

# MEMORANDUM

Agenda Item No. 11(A)(18)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 5, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to review and submit to the Board a recommendation regarding a proposal from Santa's Enchanted Forest, Inc. to operate a holiday-themed, temporary fair at Tropical Park in November and December, 2020, and to advise this Board in writing within 30 days whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Vice Chairwoman Rebeca Sosa.



Abigail Price-Williams  
County Attorney

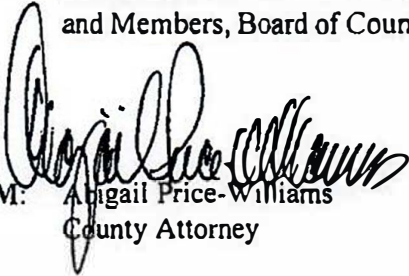
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**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
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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
- Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(18)

Veto \_\_\_\_\_

5-5-20

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR TO REVIEW AND SUBMIT TO THE BOARD A RECOMMENDATION REGARDING A PROPOSAL FROM SANTA'S ENCHANTED FOREST, INC. TO OPERATE A HOLIDAY-THEMED, TEMPORARY FAIR AT TROPICAL PARK IN NOVEMBER AND DECEMBER, 2020, AND TO ADVISE THIS BOARD IN WRITING WITHIN 30 DAYS WHETHER THE MAYOR FINDS THAT IT IS IN THE COUNTY'S BEST INTEREST TO WAIVE COMPETITIVE BIDDING AND PROCEED WITH SUCH A PROPOSAL

**WHEREAS**, Santa's Enchanted Forest, Inc. ("Santa's") has operated a holiday-themed light display and temporary fair at Tropical Park for 37 years ("Santa's Enchanted Forest"); and

**WHEREAS**, in the spirit of the Christmas season, this Board wishes to see the holiday light display continue in 2020; and

**WHEREAS**, Santa's contract with the County expires in March 2020; and

**WHEREAS**, the County is currently in the process of preparing a solicitation for future uses at the location in Tropical Park currently used by Santa's, which solicitation will include holiday-themed events; and

**WHEREAS**, the competitive solicitation process may take several months; and

**WHEREAS**, the lead time necessary for Santa's to put in place an event for the 2020 holiday season may necessitate more time than afforded due to the competitive solicitation process; and

**WHEREAS**, Santa's desires to, and is in a unique position to, operate its event at Tropical Park in 2020 while the County finalizes its competitive solicitation process, contract negotiation and contract award; and

**WHEREAS**, Santa's has proposed to continue operation of Santa's Enchanted Forest in 2020 so as to allow the County to complete its competitive solicitation process; and

**WHEREAS**, to contract with Santa's for the 2020 season requires that the Mayor issue a written recommendation that it is in the County's best interest to waive competitive bidding; and

**WHEREAS**, this Board desires to have the County Mayor review and consider Santa's proposal to operate a holiday-themed, temporary fair at Tropical Park during the months of November and December, 2020, and advise this Board in writing whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal,

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

**Section 1.** The foregoing recitals are approved and incorporated as if fully set forth herein.

**Section 2.** This Board directs the County Mayor to review and consider Santa's proposal to operate a holiday-themed, temporary fair at Tropical Park in November and December, 2020, and advise this Board in writing within 30 days of this resolution whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Vice Chairwoman Rebeca Sosa. 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of May, 2020. 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.

mjs

Melanie J. Spencer  
Monica Rizo Perez