Memorandum

MIAMI-DADE COUNTY

(Second Reading 1-21-10)

Date: October 6, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 7(H)

From: George M. Burgess
County Manager

Subject: Ordinance Amending Section 2-103.15 of the Miami-Dade County Code to Allow for the Placement of the Homeless Trust's Donation Meters to be Placed on County Maintained Rights-of-Way

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Recommendation

It is recommended that the Board of County Commissioners (BCC) amend Section 2-103.15 of the Miami-Dade County Code in order to allow for the placement and installation of the Homeless Trust's (Trust) donation meters on County-maintained rights-of-way. At its July 21, 2009 meeting, the BCC adopted Resolution No. 1023-09, which supports the Miami-Dade County's Homeless Trust's Public Awareness Campaign that includes the design, installation, and maintenance of donation meters to be placed, as permitted by law, throughout the County to enable individuals to contribute to the Trust's Homeless programs.

Scope

This Ordinance will affect all public roadways within the unincorporated area and County-maintained roadways within municipalities.

Track/Record/Monitor

The Trust will be the administering department responsible for the implementation and oversight of the County's donation meters' project. The Public Works Department (PWD) will provide written authorization for the number, location and placement of the Trust's donation meters on County maintained rights-of-way.

Background

Resolution No. 1023-09 supports the County Public Awareness Campaign to be carried out by the Trust that includes the design, installation, and maintenance of donation meters to be placed, as permitted by law, throughout the County to enable individuals to contribute to the Trust's Homeless programs. This Resolution further authorizes the Mayor or the Mayor's Designee, in consultation with the County Attorney's Office, to identify all necessary steps and actions to expeditiously implement the design and installation of the donation meters, including but not limited to all necessary County legislative changes and/or agreements. Furthermore, on September 15, 2009 the BCC adopted a Resolution creating an Adopt-a-Meter Program that will permit those that desire to sponsor a collection device to make a donation to the County.

Section 2-103.15 of the Miami-Dade County Code requires an amendment as it currently does not specifically provide for this particular type of usage on public rights-of-way. This proposed amendment to the Code will in effect add an exception to the sign ordinance that will enable the Miami-Dade County Homeless Trust to place donation meters throughout the County once the Director of the Public Works Department (PWD) provides prior written authorization to the Trust regarding the number, location and placement of the County-owned and operated donation meters. All monies collected from said devices will be used to support the Trust's homeless programs.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 21, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 7(H)

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

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) 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(H)
1-21-10

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-103.15 OF THE CODE OF MIAMI-DADE COUNTY; ADDING AN EXCEPTION TO THE SIGN ORDINANCE ALLOWING FOR THE PLACEMENT OF HOMELESS TRUST DONATION METERS ON COUNTY-MAINTAINED RIGHTS-OF-WAY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners (the "Board") adopted Resolution No. 1023-09, which supports the Miami-Dade County's Homeless Trust's Public Awareness Campaign that includes the design, installation, and maintenance of donation meters to be placed, as permitted by law, throughout the County to enable individuals to contribute to the County's Homeless programs and services; and

WHEREAS, Resolution No. 1023-09 also authorized the Mayor or Mayor's designee, in consultation with the County Attorney's Office, to identify all necessary steps and actions to expeditiously implement the design and installation of the donation meters, including but not limited to all necessary County legislative changes; and

WHEREAS, Section 2-103.15 of the Miami-Dade County Code requires an amendment in order to allow for the placement of the Homeless Trust's donation meters to be placed on County-maintained rights-of-way,

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

Section 1. Section 2-103.15 of Article XIV of the Code of Miami-Dade County,

Florida, is hereby amended to read as follows[1]

ARTICLE XIV

PUBLIC WORKS DEPARTMENT

* * *

Section 2-103.15 Signs in Public Right-Of-Way; Prohibition

* * *

>>(h) The provisions of paragraph (a) above do not apply to the Miami-Dade County program that solicits and collects donations for the County's homeless programs by and through County owned and operated Homeless Trust donation meters; provided, however, written authorization for the number, location and placement of the Homeless Trust donation meters has first been secured from the Director of the Public Works Department.<<

[[~~(h)~~]] >>(i)<< All retail stores which sell pre-printed information signs, including but not limited to signs advertising garage sales, and signs indicating that real property is for lease or sale shall post at their cashier(s) or checkout counter(s) a sign in English, Spanish and Creole that advises the customer that the placing of the foregoing type of sign in the public right-of-way is illegal and can subject a person placing such sign in a public right-of-way to a fine of up to five hundred dollars ($500.00) per violation; provided, however, first time violators shall receive a warning rather than a fine in any dollar amount.

