MEMORANDUM

Agenda Item No. 11(A)(2)

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

DATE: May 21, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing county policy relating to certain grant funding for non-profit and not-for-profit organizations; directing the County Mayor to provide an advance-payment to non-profit and not-for-profit organizations in the amount of 50 percent of the overall grant award; amending the template community-based organization grant agreement approved by the Board in Resolution No. R-976-23 and Implementing Order 3-15 accordingly

Resolution No. R-453-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.

Gerald Sanchez for
Geri Bonzon-Keenan
County Attorney

GBK/jp

MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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)(2)
5-21-24

RESOLUTION NO. R-453-24

RESOLUTION ESTABLISHING COUNTY POLICY RELATING TO CERTAIN GRANT FUNDING FOR NON-PROFIT AND NOT-FOR-PROFIT ORGANIZATIONS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE AN ADVANCE-PAYMENT TO NON-PROFIT AND NOT-FOR-PROFIT ORGANIZATIONS IN THE AMOUNT OF 50 PERCENT OF THE OVERALL GRANT AWARD; AMENDING THE TEMPLATE COMMUNITY-BASED ORGANIZATION GRANT AGREEMENT APPROVED BY THE BOARD IN RESOLUTION NO. R-976-23 AND IMPLEMENTING ORDER 3-15 ACCORDINGLY

WHEREAS, each year, the County provides millions of dollars to non-profit and not-for-profit organizations in the form of grant agreements for a multitude of purposes; and

WHEREAS, some grants, like those recurring or one-time allocation grants overseen by the Office of Management and Budget-Grants Coordination Division, are given to community-based organizations providing much needed social services to our residents and promote the community interest and welfare of some of our most vulnerable populations; and

WHEREAS, other grants are designed to tackle gun-violence and improve safety and security in our community, enlisting the help of community resident leaders and organizations to promote peace and prosperity; and

WHEREAS, the Department of Cultural Affairs has developed a series of grant programs that develop and promote our community's artistic and cultural assets, programs, and projects; and

WHEREAS, other grants are designed to advance economic development in our community, such as the County's support of the annual eMerge Americas Conference, which has a goal of establishing Miami-Dade County as a technology hub; and

WHEREAS, in recent years, the County's Budget Ordinance has included language delegating authority to the County Mayor or County Mayor's designee to negotiate and execute grant agreements with community-based organizations and non-profit organizations that are allocated money by the Board in the budget; and

WHEREAS, however, there is no standard County grant agreement; and

WHEREAS, some grant agreements, such as the template community-based organization ("CBO") grant agreement approved by the Board in Resolution No. R-976-23, and referenced and incorporated into Implementing Order 3-15, provide for a limited amount of advance payment to the grantee organization; and

WHEREAS, the CBO grant agreement provides that, upon "submission of a request for payment . . . the County may provide the Provider with 25 percent of the Contract amount in advance" and gives discretion to the County as to whether or not to provide an advance payment to the CBO; and

WHEREAS, the CBO grant agreement also provides that "[a]dvance payments in excess of 25 percent of the Contract amount may be approved by the County Mayor, the OMB Director as the County Mayor's Designee, or the OMB Director's designee for this purpose"; and

WHEREAS, the remainder of funds are provided through reimbursement method, requiring the CBO to first spend their own funds to provide the direct services and then to submit invoices, cancelled checks, or other proof of incurred expenses to the County for repayment; and

WHEREAS, this payment method creates a financial strain on the CBOs receiving grant funding from the County and could impede their provision of services to the community; and

WHEREAS, other grant agreements negotiated by the County with non-profit and not-for-profit organizations may follow a similar reimbursement-based method of payment, with discretionary advance-payment provisions; and

WHEREAS, where the Board has seen fit to award County funds to a non-profit or not-for-profit organization to provide services and support to the community, this Board wants the organization to succeed; and

WHEREAS, as such, in order to alleviate the financial strain placed on these organizations, and so long as the funding source permits, this Board wishes to provide an advance-payment of 50 percent of the overall grant award to the non-profit and not-for-profit organization providing services to our community,

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

Section 1. This Board establishes as county policy that, going forward, for all County grant awards to non-profit and not-for-profit organizations, where permitted by the funding source and excluding grants for capital improvements, the County Mayor or County Mayor's designee is hereby directed to provide an advance-payment to the non-profit and not-for-profit organization in the amount of 50 percent of the overall grant award.

Section 2. This Board directs the County Mayor or County Mayor's designee to amend the template Community-Based Organization grant agreement approved by the Board in Resolution No. R-976-23 and Implementing Order 3-15 in accordance with the policy set forth in section 1.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** 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	**absent**	Sen. René García	**aye**
Roberto J. Gonzalez	**aye**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**absent**	Eileen Higgins	**aye**
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 May, 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

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. LCK

Leigh C. Kobrinski