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

MEMORANDUM

Agenda Item No. 14(A)(3)

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

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving amendment to the Second Amended Partner Program Agreement with the Dade Veterinary Foundation doing business as South Florida Veterinary Foundation to provide for additional grant funding in the amount of up to $600,000.00 with $300,000.00 allocated for Fiscal Year 2015-16 and $300,000.00 allocated for Fiscal Year 2016-17 for one-year extension of the agreement, if exercised, and to increase the administrative fee reimbursement for surgeries from $5.00 per surgery to $8.00 per surgery; authorizing the County Mayor to execute same and to exercise any and all provisions contained therein, including one-year extension

Resolution No. R-1176-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

Abigail Price-Williams
County Attorney

APW/cp

MEMORANDUM
(Revised)

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

DATE: December 15, 2015

FROM: Abigail Price-Williams
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SUBJECT: Agenda Item No. 14(A)(3)

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**

_____ **Statement of social equity 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. 14(A)(3)
12-15-15

RESOLUTION NO. R-1176-15

RESOLUTION APPROVING AMENDMENT TO THE SECOND AMENDED PARTNER PROGRAM AGREEMENT WITH THE DADE VETERINARY FOUNDATION DOING BUSINESS AS SOUTH FLORIDA VETERINARY FOUNDATION TO PROVIDE FOR ADDITIONAL GRANT FUNDING IN THE AMOUNT OF UP TO $600,000.00 WITH $300,000.00 ALLOCATED FOR FISCAL YEAR 2015-16 AND $300,000.00 ALLOCATED FOR FISCAL YEAR 2016-17 FOR ONE-YEAR EXTENSION OF THE AGREEMENT, IF EXERCISED, AND TO INCREASE THE ADMINISTRATIVE FEE REIMBURSEMENT FOR SURGERIES FROM $5.00 PER SURGERY TO $8.00 PER SURGERY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ANY AND ALL PROVISIONS CONTAINED THEREIN, INCLUDING ONE-YEAR EXTENSION

WHEREAS, the County desires to meet the unmet demand for low cost spay/neuter surgery throughout the community, estimated at more than 50,000 surgeries annually to include non-income qualified free sterilization of community cats; and

WHEREAS, the Dade County Veterinary Foundation doing business as The South Florida Veterinary Foundation ("SFVF"), a Florida not-for-profit corporation, has proposed to utilize a network of qualified local veterinarians to aid in meeting the demand for free or co-pay-supported spay/neuter surgeries for qualified residents and animals of qualified rescue organizations of Miami-Dade County; and

WHEREAS, SFVF and the County previously entered into a Partner Program Agreement (the "Agreement"), as approved by Resolution No. R-623-14 on July 1, 2014, wherein this Board authorized the award of grant funding in the amount of $200,000.00 to SFVF for the performance of low-cost spay and neuter surgeries for income qualified members of the community; and

WHEREAS, SFVF and the County previously entered into an Amended Partner Program Agreement, as approved by Resolution No. R-417-15 on May 5, 2015 to amend the terms thereof; and

WHEREAS, SFVF and the County previously entered into a Second Amended Partner Program Agreement, as approved by Resolution No. R-637-15 on July 14, 2015 to provide for additional grant funding to SFVF in the amount of up to $100,000.00; and

WHEREAS, the Partner Program has proven so successful that SFVF has already come close to exhausting the grant funds provided for under the Agreement as amended; and

WHEREAS, this Board wishes to avoid an interruption in these vital services for the community; and

WHEREAS, this Board wishes to authorize the execution of the attached Amendment to the Second Amended Partner Program Agreement, in order to provide for additional grant funds to SFVF in the amount of up to $300,000.00 for FY 2015-16 and for FY 2016-17 under an extension of the Second Amended Partner Program Agreement, in order to ensure the continuation of services performed under the Agreement; and

WHEREAS, these funds have already been budgeted and approved for FY 2015-16; and

WHEREAS, as long as the Agreement remains active, the maximum amount allocated for services will be subject to the budgetary process each fiscal year; and

WHEREAS, this Board also wishes to amend the Second Amended Partner Program Agreement as set forth herein, in order to increase the administrative fee reimbursement for surgeries to SFVF from $5.00 per surgery to $8.00 per surgery and increase the grant funding to the Agreement as amended,

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

Section 1. This Board incorporates and adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board approves the terms and the County Mayor's or County Mayor's designee's execution of the attached Amendment to the Second Amended Partner Program Agreement between Miami-Dade County and SFVF, in substantially the form attached hereto, in order to provide for additional grant funding to SFVF in an amount up to $300,000.00 for Fiscal Year 2015-16 and an additional $300,000.00 for Fiscal Year 2016-17 for the one-year extension of the Second Amended Partner Program Agreement, if exercised, and to increase the administrative fee reimbursement for surgeries from $5.00 per surgery to $8.00 per surgery.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to exercise any and all provisions contained in the Amendment to the Second Amended Partner Program Agreement, including the one-year extension provided therein.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** 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	**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	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 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.

