

MEMORANDUM

Agenda Item No. 7(B)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE:

(Second Reading 6-6-17)
April 18, 2017

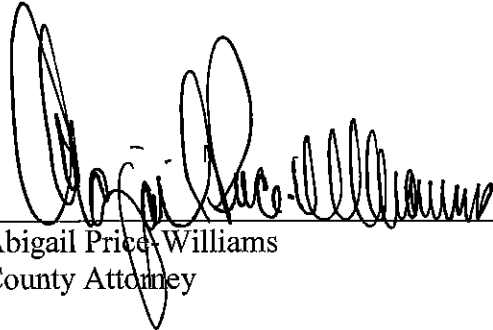
FROM: Abigail Price-Williams
County Attorney

SUBJECT:

Ordinance amending section
12-11.40 of the Code, relating
to review of Boards; requiring
that the Clerk of the Board
annually report the gender
composition of all County
Boards to the Board of County
Commissioners

Ordinance No. 17-31

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

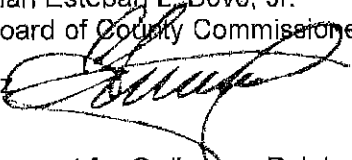


Abigail Price-Williams
County Attorney

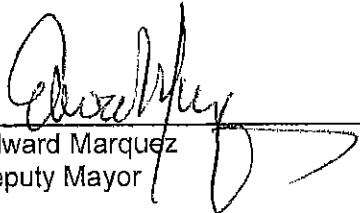
APW/jls

Memorandum



Date: June 6, 2017
To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
From: Carlos A. Gimenez 
Mayor
Subject: Fiscal Impact Statement for Ordinance Related to the Review of County Boards

The proposed ordinance related to the review of County Boards amends Section 2-11.40 of the Code of Miami-Dade County by requiring that the Clerk of the Board annually report the gender composition of all County Boards to the Board of County Commissioners. The proposed ordinance does not require additional staff resources. Therefore, implementation of the proposed ordinance will not have a fiscal impact to Miami-Dade County.


Edward Marquez
Deputy Mayor

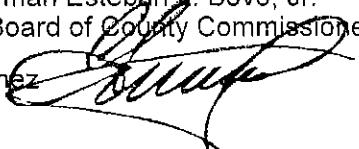
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Memorandum



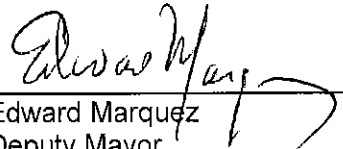
Date: June 6, 2017

To: Honorable Chairman Esteban J. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Relating to Review of County Boards

The proposed ordinance regarding the review of County Boards amends Section 2-11.40 of the Miami-Dade County Code by requiring that the Clerk of the Board annually report the gender composition of all County Boards to the Board of County Commissioners. This amendment will provide a benefit to the community by providing information on the gender composition of County boards to help increase the gender balance on County boards.


Edward Marquez
Deputy Mayor

170893



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(B)

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. 7(B)
6-6-17

ORDINANCE NO. 17-31

ORDINANCE AMENDING SECTION 2-11.40 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO REVIEW OF BOARDS; REQUIRING THAT THE CLERK OF THE BOARD ANNUALLY REPORT THE GENDER COMPOSITION OF ALL COUNTY BOARDS TO THE BOARD OF COUNTY COMMISSIONERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on September 1, 2015, this Board, pursuant to Ordinance No. 15-87 (“CEDAW Ordinance”), adopted the spirit underlying the principles of the Convention on the Elimination of All Forms of Discrimination Against Women (commonly referred to as “CEDAW”); and

WHEREAS, the CEDAW Ordinance required the Office of the Commission Auditor to gather information to identify disparities existing between men and women throughout Miami-Dade County, including to the extent permitted by law, information on sex, race, sexual orientation, immigration status, parental status, disability, and age (“Gender Equity Data”) and to provide such Gender Equity Data annually to the Miami-Dade County Commission for Women (“Commission for Women”); and

WHEREAS, specifically, the CEDAW Ordinance required that the Gender Equity Data include the categories of economic development, health and safety and education; and

WHEREAS, the Commission for Women, in turn, was to analyze the Gender Equity Data provided and to provide its analysis and recommendations annually to the County Mayor and to this Board via a report, which report would be made available to the public; and

WHEREAS, in 2016, Florida International University (“FIU”) compiled the Gender Equity Data and provided same to the Commission for Women and, on December 6, 2016, the Commission for Women issued its report and recommendations regarding same; and

WHEREAS, the Gender Equity Data compiled by FIU revealed that women comprise only 32 percent of board members in county committees; and

WHEREAS, the Gender Equity Data compiled by FIU revealed that of the 79 boards in existence for Miami-Dade County, only 15 or 19 percent have more than 50 percent female representation; and

