MEMORANDUM Agenda Item No. 11(A)(8)

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

DATE: September 1, 2011

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

SUBJECT: Resolution directing County Mayor to prepare a written report detailing best methodology and implementation schedule to allow federally tax-exempt, non-profit senior service program providers to utilize vacant County-owned properties and facilities at County parks to provide programming services to seniors and report to Board within 90 days

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This item was amended at the Recreation and Cultural Affairs committee to provide that the County Mayor or Mayor's designee shall report back to the Board within 90 instead of 30 days from the effective date of the resolution.

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

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

DATE: September 1, 2011

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

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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)(8)
9-1-11

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE A WRITTEN REPORT DETAILING BEST METHODOLOGY AND IMPLEMENTATION SCHEDULE TO ALLOW FEDERALLY TAX-EXEMPT, NON-PROFIT SENIOR SERVICE PROGRAM PROVIDERS TO UTILIZE VACANT COUNTY-OWNED PROPERTIES AND FACILITIES AT COUNTY PARKS TO PROVIDE PROGRAMMING SERVICES TO SENIORS AND REPORT TO BOARD WITHIN 90 DAYS

WHEREAS, Miami-Dade County ("County") has been grappling with declining property tax revenues over the last few years; and

WHEREAS, as a consequence, the County has been forced to cut funding to social services program providers, including those that provide programming and services to the elderly; and

WHEREAS, this upcoming budget for fiscal year 2011-2012 is likely to include further cuts to social services program providers, thereby making it more difficult for them to fund their operating expenses; and

WHEREAS, the County has, however, over 250 parks throughout the County, many of which have enclosed recreation facilities that remain virtually unused between mid-August through mid-June before 3:00 p.m. (referred to herein as "Non-Peak Times"); and

WHEREAS, these enclosed recreation facilities can be used by federally tax-exempt, non-profit senior culture, conservation, and park and recreation program providers ("Senior Service Program Providers") to provide programming and services to seniors in our community during the Non-Peak Times at a reduced rent sufficient to cover the Miami-Dade Park and Recreation Department's costs in providing these facilities; and

WHEREAS, the County may also own various buildings, facilities and land that are vacant and unused; and

WHEREAS, the County can therefore also make any such vacant buildings, facilities and land available to Senior Service Program Providers to provide programming and services to seniors in our community at a reduced rent; and

WHEREAS, it is in the best interest of the County and its residents to explore the best methodology and implementation schedule to allow these Senior Service Program Providers to use vacant County-owned properties and facilities at County parks in order to continue to provide their services to the elderly,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or Mayor's designee to provide a written report detailing the best methodology and implementation schedule to allow Senior Service Program Providers to utilize vacant County-owned properties and/or facilities at County parks in order to provide programming services to seniors, and such written report should include an inventory of all vacant County-owned properties and all County parks with enclosed recreation facilities that are appropriate for such use. The County Mayor or Mayor's designee is further directed to provide such written report to this Board within [[~~thirty (30)~~]] >>[1]ninety (90)<< days of the effective date of this resolution.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions remain unchanged.

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
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 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. _____

Monica Rizo