

**Miami-Dade County Charter Review Task Force Agenda**  
**Official Version**  
**Friday, September 5, 2025**  
**1:00 PM**  
**Commission Chambers**

- I. Roll Call
- II. Pledge of Allegiance
- III. Reasonable Opportunity for the Public to be Heard
- IV. Carry Over Discussion – Amendments relating to Constitutional Officers
  - A. Office of the Inspector General
  - B. Office of the Commission Auditor
  - C. Internal Compliance Department
  - D. Office of Management & Budget
- V. Overview of Draft Amendments relating to Constitutional Officers
- VI. Proposed Technical Amendment Overview
- VII. Discussion on Amendments regarding the Structure of County Government
- VIII. Other Discussion Items
- IX. Adjournment

Attachments:

Exhibit A: Proposed Technical Amendment Overview

Exhibit B: Proposed Office of Management & Budget Amendment

**Update gender terminology (change “he” to “he or she” as was done in other sections) (Sections 1.05; 5.06; 8.02; 9.01; etc.)**

**SECTION 1.05. FORFEITURE OF OFFICE OF COUNTY ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES.**

A. Any member of the Board of County Commissioners who ceases to be a qualified voter of the county or removes himself from the county or the district from which he **or she** was elected, or who fails to attend meetings without good cause for a period of six months, shall immediately forfeit his **or her** office. Any Commissioner who ceases to reside in the district which he **or she** represents shall also immediately forfeit his office.

B. Any elected or appointed county official who holds any other elective office, whether federal, state or municipal, shall forfeit his **or her** county position, provided that the provisions of this subsection shall not apply to any officials presently holding such other office during the remainder of the present terms.

**SECTION 5.06. DEPARTMENT OF LAW.**

There shall be a County Attorney appointed by the Board of County Commissioners, subject to veto by the Mayor unless overridden by a two-thirds majority of those Commissioners then in office who shall serve at the will of the Board and who shall head the department of law. He **or she** shall devote his full time to the service of the county and shall serve as legal counsel to the Board, Mayor, and all county departments, offices, and agencies, and perform such other legal duties as may be assigned to him **or her**. He **or she** may appoint such assistants as may be necessary in order that his duties may be performed properly. The Board may employ special counsel for specific needs.

**SECTION 8.02. RECALL.**

6. If the majority is against recall the officer shall continue in office under the terms of his previous election. If the majority is for recall he **or she** shall, regardless of any defect in the recall petition, be deemed removed from office immediately.

7. No recall petition against such an officer shall be certified within one year after he **or she** takes office nor within one year after a recall petition against him is defeated.

**SECTION 9.01. ABOLITION OF CERTAIN OFFICES AND TRANSFER OF FUNCTIONS.**

B. In the event that other elective officers are abolished by the Board, the Board shall provide that any person duly elected to such office shall if he **or she** so desires remain in the same or similar position and receive the same salary for the remainder of the term for which he **or she**

was elected, and shall provide for the continuation of all duties and functions of these offices required under the Constitution and general laws.

**Update names throughout, for example “Dade County” to “Miami-Dade County” and dated Park names in Article 7 (§§ 1.05; 5.08, 7.02, 7.03, 9.06)**

**CITIZENS’ BILL OF RIGHTS**

(B). The foregoing enumeration of citizens’ rights vests large and pervasive powers in the citizenry of Miami-Dade County. Such power necessarily carries with it responsibility of equal magnitude for the successful operation of government in the County. The orderly, efficient and fair operation of government requires the intelligent participation of individual citizens exercising their rights with dignity and restraint so as to avoid any sweeping acceleration in the cost of government because of the exercise of individual prerogatives, and for individual citizens to grant respect for the dignity of public office.

