

## MEMORANDUM

Agenda Item No. 11(A)(19)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** March 1, 2022

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution amending Resolution No. R-226-21 regarding County policy on allowable uses of funds received from Marlins' settlement payment to allow funds to be used for youth programs and to the Little Haiti FC Inc. ("LHFC"), a Florida nonprofit corporation, for the purchase of a transportation vehicle to be used to transport participants to sporting events; approving allocation in amount of \$50,000.00 from District 2 portion of the Marlins' settlement payment to LHFC for such transportation vehicle and authorizing the County Mayor to execute grant agreement with LHFC and to exercise any and all rights conferred therein

Resolution No. R-233-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



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Geri Bonzon-Keenan  
County Attorney


GBK/jp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
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
- 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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(19)  
3-1-22

RESOLUTION NO. \_\_\_\_\_ R-233-22

RESOLUTION AMENDING RESOLUTION NO. R-226-21 REGARDING COUNTY POLICY ON ALLOWABLE USES OF FUNDS RECEIVED FROM MARLINS' SETTLEMENT PAYMENT TO ALLOW FUNDS TO BE USED FOR YOUTH PROGRAMS AND TO THE LITTLE HAITI FC INC. ("LHFC"), A FLORIDA NONPROFIT CORPORATION, FOR THE PURCHASE OF A TRANSPORTATION VEHICLE TO BE USED TO TRANSPORT PARTICIPANTS TO SPORTING EVENTS; APPROVING ALLOCATION IN AMOUNT OF \$50,000.00 FROM DISTRICT 2 PORTION OF THE MARLINS' SETTLEMENT PAYMENT TO LHFC FOR SUCH TRANSPORTATION VEHICLE AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENT WITH LHFC AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

**WHEREAS**, at the February 17, 2021 Board of County Commissioners meeting, this Board approved a settlement agreement between Miami-Dade County, the City of Miami ("City"), Miami Marlins, LP, and Marlins TeamCo, LLC ("settlement agreement") to resolve the County's and City's claims pertaining to the Non-Relocation Agreement's equity payment; and

**WHEREAS**, the County's share of the equity payment resulting from the settlement agreement is \$4,763,000.00 ("settlement funds") and are unrestricted, general funds; and

**WHEREAS**, on March 16, 2021, this Board adopted Resolution No. R-226-21 setting forth County policy that the settlement funds be divided equally among all County Commission Districts (representing \$366,384.61 per Commission District) to be used, subject to prior Board approval, for coronavirus disease 19 ("COVID-19") relief efforts, capital projects, the needs of the Miami-Dade Police Department, or the needs of the Miami-Dade Corrections Department, as allocated by each of the County Commissioners for their respective districts; and

**WHEREAS**, on January 19, 2022, this Board adopted Resolution No. R-58-22, amending County policy to provide that the settlement funds may also be used for assistance necessary and relief efforts as a result of a declared state of emergency in Miami-Dade County, including but not limited to, the Surfside building collapse emergency that transpired on June 24, 2021 when a portion of the residential building located at 8777 Collins Avenue, known as Champlain Towers South in Surfside, Florida collapsed; and

**WHEREAS**, sadly, another tragedy transpired on the early morning of May 25, 2019, when three teenage boys were killed by a car in North Miami at NW 13<sup>th</sup> Avenue and 125<sup>th</sup> Street while they walked on a sidewalk to a bus stop to take a bus to drive them to a soccer tournament in Weston, Florida; and

**WHEREAS**, the three teenage boys- Gideon Desir, Lens Desir, and Richcarde Dumay- were part of the Little Haiti FC Inc. (“LHFC”), a Florida nonprofit corporation that identifies low-income children with athletic talent to participate in its free program; and

**WHEREAS**, many of the kids enrolled in the free program run by LHFC are either homeless, undocumented or low-income and the operating expenses for the program and the kids are paid for by private sponsors, and neighborhood businesses; and

**WHEREAS**, it is in the best interest of the County to greatly minimize the likelihood of reoccurrence of a senseless tragedy such as the one that occurred to three, promising young athletes on May 25, 2019; and

**WHEREAS**, this Board desires to have the permitted use of the settlement funds be amended and expanded to allow the funds to be used to fund: (1) a grant to LHFC to allow it to purchase a transportation vehicle to be used to transport children to sporting events as part of LHFC's programs; and (2) for other youth programs, including but not limited to, literacy programs for youth; and

**WHEREAS**, this Board further desires to allocate \$50,000.00 from the Commission District 2 portion of the settlement funds to LHFC to allow it to purchase a transportation vehicle to be used to transport children to sporting events as part of LHFC's programs,

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

**Section 1.** The recitals set forth above are incorporated into this resolution as if fully set forth herein and are approved.

**Section 2.** The Board amends Resolution No. R-226-21 regarding County policy on allowable uses of the settlement funds to allow the settlement funds to also be used to fund: (a) a grant to LHFC to allow it to purchase a transportation vehicle to be used to transport children to sporting events as part of LHFC's programs; and (b) for other youth programs, including but not limited to, literacy programs for youth.

**Section 3.** This Board further approves the allocation in the amount of \$50,000.00 from the Commission District 2 portion of the settlement funds to LHFC to allow it to purchase a transportation vehicle to be used to transport children to sporting events as part of LHFC's programs, and authorizes the County Mayor or County Mayor's designee to execute a grant agreement with LHFC following review for form and legal sufficiency by the County Attorney's Office and to exercise any and all rights conferred therein.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	<b>aye</b>	
	Oliver G. Gilbert, III, Vice-Chairman	<b>aye</b>	
Sen. René García	<b>aye</b>	Keon Hardemon	<b>aye</b>
Sally A. Heyman	<b>absent</b>	Danielle Cohen Higgins	<b>aye</b>
Eileen Higgins	<b>aye</b>	Joe A. Martinez	<b>aye</b>
Kionne L. McGhee	<b>aye</b>	Jean Monestime	<b>aye</b>
Raquel A. Regalado	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>absent</b>		

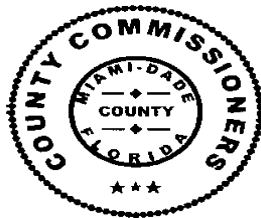
The Chairperson thereupon declared this resolution duly passed and adopted this 1<sup>st</sup> day of March, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an 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

**Basia Pruna**

By: \_\_\_\_\_  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Monica Rizo Perez