

MEMORANDUM

Agenda Item No. 11(A)(8)

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

DATE: October 19, 2010

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

SUBJECT: Resolution approving the
allocation of unexpended
District Discretionary Reserve
Funds of District 7

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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

DATE: October 19, 2010

FROM: R. A. Cuevas, Jr.
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
- 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

Agenda Item No. 11(A)(8)

Veto _____

10-19-10

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING THE ALLOCATION OF
UNEXPENDED DISTRICT DISCRETIONARY
RESERVE FUNDS OF DISTRICT 7

WHEREAS, this Board desires to make the following allocations from the unexpended District Discretionary Reserve Funds of County Commission District 7 in accordance with the criteria for allocating such funds, see attached,

The Sundari Foundation for the Lotus House Women’s Shelter	\$5,000.00
Florida Coalition on Aging	\$2,000.00
Voices for Children	\$1,250.00,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the allocations of unexpended District Discretionary Reserve Funds of County Commission District 7 as follows:

The Sundari Foundation for the Lotus House Women’s Shelter	\$5,000.00
Florida Coalition on Aging	\$2,000.00
Voices for Children	\$1,250.00.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was 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:

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
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

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The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of October, 2010. 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

Memorandum



Date: October 19, 2010

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

From: Vivian Gonzalez-Cao, Business Analyst
Office of Strategic Business Management

A handwritten signature in black ink, appearing to be "VGC", written over the "From:" field.

Subject: Discretionary Reserve – Commission District 7

In response to your request, based on the September 16, 2004 memorandum, these allocations are consistent with the policy set forth by the Board of County Commissioners.

Should you need any other information, please do not hesitate to contact me.

c: Jennifer Glazer-Moon, Director, Office of Strategic Business Management

Memorandum



Date: July 20, 2010

To: Cathy Jackson, Director
Audit and Management Services

From: Jennifer Glazer-Moon, Special Assistant/Director
Office of Strategic Business Management

Subject: Audit Report – Fanm Ayisyen Nan Miyami, Inc.

A handwritten signature in black ink, appearing to read "Jennifer Glazer-Moon".

This is in response to your November 9, 2009 memorandum regarding the Board of Commissioners' (Board) discretionary allocations. Community based-organizations (CBOs) contact members of the Board to request sponsorships for specific community events to benefit the residents of the County such as health fairs, community parades, school activities or municipality events; or a donation to help a non-for-profit group meet its goal. At that time, the organization provides necessary documentation to the Commissioner's office to support the request. These allocations are then submitted to the Board for approval. Once approved, the agency completes the attached application and is required to maintain all documentation related to the award for three years.

Effective immediately, for allocations over \$5,000, the Office of Strategic Business Management will require agencies to submit a contract stipulating a specific period of time in which documentation related to the event should be submitted for review.

Should you have any questions please contact Vivian Gonzalez-Cao, Business Analyst at 305-375-4306.

Attachments

c: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners
Honorable Harvey A. Ruvin, Clerk of Courts
Robert A. Cuevas, Jr., County Attorney
Irene Taylor-Wooten, Assistant County Manager
Dan Wall, Director, Office of Grants Coordination
Charles Anderson, Commission Auditor

**Application for Allocation of
Community-based Organization (CBO) Discretionary Reserve and Office Funds**
(Application must include completed W-9 Form attached)

Date _____ Commission District _____ Organization Federal Tax ID # _____

Legal Name of Recipient Organization or Name of County Department _____

Program to be funded/reason for funding support _____

Address (as listed on corporate papers) _____ City _____ Zip Code _____

Amount Requested \$ _____

Organization Information:

Contact Person(s): _____

Telephone Number(s): _____ Fax Number: _____

e-mail address (if available): _____

Event Date or Date work is scheduled for completion: _____

By the acceptance of these Discretionary Reserve/Office Funds, the recipient organization agrees to provide the services described on this allocation application form. The recipient organization states that it has read the conditions and terms on the back of this form and agrees to comply with these.