(C). Remedies for Violations. A citizen may bring a cause of action alleging a violation of this Article filed in the Miami-Dade County Circuit Court pursuant to its general equity jurisdiction and if successful, shall be entitled to recover costs as fixed by the Court. The Commission on Ethics and Public Trust may also enforce the provisions of this Article and may impose any penalty authorized by County Code not otherwise prohibited by a collective bargaining agreement, for a violation of this Article. Any penalty imposed by the Commission on Ethics and Public Trust pursuant to this subsection may be enforced in the Miami-Dade County Circuit Court.

**SECTION 1.05. FORFEITURE OF OFFICE OF COUNTY ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES.**

C. Any appointed official or employee of Miami-Dade County who qualifies as a candidate for election to any federal, state or municipal office shall immediately take a leave of absence from his or her county position until the date of the election and shall, if elected, immediately forfeit his or her county position. If the candidate is not elected, he or she shall immediately be reinstated to his or her former position.

**SECTION 5.05. DEPARTMENT OF PERSONNEL.**

C. Except as provided herein, Chapter 30255, General Laws, 1955, as it exists on the effective date of this Charter, shall remain in effect until amended or changed by ordinance of the Board of County Commissioners adopted by two-thirds vote of the members present after recommendation from either the Personnel Advisory Board or the County Mayor.

**SECTION 5.08. BOARDS.**

B. The Board of County Commissioners may by ordinance provide for the expansion of the City of Miami Water and Sewer Board to an agency countywide in scope and authority, with the power to

acquire, construct and operate water and sewer systems within the incorporated and the unincorporated areas of Miami-Dade County, which agency shall be known as the Miami-Dade Water and Sewer Authority. The Miami-Dade Water and Sewer Authority shall have the responsibility to develop and operate a countywide water and sewer system for the purpose of providing potable water, sewage collection and disposal and water pollution abatement to the citizens of Miami-Dade County.

C. Miami-Dade County shall retain all its powers, including but not limited to that of eminent domain, in relation to the creation of a county-wide water and sewer system.

## **SECTION 7.02. RESTRICTIONS AND EXCEPTIONS.**

In furtherance of this policy parks shall be [...] in their present state, such as Matheson Hammock Park, Greynolds Park, Redlands Fruit and Spice Park, Castellow Hammock Preserve, Crandon Park, Trail Glades Park, Charles Deering Estate Park, Pine Shore Pineland Preserve Park, Old Cutler Hammock, Chapman Field Park, Tamiami Pinelands, Wainright Park, Larry and Penny Thompson Park, Whispering Pines Hammock Preserve, Mangrove Preserve, Camp Owaissa Bauer Park, Fuchs Hammock Park, Black Point Park and Marina, Simpson Park, E.G. Sewell Park, A.D. Barnes Park, Virginia Key, mangrove preserves, and all other natural or historical resource based parks do not lose their natural or historical values, any structure, lease, license, renewal, extension, concession or use in any of this class of public parks or in aquatic preserves and preservation lands must be approved by an affirmative vote of two-thirds of the voters in a County-wide referendum.

N. [...] No park facilities, golf courses, or County lands acquired for preservation shall be converted to or used for non-park offices, purposes, or uses. The County, the municipalities, and agencies or groups receiving any public funding shall not expend any public money or provide any publicly funded services in kind to any project which does not comply with this Article. No building permit or certificate of occupancy shall be issued for any structure in violation of this Article. The restrictions applying to parks in this Article shall not apply to the Dade County Youth Fair site at Tamiami Park and to any expansion of Florida International University onto no more than 64 acres therein upon the relocation of the Miami-Dade County Fair and Exposition, Inc. No County funds shall be used for the University's expansion and for the required relocation of the Miami-Dade County Fair & Exposition, Inc. The restrictions applying to parks in this Article shall also not apply to Zoo Miami Metro Zoo, Tamiami Stadium, Haulover Fishing Pier, the Miami-Dade County Auditorium, Phillip and Patricia Frost Museum of Science ~~the Museum of Science~~, the Gold Coast Railroad Museum, Vizcaya Museum and Gardens, Trail Glade Range, Marlins Park ~~the Orange Bowl~~, ~~the Commodore Ralph Munroe Miami~~ Marine Stadium, the Miami Seaquarium, Curtis Park track and stadium, Fairchild Tropical Botanic Gardens, the Miami-Dade County Regional Soccer Park on NW 58th Street, and mini and neighborhood parks except that no mini or neighborhood park may be leased or disposed of unless a majority of the residents residing in voting precincts any part of which is within 1 mile of the park authorize such sale or lease by majority vote in an election.

