homestead shall appoint one (1) member; and

(7) The command staff at the United States Coast Guard District 7 shall appoint one (1) member; and

(8) The command staff at the United States Army National Guard Reserve Station located in Miami shall appoint one (1) member; and

(9) The command staff of the United States Navy and Marine Corps Reserves located in Hialeah shall appoint two (2) members: one (1) member representing the United States Navy; and one (1) member representing the United States Marine Corps.<<

When making a selection, each person or entity shall consider that the voting members should reflect the gender, racial ethnic or cultural make-up of the community.

**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: Commissioner Jose “Pepe” Diaz