

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

TO:	Honorable Interim Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners	DATE:	Agenda Item No. 7(A) (Second Reading 12-6-22) October 18, 2022
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance relating to the Miami- Dade County Lesbian, Gay, Bisexual, Transgender, Queer ("LGBTQ") Advisory Board; creating section 2-2408 of the Code; establishing the LGBTQ Advisory Board Trust Fund

Ordinance No. 22-161

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: December 6, 2022

To: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Fiscal Impact Statement for Ordinance Relating to Establishing the Lesbian, Gay,
Bisexual, Transgender and Queer (LGBTQ) Advisory Board Trust Fund

The implementation of this Ordinance establishing the trust fund will not have a fiscal impact to Miami-Dade County as it will be funded by outside donations.


Edward Marquez
Chief Financial Officer

Memorandum



Date: December 6, 2022

To: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Social Equity Impact Statement for Ordinance Relating to the Establishment of a Trust Fund for the Miami-Dade County Lesbian, Gay, Bisexual, Transgender, Queer Advisory Board via the Creation of Section 2-2408 of the Miami-Dade County Code

This social equity statement responds to the proposed Ordinance relating to the Miami-Dade County Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Board, creating Section 2-2408 of the Code of Miami-Dade County, Florida, establishing the LGBTQ Advisory Board Trust Fund, providing severability, inclusion in the code, and effective date.

The implementation of this Ordinance will provide a social benefit by enabling the Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ+) Advisory Board members to further the work of the board as well as expand its scope and will allow for board members to attend and host conferences and events for the community they serve using the trust fund monies.


Edward Marquez
Chief Financial Officer



MEMORANDUM

(Revised)

TO: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(A)

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(A)
12-6-22

ORDINANCE NO. _____ 22-161

ORDINANCE RELATING TO THE MIAMI-DADE COUNTY
LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER
("LGBTQ") ADVISORY BOARD; CREATING SECTION 2-2408
OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA;
ESTABLISHING THE LGBTQ ADVISORY BOARD TRUST
FUND; PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE

WHEREAS, on October 3, 2019, this Board adopted Ordinance No. 19-94, which established the Miami-Dade County Lesbian, Gay, Bisexual, Transgender, Queer ("LGBTQ") Advisory Board and created article CLXII of the Code of Miami-Dade County, Florida ("Code") to promote Miami-Dade County as an LGBTQ-inclusive and -friendly community; and

WHEREAS, the LGBTQ Advisory Board is charged with, among other things: (1) making recommendations to the Board of County Commissioners with respect to all issues affecting or relating to the LGBTQ community; (2) recommending solutions to the social, economic, cultural and political problems in the LGBTQ community, as well as to serve as liaison between the LGBTQ community and the County community at large; and (3) making recommendations to the Board of County Commissioners as to steps that can be taken to encourage and attract LGBTQ businesses to the County, to assist LGBTQ businesses located in the County, and to promote economic development in the LGBTQ community; and

WHEREAS, the LGBTQ Advisory Board currently does not have the ability to accept donations; and

WHEREAS, the LGBTQ Advisory Board actively elevates the visibility of the LGBTQ community during Pride and LGBTQ History months and throughout the year; and

WHEREAS, this Board recently established trust funds for the Miami-Dade County Interfaith Advisory Board, under Ordinance No. 22-104, and for the Miami-Dade County Elder Affairs Advisory Board, under Ordinance No. 22-81; and

WHEREAS, the ability to accept donations and other funding through a trust fund would give the LGBTQ Advisory Board access to resources that would allow it to further its work for the benefit of the LGBTQ community and the Miami-Dade County community at large; and

WHEREAS, this Board therefore desires to establish the LGBTQ Advisory Board Trust Fund,

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

Section 1. The foregoing recitals are incorporated herein and approved.

Section 2. Section 2-2408 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

Sec. 2-2408. Financial Support for the LGBTQ Advisory Board.

There is hereby created the Miami-Dade County LGBTQ Advisory Board Trust Fund (the "Trust Fund"). The County Mayor or County Mayor's designee is hereby authorized and directed to establish the Trust Fund, in which will be placed all donations, contributions, and funds received by the LGBTQ Advisory Board. All monies in the Trust Fund shall be disbursed following approval by the LGBTQ Advisory Board and in accordance with the provisions of this article. The funds placed into the Trust Fund shall be used only to fund conferences, projects, activities, and special events which further the purposes of the LGBTQ Advisory Board.

Section 3. 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.

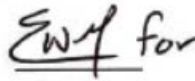
Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 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:

December 6, 2022

Approved by County Attorney as
to form and legal sufficiency:

 for

Prepared by:



Christopher J. Wahl
Dennis A. Kerbel

Prime Sponsor: Commissioner Eileen Higgins