

MEMORANDUM

Agenda Item No. 11(A)(9)

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

DATE: September 16, 2014

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

SUBJECT: Resolution directing the County Mayor to direct the Miami-Dade County Public Library System to offer for donation to "Sister Cities" books and other materials received by the Library from donors and not desired for ownership, sale or use by the Library

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/Imp



MEMORANDUM
(Revised)

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

DATE: September 16, 2014

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

SUBJECT: Agenda Item No. 11(A)(9).

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)(9)

9-16-14

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO DIRECT THE MIAMI-DADE COUNTY PUBLIC LIBRARY SYSTEM TO OFFER FOR DONATION TO "SISTER CITIES" BOOKS AND OTHER MATERIALS RECEIVED BY THE LIBRARY FROM DONORS AND NOT DESIRED FOR OWNERSHIP, SALE OR USE BY THE LIBRARY, SUBJECT TO THE LIMITATIONS OF MIAMI-DADE COUNTY CODE SECTION 2-11.2.1 TO THE EXTENT IT IS APPLICABLE

WHEREAS, the Miami-Dade Public Library System ("MDPLS") is a Department of Miami-Dade County which annually receives donations of books and other objects ("Materials) offered to MDPLS for the Library's ownership or use; and

WHEREAS, after examination of the Materials offered for donation, the Library determines the Library is unable to take ownership of, and use, all the Materials offered to it for donation, including donation to the Friends of the Miami-Dade Public Library System for use in the annual book sale, ("Unneeded Materials"); and

WHEREAS, the Library currently disposes of such Unneeded Materials in conformity with County guidelines; and

WHEREAS, the Library then disposes of such Unneeded Materials in conformity with County guidelines regarding the disposal of recyclables and waste; and

WHEREAS, through action of this Board, the County has entered into a number of agreements with other cities throughout the world which have similar goals as the County to improve the lives of its citizens ("Sister Cities"), but which often lack the resources of the County; and

WHEREAS, this Board finds it would be in the best interest of the County and its relationships with its Sister Cities to offer such Unneeded Materials for donation to the County's Sister Cities; and

WHEREAS, there could be substantial shipping and transportation costs involved in the donation of such Unneeded Materials to Sister Cities on occasion desiring to accept such donation offers,

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 the County Mayor's designee to direct the Library to offer when requested the Unneeded Materials to the County's Sister Cities, subject to payment of shipping and transportation costs by such Sister Cities and/or the receipt of funding for such shipping and transportation costs through donations of funding for such purpose by the Library.

Section 3. The County Mayor or the County Mayor's designee shall submit a written report to this Board reporting the amount of such Unneeded Materials donated pursuant to this resolution, including in such report the name of the Sister Cities accepting such donations and the source of the funding for the transportation and shipping of such materials.

Section 4. This resolution does not apply to books and other objects owned or used by the Library which it subsequently finds to be obsolete and surplus as defined in Section 274.05, Florida Statutes and Section 2-11.2.1 of the Code of Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. 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 16th day of September, 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 for

Richard Seavey