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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Amended

MEMORANDUM Agenda Item No. 11(A)(1)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: June 21, 2011

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

SUBJECT: Resolution directing the County Mayor to prepare and issue a competitive solicitation for installation and operation of communication towers in certain parks in order to provide additional revenue to Park and Recreation Department and to mitigate further reductions in staff, maintenance and programming

Resolution No. R-495-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: June 21, 2011

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

SUBJECT: Amended Agenda Item No. 11(A)(1)

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 Manager'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**

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Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(1)
6-21-11

RESOLUTION NO. R-495-11

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AND ISSUE A COMPETITIVE SOLICITATION FOR INSTALLATION AND OPERATION OF COMMUNICATION TOWERS IN CERTAIN PARKS IN ORDER TO PROVIDE ADDITIONAL REVENUE TO PARK AND RECREATION DEPARTMENT AND TO MITIGATE FURTHER REDUCTIONS IN STAFF, MAINTENANCE AND PROGRAMMING

WHEREAS, Miami-Dade County's Park and Recreation Department ("Parks Department") offers 263 various park sites in a nationally acclaimed system of park and recreation open spaces; and

WHEREAS, however, the budgetary reductions in the Parks Department's staff, maintenance, programs and services over the past two County budgets jeopardizes its reputation for excellence and its ability to continue to provide services to the community; and

WHEREAS, other Park and Recreation agencies locally and nationally have successfully authorized the installation of cellular communication towers to produce additional operating revenue; and

WHEREAS, the County's Parks Department could likewise benefit from additional operating revenue; and

WHEREAS, the Miami-Dade County School Board allows placement of cell towers on school grounds; and

WHEREAS, this Board desires to supplement and enhance the Park Department's budget by allowing communications companies to install and operate cellular/communications towers in

County parks, and such communications towers should also be able to service the County Park itself; and

WHEREAS, the County Mayor or Mayor's designee is in a position to assess and make a determination as to which County parks are most appropriate for the installation and operation of these communication towers; and

WHEREAS, pursuant to Article 7 of the County Charter, these communication towers should be placed in parks so as not to adversely impact natural resources or park facilities and uses,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, in order to provide additional revenue to the Parks Department and to mitigate further reductions in staff, maintenance and programming at County parks, this Board directs the County Mayor or Mayor's designee to prepare and issue a competitive solicitation for communications companies to install and operate communications towers that are aesthetically acceptable in up to 22 County parks deemed most appropriate for such use by the County Mayor or Mayor's designee and this Board shall separately and individually consider for approval the installation and operation of each such communication tower.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			**aye**
Audrey M. Edmonson, Vice Chairwoman			**aye**
Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**nay**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of June, 2011. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo