

**BCC Meeting: April 10, 2018
Research Notes**

**Item No. 7G
File No. 180254**

Researcher: BM Reviewer: TD

ORDINANCE CREATING THE ELDER AFFAIRS ADVISORY BOARD; CREATING ARTICLE CLIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING THE COMPOSITION AND DUTIES OF THE BOARD AND OTHER RELATED MATTERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve the creation of the Elder Affairs Advisory Board (board) and creating Article CLIX of the County Code.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 2-11.36.1 defines the term “board” to include every agency, authority, advisory board, regulatory board, quasi-judicial board, semiautonomous instrumentality, committee, task force or any other citizens’ group created and funded in whole or in part by the Board of County Commissioners. It requires that County boards created for more than one year be created by ordinance.

<https://library.municode.com/FL/Miami> -

[_Dade_County/codes/Code_of_Ordinances?nodeId=PTIICOOR_CH2AD_ARTIBSTCRREBOGE_S2-11.36.1DEBO](https://library.municode.com/FL/Miami-Dade_County/codes/Code_of_Ordinances?nodeId=PTIICOOR_CH2AD_ARTIBSTCRREBOGE_S2-11.36.1DEBO)

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Rebeca Sosa, District 6
Sen. Javier D. Souto, District 10
Commissioner Esteban L. Bovo, Jr., District 13
Commissioner Daniella Levine Cava, District 8
Commissioner Audrey M. Edmonson, District 3
Commissioner Joe A. Martinez, District 11
Commissioner Jean Monestime, District 2
Commissioner Dennis C. Moss, District 9**

02/06/15: Adopted by the Board on first reading. This item was originally file number no. 180147.

04/17/18: Forwarded to BCC with a favorable recommendation following a public hearing by Government Operations Committee; Passed 5 – 0.

Commissioner Sosa requested that the implementation of the Board remain under the Office of the Chair’s Community Advocacy Division. The reasoning is that under the BCC, the elderly would have the access to district offices instead of isolating their access to only the Mayor’s Office.

FISCAL IMPACT

If the proposed ordinance is approved, it will have a fiscal impact on the County as the ordinance states that there will be a need to convert a part-time position to a full-time position to meet the requirements.

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The table below summarizes the estimated expense for a full-time position for the Elder Affairs Advisory Board over the next five years:

Fiscal Year	Estimated Expense
Year 1	\$43,574
Year 2	\$45,748
Year 3	\$48,031
Year 4	\$50,428
Year 5	\$52,945

ANALYSIS

This item seeks Board approval for the creation of the Elder Affairs Advisory Board and creating section Article CLIX of the County Code.

In Florida, Miami-Dade County has the largest population of individuals who are 60 years old or older. The Elder Affairs Advisory Board would focus on the needs of the elder residents and encourage them to become more active and involved in community events and leadership roles.

The board shall comprised of 15members to be appointed as follows: (1) one member by each County Commissioner; (2) one by the County Mayor; and (3) one by the Miami-Dade Chapter of the American Association of Retired Persons. Each member must be a permanent resident of the County, be at least 65 years of age, and may serve four-year terms, no member to serve more than eight consecutive years.

The amended item differs from the original in that the duties of taking of minutes and maintenance of membership roster is to be conducted by the Office of Community Advocacy, rather than the Clerk of the Board. The item further creates the Article CLIX, Elder Affairs Advisory Board detailed below.

Per the Mayoral memo, an amendment to the ordinance designating the Mayor’s Office of Senior Advocacy to support the Elder Affairs Advisory Board would mitigate the fiscal impact by the office absorbing the staffing requirement.

Lake County Florida established the Elder Affairs Coordinating Council to provide their BCC with information regarding existing programs and facilities, identify services that would benefit elders and assist in making Lake County an “elder ready” community

https://www.lakecountyfl.gov/departments/community_services/health_and_human_services/elder_affairs/

Collier County Florida established the Senior Advisory Committee to assist the Board of County Commissioners in compiling and identifying issues and relevant best practices concerning senior citizens in Collier County.

