

MEMORANDUM

HSSC
Agenda Item No. 2H

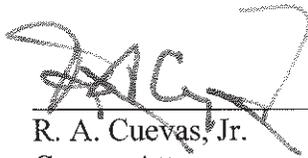
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 15, 2014

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

SUBJECT: Ordinance amending Sections
2-532, 2-533, 2-534, and 2-535
of the Code, pertaining to the
Miami-Dade County Hispanic
Affairs Advisory Board's
composition, terms of office,
duties, and support

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



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum



Date:

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Ordinance amending sections 2-532, 2-533, 2-534, and 2-535 of the Code, pertaining to the Miami-Dade County Hispanic Affairs Advisory Board

The proposed ordinance amends sections 2-532, 2-533, 2-534, and 2-535 of the Code of Miami-Dade County, pertaining to the Miami-Dade County Hispanic Affairs Advisory Board's composition, terms of office, duties, and support. Implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Inson Kim".

Inson Kim
Director of Policy and Legislative Affairs

Fis8214



MEMORANDUM

(Revised)

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

DATE: June 17, 2014

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

SUBJECT: Agenda Item No. 4(I)

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. 4(I)
6-17-14

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 2-532, 2-533, 2-534, AND 2-535 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PERTAINING TO THE MIAMI-DADE COUNTY HISPANIC AFFAIRS ADVISORY BOARD'S COMPOSITION, TERMS OF OFFICE, DUTIES, AND SUPPORT; 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 2-532 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-532. Composition; terms.

The Miami-Dade County Hispanic Affairs Advisory Board >>("the board"), in accordance with the provisions of Section 2-11.38 of the Code of Miami-Dade County as may be amended, << shall be composed of ~~[[twenty-seven (27)]]~~ >>twenty-six (26) << members who shall be permanent residents and electors of the county and who shall have a knowledge of and interest in the county's Hispanic community. Each county commissioner shall appoint >>one member to the board, and one member residing in each of the thirteen (13) commission districts shall be selected by a nominating committee, subject to approval by the Board of County Commissioners. The nominating committee shall be constituted by the Office of Community Advocacy, which shall advertise vacancies occurring on the Hispanic Affairs Advisory Board in publications of general circulation and maintain an online application to generate a pool of potential members for the nominating committee's consideration. The nominating committee shall recommend potential members for approval of the Board of County Commissioners in accordance with Section 2-11.38.1(b) of the Code of Miami-Dade County as may be amended.

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.

All appointments shall be made for a term of four (4) years. No member may serve more than eight (8) consecutive years in accordance with Section 2-11.38.2 of the Code of Miami-Dade County as may be amended. This section shall apply to all board members, except that current board members shall be allowed to complete their current terms.

Notwithstanding any other provision of the Code of Miami-Dade County, a board member shall be automatically removed if, in a given County fiscal year: the member is absent from two (2) consecutive meetings without an acceptable excuse or the member is absent from three (3) of the board's meetings without an acceptable excuse. An 'acceptable excuse' is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason which the board, by a two-thirds (2/3) vote of its membership, deems appropriate. If a member is absent with an acceptable excuse from three (3) or more meetings, the board may vote to remove the member from the board.

A member shall be considered absent from a meeting if the member is not physically present for at least seventy-five (75) percent of the meeting's duration. A member shall also be considered absent from a meeting if the member refrains from voting on any matter for which voting is conducted at the meeting, unless the member is prevented from voting by a conflict of interest. The provisions of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, as may be amended, are applicable to this board.<<

~~[[three (3) members of the Board: one member for an initial one-year term, one member for an initial two-year term, and one member for an initial three-year term. Appointments after the initial term shall be for a term of three (3) years.]]~~

Section 2. Section 2-533 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-533. Officers; quorum; compensation.

The members of the Board shall elect a chairperson and vice chairperson, who shall serve >>one-year terms<< at the will of the Board. >>No member shall remain in the same office for more than two (2) consecutive years. Officer elections shall take place

each November, with newly elected officers installed the following January.<<

[[Nine (9) members of]] >>A majority of members duly appointed to<< the Board shall constitute a quorum necessary to hold a meeting and take any action. A majority vote of the quorum of the Board shall be necessary to take any action. Members shall serve without compensation. The chairperson or vice chairperson may call meetings of the Board. Meetings may also be called by written notice signed by nine (9) members. The Board at any duly noticed meeting may fix and call a meeting on a future date. All meetings shall be public.

>>The Clerk of the Board of County Commissioners (“Clerk of the Board”) shall maintain a current roster of the board’s members and record and maintain minutes of the board’s meetings.

The Office of Community Advocacy’s duties shall include working with the Clerk of the Board to ensure the board’s membership roster is current and posting minutes from the board’s meetings online. In addition, the executive director of the Office of Community Advocacy shall provide a report on the board every twelve months to the Board of County Commissioners.<<

Section 3. Section 2-534 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-534. Duties, powers and responsibilities.

The Board shall have the following duties, powers and responsibilities:

* * *

- (d) The Board shall annually report to the Commission as to its >>accomplishments, priorities,<< findings and recommendations.

* * *

Section 4. Section 2-535 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-535. Supervision and Support.

The Office of the Chairperson of the County Commission, County Attorney and Clerk of the Board shall provide appropriate support for the Hispanic Affairs Advisory Board. The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Hispanic Affairs Advisory Board, and such assistants, employees, and ~~[[personnel]]~~ >> personnel, including an executive director, collectively herein referred to as the Office of Community Advocacy,<< shall serve at the will of the Chairperson of the County Commission.

Section 5. 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 6. 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 7. 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:



Estephanie S. Resnik

Prime Sponsor: Chairwoman Rebeca Sosa

