MEMORANDUM

SPAGO
Agenda Item No. 2(C)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 14, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution calling a countywide special election in Miami-Dade County, Florida, in conjunction with a general election to be held on Tuesday, November 8, 2016, for the purpose of submitting to the electors of Miami-Dade County the question of whether to amend the Home Rule Charter to re-establish the appointed office of County Manager and undo the "Strong Mayor" form of government approved by the voters in 2007

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

Abigail Price-Williams
County Attorney

APW/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.

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**

_____ **Statement of social equity 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.
6-7-16

RESOLUTION NO. _____

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO RE-ESTABLISH THE APPOINTED OFFICE OF COUNTY MANAGER AND UNDO THE "STRONG MAYOR" FORM OF GOVERNMENT APPROVED BY THE VOTERS IN 2007

WHEREAS, the Florida Constitution affords the electors of Miami-Dade County broad powers of self-governance through the Miami-Dade County Home Rule Charter; and

WHEREAS, Section 9.07 of the Miami-Dade County Home Rule Charter allows the Board to propose to the electors of Miami-Dade County amendments to the Home Rule Charter to be voted on in the next general election; and

WHEREAS, the Board desires to re-establish the appointed office of County Manager and transfers administrative powers and responsibilities from the Mayor to the County Manager; and

WHEREAS, the Board wishes to call a special election in Miami-Dade County in conjunction with a general election to be held on Tuesday, November 8, 2016, for the purpose of submitting to the electors of Miami-Dade County the question stated herein,

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

Section 1. A countywide special election, to be held in conjunction with a general election, is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, November 8, 2016, for the purpose of submitting to the qualified electors of Miami-Dade County

the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of general election laws. The question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT ESTABLISHING COUNTY MANAGER AND UNDOING STRONG MAYOR FORM OF GOVERNMENT

SHALL THE CHARTER BE AMENDED, EFFECTIVE NOVEMBER 16, 2020, TO ESTABLISH THE OFFICE OF COUNTY MANAGER AND UNDO THE "STRONG MAYOR" FORM OF GOVERNMENT APPROVED BY THE VOTERS IN 2007 BY RETURNING THE POWERS AND RESPONSIBILITIES OF ADMINISTERING COUNTY GOVERNMENT FROM A "STRONG MAYOR" TO AN APPOINTED COUNTY MANAGER WHO MAY BE REMOVED BY THE COMMISSION OR THE MAYOR WITH COMMISSION APPROVAL?

YES ☐

NO ☐

Section 4. The form of the ballot shall be in accordance with the requirements of general election laws.

Section 5. Early voting shall be conducted in accordance with the requirements of general election laws.

Section 6. Vote by mail paper ballots may be used by qualified electors of Miami-Dade County for voting on this question. The form of such vote by mail ballot shall be in accordance with the requirements prescribed by general election laws.

Section 7. A sample ballot showing the manner in which the question or proposal aforesaid will appear at this election shall be published and provided in accordance with the applicable provisions of general election laws.

Section 8. This special election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Mayor or his or her designee, the Finance Director, and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 9. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 3.07 of the Home Rule Charter.

The Prime Sponsor of the foregoing resolution is Commissioner Rebecca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal

MIAMI-DADE COUNTY
HOME RULE CHARTER[1]

Preamble

We, the people of this County, in order to secure for ourselves the benefits and responsibilities of home rule, to create a metropolitan government to serve our present and future needs, and to endow our municipalities with the rights of self determination in their local affairs, do under God adopt this home rule Charter.

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* * *

CITIZENS' BILL OF RIGHTS

>>***Note:*** *By special election called pursuant to Resolution No. R-[ ], and held on November 8, 2016, the voters amended Sections (A)(1), (A)(10-12), and (A)(15) effective November 16, 2020 as indicated in the endnote.*<<

* * *

ARTICLE - 2
MAYOR

>>***Note:*** *By special election called pursuant to Resolution No. R-[ ], and held on November 8, 2016, the voters amended Sections 2.02 and 2.03 effective November 16, 2020 as indicated in the endnote.*<<

* * *

ARTICLE – 4

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[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.

