

MEMORANDUM

Agenda Item No. 7(D)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: (Second Reading 1-20-21)
October 6, 2020

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Ordinance relating to the
Hispanic Affairs Advisory
Board; amending section
2-532 of the Code; revising the
composition and terms of office
for members of the Hispanic
Affairs Advisory Board;
repealing provisions relating
to the nominating committee
and vacancies on the advisory
board; making technical changes

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
Successor County Attorney

GBK/smm

Memorandum



Date: October 6, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over the name in the "From" field.

Subject: Fiscal Impact Statement for Ordinance Relating to the Hispanic Affairs Advisory Board

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

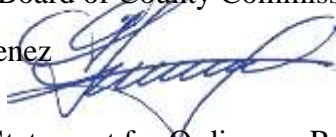
A handwritten signature in blue ink, appearing to read "Edward Marquez", written over the name in the signature block.

Edward Marquez
Deputy Mayor

FIS00121 201929

Date: October 6, 2020

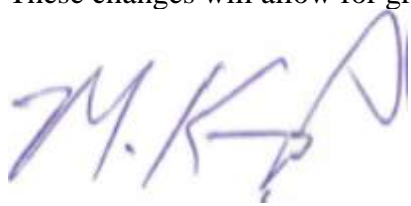
To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Related to the Hispanic Affairs Advisory Board

The proposed ordinance amends Sections 2-532 of the Code of Miami-Dade County (Code), revising the composition and terms of office for members of the Hispanic Affairs Advisory Board (HAAB) and repealing provisions relating to the nominating committee and vacancies on the advisory board

The proposed amendment will allow each County Commissioner to appoint two members to the HAAB and to conform the term of office for HAAB members to section 2-11.38.2 of the Code. These changes will allow for greater diversity and public participation.



Maurice L. Kemp
Deputy Mayor




MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: January 20, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 7(D)

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 ____, 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) ____, or 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(D)

1-20-21

ORDINANCE NO. _____

ORDINANCE RELATING TO THE HISPANIC AFFAIRS ADVISORY BOARD; AMENDING SECTION 2-532 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE COMPOSITION AND TERMS OF OFFICE FOR MEMBERS OF THE HISPANIC AFFAIRS ADVISORY BOARD; REPEALING PROVISIONS RELATING TO THE NOMINATING COMMITTEE AND VACANCIES ON THE ADVISORY BOARD; MAKING TECHNICAL CHANGES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on May 19, 1992, the Board of County Commissioners (the “Board”) adopted Ordinance No. 92-41, establishing the Miami-Dade County Hispanic Affairs Advisory Board (“HAAB”), which is codified in article L of chapter 2 of the Code of Miami-Dade County, Florida; and

WHEREAS, among other things, the HAAB has knowledge of and advises the Board on matters of interest to Miami-Dade County’s Hispanic community; and

WHEREAS, this Board wishes to amend provisions of the Code pertaining to composition of and terms of office for members of the HAAB to (1) allow each County Commissioner to appoint two members to the HAAB and (2) conform the term of office for HAAB members to section 2-11.38.2 of the Code,

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

Section 1. Section 2-532 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

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.

Sec. 2-532. - Composition; terms>> membership<<.

The Miami-Dade County Hispanic Affairs Advisory Board (“the board”), in accordance with the provisions of ~~[[Section]]~~ >>section<< 2-11.38 of the Code of Miami-Dade County >(“Code”)<< as may be amended, shall be composed of twenty-six (26) members who shall be permanent residents and electors of the ~~[[county]]~~ >>County<< and who shall have a knowledge of and interest in the ~~[[county’s]]~~ >>County’s<< Hispanic community. Each ~~[[county commissioner]]~~ >>County Commissioner<< shall appoint ~~[[one member]]~~ >>two members<< to the board~~[[, and the other thirteen (13) members shall be nominated by a nominating committee. The nominating committee shall be comprised of existing members of the board as selected by majority vote 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 Hispanic Affairs Advisory Board, subject to compliance with the requirements of Section 2-11.38.1(b) of the Code of Miami-Dade County, 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 successor department to advertise vacancies occurring on the Hispanic 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]].~~

~~[[All appointments shall be made for a term of four years. No member may serve more than eight (8) consecutive years. This section shall apply to all board members, except that current board members shall be allowed to complete their current terms.]]~~ >>Section 2-11.38.2 of the Code, as such may be amended from time to time, shall govern the terms of office of board members.<<

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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:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Shanika A. Graves

Prime Sponsor: Commissioner Rebeca Sosa