

MEMORANDUM

Agenda Item No. 11(A)(9)

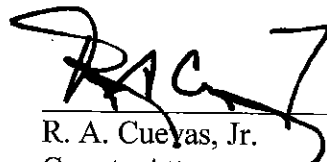
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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

SUBJECT: Resolution amending Resolution Nos. R-1382-09 and R-871-11 to direct the County Mayor when negotiating amendments to existing interlocal cooperation agreements or the execution of new interlocal cooperation agreements with community redevelopment agencies, and, if applicable, municipalities or other taxing authorities, to include a provision allowing County Commissioners in the alternative to appoint designees to serve as commissioners of such community redevelopment agencies pursuant to sections 163.356 or 163.357, Florida Statutes

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson and Co-Sponsor Commissioner Daniella Levine Cava.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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)
6-30-15

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION NOS. R-1382-09 AND R-871-11 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE WHEN NEGOTIATING AMENDMENTS TO EXISTING INTERLOCAL COOPERATION AGREEMENTS OR THE EXECUTION OF NEW INTERLOCAL COOPERATION AGREEMENTS WITH COMMUNITY REDEVELOPMENT AGENCIES, AND, IF APPLICABLE, MUNICIPALITIES OR OTHER TAXING AUTHORITIES, TO INCLUDE A PROVISION ALLOWING COUNTY COMMISSIONERS IN THE ALTERNATIVE TO APPOINT DESIGNEES TO SERVE AS COMMISSIONERS OF SUCH COMMUNITY REDEVELOPMENT AGENCIES PURSUANT TO SECTIONS 163.356 OR 163.357, FLORIDA STATUTES

WHEREAS, Chapter 163, Part III, Sections 163.356(2) and 163.357(1)(d), Florida Statutes, respectively provide: "As provided in an interlocal agreement between the governing body that created the agency and one or more taxing authorities, one or more members of the board of commissioners of the agency may be representatives of a taxing authority, including members of that taxing authority's governing body, whose membership on the board of commissioners of the agency would be considered an additional duty of office as a member of the taxing authority governing body;" and

WHEREAS, this Board adopted Resolutions Nos. R-1382-09 and R-871-11, respectively, which established a policy requiring that prior to this Board's approval of every new interlocal cooperation agreement (the "Interlocal") or amendment to an existing Interlocal with a community redevelopment agency, and if applicable a municipality or other taxing authority, the County Mayor or County Mayor's designee shall negotiate with said agency to include a provision in the Interlocal that permits at least one commissioner of this Board to serve as a commissioner of the agency; and

WHEREAS, this Board desires to permit County Commissioners, in the event they are unable to serve as a commissioner of a community redevelopment agency, to appoint a designee to serve as the commissioner of such community redevelopment agency; and

WHEREAS, this Board, therefore, wishes to amend Resolutions Nos. R-1382-09 and R-871-11 to require that prior to this Board's approval of any new interlocal cooperation agreement or amendment to an existing interlocal cooperation agreement with a community redevelopment agency, and if applicable a municipality or other taxing authority, the County Mayor or County Mayor's designee shall negotiate the inclusion of a provision in said interlocal cooperation agreement that will permit at least one commissioner of this Board or, in the alternative, to allow such County Commissioner to appoint a designee, to serve as a commissioner of the community redevelopment agency,

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

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. This Board amends Resolutions Nos. R-1382-09 and R-871-11 to require that prior to this Board's approval of any new interlocal cooperation agreement or amendment to an existing interlocal cooperation agreement with a community redevelopment agency, and if applicable a municipality or other taxing authority, the County Mayor or County Mayor's designee shall negotiate the inclusion of a provision in said interlocal cooperation agreement that will permit at least one commissioner of this Board or, in the alternative, to allow such County Commissioner to appoint a designee, to serve as a commissioner of the community redevelopment agency pursuant to Sections 163.356(2) and 163.357(1)(d) of the Act.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson and the Co-Sponsor is Commissioner Daniella Levine Cava. 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Terrence A. Smith