

Memorandum



Date: April 4, 2023

To: Honorable Chairman Oliver G. Gilbert III
and Members, Board of County Commissioners

Agenda Item No. 1(F)(1)

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Sunset Review of County Boards for FY 2023 – Kendale Lakes Landscape and Maintenance
Special Taxing Districts Advisory Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2023 Sunset Review of County Boards Report for the Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board. The Board approved the attached report at its meeting of November 17, 2022 and has recommended the continuation of its board.

A handwritten signature in blue ink, appearing to be "Jimmy Morales".

Jimmy Morales
Deputy Mayor

Date: November 17, 2022

To: Daniella Levine Cava
Mayor

From: Kenneth Houp
Chairperson, Kendale Lakes Landscape and Maintenance Special taxing District
Advisory Board

Subject: Sunset Review of County Boards for FY 2023 – Kendale Lakes Landscape and
Maintenance Special Taxing District Advisory Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2023 Sunset Review of County Boards Report for the Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of November 17, 2022.

It is recommended that the BCC approve the select continuation of the Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board.

BACKGROUND

The Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board was created September 11, 2001. The purpose of the Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board is to assist the Board of County Commissioners and the County Administration with respect to matters pertaining to the Kendale Lakes Landscape Maintenance Taxing Districts. The Board also approves the improvements as well as the annual budget for the Kendale Lakes Special Tax District.

The Kendale Lakes Landscape and Maintenance Special Taxing District Advisory Board should continue to function because since it was created in 2001 it has been the key to meeting the Kendale Lakes community's needs by making landscape improvement recommendations and approving the annual budgets in an effective manner.


Kenneth Houp
Board Chairperson

12/17/2022
Date

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2023**

I. GENERAL INFORMATION

1. Name of Board reporting: Kendale Lakes Landscape Maintenance Special Taxing Districts Advisory Board
2. Indicate number of board members, terms of office, and number of vacancies:

Number of Board Members: Seven (See Attachment A)
Terms of Office: Serve staggered terms of no more than two (2) years with no member serving more than eight (8) years
Number of Vacancies: Zero (0)
3. Identify number of meetings and members' attendance
(Attach records reflecting activity from **January 1, 2021** through **December 31, 2022**):

Number of Meetings: See Attachment B
Number of Meetings with a Quorum: See Attachment B
Attendance Records: See Attachment B
4. What is the source of your funding? Special Assessment Fee
5. Date of Board Creation: September 11, 2001
6. Attach a copy of the ordinance creating the Board. Please include all subsequent amendments. See Attached
7. Include the Board's Mission Statement or state its purpose: See Attachment B
8. Attach the Board's standard operating procedures, if any. N/A
9. Attach a copy of the Board's By-Laws, if any. N/A
10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership. See Attachment C

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? Yes
2. Is the Board serving current community needs? Yes

MDC003

3. What are the Board's major accomplishments?
 - a. Last 24 months: The major accomplishments of the board is the approval of community and landscape improvements such as, community signage replacement, planting of 55 new trees of various species, painting the community perimeter wall and purchasing 2 zero turn mowers.
 - b. Since established: Since September 11, 2001 The Advisory Board has given input and approved the budgets for the Kendale Lakes Special Taxing Districts.
4. Is there any other board, either public or private, which would better serve the function of this board? No
5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes) No
6. Should the Board's membership requirements be modified? No
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2021 and FY 2022)

Administrative cost paid by a portion of the Special Landscape Multipurpose Assessment taxed to the county.

8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.

No performance measures have been established to determine its own effectiveness.

KENDALE LAKES LANDSCAPE AND MAINTENANCE
SPECIAL TAXING DISTRICTS ADVISORY BOARD MEMBERS

ATTACHMENT A

2022 MEMBERS AND AREAS

Area 1: Marc Gauthier

Area 2: Kenneth Houp

Area 3: Teresita Fernandez

Area 4: Nemrod Saldanas

Area 5: Harvey Weisberg

Area 6: Yvonne Campbell

Area 7: Yvonne Van Der Osten

Board Mission Statement:

Kendale Lakes Advisory Board will formulate and recommend plans and programs for the landscape maintenance of their community in order to continue to provide exceptional landscape maintenance.

