

MEMORANDUM

Agenda Item No. 14(A)(3)

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

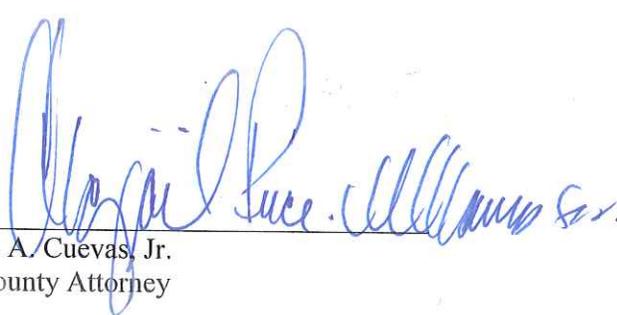
DATE: March 17, 2015

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

SUBJECT: Resolution directing the County Mayor to include requirement in all aviation leases that sub-lessees at aviation facilities purchase insurance in favor of the County and original lessee at the same level as is required of the original lessee and to require sublessees provide such insurance as a condition of approval of sublease or sublease renewal

Resolution No. R-273-15

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/lmp



MEMORANDUM
(Revised)

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

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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

Agenda Item No. 14(A)(3)

Veto _____

Override _____

RESOLUTION NO. R-273-15

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INCLUDE REQUIREMENT IN ALL AVIATION LEASES THAT SUBLESSEES AT AVIATION FACILITIES PURCHASE INSURANCE IN FAVOR OF THE COUNTY AND ORIGINAL LESSEE AT THE SAME LEVEL AS IS REQUIRED OF THE ORIGINAL LESSEE AND TO REQUIRE SUBLESSEES PROVIDE SUCH INSURANCE AS A CONDITION OF APPROVAL OF SUBLEASE OR SUBLEASE RENEWAL

WHEREAS, the County leases space at aviation facilities to entities who conduct business on County property; and

WHEREAS, the County requires lessees of space at aviation facilities to purchase insurance in favor of the County for the lessee's operations on County property; and

WHEREAS, some lessees of space at aviation facilities sub-lease the space to third parties who do not provide the same insurance coverage to the County; and

WHEREAS, the lack of insurance coverage by sub-lessees exposes the County to increased risk of loss and creates a competitive imbalance between sub-lessees and lessees of space at aviation facilities; and

WHEREAS, this Board desires to increase the County's coverage by additionally requiring sub-lessees at aviation facilities to also purchase insurance in favor of both the lessee and the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee is directed to include in all new aviation leases or as a condition of

renewal of all existing aviation leases a requirement that sub-lessees provide insurance in favor of the lessee and the County in the same amount and type as is required by the County of the original lessee. The County Mayor or County Mayor's designee is further directed that, unless otherwise prohibited by the lease agreement, the County shall not approve any sub-lease agreement or the renewal of a sub-lease agreement between any aviation lessee and any prospective sub-lessee if such sub-lessee does not provide insurance in favor of the lessee and the County in the same amount and type as is required by the County of the original lessee.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner **Audrey M. Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of March, 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in cursive script, appearing to read "OR", is written over a horizontal line.

Oren Rosenthal