* * *

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

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[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.

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 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:

Approved by County Attorney as to form and legal sufficiency: APW | RAC

Prepared by:

Thomas Goldstein

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

Memorandum

MIAMI-DADE COUNTY

Date: July 21, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No. 14(A)(58)

Resolution No. R-1023-09

Subject: Resolution Supporting a Public Awareness Campaign to Promote Miami-Dade County Homeless Trust's Programs and Services

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Recommendation
It is recommended that the Board of County Commissioners (BCC) adopt the accompanying Resolution supporting a County Public Awareness Campaign carried out by the Miami-Dade County Homeless Trust (Trust), which would include the design, installation and maintenance of collection devices to be placed, as permitted by law, throughout the County to enable individuals to contribute to the County's Homeless Programs and Services.

By adopting this Resolution, which supports this program, the BCC further authorizes the Mayor or the Mayor's Designee, in consultation with the County Attorney's Office, to continue identifying all necessary steps and actions required to expeditiously implement the design and installation of said collection devices, including but not limited to the preparation of legislative changes and agreements. It is anticipated that the cooperation of multiple County departments will be required to determine the steps necessary to implement this program. All required legislative changes and/or agreements will be brought back to the BCC for approval as appropriate.

Scope
The program will be implemented Countywide.

Fiscal Impact/Funding Source
The County has had preliminary discussions with the City of Miami Parking Authority, which has indicated that it will provide the first 100 collection devices and all services associated with the collection and maintenance of these meters at no cost. Additional funds for the particular project are anticipated to come from sponsors who desire to assist the County in achieving the goal of this County program. The Trust is also actively researching the availability of additional in-kind meters from other municipalities.

Currently, there is $118,000 budgeted from Food and Beverage Tax revenues for the overall public awareness campaign. In the event that funds are needed to support the cost of additional collection devices, maintenance and collection of said devices, staff may access available Food and Beverage Tax revenues. If additional funds are needed, the BCC will be informed and approval will be requested as appropriate.

Track/Record/Monitor
The Trust will be the administering department responsible for the implementation and oversight of this public awareness program and the collection devices project.

Background
The Trust, on behalf of the County, continues to promote awareness of homeless issues throughout our community. In March 2009, through a competitive process, the County engaged The M Network, Inc. to promote community awareness of the services available through the Homeless Trust and assist in researching alternative strategies to panhandling, including the placement of collection devices throughout

the County. Other communities such as Denver, Baltimore, and London have successfully utilized refurbished parking meters to support homeless programs and services.

All monies collected are utilized for homeless services such as emergency shelter and feeding programs. Members of the Homeless Trust and City of Miami staff traveled to Denver to study their program and believe that such a program would be beneficial to Miami-Dade County. Through the adoption of this Resolution, the BCC desires the installation of these collection devices throughout the County in order to enable people to contribute to the County's homeless programs and services.

Staff will provide the BCC periodic updates and will advise of all agreements, including interlocal agreements, that the County would need to enter into, in addition to legislative changes, to implement this program.

Attachment

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 21, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 14(A)(58)

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 Mayor'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
Veto _____
Override _____

Agenda Item No. 14(A)(58)
7-21-09

RESOLUTION NO R-1023-09

RESOLUTION SUPPORTING A COUNTY PUBLIC AWARENESS CAMPAIGN CARRIED OUT BY THE MIAMI-DADE COUNTY HOMELESS TRUST, WHICH WOULD INCLUDE THE DESIGN, INSTALLATION, AND MAINTENANCE OF COLLECTION DEVICES TO BE PLACED, AS PERMITTED BY LAW, THROUGHOUT THE COUNTY TO ENABLE INDIVIDUALS TO CONTRIBUTE TO THE COUNTY'S HOMELESS PROGRAMS AND SERVICES; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE, IN CONSULTATION WITH THE COUNTY ATTORNEY'S OFFICE, TO IDENTIFY ALL NECESSARY STEPS AND ACTIONS TO EXPEDITIOUSLY IMPLEMENT THE DESIGN AND INSTALLATION OF THE COLLECTION DEVICES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, this Board hereby supports a County public awareness campaign carried out by the Miami-Dade County Homeless Trust, which would include the design, installation, and maintenance of collection devices to be placed, as permitted by law, throughout the County to enable individuals to contribute to the County's homeless programs and services; and authorizes the Mayor or Mayor's designee, in consultation with the County Attorney's Office, to identify all necessary steps and actions to expeditiously implement the design and installation of the collection devices, including but not limited to all necessary County legislative changes and agreements.