2022 BOARD MEMBERS ---INCLUDING NEW MEMBERS---

MEMBER NAME	AREA
Marc Gauthier *Reappointed*	1
Kenneth Houp	2
Teresita Fernandez *Reappointed*	3
Nemrod Saldanas	4
Harvey Weisberg *Reappointed*	5
Yvonne Campbell	6
Yvonne Van Der Osten *Reappointed*	7

KENDALE LAKES LANDSCAPE AND MAINTENANCE
SPECIAL TAXING DISTRICTS ADVISORY BOARD MEMBERS

ATTACHMENT B

Zone 1: Marc Gauthier

Zone 2: Louis Lebron/Kenneth Houp

Zone 3: Teresita Fernandez

Zone 4: Vera Selmore/Michael Gisbert/Nemrod Saldanas

Zone 5: Harvey Weisberg

Zone 6: Yvonne Campbell

Zone 7: Yvonne Van Der Osten

Board Mission Statement:

Kendale Lakes Advisory Board will formulate and recommend plans and programs for the landscape maintenance of their community in order to continue to provide exceptional landscape maintenance.

MEMBERSHIP ATTENDANCE 2021-2022

MEMBER NAME	ZONE	2/18/21	5/6/21	6/3/21	8/19/21	10/7/21	11/4/21	6/30/22	7/21/22	8/18/22	9/15/22	10/13/22	11/17/22
Marc Gauthier	1		x		X		X	X		X		X	X
Louis Lebron	2	x											
Kenneth Houp	2		x	X	X	X	X	X	X	X	X	X	X
Teresita Fernandez	3	x	x	X	X	X	X	X	X	X	X	X	X
Vera Selmore	4												
Michael Gisbert	4			x									
Nemrod Saldanas	4				X	X	X	X	X	X	X	X	
Harvey Weisberg	5	x	x	x	X	X			X	X	X	X	X
Yvonne Campbell	6		x		X	X			X		X		
Yvonne Van Der Osten	7	x	x	x	X	X	X			X	X	X	

KENDALE LAKES LANDSCAPE AND MAINTENANCE

SPECIAL TAXING DISTRICTS ADVISORY BOARD

SUNSET REVIEW MEETING MINUTES

ATTACHMENT C

November 17, 2022 at 6:30 PM

Kendale Lakes Park Recreation Center

7850 SW 142 Avenue

Miami, Florida 33183

MINUTES ON APPROVAL OF THE SUNSET REVIEW REPORT

MEMBERS PRESENT: Marc Gauthier
Kenneth Houp
Teresita Fernandez
Harvey Weisberg

OTHERS ATTENDING: Janette Delgado (PROS Special Assessment Manager),
Jorge Aleman (PROS Special Assessment Zone Supervisor)




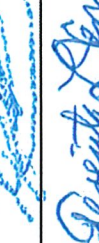

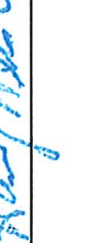




Jorge Aleman opened the meeting and presented the Sunset Review of County Board for 2023. It is recommended that the board approve the continuation of the Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board.

MOTION: The Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board unanimously approved the Sunset Review Questionnaire.

