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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(B)

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

DATE: July 06, 2006

FROM: Murray A. Greenberg County Attorney

SUBJECT: Ordinance amending Article CVII of the Code pertaining to the Miami-Dade Sports Commission

O#06-109

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.

Murray A. Greenberg
County Attorney

MAG/bw

Memorandum

MIAMI-DADE COUNTY

Date: July 06, 2006

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

From: George M. Burgess
County Manager

Subject: Ordinance Amending Article CVII of the Code Pertaining to the Miami-Dade Sports Commission

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The proposed ordinance amending Article CVII of the Code of Miami-Dade County pertaining to the Miami-Dade Sports Commission will have no fiscal impact to Miami-Dade County.

Assistant County Manager

Fiscal00306

MEMORANDUM

(Revised)

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

DATE: July 6, 2006

FROM: Murray A. Greenberg County Attorney

SUBJECT: Amended Agenda Item No. 7(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(B)
7-6-06

ORDINANCE NO. **06-109**

ORDINANCE AMENDING ARTICLE CVII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO THE MIAMI-DADE SPORTS COMMISSION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that [1]

Section 1. Section 2-1602 of Article CVII of the Code of Miami-Dade County, Florida, is amended to read as follows:

Sec. 2-1602. Promotion and Attraction of [[~~Amateur~~]]Sports.

The Authority shall promote, attract and solicit adult and youth [[~~amateur~~]] sports from throughout the United States and within Miami-Dade County to the greatest extent feasible and shall strive to generate and further community support to achieve this purpose, including working closely with the County's Parks Department so as not to compete for events and to use each other as a resource.

Section 2 Section 2-1603 of Article CVII of the Code of Miami-Dade County, Florida, is amended to read as follows:

Sec.2-1603. Governing Body.

(a) *Composition and appointment.* The governing body of the Commission shall be a board of directors that consists of >>twelve (12)<< [[~~nine (9)~~]] voting members from the following organizations >>and any additional members selected by the Executive Committee pursuant to (c) below<<:

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[1] Words stricken through shall be deleted. Words underscored constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

(1) >>The County Manager, Deputy County Manager, or Assistant County Manager<< [[~~representative from the County Manager's Office~~]];

(2) [[~~A representative from the~~]] >>The Director of the<< Miami-Dade Parks Department;

(3) A representative from the Miami-Dade League of Cities;

(4) A representative who is involved in collegiate athletics from one of the local colleges or universities, >>to be selected by the board of directors<<;

(5) A representative from the Miami-Dade School Board;

(6) A representative from the Greater Miami Convention and Visitors Bureau;

(7) A representative from the Greater Miami and the Beaches Hotel Association;

(8) A representative from The Greater Miami Chamber of Commerce;

(9) A representative from The Orange Bowl Committee[[~~.~~]] >>;<<

(10) >>A member of the Board of County Commissioners to be appointed by the Chairman or Chairperson of the Board of County Commissioners;<<

(11) >>A member of the Board of County Commissioners to be appointed by the Chairman or Chairperson of the Board of County Commissioners;<<

(12) >>The Miami-Dade County Mayor or his designee.<<

Each organization shall appoint its representative to the board of directors>>.<< [[, ~~except for the representative involved in collegiate athletics from one of the local Collages or universities who will be appointed by the Board of County Commissioners.~~]] When making a selection, each organization shall consider that the voting members should reflect the gender, racial, ethnic or cultural make-up of the community.

