

MEMORANDUM

Agenda Item No. 4(A)

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

DATE: October 20, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to Miami-Dade Economic Advocacy Trust; amending sections 2-501, 2-503, 2-505, and 2-506 of the Code; amending the purpose, composition, tenure, organization, staff support, reporting requirements, powers, and duties of the Trust

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001



MEMORANDUM

(Revised)

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

DATE: October 20, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

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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**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) ____) 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(A)
10-20-26

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE ECONOMIC ADVOCACY TRUST; AMENDING SECTIONS 2-501, 2-503, 2-505, AND 2-506 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING THE PURPOSE, COMPOSITION, TENURE, ORGANIZATION, STAFF SUPPORT, REPORTING REQUIREMENTS, POWERS, AND DUTIES OF THE TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, in 1983, Metro Miami Action Plan Trust (“MMA”) was created as a direct response to the 1980 Miami riots; and

WHEREAS, on February 18, 1992, this Board adopted Ordinance No. 92-12, which established MMA as an agency and instrumentality of the County; and

WHEREAS, on September 1, 2009, this Board adopted Ordinance No. 09-70, which renamed MMA as the Miami-Dade Economic Advocacy Trust (the “Trust”), which is charged with promoting economic advocacy and addressing economic conditions affecting residents and communities within Miami-Dade County; and

WHEREAS, since its creation more than four decades ago, the Trust has served an important role in identifying, monitoring, and addressing economic and social conditions that impede economic opportunity, financial stability, and self-sufficiency in lower income communities throughout Miami-Dade County; and

WHEREAS, in furtherance of its mission, the Trust has developed, administered, supported, and advocated for programs and initiatives related to housing and homeownership, small business development and entrepreneurship, economic advancement, and juvenile justice, among other matters affecting the economic well-being and quality of life of Miami-Dade County residents; and

WHEREAS, through its housing and homeownership initiatives, the Trust has sought to expand access to homeownership and housing opportunities, provide education, counseling, and technical assistance to prospective homeowners, and address barriers that prevent economically distressed residents from achieving housing stability, accumulating assets, and building generational wealth; and

WHEREAS, the Trust's economic development and small business initiatives have sought to promote entrepreneurship, strengthen local businesses, increase business capacity, and expand access to information, technical assistance, and economic opportunities for businesses and entrepreneurs serving distressed communities throughout Miami-Dade County; and

WHEREAS, the Trust also administers and supports the Miami-Dade County Teen Court Program, which provides eligible juvenile offenders with an alternative, peer-based approach to accountability and seeks to reduce recidivism, encourage positive youth development, and connect participating youth and their families with appropriate services and resources; and

WHEREAS, the Trust's work in housing, homeownership, small business development, economic advocacy, and juvenile justice reflects the interconnected nature of the economic and social conditions that may adversely affect residents, families, businesses, and communities and impede economic mobility and opportunity; and

WHEREAS, the provisions of the Code of Miami-Dade County governing the Trust were initially enacted more than four decades ago and should be updated to reflect changes in applicable law, County government and administration, and the programs and functions presently undertaken by the Trust; and

WHEREAS, this Board finds it necessary and appropriate to clarify and update the mission, goals, and operational framework of the Trust to promote economic opportunity and address documented economic conditions affecting economically distressed residents and communities; and

WHEREAS, this Board further finds that economic need, geographic conditions, barriers to economic mobility, housing conditions, business capacity, and other objectively identifiable economic and socioeconomic factors may provide appropriate bases for the development and administration of programs intended to address economic disparities and expand economic opportunity within Miami-Dade County, consistent with applicable law,

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

Section 1. Section 2-501 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-501. Creation and purpose.

(a) There is hereby created and established a revocable trust, the terms of which may be modified by Miami-Dade County, which trust shall be named and known as the Miami-Dade Economic Advocacy Trust (hereinafter referred to as the "Trust"). The Trust shall be a public body corporate and politic which, through its governing body, may exercise all those powers either specifically granted herein or necessary in the exercise of those powers herein enumerated. The Trust shall be an agency and instrumentality of Miami-Dade County.

