



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Recreation, Culture & Tourism Committee

March 9, 2009

2:00 PM

Commission Chamber

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Commission Auditor
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Miami, Florida 33128
305-375-4354

**Recreation, Culture & Tourism Committee
Agenda Notes
March 9, 2009**

Item No.	Subject Matter	Background	Analysis / Comments / Questions			LA
3(A)	Ordinance Relating to Park and Recreation Department Agreements with Programming Partners and Community Based Not-for-Profit Organizations	<p>This ordinance amends the Park and Recreation Department (MDPR) agreements with Programming Partners (PP) and Community Based Organizations (CBO).</p> <p>The amendment allows PP and CBO's (who provide service at County Park and Recreation facilities) the opportunity to negotiate and/or renew Programming Partnership Agreements (PPA). Currently, the ordinance does not provide a renewal or negotiation option and limits participants grandfathered into the Programming Partners process to no more than two (2) years.</p> <p>Currently, there are twenty-seven (27) CBO's that have a PPA with MDPR. Three (3) out of twenty-seven (27) CBO's have agreement terms ending in 2009 and twenty-five (25) CBO's have had more than five (5) years of association with MDPR.</p>				
			PROGRAMMING PARTNER	# of years under programming partner agreement	Ending initial term in 2009	Years with MDPR before PP Agreement
			American Youth Soccer - 3 Lakes	4		5+
			American Youth Soccer Org.	2		5+
			B.E.A.C.H.E.S. Foundation	2		5+
			Boys & Girls Club of Miami	2		5+
			Coral Estates Soccer Club	4		5+
			Everglades Archers, Inc.	4		5+
			Greater Goulds Optimist	3		5+
			Howard Palmetto Baseball & Softball	4		5+
			Jr. Marlins Neighborhood Sports Assoc.	5	Y	5+
			Metro Aquatics Club of Miami	3		5+
			Miami Friends Baseball Assoc.	4		5+



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		New Birth Optimist	3	5+	
		Northside Optimist Club	5	Y 5+	
		Optimist Club of Ives Estate	3	5+	
		Optimist Club of Kendall Hammocks, Inc. (Devonaire Park)	4	5+	
		Optimist Club of West Kendall	4	5+	
		Palm Springs North Athletic Assoc.	2	5+	
		Perrine Optimist Club of Miami	2	5+	
		Pinecrest Premier Soccer, Inc.	3	5+	
		Rockway Swim Foundation	3	5+	
		Soccer Academy of the Americas	2		
		South Florida Baseball Dreamers, Inc. (Bros. to the rescue Park)	1		
		South Kendall Optimist Club Inc (Eureka Park)	4	5+	
		South Kendall Soccer Club, Inc. (Kendall Indian Hammocks Park)	4	5+	
		Southern Soccer Coalition (Miller's Pond Park)	2	5+	
		Tamiami Youth Basebal Assoc. (Tamiami Park)	5	Y 5+	
		Westchester Optimist Club	4	5+	
		<p>Ordinance 02-137 formalizes the agreement and relationship between the County and CBO's. CBO's are currently required to provide payment for the use of fields, insurance, coaching certification, annual financial statements, legal status, players and coaches roster, and background checks. Currently, the PP program partnership requires participants to provide an annual affidavit indicating that background checks were conducted and all employees passed.</p> <p>How are the annual background checks being handled for each CBO?</p> <p><i>During the annual audits by the contract management section of the MDPR, the background checks are reviewed and compared against the list of coaches. Ultimately, the responsibility of the background checks falls on Programming Partner.</i></p>			
4(A)	Resolution Authorizing Grant	This resolution authorizes funding of ten fellowship awards in the amount of \$150,000 to South Florida Artists from the	The SFCC is a partnership among the local art agencies of Broward, Martin, Miami-Dade,		

