

MEMORANDUM

UMSA
Agenda Item No. 1G3

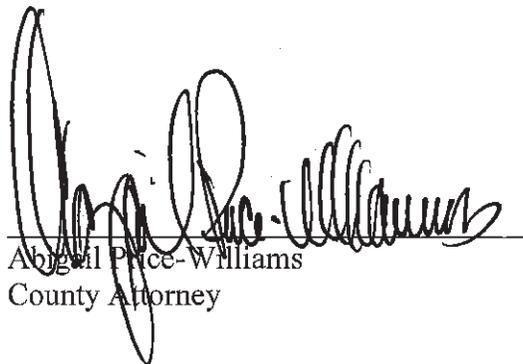
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 12, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the Ronald Reagan Equestrian Center Council; amending section 2-1150 of the Code abolishing the existing Ronald Reagan Equestrian Center Council to be reconstituted as set forth herein; providing for an automatic repeal of this Ordinance five (5) years from its effective date as required by section 2-11.40 of the Code

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



Abigail Price-Williams
County Attorney

APW/Imp

Memorandum



Date:

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Ronald Reagan Equestrian Center Council Report—Pursuant to Section 2-11.37(b) of the
Miami-Dade County Code of Ordinances

In accordance with Section 2-11.37(b) of the Code of Miami-Dade County pertaining to the creation of new boards, the following information is provided regarding the proposed abolishment and reconstitution of the Ronald Reagan Equestrian Center Council (Council).

Per the ordinance proposed by Senator Souto, the Council will serve in an advisory capacity to the Board of County Commissioners (Board) for the purpose of providing guidance on programming and use of the Ronald Reagan Equestrian Center (Center), and to report to the Board the status and progress of programming and use of the Center. The Council shall, every other year, provide an annual report, oral or written, to the Board setting forth the matters required under Section 2-11.40(a) of the Code. The Council will assist with promoting the Center internationally and assist in securing major events in order to generate revenues for the Parks, Recreation and Open Spaces Department (PROS). There are no other boards or agencies that address the responsibilities outlined for the Council.

The costs, both direct and indirect, of establishing and maintaining the reconstituted Council are estimated at \$4,000.00 per year. PROS will provide such staff to support the Council as may be necessary to accomplish its purpose, and PROS may provide such facilities as the Council deems necessary to accomplish its purpose. While a council is not necessary to obtain State or federal grants or other financing, granting agencies look favorably to grant applications that have been brought before councils such as this.

The Council will not have bonding authority; the 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 Board 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.

The Council will provide guidance on programming and use, and the Council will assist with promoting the Center internationally in order to generate additional revenues for PROS.

A handwritten signature in black ink, appearing to read "Michael Spring", written over a horizontal line.
Michael Spring, Senior Advisor
Office of the Mayor

Memorandum



Date:

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Fiscal Impact Statement for Ordinance Relating to the Ronald Reagan Equestrian Center Council

The proposed ordinance amends Section 2-1150 of the Code of Miami-Dade County relating to the Ronald Reagan Equestrian Center Council abolishing and reconstituting the existing Council.

Parks, Recreation and Open Spaces Department (PROS) will use existing staff and facilities to support the Council. The Clerk of the Board is directed to advertise meetings, and to ensure that minutes are taken and kept of each Council meeting. At a minimum, the Clerk will create audio recordings and endeavor to create video recordings of Council meetings, if practicable. Implementation of this ordinance has no fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Michael Spring", written over a horizontal line.
Michael Spring, Senior Advisor
Office of the Mayor

Fis04116 160268

Memorandum



Date:

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned to the right of the "From:" field.

Subject: Social Equity Statement - Ordinance Abolishing and Reconstituting the Ronald Reagan Equestrian Center Council

The proposed ordinance amends Section 2-1150 of the Code of Miami-Dade County by abolishing and reconstituting the Ronald Reagan Equestrian Center Council (Council). By reducing the Council's membership from 23 members to six (6) members, the Council may become more efficient, and able to provide more timely guidance and reports on the programming and use of the Ronald Reagan Equestrian Center; however, the opportunity for citizen participation on the Council will be reduced.

A handwritten signature in black ink, appearing to read "Michael Spring". The signature is written in a cursive style and is positioned above the typed name of Michael Spring.

Michael Spring, Senior Advisor
Office of the Mayor

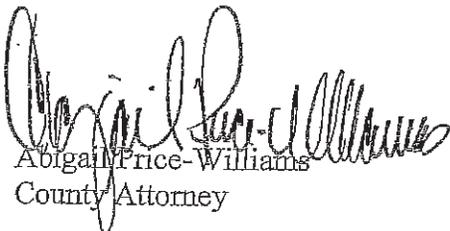


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 17, 2016

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.4(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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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. 4(H)
2-17-16

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RONALD REAGAN EQUESTRIAN CENTER COUNCIL; AMENDING SECTION 2-1150 OF THE CODE OF MIAMI-DADE COUNTY; ABOLISHING THE EXISTING RONALD REAGAN EQUESTRIAN CENTER COUNCIL TO BE RECONSTITUTED AS SET FORTH HEREIN; PROVIDING FOR AN AUTOMATIC REPEAL OF THIS ORDINANCE FIVE (5) YEARS FROM ITS EFFECTIVE DATE AS REQUIRED BY SECTION 2-11.40 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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 amended to read as follows:¹

Sec. 2-1150. – Ronald Reagan Equestrian Center Council.

- 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. >>The Council shall, on or before February 1 of each year, provide an annual report, oral or written, to the Board of County Commissioners setting forth the matters required under § 2-11.40(a) of the Code of Miami-Dade County.<<

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¹ 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.

C. *Council Membership.* ~~[[The composition and representative membership of the Council shall be as follows:]]~~ >>The Council shall consist of six (6) members. The District Commissioner of the Commission District embracing the Ronald Reagan Equestrian Center or, if the District Commissioner declines the appointment, such other Commissioner designated by the Chairperson of the County Commission, shall serve as the Board of County Commissioners' delegate to the Council (the "Delegate"). The Delegate shall serve as the chairperson of the Council and shall be entitled to vote on all matters before the Council.<<

>>1. *Selection of Council Members.* The Delegate shall be responsible for nominating the remaining five (5) members of the Council. The Delegate's nominees shall be appointed to the Council upon confirmation by the County Commission.<<

>>2. *Qualifications of Council Members; Process of Selecting Council Members.* All individuals nominated for or confirmed to a position on the Council shall meet the qualifications set forth in § 2-11.38 of the Code of Miami-Dade County. Prior to confirming any individual nominated to a vacancy on the Council, the County Commission shall be provided with the materials set forth in § 2-11.38.1 of the Code of Miami-Dade County.<<

~~[[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 Nicaraguense 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 Greater Miami Convention and Visitors Bureau;]]~~
- ~~[[10. One (1) member shall be a representative from the "Team Roping" equestrian sport;]]~~
- ~~[[11. One (1) member shall be a representative from the "Team Penning" equestrian sport;]]~~
- ~~[[12. One (1) member shall be a representative from a cattle association;]]~~
- ~~[[13. One (1) member shall be a representative from the cattle ranching industry;]]~~
- ~~[[14. One (1) member shall be a representative with expertise in tropical fruit crops horticulture or horticulture research;]]~~
- ~~[[15. One (1) member shall be a representative from the veterinary medicine industry specializing in large animals;]]~~
- ~~[[16. One (1) member shall be a representative from the farming/growers community;]]~~
- ~~[[17. One (1) member shall be a representative of the horse breeding industry;]]~~
- ~~[[18. One (1) member shall be a representative from the "Hunters or Jumpers" equestrian sport.]]~~
- ~~[[19. Three (3) member 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 subsection (C)(1) through (9) above, and shall request that each entity submit the name of at least one (1) 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 subsection (C)(9) through (19). The Parks Department shall submit their nominations for approval by the Board of County Commissioners.]]

