

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** April 7, 2009

Agenda Item No. 1(D)3

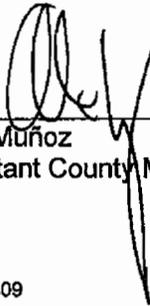
**To:** Honorable Chairman Dennis C. Moss and  
Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Sunset Review of County Boards for 2009 – Miami MetroZoo Oversight Board

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In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2009 Sunset Review of County Boards Report for the Miami MetroZoo Oversight Board. The Board approved the attached report at its meeting of January 27, 2009 and has recommended the continuation of its board.

  
\_\_\_\_\_  
Alex Muñoz  
Assistant County Manager

cmc07009

# Memorandum



**Date:** January 28, 2009  
**To:** George M. Burgess  
County Manager  
**From:** Commissioner Dennis C. Moss  
Chairperson, Miami MetroZoo Oversight  
**Subject:** Sunset Review of County Boards for 2009 – Miami MetroZoo Oversight Board

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Pursuant to Section 2-11.40 of the Code of Miami- Dade County, I am submitting the 2009 Sunset Review of County Boards Report for the Miami MetroZoo Oversight Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of January 27, 2009.

It is recommended that the BCC approve the continuation of the Miami MetroZoo Oversight Board.

## **BACKGROUND**

**Creation of Miami MetroZoo Oversight Board.** This Board was created, passed and adopted, November 24, 1998; and established as an agency and instrumentality of Miami-Dade County a board which shall be named and known as the Miami MetroZoo Oversight Board of the ZOB.

**Purpose.** The Zoo Board shall be a governing advisory board to the Board of County Commissioners and have such rights and responsibilities as set forth in this ordinance and in the Miami MetroZoo Operating Agreement with the Zoological Society. In addition to overall policy and operational guidance, the Board shall be responsible for establishing long and short term strategic and program plans for MetroZoo, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated (Society and County) budget for MetroZoo, for adoption by the Society and Board of County Commissioners.

**Why the Board should continue to function?** This is an active Board that approves Marketing and Education Plans for the Zoo. Financial performance of both the Miami MetroZoo and Zoological Society of Florida is monitored at every meeting. Capital construction projects as well as the capital funding campaign are reported on and critiqued. Entertainment District issues are also brought to our Zoo Oversight Board for decisions.

A handwritten signature in black ink, appearing to read "Dennis C. Moss", written over a horizontal line.

Commissioner Dennis C. Moss  
Board Chairperson

SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2009

**I. GENERAL INFORMATION**

1. Name of Board reporting:

**Miami MetroZoo Oversight Board (ZOB)**

2. Indicate number of board members, terms of office, and number of vacancies:

**Number of Board Members: 9**  
**Terms of Office: No Terms**  
**Number of Vacancies: None**

3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan 1, 2007** through **December 31, 2008**):

**Number of Meetings: 15**  
**Number of Meeting with a Quorum: 14**  
**Attendance Records: See Attachment**

4. What is the source of your funding?

**None**

5. Date of Board Creation: **November 24, 1998**

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).

**See attachment**

7. Include the Board's Mission Statement or state its purpose:

**Miami Metrozoo Oversight Board guides operations, development, and policy issues. The Board is responsible for establishing long and short terms strategic and program plans for Metrozoo, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated Society & County budget for Metrozoo for adoption by the Society Board and Board of County Commission.**

8. Attach the Boards standard operating procedures, if any. **None**

9. Attach a copy of the Board's By-Laws, if any. **None**

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, **including a vote of the membership.**

**See Attachment**

**II. EVALUATION CRITERIA**

1. Is the Board serving the purpose for which it was created? (Please provide detailed information)

**Yes, yearly budgets have been approved.**

2. Is the Board serving current community needs? (Please provide detailed information)

**Attendance has increased again this year and customer surveys show a positive reaction to staff efforts.**

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SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2009

