



**MEMORANDUM**

Agenda Item No. 11(A)(2)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** October 18, 2011

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

**SUBJECT:** Resolution creating Charter Review Task Force; establishing qualifications for membership; setting forth powers and responsibilities; and providing for a sunset

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**This item was requested by the committee to provide a vehicle for the Board to establish a Charter Review Task Force as an alternate to the other resolutions establishing Charter Review Task Forces sponsored by Commissioners.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Internal Management and Fiscal Responsibility Committee.

\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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

**DATE:** October 18, 2011

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

**SUBJECT:** Agenda Item No. 11(A)(2)

**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. 11(A)(2)  
10-18-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CREATING CHARTER REVIEW TASK FORCE; ESTABLISHING QUALIFICATIONS FOR MEMBERSHIP; SETTING FORTH POWERS AND RESPONSIBILITIES; AND PROVIDING FOR A SUNSET

**WHEREAS**, Section 9.08 of the Home Rule Charter of Miami Dade County requires this Board at least once in every five year period to review the Charter and determine whether or not there is a need for revisions of the Charter; and

**WHEREAS**, it has been over four (4) years since the creation of the last Charter Review Task Force created to fulfill the Board's obligation under the Charter; and

**WHEREAS**, the electors of Miami-Dade County would like to amend the Charter to better meet the current requirements of the County; and

**WHEREAS**, the creation of a new Charter Review Task Force will allow more opportunity for public input and provide for expert advice on future Charter amendments,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

Section 1. There is hereby created a Charter Review Task Force which shall consist of [ ] members. The membership of the Charter Review Task Force will be selected as follows: [ ]. The chair of the Charter Review Task Force shall be selected by [ ].

Section 2. The Charter Review Task Force members shall reflect racial, ethnic, and gender balance and diversity and shall possess the following qualifications [ ].

Section 3. The Charter Review Task Force shall be staffed by the County Mayor or the County Mayor's Designee, the County Attorney, and County Clerk and all expenses shall be reimbursed from general funds subject to the requirements of State Law.

Section 4. The Charter Review Task Force shall review the Home Rule Charter of Miami-Dade County in its entirety and shall prepare and submit to this board written recommendations setting forth any proposed amendments or revisions to the Charter. In conducting its review, the Task Force should:

- a. Study the Final Report of the last Charter Review Task force;
- b. Invite knowledgeable members of the community to appear and
- c. make recommendations;
- d. Conduct public hearings at various stages in the review process;
- e. [ ]

Section 5. The Board hereby expresses its intent to place all matters approved by a [ ] vote of the membership of the Charter Review Task Force on the [ ] election ballot in 2012.

Section 6. All proceedings of the Charter Review Task Force shall be conducted in accordance with the Government in the Sunshine Law (Sec. 286.011 Fla. Stats.) and the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter. The Task Force shall be deemed an "agency" for the purposes of the Public Records Law (Sec. 119 Fla. Stats.).

Section 7. The Charter Review Task Force shall submit its written recommendations to this Board within [ ] days of the effective date of this resolution.

Section 8. The Charter Review Task Force created pursuant to this resolution shall sunset and dissolve on the 320<sup>th</sup> day from the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is the Internal Management and Fiscal Responsibility Committee. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                      |                                     |
|----------------------|-------------------------------------|
|                      | Joe A. Martinez, Chairman           |
|                      | Audrey M. Edmonson, Vice Chairwoman |
| Bruno A. Barreiro    | Lynda Bell                          |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz                    |
| Sally A. Heyman      | Barbara J. Jordan                   |
| Jean Monestime       | Dennis C. Moss                      |
| Rebeca Sosa          | Sen. Javier D. Souto                |
| Xavier L. Suarez     |                                     |

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of October, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Oren Rosenthal