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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 8(I)(1)

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

DATE: February 21, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to identify and allocate up to \$275,000.00, in legally available funds, to The Miami Foundation, Inc., for costs related to the administration, management, and disbursement of funding appropriated in the State of Florida's Fiscal Year 2023-24 budget for Miami-Dade County's Anti-Violence projects; waiving Resolution No. R-130-06 requiring that agreements be executed by all non-County parties prior to presentation to the Board for approval; and authorizing the County Mayor to execute all necessary agreements to effectuate allocation of said funds to The Miami Foundation, Inc., and to exercise all provisions, including any cancellation provisions, contained therein

Resolution No. R-150-24

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001

Date: February 21, 2024

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

From: Daniella Levine Cava
Mayor



Subject: Resolution Authorizing the County Mayor or County Mayor's Designee to Allocate Up to \$275,000 to The Miami Foundation, Inc. For Costs Related to the Administration of the 2023-24 Anti-Violence State Appropriation Award; to Execute Documents Necessary For the Allocation of Said Funds; and to Waive the Requirements of Resolution No. R-130-06

EXECUTIVE SUMMARY

The purpose of this item is to authorize the County Mayor or the County Mayor's designee to (1) allocate up to \$275,000 for administrative costs to The Miami Foundation, Inc. (Foundation), which shall be, in part, retained by the Foundation and disbursed to certain tax-exempt, non-profit organizations (Organizations), in amounts not to exceed \$40,000 and \$235,000, respectively; and (2) execute documents necessary to effectuate said allocation. This item also seeks to waive the requirements of Resolution No. R-130-06.

These funds are necessary to support administrative costs related to the award of funds appropriated in the State's Fiscal Year 2023-2024 budget for Miami-Dade County Anti-Violence projects (Project Funds), which was approved by this Board in Resolution No. R-847-23 on October 3, 2023. Project Funds are being managed by two State of Florida entities, the Department of Children and Families, in the amount of \$1,605,560 for community mental health and wellness (DCF Project Funds), and the Florida Department of Law Enforcement in the amount of \$2,350,000 (FDLE Project Funds) to support reentry and violence interruption/prevention services. The Foundation will award Project Funds pursuant to its 2023 Community Grants Program, an existing competitive solicitation.

Resolution No. R-847-23, in part, authorizes the County Mayor or County Mayor's designee to negotiate and execute grant agreements for the administration, management, and disbursement of up to \$3,955,560 in Project Funds. This item is necessary because Resolution No. R-847-23 expressly provides that the grant agreement with the Foundation "will not include management fees or management costs" and, pursuant to the grant agreements, 100 percent of the FDLE Project Funds must be used for program expenses. The Foundation will be authorized to retain up to \$40,000 of the funding authorized in this resolution and disburse up to \$235,000 to Organizations that receive FDLE Project Funds, in amounts not to exceed 10 percent of each Organization's individual award, for the provision of reentry and violence interruption and/or prevention services for administrative-related costs.

RECOMMENDATION

It is recommended that the Board approve the resolution authorizing the County Mayor or County Mayor's designee to:

1. Allocate up to \$275,000 to the Foundation to support administrative costs. The Foundation shall be authorized to: (a) retain up to \$40,000 for the administration, management, and disbursement of Project Funds; and (b) disburse up to \$235,000 to Organizations to support reentry and violence

- interruption/prevention services. Administrative costs awarded to the Organizations shall not exceed 10 percent of their individual grant awards;
2. Execute documents necessary to effectuate said allocation to the Foundation; and
 3. Waive the requirements of Resolution No. R-130-06, as they pertain to documents necessary to effectuate said allocation to the Foundation.

SCOPE

The scope is countywide in nature as projects are located throughout the County.

DELEGATION OF AUTHORITY

This County Mayor or County Mayor's designee is authorized to:

1. Allocate up to \$275,000 to the Foundation to support administrative costs. The Foundation shall be authorized to: (a) retain up to \$40,000 for the administration, management, and disbursement of Project Funds; and (b) disburse up to \$235,000 to Organizations to support reentry and violence interruption/prevention services. Administrative costs awarded to the Organizations shall not exceed 10 percent of their individual grant awards; and
2. Execute documents necessary to effectuate said allocation to the Foundation.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact of this item requires a \$275,000 General Revenue allocation that will be funded through the Community Action and Human Services Department FY 2023-24 General Fund budget.

TRACK RECORD/MONITOR

James Reyes, Chief of Public Safety, and Stephanie Daniels, Director of the Miami-Dade Police Department, are responsible for managing and coordinating project implementation, monitoring, and processing the disbursement and expenditure of grant funds, and managing programmatic and fiscal reporting in accordance with State of Florida reporting and auditing procedures.

BACKGROUND

Through Resolution No. R-847-23, this Board, among other things, authorizes the County Mayor or the County Mayor's designee to enter into agreements to accept and receive Project Funds, appropriated by the Florida Legislature during the 2023 Legislative Session. Resolution No. R-847-23 further authorizes the County Mayor or the County Mayor's designee to negotiate and execute grant agreements with the Foundation for the administration, management, and disbursement of up to \$3,955,560 in Project Funds. Resolution No. R-847-23 does not authorize the Foundation to retain any funding for its management fees or management costs or allocate funding to Organizations for administrative costs, if such costs are prohibited by the funding agreements, as is the case for the FDLE Project Funds.