3. What are the Board's major accomplishments?
- a. Last 24 months  
**Approved the Marketing Plan, Joint Budget and Education Programming Plan  
Opening of Amazon & Beyond**
  - b. Since established  
**Opening of the Aviary, Dr. Wilde's World, and Amazon & beyond**
4. Is there any other board, either public or private, which would better serve the function of this board?  
**None**
5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (Attach proposed changes, if answer is "Yes")  
**No**
6. Should the Board's membership requirements be modified?  
**No**
7. What is the operating cost of the Board, both direct and indirect? (Report of FY 2007 and FY 2008)  
**Staff support provided by MDC Park and Recreation Department and the Zoological Society of Florida (ZSF)**
8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.  
**None have been developed formally, however the working relationship between the County and ZSF, which has been the main point in the established of the Oversight Board is working well together.**

**MIAMI METROZOO OVERSIGHT BOARD COMMITTEE ATTENDANCE 2007**

COMMENTS

	Mar 19	Apr 30	Jun 20	Jul 17	Aug 21	Sept 26	Oct 15	COMMENTS
Jack Kardys Director, Park & Recreation						X	X	New Board Member
Mercedes Rodriguez Representing the Mayor	X	X	Absent	Absent	Absent	Absent	Absent	
Dennis Moss Commissioner District #9	X	Absent	X	X	X	X	X	
Alex Munoz Assistant County Manager	Absent	Absent	Absent	X	X	X	Absent	
Vivian Donnell Rodriguez Director, Park & Recreation	X	X	X	X				Resigned Jack Kardys, Park & Rec Director
Eric Stephens Director, Miami Metrozoo	X	X	X	X	X	X	X	
Glenn Ekey, Executive Director ZSF	X							Resigned Interim Executive Director, Elisabeth Koncza
Daniel Licciardi ZSF Executive Com	X	X	X	X	X	X	X	
David Korfino President of ZSF	X	X	Absent	Absent	Absent	Absent	Absent	
Sandy Miot ZSF Executive Com.	Absent	X	Absent	X	Absent	X	Absent	
Elisabeth Koncza Interim Executive Director ZSF		X	X	X	X	X		New Board Member
Manny Gonzalez Executive Director ZSF							X	New Board Member
Quorum	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7
Total # of Meetings								7

\*Members **9**

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# MIAMI METROZOO OVERSIGHT BOARD COMMITTEE ATTENDANCE 2008

	Feb 22	Mar 25	Apr 29	May 27	Jun 24	Jul 23	Sept 30	Oct 28	COMMENTS
Jack Kardys Director, Park & Recreation	X	X	X	X	Absent	X	X	X	
Mercedes Rodriguez Representing the Mayor	Absent	X	X	Absent	Absent	X	Absent	Absent	
Dennis Moss Commissioner District #9	X	X	X	X	X	X	X	X	
Alex Munoz Assistant County Manager	X	X	Absent	Absent	Absent	X	X	X	
Eric Stephens Director, Miami Metrozoo	X	X	X	X	X	X	X	X	
Daniel Licciardi ZSF Executive Com	X	X	X	X	X	X	X	Absent	
David Konfino President of ZSF	Absent	Absent	Absent	Absent	Absent				Resigned from ZOB Merrett Stierheim will replace him.
Merret Stierheim ZSF Chairman						X	X	X	New Board Member
Sandy Miot ZSF Executive Com.	Absent	Absent	Absent	X	X	Absent	Absent	X	
Manny Gonzalez Executive Director ZSF	X	X							New Board Member Resigned from ZSF
Nestor Rodriguez Executive Director ZSF							Absent	X	New Board Member
Quorum	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes 7 No 1
<b>Total # of Meetings</b>	<b>8</b>								

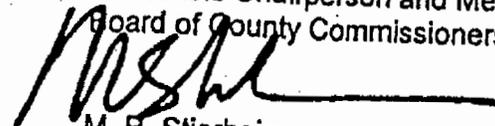
\*Members 9

MEMORANDUM

Amended  
Agenda Item No. 5(A)

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: (Public Hearing 11-24-98  
October 6, 1998

FROM:   
M. R. Stierheim  
County Manager

SUBJECT: Miami Metrozoo  
Oversight Board

0#98-168

RECOMMENDATION

It is recommended that the Board approve the attached ordinance which establishes an Oversight Board to guide the operations, development and policy of Miami Metrozoo. The Oversight Board formalizes a collaborative effort between the Zoological Society of Florida and Miami-Dade County to join resources to ensure the continued viability and improvement of the zoo.

