

MEMORANDUM

Amended
Agenda Item No. 11(A)(3)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 16, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to negotiate an amendment to the Joint Participation Agreement between Miami-Dade County and the City of Florida City for improvements to SW 344 Street from US-1 to SW 172 Avenue for the County to provide additional funding in an amount not to exceed \$1,136,303.00, subject to funding availability; directing the County Mayor to identify legally available funds from the Road Impact Fees District 6 fund, or to the extent available, from within the County Mayor's Fiscal Year 2021-22 County budget to fund the additional project cost; and requiring the County Mayor to provide a report to the Board

Resolution No. R-1111-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM (Revised)

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

DATE: November 16, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
Agenda Item No. 11(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 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 Agenda Item No. 11(A)(3)
Veto	_____		11-16-21
Override	_____		

RESOLUTION NO. R-1111-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AN AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF FLORIDA CITY FOR IMPROVEMENTS TO SW 344 STREET FROM US-1 TO SW 172 AVENUE FOR THE COUNTY TO PROVIDE ADDITIONAL FUNDING IN AN AMOUNT NOT TO EXCEED \$1,136,303.00, SUBJECT TO FUNDING AVAILABILITY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IDENTIFY LEGALLY AVAILABLE FUNDS FROM THE ROAD IMPACT FEES DISTRICT 6 FUND, OR TO THE EXTENT AVAILABLE, FROM WITHIN THE COUNTY MAYOR'S FISCAL YEAR 2021-22 COUNTY BUDGET TO FUND THE ADDITIONAL PROJECT COST; AND REQUIRING THE COUNTY MAYOR TO PROVIDE A REPORT TO THE BOARD

WHEREAS, on September 7, 2016, this Board adopted Resolution No. R-795-16, approving a Joint Participation Agreement ("JPA") between the County and the City of Florida City (the "City") to provide the City with funding in an amount up to \$3,100,000.00 for eligible expenses incurred in the City's construction of a road improvement project along SW 344 Street from US-1 to SW 172 Avenue (the "Project"); and

WHEREAS, the original construction cost estimate for the Project was \$5,073,744.26, which included a ten percent contingency; and

WHEREAS, as a result of necessary changes to the Project, actual construction costs were \$6,759,646.00 at the completion of the Project; and

WHEREAS, the City has requested that the County provide additional funding to the City for the additional cost of the Project in an amount not to exceed \$1,136,303.00; and

WHEREAS, the Board believes it is in the best interest of the County to amend the JPA to provide for the additional payment in an amount not to exceed \$1,136,303.00 for the additional Project costs incurred by the City,

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

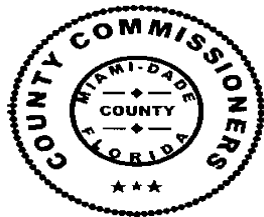
Section 1. Subject to the identification of a legally available funding source as required by section 2, below, directs the County Mayor or County Mayor's designee to: (a) negotiate an amendment to the Joint Participation Agreement between Miami-Dade County and the City of Florida City for improvements to SW 344 Street from US-1 to SW 172 Avenue, for the County to provide additional funding in an amount not to exceed \$1,136,303.00; and (b) present the amendment to the Joint Participation Agreement to this Board for approval within 60 days of the date of this resolution.

Section 2. Directs the County Mayor or County Mayor's designee to identify legally available funds from the Road Impact Fees District 6 Fund, or to the extent available, from within the County Mayor's Fiscal Year 2021-22 County Budget to fund the additional project cost identified in section 1, above. If there are no legally available Road Impact Fees District 6 funds, or if no legally available funding source can be identified in the Fiscal Year 2021-22 County Budget, this Board directs the County Mayor or County Mayor's designee to provide a written report to this Board within 60 days of the effective date of this Resolution setting forth any reasons why funds have not been identified or cannot be used or allocated for the purpose set forth in section 1 of this resolution. The completed report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65 within 60 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. It was offered by Commissioner **Kionne L. McGhee**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of November, 2021. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

D.P.C

Dale P. Clarke