MEMORANDUM

Agenda Item No. 7(H)

(Second Reading 7-7-11)

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

DATE: May 3, 2011

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

SUBJECT: Ordinance repealing Section 2-1150 of the Code relating to the Ronald Reagan Equestrian Center Advisory Board

This item differs from the original in that part of the 5th "Whereas" clause, which explained some issues the Equestrian Center Advisory Board has been experiencing, has been deleted.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: July 7, 2011

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

From: Alina T. Hudak
County Manager

Subject: Ordinance repealing the Ronald Reagan Equestrian Center Advisory Board

---

The proposed ordinance repealing Section 2-1150 of the Code and eliminating the Ronald Reagan Equestrian Center Advisory Board will not have a fiscal impact to the County.

Michael Spring
Director, Cultural Affairs

Fis3911

MEMORANDUM

(Revised)

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

DATE: July 7, 2011

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

SUBJECT: Agenda Item No. 7(H)

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. 7(H)
7-7-11

ORDINANCE NO. _____

ORDINANCE REPEALING SECTION 2-1150 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE RONALD REAGAN EQUESTRIAN CENTER ADVISORY BOARD; PROVIDING SEVERABILITY; INCLUSION IN THE CODE; AND AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Park and Recreation Department has built the premiere Ronald Reagan Equestrian Center at Tropical Park; and

WHEREAS, on November 6, 2001, Resolution No. R-1258-01, sponsored by Senator Javier D. Souto, directed the County Manger to create the Equestrian Center Advisory Board in order to provide technical and practical advice to Miami-Dade County staff regarding the design and development of the Ronald Reagan Equestrian Center; and

WHEREAS, on April 19, 2005, Ordinance No. 05-74, sponsored by Senator Javier D. Souto, created Section 2-1150 of the Code of Miami-Dade County establishing the continued existence of the Equestrian Center Advisory Board in order to provide support and advice to Miami-Dade County staff regarding the design and development of a variety of non-equestrian activities; and

WHEREAS, these non-equestrian activities allow a greater number of Miami-Dade County residents and visitors to enjoy this multipurpose show and exhibition venue known as the Ronald Reagan Equestrian Center; and

WHEREAS, [[~~while~~]][1] this Board recognizes that the Equestrian Center Advisory Board has served an invaluable role in the development of Ronald Reagan Equestrian Center[[~~, the advisory board has nonetheless encountered difficulty in meeting the diversity membership requirements of Ordinance 05-74, and the current members have exceeded their term limits~~]]; and

WHEREAS, the Ronald Reagan Equestrian Center Advisory Board most recently was focused on the construction of phase II of the equestrian center and now that this mission is almost complete, it is no longer necessary to continue and maintain the existence of the Board in its current formation; and

WHEREAS, instead, Senator Souto will present legislation to this Board in the future to establish a task force, whose permanent members will serve for a year or less and whose purpose will be to seek out, evaluate, and propose to this Board for its consideration economic development and revenue-generating opportunities for the Ronald Reagan Equestrian Center in the future; and

WHEREAS, Section 2-11.40 of the Code of Miami-Dade County, relating to "Sunset" reviews of boards, allows the Board of County Commissioners to repeal Boards that have completed their mission or that can no longer complete their intended mission,

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

[1] The differences between the substitute and the original item are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

Section 1. Section 2-1150 of the Code of Miami-Dade County, Florida, is hereby repealed in its entirety[2]:

Sec. 2-1150. [[~~Ronald Reagan Equestrian Center Advisory Board.~~]] >>Reserved.<<

[[~~A. *Creation of the Ronald Reagan Equestrian Center Advisory Board.* There is hereby created and established the Ronald Reagan Park Equestrian Center Advisory Board (the "Advisory Board") for the purpose of providing guidance on programming and use of the Ronald Reagan Equestrian Center and to report to the Board of County Commissioners the status and progress of programming and use of the Ronald Reagan Equestrian Center.~~

~~B. *Authority and Limitations of Powers of Advisory Board:*~~

~~1. The Advisory Board shall have the authority to make recommendations to the Board of County Commissioners. The Advisory Board shall provide an annual report, either oral or written, to the Board of County Commissioners embodying its recommendations.~~