Kendale Lakes Special Taxing District Advisory Board Sign In Sheet

Time: 6:30PM
Date: 11/17/2022

Location: Kendale Lakes Park Recreation Center located at 7850 SW 142 Ave

Zone	Name	Address	Home / Office	Cell	Email	Signature
	Janette Delgado	13841 SW 120 ST, Miami FL 33186	305-386-5239		Janette.Delgado@miamidade.gov	
	Jorge Aleman	13841 SW 120 ST, Miami FL 33186	305-386-5239		Jorge.Aleman2@miamidade.gov	
		13841 SW 120 ST, Miami FL 33186	305-386-5239			
1	Marc Gauthier	5815 SW 146 CT, Miami FL, 33183	305/386-4297	305-970-9316	marcmagesco@gmail.com	
2	Kenneth Houpp	8330 SW 142 Ave, Miami FL, 33183		305-766-1530	kenneth.houpp@gmail.com	
3	Teresita Fernandez	13921 SW 74 Ter, Miami FL, 33183		305-322-6561	lascaibar@aol.com	
4	Nemrod Saldanas	13700 SW 64 ST, Miami FL, 33183		305-303-1589	nemrodsaldanas@yahoo.com	
5	Harvey Weisberg	7440 SW 146 Ave Miami, FL 33183	305-382-0105	305-458-4067	hweisber@bellsouth.net	
6	Yvonne Campbell	8045 SW 150 Ave Miami, FL	305-752-1260		annyaamanda@hotmail.com	
7	Yvonne Von Der Osten	7610 SW 147 CT, Miami FL, 33193		305-812-1783	yvonderosten@belenjesuit.org	



Date: (Second Reading 11-01-05)
September 22, 2005

To: Honorable Chairman Joe A. Martinez and Members
Board of County Commissioners

Agenda Item No. 7(K)

From: George W. Burgess
County Manager

Subject: Ordinance Amending Ordinance No. 01-133 related to Kendall Lakes Landscape Maintenance Special Taxing District Advisory Board

RECOMMENDATION

It is recommended that the Board approve the attached Ordinance amending Ordinance No. 01-133 relating to Kendall Lakes Landscape Maintenance Special Taxing District Advisory Board. The amendment provides for the replacement of a Kendall Lakes Landscape Maintenance Special Taxing District (KLMSTD) Advisory Board member should he/she resign during his/her term of office.

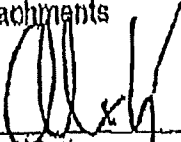
BACKGROUND

On September 13, 2001, the Board of County Commissioners (BOC) adopted Ordinance No. 01-133 creating the Kendall Lakes Landscape Maintenance Special Taxing District KLMSTD Advisory Board. The purpose of this Advisory Board is to assist the BOC and the County administration with respect to matters pertaining to the KLMSTD. The Ordinance allows residents who fund the special taxing district to have a greater voice in the planning and programs of the district.

Ordinance No. 01-133 provides for a seven member Advisory Board serving staggered office terms of no more than two years. It also provides for an office to remain vacant until the following term should an Advisory Board member resign during his/her term of office.

The 2005 Sunset Review of County Boards Report, adopted by the Chairperson and members of the KLMSTD Advisory Board on January 3, 2005, and subsequently accepted by the BOC on May 17, 2005, recommended that Ordinance No. 01-133 be amended to provide for the replacement of a member should he/she resign during his/her term of office. The proposed amendment assures maximum participation at the meetings and enables the KLMSTD Advisory Board to better serve the purpose for which it was created.

Attachments


Alex Muñoz
Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 1, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(K)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 7(k)

Veto _____

11-01-05

Override _____

ORDINANCE NO. _____

08-195

ORDINANCE AMENDING ORDINANCE NO. 01-133
RELATING TO THE KENDALE LAKES LANDSCAPE
MAINTENANCE SPECIAL TAXING DISTRICT
ADVISORY BOARD, TO ALLOW REPLACEMENT OF
AN ADVISORY BOARD MEMBER SHOULD HE/SHE
RESIGN DURING HIS/HER TERM OF OFFICE;
PROVIDING SERVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, the Kendale Lakes Landscape Maintenance Special Taxing District ("Special Taxing District") was created for the maintenance of certain common areas, green areas, and lakes within the Kendale Lakes community; and

WHEREAS, this Board created a Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board ("Advisory Board") in order to provide assistance to this Board and to the County on issues concerning the Special Taxing District; and

WHEREAS, the residents within the Special Taxing District desire to continue to participate in the process in the most positive and productive manner; and

WHEREAS, certain of the procedures pertaining to appointment of Advisory Board members has become outdated and in need of amendment to assure maximum participation,

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

Section 1. Ordinance 01-139 of the Code of Miami-Dade County, Florida, is amended to read as follows:¹

