

# MEMORANDUM

Agenda Item No. 7(G)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** (Second Reading 6-4-19)  
April 9, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance relating to terms and term limits of County Board members; amending section 2-11.38.2 of the Code, Florida; providing a certain length of term for County Board members; providing an exception; revising term limit restrictions for County Board members and repealing a provision for waiver of term limits; providing for the reappointment of Board members until the appointing Commissioner leaves office; amending sections 2-957.3, 16A-6, 2-934, 2-832, 2-2381, 2-2386, 2-267, 2-2204, 2-2039, 2-532, 2-2183, 2-205, and 2-1421 to make conforming revisions

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsors Commissioner Audrey M. Edmonson and Commissioner Sally A. Heyman.



Abigail Price-Williams  
County Attorney



APW/uw

# Memorandum



**Date:** June 4, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive, flowing style.

**Subject:** Fiscal Impact Statement for Ordinance Relating to Terms and Term Limits of  
County Board Members

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The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Edward Marquez". The signature is written in a cursive, flowing style.  

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Edward Marquez  
Deputy Mayor

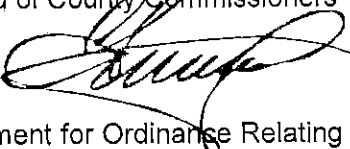
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# Memorandum



**Date:** June 4, 2019

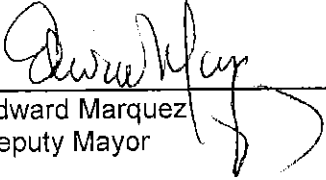
**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez   
Mayor

**Subject:** Social Equity Statement for Ordinance Relating to Terms and Term Limits of County  
Board Members

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The implementation of this ordinance will not have any measurable social equity benefit or burden.

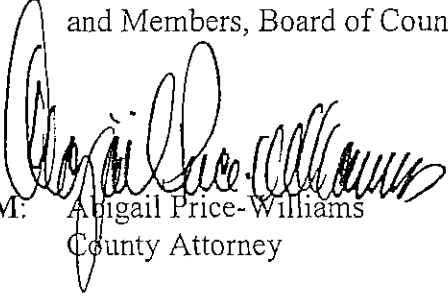
  
\_\_\_\_\_  
Edward Marquez  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** June 4, 2019

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 7(G)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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(G)  
6-4-19

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

ORDINANCE RELATING TO TERMS AND TERM LIMITS OF COUNTY BOARD MEMBERS; AMENDING SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING A CERTAIN LENGTH OF TERM FOR COUNTY BOARD MEMBERS; PROVIDING AN EXCEPTION; REVISING TERM LIMIT RESTRICTIONS FOR COUNTY BOARD MEMBERS AND REPEALING A PROVISION FOR WAIVER OF TERM LIMITS; PROVIDING FOR THE REAPPOINTMENT OF BOARD MEMBERS UNTIL THE APPOINTING COMMISSIONER LEAVES OFFICE; AMENDING SECTIONS 2-957.3, 16A-6, 2-934, 2-832, 2-2381, 2-2386, 2-267, 2-2204, 2-2039, 2-532, 2-2183, 2-205, AND 2-1421 TO MAKE CONFORMING REVISIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, throughout the years, the Board of County Commissioners has created numerous boards to provide assistance, advice and guidance to the Board of County Commissioners, and oversight on matters of great public importance to Miami-Dade County (“County Boards”); and

**WHEREAS**, these County Boards are comprised of members of this community who are knowledgeable and who are many times experts in the areas overseen and administered by the County Boards upon which they serve, or by individuals in this community willing to dedicate their time and service to the betterment of Miami-Dade County and who desire to be civically active; and

**WHEREAS**, this Board appreciates the dedication and service of each individual who serves as a member of a County Board and recognizes that, over time, many of these board members have developed a deep understanding of the complex issues tackled by the board upon which they sit; and

**WHEREAS**, many of these board members are appointed by County Commissioners and have a unique understanding of and approach to resolving the needs and concerns of the communities within each Commission District and the County as a whole; and

**WHEREAS**, County Commissioners should be permitted to reappoint these valued board members and have them serve on the boards upon which they sit for so long as the appointing Commissioner is in office,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 2-11.38.2 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 2-11.38.2. – Term of office.**

- (a) The terms of office of the members of each board shall be staggered. >>Unless otherwise provided in the ordinance creating a board, board members shall serve four year terms.<<
- (b) ~~[[No board member shall serve more than eight (8) consecutive years on any one (1) board. The provisions of this section shall not apply to current board members. Nothing set forth in this subsection above shall prohibit any individual from being reappointed to a County board after a hiatus of two (2) years. Notwithstanding the foregoing, the Board of County Commissioners may, by a resolution adopted by a two-thirds (2/3~~

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<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.

