

## **MEMORANDUM**

Agenda Item No. 7(A)

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

**DATE:** October 3, 2023

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

**SUBJECT:** Ordinance relating to Rules of Procedure of the Board; amending section 2-1 of the Code; amending the provisions relating to naming or renaming of Miami-Dade County facilities or property to require due diligence investigation of any entity purchasing naming rights to County-owned facilities or property; making technical and conforming changes

Ordinance No. 23-84

This item was amended at the September 11, 2023 Chairman's Policy Council and Intergovernmental Affairs Committee to strike all the proposed amendments to Rule 9.02(a) of the Rules of Procedure of the Board of County Commissioners that would allow any commissioner to sponsor naming or renamings of certain regional or Countywide facilities instead of the current rule iteration which requires sponsorship of the district commissioner where the property that is being named or renamed is located. The result is that Rule 9.02(a) remains unchanged. The ordinance amends Rule 9.02 only to require due diligence investigations of any entities purchasing naming rights to County-owned facilities or property. The title of the ordinance was amended and narrowed consistent with the committee amendments.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.

  
Geri Bonzon-Keenan  
County Attorney

GBK/uw

# Memorandum



**Date:** October 3, 2023

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

**From:** Daniella Levine Cava   
Mayor

**Subject:** Fiscal Impact Statement for Ordinance Relating to Naming, Renaming and Codesignation  
of Miami-Dade County Roads, Facilities or Property

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The implementation of this Ordinance will not have a fiscal impact to Miami-Dade County.



Carladenise Edwards  
Chief Administrative Officer

# Memorandum



**Date:** October 3, 2023

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

**From:** Daniella Levine Cava,   
Mayor

**Subject:** Social Equity Statement for Ordinance Relating to Naming, Renaming and Codesignation  
of Miami-Dade County Roads, Facilities or Property

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The implementation of this ordinance may have an overall social equity benefit for constituents of the County. The due diligence investigation could provide safeguards to better ensure facility naming rights are entered into with the appropriate companies while providing long-term financial commitment.



Carladenise Edwards  
Chief Administrative Officer



## MEMORANDUM

(Revised)

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

**DATE:** October 3, 2023

**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)  
10-3-23

ORDINANCE NO.                      23-84

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING THE PROVISIONS RELATING TO NAMING OR RENAMING OF MIAMI-DADE COUNTY FACILITIES OR PROPERTY TO REQUIRE DUE DILIGENCE INVESTIGATION OF ANY ENTITY PURCHASING NAMING RIGHTS TO COUNTY-OWNED FACILITIES OR PROPERTY; MAKING TECHNICAL AND CONFORMING CHANGES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners (the “Board”) is the governing and ultimate policymaking body for Miami-Dade County (the “County”); and

~~[[**WHEREAS**, therefore, resolutions regarding the naming, renaming or codesignation of any County road, facility or property require Board approval; and~~

~~**WHEREAS**, additionally, pursuant to Rule 9.02(a) of the Rules of Procedure of the County Commission, the resolution naming, renaming or codesignating a County road, facility or property requires sponsorship by the district commissioner where the property is located; and~~

~~**WHEREAS**, the impact and importance of some County facilities and property, such as airport or PortMiami facilities, regional parks and libraries, cultural facilities, or County-owned stadiums and arenas are not limited to a particular commission district but have countywide significance and impact; and~~

~~**WHEREAS**, this Board desires to amend Rule 9.02 to allow any County commissioner to sponsor a resolution regarding the naming, renaming or codesignation of County facilities or property that have countywide significance and impact; and~~

~~WHEREAS, additionally, the County, from time to time, may enter into marketing partnership agreements to sell the naming rights to County owned facilities and property to third parties; and~~

~~WHEREAS, for example, this Board, in 2021, approved a naming rights agreement for the sale of the naming rights to the County owned professional sports franchise arena located at 601 Biscayne Boulevard; and~~

~~WHEREAS, the County owns other significant facilities such as cultural facilities, government operations buildings and regional parks and libraries that may attract third party interest to purchase the naming rights to the County owned facilities and property; and~~

~~WHEREAS, because the naming rights to prominent County owned facilities is such an important asset, it is critical that the County only sells facility naming rights to entities that are reputable, stable, will not cause the County public embarrassment and can meet the significant long term financial commitment that the purchase of naming rights to County owned facilities entails; and~~

~~WHEREAS, before approving the County's sale of naming rights to a County owned facility, it would be in the best interests of the County for this Board to obtain as much pertinent information as possible regarding the entity proposing to purchase such naming rights; and]]<sup>1</sup>~~

**WHEREAS**, therefore, this Board desires to ~~[[further]]~~ amend Rule 9.02 ~~>>~~of the Rules of Procedure of the County Commission~~<<~~ to require that any recommendation to sell County facility naming rights is supported by a due diligence investigation of the third party entering into the agreement with the County and that such due diligence investigation is described and disclosed to the Board,

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

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

**Section 1.** Section 2-1 of the Code of Miami-Dade County, Florida, is hereby amended  
to read as follows:<sup>2</sup>

Sec. 2-1. Rules of Procedure of County Commission.

