

## MEMORANDUM

Agenda Item No. 7(E)

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**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

Ordinance No. 22-79

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



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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

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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".  

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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

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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.



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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.      22-79

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:<sup>1</sup>

**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.

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<sup>1</sup> 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:

July 7, 2022

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:

James Eddie Kirtley



Prime Sponsor: Commissioner Sally A. Heyman