* * *

C. Nomination and Selection of Members.

* * *

(5) Vacancies. Should any Advisory Board member move out of the region for which they were nominated during the course of her or his term, but continue to reside within the Special Taxing district, then that Advisory Board member will serve out her or his term, but will not be eligible for a new term within that region, unless no resident within the region desires to be the regions nominee at the following Nomination Meeting. Should any Advisory Board member move out of the Special Taxing district during her or his term, then she or he will forfeit her or his position on the Advisory Board. Should an Advisory Board member resign during her or his term for any reason, the ~~[[position]]>>term<<will~~ [[remain vacant until the following term]]>>be filled by the next person eligible who has resided in that region the longest<<

* * *

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 provisions,

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or ~~>>double arrowed<<~~ shall constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

05-195

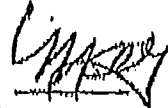
shall become and be part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective 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.

Section 6. This ordinance shall not contain a sunset provision

PASSED AND ADOPTED: NOV 03 2005

Approved by County Attorney as
to form and legal sufficiency:


DDC

Prepared by:

Diana Del Castillo

MEMORANDUM

Agenda Item No. 4(O)

TO: Hon. Chairperson and Members
Board of County Commissioners

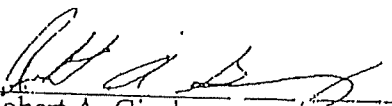
DATE: September 11, 2001

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance establishing Kendale
Lakes Landscape Maintenance
Special Taxing District Advisory
Board

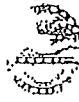
01-133

The attached ordinance was prepared and placed on the agenda at the request of
Commissioner Joe A. Martinez.


Robert A. Ginsburg
County Attorney

RAG/bw

MDC014



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: September 11, 2001

FROM: 
Steve Shiver
County Manager

SUBJECT: Ordinance Establishing a
Kendale Lakes Landscape
Maintenance Special Taxing
District Advisory Board

01-133

The ordinance establishing a Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board will have no fiscal impact on Miami-Dade County as it is anticipated that existing personnel will be able to staff the Advisory Board.

MDC015



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: September 11, 2001

FROM: Steve Shiver
County Manager

SUBJECT: Report on the Establishment of a
Kendale Lakes Landscape
Maintenance Special Taxing
District Advisory Board

01-133

Pursuant to Section 2-11.37(b) of the Code of Miami-Dade County, the following report provides information and impact of establishing a Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board, regarding these issues:

- 1. "Whether the establishment of the board will create sufficient betterment to the community to justify the Board of County Commissioners' delegation of a portion of its authority."

The purpose of this advisory board is to assist the Board of County Commissioners and the County Administration with respect to matters pertaining to the Kendale Lakes Landscaping Maintenance Taxing District. In that regard the advisory board shall formulate and recommend plans and programs for the Special Taxing District that are only within the scope of authority of the Special Taxing District.

- 2. "Whether another board or agency, either public or private, which is already in existence could serve the same purpose."

No other public or private boards or agencies presently serve as advisory boards for special taxing districts.

- 3. "The cost, both direct and indirect, of establishing and maintaining the board."

The establishment of the advisory board will have no direct or indirect cost impact on the County. Any costs incurred in the establishment or maintenance of the advisory board will be included in the special taxing district administrative overhead.

- 4. "Whether the board is necessary to enable the County to obtain State or federal grants or other financing."

The establishment of this advisory board is not a necessary requirement to enable the County to obtain State or federal grants or other financing.

- 5. "Whether the board should have bonding authority."

MDC016

3

The functional scope of the advisory board does not allow the board to have bonding authority.

6. "Whether the board should have final authority to enter into contracts and spend County funds, or whether its contracts and expenditures must be ratified by the Board of County Commissioners."

The ordinance establishing the advisory board does not include the authority to enter into any contracts and spend County funds.

7. "Whether the creation of a new board is the best method of achieving the benefit desired."

The establishment of the advisory board will allow residents who fund the special taxing district to have a greater voice in the planning and programs of the taxing district. This more direct involvement will promote a better understanding of the community needs and allow for quicker reaction to those needs.



MEMORANDUM

Hon. Chairperson and Members
Board of County Commissioners

DATE: September 11, 2001

SUBJECT: Agenda Item No. 4(O)

FROM: Robert A. Ginsburg
County Attorney

01-133

Please note any items checked.

