

RESOLUTION NO. 2003 51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO MIAMI-DADE COUNTY FUNDING; STATING THE POLICY OF THE CITY OF MIAMI GARDENS THAT SERVICES PROVIDED BY MIAMI-DADE COUNTY TO THE CITY OF MIAMI GARDENS PRIOR TO THE ADOPTION AND EFFECTIVE DATE OF THE INITIAL CITY BUDGET, EFFECTIVE OCTOBER 1, 2003, ARE THE FINANCIAL RESPONSIBILITY OF MIAMI-DADE COUNTY; DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL NECESSARY STEPS TO ENSURE THAT THE CITY'S POSITION PREVAILS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it has come to the City's attention that Miami-Dade County may seek to retroactively bill the City of Miami Gardens for the excess cost of services provided by the County to the City prior to October 1, 2003; and

WHEREAS, estimates of the excess cost range from \$4.5 - \$6.5 million; and

WHEREAS, the levels of services and resulting costs provided by Miami-Dade County within the City of Miami Gardens were included in the Miami-Dade County FY 2002-03 Budget, which was approved by the Miami-Dade County Commission in September, 2002; and

WHEREAS, the City of Miami Gardens was not involved in the adoption of the Miami-Dade County FY 2002-03 Budget and in fact, the City was not incorporated and did not exist at the time the County adopted their FY 2002-03 Budget; and

WHEREAS, the City did not, in any way, request that the County provide services at the levels and costs that the County approved in their FY 2002-03 Budget and those decisions were made by the solely by the County; and

WHEREAS, the City, once it became incorporated, on May 13, 2003, did not formally request that the County continue to provide services at those levels through the remainder of FY 2002-03; and

WHEREAS, the City of Miami Gardens has not agreed to pay Miami-Dade County any amount for these excess services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. Policy of the City. It is the position of the City of Miami Gardens that the excess costs associated with the provision of services by Miami-Dade County to the City of Miami Gardens prior to October 1, 2003 are the sole responsibility of Miami-Dade County.

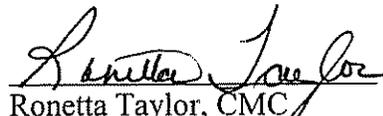
Section 2. Instructions to City Manager and City Attorney. The City Manager and City Attorney are instructed to take all necessary actions, including the retention of special financial and legal counsel, to ensure that the City's position prevails.

Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

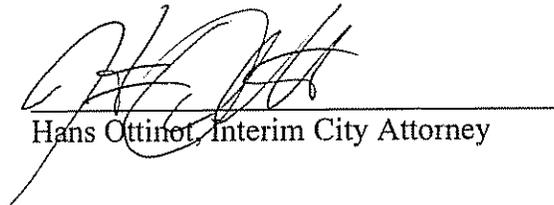
PASSED and ADOPTED this 10th day of December, 2003.


Shirley Gibson, Mayor

ATTEST:


Ronetta Taylor, CMC
City Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


Hans Ottinot, Interim City Attorney

VOTE: 7-0

Mayor Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Oscar Braynon, II	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Audrey J. King	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)