**SECTION 7.03. ENFORCEMENT AND CONSTRUCTION.** All elections required by this Article shall be held either in conjunction with state primary or general elections or as part of bond issue elections. The provisions of this Article may be enforced by a citizen alleging a violation of this Article filed in the Miami-Dade County Circuit Court pursuant to its general equity jurisdiction, the plaintiff, if successful, shall be entitled to recover costs as fixed by the Court. The provisions of this Article shall be liberally construed in favor of the preservation of all park lands, aquatic preserves, and preservation lands. If any provision of this Article shall be declared invalid it shall not affect the validity of the remaining provisions of this Article. This Article shall not be construed to illegally impair any previously existing valid written contractual commitments or bids or bonded indebtedness.

**SECTION 9.07. AMENDMENTS.** A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Miami-Dade County at the time the petition is submitted. An initiative petition to amend this Charter shall be submitted, together with proposed ballot language, to the Clerk of the Circuit Court, who shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire. Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.

**SECTION 9.06. EFFECT OF THE CHARTER.**

(7) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the ~~Railroad and Public Utilities Commission~~ Florida Public Service Commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Miami-Dade County as shall be conferred upon them in regard to other counties

**Inconsistent capitalization of County, hyphens, and use of the thousand separator in numbers (for example, 1500 in 7.01 and 7.02(B) versus 1,000 in 7.02(C), Countywide and County-wide, etc.)**

**SECTION 7.01. POLICY.**

Parks, aquatic preserves, and lands acquired by the County for preservation...and in parks along the Ocean or the Bay the public's access to and view of the water shall not be obstructed or impaired by buildings or other structures or concessions which are in excess of 1,500 square feet each. Adequate maintenance shall be provided.

B. Food and concession facilities each not in excess of 1,500 square feet of enclosed space, with any complementary outdoor or covered areas needed to service park patrons;

C. User-participation non-spectator recreation and, playground facilities, golf courses and golf-course related facilities, and bandstands and band shells containing less than 1,000 spectator seats and athletic facilities, sports fields and arenas containing less than 3,000 spectator seats;

**Inconsistent use of number parentheticals in Section 6.05 compared to the rest of the document either remove them or add them to all of the numbers in the Charter**

1. An incorporation committee composed of a minimum of five (5) electors from the proposed area of incorporation will initiate the process by filing with the Clerk of the Circuit Court an initiatory petition on a form prescribed by the Clerk for such purpose. The form shall identify the names and addresses of the Incorporation Committee members and describe the proposed incorporation area. The form of the petition shall prominently state that a budgetary analysis and a copy of the proposed charter will be distributed to the electors within the area and made available, as required by this section. Within seven (7) days of receipt of the form, the Clerk will determine if the form is acceptable and if it is acceptable shall approve the form of petition and provide the Incorporation Committee the total number of the electors within the proposed incorporation area and the number of required signatures which shall be equal to twenty percent (20%) of the electors in the proposed incorporation area and shall notify the Board of County Commissioners... During such ninety (90) day period, the incorporation committee shall hold at least three public hearings on the proposed municipal charter, in three different locations in the area proposed to be incorporated, notice of which shall be mailed to all electors within the area proposed for incorporation.

2. (a) No later than ninety (90) days from the date of approval of the above form by the Clerk, the Board of County Commissioners shall review the appropriateness of the petition for incorporation and proposed municipal charter and recommend any changes to the...

3. The Incorporation Committee will have six (6) months from the date by which the Board was required to have reviewed the incorporation petition to obtain signatures equal to twenty percent (20%) of the electors in the proposed incorporation area, with signatures on

a petition provided by the Clerk. The petition shall require the name, address and signature of the elector and such signatures shall be notarized.