<https://www.colliercountyfl.gov/your-government/advisory-boards-and-authorities/collier-county-ad-hoc-senior-advisory-committee>

Fulton County Georgia established the Commission on Elderly Affairs to make recommendations to improve the quality of life for senior citizens in Fulton County.

http://www.fultoncountyga.gov/images/stories/Clerk%20to%20The%20Commission/COMMISSION_ON_ELDERLY_AFFAIRS_032918.pdf

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<p><i>Sec. 2-2349. Creation and Composition.</i></p>	<p>The Miami-Dade County Elder Affairs Advisory Board (board) is hereby created and shall be comprised of a total of 15 members, as follows: (1) each County Commissioner shall appoint one member; (2) the Mayor shall appoint one member; and (3) the Miami-Dade Chapter of the American Association of Retired Persons shall appoint one member. The members shall be permanent residents and electors of the County in accordance with section 2-11.38, as may be amended, shall have knowledge of and interest in the County’s elderly population and shall be at least 65 years of age. Board members shall serve four-year terms, and no member may serve more than eight consecutive years in accordance with section 2-11.38.2, as may be amended.</p>
<p><i>Sec. 2-2350. Membership; officers; meetings.</i></p>	<p>The members of the board shall elect a chairperson, vice-chairperson, and such other additional officers as the board shall deem necessary. All officers shall serve one-year terms, and no member may remain in the same office for more than two consecutive years. After one year of not holding the office, a member may be elected to the same office that was previously held for up to two consecutive years. Officer elections shall take place each November, with newly elected officers installed the following January.</p> <p>A majority of members duly appointed to the board shall constitute a quorum necessary to hold a meeting and 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 eight members. The board at any duly noticed public meeting may fix and call a meeting on a future date.</p> <p>All meetings shall be held in accordance with Government in the Sunshine laws and access to public records shall be afforded as required by the Public Records Act. Additionally, the public shall be given a reasonable opportunity to be heard pursuant to section 286.0114, Florida Statutes, and related applicable provisions of the Code.</p> <p>Notwithstanding any other provision of the Code, a board member shall be automatically removed if, in a given County fiscal year the member is absent from two consecutive meetings without an acceptable excuse or the member is absent from three 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 vote of its membership, deems appropriate. If a member is absent with an acceptable excuse from three or more meetings, the board may vote to remove the member from the board.</p> <p>A member shall be considered absent from a meeting if the member is not physically present for at least 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.</p> <p>The provisions of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, as may be amended, are applicable to this board, as well as other laws applicable to public advisory board membership, including but not limited to section 2-11.38 of the Code.</p>

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<p><i>Sec. 2-2351. Duties; powers; responsibilities.</i></p>	<p>The board shall have the following duties, powers and responsibilities:</p> <p>(1) The board shall advise the Mayor and the Board of County Commissioners on issues related to the County’s programming, public services, and facilities for elderly persons, including but not limited to, transportation/mobility services, health care services, parks programming, including silver services programming, and affordable housing.</p> <p>(2) The board shall serve as a liaison with the elderly community. This relationship will enable outreach with the elderly community and receipt of input on the needs of the elderly community that may be addressed by the County.</p> <p>(3) The Board shall recommend activities or programming that promote a healthy lifestyle and enhance the quality of life for elderly persons.</p> <p>(4) The Board shall act as an advisor to the Mayor and the Board of County Commissioners on all other policy matters pertaining to the elderly community in Miami-Dade County, as may be requested by the Mayor, the Chairperson of the Board of County Commissioners, or the Board of County Commissioners.</p> <p>(5) The board shall report at least annually to the Board of County Commissioners as to its activities and recommendations.</p>
<p><i>Sec. 2-2352. Supervision and Support.</i></p>	<p>The Clerk of the Board of County Commissioners (Clerk of the Board) shall retain the current roster of the board’s members and minutes of the board’s meetings that are provided to the Clerk of the Board.</p> <p>The Office of the Chairperson of the Board of County Commissioners, County Attorney and Office of Community Advocacy shall provide appropriate support for the board. The Chairperson of the Board of County Commissioners shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the board, and such assistants, employees, and personnel. The executive director shall be the director of the Office of Community Advocacy or his or her designee. Any assistant, employee, personnel or executive director shall serve at the will of the Chairperson of the Board of County Commissioners.</p> <p>The Office of Community Advocacy shall ensure the board’s membership roster is current and take the minutes and post 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 12 months to the Board of County Commissioners.</p>