Sabrina Levin

AMENDMENT TO SECOND AMENDED PARTNER PROGRAM AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA VETERINARY FOUNDATION

THIS AMENDMENT TO THE SECOND AMENDED PARTNER PROGRAM AGREEMENT (the "Agreement") made and entered into as of this ___ day of _____, 2015, by and between the Dade County Veterinary Foundation, Inc., d/b/a The South Florida Veterinary Foundation (the "SFVF" or "Provider"), 751 NE 168 Street, North Miami Beach, FL 33162, and Miami-Dade County (the "COUNTY"), a political subdivision of the State of Florida, through its Animal Services Department ("ASD"), with an address at 7401 N.W. 74 Street, Medley, FL 33166.

RECITALS

WHEREAS, SFVF and the COUNTY previously entered into a Partner Program Agreement, as approved by Resolution No. R-623-14 on July 1, 2014; and

WHEREAS, SFVF and the County previously entered into an Amended Partner Program Agreement, as approved by Resolution No. R-417-15 on May 5, 2015; and

WHEREAS, SFVF and the County previously entered into a Second Amended Partner Program Agreement, as approved by Resolution No. R-637-15 on July 14, 2015; and

WHEREAS, the Second Amended Partner Program Agreement limits reimbursement for services provided by SFVF to a total of $300,000.00, to be paid in increments of $33,333.00, for the entire duration of the Agreement; and

WHEREAS, the Parties are desirous of amending the Agreement as set forth herein, in order to provide for additional funding to SFVF for services rendered under the Agreement in the amount of up to $300,000.00 for FY 2015-16 and if extended at the County's sole discretion, up to $300,000.00 for FY 2016-17, to be paid to SFVF in increments of $100,000.00, in order to ensure the continuation of services performed under the Agreement; and

WHEREAS, as long as the Agreement remains active, the maximum amount allocated for services will be subject to the budgetary process each fiscal year;

WHEREAS, the Parties are desirous of amending the Agreement as set forth herein, in order to increase the reimbursement of administrative fees for surgeries to SFVF; and

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein, the adequacy of which is hereby accepted and acknowledged by the Parties, the COUNTY and SFVF agree that the foregoing recitals are correct, and further state as follows:

Section 1. Page 3 of 13 of the Agreement, under the heading "RESPONSIBILITIES OF SFVF," paragraph (f) is hereby deleted and replaced with the following:

SFVF will receive an $8.00 administrative fee per surgery reimbursed per this Agreement.

Section 2. Page 3 of 13 of the Agreement, under the heading "RESPONSIBILITIES OF COUNTY," the following paragraphs (d) and (e) are hereby added to the section, following paragraph (c):

d. Beginning in Fiscal Year 2015-16, ASD may provide SFVF with additional funding of up to $300,000.00, as follows:
   - ASD shall provide SFVF with an initial draw of up to $100,000 no later than thirty (30) days after the execution of the Amendment to the Second Amended Partner Program Agreement by all parties.
   - Reimbursements under this section shall be funded in increments of $100,000.00, for reimbursement of services performed by SFVF, as outlined in this Agreement.
   - Each increment shall be funded by ASD after approval following receipt from SFVF of proof of previous increment and properly submitted vouchers. Funding of each such increment shall be made to SFVF after receipt and approval of said vouchers, which shall in no event, be later than forty-five (45) days. After the last installment has been disbursed to SFVF, SFVF will provide ASD with proof the last installment is being spent on properly submitted vouchers on a monthly basis until expenditure of all funds. ASD shall have sole discretion in determining whether proof of vouchers has been properly submitted.

e. Beginning in Fiscal Year 2016-17, if this Agreement is extended pursuant to Section 4, at the County's sole discretion, ASD may provide SFVF with additional funding of up to $300,000.00, as follows:

- Reimbursements under this section shall be funded in increments of $100,000.00, for reimbursement of services performed by SFVF, as outlined in this Agreement.
- Each increment shall be funded by ASD after approval following receipt from SFVF of proof of previous increment and properly submitted vouchers. Funding of each such increment shall be made to SFVF after receipt and approval of said vouchers, which shall in no event, be later than forty-five (45) days. After the last installment has been disbursed to SFVF, SFVF will provide ASD with proof the last installment is being spent on properly submitted vouchers on a monthly basis until expenditure of all funds. ASD shall have sole discretion in determining whether proof of vouchers has been properly submitted.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date and year first above written.

DADE COUNTY VETERINARY FOUNDATION, INC. D/B/A THE SOUTH FLORIDA VETERINARY FOUNDATION

By: _____
(an authorized signatory)
Print name: _____
Title: _____

(AFFIX INCORPORATION SEAL)

ATTEST:

HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY
a political subdivision
of the State of Florida

BY:

_____	_____
DEPUTY CLERK	Carlos A. Gimenez County Mayor Or Mayor's Designee
_____	_____
(DATE)	(DATE)

Federal Tax I.D. # 65-0121026
STATE OF FLORIDA
COUNTY OF MIAM-DADE

BEFORE ME, the undersigned authority, personally appeared _____, to me well known and known to me to be the individual described in and who executed the foregoing instrument as the _____ of _____, and acknowledged to and before me that he executed such instrument as such _____ of said _____, and that said instrument is the free act and deed of said limited liability company.

WITNESS my hand and official seal this ___ day of _____, _____.

(SEAL)

Signature: _____
Title: Notary Public

Name: [Print or type]_____
Serial No., if any:_____
My commission expires:_____