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	Awards for the FY2009 South Florida Cultural Consortium	<p>Department of Cultural Affairs (DCA) as the fiscal agent for the 2008-2009 South Florida Cultural Consortium (SFCC)-Visual & Media Artist Fellowship Program (VMAFP).</p> <p>The total amount in fellowships recommended in the FY2008-2009 to artist in each county is as follows:</p> <ul style="list-style-type: none"> • Miami-Dade County \$75,000 • Broward County \$45,000 • Palm Beach County \$15,000 • Martin County \$0 • Monroe County \$15,000 <p>Of the ten fellowships awarded, the following two recipients have previously been granted this award:</p> <ul style="list-style-type: none"> • Colby Katz awarded \$15,000 for the FY2003-2004 VMAFP (R-178-04); and • Samantha Salzinger \$15,000 FY2000 VMAFP (R134-00). <p>A moratorium of five years is imposed on recipients who received a \$15,000 fellowship award between 2004 and 2008 (applications submitted 2003-2007). A moratorium is imposed on recipients of a \$7,500 fellowship award between 2006 and 2008) (applications submitted 2005-2007).</p> <p>The two recipients (Katz and Salzinger) of previous VMAFP awards do not violate this moratorium.</p>	<p>Monroe and Palm Beach Counties. The VMAFP is intended to nurture the artistic development of eligible visual and media artists who reside in these counties.</p> <p>All emerging, mid-career and established South Florida professional artists are eligible to apply.</p> <p>In 2008, over 360 artists applied for the FY 2007-2008 VMAFP and only thirteen (13) fellowships were granted.</p> <p>Three hundred (300) artists applied for the FY2008-2009 VMAFP.</p>	
4(B)	Resolution Approving A Grant for the South Florida Cultural Consortium	<p>This resolution approves a \$20,000 grant from the Department of Cultural Affairs as fiscal agent for the South Florida Cultural Consortium (SFCC) to the Florida Atlantic University Foundation, University Galleries (FAU-UG) for the Regional Exhibition of the SFCC FY2008-2009 Visual and Media Arts Fellowship Program (VMAFP).</p> <p>The funding source is coming from the FY2008-2009 budget for the SFCC. The SFCC Board of Directors</p>		

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		<p>selects a major museum located in one of the participating counties (Miami-Dade, Martin, Palm Beach, Broward and Monroe), on a rotating basis, to present the annual exhibition of the VMAFP. FAU-UG was selected for the FY2009 Exhibition. FAU-UG has previously hosted the VMAFP exhibition (FY2005-2006, R-477-06).</p> <p>This grant is presented to the Board of County Commissioners (Board) annually for approval. The last three Board approvals are as follows:</p> <table border="1" data-bbox="489 488 1108 641"> <thead> <tr> <th>Fiscal Year</th> <th>Accompanying Resolution</th> </tr> </thead> <tbody> <tr> <td>FY2007-2008</td> <td>R-522-08</td> </tr> <tr> <td>FY2006-2007</td> <td>R-573-07</td> </tr> <tr> <td>FY2005-2006</td> <td>R-477-06</td> </tr> </tbody> </table>	Fiscal Year	Accompanying Resolution	FY2007-2008	R-522-08	FY2006-2007	R-573-07	FY2005-2006	R-477-06		
Fiscal Year	Accompanying Resolution											
FY2007-2008	R-522-08											
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FY2005-2006	R-477-06											
4(C)	Waiver of Formal Bid Procedures Allowing Payment to Perform and/or Exhibit in Preparation for the Opening and for Programming of the South Miami-Dade Cultural Arts Center	<p>This resolution waives formal bid procedures Section 5.03 of the County Code, the requirements of Administration Order 3-38, to allow the Department of Cultural Affairs (DCA) to contract professional entertainers and artists in preparation for the grand opening of the South Miami-Dade Cultural Arts Center (SMDCAC) in an amount not to exceed \$1.25 million and not to exceed \$60,000 per performance.</p> <p>The waiver of the bidding process has been previously approved fourteen (14) times by the Parks and Recreation Department.</p> <p>The funding will come from budgeted revenues for the operations of the SMDCAC. According to DCA FY2009-2010 Budget submission for SMDCAC, Operations is estimated at \$2.5 million.</p>										
4(D)	Resolution Authorizing contract for Sale and Purchase of Vacant Land for Additional Parking for the Little River Branch Library	<p>District 3</p> <p>This resolution authorizes a contract for sale and purchase of a vacant lot, in the amount of \$150,000, for the purpose of providing additional parking for staff and patrons of the Little River branch Library.</p> <p>The lot size is 5,960 square feet and the 2008 Assessed Market Value of the property is \$142,250.</p> <p>The property is located on 7817 N.E 1 Avenue, Miami.</p> <p>This purchase will be funded from the Capital Asset Acquisition Bond 2007 proceeds.</p>										