WHEREAS, the Gender Equity Data compiled by FIU revealed that women comprise 51.5 percent of the population of Miami-Dade County; and

WHEREAS, accordingly, the first recommendation issued by the Commission for Women in its report was that there should be stronger enforcement of Resolution No. R-536-92, which calls for membership on County advisory boards to be reasonably balanced by gender to the practical extent feasible, and that the Clerk of the Board should report the gender composition of all County boards to the Board of County Commissioners on an annual basis; and

WHEREAS, this Board desires to implement the recommendation that there be an annual reporting requirement regarding gender composition of County boards; and

WHEREAS, based on FIU’s assessment of current board membership, county boards have not achieved the gender balance that the 1992 resolution mandated,

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

Section 1. Section 2-11.40 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-11.40. – “Sunset” Review of Boards.

Commencing with calendar year 2001 the initial board program category shall be reviewed and every year thereafter in the following manner:

- (a) By February 1, 2001 and by February 1 each year thereafter, each board's chairperson shall submit a report, approved by the board, to the County ~~[[Manager]]~~ >>Mayor<< setting forth the following information concerning the board:
- (1) Whether the board is serving the purpose for which it was created.
 - (2) Whether the board is serving current community needs.
 - (3) A list of the board's major accomplishments.
 - (4) Whether there is any other board, either public or private, which would better serve the function of the board.
 - (5) Whether the ordinance creating the board should be amended to better enable the board to serve the purpose for which it was created.
 - (6) Whether the board's membership requirements should be modified.
 - (7) The cost, both direct and indirect, of maintaining the board.
 - (8) Whether the County board is meeting performance measures developed to determine their effectiveness in achieving stated goals.
- (b) By March 15, 2001 and by March 15, each year thereafter, the County ~~[[Manager]]~~ >>Mayor<< shall deliver to the Board of County Commissioners the report submitted by the chairperson of each board, pursuant to subsection (a) of this section, together with the recommendation or comments that the County ~~[[Manager]]~~ >>Mayor<< submits.
- (c) By April 15, 2001 and by April 15 each year thereafter, the chairperson shall make an oral presentation to the Board of County Commissioners should it be the desire of the Board. Said presentation shall be based upon the report set forth in subsection (a) above. The Board of County Commissioners shall evaluate the chairperson's

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.

report, the County ~~[[Manager]]~~ >>Mayor's<< recommendations and any other information it deems relevant to determine whether the board shall continue in its present form.

- (d) The Board of County Commissioners shall determine whether to abolish, continue, consolidate or modify the board.
- (e) At the conclusion of this review process, affected County departments must follow up on the Board of County Commissioners' action and, if necessary, prepare the appropriate legislation to abolish, consolidate or modify a board if it is not continued in its present form.
- (f) ~~[[Reserved.]]~~ >>By March 15, 2018 and by March 15 each year thereafter, the Clerk of the Board shall deliver to the Board of County Commissioners a written report setting forth the gender composition of each County board then in existence. The Clerk of the Board shall submit its report for placement on an agenda of a meeting of the Board of County Commissioners.<<
- (g) The following board categories shall be reviewed in the following years and every other year thereafter:
- (i) 2001: Policy Formulation, General Government, Internal Support, Culture and Recreation, and Physical Environment
 - (ii) 2002: Protection of People and Property, Transportation, and Health and Human Services
- (h) All existing and newly created boards shall be administratively placed in the appropriate program category under subsection (g) above.
- (i) Any proposed Miami-Dade County ordinance or resolution creating a board must be accompanied by a report from the County ~~[[Manager]]~~ >>Mayor's<< Office setting forth the following information concerning the board:
- (1) Whether there is a need for the proposed board.
 - (2) Whether the purpose of the proposed board could be accomplished in any other manner.
 - (3) The cost both direct and indirect of creating and maintaining such a board.
 - (4) A clear statement of the mission, desired outcomes and strategies for accomplishing such outcomes, and performance measures to assess whether such outcomes are being achieved. Such outcomes specified shall be measurable, concrete and specific.
 - (5) A date when the ordinance creating the board shall be repealed, contingent upon the completion of a review by the County ~~[[Manager]]~~ >>Mayor<< and the

Board of County Commissioners prior to said repeal date, to determine its effectiveness in achieving stated goals and to revise or modify program components for the full achievement of said goals. No board shall be created whose date for repeal is greater than five (5) years from the effective date of the enacting ordinance.

- (j) Any and all boards created pursuant to state or federal law shall be exempt from the requirements of Sec. 2-11.40.

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 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 4. 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: June 6, 2017

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

MRP

Monica Rizo Perez

Prime Sponsor: Commissioner Daniella Levine Cava