

## MEMORANDUM

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<b>TO:</b>	Honorable Chairman Anthony Rodríguez and Members, Board of County Commissioners	<b>DATE:</b>	Agenda Item No. 7(B) (Second Reading: 12-3-24) September 4, 2024
<b>FROM:</b>	Geri Bonzon-Keenan County Attorney	<b>SUBJECT:</b>	Ordinance relating to the Elder Affairs Advisory Board; amending sections 2-2381 and 2- 2383 of the Code; revising the minimum age for a person to be eligible to serve on the board, increasing the number of board members, and providing appointment process for certain board members; making technical revisions

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Ordinance No. 24-137

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.

  
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Geri Bonzon-Keenan  
County Attorney

GBK/uw

# Memorandum



**Date:** December 3, 2024

**To:** Honorable Chairman Anthony Rodríguez  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

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

**Subject:** Fiscal Impact Statement for Ordinance Relating to the Elder Affairs Advisory Board Amend  
Sec 2-2381 and 2-2383

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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 "C. Burgos".

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Cathy Burgos  
Chief Community Services Officer

# Memorandum



**Date:** December 3, 2024

**To:** Honorable Chairman Anthony Rodríguez  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

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

**Subject:** Social Equity Statement for the Ordinance Amending the Miami-Dade County Elder Affairs Advisory Board; Amending Sections 2-2381 and 2-2383 of the Code of Miami-Dade County, Florida #241414

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The proposed ordinance amending Sections 2-2381 and 2-2383 of the Code of Miami-Dade County (Code) provides for the revision of the minimum age for a person to be eligible to serve on the Miami-Dade County Elder Affairs Advisory board (EAAB), from 55 years of age to 50 years of age and increases the total membership of the EAAB from 15 members to a total of 19 members. The proposed ordinance also seeks to amend Sections 2-2381 and 2-2383 by deleting mentions of “elderly” or “Elderly” with “Older adult” or “older adult” so as to update the ordinance language to be more inclusive and respectful for the subject matter population. This shift aims to avoid negative stereotypes and promote a more positive and inclusive view on aging.

The duties, powers, and responsibilities of the EAAB are to advise the Miami-Dade County Mayor and the Board of County Commissioners on issues related to the County’s programs as they relate to services and facilities, including transportation, healthcare, parks and housing for older adults. The EAAB also serves as a liaison with the older adult community, which allows for engagement and outreach that seeks to gather community input and address their needs. Additionally, the EAAB recommends activities and programs that promote a healthy lifestyle and enhance the quality of life for elderly persons. The EAAB advises on all other policy matters related to the older adult community as requested by the County Mayor, or the Board of County Commissioners. Lastly, the EAAB is required to report annually to the Board of County Commissioners on its activities and recommendations.

The proposed amendments to the ordinance will benefit the community by increasing the amount of seats on the EAAB, including revising the minimum age of the EAAB to 50 years of age. This proposed change allows for a larger range of interested individuals to seek membership on the board, which aids in board member recruitment, and allows for a deeper level of engagement on the board. The proposed increased number of members on the board to a total of 19 has the added effect of creating more seats on the board, which allows for a larger number of interested residents to serve and provide further input on the EAAB.

These proposed changes aim to increase resident input, ensuring the County Mayor and Commissioners stay informed about the needs of older adults in Miami-Dade County.

A handwritten signature in black ink that appears to read "Cathy Burgos".

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Cathy Burgos, LCSW  
Chief Community Services Officer



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Anthony Rodríguez  
and Members, Board of County Commissioners

**DATE:** December 3, 2024

**FROM:**   
Glen Bonzon-Keenan  
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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5’s \_\_\_\_, unanimous \_\_\_\_, majority plus one \_\_\_\_, 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) \_\_\_\_, 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(B)  
12-3-24

ORDINANCE NO.      24-137

ORDINANCE RELATING TO THE ELDER AFFAIRS ADVISORY BOARD; AMENDING SECTIONS 2-2381 AND 2-2383 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE MINIMUM AGE FOR A PERSON TO BE ELIGIBLE TO SERVE ON THE BOARD, INCREASING THE NUMBER OF BOARD MEMBERS, AND PROVIDING APPOINTMENT PROCESS FOR CERTAIN BOARD MEMBERS; MAKING TECHNICAL REVISIONS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, the age when a person transitions from young adult to middle aged or older person varies greatly depending on the entity defining the age; and

**WHEREAS**, for instance, individuals qualify for Medicare and certain ad valorem property tax exemptions at the age of 65, the age at which people may begin receiving social security benefits is 62, and other programs, such as the County's Senior Homeowners Assistance Repair Program require an individual to be at least 60 years old to participate; and

**WHEREAS**, further, state law authorizes age-related restrictions in certain housing for persons who are 55 or older and the AARP offers age-restricted benefits to anyone who is aged 50 or older; and

**WHEREAS**, the Miami-Dade County Elder Affairs Advisory Board is charged with serving as a liaison between the older adult community and this Board and the County Mayor on matters that affect older adults in our community; and

**WHEREAS**, when the Elder Affairs Advisory Board was initially established, the minimum age for membership was 62; it was later decreased to 55; and

**WHEREAS**, at the January 2024 Elder Affairs Advisory Board meeting, members of the board voted to increase its membership to include four at-large members and reduce the age for eligibility to serve on the board from 55 to 50; and

**WHEREAS**, irrespective of whether a person is 50 or 62 years old, this Board welcomes the advice of older adults with varied life experiences to inform future Board initiatives that could impact Miami-Dade County's older adult community; and

**WHEREAS**, this Board supports the Elder Affairs Advisory Board and its desire to reduce the eligible age for service on the board from 55 to 50 years of age and add four additional members to serve on the board,

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

**Section 1.** Section 2-2381 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**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]]~~ >>19<< 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~~[[.]]~~>>; and (4) the remaining four members shall be appointed by the board after being nominated by the 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 Elder Affairs Advisory Board, subject to compliance with the requirements of Section 2-11.38.1(b)

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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.

of the Code of Miami-Dade County, Florida, 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 its successor to advertise vacancies occurring on the Elder 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.<<

~~[[The members]]~~ >>Members of the board<<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]]~~ >>older adult community<< and shall be at least ~~[[55]]~~ >>50<< years of age. Board members shall serve four-year terms, and no member may serve >>on the board for<< more than eight consecutive years ~~[[in accordance with Section 2-11.38.2, as may be amended]]~~.

**Section 2.** Section 2-2383 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**2-2383. Duties; powers; responsibilities.**

The board shall have the following duties, powers and responsibilities:

- (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]]~~ >>older adults<<, including but not limited to, transportation/mobility services, health care services, parks programming, including silver services programming, and affordable housing.
- (2) The board shall serve as a liaison with the ~~[[elderly]]~~ >>older adult<< community. This relationship will enable outreach with the ~~[[elderly]]~~ >>older adult<< community and receipt of input on the needs of the ~~[[elderly]]~~ >>older adult<< community that may be addressed by the County.

- (3) The Board shall recommend activities or programming that promote a healthy lifestyle and enhance the quality of life for ~~[[elderly persons]]~~ >>older adults<<.
- (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]]~~ >>older adult<< 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.
- (5) The board shall report at least annually to the Board of County Commissioners as to its activities and recommendations.

**Section 3.** 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 4.** 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 5.** 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:

December 3, 2024

Approved by County Attorney as  
to form and legal sufficiency:

EWY for

Prepared by:

SG

Shanika A. Graves

Prime Sponsor: Senator René García