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

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: June 2, 2015

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

SUBJECT: Resolution directing inclusion of contractual term requiring appointment of Miami-Dade County employee representative in agreements allocating County funds to support major capital and/or economic development construction projects; and directing the County Mayor to provide an annual written report on the progress and use of County funds in such projects

Resolution No. R-502-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

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

DATE: June 2, 2015

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

SUBJECT: Agenda Item No. 11(A)(6)

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)(6)
6-2-15

RESOLUTION NO. R-502-15

RESOLUTION DIRECTING INCLUSION OF CONTRACTUAL TERM REQUIRING APPOINTMENT OF MIAMI-DADE COUNTY EMPLOYEE REPRESENTATIVE IN AGREEMENTS ALLOCATING COUNTY FUNDS TO SUPPORT MAJOR CAPITAL AND/OR ECONOMIC DEVELOPMENT CONSTRUCTION PROJECTS; AND DIRECTING THE COUNTY MAYOR OR DESIGNEE TO PROVIDE AN ANNUAL WRITTEN REPORT ON THE PROGRESS AND USE OF COUNTY FUNDS IN SUCH PROJECTS

WHEREAS, it is the policy of this Board to safeguard the use of public funds and to ensure that they are used efficiently and for the purposes that the Board specifically intended; and

WHEREAS, this Board has approved the use of Miami-Dade County (the "County") funds to support various non-County owned major capital and/or economic development construction projects through such mechanisms as grant agreements, interlocal agreements, eligible funding from the Building Better Communities General Obligation Bond Program and community redevelopment agency tax increment financing; and

WHEREAS, this Board wants to ensure that County funds supporting important non-County owned and controlled major capital and/or economic development construction projects are used properly and for their intended purpose; and

WHEREAS, the use of a County employee representative to monitor County funded major capital and/or economic development construction projects will assist in keeping this Board and the County administration adequately informed on the progress and the proper use of public dollars for these projects,

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

Section 1. This Board directs that all contracts, grants or other agreements that are subject to this Board's approval and allocates $1,000,000.00 or more in County funds to any capital and/or economic development construction projects, where Miami-Dade County is not the legal owner of the facilities being constructed nor directly controls the projects' construction, shall include a term requiring the appointment of a County employee representative to monitor the capital and/or economic development projects and use of County funds in such projects. Such contractual term shall provide the County employee representative access to project financial records, access to project construction sites, such other access and information to allow the County employee representative to fully monitor the progress of the projects and the use of allocated County funds supporting the projects, and shall also provide reimbursement to the County for the costs and time expended by the County employee representative to monitor the capital and/or economic development projects subject to this resolution to the extent such time and costs cannot otherwise be absorbed by the County under existing budgetary allocations.

Section 2. Using the observations and work of the appointed County employee representative, the County Mayor or County Mayor's designee shall, on no less than an annual basis, provide a written report to the Board on the progress and use of County funds in the construction projects that are subject to this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Bruno A. Barreiro** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 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.

Eduardo W. Gonzalez