- "4-Day Rule" (Applicable if raised)
- 6 weeks required between first reading and public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires a detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(O)
9-11-01

ORDINANCE NO. 01-133

ORDINANCE ESTABLISHING A KENDALE LAKES LANDSCAPE MAINTENANCE SPECIAL TAXING DISTRICT ADVISORY BOARD, PROVIDING FOR MEMBERSHIP, PURPOSE, ORGANIZATION AND PROCEDURE, APPOINTMENT AND TENURE, POWERS, DUTIES AND FUNCTIONS OF THE BOARD, AND STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Kendale Lakes Landscape Maintenance Special Taxing District ("Special Taxing District") was created for the maintenance of certain common areas, green areas, and lakes within the Kendale Lakes community; and

WHEREAS, the residents within the Special Taxing District desire to participate in the process by which the Special Taxing District funds are allocated and expended; and

WHEREAS, this Board desires to create a Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board ("Advisory Board") in order to provide assistance to this Board and to the County on issues concerning the Special Taxing District,

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

Section 1. The Code of Miami-Dade County shall be amended by the addition of the following new section:

- A. **Creation of the Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board.** There is hereby created and established the Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board.

B. **Composition, Terms.** Kendale Lakes Landscape Maintenance Special Taxing District Advisory Board ("Advisory Board") shall be composed of seven (7) members, each residing in one of the seven regions within the Kendale Lakes Landscape Maintenance Special Taxing District ("Special Taxing District"), as more specifically set forth below. The members shall serve staggered terms of no more than two (2) years, with no member serving for more than eight (8) consecutive years.

C. **Nomination and Selection of Members.**

(1) *Initial Advisory Board.* The Initial Advisory Board shall be established as provided in this paragraph. Within ten (10) days following the effective date of this Ordinance, the County, under the name of the County Commissioner from District 11, shall mail to each property owner and advertise for not less than two (2) consecutive weeks in both a newspaper of general circulation throughout the County and in a local neighborhood circulated newspaper, and post in not less than five (5) places within the limit of the Special Taxing District, a notice stating where and when applications (the "Applications") for the Initial Advisory Board will be available. An Application will also be included with every notice sent by mail. The Applications will be developed by the Park and Recreation Department and will require the applicant to provide her or his name, address, proof of residence within the Special Taxing District, and proof of length of residence within the Special Taxing District.

The Application deadline will be no less than three (3) weeks from the date of the advertisement and mailing.

(b) The Park and Recreation Department will collect and evaluate the Applications as provided herein. At the expiration of the Application deadline, the County Representative, as defined in Section 1(c)(3), shall select the nominees for the Initial Advisory Board using the following

criteria. The applicant within each Special Taxing District region who has resided longest within the region will be the nominee for that region. If there is no applicant for a region, then the County Representative will appoint the nominee from the remaining pool of applicants.

(c) The County Representative, by and through the Park and Recreation Department, will provide the Board of County Commissioners the slate of nominees for approval.

(d) In order to establish staggered terms for the Advisory Board, the terms of the Initial Advisory Board members will be as provided in this section. The term of the members from odd-numbered Special Taxing District regions shall serve from the date of their approval by the Board of County Commissioners until the approval of the nominees by the Board of County Commissioners following the next annual meeting provided in Section 1(c)(3) herein, irrespective of whether those members of the Advisory Board have served a full year term. The members of the Initial Advisory Board from even-numbered Special Taxing District regions shall serve from the date of their approval by the Board of County Commissioners until the approval of the nominees by the Board of County Commissioners following the annual meeting two years following the passage of this Ordinance. For example, if this Ordinance is passed in October, 2001 and the Initial Advisory Board is empanelled and approved by November, 2001, the members of the Initial Advisory Board from odd-numbered regions will serve until the nominees from odd-numbered regions selected at the May, 2002. Nomination Meeting are approved by the Board of County Commissioners. The members of the Initial Advisory Board from


even-numbered regions shall serve until the nominees from the even-numbered regions selected at the May, 2003 Nomination Meeting are approved.

