OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 15(F)(1)

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

DATE: June 18, 2013

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

SUBJECT: Resolution allocating unexpended balance of funds paid to the County by South Florida Stadium, LLC remaining after payment of expenses to hold special election as unallocated general fund carryover to be appropriated in the fiscal year 2013-14 County Budget; and directing County Mayor to include such unallocated amount in Mayor's proposed fiscal year 2013-14 budget as a reserve for appropriation by the Board

Resolution No. R-647-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor the Board of County Commissioners.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

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

DATE: June 18, 2013

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

SUBJECT: Agenda Item No. 15(F)(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 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. 15(F)(1)
6-18-13

RESOLUTION NO. R-647-13

RESOLUTION ALLOCATING UNEXPENDED BALANCE OF FUNDS PAID TO THE COUNTY BY SOUTH FLORIDA STADIUM, LLC REMAINING AFTER PAYMENT OF EXPENSES TO HOLD SPECIAL ELECTION AS UNALLOCATED GENERAL FUND CARRYOVER TO BE APPROPRIATED IN THE FISCAL YEAR 2013-14 COUNTY BUDGET; AND DIRECTING COUNTY MAYOR TO INCLUDE SUCH UNALLOCATED AMOUNT IN MAYOR'S PROPOSED FISCAL YEAR 2013-14 BUDGET AS A RESERVE FOR APPROPRIATION BY THE BOARD

WHEREAS, this Board pursuant to Resolution No. R-278-13 this Board called a countywide special election to held Tuesday, May 14, 2013 for the purpose of submitting to the electors of the county the question of whether to approve the proposed use of additional tourist room taxes for the modernization of Sun Life Stadium ("Resolution R-278-13"); and

WHEREAS, in satisfaction of the requirements of Section 10 of Resolution R-278-13, South Florida Stadium, LLC timely deposited with the Board of County Commissioners $4,784,337 to pay the expenses of holding the special election (the "Election Expense Payment"); and

WHEREAS, the Election Expense Payment is non-refundable for any reason, including cancellation of the election; and

WHEREAS, Resolution R-278-13 calling the May 14, 2013 countywide special election provided that such election shall be cancelled in the event that the legislature adjourns sine die without enacting legislation authorizing the County's levy of the additional tourist development room tax; and

WHEREAS, on May 3, 2013 the legislature adjourned sine die without enacting legislation authorizing the County's levy of such additional tourist development room tax; and

WHEREAS, the Mayor, in accordance with Resolution R-278-13, instructed the Elections Department to cancel the special election effective the evening of May 3, 2103; and

WHEREAS, approximately $2,300,000 of the Election Expense Payment remain unexpended as a result; and

WHEREAS, this Board wishes to allocate the unexpended balance of the Election Expense Payment as unallocated general fund carryover to be appropriated in the fiscal year 2013-14 County budget,

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 hereby allocates the unexpended balance of the Election Expense Payment as unallocated general fund carryover to be appropriated in the fiscal year 2013-14 County budget.

Section 3. This Board directs the County Mayor or Mayor's designee to include in the Mayor's proposed fiscal year 2013-14 County budget a "Reserve for balance from May 2013 Election" to effectuate the foregoing.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of June, 2013. 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. GBK

Geri Bonzon-Keenan