4. The signed petitions will be submitted to the Supervisor of Elections, who shall have thirty (30) days to canvass the signatures contained therein.

5. Upon certification of the sufficiency of the signatures on the petition, the Supervisor of Elections shall present the petition to the Board of County Commissioners at their next regularly scheduled meeting. After conducting a public hearing at such meeting, the Board of County Commissioners shall decide whether or not to call an election to authorize the creation of a city and approve a municipal charter for the proposed municipality. If the Board decides to call an election to authorize the creation of the municipality and approve the municipal charter, such election shall occur no sooner than ninety (90) and no greater than one hundred twenty (120) days from the date the Supervisor of Elections certifies the signatures.

6. During the sixty (60) days following the certification of the petition, the Board shall complete a budgetary analysis in cooperation with the Incorporation Committee of and on the proposed incorporation area and schedule at least one public hearing prior to the incorporation election.

SECTION 5.03. ~~FINANCIAL ADMINISTRATION~~ >> MANAGEMENT AND BUDGET <<

A. ~~The department of finance shall be headed by a finance director appointed by the Mayor and the Clerk of the Circuit and County Courts. The finance director shall have charge of the financial affairs of the county~~ >> The Mayor shall serve as the County Budget Officer and shall carry out such duties in accordance with state law. The Mayor may delegate any budgetary responsibilities, powers, or duties to the Director of the Office of Management and Budget or such other designee as the Mayor deems appropriate. <<

B. Between June 1 and July 15, the County Mayor should prepare a proposed budget containing a complete financial plan, including capital and operating budgets, for the ensuing fiscal year. The budget prepared and recommended by the Mayor, shall be presented by the Mayor or his or her designee to the Commission on or before the Board adopts tentative millage rates for the ensuing fiscal year. A summary of the budget shall be published and the Board shall hold hearings on and adopt a budget on or before the dates required by law.

C. No money shall be drawn from the county treasury nor shall any obligation for the expenditure of money be incurred except pursuant to appropriation and except that the Board may establish working capital, revolving, pension, or trust funds and may provide that expenditures from such funds can be made without specific appropriation. The Board, by ordinance, may transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund, or agency to another, subject to the provisions of ordinance. Any portion of the earnings or balance of the several funds, other than sinking funds for obligations not yet retired, may be transferred to the general funds of the county by the Board.

D. Contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. Formal sealed bids shall be secured for all such contracts and purchases when the transaction involves more than the minimum amount established by the Board of County Commissioners by ordinance. The transaction shall be evidenced by written contract submitted and approved by the Board. The Board, upon written recommendation of the Mayor, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county. Notwithstanding any other provision of the Charter to the contrary, in circumstances where the Mayor informs the Chairperson of the Board of County Commissioners in writing that he or she has a conflict of interest in the solicitation, evaluation, award, or recommendation of award of a contract, the Chairperson <sup>26</sup>of the Board of County Commissioners and not the Mayor shall have all authority provided by this Charter or the Board to solicit, evaluate, award or recommend the award of such contract including, but not limited to, the authority to recommend a bid waiver in writing.

E. Any county official or employee of the county who has a special financial interest, direct or indirect, in any action by the Board shall make known that interest and shall refrain from voting upon or otherwise participating in such transaction. Willful violation of this Section shall constitute malfeasance in office, shall effect forfeiture of office or position, and render the transaction voidable by the Board.

F. Such officers and employees of the county as the Board may designate shall give bond in the amount and with the surety prescribed by the Board. The bond premiums shall be paid by the county.

G. At the end of each fiscal year the Board shall provide for an audit by an independent certified public accountant designated by the Board of the accounts and finances of the county for the fiscal year just completed.

H. The Budget Commission created by Chapter 21874, Laws of Florida, 1943, is hereby abolished, and Chapter 21874 shall no longer be of any effect.