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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(B)

(Second Reading 01-25-07)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: October 24, 2006

FROM: Murray A. Greenberg County Attorney

SUBJECT: Ordinance amending Sec. 2-1421 of the Code relating to the retaining of membership and term of Mayor appointed Citizens' Independent Transportation Trust member

0#07-06

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.

Murray A. Greenberg
County Attorney

MAG/bw

Memorandum

MIAMI-DADE COUNTY

Date: January 25, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance Amending Section 2-1421 of the Code relating to the retaining of membership and term of Mayor appointed Citizens' Independent Transportation Trust member

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The ordinance amending Section 2-1421 of the Code of Miami-Dade County relating to the retaining of membership and term of Mayor appointed Citizens' Independent Transportation Trust member will not have a fiscal impact to Miami-Dade County.

11/8/06

Carlos F. Bonzon
Assistant County Manager

Fiscal00206

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Murray A. Greenberg, County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)

01-25-07

ORDINANCE NO. 07-06

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO MEMBERSHIP AND TERM OF MAYOR APPOINTED CITIZENS' INDEPENDENT TRANSPORTATION TRUST MEMBER; 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. Section 2-1421 of the Code of Miami-Dade County, Florida, is hereby amended as follows:[1]

Sec. 2-1421. Citizens' Independent Transportation Trust created; powers over expenditure and use of proceeds of proposed Charter County Transit System Surtax.

* * *

(d) *Subsequent membership and term.* Any vacancy on the Trust that occurs after appointment of the initial membership, as well as appointment of successors to those members whose terms have expired shall be filled directly by appointment of the Commissioner for the district for in which a vacancy occurs, or, in the case of a vacancy in a Miami-Dade League of Cities appointment shall be filled by appointment of the League, or in the case of a vacancy in a mayoral appointment shall be filled by appointment of the Mayor. Such appointments shall be made from a slate submitted by the Nominating Committee in accordance with subsection (b) pertaining to initial members, and shall have the qualifications for Trust membership set forth in subsection (a) above. The foregoing notwithstanding, an incoming District Commissioner >>or Mayor<< may elect to re-appoint his or her predecessor's currently serving appointee, in which case there shall be no need for the

[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

Nominating Committee to submit a slate of candidates for such vacancy. The term of any Trust member appointed or re-appointed pursuant to this subsection after the initial terms set forth in (c) above shall be for a term of four years, and in the case of Commissioner >>or Mayor<< appointees shall be subject to automatic expiration as provided in subsection (c) of section 2-11.38.2 of this Code provided however, a District Commissioner >>or Mayor<< appointed Trust member may continue to serve until the appointment [[~~and ratification~~]] of the succeeding District Commissioner's >>or Mayor's<< selection. Members may be re-appointed, however no member shall serve more than the maximum number of years provided in subsection (b) of section 2-11.38.2 of this Code. If an appointment is not made by the District Commissioner (or the League or Mayor where applicable) within 30 days from the date on which the Nominating Committee submits the required slate of candidates, the County Commission may appoint the successor.

* * *

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 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. The provisions of this amendment 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.

Section 5. This Ordinance may only be amended or repealed by a two-thirds vote of the Board. Any amendment or repeal of this Ordinance shall further require a minimum of six (6) weeks between first and second reading.

PASSED AND ADOPTED: January 25, 2007

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Bruce Libhaber

Sponsored by Commissioner Carlos A.Gimenez