

MEMORANDUM

FC
Agenda Item No. 2(A)

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

DATE: October 14, 2014

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

SUBJECT: Resolution delegating authority to the County Mayor to enter into time-extension agreements, at no cost to the County, to allow the County additional time in which to exercise a contractual right or option; requiring the County Mayor seek ratification from the Board when an extension is obtained pursuant to this resolution

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM

(Revised)

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

DATE: November 5, 2014

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

SUBJECT: Agenda Item No.

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.
11-5-14

RESOLUTION NO. _____

RESOLUTION DELEGATING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENTER INTO TIME-EXTENSION AGREEMENTS, AT NO COST TO THE COUNTY, TO ALLOW THE COUNTY ADDITIONAL TIME IN WHICH TO EXERCISE A CONTRACTUAL RIGHT OR OPTION; REQUIRING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SEEK RATIFICATION FROM THE BOARD WHEN AN EXTENSION IS OBTAINED PURSUANT TO THIS RESOLUTION

WHEREAS, in agreements between the County and third parties, the County may be required to exercise a contractual right or option within a time certain or risk losing said right or option; and

WHEREAS, to exercise that right or option, the County's administration may have to seek approval from this Board; and

WHEREAS, before obtaining approval from this Board, it may be necessary under this Board's Rules of Procedure, to undergo a lengthy legislative review process, including review by one of this Board's committees and then consideration by the full Board; and

WHEREAS, the amount of time ordinarily needed to complete all of the necessary reviews may be such that the County might lose a right or opportunity as a result of the legislative process or, alternatively, force the County's administration to present an item to this Board on an emergency basis,

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

Section 1. The County Mayor or Mayor's designee shall have the power, before obtaining the approval of this Board, to agree to extend the amount of time the County has to exercise a contractual right or option. Any such agreement, however, shall be at no cost to the County, and shall not require the County to forego any existing contractual rights or compromise any existing claims.

Section 2. To the extent the County Mayor or Mayor's designee agrees to an extension of time under this Resolution, then the County Mayor or Mayor's designee shall seek ratification of the extension agreement on the next available Board agenda.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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 5th day of November, 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.

MAG

Miguel A. Gonzalez