~~) vote of members present, waive the restriction that a particular member of a board may not serve more than eight (8) consecutive years on that board or any other term limit applicable to a particular board member.]] >>Notwithstanding and prevailing over any other provision of the Code pertaining to time limitations or term limits for a member's service on a board, a member appointed to a board by a Commissioner may be reappointed to and may continue to serve on the board until such time as the appointing Commissioner leaves office.<<~~

(c) Additionally, notwithstanding any other provision of the Code or of any resolution, the term of every board member nominated by a Commissioner shall automatically expire when:

- (1) The nominating Commissioner leaves office; or
- (2) The nominating Commissioner's term of office expires.

The provisions of this subsection shall be applicable to the terms of County Commissioners which expired in October 1998, and thereafter.

**Section 2.** Section 2-957.3 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**ARTICLE LXIXA. – SPECIAL AMBASSADOR PROGRAM**

\* \* \*

**Sec. 2-957.3 – [Special Ambassador term.]**

A Special Ambassador shall serve a four-year term commencing on January 1 of the year of appointment. Except as expressly provided herein >>or except as expressly provided in section 2-11.38.2 of the code<<, no Special Ambassador shall serve more than one (1), four (4) year team. Vacancies during a term shall be filled by the Board of County Commissioners and such vacancy appointments shall serve during the remainder of the current term. A vacancy appointment shall not count towards the term limit.

**Section 3.** Section 16A-6 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**Chapter 16A – HISTORIC PRESERVATION**

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**Sec. 16A-6. – Same – Members.**

The Board shall consist of 13 members. Each County Commissioner shall appoint 1 member. County Commissioners shall appoint architects, realtors, archaeologists, historians, art historians, lawyers, developers, contractors, engineers, economists, or other individuals from the business, financial and other segments of the community who, by virtue of their profession, community involvement, or business, have demonstrated knowledge of or concern for historic preservation. The Board shall contain not less than one architect; one real estate professional or attorney at law; and one historian or architectural historian. The term of office of membership shall be 4 years for each member. Any vacancy occurring on the Board shall be filled by the appropriate County Commissioner for the remainder of the unexpired term, at the earliest possible date. Members shall be eligible for reappointment, but shall not serve more than 2 consecutive 4-year terms without a hiatus of at least 4 years, provided, however, that an appointment to fill an unexpired term shall not preclude that appointee from serving 2 consecutive 4-year terms thereafter ~~[[, subject to waiver by a two-thirds vote of the Board of County Commissioners as provided in section 2-11.38.2. The provisions of section 2-11.38.2 that authorize the Board of County Commissioners to waive term limit restrictions by resolution adopted by a two-thirds vote of members present shall not otherwise apply, and the aforementioned term limit restrictions shall not be waived by the Board of County Commissioners except by ordinance]].~~ Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their official duties, as shall be determined and approved by the County Commission. All new members shall receive an orientation or training upon being appointed to the Board. Except as otherwise provided in this Section, Board members shall be governed by the provisions applicable to all County boards, as set forth in Chapter 2, Article IB of the Code. The members of the Board shall annually elect a Chair, who shall serve at the pleasure of the Board, and such other officers as may be deemed necessary or desirable. No Board member shall serve more than 2 consecutive terms as Chair.

**Section 4.** Section 2-934 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:



**ARTICLE LXVIII. - AGRICULTURAL PRACTICES ADVISORY BOARD**

\* \* \*

**Sec. 2-934. – Terms.**

~~[[Notwithstanding anything in the Code to the contrary, members]]~~  
>>Members<< shall be appointed for terms of four years without term limits. A member may serve until his or her successor has been duly appointed and qualified.

