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

MEMORANDUM

Agenda Item No. 8(J)(1)

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

DATE: September 16, 2015

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

SUBJECT: Resolution authorizing the County Mayor to direct the Seaport Department to establish a trust fund for expenditures associated with hosting the American Association of Port Authorities ("AAPA") annual convention; authorizing the transfer of $31,466.51 in funds from the International Port Fest Trust Fund balance to the AAPA Trust Fund; authorizing designated purchases pursuant to Miami-Dade County Code Section 2-8.1(b)(3) from the AAPA Trust Fund in the approximate amount of $848,466.00 and waiving the competitive bidding requirements of implementing order 3-38 for all purchases from the AAPA trust fund; and finding it in the best interest of the County

Resolution No. R-770-15

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

RAC

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum

MIAMI-DADE COUNTY

Date: September 16, 2015

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the County Mayor or the County Mayor's Designee to Direct the Seaport Department to Establish a Trust Fund for Expenditures Associated with Hosting the American Association of Port Authorities Annual Convention; Authorizing the Transfer of $31,466.51 in funds from the International Port Festival Trust Fund Balance to the AAPA Trust Fund; Authorizing designated purchases pursuant to Miami-Dade County Code Section 2-8.1(b)(3) from the AAPA Trust Fund in the Approximate Amount of $848,466.00 and Waiving the Competitive Bidding Requirements of Implementing Order 3-38 for all Purchases from the AAPA Trust Fund

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the accompanying resolution establishing a Trust Fund by PortMiami (AAPA Trust Fund) to raise funds for and pay expenses associated with hosting the American Association of Port Authorities Annual Convention (Convention) to be held in Miami-Dade County on November 2-4, 2015; authorizing the transfer of $31,466.51 from the "International Port Festival Trust Fund" to the AAPA Trust Fund; and authorizing designated purchases pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County for goods and services for the convention from the AAPA Trust Fund of approximately $848,466.00 and waiving the competitive bidding requirements of Implementing Order 3-38 for all expenditures of funds from the AAPA Trust Fund.

Scope

PortMiami (Port) is located within District 5, represented by Commissioner Bruno A. Barreiro. The impact of this agenda item is countywide as Port is a regional asset and generates employment for residents throughout Miami-Dade County.

Fiscal Impact/Funding Source

The purpose of the AAPA Trust Fund is for the Port to deposit and withdraw funds associated with the AAPA Annual Convention. It is anticipated the Port will receive approximately $580,000.00 from conference registration fees, $225,000.00 from sponsorships, $12,000.00 from exhibit sales, and $31,466.00 from the International Port Festival Trust Fund totaling $848,466.00 to allocate towards convention expenses. With these funds, the Port shall pay for convention host port responsibilities as further defined below in this memorandum. It is the intent to have the Convention "break-even" financially, meaning that funds raised and deposited in the AAPA Trust Fund are planned to cover all Convention expenses for which the Port has responsibility. However, should event revenues not suffice to cover event expenses, the Port has set-aside funding in the department's non-operating budget to cover any such shortfall. Conversely, if event revenues exceed expenses, the remaining balance will be transferred to the

Port to reimburse its non-operating budget for any Convention-related expenses and to support future business development activities.

Track Record/Monitor
The Port staff members responsible for monitoring this proposed resolution are Kevin Lynskey, Deputy Port Director; Hydi Webb, Assistant Director of Business Development; and Miriam Abreu, Assistant Director of Finance.

Delegated Authority
This resolution authorizes the County Mayor or the County Mayor's designee to establish an AAPA Trust Fund for receipt of funds and payment of expenditures associated with hosting the 2015 AAPA Annual Convention; authorizes the transfer of $31,466.51 in funds from the International Port Festival fund balance to the AAPA Trust Fund; authorizes designated purchases from the AAPA Trust Fund pursuant to Miami-Dade County Code Section 2-8.1(b)(3) and waives the competitive bidding requirements of Implementing Order 3-38 for all purchases from the AAPA Trust Fund; authorizes the execution of any contracts necessary to make such purchases; and waives the requirements of Resolution No. R-130-06 in connection with such contracts.

Background
Founded in 1912, the AAPA is a trade association representing more than 160 leading port authorities in the United States, Canada, the Caribbean, and Latin America. Members also include more than 300 firms and individuals with interest in the seaports of the Western Hemisphere. AAPA is dedicated to serving deep draft public ports by promoting the common interests of port communities and providing leadership on trade, transportation, environmental and other issues related to port development and operations. The AAPA also works to educate the public, media, local, state, and federal legislators about the essential role ports play within the global transportation system. The Port regularly participates in AAPA activities including committee meetings, technical workshops, and seminars/conferences.

The AAPA's largest membership gathering is its annual convention which rotates to different port communities. This event includes technical and policy committee meetings, business sessions, exhibition/trade show, and social/networking opportunities. Annual conventions are hosted by member ports offering a range of activities reflecting the unique features of the host community. The Port has been selected as the host port for the 2015 AAPA Annual Convention scheduled for November 2-4, 2015 in Miami, Florida.