BACKGROUND

As with many county operated programs, the Miami Metrozoo has been experiencing increasing challenges to provide quality service in the face of limited funding. The zoo has an additional difficulty in that it relies heavily on paid patronage and philanthropic support to sustain its facilities and programs. Fortunately, our zoo enjoys the assistance of a broad support group in the form of the Zoological Society of Florida. In addition to maintaining the membership base, the Society manages the zoo store, a complement of volunteers, an education program, including the hands-on children's zoo, PAWS and a significant fundraising effort. The Society has raised approximately \$30 million in external funding in the last 15 years to support the zoo.

You may be surprised to know that while we have maintained a 42-year relationship with the Zoological Society, we do not have a written agreement with the organization to clearly establish the terms and conditions of the relationship. In response to concerns of the Society, Mayor Penelas convened a series of meetings last fall to begin to organize an operating agreement to clarify and formalize the relationship. One of the aspects of a zoo operation which is considered in maintaining accreditation by the American Zoo and Aquarium Association (AZA) is the clarity of the facility's governance structure and the ability of its supporting organizations to advance the mission of the institution. The negotiations with the Society were suspended while the AZA conducted a pre-accreditation review of the Miami Metrozoo during the early part of this year. Upon submission of its report in April, the AZA cited concerns about the status of our relationship with the Zoological Society. Negotiations with the Society resumed this summer and the result is the recommendation of the Oversight Board which is established by this proposed ordinance as well as a companion operating agreement. The companion operating agreement is scheduled to be

submitted for your approval with the second reading of this ordinance. We felt the Board would benefit from an early review of the proposed operating agreement while considering this ordinance between first and second reading, therefore, attached is the latest working version to this ordinance. This agreement has the approval of both the county staff and the Executive Board of the Zoological Society.

The Oversight Board is essentially a policy and operational governing entity carrying out related responsibilities for the County Commission. There is no conveyance of county property to the Board. The day-to-day zoo operations continue as presently performed by the Park and Recreation Department. The recommended ordinance creates a seven-member governing entity comprised of the Mayor, County Manager, Park and Recreation Director, President and Immediate Past President of the Zoological Society and Directors of the Zoological Society and Metrozoo. The Oversight Board's principal responsibilities are:

- oversee development of goals/objectives and the Zoo Master/Strategic Plan,
- oversee preparation of the consolidated Society/county zoo budget,
- oversee compliance of terms and conditions of the operating agreement between the county and Zoological Society, and
- serve as governing advisory board to the County Commission.

The establishment of the Oversight Board together with approval of an operating agreement with the Zoological Society will represent a significant step in strengthening our partnership with this fine support organization. We have discussed this proposal with the AZA accreditation Task Force Chair and this approach is regarded as a good model toward an improved working relationship. In the interest of ensuring the ongoing improvement of one of our most unique public assets and visitor attractions, your approval is respectfully recommended.

Attachment

MRS13598

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Amended  
Agenda Item No. 5 (A)  
11-24-98

ORDINANCE NO. 98-168

**ORDINANCE CREATING THE MIAMI METROZOO  
OVERSIGHT BOARD; PROVIDING FOR MEMBERSHIP,  
PURPOSE, ORGANIZATION AND PROCEDURE,  
APPOINTMENT AND TENURE, POWERS, DUTIES AND  
FUNCTIONS OF THE BOARD, AND STAFF SUPPORT;  
PROVIDING FOR RELATED OPERATING AGREEMENT;  
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,  
AND AN EFFECTIVE DATE**

