



MEMORANDUM

Amended  
Agenda Item No. 11(A)(4)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 15, 2011

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

**SUBJECT:** Resolution establishing County policy with respect to the sale of accounts receivable which have been deemed uncollectible by the County pursuant to Implementing Order 3-9 or the now rescinded Administrative Order 3-9; and directing the County Mayor to prepare request for proposals or other appropriate procurement mechanism for the sale of such accounts receivable

Resolution No. R-1007-11

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

A handwritten signature in dark ink, appearing to read "RAC", written over a horizontal line.

R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

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R. A. Cuevas, Jr.  
County Attorney

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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 Manager'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 \_\_\_\_\_

Amended  
Agenda Item No. 11(A)(4)  
11-15-11

RESOLUTION NO. R-1007-11

RESOLUTION ESTABLISHING COUNTY POLICY WITH RESPECT TO THE SALE OF ACCOUNTS RECEIVABLE WHICH HAVE BEEN DEEMED UNCOLLECTIBLE BY THE COUNTY PURSUANT TO IMPLEMENTING ORDER 3-9 OR THE NOW RESCINDED ADMINISTRATIVE ORDER 3-9; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE REQUEST FOR PROPOSALS OR OTHER APPROPRIATE PROCUREMENT MECHANISM FOR THE SALE OF SUCH ACCOUNTS RECEIVABLE

**WHEREAS**, this Board, and pursuant to Resolution R-656-11, the County Mayor and the County's Mayor's designee has the authority to make certain adjustments to the accounts receivable of the County to provide for the elimination of customer accounts which are deemed uncollectible from the accounting records of the County; and

**WHEREAS**, these accounting adjustments do not preclude continuing collection efforts on the accounts that have been deemed uncollectible; and

**WHEREAS**, this Board wishes to establish a policy of selling, to the extent that there is a willing purchaser, such accounts; and

**WHEREAS**, this Board wishes to direct the County Mayor or County Mayor's designee to prepare and advertise a Request for Proposals (the "RFP") or other appropriate procurement mechanism for the sale of uncollectible accounts receivable and to bring the recommendation back to this Board for approval prior to award,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. It shall be the policy of this Board that the County Mayor or the County Mayor's designee shall use his/her best efforts to attempt to sell the accounts receivables of the County which has been deemed uncollectible, commencing with the accounts receivables that were deemed uncollectible pursuant to Resolutions R-653-11, R-654-11 and R-655-11; provided that, the purchaser of such accounts receivables shall not use the County's name to improperly threaten sanctions against the account holder, shall not represent themselves as County staff and shall indemnify the County against the use of these or any other unfair collection practice. The County shall attempt to sell any future accounts receivables which have been deemed uncollectible on an annual basis.

Section 3. This Board directs the County Mayor or County Mayor's designee to prepare and advertise a Request for Proposals (the "RFP") or other appropriate procurement mechanism for the sale of uncollectible accounts receivables and to bring the recommendation back to this Board for approval prior to award.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime, and the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by Commissioner **Jean Monestime** who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	<b>aye</b>
	Audrey M. Edmonson, Vice Chairwoman	<b>absent</b>
Bruno A. Barreiro	<b>aye</b>	Lynda Bell
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan
Jean Monestime	<b>aye</b>	Dennis C. Moss
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto
Xavier L. Suarez	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of November, 2011. 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.

JRA

Juliette R. Antoine