On July 15, 2014 the Board passed Resolution No. R-666-14 in support of the Port hosting the Convention, allocating up to $400,992.00 in a Standard Meetings Contract with InterContinental Miami; and recognizing the Port's host port responsibilities. It is anticipated, that the Convention will welcome approximately 400 delegates to Miami-Dade County.

As the host port, the Port is responsible for the general management and overall financial support of the convention including funding of website development, registration, hotel management, social activities/entertainment, translation services, photography, marketing materials, and transportation. In addition, the Port will be responsible for raising sponsorship dollars to offset

the cost of the Convention. The establishment of the AAPA Trust Fund will enable the Department to deposit funds raised from the registration fees, sponsorships, and exhibit sales, and, in exchange, use these funds to pay for the convention responsibilities. It is expected that the Convention will "break-even" financially, meaning that funds raised and deposited in the AAPA Trust Fund should cover all Convention expenses for which the Port has responsibility. However, should event revenues not suffice to cover event expenses, the Port has set-aside funding in the department's non-operating budget to cover any such shortfall. Conversely, if event revenues exceed expenses, the remaining balance will be transferred to the Port to reimburse its non-operating budget for any Convention-related expenses and to support future business development activities.

Similar to the AAPA Trust Fund, the Port previously utilized a trust fund to raise funds associated with hosting the International Port Festival in September 2002. The Board passed Resolution No. R-71-02 on January 29, 2002 granting the Port the authority to establish the trust fund. The International Port Festival Trust Fund account currently holds a surplus of $31,466.51. The Department requests approval to transfer the remaining funds from the International Port Festival Trust Fund to the AAPA Trust Fund.

It is in the best interest of the County to authorize the County Mayor or the County Mayor's designee to make directed purchases pursuant to Miami-Dade County Code Section 2-8.1(b)(3) and waive the competitive bidding requirements of Implementing Order 3-38 for all expenditures from the AAPA Trust Fund in order to facilitate and expedite the planning and execution of the Convention. The Trust Fund shall be administered by the Port Director or the Director's Designee, and supervised by the Miami-Dade County Finance Department.

Additionally, it is in the best interest of the County to waive the requirements of Resolution No. R-130-06, requiring contracts to be executed before presentation to the Board, and authorize the entry into any goods and service purchase contracts necessary to host the 2015 Annual AAPA Convention. It is important to note, however, the Port's intention is to first utilize the County's competitive procurement process.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: September 16, 2015

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

SUBJECT: Agenda Item No. 8(J)(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. 8(J)(1)
9-16-15

RESOLUTION NO. R-770-15

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO DIRECT THE SEAPORT DEPARTMENT TO ESTABLISH A TRUST FUND FOR EXPENDITURES ASSOCIATED WITH HOSTING THE AMERICAN ASSOCIATION OF PORT AUTHORITIES ("AAPA") ANNUAL CONVENTION; AUTHORIZING THE TRANSFER OF $31,466.51 IN FUNDS FROM THE INTERNATIONAL PORT FEST TRUST FUND BALANCE TO THE AAPA TRUST FUND; AUTHORIZING DESIGNATED PURCHASES PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 2-8.1(B)(3) FROM THE AAPA TRUST FUND IN THE APPROXIMATE AMOUNT OF $848,466.00 AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF IMPLEMENTING ORDER 3-38 FOR ALL PURCHASES FROM THE AAPA TRUST FUND; AND FINDING IT IN THE BEST INTEREST OF THE COUNTY TO WAIVE THE REQUIREMENTS OF RESOLUTION NO R-130-06 WHICH REQUIRES CONTRACTS TO BE PREVIOUSLY SIGNED BEFORE PRESENTATION TO THE BOARD FOR APPROVAL

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. Approves and authorizes the County Mayor or the County Mayor's designee to establish an AAPA Trust Fund ("AAPA Trust Fund") by the Seaport Department to raise funds for and pay expenses associated with the Seaport Department's hosting the American Association of Port Authorities Annual Convention to be held in Miami in November 2015.

Section 2. Approves and authorizes the transfer of $31,466.51 from the International Port Fest Trust Fund to the AAPA Trust Fund.

Section 3. Authorizes the County Mayor or the County Mayor's designee to make designated purchases in the approximate amount of $848,466.00 from the AAPA Trust Fund pursuant to Miami-Dade County Code Section 2-8.1(b)(3) and waives the competitive bidding requirements of Implementing Order 3-38 for all expenditures of funds from the AAPA Trust Fund.

Section 4. Waives the requirements of Resolution No. R-130-06 in connection with the negotiation and execution of any contracts necessary to make such purchases, and finds it in the best interest of the County to do so for the reasons stated in the accompanying memorandum.

Section 5. Directs the transfer, after final completion of payment of expenses for the American Association of Port Authorities Annual Convention to be held in Miami in November 2015, of any remaining funds in the AAPA Trust Fund to the Seaport Department to offset expenditures from Seaport Department reserved non-operating funds associated with hosting the Convention.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** 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	**absent**	Daniella Levine Cava	**absent**
Jose "Pepe" Diaz	**aye**	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	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 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.

Richard Seavey