

MEMORANDUM

Agenda Item No. 11(A)(9)

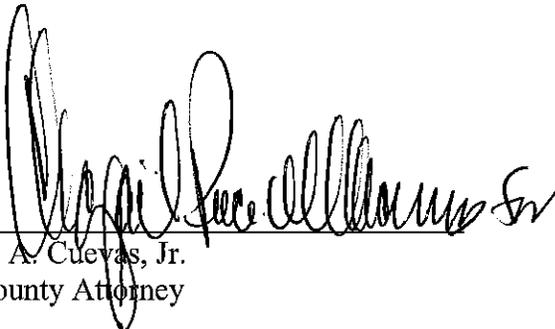
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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

SUBJECT: Resolution amending powers and duties of the Miami-Dade County Public Private Partnership (P3) Task Force established pursuant to Resolution No. R-150-15; extending deadline for P3 Task Force to submit report to the Board; and extending sunset of P3 Task Force

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

RAC/smm



MEMORANDUM

(Revised)

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

DATE: September 1, 2015

FROM: 
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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)(9)
9-1-15

RESOLUTION NO. _____

RESOLUTION AMENDING POWERS AND DUTIES OF THE MIAMI-DADE COUNTY PUBLIC PRIVATE PARTNERSHIP (P3) TASK FORCE ESTABLISHED PURSUANT TO RESOLUTION NO. R-150-15; EXTENDING DEADLINE FOR P3 TASK FORCE TO SUBMIT REPORT TO THE BOARD; AND EXTENDING SUNSET OF P3 TASK FORCE

WHEREAS, on February 3, 2015 this Board passed and adopted Resolution No. R-150-15 creating the Miami-Dade County Public Private Partnership Task Force (the “P3 Task Force”); and

WHEREAS, Resolution No. R-150-15 set forth the powers and duties of the P3 Task Force; and

WHEREAS, the first and foremost of the powers and duties of the P3 Task Force listed in Resolution No. R-150-15 is to “[m]ake recommendations to this Board in the County’s ordinances, resolutions, regulations, implementing orders and administrative practices that will advance public private partnerships”; and

WHEREAS, another of the P3 Task Force’s powers and duties set forth in Resolution No. R-150-15 is to “[i]dentify potential projects that address critical infrastructure needs in Miami-Dade County that are suitable for public private partnership arrangements”; and

WHEREAS, this Board prefers that the P3 Task Force focus on making recommendations and advising this Board as to how to improve County practices and policies that would foster public private partnerships as opposed to identifying potential infrastructure projects suitable for public private partnership arrangements; and

WHEREAS, re-scoping the powers and duties of the P3 Task Force to concentrate on advising the Board on changes in the County's ordinances, resolutions, regulations, implementing orders and administrative practices that will advance public private partnerships and eliminating the identification of potential P3 projects will open the pool of individuals willing to serve on the P3 Task Force; and

WHEREAS, the process of nominating individuals to and finalizing the membership of the P3 Task Force has taken longer than anticipated; and

WHEREAS, the unanticipated delay in finalizing the membership of the P3 Task Force necessitates an extension of the reporting requirement deadline and sunset of the P3 Task Force,

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

Section 1. *Amended Powers and Duties.* The P3 Task Force's powers and duties set forth in Resolution No. R-150-15 are amended to eliminate from the P3 Task Force's powers and duties the identification of potential projects that address critical infrastructure needs in Miami-Dade County that are suitable for public private partnership arrangements.

Accordingly, the amended powers and duties of the P3 Task Force are to:

- (a) Make recommendations to this Board on changes in the County's ordinances, resolutions, regulations, implementing orders and administrative practices that will advance public private partnerships; and
- (b) Evaluate and make recommendations to the Mayor and this Board with respect to the Public Private Partnership Plan required pursuant to Resolution No. R-1022-13 and any updates to said plan; and

- (c) Review and assess timelines and legislative recommendations or other goals, tasks or deliverables set forth in the County's Public Private Partnership Plan; and
- (d) Provide a written report to this Board describing the P3 Task Force's findings and recommendations regarding directives (a) – (c) above within 300 days of the effective date of Resolution No. R-150-15.

In making its recommendations and providing a report to this Board, the P3 Task Force shall analyze and review successfully utilized public private partnership legislation, arrangements and projects in other communities throughout the country. The P3 Task Force's review, assessments and recommendations to the Public Private Partnership Plan required pursuant to Resolution No. R-1022-13 shall not include any review, assessment or recommendations relating to any potential projects that may be suitable for public private partnership arrangements identified in the Public Private Partnership Plan.

Section 2. *Amended Reporting Deadline.* The deadline set forth in Resolution No. R-150-15 for the P3 Task Force's submission of a written report setting forth its findings and recommendations to the Board is extended 120 days. Accordingly, the P3 Task Force shall submit the written report to the Board required under Resolution No. R-150-15 within 300 days from the effective date of Resolution No. R-150-15. The report shall consist of a comprehensive assessment of the County's Public Private Partnership Program, Public Private Partnership Plan, and ongoing efforts consistent with the P3 Task Force's powers and duties set forth in Section 1 above. The report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65 for consideration by the Board. The Board may then request such further work of the P3 Task force as may be in the public interest.

Section 3. *Extension of Sunset.* The sunset and dissolution of the P3 Task Force set forth in Resolution No. R-150-15 shall be extended an additional 144 days. Therefore, the P3 Task Force shall sunset and stand dissolved on the 364th day from the effective date of Resolution No. R-150-15.

Section 4. All provisions of Resolution No. R-150-15 not herein amended remain in full force and effect.

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:

- | | |
|-------------------------------------|----------------------|
| 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 1st day of September, 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.



Eduardo W. Gonzalez