**Section 5.** Section 2-832 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE LXIII. - MIAMI-DADE COUNTY BLACK AFFAIRS ADVISORY BOARD**

\* \* \*

**Sec. 2-832. – Composition.**

The Miami-Dade County Black 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-six (26) members who shall be permanent residents and electors of the County and who shall have a knowledge and interest in the County's Black community. Each County Commissioner shall appoint one member of the board. The other thirteen (13) members shall be nominated by a nominating committee.

The nominating committee shall be comprised of existing members of the board. The board shall develop procedures for the creation of the nominating committee in its bylaws. The nominating committee shall recommend potential members for appointment by the Black Affairs Advisory Board, subject to compliance with the requirements of Section 2-11.38.1(b) of the Code of Miami-Dade County, as may be amended, including the requirement relating to criminal history background checks on potential advisory board members performed by the Office of the Inspector General and compliance with the requirements of Resolution No. R-636-14, as may be amended, pertaining to background research on potential advisory board members performed by the Office of the Commission Auditor. The board shall work with the Office of Community Advocacy or successor department to advertise vacancies occurring on the Black 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.

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.

All appointments shall be made for a term of four (4) years. This section shall apply to all board members, except that current board members shall be allowed to complete their current terms.

~~[[Notwithstanding Section 2-11.38.2(b) of the Miami-Dade County Code, a Commissioner may reappoint an existing member to serve in excess of the eight (8) year term limit, provided that said member has demonstrated exceptional dedication and service to the board and that the reappointment is presented to the Board of County Commissioners in the form of a resolution and approved by a two-thirds ( 2/3 ) vote of the full membership of the Board of County Commissioners.]]~~

**Section 6.** Section 2-2381 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

## **ARTICLE CLX. - ELDER AFFAIRS ADVISORY BOARD**

### **Sec. 2-2381. - Creation and Composition.**

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 62 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]]~~.

**Section 7.** Section 2-1087 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE LXXIX. - MIAMI-DADE COUNTY ASIAN-AMERICAN ADVISORY BOARD**

\* \* \*

**Sec. 2-1087. - Composition.**

The Miami-Dade County Asian-American Advisory Board ("board") shall be composed of twenty-six (26) members who shall be permanent residents and electors of the County in accordance with Section 2-11.38 of the Code of Miami-Dade County as may be amended and who shall have a knowledge of and interest in the county's Asian community. Each County Commissioner shall appoint two (2) members of the board. Board members shall serve four-year terms, and 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.

**Section 8.** Section 2-2386 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE CLXI. - MIAMI-DADE MILLENNIAL TASK FORCE.**

\* \* \*

**Sec. 2-2386. - Composition.**

The Task Force shall be comprised of 27 members, with one appointment from each County Commissioner, one appointment from the County Mayor, seven at-large seats appointed by the County Commission as a whole, and six ex-officio appointments, one seat to be appointed by each of the following departments and entities: the Beacon Council, the Miami-Dade County Department of Public Housing and Community Development, the Miami-Dade Chamber of Commerce, the Greater Miami Chamber of Commerce, the Greater Miami Convention and Visitors Bureau and the Miami-Dade Economic Advocacy

Trust. The members shall be permanent residents and electors of Miami-Dade County, unless waived, in accordance with section 2-11.38, as may be amended. Members shall have knowledge of and interest in the County's millennial population, and shall serve four-year terms. No member may serve more than eight consecutive years [~~-, unless waived, in accordance with Section 2-11.38.2, as may be amended~~].

**Section 9.** Section 2-267 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE XXX. – COMMISSION FOR WOMEN**

\* \* \*

**Sec. 2-267. - Terms of office.**

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. Appointments to fill any vacancy on the Commission shall be for the remainder of the unexpired term of office. A member may be removed without cause only by three-fourths vote of the entire membership of the County Commission.

However, notwithstanding any other provision of the Code of Miami-Dade County, a 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 Commission for Women, 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 Commission for Women at its discretion may vote to remove the member from the Commission, and the Commission's vote shall be final.

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.