Pursuant to the funding agreement, FDLE Project Funds may only be used to support direct services and may not be used to support indirect services (administrative tasks including, but not limited to, program management, accounting, marketing, and outreach). There is no such limitation on the use of the DCF Project Funds. Said limitation on the FDLE Project funds creates an impediment for such funded Organizations to satisfy the fiduciary and reporting requirements associated with these funds. Prior to requesting this allocation and to no avail, my Administration, with the support of the sponsoring State

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
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Senator, sought various solutions to provide Organizations with the administrative financial support needed to successfully accept, manage, expend, and report on the use of FDLE Project Funds. The Board's approval of the attached resolution will support local organizations and provide recipients of FDLE Project Funds with a benefit that recipients of DCF Project Funds have, authority to receive up to 10 percent of the Organizations' funding award to support administrative costs.



James Reyes
Chief of Public Safety

Memorandum



Date: January 29, 2024
To: Eugene Love, Agenda Coordinator

From: Stephanie V. Daniels, Director
Miami-Dade Police Department

Subject: Request to Process Late Departmental Agenda Item

We are requesting that the Miami-Dade Police Department's (MDPD) Resolution Authorizing the County Mayor or County Mayor's Designee to Allocate Up to \$275,000 to the Miami Foundation, Inc. For Costs Related to the Administration of the 2023-24 Anti-Violence State Appropriations Award; to Execute Documents Necessary For the Allocation of Said Funds; and to Waive the Requirements of Resolution No. R-130-06 be placed on the agenda for the February 2024 Committee Cycle.

Although this item has not met the noticed deadline and has been provided to the Agenda Coordination Office late, this item is time sensitive because it involves the expenditure of \$3,955,560 in funds appropriated by the Florida Legislature to Miami-Dade County (County), through the Miami-Dade Police Department (MDPD) in the State of Florida's fiscal year 2023-24 budget. These funds must be expended by June 30, 2024.

On October 3, 2023, the Board adopted Resolution No. R-847-23 authorizing the County Mayor or his/her designee to negotiate and execute grant agreements with the Miami Foundation, Inc. (Foundation). Resolution No. R-847-23, however, does not authorize the Foundation to retain any funding for its management fees or management costs or allocate funding to organizations for administrative costs, if such costs are prohibited by the funding agreements, as is the case for the Florida Department of Law Enforcement Project Funds. Therefore, this item allocates funding for Florida Department of Law Enforcement and its sub awardees to retain fees to cover costs associated with the management of said funds, which are necessary to support incurred administrative costs related to the disbursement, management, and reporting of awarded funds. It is crucial to have these authorities in place as soon as possible, as funds must be expended by June 30, 2024.

As such, the MDPD is requesting that this item be processed as a late item. Therefore, please process this item notwithstanding that the 3 or 4-day rule is applicable to this item. I am aware that this item is subject to approval for placement on the agenda by the appropriate committee chairperson(s) as well as the BCC Chairman, and review by the Office of the County Attorney.

James Reyes

Approved by Mayor or Mayor's Designee, Signature

Print Name

Nicole Tallman

Approved by Policy Director or Designee, Signature

Print Name

cc: Geri Bonzon-Keenan, County Attorney
CAOagenda@miamidade.gov

MDC005



MEMORANDUM

(Revised)

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

DATE: February 21, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(I)(1)

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. 8(I)(1)
2-21-24

RESOLUTION NO. R-150-24

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IDENTIFY AND ALLOCATE UP TO \$275,000.00, IN LEGALLY AVAILABLE FUNDS, TO THE MIAMI FOUNDATION, INC., FOR COSTS RELATED TO THE ADMINISTRATION, MANAGEMENT, AND DISBURSEMENT OF FUNDING APPROPRIATED IN THE STATE OF FLORIDA'S FISCAL YEAR 2023-24 BUDGET FOR MIAMI-DADE COUNTY'S ANTI-VIOLENCE PROJECTS; WAIVING RESOLUTION NO. R-130-06 REQUIRING THAT AGREEMENTS BE EXECUTED BY ALL NON-COUNTY PARTIES PRIOR TO PRESENTATION TO THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL NECESSARY AGREEMENTS TO EFFECTUATE ALLOCATION OF SAID FUNDS TO THE MIAMI FOUNDATION, INC., AND TO EXERCISE ALL PROVISIONS, INCLUDING ANY CANCELLATION PROVISIONS, CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. The foregoing recital is hereby incorporated, as if fully set forth herein.

Section 2. This Board directs the County Mayor or County Mayor's designee to identify up to \$275,000.00, in legally available funds, and allocate such funds to The Miami Foundation, Inc. ("The Foundation") for the purposes described herein. The Foundation shall be authorized to: (a) retain up to \$40,000.00 of said allocation for the administration, management, and disbursement of funding appropriated in the State of Florida's Fiscal Year 2023-2024 budget for Miami-Dade County's Anti-Violence projects ("Project Funds"); and (b) disburse up to

\$235,000.00 to support the administrative costs of tax-exempt nonprofit organizations that will be awarded Project Funds managed by the Florida Department of Law Enforcement for reentry support and violence interruption/prevention services. Such administrative costs shall not exceed 10 percent of the funds awarded to each organization.

Section 3. This Board hereby waives the requirements of Resolution No. R-130-06, requiring all non-County parties to execute agreements prior to presentation to this Board for approval, and directs the County Mayor or County Mayor's designee to execute all necessary agreements to effectuate the purposes described in section 2, following review and approval of such agreements for form and legal sufficiency by the County Attorney's Office. The County Mayor or County Mayor's designee is further directed to exercise all provisions of such agreements, including any cancellation provisions contained therein.

The foregoing resolution was offered by Commissioner **Marleine Bastien**, who moved its adoption. The motion was seconded by Commissioner **Juan Carlos Bermudez** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	absent	Eileen Higgins	absent
Kionne L. McGhee	absent	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of February, 2024. 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



JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "SG", followed by a horizontal line.

Shanika A. Graves