RESERVED

>>***Note:*** *By special election called pursuant to Resolution No. R-[ ], and held on November 8, 2016, the voters amended Article 4 of the Home Rule Charter effective November 16, 2020 as indicated in the endnote.*<<

* * *

ARTICLE - 5
ADMINISTRATIVE ORGANIZATION AND PROCEDURE

>>***Note:*** *By special election called pursuant to Resolution No. R-[ ], and held on November 8, 2016, the voters amended Sections 5.01, 5.02, 5.03, 5.05, 5.06, 5.07 and 5.09 effective November 16, 2020 as indicated in the endnote.*<<

* * *

ARTICLE - 9
GENERAL PROVISIONS

>>***Note:*** *By special election called pursuant to Resolution No. R-[ ], and held on November 8, 2016, the voters amended Section 9.01 effective November 16, 2020 as indicated in the endnote.*<<

* * *

>>**ENDNOTE**: Effective November 16, 2020, the words stricken through shall be deleted from the Charter and the words underscored shall be added with the remaining provisions that are now in effect to remain unchanged as follows:

(A). This government has been created to protect the governed, not the governing. In order to provide the public with full and accurate information, to promote efficient administrative management, to make government more accountable, and to insure to all persons fair and equitable treatment, the following rights are guaranteed:

1. **Convenient Access**. Every person has the right to transact business with the County and the municipalities with a minimum of personal inconvenience. It shall be the duty of the [[~~Mayor~~]] >>County Manager<< and the Commission to provide, within the County's budget limitations, reasonably convenient times and places for registration and voting, for required inspections, and for transacting business with the County.

* * *

10. [[~~**Mayor's, City Managers'**~~]] >>**Managers'**<< **and Attorneys' Reports**. The County >>Manager<< [[~~Mayor~~]] and County Attorney and each City Manager and City Attorney shall periodically make a public status report on all major matters pending or concluded within their respective jurisdictions.

11. **Budgeting**. In addition to any budget required by state statute, the County >>Manager<< [[~~Mayor~~]] shall prepare a budget showing the cost of each program for each budget year. Prior to the County Commission's first public hearing on the proposed budget required by state law, the County >>Manager<< [[~~Mayor~~]] shall make public a budget summary setting forth the proposed cost of each individual program and reflecting all major proposed increases and decreases in funds and personnel for each program, the purposes therefore, the estimated millage cost of each program and the amount of any contingency and carryover funds for each program.

12. **Quarterly Budget Comparisons**. The County >>Manager<< [[~~Mayor~~]] shall make public a quarterly report showing the actual expenditures during the quarter just ended against one quarter of the proposed annual expenditures set forth in the budget. Such report shall also reflect the same cumulative information for whatever portion of the fiscal year that has elapsed.

* * *

15. **Financial Disclosure**. The Commission shall by ordinance make provision for the filing under oath or affirmation by all County and municipal elective officials, candidates for County and municipal elective offices, such employees as may be designated by ordinance, and such other public officials, and outside consultants who receive funds from the County or municipalities, within the County and who may legally be included, of personal financial statements, copies of personal Federal income tax returns, or itemized source of income statements. Provision shall be made for preparing and keeping such reports current from time to time, and for public disclosure. The Commission shall

also make provision for the filing annually under oath of a report by fulltime County and municipal employees of all outside employment and amounts received therefrom. The [[~~Mayor~~]] >>Manager<< and any City Manager may require monthly reports from individual employees or groups of employees for good cause.