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

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of July, 2009. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Mandana Dashtaki

Memorandum

MIAMI-DADE COUNTY

Date: September 15, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 10(A)(1)

From: George M. Burgess
County Manager

Subject: Resolution establishing an Adopt-A-Homeless Donation Meter Program to provide entities and individuals an opportunity to contribute to Miami-Dade County's Homeless Programs

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Recommendation

It is recommended that the Board of County Commissioners (BCC) adopt the accompanying Resolution establishing the Adopt-A-Homeless Donation Meter Program (Program) and approve an agreement (Attachment A) to be executed between Miami-Dade County and entities/individuals desiring to: 1) sponsor a Homeless Donation Meter and/or 2) host a Collection Device through this Program. The Resolution also authorizes the County Mayor or the County Mayor's designee to take any and all action necessary to implement the Program on behalf of the County.

Scope

The program will be implemented countywide.

Fiscal Impact/Funding Source

It is anticipated that the City of Miami Parking Authority will provide the first 100 meters in-kind and will provide all services associated with collecting and maintaining these meters at no additional cost to the County. The Homeless Trust is also actively pursuing obtaining additional in-kind meters from other municipalities.

Currently, Food and Beverage Tax revenue has not been budgeted to support the cost of additional collection devices, maintenance and collection of said devices. In the event that additional funds are needed, it is anticipated that staff may access Food and Beverage Tax revenues. If additional funds are needed, the BCC will be informed and approval will be requested as appropriate.

Track/Record/Monitor

The Homeless Trust will be the administering department responsible for the implementation and oversight of this Program.

Background

The BCC adopted Resolution R-1023-09, supporting a Homeless Public Awareness Campaign in Miami-Dade County that includes the design, installation, and maintenance of collection devices to be placed, as permitted by law, throughout the County to enable individuals to contribute to the County's Homeless programs and services. Additionally, the Resolution expressed support for the idea of allowing entities/individuals to make donations in the form of sponsoring these collection devices. The participation of these sponsors and the importance of locating these collection devices in key spots throughout the County with a large amount of pedestrian traffic will help meet the County's goal of promoting awareness of homeless issues throughout our community. This Program will help increase awareness throughout the community of what services are available through the County's Homeless Trust. All monies collected will be utilized for the County's homeless services such as emergency shelter and feeding programs.

This agreement will set the terms and obligations that will govern participation in the Program and authorize the Mayor or Mayor's designee to execute on behalf of the County.

In summary, businesses and individuals desiring to sponsor a Donation Meter may make a donation of $1,000 per meter and/or allow for the placement of a meter or large collection device in their business (e.g. placement in a mall or other private venue). Sponsoring the meters will provide a source of revenue for the Program, which will fund the refurbishing/construction, painting and artistic wrapping, by Romero Britto, of these devices.

Attachment

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: September 15, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 10(A)(1)

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**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) 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. 10(A)(1)
9-15-09

RESOLUTION NO. _____

RESOLUTION ESTABLISHING AN ADOPT-A-HOMELESS DONATION METER PROGRAM TO PROVIDE ENTITIES AND INDIVIDUALS AN OPPORTUNITY TO CONTRIBUTE TO MIAMI-DADE COUNTY'S HOMELESS PROGRAMS; APPROVING THE TERMS OF AN AGREEMENT TO BE EXECUTED BETWEEN MIAMI-DADE COUNTY AND ENTITIES/INDIVIDUALS PARTICIPATING IN THE PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO TAKE ANY AND ALL ACTION NECESSARY TO IMPLEMENT THIS PROGRAM

