

RESOLUTION NO. R-2012-137

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND TSIC, INC., IN ORDER TO CONTINUE A TAKE STOCK IN CHILDREN PARTNERSHIP BY PROVIDING SCHOLARSHIP AND OPERATIONAL FUNDING IN THE AMOUNT NOT TO EXCEED TEN THOUSAND (\$10,000.00) DOLLARS, TO A DESERVING STUDENT RESIDING WITHIN THE CITY; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the City of North Miami, Florida (“City”), and the not-for-profit entity of TSIC, Inc., a Chapter of Take Stock in Children of Florida (“Take Stock”), desire to enter into a Memorandum of Understanding (“MOU”) implementing a partnership promoting the goals of overcoming the dismal high-school graduation rates and to increase college enrollment for students residing within the City (“Program”); and

WHEREAS, under the MOU, Take Stock will be responsible for recruiting, selecting and mentoring one (1) eligible student from a local school to participate in this Program; and

WHEREAS, the City will fund a scholarship for the eligible student at the rate published by the Florida Prepaid Foundation and provide Program operational funding, for a total amount not to exceed Ten Thousand (\$10,000.00) Dollars; and

WHEREAS, funding for this Program was made available by an allocation to the budget for Fiscal Year 2012-2013, as approved and adopted by the Mayor and City Council under Ordinance No. 1341, on September 24, 2012; and

WHEREAS, Take Stock has expressed its capability, expertise and willingness to perform the Program in accordance with the terms and conditions of the MOU; and

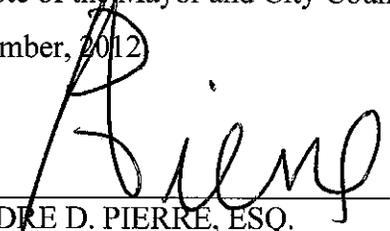
WHEREAS, the City Manager respectfully requests that the Mayor and City Council authorize the execution of the MOU, to assist a deserving student with the realization of a post-secondary education.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authority of City Manager. The Mayor and City Council of the City of North Miami, Florida hereby authorize the City Manager to execute a Memorandum of Understanding, in substantially the attached form, between the City of North Miami and TSIC, Inc., in order to continue a Take Stock in Children Partnership by providing scholarship and operational funding in the amount not to exceed Ten Thousand (\$10,000.00) Dollars, to a deserving student residing within the City.

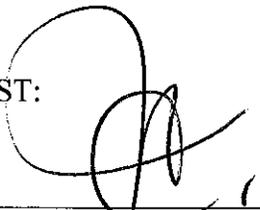
Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 13 day of November, 2012



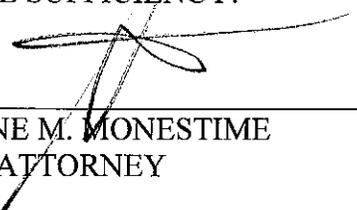
ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Mayor Pierre

Seconded by: Vice Mayor Steril

Vote:

Mayor Andre D. Pierre, Esq.	<u> x </u>	(Yes)	<u> </u>	(No)
Vice Mayor Marie Erlande Steril	<u> x </u>	(Yes)	<u> </u>	(No)
Councilperson Michael R. Blynn, Esq.	<u> x </u>	(Yes)	<u> </u>	(No)
Councilperson Scott Galvin	<u> </u>	(Yes)	<u> x </u>	(No)
Councilperson Jean R. Marcellus .	<u> x </u>	(Yes)	<u> </u>	(No)

MEMORANDUM OF UNDERSTANDING

Between

THE CITY OF NORTH MIAMI

And

TSIC, INC., (TAKE STOCK IN CHILDREN)

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into this _____ day of _____ 2012, by and between the **City of North Miami**, a Florida municipal corporation, having its principal office at 776 NE 125th Street, North Miami, FL 33161 (“City”) and **TSIC, Inc.**, a not for profit corporation registered and authorized to do business in the State of Florida, whose principal business address is 8600 NW 36th Street, Suite 500, Miami, FL 33166 (“Take Stock”). The City and Take Stock shall collectively be referred to as the “Parties”.

RECITALS

The City and Take Stock desire to enter into this MOU in order to establish a partnership to promote the goal of finding a solution of overcoming the dismal high-school graduation rates and to increase college enrollment opportunities for students living within the City boundaries.

As part of this partnership, Take Stock will be responsible for recruiting, selecting, and mentoring one (1) eligible student that will be sponsored by the City. Only students residing within the municipal boundary of the City are eligible to participate in this initiative. The City will purchase the Stanley Tate scholarship from Take Stock and provide operational funding for the selected student. Additionally, the City will recruit City employees to voluntarily participate in the mentoring program. Take Stock will also review eligibility requirements for additional funds or grants for the availability of the selected student.

The scholarships will be purchased by the City from Take Stock at the current rates published by the Florida Prepaid Foundation. The City will provide operational funding in the amount of approximately Two Thousand Four Hundred Sixty-Two Dollars (\$2,462.00). Upon agreement between the Parties, the operational funding may be reduced by providing in-kind services such as fundraising events and promotional activities.

The Parties also agree that the City of North Miami will review the list of eligible students to be furnished by Take Stock and will issue recommendations as to which schools and/or students should be selected. This MOU will continue to be in full force and effect until either Party cancels their participation in writing, to the other Party.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties agree as follows:

1. Recitals: The above recitals are true and correct.
2. Term: The term of this Agreement shall commence on November 1, 2012, and shall continue until either Party cancels their participation.

3. Scholarship Purchased: The City agrees to purchase one (1) tuition plan identified as a *4 Year Florida College Prepaid Plan* ("Prepaid Plan") for one (1) student who is currently in the 7th grade, in the amount of Seven Thousand Five Hundred Thirty Eight Dollars (\$7,538.00).
3. Operational Funding: The City agrees to provide Take Stock with a one-time, per student operational fee amount of Two Thousand Four Hundred Sixty-Two Dollars (\$2,462.00).
4. Reports: Take Stock will compile yearly reports to the City on all the selected students' academic performance, Florida Prepaid Scholarship contracts assigned, and City employees mentoring activity.
5. Refunds: In the event the selected student does not enter college or university for any reason whatsoever, Take Stock will immediately notify the City and refund the remaining operational funding amount back to the City. The City shall also be entitled to a full refund of the unspent amount in the Prepaid Plan, designated for that student. If Take Stock ceases to exist, or fails to maintain its tax exempt status with the Internal Revenue Service or the State of Florida, then all unexpended operational funds shall revert back to the City and all Prepaid Plans funded by the City shall be transferred to the City for proper disposition, as allowed by law.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed by the respective officials thereunto duly authorized, this day and year first above written.

TSIC, Inc., a Florida not-for-profit corporation: **"Take Stock"**

Witness:

By: _____

By: _____

Tom Albano, Executive Director

Print Name

Date _____

Date _____

ATTEST:

City of North Miami, a Florida municipal corporation: **"City"**

By: _____

Michael A. Etienne
City Clerk

By: _____

Stephen E. Johnson
City Manager

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____

Regine M. Monestime
City Attorney