

MEMORANDUM

Agenda Item No. 14(A)(5)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 3, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance creating chapter II,
article 1D of the Code;
establishing the Miami-Dade
CBO Trust Fund and CBO Trust
Fund Deduction to be applied to
eligible County purchases;
providing legislative intent and
purpose; directing the County
Mayor to provide reports to the
Board

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Kionne L. McGhee.


Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 3, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 14(A)(5)

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 ____, majority plus one ____, 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) ____, 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. 14(A)(5)
9-3-25

ORDINANCE NO. _____

ORDINANCE CREATING CHAPTER II, ARTICLE 1D OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ESTABLISHING THE MIAMI-DADE CBO TRUST FUND AND CBO TRUST FUND DEDUCTION TO BE APPLIED TO ELIGIBLE COUNTY PURCHASES; PROVIDING LEGISLATIVE INTENT AND PURPOSE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE REPORTS TO THE BOARD; AND PROVIDING SEVERABILITY, INCLUSION AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Miami-Dade County recognizes the vital role that community-based organizations ("CBOs") play in fostering positive social, economic, and health outcomes within our community; and

WHEREAS, each year, the County provides millions of dollars in grant funding to these nonprofit and not-for-profit organizations providing essential human and social services to our residents; and

WHEREAS, many CBOs are financially dependent on federal, state, and local grants; and

WHEREAS, this grant funding can be jeopardized during strained budget years, such as the one the County currently faces; and

WHEREAS, the County has developed trust funds to address certain crises, such as the affordable housing crisis and the establishment of the Affordable Housing Trust Fund, codified at Article VIII, section 17-132.1 of the Code of Miami-Dade County (the "Code"); and

WHEREAS, similarly, the Board desires to establish a trust fund for providing grants to nonprofit and not-for-profit community-based organizations directly providing human and social service assistance; and

WHEREAS, implementing a permanent, renewable and dedicated funding mechanism for the trust fund by deducting and retaining a small percentage of money from payments on County contracts, similar to the User Access Program (UAP) in County Purchases, provides a reliable source of revenue to support these organizations; and

WHEREAS, once established, the Board can establish a fair and transparent process for distributing these funds to all the non-profit and not-for-profit organizations that serve our community,

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

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

**ARTICLE 1D
MIAMI-DADE CBO TRUST FUND**

Sec. 2-11.53. **Short title.**

This article shall be known as the “Miami-Dade CBO Trust Fund.”

Sec. 2-11.54 **Legislative intent and purpose.**

It is the intent of the Board of County Commissioners to create a community-based organization (“CBO”) trust fund (“Miami-Dade CBO Trust Fund” or “Trust Fund”) as part of a permanent, renewable source of revenue to meet, in part, the human and social services needs of the residents of Miami-Dade County. To sustainably fund these organizations, the County shall establish a dedicated funding source, the CBO Trust Fund Deduction, a deduction retained on certain contractual transactions with County vendors. Other funds may be designated and directed by the Board of County Commissioner to the Trust Fund.

The CBOs which are intended to benefit from the Trust Fund shall be 501(c)(3) tax exempt organizations that directly provide human and social services for residents of Miami-Dade County.

The Miami-Dade CBO Trust Fund shall be used solely for grant funding to CBOs as approved by the Board of County Commissioners (Board) pursuant to grant award processes approved by the Board.

All funds designated by the Board of County Commissioners shall be deposited into the Trust Fund in an interest-bearing account. All interest earnings from the account shall be reinvested and dedicated to the Trust Fund.

This article, being for a public purpose and for the long-term welfare of the present and future citizens of Miami-Dade County, Florida, shall be liberally construed to affect the purposes hereof.

Sec. 2-11.55

Miami-Dade CBO Trust Fund

- (1) There is hereby established the Miami-Dade CBO Trust Fund ("Trust Fund"). Separate accounts within such Trust Fund may be created from time to time to avoid commingling as required by law or as deemed appropriate to further the purposes of the Trust Fund. Interest earnings, if any, from the monies on deposit in the Trust Fund shall be retained and shall be used for the purposes provided herein. The Trust Fund shall be separately stated as a special revenue fund in the County's audited financial statements.
- (2) Monies deposited into the Trust Fund along with any interest earnings on such monies shall be used solely as a source of grant funding for CBOs operating to assist the human and social services needs of the residents of Miami-Dade County.
- (3) Any expenditure of funds from the Trust Fund requires the specific approval of the Board of County Commissioners, or of the County Mayor or County Mayor's designee under circumstances when the Board of County Commissioners has delegated that authority to the County Mayor or County Mayor's designee. Expenditures of the funds in the Trust Fund shall be controlled, authorized, and paid in accordance with County policy developed for CBOs. Monies deposited into the Trust Fund may not be used for any other purpose than as stated herein.

Sec. 2-11.56 CBO Trust Fund Deduction

- (1) A CBO Trust Fund Deduction in County purchases is hereby created. Contracts for the purchase of goods and services shall provide that the County will deduct two (2) percent from each invoice with the amount retained to be solely allocated for and deposited in the Miami-Dade CBO Trust Fund.
- (2) The County Mayor or Mayor's designee is authorized and directed to include CBO Trust Fund Deduction provisions, as specified in this section, in each competed and non-competed County contract for the purchase of goods and services, including contracts for construction services, one-time purchases, pool contracts and emergency awards. The CBO Trust Fund Deduction shall apply to contract extensions and renewals.
- (3) The following contracts shall be exempt from including the CBO Trust Fund Deduction: Miscellaneous Construction Contract Program contracts with a total contract value of less than five hundred thousand dollars (\$500,000.00), design, design-build, professional services contracts, small purchase orders issued by County departments, contracts funded with any funding source, including federal, which prohibits or restricts the application of the CBO Trust Fund Deduction, revenue generating contracts, and contracts with rates established by ordinance, resolution or applicable law. In addition, this Board may waive the application of the CBO Trust Fund Deduction in an otherwise eligible County purchase by a two-thirds vote of the members present upon a finding that the waiver is in the best interest of the County.
- (4) The County Mayor shall develop appropriate specifications and contract provisions to give effect to the requirements of this section.

Section 2. The CBO Trust Fund Deduction required herein shall apply to all eligible contracts and purchases entered on or after the effective date of this ordinance.

Section 3. This Board directs the County Mayor or County Mayor's designee to submit annual reports to this Board, which reports shall disclose the amounts of monies deposited in the Miami-Dade CBO Trust Fund, including but not limited to the amounts of grant funds generated

by application of the CBO Trust Fund Deduction. The completed reports shall be placed on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

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 section 1 of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida, and that the remaining provisions of this ordinance be excluded from the Code. 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:

MAG for GBK

Prepared by:

Eduardo W. Gonzalez

Eduardo W. Gonzalez
Leigh C. Kobrinski

Prime Sponsor: Vice-Chairman Kionne L. McGhee