[[~~Two members of the Board of County Commissioners shall also serve as non-voting, ex-officio members of the Commission.~~]]

(b) *Qualifications.* Each member of the Commission shall be a United States citizen, a duly qualified elector of Miami-Dade County, and shall comply with the requirements of Chapter 2-11-38 of the Code of Miami-Dade County. Before taking any official action, each voting member shall take the prescribed oath of office. Members of the Commission shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties. [[~~Members of the Board shall also be committed to using their best efforts to raise additional funds from the private sector in a total amount not less than two hundred and fifty thousand dollars ($250,000) collectively to match Miami-Dade County's fiscal contribution.~~]]

>>(c) *Executive Committee.* The Executive Committee shall consist of the twelve (12) members of the board of directors appointed by the organizations listed in (a) above. The Executive Committee may, by majority vote, select and appoint up to thirty-four (34) additional voting members to the board of directors. The Executive Committee may expand its membership up to four (4) additional members selected from the board of directors. The Executive Committee, upon a majority vote, may veto any action taken by the board of directors. The twelve members of the Board of Directors shall, by a majority vote, renew the up to 34 Board members on an annual basis. The Commission shall have two Chairpersons. One Chairperson shall be a member of the Board of County Commissioners appointed by the Chairperson of the Board of County Commissioners. One Chairperson shall be elected by the twelve voting members of the board of directors appointed in accordance with paragraph (a) above. <<

T*erm.* The [[~~voting~~]] members of the Commission >>who are the County Mayor or his designee or are members of the Board of County Commissioners<< shall serve terms of three (3) years each. No [[~~voting~~]] member >>who is a member of the Board of County Commissioners<< shall serve more than two (2) consecutive terms of three (3) years each. [[~~Members may be removed in accordance with the provisions of Chapter 2-11.38 of the Code of Metropolitan Dade County. The Board of County Commissioners shall appoint two (2) ex- officio non-voting members from time to time.~~]]

(d) *Vacancies.* Each organization shall appoint a new representation within one month when its appointee resigns or is removed from the Commission.

(e) *Modified applicability of Conflict of Interest and Code of Ethics Ordinance.* The Metropolitan Dade County Conflict of Interest and Code of Ethics Ordinance (the "Conflict of Interest Ordinance"), Section 2-11.1 of the Code of Metropolitan Dade County, Florida, shall be applicable to the members of the Commission only in the manner and to the extent provided in the next sentence. It is declared to be the intent of the Commission, as expressed in this subsection, to provide that the Conflict of Interest Ordinance shall not operate to preclude individuals from serving as Commission members on the basis of interests relating to Miami-Dade County when such interests do not conflict with the Commission.

(f) *Organization and Procedure.* The board of directors shall elect one (1) of its members as chairperson and one of its members as vice-chairperson whom shall both serve a term of two (2) years and such other officers as the board of directors may determine to be necessary.

* * *

Section 3. Section 2-1604 of Article CVII of the Code of Miami-Dade County, Florida, is amended to read as follows:

Sec. 2-1604. Powers and Duties of the Commission.

The Commission, acting through its governing body shall have the following powers, duties, function and responsibilities.

(a) To attract quality [[~~amateur~~]]sporting events to Miami-Dade County in cooperation with the County's Parks Department that will result in economic benefit to Miami-Dade County through tourism activity and improve the quality of life of its citizens and showcase the Miami-Dade County area and its many athletic facilities to a local, national and international audience.

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Section 4. Section 2-1605 of Article CVII of the Code of Miami-Dade County, Florida, is amended to read as follows:

Sec. 2-1605. Financial support for the Commission.

The Commission shall establish a fiscal year that coincides with that of Miami-Dade County, and the County Manager shall provide financial support to the Commission by including the amount of $250,000 in the official Miami-Dade County budget each year unless directed otherwise by the Board of County Commissioners. The amount provided to the Commission may be increased or decreased by the Board from time to time. The board of directors shall submit a requisition to the Finance Director in a form acceptable by the Finance Director for the dispersal of funds as needed. [[~~The Board approves an initial payment of $25,000 to the Commission without further approval so the Commission may commence activities.~~]] The Commission shall timely submit to the Board of County Commissioners a budget request pertaining to operating and capital expenditures for the succeeding fiscal year, which request shall not be implemented until approved by the Board of County Commissioners.

* * *

Section 5. 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 6. 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 7. 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: July 6, 2006

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Bruce Libhaber

Sponsored by Commissioner Jose "Pepe" Diaz