

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

DATE: March 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing Board
policy directing the County
Mayor to inform Commissioners
prior to commencing certain
changes at County parks located
within that commissioner’s
district; and requiring a report

Resolution No. R-183-21

This item was amended at the 2-11-21 Recreation and Culture Committee to reflect that the district commissioner, as opposed to the full Board of County Commissioners, shall be notified at least 30 days prior to the park changes outlined in the item and proposes conforming changes to the title and whereas clauses.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto and Co-Sponsor Commissioner Jean Monestime.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: March 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

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. 11(A)(8)
3-2-21

RESOLUTION NO. R-183-21

RESOLUTION ESTABLISHING BOARD POLICY DIRECTING
THE COUNTY MAYOR OR THE COUNTY MAYOR'S
DESIGNEE TO INFORM COMMISSIONERS PRIOR TO
COMMENCING CERTAIN CHANGES AT COUNTY PARKS
LOCATED WITHIN THAT COMMISSIONER'S DISTRICT;
AND REQUIRING A REPORT

WHEREAS, under the Home Rule Amendment and Charter (the "Charter"), the Board of
County Commissioners (the "Commission") is the legislative and governing body of the County;
and

WHEREAS, the Mayor is responsible for the management of all administrative
departments and for carrying out policies adopted by the Commission; and

WHEREAS, in conformance with the Charter, all County policy decisions are within the
purview of the Commission and the Mayor is responsible for the County's operations in
accordance with the policies adopted by the Commission; and

WHEREAS, parks are an essential service provided to the public through policy adopted
by the Commission and carried out by the Mayor and the Mayor's designees; and

WHEREAS, this Board desires to reinvigorate the use of parks, including the use of parks
for playing sports; and

WHEREAS, ~~[[this Board, as the County policy maker, should determine whether
programmatic elements such as playing fields, courts, and recreation centers are added or removed
from County parks]]~~¹ >>commissioners should be kept informed of changes to plans that have
been previously approved by this Board regarding playing fields, courts, and recreation centers
located with County parks in their districts<<,

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double
bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Incorporates and approves the above recitals as if fully set forth herein.

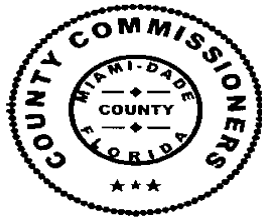
Section 2. Establishes a policy whereby the County Mayor or the County Mayor's designee shall inform ~~[[this Board]]~~ >>the commissioner at least << thirty day prior to effectuating any change at a County park>>located within that commissioner's district<< that would result in the removal or addition of any playing field, recreation center, or court at a County park>>located within that commissioner's district<< if such removal or addition deviates from plans previously approved by this Board.

Section 3. Directs the County Mayor or County Mayor's designee to provide a report to this Board outlining any decisions made without Board approval by the County Mayor or the County Mayor's designee in the last 10 years to remove or install any playing field, recreation center, or court in County parks. The report shall be placed on an agenda of this Board within 60 days of the date of this resolution, pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto and the Co-Sponsor is Commissioner Jean Monestime. It was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of March, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

mjs

Melanie J. Spencer