

MEMORANDUM

Agenda Item No. 11(A)(10)

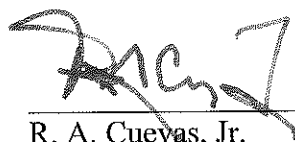
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 15, 2014

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

SUBJECT: Resolution directing County Mayor to confer with Chief Judge of the Circuit Court and prepare and submit a report to the Board regarding court capital construction needs and recommendations for funding such requests; and directing report be placed on the September 3, 2014 commission agenda

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



R. A. Cuevas, Jr.
County Attorney

RAC/Imp



MEMORANDUM
(Revised)

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

DATE: July 15, 2014

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 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)(10)
7-15-14

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONFER WITH CHIEF JUDGE OF THE CIRCUIT COURT AND PREPARE AND SUBMIT A REPORT TO THE BOARD REGARDING COURT CAPITAL CONSTRUCTION NEEDS AND RECOMMENDATIONS FOR FUNDING SUCH REQUESTS; AND DIRECTING REPORT BE PLACED ON THE SEPTEMBER 3, 2014 COMMISSION AGENDA

WHEREAS, the availability of judicial review for both public and private matters is one of the bedrock principles of American democracy; and

WHEREAS, adequate court facilities are necessary to properly hear and resolve cases in a timely manner; and

WHEREAS, the County's courthouses are aging and no longer able to meet the demand of Miami-Dade County residents, businesses and litigants; and

WHEREAS, the Miami-Dade County Courthouse at 73 W. Flagler Street was initially constructed over four years from 1925-1928 and this aging facility is no longer able to meet the needs of Miami-Dade County; and

WHEREAS, the Honorable Bertila Soto, Chief Judge of the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, has requested County funding for the construction of critically needed court facilities; and

WHEREAS, the Board desires additional information from the County Mayor or County Mayor's designee regarding the costs and methods of financing the requested capital construction; and

WHEREAS, the Board intends to consider placement of a referendum, upon the recommendation of the County Mayor, before the voters of Miami-Dade County to authorize General Obligation Bonds for the construction of court facilities on the November 6, 2014 General Election; and

WHEREAS, to meet the schedule for placement of the bond referendum on the November 6, 2014 General Election Ballot the ballot question must be approved by this Board at its September 3, 2014 Board meeting,

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 directs the County Mayor or County Mayor's designee to confer with Chief Judge Bertila Soto regarding the capital construction needs of the Miami-Dade County Circuit and County Courts and to prepare a report to the Board detailing these needs, the projected costs of the requested design and construction for meeting those needs, and recommendations for financing those costs including the issuance of General Obligation Bonds for such purpose. At a minimum, the report shall include analyzing and recommending alternatives for:

- (i) funding emergency repairs to existing court facilities;
- (ii) land acquisition for a new main civil courthouse (or an agreement to buy the land or air rights as the case may be);
- (iii) design and construction of a new main civil courthouse and four satellite courthouses elsewhere in the County;

- (iv) construction of a parking facility for court personnel to serve the downtown court facilities including the juvenile court and the new main civil courthouse; and
- (v) restructuring existing debt.

Section 3. The County Mayor or County Mayor's designee shall provide a copy of the report to the Board and County Attorney by August 20, 2014 and the report shall be placed on the September 3, 2014 agenda.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. 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 15th 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.



Oren Rosenthal