\* \* \*

**PART 9. ADDITIONAL ORDINANCES PRESCRIBING COUNTY  
COMMISSION PROCEDURE**

\* \* \*

*Rule 9.02. Naming, renaming or codesignation of Miami-Dade County roads,  
facilities or property; approval of state or municipal road codesignations;  
exception for Public Health Trust designated facilities.*

- (a) Resolutions regarding proposed naming, renaming or codesignation of ~~[[= (i) facilities or property at County-owned airports, at PortMiami, or designated as facilities of countywide significance; (ii) countywide or regional parks and libraries; (iii) County-owned cultural facilities; (iv) County government operations buildings; (v) County-owned stadiums or arenas; and (vi) County courthouses shall be sponsored by a Commissioner and shall be considered at public hearing. Resolutions regarding the proposed naming, renaming or codesignation of Miami-Dade County roads and all other]]~~ Miami-Dade County roads, facilities or property shall be sponsored by the district commissioner where the ~~[[road, facility, or]]~~ property is located and shall be considered at public hearing.
- (b) Resolutions honoring outstanding individuals shall not be authorized for living individuals except as provided in subsection (d) hereof.
- (c) For every resolution honoring an individual without a personal and direct meaningful relationship to the Greater Miami area, the Board of County Commissioners shall, at the same time,

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<sup>2</sup> 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.

honor an individual who has made a direct, significant contribution to this community.

(d) This rule shall not prohibit the naming, renaming or designation of a facility or property after a living individual who donates a significant portion of the cost of such facility or property. Further, this rule shall not prohibit the naming, renaming or designation of a road, facility or property after a living individual who has made a direct, significant lifetime contribution to this community, provided:

- (i) That the naming, renaming or designation is approved by three-fifths vote of the Board members present;
- (ii) That the naming, renaming or designation is not for any elected municipal, county, state or federal official currently serving or having served in any elected office within the last five years; and
- (iii) That the naming, renaming or designation of a road, facility or property in a particular commission district is limited to two times during any calendar year.

>>(e) Resolutions recommending the sale of naming rights to a County-owned facility or property shall be supported by a due diligence investigation of the third party purchasing the naming rights. The due diligence shall include an investigation and identification of the entity's ownership structure, officers, management and principals, its financial wherewithal, the length of time the entity has been in existence, any significant prior litigation, governmental investigations or administrative proceedings and any other information that is informative as to whether the entity is a responsible contracting party. The County Mayor's memorandum accompanying the resolution shall disclose a description and the results of the due diligence investigation.

(f)<<[[~~(e)~~]] Special provisions for employees who give their lives in the line of duty. The County Manager shall present the Board of County Commissioners with a resolution proposing the naming of an appropriate public right-of-way or portion thereof in honor of any Miami-Dade County employee who gives his or her life in the line of duty. Such resolution shall be considered at public hearing and may be adopted by the Board upon a favorable vote of a majority of the commissioners present.

>>(g)<<[[~~(f)~~]] The Commission Auditor shall complete background research, reviewing public records and other



sources of information, in print, on the internet, or through other means of communication, that are publicly available, on any person, organization, place or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and shall prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered. In addition, for any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, the report shall also indicate:

- (1) Whether the person to be honored is living or deceased;
- (2) Whether the subject road, facility, or property has been the subject of any prior codesignations and, if so, the location or terminus points of each; and
- (3) Whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or terminus points of each.

If there are no prior codesignations, then the report shall so state. The Clerk of the Board shall place the Commission Auditor's report on the commission agenda as a supplement to the related agenda item.

>>(h)<<[[g]] The Mayor or Mayor's designee, upon the effective date of an item naming, renaming, or codesignating a county building in honor of an individual, shall create pamphlets or fact cards with details about the individual, and prepare and maintain a sufficient quantity of such pamphlets or fact cards at each county building for the public to take with them to read. Such pamphlets or fact cards shall be prominently displayed and made available at all times in the public area of the building, and include, but not be limited to:

- (1) Biographical information;
- (2) Professional accomplishments;
- (3) Advocacy efforts;
- (4) Educational or other societal contributions; and

- (5) The identity of any campaigns, initiatives, or programs that the honoree has joined, led, or participated in and an explanation of his or her involvement in same.

>>(i)<<[[~~(h)~~]] Notwithstanding any other provision of this section, the Board of Trustees of the Public Health Trust may name or rename any interior portion of a Public Health Trust designated facility without approval by the Board of County Commissioners pursuant to the provisions of this subsection. Any Public Health Trust resolution to name or rename an interior portion of a designated facility shall only be considered by the Board of Trustees of the Public Health Trust after a public hearing and upon completion of a report by the Commission Auditor as required by subsection (f) herein. Prior to issuance of a notice for such public hearing, the Chief Executive Officer of the Public Health Trust shall notify the Board of County Commissioners by memorandum of the proposed naming or renaming. Such notification shall include the proposed name, the location and description of the designated facility and the scheduled time, date and location of the public hearing. Upon passage of a resolution by the Board of Trustees of the Public Health Trust to name or rename an interior portion of a designated facility, the clerk of the Board of Trustees of the Public Health Trust shall provide notice of same along with a copy of the Public Health Trust resolution to the Board of County Commissioners.

**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 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.** 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:

October 3, 2023

Approved by County Attorney as  
to form and legal sufficiency:

GKS for GBK

Prepared by:

EWF

Eduardo W. Gonzalez  
Monica Rizo Perez  
Dale P. Clarke

Prime Sponsor: Senator René García