

# MEMORANDUM

Agenda Item No. 11(A)(41)

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

**DATE:** May 3, 2011

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

**SUBJECT:** Resolution terminating Interlocal Agreement between the School Board and the County for the provision of inspector general services through the Office of the Miami-Dade County Inspector General

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



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R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** May 3, 2011

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R. A. Cuevas, Jr.  
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**SUBJECT:** Agenda Item No. 11(A)(41)

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. 11(A)(41)

5-3-11

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

RESOLUTION TERMINATING INTERLOCAL AGREEMENT  
BETWEEN THE SCHOOL BOARD OF MIAMI-DADE  
COUNTY, FLORIDA, AND MIAMI-DADE COUNTY,  
FLORIDA, FOR THE PROVISION OF INSPECTOR GENERAL  
SERVICES THROUGH THE OFFICE OF THE MIAMI-DADE  
COUNTY INSPECTOR GENERAL

**WHEREAS**, on December 27, 2007, the County entered into an Interlocal Agreement with the School Board of Miami-Dade County for the provision of inspector general services through the Office of the Miami-Dade County Inspector General (hereinafter “Interlocal Agreement”); and

**WHEREAS**, the School Board recently approved Agenda Item H-25 directing the School Board Attorney to initiate the process of renegotiating certain provisions of the Interlocal Agreement relating to compensation for inspector general services; and

**WHEREAS**, on April 25, 2011, School Board Attorney Walter J. Harvey sent a letter to the Chairman of the County Commission requesting that a person be designated to represent the County in such negotiations; and

**WHEREAS**, under the Interlocal Agreement, the County only charges direct labor costs (i.e., salary and fringe benefits) and does not charge any additional fees for inspector general services; and

**WHEREAS**, it is not in the best interest of the citizens of Miami-Dade County to subsidize any of the inspector general services provided to the School Board; and

**WHEREAS**, Section 8 of the Interlocal Agreement provides that the agreement “may be terminated for any reason, including convenience, by either party by thirty (30) days’ written notice to the other party”; and

**WHEREAS**, the County wishes to terminate the Interlocal Agreement,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Interlocal Agreement, entered into on December 27, 2007, between the School Board of Miami-Dade County and the County for the provision of inspector general services through the Office of the Miami-Dade Inspector General is hereby terminated thirty (30) days after the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Jean Monestime
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of May, 2011. 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

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