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		<p>The land acquisition budget for this library is \$1,575,000. The County recently purchased the property adjacent to this vacant lot to facilitate the relocation of the Little River Branch Library in the amount of \$1,400,000 (R-1014-08).</p> <p>The funding for design and construction is estimated at \$2.4 million, and is provided from the Miami-Dade Library Taxing District and Building Better Communities.</p> <p>An Agreement with the City of Miami to use, operate, and maintain eight Library facilities (to include Little River branch) was approved by the Board on December 4, 2007, by Resolution No. R-1329-07, for a 15-year term at an annual rental fee of \$1.00. The County is responsible for maintaining both the interior and exterior of the premises and for replacing anything that becomes obsolete or worn beyond repair. The existing Little River Branch Library site, located at 160 N.E. 79 Street, requires major renovations; additionally, the building cannot be expanded or provide parking to patrons of the facility.</p> <p>The property is being purchased from GOL marketing, LLC. The County has no record of negative contract performance issues with this company.</p> <p>According to GSA, fifteen (15) parking spaces can be accommodated on this vacant lot.</p> <p>Budget for this Library is proposed to be \$4,000 million and operating expenditures are estimated to be \$353,000.</p>		
4(E)	Resolution Rescinding Grant Award from Safe Neighborhood Parks Bond program to the Coalition to Improve North Dade and Approving grant Award to City of Miami Gardens	<p>District 1</p> <p>This resolution authorizes the rescinding the Safe Neighborhood Parks Bond Program Grant Award to the Coalition to Improve North Dade (CIND) for the North Dade Optimist Park and allocating the funds in the amount of \$75,000 to the City of Miami Gardens to continue this project.</p> <p>CIND is a private, nonprofit organization comprised of residents, professionals and business representatives who live and/or work in North Miami-Dade County, was awarded a series of community based organization grants from Miami Dade County for the construction of a recreation building at the North Dade Optimist Park.</p> <p>In July 2004, ownership of the County parks was transferred to the City of Miami Gardens, as a result of its incorporation (R-982-04). The agreements with CIND were still considered active although the funds had not</p>		

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		<p>been drawn down and construction had not yet begun. The City has volunteered to take over the project with the endorsement from CIND.</p> <p>In order to facilitate the renovation of the park with all the appropriate funds, the City has requested that all grant monies awarded to North Dade Optimist Park be transferred to the City, to include the \$75,000 grant from the Office of Safe Neighborhood Parks.</p>								
4(F)	Resolution Awarding Recaptured Funds from the Safe Neighborhood Parks Program	<p>This resolution allocates \$819,929 Safe Neighborhood Parks (SNP) Recaptured Funds to specific entities for various park projects.</p> <p>The funds were originally allocated to the same grantees by the Board of County Commissioners (Board). The funds were recaptured because the grantees were unable to complete the projects by the contract completion date. All the grantees have requested an extension of their contracts and reallocation of funds. The SNP Oversight Committee considers written requests for recaptured fund grants for review and approval.</p> <p>The SNP Oversight Committee is recommending the re-allocation of the \$819,929 in SNP grant awards to the same grantees.</p> <p>The SNP Committee did not recapture any funds in 2008. The last time funds were recaptured and reallocated by the Committee was May 1, 2007.</p> <p>The SNP projects are located within six municipalities (City of North Miami, Village of Biscayne Park, City of Homestead, Town of Cutler Bay, Village of Palmetto Bay and Miami-Dade County) and five Commission Districts (2, 4, 7, 8 and 13).</p>								
4(G)	Retroactive Change Order No. 4 and Final for Ives Estates Park Youth Ballfield Complex	<p>This retroactive change order No. Four (4) and Final for time only on a contract between ABC Construction, Inc. for construction of the Ives Estate Park Youth Ballfield Complex.</p> <p>The original contract amount for this project was \$3,319,183 and it was to be completed within 365 days. The fourth and final change order adjusts the contract amount to \$4,388,237 and the contract time extends to 1265 days.</p> <table border="1" data-bbox="487 1344 1417 1461"> <thead> <tr> <th data-bbox="487 1344 882 1421"></th> <th data-bbox="884 1344 1155 1421">Adjusted Contract Amount</th> <th data-bbox="1157 1344 1417 1421">Adjusted Contract Time</th> </tr> </thead> <tbody> <tr> <td data-bbox="487 1422 882 1461">Original Contract Amount</td> <td data-bbox="884 1422 1155 1461">3,319,183</td> <td data-bbox="1157 1422 1417 1461">365</td> </tr> </tbody> </table>		Adjusted Contract Amount	Adjusted Contract Time	Original Contract Amount	3,319,183	365		
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		Change Order #1	\$290,072	90 days	
		Change Order #2	\$144,184	63 days	
		Change Order #3	\$895,800	565 days	
		Change Order #4	\$0	182 days	
		Change Order Totals	\$1,330,056	900 days	
		Final Adjusted Amount	\$4,388,237	1265 days	
		Percent Increase	32% increase	246% increase	
	<p>According to the Parks and Recreation Department, the majority of the additional costs to this project are associated with environmental remediation. The site for this project was previously a land field and the extent of harmful methane gas was not fully realized until after the project had commenced.</p> <p>The contractor for this project is ABC Construction, Inc. According to the Capital Improvements Information System-Evaluations Report, this contractor has an evaluation count of 13 with an average evaluation of 3.2 (4.0 being the highest evaluation).</p>				