[[F.]]>>D.<< *Election and Term of Office.*
 >>Notwithstanding anything to the contrary in § 2-11.38.2 of the Code of Miami-Dade County pertaining to the staggering of terms or the limits on the number of terms that Council Members may serve, appointed<< Council Members [[appointed by the Board of County Commissioners]] shall serve a two-year term and may be reappointed >>in accordance with the procedures provided in (C)(1)<< [[by the Board of County Commissioners]] for subsequent terms. >>Appointed<< 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; >>(iii) removal due to absence from three consecutive meetings of the Council, as provided in § 2-1150(G)(3);<< or ([[iii]])>>iv<< resignation from the Council. Any Council vacancies arising due to a Council Member's term expiring, removal, resignation, or otherwise shall be filled >>pursuant to the process set forth in § 2-1150(C) of the Code of Miami-Dade County.<< [[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.]]>>E.<< *Removal.* Any >>appointed<< Council Members may be removed from the Council with or without cause at any time by the vote of a majority of Council Members present at a special meeting of the Council called for that purpose.

[[H.]]>>F.<< *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.]]~~>>G.<< *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]]~~ >>A majority of the members duly appointed to<< ~~[[of]]~~ the Council shall constitute a quorum. Special meetings of the Council may be called by the written request of ~~[[five (5)]]~~ >>three (3)<< members >>or the Delegate<<. All meetings of the Council shall be duly noticed to the public and written minutes shall be maintained.

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3. *Attendance Requirement.* Notwithstanding any other provision of the Code of Miami-Dade County, any >>appointed<< 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 (75) 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 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 subsection (1)(3) may be waived]]~~ >>upon being absent from any three consecutive meetings of the Council<<.
4. *Staff and Facility Support.* >>The Ronald Reagan Equestrian Council may be supported by volunteers chosen by the Delegate. Volunteers shall be chosen on the basis of their ability to contribute to the fulfillment of the Ronald Reagan Equestrian Center's objectives. Volunteers shall serve at the

pleasure of the Delegate, without expectation of any remuneration whatsoever.<< The ~~[[Park and Recreation Department]]~~ >>Parks, Recreation and Open Spaces Department (the "Parks Department"), or any successor to the Parks Department,<< shall >>ensure that one (1) individual responsible for the Parks Department's operation of the Ronald Reagan Equestrian Center attends each meeting of the Council and is otherwise reasonably available to respond to inquiries from the Delegate or appointed members of the Council << ~~[[provide such staff to support the Council as may be necessary to accomplish its purpose]]~~. The ~~[[Park and Recreation Department]]~~ >>Parks Department<< may provide such facilities as the Council deems necessary to accomplish its purpose. >>The Clerk of the Board of County Commissioners shall be responsible for ensuring that meetings of the Council are advertised in accordance with the law and that minutes are taken and kept of each meeting of the Council. The Clerk of the Board of County Commissioners shall further be responsible for recording all meetings of the Council; at a minimum the Clerk of the Board of County Commissioners shall create audio recordings of Council Meetings, but the Clerk of the Board of County Commissioners shall endeavor to create video recordings of Council Meetings if practicable.<<

- >>5. *Establishment of Council Subcommittees.* The Council may establish any subcommittees, whether standing or ad hoc, that the Council, in its sole discretion, determines are necessary to assist the Council in the fulfillment of its mission, as set forth in § 2-1150(B) of the Code of Miami-Dade County. Any subcommittee created by the Council shall be staffed by Council members and/or volunteers. In addition to any other subcommittees that the Council might create, the Council shall have subcommittees tasked with examining issues pertaining to the Equestrian Center and the cattle, agriculture, livestock, and tourism industries. The number of membership slots on Council subcommittees shall be determined by the Council.<<

Section 2. Upon enactment of this Ordinance, the existing Ronald Reagan Equestrian Center Council shall be abolished and subsequently reconstituted in accordance with the provisions set forth in Section 1.

Section 3. In accordance with §2-11.40 of the Code of Miami-Dade County, the Ronald Reagan Equestrian Center Council shall stand automatically repealed five (5) years from the effective date of this ordinance.

Section 4. 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 5. 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 relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. 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:

APW

Prepared by:

MAG

Miguel A. Gonzalez

Prime Sponsor: Senator Javier D. Souto