

# MEMORANDUM

Agenda Item No. 7(L)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** (Second Reading 11-2-21)  
July 20, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance creating the  
Westchester Health and  
Wellness Information Center  
District Advisory Board;  
providing for purpose,  
composition, and duties of  
the board and other related  
matters

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



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Geri Bonzon-Keenan  
County Attorney

GBK/smm

# Memorandum



**Date:** November 2, 2021

**To:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:** Fiscal Impact Statement for Ordinance Creating the Westchester Health and Wellness  
Information Center District Advisory Board - Legistar #211719

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The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as support to the new advisory board will be absorbed by existing Commission District 10 staff as described in Section 2-762(f) of the ordinance.

A handwritten signature in blue ink that reads "Morris Copeland".


Morris Copeland  
Chief Community Services Officer

# Memorandum



**Date:** November 2, 2021

**To:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Social Equity Statement for Ordinance Creating the Westchester Health and Wellness Information Center District Advisory Board – Legistar #211719

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The proposed ordinance seeks to create the Westchester Health and Wellness Information Center District Advisory Board (Advisory Board) to advise the District Commissioner of the regarding programming and the best use of the facility. Members of the Advisory Board shall be residents of Miami-Dade County and either be a current or retired member of the medical profession in the County. Staff support for the Advisory Board will be provided by the District Commissioner's Office.

The implementation of this ordinance will provide the District Commissioner with information and guidance on medical trends and the health needs of the community from a pool of medical professionals which may include doctors, nurses, physician assistants, nutritionists, therapists, pharmacists, and other professionals that provide health and wellness services. The proposed ordinance is expected to have a beneficial impact to the community as guidance provided will serve to improve the physical health and wellbeing of Miami-Dade County residents who access resources and participate in programs at this new facility.



Morris Copeland  
Chief Community Services Officer




## MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** November 2, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 7(L)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ 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(L)  
11-2-21

ORDINANCE NO. \_\_\_\_\_

ORDINANCE CREATING THE WESTCHESTER HEALTH  
AND WELLNESS INFORMATION CENTER DISTRICT  
ADVISORY BOARD; PROVIDING FOR PURPOSE,  
COMPOSITION, AND DUTIES OF THE BOARD AND OTHER  
RELATED MATTERS; PROVIDING SEVERABILITY,  
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, pursuant to Resolution No. R-916-04, the voters of Miami-Dade County approved the issuance of general obligation bonds to construct and improve, among other things, healthcare facilities to promote accessibility to quality healthcare services; and

**WHEREAS**, this Board approved the allocation of funds for the construction of the Westchester Health and Wellness Information Center, located at 9445 Coral Way, Miami, FL 33165 (“Wellness Center”), to serve the residents of Commission District 10; and

**WHEREAS**, the Wellness Center was created by action of this Board, and was spearheaded by Senator Javier D. Souto; and

**WHEREAS**, the Miami-Dade Public Library System will manage the Wellness Center which is currently under construction and has a projected opening of Fall 2021; and

**WHEREAS**, the Wellness Center will be a state-of-the-art health, nutrition, exercise, and disease prevention resource for Miami-Dade residents; and

**WHEREAS**, the Wellness Center is a facility created for the residents of Miami-Dade by this Board; and

**WHEREAS**, the services provided at the Wellness Center will be provided free of charge;  
and

**WHEREAS**, having a district advisory board comprised of five medical professionals to make recommendations to the County Commissioner of the district where the Wellness Center is located regarding the programming and services at the Wellness Center can help ensure the success of the Wellness Center; and

**WHEREAS**, such board will be staffed by District 10 staff members and will not utilize staff from the administration,

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

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

**ARTICLE LX. WESTCHESTER HEALTH AND WELLNESS  
INFORMATION CENTER DISTRICT ADVISORY BOARD**

**Sec. 2-761 Creation and Purpose.**

The Westchester Health and Wellness Information Center District Advisory Board (“Westchester Health Center District Board”) is hereby created. The purpose of the Westchester Health Center District Board is to advise the Commissioner of the district where the Westchester Health and Wellness Information Center (the “Wellness Center”) is located regarding the best use of the Wellness Center and programming at the Wellness Center.

**Sec. 2-762 Composition; membership.**

(a) *Composition.* The Westchester Health Center District Board shall be comprised of a total of five members. Each member of the Westchester Health District Board shall be appointed by the sitting County Commissioner of the district where the Wellness Center is located (the “Commissioner”).

- (b) *Qualifications.* Each member of the Westchester Health Center District Board shall be a permanent resident and duly qualified elector of Miami-Dade County, and shall be either be a current or retired member of the medical profession in Miami-Dade County. Medical professionals include doctors, nurses, physician assistants, nutritionists, therapists, pharmacists, and other professionals that provide health and wellness services.
- (c) *Compensation.* Westchester Health Center District Board members shall serve without compensation.
- (d) *Vacancies.* Vacancies shall be filled in the same manner by which original members were appointed.
- (e) *Tenure and Removal.* All Westchester Health Center District Board members shall serve at the will of the Commissioner. The Commissioner may at any time, with or without cause, remove said board members from the Westchester Health Center District Board by notifying said members in writing and appointing different persons to fill the positions.
- (f) *Staff Support.* The Commissioner shall provide appropriate support to the Westchester Health Center District Board to enable it to carry out its duties and responsibilities.

**Sec. 2-763 Financial Support.**

The Westchester Health Center District Board shall be funded solely by the Commissioner district office funds.

**Sec. 2-764 Meetings.**

The Westchester Health Center District Board shall hold meetings as determined by the needs of the Commissioner.

**Sec. 2-765 Duties; powers; responsibilities.**

The Westchester Health Center District Board shall provide the Commissioner with information pertaining to the health and wellness needs of the community and advise the Commissioner on how the Wellness Center can best serve the residents of Miami-Dade County. The Westchester Health Center District Board shall not be authorized to expend funds or accept or solicit gifts of money of services.

**Sec. 2-766     Applicability of State and County rules and procedures.**

The Westchester Health Center District Board shall at all times operate under Florida's open government laws, including but not limited to the Government in the Sunshine Law and the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter. Additionally, the Westchester Health Center District Board shall be deemed an "agency" for the purposes of the state's 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, as may be amended, including, but not limited to, section 2-11.1 of the Code of Miami-Dade County.

The Westchester Health Center District Board shall also provide members of the public a reasonable opportunity to be heard, consistent with section 286.0114, Florida Statutes. Accordingly, rule 6.06 of the Board's rules of Procedure is incorporated herein.

**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 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 4.**     As the Westchester Health Center District Board will solely advise the sitting County Commissioner of the district where the Wellness Center is located, such Board is neither a "County board" nor a "district board" as those terms are defined under section 2-11.36.1 of the Code.



**Section 5.** 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:

Melanie J. Spencer

  
  
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Prime Sponsor: Senator Javier D. Souto