**Section 10.** Section 2-2204 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE CLIV. - OVERTOWN COMMUNITY BENEFITS  
ADVISORY BOARD**

\* \* \*

**Sec. 2-2204. - Governing Board.**

\* \* \*

(c) *Term.* Three of the County Commission appointments to the Board shall be for an initial term which begins on the day of appointment and expires three years thereafter. Two of the County Commission appointments to the Board shall be for an initial term which begins on the day of appointment and expires two years thereafter. Two of the County Commission appointments to the Board shall be for an initial term which begins on the day of appointment and expires one year thereafter. The Nominating Council shall determine the respective initial terms of the members. The term of any Board member appointed or re-appointed pursuant to this article after the initial terms shall be for a term of three years each. The foregoing notwithstanding, the term of any Board member appointed or re-appointed pursuant to this article shall be subject to automatic expiration provided in Section 2-11.38.2 of this Code. Each Board member shall be permitted to serve no more than two consecutive and complete terms of three years each ~~[[, but, in no event, more than the maximum number of years provided in Section 2-11.38.2 of this Code]].~~

**Section 11.** Section 2-2039 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE CXXI. - MIAMI INTERNATIONAL AIRPORT  
NEIGHBORHOOD RELATIONS COMMITTEE**

\* \* \*

**Sec. 2-2039. - Membership.**

\* \* \*

(b) *Term.* In accordance with Section 2-11.38.2 of the Code, the members of the NRC shall serve staggered terms of three (3) years each. ~~[[Notwithstanding~~

~~any other provision of the Code, no]] >>No<<~~ member shall be permitted to serve more than eight (8) consecutive years. Members nominated by the County Commissioners representing Districts 6 and 12 shall serve an initial term of three (3) years. Members nominated by the Mayor of the City of Miami, the Mayor of the City of Miami Springs, the Mayor of the City of Doral, the Mayor of the City of Coral Gables, and the Mayor of the Village of Virginia Gardens shall serve an initial term of two (2) years.

**Section 12.** Section 2-532 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE L. – MIAMI-DADE COUNTY HISPANIC AFFAIRS  
ADVISORY BOARD**

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**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-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 the other thirteen (13) members shall be nominated by a nominating committee. The nominating committee shall be comprised of existing members of the board as selected by majority vote of the board. The board shall develop procedures for the creation of the nominating committee in its bylaws. The nominating committee shall recommend potential members for appointment by the Hispanic Affairs Advisory Board, subject to compliance with the requirements of Section 2-11.38.1(b) of the Code of Miami-Dade County, as may be amended, including the requirement relating to criminal history background checks on potential advisory board members performed by the Office of the Inspector General and compliance with the requirements of Resolution No. R-636-14, as may be amended, pertaining to background research on potential advisory board members performed by the Office of the Commission Auditor. The board shall work with the Office of Community Advocacy or successor department to 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.

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.

**Section 13.** Section 2-2183 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE CL. – JACKSON HEALTH SYSTEM’S GENERAL OBLIGATION BOND PROGRAM**

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**Sec. 2-2183. – Governing Committee.**

\* \* \*

(c) *Term.* Three (3) of the County Commission appointments to the Advisory Committee shall be for an initial term which begins on the day of appointment and expires three (3) years from such appointment date. Two (2) of the County Commission appointments to the Advisory Committee shall be for an initial term which begins on the day of appointment and expires one (1) year from such appointment date. The designees of the President of the Miami-Dade County League of Cities, the Mayor, the Chairperson of the Miami-Dade Legislative Delegation and the representative of the Jackson Health System labor unions shall

be for initial terms which begin on the day of appointment and expire two (2) years from such appointment date, provided further that such terms shall each be coterminous with that of the designating official as set forth in (ii) below. The term of any Advisory Committee Member appointed or re-appointed pursuant to this article after the initial terms shall be for a term of three (3) years each. The foregoing notwithstanding, (i) the term of any Advisory Committee Member appointed or re-appointed pursuant to this article shall be subject to automatic expiration as provided in Section 2-11.38.2 of this Code and (ii) the term of any Advisory Committee Member designated by the President of the Miami-Dade County League of Cities, the Mayor, the Chairperson of the Miami-Dade Legislative Delegation, or the representative of the Jackson Health System labor unions shall expire when the designating official's term of office expires or the designating official leaves office and until the successor official replaces the designee. Each Advisory Committee Member shall be permitted to serve no more than two (2) consecutive and complete terms of three (3) years each [~~and, in no event, more than the maximum number of years provided in Section 2-11.38.2 of this Code~~].