- (2) *Advertisement for Nomination Meeting.* On or before May 1 of each year following the establishment of the Initial Advisory Board, the County, under the name of the County Commissioner from District 11, shall mail to each property owner and advertise for not less than two (2) consecutive weeks in both a newspaper of general circulation throughout the County and in a local neighborhood circulated newspaper, and post in not less than five (5) places within the limits of the Special Taxing District, a notice setting the date, place, and time of a public meeting of property owners and residents within the limits of the Special Taxing District for purpose of selecting nominees for the Advisory Board. The notice shall briefly describe purpose of the meeting, the responsibilities of the Advisory Board, and advise the recipients that at the meeting nominations will be received for persons from the specified Special Taxing District regions desiring to serve as members of the Advisory Board for the upcoming two (2) year term.

- (3) *Nomination Meeting.* The annual nomination meeting shall be chaired by the Park & Recreation Department Special Taxing District Manager or other designee of the Park & Recreation Department Director ("County Representative"). The County Representative shall briefly discuss the responsibilities of the Advisory Board. The County Representative will open the floor for nomination of those Special Taxing District regions with vacancies that year and shall receive the names of those nominated for each vacant Special Taxing District region, as illustrated and defined in the Special Taxing District map attached as Exhibit "A." Each even-numbered year will have nominations for odd-numbered Special Taxing District regions and vice-versa. At least one person from each vacant Special Taxing District region

shall be nominated for the Advisory Board. If more than one person from region is nominated for a single region, then the person residing in the region for the longest period of time shall become the region's nominee. If no nominee is secured for a given Special Taxing District region, then the Director of the Park & Recreation Department will appoint the nominee. The County Representative will be responsible for verifying the residence of all nominees, and if necessary, the length of residency within the Special Taxing District and specific region.

- (4) *Board Approval of Nominees.* The County Representative, by and through the Park and Recreation Department, will provide the Board of County Commissioners the slate of nominees for approval.
- (5) *Vacancies.* Should any Advisory Board member move out of the region for which they were nominated during the course of her or his term, but continue to reside within the Special Taxing District, then that Advisory Board member will serve out her or his term, but will not be eligible for a new term within that region, unless no resident within the region desires to be the region's nominee at the following Nomination Meeting. Should any Advisory Board member move out of the Special Taxing District during her or his term, then she or he will forfeit her or his position on the Advisory Board. Should an Advisory Board member resign during her or his term for any other reason, the position will remain vacant until the following term.

 **D. Officers; Quorum; Compensation.** The members of the Advisory Board shall elect a chairperson and vice chairperson, who shall serve at the will of the Advisory Board. Four (4) members of the Advisory Board shall constitute a quorum necessary to hold a meeting and take any action. A majority vote of the quorum of the Advisory Board shall be necessary to take any action. Members shall serve without compensation. The chairperson or vice chairperson may call meetings of the Advisory Board. Meetings may also be called by written notice signed by

four (4) members. The Advisory Board at any duly noticed meeting may fix and call a meeting on a future date. All meetings shall be public.

E. **Duties, Powers, and Responsibilities.** The Board shall have the following duties, powers and responsibilities:

- (1) To serve in an advisory capacity to the Board of County Commissioners, and the County administration, in respect to matters pertaining to the Special Taxing District.
- (2) To formulate and recommend plans and programs for the Special Taxing District.
- (3) The Advisory Board shall annually report to the Board of County Commissioners as to its recommendations.
- (4) To perform such other duties as may from time to time be assigned to it by resolution of the Board of County Commissioners.

F. **Support.** The County Manager, County Attorney and Clerk of the Board shall provide appropriate support for the Advisory Board.

G. **Meetings of the Board.** The Advisory Board shall hold regular meetings, no less than six times per year, and such other meetings, as it deems necessary. The Advisory Board shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-10 of the Code of Miami-Dade County.

Section 2. **Severability.** 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. **Incorporation into Miami-Dade County Code.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance 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. **Effective Date.** 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.

Section 5. **Sunset Ordinance.** This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: SEP 13 2001

Approved by County Attorney as
to form and legal sufficiency:

RLC
AO

Prepared by:

Angelique Ortega

Sponsored by Commissioner Joe A. Martinez