* * *

ARTICLE - 2
MAYOR

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* * *

SECTION 2.02. **RESPONSIBILITIES OF THE MAYOR.**

The Mayor shall serve as head of the county government with the following specific powers and responsibilities:

[[~~A. The Mayor shall be responsible for the management of all administrative departments of the County government and for carrying out policies adopted by the Commission. The Mayor, or such other persons who may be designated by the Mayor, shall execute contracts and other instruments, and sign bonds and other evidences of indebtedness. The Mayor shall serve as the head of the County for emergency management purposes.~~

~~B. The Mayor shall have the right to attend and be heard at any regular or special open session meeting of the Commission, but not the right to vote at such meetings.~~

~~C. Unless otherwise provided by this Charter, the Mayor shall have the power to appoint all department directors of the administrative departments of the County. Appointment of these department directors shall become effective unless disapproved by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting. The Mayor shall also have the right to suspend, reprimand, remove, or discharge any administrative department director, with or without cause.~~

>>A. The Mayor shall appoint the County Manager unless such appointment is disapproved by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting. When one person succeeds another in the position of Mayor, the successor shall have the right to appoint a new County Manager unless such appointment is disapproved by a two-thirds majority of those Commissioners then in office at the Commission's next regularly scheduled meeting.<<

~~D.~~]]>>B.<< The Mayor shall within ten days of final adoption by the Commission, have veto authority over any legislative, quasi-judicial, zoning, master plan or land use decision of the Commission, including the budget or any particular component contained therein which was approved by the Commission; provided, however, that (1) if any revenue item is vetoed, an expenditure item in the same or greater dollar amount must also be vetoed and (2) the Mayor may not veto the selection of the chairperson or vice-chairperson of the commission, the

enactment of commission committee rules, the formation of commission committees, or the appointment of members to commission committees. The Commission may at its next regularly scheduled meeting after the veto occurs, override that veto by a two-thirds vote of the Commissioners present.

[[~~E~~]]>>C<<. The Mayor shall prepare and deliver a report on the state of the county to the people of the county between November 1 and January 31 annually. Such report shall be prepared after consultation with the Commissioners >>and the County Manager<<.

[[~~F~~]]>>D<<. The Mayor shall prepare and deliver a budgetary address annually to the people of the county in March. Such address shall >>be prepared after consulting with the County Manager and budget director and shall<< set forth the Mayor's funding priorities for the County.

[[~~SECTION 2.03. **TEMPORARY TRANSFER OF MAYORAL POWERS AND RESPONSIBILITIES UPON A VACANCY OR INCAPACITY IN THE OFFICE OF MAYOR.**~~

~~Upon a vacancy or incapacity in the Office of Mayor and until such time as the vacancy is filled in accordance with Section 1.07 of the Charter or the Mayor is no longer incapacitated, the powers and responsibilities vested by this Charter in the Office of Mayor to head the County for emergency management purposes, to hire department directors and to recommend waivers of competitive bidding shall be temporarily vested in the Office of the Chairperson of the County Commission as supplementary powers and responsibilities of such Office and shall not reside in the Office of Mayor. During such time, if the Chairperson relinquishes such supplemental powers and responsibilities in writing filed with the Clerk of the Board, such supplemental powers shall be vested in the Office of Vice-Chairperson of the County Commission. If the Vice-Chairperson relinquishes such supplemental powers and responsibilities in writing filed with the Clerk of the Board, such supplemental powers shall be vested in a commissioner chosen by a majority of those Board members present. The temporary removal and transfer of powers and responsibilities provided for in this Section shall not be construed to fill the vacancy in the Office of Mayor. Immediately upon filling the vacancy in the Office of Mayor the powers and responsibilities vested in the Office of Mayor shall be as provided in this Charter without regard to this Section. The Board shall by ordinance establish a definition of incapacity in the Office of Mayor for purposes of this Section.~~]]

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ARTICLE – 4
[[~~RESERVED~~]]
>>COUNTY MANAGER<<

>>SECTION 4.01. **FUNCTIONS.**

The Manager shall be the head of the administrative branch of the County government and shall be responsible for the management of all administrative departments of the County government and for carrying out the policies adopted by the Commission. The Manager shall

also serve as the head of the County for emergency management purposes. The Board shall fix the Manager's compensation and the Manager shall be appointed as provided in Section 2.02.

SECTION 4.02. **QUALIFICATIONS.**

The Manager shall be chosen on the basis of the Manager's executive and administrative qualifications. At the time of the Manager's appointment the Manager need not be a resident of the state. Neither the Mayor nor any Commissioner shall be eligible for the position of Manager during, or within two years after the expiration of, their respective terms.