**Section 14.** Section 2-205 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE XXIII. – COMMUNITY RELATIONS BOARD**

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**Sec. 2-205. – Membership; qualifications; terms.**

\* \* \*

This Board shall consist of twenty-six (26) voting members in accordance with the provisions of Section 2-11.38 of the Code of Miami-Dade County as may be amended. The membership of the Board shall be broadly representative of the various social, racial, religious, linguistic, cultural, economic, national origin and geographic groups comprising the population of this County. Each member shall be a resident of Miami-Dade County with an outstanding reputation for community pride, interest, integrity, responsibility, and business or professional ability and a documented commitment to intergroup relations.

Each Commissioner shall appoint a member to the Community Relations Board who is duly qualified under this ordinance. The other thirteen (13) members shall be nominated by a nominating committee. The nominating committee shall be comprised of existing members of the board as selected by majority vote of the board, which shall develop procedures for the creation of the nominating committee in its bylaws. The nominating committee shall recommend potential



members for appointment by the Community Relations Board, subject to compliance with the requirements of Section 2-11.38.1(b) of the Code of Miami-Dade County, as may be amended, including the requirement relating to criminal history background checks on potential advisory board members performed by the Office of the Inspector General and compliance with the requirements of Resolution No. R-636-14, as may be amended, pertaining to background research on potential advisory board members performed by the Office of the Commission Auditor. The board shall work with the Office of Community Advocacy or successor department to advertise vacancies occurring on the Community Relations 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 chairpersons of the Miami-Dade County Commission for Women, Miami-Dade County Asian-American Advisory Board, Miami-Dade County Black Affairs Advisory Board, and Miami-Dade County Hispanic Affairs Advisory Board shall serve as ex-officio, non-voting members of the Community Relations Board.

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.

Members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in official duties, in accordance with applicable law.

**Section 15.** Section 2-1421 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**ARTICLE XCVII. - CITIZENS' INDEPENDENT TRANSPORTATION TRUST**

**Sec. 2-1421. - Citizens' Independent Transportation Trust created; powers over expenditure and use of proceeds of proposed Charter County Transit System Surtax.**

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(d) *Subsequent membership and term.* Any vacancy on the Trust that occurs after appointment of the initial membership, as well as appointment of successors to those members whose terms have expired shall be filled directly by appointment of the Commissioner for the district for in which a vacancy occurs, or, in the case of a vacancy in a Miami-Dade League of Cities appointment shall be filled by appointment of the League, or, in the case of a vacancy in a mayoral appointment shall be filled by appointment of the Mayor. Such appointments shall be made from a slate submitted by the Nominating Committee in accordance with subsection (b) pertaining to initial members, and shall have the qualifications for Trust membership set forth in subsection (a) above. The foregoing notwithstanding, an incoming District Commissioner or Mayor may elect to re-appoint his or her predecessor's currently serving appointee, in which case there shall be no need for the Nominating Committee to submit a slate of candidates for such vacancy. The term of any Trust member appointed or re-appointed pursuant to this subsection after the initial terms set forth in (c) above shall be for a term of four years, and in the case of Commissioner or Mayor appointees shall be subject to automatic expiration as provided in subsection (c) of Section 2-11.38.2 of this Code provided however, a District Commissioner or Mayor appointed Trust member may continue to serve until the appointment and ratification of the succeeding District Commissioner's or Mayor's selection. Members may be re-appointed [~~however no member shall serve more than the maximum number of years provided in subsection (b) of Section 2-11.38.2 of this Code~~]. If an appointment is not made by the District Commissioner (or the League or Mayor where applicable) within thirty (30) days from the date on which the Nominating Committee submits the required slate of candidates, the County Commission may appoint the successor.

**Section 16.** 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 17.** 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 18.** 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:

Monica Rizo Perez

Handwritten signatures in black ink. The top signature appears to be 'GRL' with a flourish, and the bottom signature is 'MRP'.

Prime Sponsor: Commissioner Dennis C. Moss  
Co-Sponsors: Chairwoman Audrey M. Edmonson  
Commissioner Sally A. Heyman