(b) The purpose of the Trust shall be to ~~[[ensure]]~~ >>further<< the ~~[[equitable participation of Blacks]]~~ >>participation of lower income and economically distressed residents<< in Miami-Dade County's economic growth through advocacy and ~~[[monitoring of economic conditions and economic development initiatives in Miami-Dade County]]~~ >>oversight, research, programs, and initiatives designed to identify and address

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.

economic and socioeconomic conditions that impede economic mobility, self-sufficiency, and economic advancement. In furtherance of such purpose, the Trust may address matters relating to housing and homeownership, small business development and entrepreneurship, economic development, juvenile justice and youth development, and such other matters affecting economic opportunity and the economy in Miami-Dade County.<<

(c) This Board recognizes the independence of the Trust and its obligation to provide the Board of County Commissioners and the County Mayor or the Mayor's designee with independent advice on matters of policy relating to the purposes and projects of the Trust.

(d) Notwithstanding the independence of the Trust, this Board may by resolution take any action to effectuate the purposes of the Trust.

Section 2. Section 2-503 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-503. Appointment and tenure.

* * *

(b) *Composition.* Notwithstanding Section 2-11.1 of this Code with respect to eligibility of membership on the Board of Trustees, the voting membership shall include representatives from the following areas of professional expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition, the Board of Trustees shall have at least one (1) voting member from the Miami-Dade County School Board and one (1) voting member from State or local government. At least seven (7) members of the initial Board of Trustees shall be selected from members of the existing Trust Board of Directors. With respect to the appointment of the balance of Trustees, careful consideration shall be given to the expertise needed to accomplish the goals and objectives of the Trust. ~~[[In addition, a majority of the membership of the Board of Directors shall be members of the African-American community.]]~~

(c) *Qualifications.* Each member of the Board of Trustees shall be a United States citizen, a permanent resident and duly qualified elector of Miami-Dade County unless the Board of County Commissioners waives the residency requirement by a two-thirds vote of its membership. No person shall be qualified to sit as a Trustee if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the Trust except if that person is employed by or is serving on the Board of Trustees as a

representative of State or local government. Trustees who are representatives of or who are employed by any State or local governmental agency may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

(d) *Tenure of Trustees.* The Trustees shall serve terms of three ~~[[3]]~~ years each; provided, however, that of the original Board of Trustees, the Board of County Commissioners shall select one-third ~~[[1/3]]~~ for a term of one ~~[[1]]~~ year and one-third ~~[[1/3]]~~ for a term of two ~~[[2]]~~ years. No Trustee shall be permitted to serve more than two ~~[[2]]~~ consecutive and complete terms of three ~~[[3]]~~ years each unless so authorized by a two-thirds ~~[[2/3]]~~ vote of the full membership of the Board of County Commissioners. ~~[[All Trustees serving on the Board of Trustees on the effective date of this ordinance shall continue to serve on the Board of Trustees. Current Trustees shall be eligible to serve up to two (2) consecutive and complete three year terms. Service on the Board of Trustees by current members prior to the effective date of this ordinance shall not count towards the maximum term of service provided for in this ordinance. The initial Board of Trustees, appointed after the effective date of this ordinance, excluding Trustees serving on the Board of Trustees on the effective date of this ordinance, shall serve staggered terms. One third (1/3) of Trustees appointed after the effective date of this ordinance shall serve for a term of one (1) year, one third (1/3) shall serve for a term of two (2) years, and one third (1/3) shall serve for a term of three (3) years. Straws shall be drawn to determine the terms.]] >>Upon the effective date of this ordinance, the terms of current Trustees shall automatically expire, provided, however, that each current Trustee shall continue to serve until a successor is appointed and qualified. The Nominating Council shall, in accordance with subsection (a) above, convene to solicit, screen, interview, and recommend for appointment to each vacancy on the Board of Trustees the best qualified candidate meeting the qualifications set forth in subsections (b) and (c) above.<<~~

Section 3. Section 2-505 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-505. Organization; staff support.

(a) *Organization.* The Board of Trustees shall organize after the members have qualified to serve and shall elect one of its voting members as Chairperson, one of its voting members as Vice-Chairperson and such other officers as the Board of Trustees may determine to be necessary. In addition, the Board of Trustees shall make, adopt and amend bylaws, rules and regulations for its own governance.

(b) *Employees.* The Executive Director and all employees of the Trust shall be Miami-Dade County employees. The Board of Trustees shall submit the names of nominee(s) for the position of Executive Director to the County ~~[[Manager]]~~ >>Mayor<<. The ~~[[Manager]]~~ >>Mayor<< shall make a recommendation from the nominee(s) proposed by the Trust to the Board of County Commissioners for its approval. The Trust shall have the power to remove the Executive Director.

