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

MEMORANDUM

Agenda Item No. 11(A)(14)

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

DATE: September 17, 2013

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

SUBJECT: Resolution approving Amendment No. 2 to Interlocal Agreement between the School Board of Miami-Dade County, Florida, and Miami-Dade County, Florida, for the provision of Inspector General Services through the Office of the Miami-Dade County Inspector General
Resolution No. R-765-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

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

DATE: September 17, 2013

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

SUBJECT: Agenda Item No. 11(A)(14)

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)(14)
9-17-13

RESOLUTION NO. R-765-13

RESOLUTION APPROVING AMENDMENT NO. 2 TO INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND MIAMI-DADE COUNTY, FLORIDA, FOR THE PROVISION OF INSPECTOR GENERAL SERVICES THROUGH THE OFFICE OF THE MIAMI-DADE COUNTY INSPECTOR GENERAL

WHEREAS, the School Board of Miami-Dade County previously requested the services of the Miami-Dade County Office of the Inspector General (OIG) to function as the School Board's Office of the Inspector General through an interlocal agreement between the School Board and the Board of County Commissioners of Miami-Dade County; and

WHEREAS, an Interlocal Agreement was approved by this Board on December 18, 2007 (R1387-07) for an initial three-year term; and

WHEREAS, Amendment No. 1 to the Interlocal Agreement extended the agreement for an addition three-year term until December 18, 2013; and

WHEREAS, the current Interlocal Agreement expires on December 18, 2013 and may be renewed for an additional term upon agreement by both parties; and

WHEREAS, the Miami-Dade County Office of the Inspector General has been providing inspector general services to the School Board since January 2008 for which the School Board has fully funded those services at no cost to Miami-Dade County; and

WHEREAS, the School Board desires to extend the term of the Interlocal Agreement for an additional three-year period so that the Miami-Dade County Office of the Inspector General may continue to serve as the Inspector General for the School Board; and

WHEREAS, this Board recognizes that both bodies share a mutual interest in serving the residents of Miami-Dade County by preventing fraud, waste, financial mismanagement and other abuses that impact the level of service provided to the community; and

WHEREAS, the Miami-Dade County Office of the Inspector General is a nationally recognized inspector general's office, accredited by the Commission for Florida Law Enforcement Accreditation, and is able to fulfill the function of independent oversight for both Boards,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves Amendment No. 2 to the Interlocal Agreement between the School Board of Miami-Dade County, Florida, and Miami-Dade County, in substantially the form attached hereto and made a part hereof, and authorizes the County Mayor or County Mayor's designee to execute Amendment No. 2 to the Interlocal Agreement.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of September, 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. GKS

Gerald K. Sanchez

AMENDMENT NO. 2

to

INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA AND MIAMI-DADE COUNTY, FLORIDA, FOR THE PROVISION OF INSPECTOR GENERAL SERVICES THROUGH THE OFFICE OF THE MIAMI-DADE COUNTY INSPECTOR GENERAL

WHEREAS, the current Interlocal Agreement (ILA) between The School Board of Miami-Dade County, Florida (School Board) and Miami-Dade County, Florida, (County) for the provision of Inspector General Services through the Office of the Miami-Dade County Inspector General (OIG), was initially executed in 2007;

WHEREAS, the parties executed Amendment No. 1 in 2010 extending the ILA for a three year term to expire on December 18, 2013;

WHEREAS, the ILA provides for renewal of the term; and

WHEREAS, the intent of this Amendment No. 2 is to renew the term of the ILA for an additional three-year period to expire on December 18, 2016.

NOW, THEREFORE, in consideration of the terms and conditions, promises and covenants herein, the Parties agree that the terms, conditions and provisions of the ILA are amended, as follows:

1. The above recitals are true and correct and are incorporated herein.

2. Section 9, (Term and Effective Date of ILA) is further amended to read as follows:

> This ILA shall take effect upon final execution of the ILA by both the School Board and the County, and, unless renewed, shall terminate on December 18, ~~2013~~ 2016. The term may be renewed for an additional term, the length of which must be determined and agreed upon by both Parties to the ILA.

3. As to other terms and conditions, the ILA remains unchanged.

IN WITNESS THEREOF, the Parties agree to incorporate the above modification into the Interlocal Agreement and have caused this Amendment No. 2 to be executed in their names by their duly authorized officers and the corporate seals to be affixed, all as of the 17 day of July, 2013.

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

By: _____
Name: Mr. Alberto Carvalho
Title: Superintendent

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

By: Perla Tabares Hantman
Name: Ms. Perla Tabares Hantman
Title: Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Name: Mr. Walter J. Harvey
Title: Board Attorney

MIAMI-DADE COUNTY, FLORIDA

By: _____
Name: Mr. Carlos A. Gimenez
Title: Mayor

ATTEST;

_____

Name: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Name: R.A. Cuevas
Title: County Attorney