**WHEREAS, it is in the public interest to ensure that Miami Metrozoo is operated,  
maintained, restored, preserved and accredited by the American Association of Zoos and  
Aquariums as a zoological park of national stature and recognition for the benefit of the residents  
of Miami-Dade County and visitors to South Florida; and**

**WHEREAS, essential conditions which must be met to maintain accreditation include  
establishing a clear mission for the institution and governance structure which will advocate and  
advance the mission, and**

**WHEREAS, it is the intention of this Board to clarify the responsibilities of the County  
Manager, Zoo Director, the Park and Recreation Department, and the Zoological Society of  
Florida whereby the governance and operating relationship between the County and Zoological  
Society shall be compliant with generally accepted standards.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF DADE COUNTY, FLORIDA:**

**Section 1. The Code of Miami-Dade County shall be amended by the addition of the  
following new section:**

1. **Creation of the Miami Metrozoo Oversight Board.** There is hereby created and established as an agency and instrumentality of Miami-Dade County a board which shall be named and known as the Miami Metrozoo Oversight Board (hereinafter referred to as "the Zoo Board").

2. **Purpose.** The Zoo Board shall be a governing advisory board to the Board of County Commissioners and have such rights and responsibilities as set forth in this ordinance and in the Miami Metrozoo Operating Agreement with the Zoological Society. In addition to overall policy and operational guidance, the Board shall be responsible for establishing long and short term strategic and program plans for Metrozoo, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated (Society and County) budget for Metrozoo for adoption by the Society and Board of County Commissioners.

3. **Designated Facilities.** Facilities designated as Miami Metrozoo. As used herein, the term "Miami Metrozoo" shall include certain real property owned Miami-Dade County at the zoological park located at 12400 SW 152 Street subject to certain restrictive covenants and its related personal property utilized to support the Miami Metrozoo.

4. **Board Membership**

A. **Members.** Oversight of the policy and operation of the Miami Metrozoo shall be performed by an Oversight Board composed of the following nine (9) members:

- (a) The Executive Mayor and in his absence, a designee who shall be a County Commissioner;
- (b) The Miami-Dade County Manager or designee;
- (c) The Sitting President of the Zoological Society;

- (d) The immediate past president of the Zoological Society;
- (e) The Executive Director of the Zoological Society;
- (f) The Executive Director of the Miami Metrozoo;
- (g) The Director of the Miami-Dade Park and Recreation Department;
- (h) A member of the Board of County Commissioners to be designated by the Executive Mayor; and
- (i) A member of the Executive Committee of the Zoological Society.

Members of the Zoo Board shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties. Each member must sign and abide by a code of ethics modeled after the most recent American Association of Zoos and Aquariums Code of Ethics.

**5. Organization of the Oversight Board.**

(a) **Officers.** The Zoo Board shall elect one of its voting members as chairperson and one of its voting members as vice-chairperson and shall designate a secretary who may or may not be a member of the Zoo Board, and such other officers as the Zoo Board may determine to be necessary. In addition, the Zoo Board shall make, adopt and amend by-laws, rules and regulations for its own governance and for the operation, governance, restoration, preservation and maintenance of designated facilities.

(b) **Meetings.** The Zoo Board shall hold regular meetings, no less than six times per year, and such other meetings, as it deems necessary. A majority of the duly appointed and sitting members of the Zoo Board shall constitute a quorum. Minutes shall be kept of all meetings of the Zoo Board and all meetings shall be duly noticed to the public.

(c) **Committees.** The chairperson shall nominate and the Zoo Board shall appoint the chairperson and members of such committees as the Zoo Board shall find helpful to their mission, however, no authority to act or speak in the name of the Zoo Board shall be delegated to a committee. Each committee shall be chaired by a duly appointed member of the Zoo Board, however, committee membership may include persons who are not members of the Zoo Board. The Zoo Board may establish or eliminate committees at its discretion.

(d) **Applicability of County rules and procedures.** The Zoo Board shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1 of the Code of Miami-Dade County.

(e) **Restriction on the Zoo Board.** Neither the Zoo Board nor any of its members shall direct or request the appointment of any person to, or his removal from their position by the County Zoo Director or Zoological Society Executive Director or any of their subordinates, or take part in the appointment or removal of Miami-Dade or Society employees at Miami Metrozoo, provided, however, that the Zoo Board and its members may render advisory assistance regarding the removal and appointment of the Directors as provided in this ordinance. Except for the purpose of inquiry, the Zoo Board and its members shall deal with the employees at Miami Metrozoo solely through the Executive Directors of the Zoological Society and the County Zoo Director and neither the Zoo Board nor any members thereof shall give orders to any subordinates of the Executive Directors of the Zoological Society and the County Zoo Director, either publicly or privately. Any willful violation of the provisions of this section by a member

of the Zoo Board shall be grounds for his or her removal from the Zoo Board by an action brought in the Circuit Court by the State Attorney of this County.

(f) **Attendance requirement.** Notwithstanding any other provision of this Code, any board member shall be automatically removed if, in a given fiscal year: (i) he or she is absent from two consecutive meetings without an acceptable excuse; or, (ii) if he or she is absent from three of the Zoo Board's meetings without an acceptable excuse; or, (iii) whether excused or not, he or she misses 2/3rds of the Zoo Board's meetings in a given fiscal year. A member shall be deemed absent from a meeting when he or she is not present at the meeting at least seventy-five percent of the time. An "acceptable excuse" is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason which the Zoo Board, by a two-thirds vote of the membership, deems appropriate. By a two-thirds (2/3) vote of the members of the full Zoo Board, the provisions of this section may be waived.

(g) **Staff Support.** The County Manager and the County Attorney, in cooperation with the Zoological Society of Florida, shall provide such staff support to the Zoo Board as may be necessary to accomplish its purpose.

6. **Operating Agreement.** The relationship between the County and Zoological Society and the manner in which these parties work jointly under the oversight of the Zoo Board shall be set forth in an Operating Agreement. The Operating Agreement shall include but not be limited to the following terms and conditions: requirement for the development and approval of a master strategic plan and maintaining national accreditation, establishment of specific goals and objectives, development of a consolidated (Society and County) budget, stipulating the manner in which capital improvement, zoo operations, marketing, fundraising, education and other activities will be conducted jointly by the Society and the County. The Operating Agreement

shall be approved by the Board of County Commissioners and Zoological Society of Florida Board of Directors.

7. **Liberal construction to effectuate public purpose.** This ordinance, being for the public purpose and for the long-term welfare of the Miami Metrozoo facilities and the present and future citizens of Miami-Dade County, Florida, shall be liberally construed to effect the purposes hereof.

**Section 2. Severability.** 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. Incorporation into Miami-Dade Code.** 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 Metropolitan 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. Effective Date.** 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.

**Section 5. Sunset Ordinance.** This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: NOV 24 1998

Approved by County Attorney as  
to form and legal sufficiency:

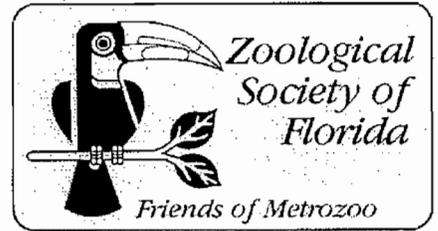
*[Signature]*

Prepared by:

*[Signature]*



**ZOO OVERSIGHT BOARD  
COMMITTEE  
January 27, 2009 at 10:00 AM  
ZOOLOGICAL SOCIETY OF  
FLORIDA BOARD ROOM**



**MEMBERS PRESENT:** Commissioner Dennis Moss, Eric Stephens,  
Jack Kardys, Nestor Rodriguez, Merci Rodriguez,

**MEMBERS ABSENT:** Alex Munoz, Merrett Stierheim, Sandy Miot,  
Dan Licciardi

The Zoo Oversight Board was presented with the 2009 Sunset Review Questionnaire of Miami-Dade County Boards. It was discussed and approved the continuation of the Miami MetroZoo Oversight Board.