

MEMORANDUM

Agenda Item No. 11(A)(17)

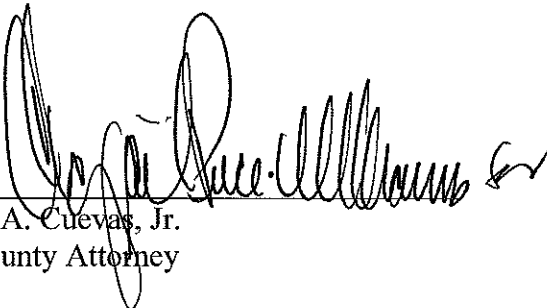
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 4, 2013

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

SUBJECT: Resolution allocating equally to all commission districts the unexpended balance of funds paid to the County by South Florida Stadium, LLC remaining after payment of expenses to hold special election to fund summer programs for children through Miami-Dade Department of Parks, Recreation and Open Spaces or to fund economic development through the Mom & Pop Program

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

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

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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 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. 11(A)(17)
6-4-13

RESOLUTION NO. _____

RESOLUTION ALLOCATING EQUALLY TO ALL COMMISSION DISTRICTS THE UNEXPENDED BALANCE OF FUNDS PAID TO THE COUNTY BY SOUTH FLORIDA STADIUM, LLC REMAINING AFTER PAYMENT OF EXPENSES TO HOLD SPECIAL ELECTION TO FUND SUMMER PROGRAMS FOR CHILDREN THROUGH MIAMI-DADE DEPARTMENT OF PARKS, RECREATION AND OPEN SPACES OR TO FUND ECONOMIC DEVELOPMENT THROUGH THE MOM & POP PROGRAM; AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ISSUE A WRITTEN REPORT TO THE COUNTY COMMISSION REGARDING SUCH ALLOCATIONS, AND TO PREPARE AN APPROPRIATE BUDGET AMENDMENT TO THE FISCAL YEAR 2012-13 COUNTY BUDGET TO EFFECTUATE THE FOREGOING

WHEREAS, this Board pursuant to Resolution No. R-278-13 this Board called a countywide special election to held Tuesday, May 14, 2013 for the purpose of submitting to the electors of Miami-Dade County the question of whether to approve the proposed use of additional tourist room taxes for the modernization of Sun Life Stadium ("Resolution R-278-13"); and

WHEREAS, in satisfaction of the requirements of Section 10 of Resolution R-278-13, South Florida Stadium, LLC timely deposited with the Board of County Commissioners \$4,784,337.00 to pay the expenses of holding the special election (the "Election Expense Payment"); and

WHEREAS, the Election Expense Payment is non-refundable for any reason, including cancellation of the election; and

WHEREAS, Resolution R-278-13 calling the May 14, 2013 countywide special election provided that such election shall be cancelled in the event that the legislature adjourns sine die without enacting legislation authorizing the County's levy of the additional tourist development room tax; and

WHEREAS, on May 3, 2013 the legislature adjourned sine die without enacting legislation authorizing the County's levy of such additional tourist development room tax; and

WHEREAS, the Mayor, in accordance with Resolution R-278-13, instructed the Elections Department to cancel the special election effective the evening of May 3, 2103; and

WHEREAS, approximately \$1,000,000.00 of the Election Expense Payment remain unexpended as a result; and

WHEREAS, this Board wishes to allocate equally to the thirteen commission districts the unexpended balance of the Election Expense Payment to fund summer programs for children through the County's Department of Parks, Recreation and Open Spaces (the "Parks Department"), or for economic development through the Mom & Pop Program,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby allocates equally to the thirteen commission districts the unexpended balance of the Election Expense Payment to fund summer programs for children through the County's Department of Parks, Recreation and Open Spaces, for economic development through the Mom & Pop Program, or both. No later than thirty days from the effective date of this resolution, each commissioner shall issue a memorandum to the County Mayor stating how he or she wishes to allocate such funds within his or her district.

Section 3. The County Mayor or County Mayor's designee shall submit a written report to this Board on or before sixty (60) days from the effective date of this resolution detailing how the funds were allocated per commission district in fiscal year 2012-13.

Section 4. This Board hereby directs the County Mayor or the County Mayor's designee to prepare the appropriate budget amendment to the fiscal year 2012-13 County budget to effectuate the foregoing and to bring such amendment back to the Board as part of the mid-year or end-of-year budget amendment process.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. 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

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of June, 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