SECTION 4.03 **REMOVAL OF COUNTY MANAGER**

The Mayor may remove the Manager subject to the Commission's conducting a hearing within 10 days of said removal and the Commission's overriding the Mayor's action by a two-thirds vote of those Commissioners then in office. Additionally, the Commission by majority vote of those members then in office shall also have the authority to dismiss the County Manager.

SECTION 4.04. **ABSENCE OF MANAGER.**

The Mayor shall designate a qualified administrative officer of the County to assume the duties and authority of the Manager during periods of temporary absence or disability of the Manager unless disapproved by a two-thirds majority of the Board at its next regularly scheduled meeting.

SECTION 4.05. **POWERS AND DUTIES.**

A. The Manager shall be responsible for the administration of all units of the County government under the Manager's jurisdiction, and for carrying out policies adopted by the Board. The Manager, or such other persons as may be designated by resolution of the Board, shall execute contracts and other instruments, sign bonds and other evidences of indebtedness, and accept process.

B. Unless otherwise provided for by civil service rules and regulations, the Manager shall have the power to appoint and suspend all administrative department heads of the departments of the County, except that before any appointment shall become effective, the said appointment must be approved by the Board by a majority vote of those Board members present and if the same is disapproved the said appointment shall be void. In the event such appointment shall be disapproved by the Board the appointment shall forthwith become null and void and thereupon the County Manager shall make a new appointment or appointments, each of which shall likewise be submitted for approval by the Board. However, the right to suspend, remove or discharge any department head with or without cause, is reserved at all times to the County Manager.<<

ARTICLE - 5
ADMINISTRATIVE ORGANIZATION

SECTION 5.01. **DEPARTMENTS.**

There shall be departments of finance, personnel, planning, law, and such other departments as may be established by administrative order of the [[~~Mayor~~]] >>Manager<<. All administrative functions not otherwise specifically assigned to others by this Charter shall be performed under the supervision of the [[~~Mayor~~]] >Manager<<.

SECTION 5.02. **ADMINISTRATIVE PROCEDURE.**

The [[~~Mayor~~]] >>Manager<< shall have the power to issue and place into effect administrative orders, rules, and regulations. The organization and operating procedure of administrative departments shall be set forth in >>administrative<< regulations, which the [[~~Mayor~~]] >>Manager<< shall develop, place into effect by administrative orders, and submit to the Board. >> The Board may, by resolution, modify such orders, rules or regulations providing, however, no such orders, rules or regulations creating, merging, or combining departments, shall become effective until approved by resolution of the Board.<<

SECTION 5.03. **FINANCIAL ADMINISTRATION.**

A. The department of finance shall be headed by a finance director appointed by the [[~~Mayor~~]] >>Manager<< and the Clerk of the Circuit and County Courts. The finance director shall have charge of the financial affairs of the county.

B. Between June 1 and July 15, the County >>Manager<< [[~~Mayor should~~]] >>shall prepare and present a proposed budget to the Mayor and the Board<< [[~~prepare a proposed budget~~]] containing a complete financial plan, including capital and operating budgets, for the ensuing fiscal year. The budget prepared and recommended by the [[~~Mayor~~]] >>Manager and the Mayor's written response thereto<< shall be presented [[~~by the Mayor or his or her designee~~]] to the [[~~Commission~~]] >>Board<< on or before the Board adopts tentative millage rates for the ensuing fiscal year. A summary of the budget shall be published and the Board shall hold hearings on and adopt a budget on or before the dates required by law.

C. No money shall be drawn from the county treasury nor shall any obligation for the expenditure of money be incurred except pursuant to appropriation and except that the Board may establish working capital, revolving, pension, or trust funds and may provide that expenditures from such funds can be made without specific appropriation. The Board, by ordinance, may transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund, or agency to another, subject to the provisions of ordinance. Any portion of the earnings or balance of the several funds, other than sinking funds for obligations not yet retired, may be transferred to the general funds of the county by the Board.

D. Contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. Formal sealed bids shall be secured for all such contracts and purchases when the transaction involves more than the minimum amount established by the Board of

County Commissioners by ordinance. The transaction shall be evidenced by written contract submitted and approved by the Board. The Board, upon written recommendation of the [[~~Mayor~~]]>>Manager<<, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county.

E. Any county official or employee of the county who has a special financial interest, direct or indirect, in any action by the Board shall make known that interest and shall refrain from voting upon or otherwise participating in such transaction. Willful violation of this Section shall constitute malfeasance in office, shall effect forfeiture of office or position, and render the transaction voidable by the Board.

F. Such officers and employees of the county as the Board may designate shall give bond in the amount and with the surety prescribed by the Board. The bond premiums shall be paid by the county.

G. At the end of each fiscal year the Board shall provide for an audit by an independent certified public accountant designated by the Board of the accounts and finances of the county for the fiscal year just completed.

H. The Budget Commission created by Chapter 21874, Laws of Florida, 1943, is hereby abolished, and Chapter 21874 shall no longer be of any effect.

* * *

SECTION 5.05. **DEPARTMENT OF PERSONNEL.**

A. The Board of County Commissioners shall establish and maintain personnel and civil service, retirement, and group insurance programs. The personnel system of the county shall be based on merit principles in order to foster effective career service in county employment and to employ those persons best qualified for county services which they are to perform.

B. The [[~~Mayor~~]] >>Manager<< shall appoint a personnel director who shall head the department of personnel and whose duty it shall be to administer the personnel and civil service programs and the rules governing them. The standards of such programs shall not be less than those prevailing at the time of the effective date of this Charter.

C. Except as provided herein, Chapter 30255, General Laws, 1955, as it exists on the effective date of this Charter, shall remain in effect until amended or changed by ordinance of the Board of County Commissioners adopted by two-thirds vote of the members present after recommendation from either the Personnel Advisory Board or the County [[~~Mayor~~]] >>Manager<<.

D. Employees of municipalities who, by merger, transfer, or assignment of governmental units or functions become county employees, shall not lose the civil service rights or privileges which have accrued to them during their period of employment with such municipality, and the county shall use its best efforts to employ these employees within the limits of their capabilities. However, if because of the merger of a department or division of a municipality with the county, all of the employees of such department or division are unable to be employed by the county either because of lack of funds or lack of work, the employee possessing the greater amount of service shall be retained in accordance with civil service rules

and regulations. Those employees who are not retained shall be placed on a priority list for employment by the county subject to seniority. Any non-retained employee shall have the option, if a vacancy occurs or exists in another department, and if he is qualified to render the service required, to either accept such employment or remain on the priority list until such time as employment shall be available for him in his own or similar classification.

E. The pension plan presently provided by the state for county employees shall not be impaired by the Board. Employees of municipalities, who by merger, transfer, or assignment of governmental units or functions become county employees shall not lose their pension rights, or any reserves accrued to their benefit during their period of employment with such municipality. The Board of County Commissioners shall provide a method by which these employees' rights and reserves shall be protected, and these employees shall continue until retirement, dismissal, or death in a pension status no less beneficial than the status held by them at the time of merger or assignment.

F. The Board of County Commissioners shall provide and place into effect a practical group insurance plan for all county employees.

SECTION 5.06. **DEPARTMENT OF LAW.**

There shall be a County Attorney appointed by the Board of County Commissioners[[~~, subject to veto by the Mayor unless overridden by a two-thirds majority of those Commissioners then in office~~]] who shall serve at the will of the Board and who shall head the department of law. [[~~He~~]] >>The County Attorney<< shall devote his >>or her<< full time to the service of the county and shall serve as legal counsel to the Board, Mayor, Manager, and all county departments, offices, and agencies, and perform such other legal duties as may be assigned to [[~~him~~]]>>the County Attorney<<. He may appoint such assistants as may be necessary in order that his >>or her<< duties may be performed properly. The Board may employ special counsel for specific needs.

