MEMORANDUM

Agenda Item No. 14(A)(4)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 5, 2013

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

SUBJECT: Resolution approving amendment to implementing Order 4-100 relating to fees collected for parking spaces for persons transporting young children and strollers

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 5, 2013

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

SUBJECT: Agenda Item No. 14(A)(4)

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 Mayor'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. 14(A)(4)
2-5-13

RESOLUTION NO. _____

RESOLUTION APPROVING AMENDMENT TO IMPLEMENTING ORDER 4-100 RELATING TO FEES COLLECTED FOR PARKING SPACES FOR PERSONS TRANSPORTING YOUNG CHILDREN AND STROLLERS; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

WHEREAS, Ordinance No. 94-104 provides that an administrative order be developed to, among other things, provide procedures for the application and distribution of one-third of the fees collected by the County for parking permits for persons transporting young children and strollers (the "Allocable Portion") to private, not-for-profit non-denominational agencies providing services for severely abused or neglected children; and

WHEREAS, Implementing Order No. 4-100, entitled "Policies and Procedures, Departmental Responsibilities and Fees and Fines for Parking Spaces for Persons Transporting Young Children and Strollers" ("IO 4-100"), currently provides for the application of the Allocable Portion to private, not-for-profit non-denominational agencies providing services for severely abused or neglected children, but does not set forth a procedure for award and distribution of the Allocable Portion; and

WHEREAS, this Board desires to amend IO 4-100 to provide that each time the Allocable Portion on deposit in the funds of the County equals at least $130,000, $10,000 of such amount shall be apportioned to each commission district for allocation by motion or resolution to private, not-for-profit non-denominational agencies providing services for severely abused or neglected children,

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

Section 1. . The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. This Board approves the amendment to Implementing Order 4-100 in substantially the form attached to the accompanying memorandum and authorizes the County Mayor or the County Mayor's designee to exercise any and all rights conferred therein.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of February, 2013. 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. GBK

Geri Bonzon-Keenan

I.O. No.: 4-100
Ordered: [[~~7/21/2009~~]]
Effective: [[~~7/31/2009~~]]

MIAMI-DADE COUNTY IMPLEMENTING ORDER

POLICIES AND PROCEDURES, DEPARTMENTAL RESPONSIBILITIES AND FEES AND FINES FOR PARKING SPACES FOR PERSONS TRANSPORTING YOUNG CHILDREN AND STROLLERS

AUTHORITY:

Section [[~~4.02~~]] >>5.02<< of the Miami-Dade County Home Rule Amendment and Charter, >>Ordinance No. 94-104,<< and Sections 30-449 and 33-122.2 of the Code of Miami-Dade County, Florida.

SUPERSEDES:

This Implementing Order (IO) supersedes Administrative Order 4-100, ordered [[~~September 20, 2000~~]] >>July 21, 2009<< and effective [[~~October 1, 2000~~]] >>July 31, 2009<<.

SCOPE:

This IO establishes the requirements and procedures governing the issuance and enforcement of Parking Spaces for Persons Transporting Young Children and Strollers (Baby Stroller Permit). This IO identifies departmental responsibilities, fees, and fines for [[~~effecting~~]] >>implementing<< the provisions of >>Ordinance No. 94-104, and<< Sections 30-449 and 33-122.2 of the Code of Miami-Dade County, Florida.

PROCEDURE:

a. The Department of [[~~Planning, and Zoning~~]] >>Regulatory and Economic Resources<<, is the authority for:

   1. Overall administration of the Code

   2. Determining fines for failure to provide appropriately marked parking spaces for baby stroller permit holders and for unauthorized use of the reserved spaces.

   3. Enforcing zoning compliance

b. The [[~~Government Information Center (GIC)~~]] >>Department of Community Information and Outreach<< is the authorized agency for:

   1. Selling baby stroller permits and baby stroller permit gift certificates

2. Preparing departmental procedures for issuing baby stroller permits, baby stroller permit gift certificates and accounting for revenues jointly with the Tax Collector

3. Establishing cooperative relationships and with third party organizations to provide for the sale of Baby Stroller Permits at their location(s). Developing business processes for effecting participation of third party organizations.

[[~~c. Office of Neighborhood Compliance is the authorized agency for:~~

~~1. Enforcing zoning compliance~~]]

[[~~d~~]] >>c<<. The Tax Collector is an authorized agency for:

1. Selling baby stroller permits and baby stroller permit gift certificates, at their offices.

2. Preparing departmental procedures for issuing baby stroller permits and accounting for revenues jointly with the [[~~Government Information Center (GIC)~~]] >>Department of Community Information and Outreach<<

[[e]] >>d<<. The Finance Department shall establish the financial and auditing system, and monitor revenues to ensure they are disseminated to the entities described by Ordinance 94-104.

1. One-third of the baby stroller permit fees collected >>(the "Allocable Portion")<< will be distributed to private, not-for-profit, nondenominational agencies that provide services for severely abused or neglected children. >>The County Mayor or his designee shall advise the Board in writing each time the Allocable Portion equals $130,000, whereupon $10,000 of such amount shall be apportioned to each commission district for allocation for the purposes set forth in this Administrative Order. Allocations may be made by motion or resolution approved by the Board of County Commissioners.<< The remaining baby stroller permit fee revenues and service fees shall be designated to the General Fund for the issuing departments.

2. Fines resulting from failure of commercial establishments to provide required parking spaces for persons transporting young children and baby strollers will be designated to the General Fund for disbursement to the [[~~Office of Neighborhood Compliance~~]] >>Department of Regulatory and Economic Resources or the successor department<< which conducts the enforcement function. Fines from citations for unauthorized use for these parking spaces will be designated for the enforcing agency, County Clerk or [[~~Office of Neighborhood Compliance~~]] >>Department of Regulatory and Economic Resources or the successor department<<.

FEE SCHEDULE:

Baby Stroller Permit fee or gift certificate (Birth to 36 Months)	$15.00 Flat Fee
Replacement baby stroller permits (no more than one within a 12-month period)	$ 1.00
Service fee (for each baby stroller permit or gift certificate purchased)	$ 2.00

FINES:

Failure of commercial establishment to provide baby stroller permit parking spaces	$200.00

Violators who are not authorized to use a parking space reserved for transporters of young children and stroller permit holders will be subject to the maximum fine for non-moving violations pursuant to Chapter 318, Florida Statutes.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

County >>Mayor<< [[~~Manager~~]]