


MEMORANDUM

Agenda Item No. 7(E)

TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	DATE:	(Second Reading: 7-7-22) April 5, 2022
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance relating to planning; amending section 2-110 of the Code; revising the length of terms for the Chairperson and Vice Chairperson of the Planning Advisory Board; removing prohibition on Planning Advisory Board members serving as Chairperson and Vice Chairperson sooner than six months after serving in either position

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: July 7, 2022

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Amending Leadership Terms for Planning
Advisory Board Members


The proposed ordinance amends the terms of the chairperson and vice chairperson for the Planning Advisory Board. The proposed ordinance will not have a fiscal impact to the County.

A handwritten signature in blue ink, reading "Jimmy Morales".

Jimmy Morales
Chief Operations Officer


Memorandum



Date: July 7, 2022
To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners
From: Daniella Levine Cava 
Mayor
Subject: Social Equity Statement for Ordinance Relating to Planning; Amending Section 2-110 of
the Code of Miami-Dade County

The primary purpose of the proposed ordinance is to amend the length of terms for the Chairperson and Vice-Chairperson of the Planning Advisory Board from six months to one year and to remove prohibition of serving as Chairperson and Vice Chairperson sooner than six months after serving in either position.

The proposed ordinance is not anticipated to have any measurable social equity benefit or burden.



Jimmy Morales
Chief Operations Officer

220682




MEMORANDUM

(Revised)

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

DATE: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(E)

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(E)
7-7-22

ORDINANCE NO. _____

ORDINANCE RELATING TO PLANNING; AMENDING SECTION 2-110 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE LENGTH OF TERMS FOR THE CHAIRPERSON AND VICE CHAIRPERSON OF THE PLANNING ADVISORY BOARD; REMOVING PROHIBITION ON PLANNING ADVISORY BOARD MEMBERS SERVING AS CHAIRPERSON AND VICE CHAIRPERSON SOONER THAN SIX MONTHS AFTER SERVING IN EITHER POSITION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, pursuant to state law, the Miami-Dade County Planning Advisory Board serves as the County's local planning agency; and

WHEREAS, among other duties, the Planning Advisory Board conducts public hearings on applications to amend to the County's Comprehensive Development Master Plan and makes recommendations to the Board of County Commissioners regarding such applications; and

WHEREAS, the Planning Advisory Board also holds public hearings and makes recommendations on annexation and incorporation proposals; and

WHEREAS, the Planning Advisory Board consists of 17 voting members appointed by the Board of County Commissioners, as well as non-voting representatives from the School Board of Miami-Dade County and the Homestead Air Reserve Base; and

WHEREAS, each County Commissioner appoints one voting member, and the remaining four voting members are appointed at-large; and

WHEREAS, the members appointed by the County Commissioners serve terms of four years each, while the at-large members serve terms of two years each; and

WHEREAS, pursuant to Ordinance No. 18-75, this Board amended section 2-110 of the County Code to provide that “[t]he Planning Advisory Board shall elect a Chairperson and a Vice Chairperson from among its voting members for terms of six months each,” with no Planning Advisory Board member serving consecutive terms in either position; and

WHEREAS, prior to the adoption of Ordinance No. 18-75, the Planning Advisory Board annually elected a Chairperson from among its members for a one year term, and the position of Vice Chairperson was filled by the remaining members on a rotating basis for a term of six months each; and

WHEREAS, Ordinance No. 18-75 was adopted in part “to ensure that all members of the Planning Advisory Board gain experience and have the opportunity to serve in positions of leadership”; and

WHEREAS, in practicality, six-month terms have proven to be too short because the Planning Advisory Board does not always meet every month, meaning that Planning Advisory Board members elected as Chairperson may only have the opportunity to preside over a few meetings before their six-month term concludes; and

WHEREAS, this Board wishes to amend section 2-110 to provide that the Chairperson and Vice Chairperson of the Planning Advisory Board shall serve one-year terms, and to remove the prohibition on Planning Advisory Board members serving as Chairperson and Vice Chairperson sooner than six months after serving in either position,

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

Section 1. Section 2-110 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

**Sec. 2-110. Planning Advisory Board – Organization; meetings;
quorum; rules; records of meetings.**

- (A) The Planning Advisory Board shall elect a Chairperson and a Vice Chairperson from among its voting members for terms of >>one year<< ~~[[six months]]~~ each commencing January 1st of each year. No board member shall serve consecutive terms as Chairperson, and no board member shall serve consecutive terms as Vice Chairperson. ~~[[In addition, no board member shall serve as Chairperson and Vice Chairperson sooner than six months after serving as either Chairperson or Vice Chairperson.]]~~

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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.

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.

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:

James Eddie Kirtley



Prime Sponsor: Commissioner Sally A. Heyman