>> or she <<

SECTION 5.07. **DEPARTMENT OF PLANNING.**

The department of planning shall be headed by a planning director appointed by the [[~~Mayor~~]] >>Manager<<. The planning director shall be qualified in the field of planning by special training and experience. Under the supervision of the [[~~Mayor~~]]>>Manager<< and with the advice of the Planning Advisory Board elsewhere provided for in this Charter, the planning director shall among other things:

1. Conduct studies of county population, land use, facilities, resources, and needs and other factors which influence the county's development, and on the basis of such studies prepare such official and other maps and reports as, taken together, constitute a master plan for the welfare, recreational, economic, and physical development of the county.

2. Prepare for review by the Planning Advisory Board, and for adoption by the Board of County Commissioners, zoning, subdivision and related regulations for the unincorporated areas of the county and minimum standards governing zoning, subdivision, and related regulations for the

municipalities; and prepare recommendations to effectuate the master plan and to coordinate the county's proposed capital improvements with the master plan.

3. Review the municipal systems of planning, zoning, subdivision, and related regulations and make recommendations thereon with a view of coordinating such municipal systems with one another and with those of the county.

* * *

SECTION 5.09 **RESTRICTION ON THE >>MAYOR AND<< COMMISSION MEMBERS.**

A. [[No]]>>Neither the Mayor nor any Commissioner shall direct or request the appointment of any person to, or his or her removal from, office by [[~~any subordinate of the Mayor~~]] >>the Manager or any of the Manager's subordinates<<, or take part in the appointment or removal of officers and employees in the administrative services of the County, nor shall [[~~any subordinate of the Mayor accede to such direction or request~~]] >> the Manager or any member of the administrative services accede to such direction or request. Any willful violation of this section by the Manager or any County employee shall be grounds for his or her removal<<.

B. Except where otherwise prohibited by Ordinance, >>the Mayor and<< Commissioners shall be permitted to communicate and make inquiries of the administrative services for the purpose of transmitting constituent inquiries or assisting Commissioners in the exercise of their powers as set forth in Section 1.01A. Except as provided elsewhere in this Charter, >>the Mayor and<< Commissioners shall not be permitted to give orders, either publicly or privately, to any subordinate of the [[~~Mayor~~]]>>Manager<<.

No County employee or official, other than the County [[~~Mayor or his or her designee~~]]>>Manager or his or her designee<<, shall respond to or undertake any action to comply with any request by >>the Mayor or <<any Commissioner which violates the provisions of the preceding paragraph. The County [[~~Mayor~~]] >>Manager<< shall not knowingly allow >>the Mayor or<< any Commissioner to deal with the administrative services in violation of the provisions of this section.

* * *

ARTICLE - 9
GENERAL PROVISIONS

SECTION 9.01. **ABOLITION OF CERTAIN OFFICES AND TRANSFER OF FUNCTIONS.**

A. On May 1, 1958, the following offices are hereby abolished and the powers and functions of such offices are hereby transferred to the [[~~Mayor~~]] >>Manager<<, who shall [[~~assume~~]] >>provide for the continuation of<< all the duties and functions of these offices required under the Constitution and general laws of this state: County Tax Collector, County Surveyor, County Purchasing Agent, and County Supervisor of Registration. [[~~The Mayor may delegate to a suitable person or persons the powers and functions of such offices.~~]] >>The Manager may delegate to suitable persons the powers and functions of such officers.<<

B. In the event that other elective officers are abolished by the Board, the Board shall provide that any person duly elected to such office shall if he so desires remain in the same or similar position and receive the same salary for the remainder of the term for which he was elected, and shall provide for the continuation of all duties and functions of these offices required under the Constitution and general laws.

C. On November 9, 1966, the Office of Sheriff is hereby abolished and the powers and functions of such office are hereby transferred to the [[~~Mayor~~]]>>Manager<<, who shall assume all the duties and functions of this office required under the Constitution and general laws of this state. The [[~~Mayor~~]] >>Manager<< may delegate to a suitable person or persons the powers and functions of such office.

* * *