

MEMORANDUM

Amended
Agenda Item No. 11(A)(18)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

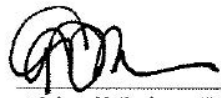
DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to review and submit to the Board a recommendation regarding a proposal from Santa's Enchanted Forest, Inc. to operate a holiday-themed, temporary fair at Tropical Park in November and December, 2020, and to advise this Board in writing within 30 days whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal

Resolution No. R-430-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(18)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor Amended
Veto _____ Agenda Item No. 11(A)(18)
Override _____ 5-5-20

RESOLUTION NO. **R-430-20**

RESOLUTION DIRECTING THE COUNTY MAYOR TO REVIEW AND SUBMIT TO THE BOARD A RECOMMENDATION REGARDING A PROPOSAL FROM SANTA’S ENCHANTED FOREST, INC. TO OPERATE A HOLIDAY-THEMED, TEMPORARY FAIR AT TROPICAL PARK IN NOVEMBER AND DECEMBER, 2020, AND TO ADVISE THIS BOARD IN WRITING WITHIN 30 DAYS WHETHER THE MAYOR FINDS THAT IT IS IN THE COUNTY’S BEST INTEREST TO WAIVE COMPETITIVE BIDDING AND PROCEED WITH SUCH A PROPOSAL

WHEREAS, Santa’s Enchanted Forest, Inc. (“Santa’s”) has operated a holiday-themed light display and temporary fair at Tropical Park for 37 years (“Santa’s Enchanted Forest”); and

WHEREAS, in the spirit of the Christmas season, this Board wishes to see the holiday light display continue in 2020; and

WHEREAS, Santa’s contract with the County expires in March 2020; and

WHEREAS, the County is currently in the process of preparing a solicitation for future uses at the location in Tropical Park currently used by Santa’s, which solicitation will include holiday-themed events; and

WHEREAS, the competitive solicitation process may take several months; and

WHEREAS, the lead time necessary for Santa’s to put in place an event for the 2020 holiday season may necessitate more time than afforded due to the competitive solicitation process; and

WHEREAS, Santa's desires to, and is in a unique position to, operate its event at Tropical Park in 2020 while the County finalizes its competitive solicitation process, contract negotiation and contract award; and

WHEREAS, Santa's has proposed to continue operation of Santa's Enchanted Forest in 2020 so as to allow the County to complete its competitive solicitation process; and

WHEREAS, to contract with Santa's for the 2020 season requires that the Mayor issue a written recommendation that it is in the County's best interest to waive competitive bidding; and

WHEREAS, this Board desires to have the County Mayor review and consider Santa's proposal to operate a holiday-themed, temporary fair at Tropical Park during the months of November and December, 2020, and advise this Board in writing whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal,

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

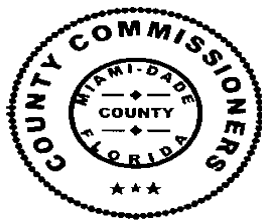
Section 1. The foregoing recitals are approved and incorporated as if fully set forth herein.

Section 2. This Board directs the County Mayor to review and consider Santa's proposal to operate a holiday-themed, temporary fair at Tropical Park in November and December, 2020, and advise this Board in writing within 30 days of this resolution whether the Mayor finds that it is in the County's best interest to waive competitive bidding and proceed with such a proposal. The County Mayor shall consult with the District 10 Commissioner before making his recommendation.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan. It was offered by Commissioner **Joe A. Martinez**, 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:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	nay
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2020. 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

mjs

Melanie Spencer
Monica Rizo Perez