~~2. The Advisory Board shall have the authority to make recommendations to the Park and Recreation Department regarding programming and maximizing the use of the Ronald Reagan Equestrian Center. The Advisory Board shall also provide technical and practical advice to the Park and Recreation Department regarding the Ronald Reagan Equestrian Center's operations.~~

~~3. The Advisory Board shall have no power or authority to commit Miami-Dade County to any policies, or incur any financial obligations or to create any liability on the part of the County. The actions and recommendations of the Advisory Board are advisory only and shall not be binding upon the Board of County Commissioners or the Park and Recreation Department.~~

~~C. *Ratification by the Board of County Commissioners.* Any rules, guidelines, applications, or other material established by the Advisory Board as set forth in this section shall be submitted to the Board of County Commissioners for ratification.~~

~~D. *Advisory Board Membership.* The following entities shall be represented by one member on the Advisory Board:~~

~~1. A representative from the Equestrian Center Task Force;~~

~~2. A representative from the Paso Fino Horse Breeders;~~

[2] 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.

~~3. A representative from the Andalusian Horse Breeders;~~

~~4. A representative from the Quarter Horse Association;~~

~~5. A representative from the Arabian Horse Breeders;~~

~~6. A representative from the Jumping Horse Association; and~~

~~7. A representative from any other association relevant to the objectives of this section.~~

~~E. *Qualifications of Advisory Board Members.* All of the Advisory Board Members shall be at least 21 years of age and be citizens of the United States. In addition to any other qualification the Advisory Board may establish from time to time, Advisory Board Members shall be of high moral character and have demonstrated business experience and acumen in equestrian matters.~~

~~F. *Appointment of Advisory Board Members.* The County Manager shall contact each of the entities referenced in Section D above, and shall request that each entity submit the name of at least (1) one interested and eligible nominee. The County Manager shall have authority to approve the nominations made by the entities.~~

~~G. *Election and Term.* Advisory Board Members appointed by the County Manager shall serve a two (2) year term and may be reappointed for subsequent terms as approved by the County Manager. Advisory Board Members shall serve until the earlier of: (i) the expiration of a two (2) year term commencing on the date of the appointment by the County Manager; (ii) removal by a majority vote of the Advisory Board; or (iii) resignation from the Advisory Board. Any Advisory Board vacancies arising due to an Advisory Board Member's term expiring, removal, resignation, or otherwise shall be filled as provided in Section F above.~~

~~H. *Removal.* Any Advisory Board Members may be removed with or without cause at any time by the vote of a majority of the Advisory Board Members entitled to vote at a special meeting of the Advisory Board called for that purpose.~~

~~I. *Compensation.* Advisory Board Members shall serve without compensation, but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties.~~

~~J. *Organization of the Advisory Board.*~~

~~1. *Meetings.* The Advisory Board shall hold regular meetings, as it deems necessary. A majority of the duly appointed and sitting members of the Advisory Board shall constitute a quorum. Minutes shall be kept of all meetings of the Advisory Board and all meetings shall be duly noticed to the public.~~

~~2. *Applicability of County Rules and Procedures.* The Advisory Board shall at all times operate under 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 and Code of Ethics Ordinance, Sec. 2-11.1 of the Code of Miami-Dade County, as amended.~~

~~3. *Attendance Requirement.* Notwithstanding any other provision of the Code of Miami-Dade County, any Advisory Board Member shall be automatically removed if, in a given fiscal year: (i) he or she is absent from three (3) Advisory Board meetings, consecutive or otherwise, without an acceptable excuse; or (ii) whether excused or not, he or she misses two-thirds (2/3) of the Advisory 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 a majority of the Advisory Board Members present at a meeting deem appropriate. By a two-thirds (2/3) vote of the Advisory Board Members present at a meeting, the provisions of this section (J)(3) may be waived.~~

~~4. *Staff and Facility Support.* The County Manager shall provide such staff to support the Advisory Board as may be necessary to accomplish its purpose. The County Manager may provide such facilities as the Advisory Board deems necessary to accomplish its purpose.~~]]

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 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. 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:

Approved by County Attorney as to form and legal sufficiency: _____

Monica Rizo _____

Prime Sponsor: Senator Javier D. Souto