~~[[The Board of Trustees shall submit the names of nominee(s) for the position of Executive Director to the County Manager. The Manager shall make a recommendation from the nominee(s) proposed by the Trust to the Board of County Commissioners for its approval. The Trust shall have the power to remove the Executive Director.]]~~

(c) *Staff support.* The County Attorney shall serve as Attorney for the Trust, the County ~~[[Manager]]~~ >>Mayor or County Mayor's designee<< shall provide audit, budget and financial assistance to the Trust, and the Clerk of the Board of County Commissioners shall be the Clerk and Secretary of the Trust.

(d) The Board of County Commissioners shall provide to the Trust fiscal review and oversight as well as programmatic focus and direction.

(e) The Trust shall present quarterly financial reports, including a current statement of all accounts, to the Commission Auditor and the County ~~[[Manager]]~~ >>Mayor or County Mayor's designee<<. Copies of said reports shall be provided to the Board of County Commissioners. Said reports shall also include information concerning an assessment of the performance of each agency funded by the Trust as well as those program activities carried out directly by the Trust. In addition to these quarterly reports, the Trust shall submit annual reports to the County ~~[[Manager]]~~ >>Mayor or County Mayor's designee<< and the Commission Auditor summarizing and evaluating all programs and activities undertaken by the Trust during the previous fiscal year. The annual report shall include an audit in accordance with generally accepted accounting principles of all funds received and expended by the Trust. The Trust shall not be able, however, to establish any bank accounts without the express approval of either the Board of County Commissioners or the County ~~[[Manager]]~~ >>Mayor or County Mayor's designee<<; provided, however, that the Trust can establish an account for Miami-Dade Community Foundation monies to receive and expend non-County monies which the Trust receives. No County monies nor income from County accounts shall be deposited into external accounts. The Trust shall be subject to periodic reviews as deemed necessary by the County Mayor >>or County Mayor's designee<<, >>and<< the Board of County Commissioners~~[[, the Department of Audit and Management Services and the Office of Strategic Business Management]]~~. In the event that these reviews reveal management problems, as determined by the reviewing entity, then the County Mayor~~[[; after the approval of the Board of County Commissioners, may place the~~

~~Trust on Management Watch. If the Trust is placed on Management Watch, the Mayor shall present a plan to the Board of County Commissioners which provides timelines for removal of the Trust from Management Watch. The Board of County Commissioners shall have the authority to remove the Trust from Management Watch]]>>or County Mayor's designee shall comply with the requirements set forth in Section 2-11.39.4(b) of the Code of Miami-Dade County<<.~~

~~[[The Trust, in addition to providing quarterly financial reports, shall submit to the Board an annual Report Card on the State of the Black Community in Miami-Dade County. The report card shall include information on factors such as, but not limited to, the unemployment rate, the rates of business ownership, graduation rates, and homeownership rates within Miami-Dade County's Black community. The report card shall be presented to the Board and to the community.]]~~

(f) Subject to the Miami-Dade County budgetary process and the availability of funds, the County will include in its annual budget funds for administrative costs and additional funds for programmatic activities. Requests for administrative and programmatic funds are to be made in accordance with the procedures described in Section ~~[[2-506(i)]]>>2-506(h)<<~~. The County ~~[[Manager]] >>Mayor or County Mayor's designee<<~~ is directed to include ~~[[his]]>>their<<~~ recommendation for administrative and programmatic funding for the Trust in the annual proposed budget.

Section 4. Section 2-506 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-506. - Powers and duties of the Trust.

The Trust, acting through its governing body, shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided:

(a) Every five ~~[[5]]~~ years, the Trust shall establish a five-year comprehensive plan (hereinafter "the plan"). The plan shall contain one-year goals and objectives, the completion of which shall be needed to accomplish the comprehensive plan. The first plan shall be submitted to the Board of County Commissioners for approval.

(b) The Trust shall be empowered to expend administrative and programmatic resources to achieve each of its one-year goals and objectives as well as to accomplish and complete each five-year plan.

(c) The Trust shall identify and develop a variety of alternative funding sources and shall seek and apply for State, federal and private grants, including, but not limited to, grants from philanthropic and non-tax based sources.

