

MEMORANDUM

Agenda Item No. 4(D)

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

DATE: July 17, 2012

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

SUBJECT: Ordinance creating Sec.
2-1150 of the Code; establishing
the Ronald Reagan Equestrian
Center Council

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
(Revised)

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County Attorney

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

Agenda Item No. 4(D)

Veto _____

7-17-12

Override _____

ORDINANCE NO. _____

ORDINANCE CREATING SECTION 2-1150 OF THE CODE OF MIAMI-DADE COUNTY; ESTABLISHING THE RONALD REAGAN EQUESTRIAN CENTER COUNCIL; PROVIDING FOR MEMBERSHIP, PURPOSE, ORGANIZATION, AND PROCEDURE, APPOINTMENT AND TENURE, POWERS, DUTIES, AND FUNCTIONS OF THE COUNCIL, AND STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

WHEREAS, the Miami-Dade County Park, Recreation and Open Spaces Department will soon commence the construction of the second phase of the Ronald Reagan Equestrian Center at Tropical Park; and

WHEREAS, a broad based council with a mission to promote the Ronald Reagan Equestrian Center internationally and to secure major events for this magnificent venue would generate revenues for the Miami-Dade County Park, Recreation and Open Spaces Department; and

WHEREAS, a broad based advisory council will provide the County with the industry resources to allow the Ronald Reagan Equestrian Center to compete internationally and nationally as a venue for equestrian shows, agricultural shows, industry conferences, and other revenue generating and economic development activities,

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

Section 1. Section 2-1150 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:¹

>>A. Creation of the Ronald Reagan Equestrian Center Council. There is hereby created and established the Ronald Reagan Park Equestrian Center Council (the "Council") 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 Mission of the Council:

1. The Council shall assist with promoting the Ronald Reagan Equestrian Center internationally and secure major events for this magnificent venue in order to generate revenues for the Miami-Dade County Park, Recreation, and Open Spaces Department or its successor department ("Parks Department").

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

3. The Council shall have the authority to make recommendations to the Parks Department regarding programming and maximizing the use of the Ronald Reagan Equestrian Center. The Council shall also provide technical and practical advice to the Parks Department regarding the Ronald Reagan Equestrian Center's operations.

4. The Council shall provide a citizens' review of the County's annual operating budget for the Ronald Reagan Equestrian Center and make its budgetary recommendations to the Mayor and the Board of County Commissioners.

5. The Council may provide recommendations to the Mayor and the Board of County Commissioners concerning the reinvestment of a share of the revenues derived from the Ronald Reagan Equestrian Center for maintaining and operating the Center, as well as concerning ways to market the center as a venue for future revenue generating activities.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

6. The Council shall have no power or authority to bind Miami-Dade County to any policies, or to incur any financial obligations or to create any liability on the part of the County. The actions and recommendations of the Council are advisory only and shall not be binding upon the Board of County Commissioners, the Mayor or the Parks Department.

C. Council Membership. The composition and representative membership of the Council shall be as follows:

1. Three (3) members shall be representatives from the Miami-Dade Horse Council;

2. One (1) member shall be a representative from the Florida Paso Fino Association;

3. One (1) member shall be a representative from the Foundation for the Pure Spanish Horse;

4. One (1) member shall be a representative from the Hipico Nicaraguence Miami U.S.A.;

5. One (1) member shall be a representative from the South Florida Horse Show Association;

6. One (1) member shall be a representative from the South Florida Trail Riders Association;

7. One (1) member shall be a representative from the Southeastern Peruvian Horse Club;

8. One (1) member shall be a representative from the Miami-Dade Farm Bureau;

9. One (1) member shall be a representative from the "Team Roping" equestrian sport;

10. One (1) member shall be a representative from the "Team Penning" equestrian sport;

11. One (1) member shall be a representative from a cattle association;

12. One (1) member shall be a representative from the cattle ranching industry;

13. One (1) member shall be a representative with expertise in tropical fruit crops horticulture or horticulture research;

14. One (1) member shall be a representative from the veterinary medicine industry specializing in large animals;

15. One (1) member shall be a representative from the farming/growers community;

16. One (1) member shall be a representative of the horse breeding industry;

17. Three (3) members shall be representatives from the equestrian or large animal trades business, supply or equipment business, transportation business, international trade business or animal genetics business;

D. Qualifications of Council Members. Council Members shall be of high moral character and have demonstrated business experience and acumen in the professional category under which they are appointed.

E. Appointment of Council Members. The Parks Department shall contact each of the entities referenced in Section C(1)-(8) above, and shall request that each entity submit the name of at least (1) one interested and eligible nominee. The Parks Department shall also review the credentials of any person interested in serving as a Council Member who meets any of the criteria outlined in Section C(9)-(16). The Parks Department shall submit their nominations for approval by the Board of County Commissioners.

F. Election and Term of Office. Council Members appointed by the Board of County Commissioners shall serve a two (2) year term and may be re-appointed by the Board of County Commissioners for subsequent terms. Council Members shall serve until the earlier of: (i) unsuccessful reappointment by the Board of County Commissioners; (ii) removal by a majority vote of the Council; or (iii) resignation from the Council. Any Council vacancies arising due to a Council Member's term expiring, removal, resignation, or otherwise shall be filled as follows: the Council shall review the credentials of any person interested in serving as a Council Member and the Council shall submit their nomination for approval by the Board of County Commissioners.

G. Removal. Any Council Members may be removed from the Council with or without cause at any time by the vote of a majority of the Council Members present at a special meeting of the Council called for that purpose.

H. Compensation. Members of the Council shall serve without compensation, salary or remuneration of any nature, but the County Commission may provide in

the annual County budget sufficient funds for the reasonable and necessary expenses incurred by the Council in performance of its duties and functions.

I. Organization of the Council.

1. Meetings. The Council shall adopt a schedule of regular meetings. Council meetings shall be held at least quarterly pursuant to notice and at such times and places as the Council shall determine. Seven (7) members of the Council shall constitute a quorum. Special meetings of the Council may be called by the written request of five (5) members. All meetings of the Council shall be duly noticed to the public and written minutes shall be maintained.

2. Applicability of County Rules and Procedures. The Council 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 Council Member shall be automatically removed if, in a given fiscal year: (i) he or she is absent from three (3) Council meetings, consecutive or otherwise, without an acceptable excuse; or (ii) whether excused or not, he or she misses two-thirds (2/3) of the Council'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 (75%) 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 Council Members present at a meeting deem appropriate. By a two-thirds (2/3) vote of the Council Members present at a meeting, the provisions of this section (I)(3) may be waived.

4. Staff and Facility Support. The Park and Recreation Department shall provide such staff to support the Council as may be necessary to accomplish its purpose. The Park and Recreation Department may provide such facilities as the Council deems necessary to accomplish its purpose. <<

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 the County Code. 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 re-lettered 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.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Michael B. Valdes

Prime Sponsor: Senator Javier D. Souto