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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Ordinance No. 10-45

Agenda Item No. 5(G)

(Public Hearing 7-8-10)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 18, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance amending various sections of the Code to provide that the Office of the Chairperson, rather than the County Mayor and County Manager shall provide supervision over and support for the Community Relations Board, the Commission for Women, the Miami-Dade County Hispanic Affairs Advisory Board and the Miami-Dade County Asian-American Advisory Board

O-10-45

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: July 8, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending Sections 2-207, 2-265, 2-535, 2-835, and 2-1090 of the Code of Miami-Dade County

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Ordinance amending Sections 2-207, 2-265, 2-535, 2-835, and 2-1090 regarding supervision of the staff supporting the Community Relations Board, the Commission for Women, the Hispanic Affairs Advisory Board, the Black Affairs Advisory Board, and the Asian-American Advisory Board will have no fiscal impact to the County. The proposed amendment moves the appropriations and functions to the Office of the Chairperson of the County Commission.

Irene Taylor-Wooten,
Special Assistant

Fis05410

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 8, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(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**

_____ **Ordinance creating a new board requires detailed County Manager'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. 5(G)
7-8-10

ORDINANCE NO. 10-45

ORDINANCE AMENDING SECTIONS 2-207, 2-265, 2-535, 2-835, AND 2-1090 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT THE OFFICE OF THE CHAIRPERSON OF THE COUNTY COMMISSION, RATHER THAN THE COUNTY MAYOR AND COUNTY MANAGER, SHALL PROVIDE SUPERVISION OVER AND SUPPORT FOR THE COMMUNITY RELATIONS BOARD, THE COMMISSION FOR WOMEN, THE MIAMI-DADE COUNTY HISPANIC AFFAIRS ADVISORY BOARD, THE MIAMI-DADE COUNTY BLACK AFFAIRS ADVISORY BOARD, AND THE MIAMI-DADE COUNTY ASIAN-AMERICAN ADVISORY BOARD; AMENDING THE FISCAL YEAR 2009-10 COUNTYWIDE GENERAL FUND BUDGET; REMOVING APPROPRIATED FUNDING, REVENUE AND POSITIONS FROM THE OFFICE OF COMMUNITY ADVOCACY AND APPROPRIATING SAME FUNDING, REVENUE AND POSITIONS TO THE OFFICE OF THE CHAIR; RESCINDING ADMINISTRATIVE ORDER NO. 9-2 RELATING TO THE OFFICE OF COMMUNITY RELATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Section 1. The Fiscal Year 2009-10 Countywide General Fund budget, as further amended, is amended to remove $1.298 million of the total appropriation to the Office of Community Advocacy for the Community Relations Board, the Hispanic Advisory Board, the Black Affairs Advisory Board, the Asian Advisory Board and the Commission for Women, together with the revenues supporting such appropriation and 9 budgeted positions, and said amount, revenues and budgeted positions shall be appropriated to the Office of the Chair, all in accordance with Exhibit A attached hereto and incorporated herein by this reference.

Section 2. Section 2-207 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows[1]:

Sec 2-207. >>Supervision and<< Support.

[[~~The Executive Director and staff of the Community Relations Board shall be provided for in an administrative order prepared by the County Manager and approved by the Board of County Commissioners. Administrative~~]] >>The Office of the Chairperson of the County Commission shall provide appropriate support for<< [[~~Oversight of~~]] the Community Relations Board [[~~staff shall be the responsibility of the County Manager~~]]. >>The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Community Relations Board, and such assistants, employees, and personnel shall serve at the will of the Chairperson of the County Commission.<<

Section 3. Section 2-265 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec 2-265. Commission for Women.

The Miami-Dade County Commission for Women is hereby created and established. The Commission shall consist of twenty-seven (27) members appointed by the County Commission. >>The Office of the Chairperson of the County Commission shall provide appropriate support for the Commission for Women. The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Commission for Women, and such assistants, employees, and personnel shall serve at the will of the Chairperson of the County Commission.<<

Section 4. Section 2-535 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec 2-535. >>Supervision and<< Support.

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[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.

The >>Office of the Chairperson of the County Commission<< [[~~County Manager~~]], County Attorney and Clerk of the Board shall provide appropriate support for the Hispanic Affairs Advisory Board. >>The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Hispanic Affairs Advisory Board, and such assistants, employees, and personnel shall serve at the will of the Chairperson of the County Commission.<<

Section 5. Section 2-835 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec 2-835. >>Supervision and<< Support.

The >>Office of the Chairperson of the County Commission<< [[~~County Manager~~]], County Attorney and Clerk of the Board shall provide appropriate support for the Black Affairs Advisory Board. >>The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Black Affairs Advisory Board, and such assistants, employees, and personnel shall serve at the will of the Chairperson of the County Commission.<<

Section 6. Section 2-1090 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec 2-1090. >>Supervision and<< Support.

The >>Office of the Chairperson of the County Commission<< [[~~County Manager~~]], County Attorney and Clerk of the Board shall provide appropriate support for the Asian>>-American<< Advisory Board. >>The Chairperson of the County Commission shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the Asian-American Advisory Board, and such assistants, employees, and personnel shall serve at the will of the Chairperson of the County Commission.<<

Section 7. Administrative Order No. 9-2 entitled "Office of Community Relations" is hereby rescinded in its entirety.

Section 8. 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 9. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of Sections 2 through 6 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 re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 10. All provisions of 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. In the event all or any particular component of Section 1 of this ordinance are vetoed, the remaining components, if any shall become effective ten (10) days after the date of enactment and the components vetoed shall become effective only upon override of this Board.

PASSED AND ADOPTED: July 8, 2010

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Geri Bonzon-Keenan

Prime Sponsor: Vice-Chairman Jose "Pepe" Diaz

COUNTYWIDE GENERAL FUND
(Fund 010, Subfund 010)

Revenues	2009-10
Previously Approved Revenues (Board of County Commissioners)	$21,741,000
Transfer from Fund 30, Subfund 048 (Office of Community Advocacy)	1,298,000
Total	$23,039,000

Expenditures:	
Previously Approved Expenditures (Board of County Commissioners)	$21,741,000
Transfer of Expenditure from Fund 30, Subfund 48 (Office of Community Advocacy)	1,298,000
Total	$23,039,000

OFFICE OF COMMUNITY ADVOCACY
(Fund 030, Subfund 048)

Revenues:	2009-10
Previously Approved Revenues	$1,298,000
Transfer to Board of County Commissioners (Office of the Chair)	(1,298,000)
Total	$0

Expenditures:	
Previously Approved Expenditures	$1,298,000
Transfer of Expenditures to Board of County Commissioners (Office of the Chair)	(1,298,000)
Total	$0