Attest: _____
Recipient Organization Secretary

By: _____
Signature of President or Vice President Type or Print Name Date

Attest: _____ (ORGANIZATION SEAL)
Recipient Organization

Amount Allocated \$ _____ at the _____ BCC Meeting

Commissioner's Signature and Approval _____ Date Approved _____

Attest: Harvey Ruvlin, Clerk Miami-Dade County, Florida

By: _____
Deputy Clerk

Circle One: Hold Check for pick-up Mail Check to Organization

Special Instructions: _____

For Finance Department Use

Date Received by Finance: _____ Check No. Issued: _____ Date Issued: _____

All checks are to be picked up by an OSBM Budget Analyst (305) 375-5143

Revised 03/11/08

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Terms and Conditions

Breach of Agreement: A breach by the Organization shall have occurred under this Agreement if: the Organization fails to fulfill in a timely or proper manner any and all of its obligations, covenants, agreements and stipulations in this Agreement. If the Organization breaches this Agreement, the County may pursue any or all of its legal remedies. The County Manager is authorized to terminate this Agreement on behalf of the County.

Civil Rights: The Organization agrees to abide by Chapter 11A of the Code of Miami-Dade County ("County Code"), as amended, which prohibits discrimination in employment, housing and public accommodations; Title VII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in employment and public accommodation; the Age Discrimination Act of 1975, 42 U.S.C., as amended, which prohibits discrimination in employment because of age; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C § 794, as amended, which prohibits discrimination on the basis of disability; the Americans with Disabilities Act, 42 U.S.C. § 12103 et seq., which prohibits discrimination in employment and public accommodations because of disability; the Rehabilitation Act; the Federal Transit Act, 49 U.S.C. § 1612; the Fair Housing Act, 42 U.S.C. § 3601 et. seq.; and the Domestic Violence Leave Ordinance, codified as § 11A-60 et. seq. of the Miami-Dade County Code.

Payment Procedures: The County agrees to pay the Organization for the services described in this agreement. The Organization shall keep on file all invoices and payment documentation associated with this agreement for a period of no less than three (3) years from the date of acceptance of this agreement.

Prohibited Use of Funds: The Organization shall not utilize County funds to retain legal counsel for any action or proceeding against the County or any other of its agents, instrumentalities, employees, or officials. The Organization shall not utilize County funds to provide legal representation, advice or counsel to any client in any action or proceeding against the County or any of its agent, instrumentalities, employees, or officials.

Records, Reports, and Audits:

- A. **Supporting Documentation.** The Organization shall submit proof of active corporate status by providing, as part of this agreement, a completed W-9 form.
- B. **Office of Miami-Dade Inspector General.** Miami-Dade County has established the Office of Inspector General, which is empowered to perform random audits on all County contracts throughout the duration of each agreement. Grant recipients are exempt from paying the cost of the audit, which is normally ¼ of 1% of the total agreement amount.
- C. **Independent Private Sector Inspector General Review.** Pursuant to Miami-Dade County Administrative Order 3-20, the Organization is aware that the County has the right to retain the services of an Independent Private Sector Inspector General (hereinafter "IPSIG"), whenever the County deems it appropriate to do so and at the County's expense. The Organization shall make available to the IPSIG retained by the County, all requested records and documentation pertaining to this Agreement for inspection and copying, including documents held by sub consultants or assignees. The County may conduct other audits or investigations, as it deems reasonable. The terms of this Section shall not impose any liability on the County by the Organization or any third party.

Pursuant to Miami-Dade County Budget Ordinance #04-166 through #04-171, notwithstanding any other provision of the County Code, resolution or administrative order to the contrary, non-profit entities allocated County monies shall not be required to complete affidavits of compliance with the various policies or requirements applicable to entities contracting or transacting business with the County.