(d) ~~[[The Trust shall serve as an advocate for and providing of the economic conditions and economic development initiatives in Miami-Dade County]]~~ >>The Trust shall serve as an advocate for lower income communities in Miami-Dade County and shall identify, monitor, research, and evaluate economic and socioeconomic conditions and public and private initiatives affecting economic opportunity, economic mobility, and economic development in Miami-Dade County. The Trust may make recommendations to the Board of County Commissioners and the County Mayor or County Mayor's designee concerning policies, programs, and initiatives intended to address such conditions and expand economic opportunity.<<

(e) The Trust shall submit to the Board an annual scorecard ~~[[that reflects the performance of those entities, (both public and private) charged with and funded to improve conditions in blighted communities]]~~ >>reflecting economic and socioeconomic conditions affecting lower income residents and communities in Miami-Dade County and, to the extent data is reasonably available, evaluating the performance and measurable outcomes of public and private entities, programs, and initiatives charged with or funded to improve such conditions. The scorecard may include information concerning employment and unemployment, business formation and ownership, business growth and capacity, educational attainment, housing conditions, homeownership, household income, economic mobility, juvenile justice and youth outcomes, and such other measurable indicators as the Trust determines appropriate. The scorecard shall identify significant economic and socioeconomic trends and may include recommendations for policies, programs, or initiatives to address identified conditions.<<

(f) ~~[[The Trust shall conduct a disparity study that examines the present economic conditions of Blacks] in Miami-Dade County. This study shall be conducted every ten (10) years and submitted to the Board]].~~ >>At least once every 10 years, the Trust shall conduct or cause to be conducted a study examining economic and socioeconomic conditions affecting lower income residents and communities in Miami-Dade County. The study shall utilize objective and reasonably available data and may examine differences in economic outcomes based on economic need, geographic conditions, housing conditions, business capacity, access to economic opportunity, and other relevant economic or socioeconomic factors. The study shall identify significant barriers to economic mobility and economic advancement, and initiatives to address documented conditions. The study shall be submitted to the Board.<<

(g) The Trust, as an agent and instrumentality of Miami-Dade County, shall be authorized to act for Miami-Dade County in the performance and enforcement of all contracts and, subsequent to the effective date of this chapter and subject to the limitations set forth below, shall additionally be empowered to negotiate and execute such contracts as are properly within the powers and duties of the Trust. However, the Trust shall not without the prior approval of the Board of County Commissioners, enter into or amend any contract which shall require the expenditure of funds in excess of the amounts appropriated to the trust by the Board of County Commissioners.

The Trust shall comply with the formal >>and competitive<< bid requirements ~~[[of Section 4.03(D) of the Charter of Miami-Dade County, Florida, and for such purpose the term "board" as used in Section 4.03(D) shall be construed to be "board of trustees" and the term "manager" shall be construed to be executive director of the Trust]]~~ >>pursuant to applicable state and local laws, including, but not limited to, Miami-Dade County ordinances and regulations<<.

~~[[For all construction contracts, the trust shall comply with the provisions of Section 10-38 of the County Code and the administrative procedures adopted pursuant to said section.~~

~~For all purchases of commodities and services, the trust shall comply with the provisions of Section 2-8.2 of the County Code and the administrative procedures adopted pursuant to said section.]]~~

>>Consistent with the purposes set forth in section 2-501, the Trust may develop, administer, fund, support, and advocate for programs and initiatives addressing economic and socioeconomic conditions affecting economically distressed residents and communities in Miami-Dade County. Such programs and initiatives may include, but shall not be limited to: (1) housing, homeownership, housing counseling, and financial education; (2) small business development, entrepreneurship, business capacity building, and technical assistance; (3) economic development and economic mobility; (4) juvenile justice, diversion, Teen Court, and youth development; and (5) other programs and initiatives determined by the Trust to further the purposes of the Trust and approved or funded in accordance with applicable County requirements.<<

(h) The Trust's budget requests shall be prepared and submitted in the same manner as the budget for a County department and will be considered as part of the Miami-Dade County budget process. The Trust's budget requests shall be prepared in a format prescribed by the County ~~[[Manager]]~~ >>Mayor or County Mayor's designee<<.

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:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Terrence A. Smith

Prime Sponsor: Commissioner Oliver G. Gilbert, III

Two handwritten signatures are present. The top signature is in cursive and appears to read 'J. E. For'. The bottom signature is also in cursive and appears to read 'TAS'.