WHEREAS, on July 21, 2009 this Board adopted Resolution 1023-09 authorizing a Homeless Public Awareness Campaign with a focus on supporting the design, installation and maintenance of collection devices to allow for the collection of funds to further Homeless programs and services in accordance with the Miami-Dade County Homeless Plan; and

WHEREAS, there are many civic-minded groups, private sector companies and individuals that have expressed an interest in participating in an Adopt-A-Homeless Donation Meter Program (Program); and

WHEREAS, such Program requires the execution of an agreement between Miami-Dade County and entities/individuals participating in the Program; and

WHEREAS, the Homeless Trust shall be the Department responsible for administering the Program; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board establishes an Adopt-A-Homeless Donation Meter Program; approves an agreement in substantially the same

form as attached to be executed between Miami-Dade County and entities/individuals desirous of sponsoring a donation meter or hosting collections devices in their private venues; and authorizes the Mayor or Mayor's designee to take any and all actions necessary to implement this Program on behalf of Miami-Dade County

The foregoing resolution was offered by Commissioner , who moved for its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of September, 2009. This resolution shall be 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 THIS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MD

Mandana Dashtaki

Miami-Dade County

ADOPT-A-HOMELESS DONATION METER PROGRAM

SPONSORSHIP AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 20____, by and between Miami-Dade County (the "County") _____ (the "Sponsor").

WITNESSETH

WHEREAS, the Miami-Dade County's Homeless Trust Department ("Department") is responsible for the Homeless Trust Continuum of Care; and

WHEREAS, the Board of County Commissioners of Miami-Dade County, through Resolution No. _____ has established the "Adopt-A-Homeless Donation Meter Program" permitting local organizations, private corporations and individuals to sponsor a collection device to promote public awareness of homelessness and allow individuals to contribute to the Homeless Trust's programs and services; and

WHEREAS, the Sponsor wishes to provide a tax deductable contribution of $1,000.00 per donation meter **sponsorship**. If the Sponsor has a preference for location please list the location(s) below:

1. _____

2. _____

3. _____

And/or WHEREAS the Sponsor wishes to house a large collection device at no cost to the Sponsor at the following private location(s), which are controlled and operated by the Sponsor:

1. _____

2. _____

3. _____

Now therefore, the parties agree as follows:

A. The Sponsor shall:

1.) Provide a charitable contribution of $1,000 per homeless donation meter payable to Miami-Dade County; and

2.) Identify desired location(s) for the placement of said homeless donation meter(s). Approval of location(s) is subject to the discretion of the County; and

3.) Meter(s) placed in/on private property not otherwise visible to the street may be located in private venues when properly secured by the Sponsor; and

4.) Identify the name of the Sponsor to be placed on a sponsorship **plaque** to be affixed to the meter as:

_____

Name of Sponsor

Such sponsorship name shall be in a standard font and format selected by the County.

B. A Sponsor hosting a large collection device in its privately controlled and operated venue shall:

1.) Provide a secure and mutually agreeable location within the Sponsor's privately controlled and operated venue where a large collection device may be installed; and

2.) Provide access during business hours to County-authorized personnel to install, maintain and collect any monies collected from the collection device. The Sponsor understands and acknowledges that any and all monies received in the collection device will go toward the County's Homeless programs and services; and

3.) The Sponsor covenants and agrees that it will **indemnify** and hold harmless Miami-Dade County from any claim relating to the placement of the collection device.

4.) The Sponsor understands and acknowledges that it may suspend or revoke its participation in the Adopt-A-Homeless Donation Meter Program if it finds that the Sponsor has in any way damaged or stolen from the meter/collection device or committed any acts that are contrary to the Program's mission.

C. The County shall:

1.) Install and maintain donation meters and collection devices; and

2.) Ensure timely collection of funds from donation meters and collection devices; and

3.) Utilize all funds from donation meters and collection devices to directly support the programs and services provided by the County's Homeless Trust.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, the day and year first written above.

I CERTIFY that the information contained herein is true and accurate and that I possess the authority to execute this Agreement on behalf of the Sponsor.

NAME OF SPONSOR: _____

ADDRESS: _____

BY: _____ DATE: _____
Sponsor Representative's Signature

PRINT NAME: _____ TITLE: _____

MIAMI-DADE COUNTY

BY: _____ DATE: _____
Mayor or Mayor's Designee

ATTEST: _____ DATE: _____