

MEMORANDUM

Agenda Item No. 11(A)(20)

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

DATE: July 1, 2014

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

SUBJECT: Resolution directing County Mayor to notice and hold one or more sunshine meetings to discuss pending negotiations regarding agreements between the County and a professional sports franchise or the proposed development, improvement, operation, management or financing of a professional sports facility prior to placement of item approving necessary agreements on an agenda for Commission committee or Commission consideration

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

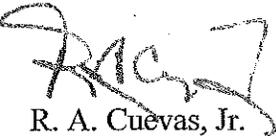
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(Revised)

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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)(20)
7-1-14

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO NOTICE AND HOLD ONE OR MORE SUNSHINE MEETINGS TO DISCUSS PENDING NEGOTIATIONS REGARDING AGREEMENTS BETWEEN THE COUNTY AND A PROFESSIONAL SPORTS FRANCHISE OR THE PROPOSED DEVELOPMENT, IMPROVEMENT, OPERATION, MANAGEMENT OR FINANCING OF A PROFESSIONAL SPORTS FACILITY PRIOR TO PLACEMENT OF ITEM APPROVING NECESSARY AGREEMENTS ON AN AGENDA FOR COMMISSION COMMITTEE OR COMMISSION CONSIDERATION

WHEREAS, pursuant to Resolution No. R-1062-13, the Board directed the County Mayor or the Mayor's designee to identify viable locations in or near downtown Miami for the development of a soccer stadium facility for a new major league soccer franchise and to negotiate and finalize agreements with all necessary parties for the development of such stadium at the preferred location, subject to subsequent consideration and approval by this Board; and

WHEREAS, pursuant to Resolution No. R-79-14, the Board directed the County Mayor or the Mayor's designee to negotiate with the Miami Heat Limited Partnership, Basketball Properties, Ltd, and its affiliates, as necessary, for an extension of the term of the American Airlines Arena agreements, subject to subsequent consideration and approval by this Board; and

WHEREAS, in accordance with such resolutions, negotiations with representatives from both franchise owners are ongoing; and

WHEREAS, in addition, it has been reported that the Dolphins organization is interested in partnering with the County in an effort to receive performance based incentives; and

WHEREAS, so that the Board may have the information it needs to make an informed decision regarding these matters, it wishes to direct the County Mayor or the Mayor's designee to schedule and hold one or more meetings in accordance with the Sunshine Law to discuss

pending negotiations regarding agreements between the County and a professional sports franchise or the proposed development, improvement, operation, management or financing of a professional sports facility prior to placement of an item approving necessary agreements on an agenda for Commission committee or Commission consideration,

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. The County Mayor or the Mayor's designee shall schedule and hold one or more meetings in accordance with the Sunshine Law to discuss pending negotiations regarding agreements between the County and a professional sports franchise or the proposed development, improvement, operation, management or financing of a professional sports facility prior to placement of an item approving necessary agreements on an agenda for Commission committee or Commission consideration. Prior to scheduling an ordinance or resolution for consideration by the Commission or a Commission committee, upon request to place such items on an appropriate agenda, the Chairperson of the Commission (the "Chairperson") will notify the Mayor to schedule the meeting in accordance with the Sunshine Law. Upon being notified by the Mayor or the Mayor's designee of completion of the public meeting, the Chairperson, shall schedule the ordinance or resolution contemplated by this section for consideration by a Commission Committee or the Commission, as appropriate, in accordance with the Board's Rules of Procedure. This resolution shall be construed as directory only, and failure to comply with the provisions of this resolution shall not affect the validity of any ordinance, resolution or action of the Commission in whole or in part.

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

Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 2014. 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