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**[ARTICLE XVIII. - MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY](#) <sup>[35]</sup>**

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**[Sec. 2-128. - Creation.](#)**

The Miami-Dade County Expressway Authority (the "Authority") is hereby formed. The Authority shall be an agency of the state pursuant to the Florida Expressway Authority Act.

*(Ord. No. 94-215, § 1, 12-13-95)*

**[Sec. 2-129. - Governing body; composition.](#)**

The governing body of the Authority shall consist of thirteen (13) members, each of whom shall, except for the District Secretary of the Florida Department of Transportation, at all times during his or her term of office be a resident of Miami-Dade County. The governing body shall consist of:

- (a) Five (5) voting members appointed by the Governor.
- (b) Seven (7) voting members appointed by the Board of County Commissioners. Up to two (2) of the members so appointed may be elected officials residing in Miami-Dade County.
- (c) Four (4) non-voting members appointed by the Board of County Commissioners; and
- (d) The District Six Secretary of the Florida Department of Transportation shall serve as a voting member of the governing body.

The terms of the members shall be four (4) years each, except that the initial terms of the voting members shall be as follows: one (1) member appointed by the Governor shall serve a one (1) year term and two (2) members appointed by the Governor shall serve a two (2) year term; two (2) members appointed by the County Commission shall serve a three (3) year term and three (3) members appointed by the Commission shall serve a four (4) year term; and except that the initial terms of those persons who were non-voting members of the Authority prior to July 1, 1997 shall be: two (2) members shall serve a three (3) year term and two (2) members shall serve a four (4) year term. Upon the effective date of his or her appointment, or as soon as practicable thereafter, each appointed member shall enter upon his or her duties. A member shall hold office until his or her successor has been appointed and qualified. Any member of the Authority is eligible for reappointment. The Governor may remove any member of the governing body from office for misconduct, malfeasance, misfeasance, or nonfeasance in office. Members of the governing body shall receive from the Authority their travel and other expenses incurred in connection with the business of the Authority as provided in Section 112.061, Florida Statutes, but they may not draw salaries or other compensation from the Authority. Members of the governing body shall comply with the applicable financial disclosure requirements of Florida Statutes Sections 112.3145, 112.3148, and 112.3149, and the Code of Ethics for Public Officers and Employees at Florida Statutes Section 112.311, et seq.

All those persons initially appointed as non-voting members on the Board shall be converted to voting members, as of July 1, 1997, without any effect on their initial term of office. When the initial term of members who were non-voting member prior to July 1, 1997 expires, those members shall be replaced by two (2) Governor-appointed members and two (2) Board of County Commissioners-appointed members, until the governing body is comprised of seven (7) voting members appointed by the Board of County Commissioners and five (5) voting members appointed by the Governor.

*(Ord. No. 94-215, § 2, 12-13-95; Ord. No. 98-4, § 1, 1-13-98)*

**[Sec. 2-130. - Officers; quorum.](#)**

The Authority shall elect one (1) of its members as its chairperson and shall elect a secretary and a treasurer who need not be members of the Authority. The chairperson, secretary and treasurer shall hold their offices at the will

of the Authority. A simple majority of the Authority shall constitute a quorum, and a vote of the majority of those members present shall be necessary for the Authority to take any action. A vacancy on the governing body of the Authority shall not impair the right of a quorum to exercise all rights and perform all of the duties of the Authority.

*(Ord. No. 94-215, § 3, 12-13-95)*

#### **Sec. 2-131. - Staffing.**

The Authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, and such engineers and employees, permanent or temporary, as it may require and shall determine the qualifications and fix the compensation of such persons, firms, or corporations. The Authority may, subject to the limitations provided in the Florida Expressway Authority Act, employ a fiscal agent or agents and delegate to one or more of its agents or employees such of its power as it deems necessary to carry out the functions. Any underwriter retained by the Authority in connection with the negotiated sale of bonds pursuant to Florida Statutes Section 348.0005 and this article [Ordinance No. 94-215] shall be designated by Miami-Dade County and the Authority.

*(Ord. No. 94-215, § 4, 12-13-95; Ord. No. 96-119, § 1, 7-18-96)*

#### **Sec. 2-132. - Powers.**

The Authority shall have all the powers provided in the Florida Expressway Authority Act.

*(Ord. No. 94-215, § 5, 12-13-95)*

#### **Sec. 2-133. - Appointments.**

The clerk of this board shall provide a certified copy of the ordinance from which this article derives to the Governor together with a request that the Governor make the appointments provided herein to the Miami-Dade County Expressway Authority.

*(Ord. No. 94-215, § 6, 12-13-95)*

#### **Sec. 2-134. - Reimbursement for beautification and road improvements on state roads.**

The Authority shall consider on a priority basis reimbursing Miami-Dade County for all amounts expended by the County for beautification and road improvements on state roads, including but not limited to S.R.s 112 and 836, and the amounts expended by the County for other beautification and road improvements undertaken within the jurisdiction of the Authority expedited in connection with the Summit of the Americas.

*(Ord. No. 94-215, § 7, 12-13-95)*

#### **Sec. 2-135. - Validity.**

If any section, subsection, sentence, clause or provision of this article [Ordinance No. 94-215] is held invalid, the remainder of this article shall not be affected by such invalidity.

*(Ord. No. 94-215, § 8, 12-13-95)*

#### **Sec. 2-136. - Effective dates.**

The effective date of Sections 2-129, 2-130, 2-133, 2-134 and 2-135 of this article shall be ten (10) days after the date of enactment. The effective date of the remainder of this article shall be one (1) day after the completion of negotiation of the transfer of Miami-Dade County and State Florida tollroads and related assets to the Authority, but in no event later than one hundred twenty (120) days from adoption of the ordinance from which this article derived.

*(Ord. No. 94-215, § 10, 12-13-95)*

#### **Secs. 2-137—2-144. - Reserved.**

#### FOOTNOTE(S):

<sup>(35)</sup> **Editor's note**— Ord. No. 94-215, adopted Dec. 13, 1994, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. XVIII, §§ 2-128—2-136. Prior to the adoption of said Ord. No. 94-215, Ord. No. 87-33, § 1, adopted June 2, 1987, repealed former Art. XVIII, §§ 2-128—2-131, which pertained to the Rental Housing Advisory Board and which derived from Ord. No. 81-94, §§ 1—4, adopted Sept. 1, 1981. ([Back](#))