

**MEMORANDUM**

Agenda Item No. 11(A)(17)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

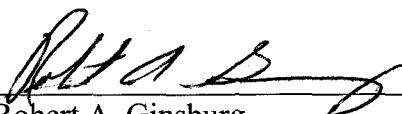
**DATE:** June 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Pledge to the citizens of  
Miami-Dade County  
relating to capital projects

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The accompanying resolution was prepared and placed on the agenda at the request of  
Chairman Joe A. Martinez.

  
Robert A. Ginsburg  
County Attorney


RAG/bw



**OFFICE OF THE CHAIR**  
**JOE A. MARTINEZ, CHAIRMAN**  
**BOARD OF COUNTY COMMISSIONERS**  
**DISTRICT 11**

**Memorandum**

To: Honorable Vice-Chairman Dennis C. Moss and  
Members of the Board of County Commissioners

From: Joe A. Martinez, Chairman 

Date: May 31, 2005

Re: Resolution Pledging to the Citizens of Miami Dade County that the Board will Deliver Timely  
Those Capital Projects Approved by the Citizens and the Board of County Commissioners

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While we must always advocate for the needs of our individual districts, it is imperative that we safeguard the prosperity of the county as a whole. As Miami-Dade continues to grow, both in population and development, I ask that you join me in co-sponsoring this resolution and casting a vote in favor of accountability by pledging to the citizens of the County that projects that have been promised to our residents will be completed on time.

More and more the growth of Miami-Dade County depends on how efficiently the various entities who determine its future communicate and work together. Decisions made by the County, its municipalities and the Miami Dade County School Board, affect the future of the county's development and quality of life. To that end, I propose the attached resolution which is an essential component of a pact forged by the leadership of the City of Miami, the City of Hialeah and the Miami Dade County School Board, which reaffirms our commitment to the voters and citizens of Miami Dade County regarding the People's Transportation Plan, the Building Better Communities Bond Program and the Multi-Year Capital Plan and pledges that the County will carry out each program in a timely manner. In addition, this pledge will serve as a mandate to assure the citizens of the County that the requirements of the Programs will be completed in a timely manner. This resolution is part of a broader initiative between Miami Dade County, the City of Miami, the City of Hialeah, our largest municipalities, and the Miami Dade County School Board, in the hopes that we can strengthen communication and redouble our efforts aimed at improving the efficiency and responsiveness of government.

Cc: Honorable Mayor Carlos Alvarez  
George Burgess, County Manager  
Robert Ginsburg, County Attorney



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** June 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(17)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing.
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(17)

Veto \_\_\_\_\_

6-7-05

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION PLEDGING TO THE CITIZENS OF MIAMI-DADE COUNTY THAT THE BOARD WILL DELIVER TIMELY THOSE CAPITAL PROJECTS APPROVED AS PART OF THE PEOPLE'S TRANSPORTATION PLAN, BUILDING BETTER COMMUNITIES BOND PROGRAM AND MULTI-YEAR CAPITAL PLAN AND TO COMPLETE EACH PROGRAM AS APPROVED BY CITIZENS AND BOARD

**WHEREAS**, the Board of County Commissioners ("Board") of Miami-Dade County, Florida ("County"), enacted Ordinance No. 02-116 on July 9, 2002 ("Transit Sales Tax Ordinance") which authorized the levy and collection of a one half of one percent (0.5%) discretionary sales surtax on all transactions occurring in the County which are subject to the State of Florida tax imposed on sales, use, rentals, admissions and other transactions by Chapter 212, Florida Statutes, to be used for certain transit projects ("Transit System Sales Tax") and such levy and collection was approved by a majority vote of the electorate of the County on November 5, 2002; and

**WHEREAS**, pursuant to the Transit Sales Tax Ordinance, the Board approved the projects to be funded as part of the Transit Sales Surtax Program ("People's Transportation Plan") and provided for a Citizen's Independent Transportation Trust to oversee and monitor the People's Transportation Plan which has been established; and

**WHEREAS**, this Board adopted eight authorizing resolutions on July 20, 2004 calling for a special election to be held on November 2, 2004 to authorize the issuance of general

obligation bonds of the County in an aggregate amount not to exceed \$2,900,000,000 (“Building Better Communities Bond Program”); and

**WHEREAS**, the Board provided further in each of the eight authorizing resolutions cited above (collectively, “Authorizing Resolutions”) that the general obligation bonds will be secured by the full faith and credit of the County and shall be issued to fund the projects identified and delineated in each of the Authorizing Resolutions (collectively, “GOB Projects”); and

**WHEREAS**, all of the ballot questions regarding the Building Better Communities Bond Program were overwhelmingly approved by the electorate on November 2, 2004; and

**WHEREAS**, the Board has approved certain capital projects listed in the Multi-Year Capital Plan (“Multi-Year Capital Plan”); and

**WHEREAS**, this Board wishes to reaffirm its commitments to the voters and citizens of Miami-Dade County regarding the People’s Transportation Plan, the Building Better Communities Bond Program and the Multi-Year Capital Plan (collectively the “Programs”), and pledges that the County will carry out each Program in a timely manner; and

**WHEREAS**, the Miami-Dade County School Board, the City of Miami and the City of Hialeah have similarly pledged to their constituents that crucial projects will be completed in a timely manner; and

**WHEREAS**, various elected officials from Miami-Dade County, the School Board, the City of Miami and the City of Hialeah have agreed to a number of guiding principles which include, among others: (1) redoubling efforts to improve the efficiency of government; (2) developing more innovative approaches to the joint use of government facilities, parks and other resources; (3) increasing public participation and providing clear information in English, Spanish and Creole; (4) limiting the impact of increased property values on senior citizens living in

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poverty; and (5) collectively determining annual legislative priorities to ensure a stronger and unified voice in Tallahassee and Washington,

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

**Section 1.** This Board affirms its commitment to the citizens of Miami-Dade County regarding the Programs, and pledges to deliver the Programs substantially on time, and to complete each Program as approved by the citizens of the County and the Board.

**Section 2.** This pledge shall serve as a mandate to assure the citizens of the County that the requirements of the Programs will be completed in a timely manner.

**Section 3.** The County Manager shall on a quarterly basis report to the Board regarding the progress of the Programs. In the event that completion of an individual project has been substantially delayed, the County Manager shall state the reason(s) for the delay and outline a plan of action to complete the project on time.

The foregoing resolution was sponsored by Chairman Joe A. Martinez and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman  
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Dorin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler  
Carlos A. Gimenez  
Barbara J. Jordan  
Natacha Seijas  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of June, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GKS

Gerald K. Sanchez