



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Recreation, Culture & Tourism Committee

November 10, 2009
2:00 PM
Commission Chamber

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Commission Auditor
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Analysis
Recreation, Culture and Tourism
Meeting Agenda**

November 10, 2009

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

4(A)
4(B)
4(D)
4(F)
4(H)

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Mia Marin, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 4(A)

File Number: 092574

Committee(s) of Reference: Recreation, Culture & Tourism

Date of Analysis: October 6, 2009

Type of Item: Grant

Summary

This resolution approves nineteen (19) grant awards for a total of \$153,500 from the FY 2008-09 Fourth Quarter Tourist Development Room Tax Plan and Surtax Category.

Background and Relevant Legislation

The Tourist Development Council Grants Program (TDC) provides support to significant cultural and/or special events, including sports activities and television/film origination projects that promote Miami-Dade County's appeal as a tourist destination.

Policy Change and Implication

Of the nineteen (19) grant awards for this program, the following are first time recipients:

- Alliance Francaise de Miami, Inc.
- For the Love of You, Inc.
- Friends of the Bass Museum, Inc.
- Greater Miami Convention and Visitors Bureau, Inc.
- Miami Beach Arts Trust, Inc.
- Miami-Dade Beacon Council
- Walenstein Musical Organization

Budgetary Impact

Funding for the TDC comes from the 2% Tourist Development Room Tax (TDT) Revenue and the 2% Hotel/Motel Food and Beverage Surtax (Tourist Development Surtax) Revenue.

On May 4, 2009, the County Manager issued a memo titled, Update on Tourist Taxes Report, which includes seven months of actual revenues distributed from the collection of these taxes. The tourism taxes collected include: Tourist Development Tax (2%), Tourist Development Surtax (2%), Convention Development Tax (3%), Professional Sports Facilities Franchise Tax (1%), and the Homeless Domestic Violence Tax (1%).

According to the Update on Tourist Taxes Report, the following data is reflected:

- County has collected 12.1% below last year at the same time for all tourist taxes combined(\$51.386 million from \$58.474 million); and
- March 2009 monthly collection for all taxes combined were 19.1% less than collections from March 2008.

Additionally, the latest projected revenues for TDT and the Tourist Development Surtax have been provided in a Revenue Estimating Conference Report dated May 8, 2009, from the Office of Strategic Business Management which includes the following:

(\$ in 000's)

	Actuals FY07-08	Projected FY08-09	Projected Budget FY09-10	Percentage difference from FY07-08 Actual and FY08-09 Projected
TDT	\$17,723	\$13,824	\$13,133	-22%
Tourist Development Surtax	\$5,663	\$4,644	\$4,412	-18%

Questions

Will County staff be providing an update on Tourist Taxes Report?

Prepared By: Mia B. Marin

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 4(B)

File Number: 092872

Committee(s) of Reference: Recreation, Culture & Tourism

Date of Analysis: November 5, 2009

Type of Item: Grant

Summary

This resolution approves twenty-six (26) grant awards for a total of \$124,600 from FY2009-2010 Community Grants Program (CGP) - Second Quarter.

Background and Relevant Legislation

The CGP is a quarterly program that provides funding to non-profit organizations that develop small to medium scale community based arts programs, projects and event's (fairs, parades, neighborhood festivals, conferences and publications). This program is particularly appropriate for projects which encourage the preservation of heritage and cultural traditions, and social service organizations and cultural groups developing collaborative intervention projects.

Policy Change and Implication

Of the twenty-six (26) grant awards for this program, the following are first time recipients:

- Aspira of Florida, Inc.
- Dade Community Foundation a/f/a for A.D.A.M. & E.V.E. Festival
- Fotomission, Inc.
- Miami Music Project, Inc.
- Miami World Cinema Center, Inc.

Budgetary Impact

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TDT	\$17,723	\$13,824	\$13,133	-22%
Tourist Development Surtax	\$5,663	\$4,644	\$4,412	-18%

Questions

Will County staff be providing an update on Tourist Taxes Report?

Prepared By: Mia B. Marin

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Legislative Notes

Agenda Item: 4(D)

File Number: 092909

Committee(s) of Reference: Recreation, Culture & Tourism

Date of Analysis: November 3, 2009

Type of Item: Resolution

Summary

This resolution allocates the amount of \$5,754,908 in Safe Neighborhood Parks (SNP) Discretionary funding and \$100,000 in SNP Land Acquisition funds to the specific entities for specific projects.

Background and Relevant Legislation

The Safe Neighborhood Parks Citizen's Oversight Committee (SNPCOC) has awarded \$200 million from Bond proceeds, plus an additional \$11.4 million in Bond interest earnings and recaptured funds to more than 40 municipalities, not-for-profit agencies and Miami-Dade County (R-1-99).

On May 14, 2009, the SNPCOC set the following timetable for RFP SNP0809 as follows:

June 15, 2009	RFP Available
June 25, 2009	Pre-proposal Conference
July 20, 2009	Application Deadline to the Clerk of the Board
August 13, 2009	SNPCOC Review Applications
August 20, 2009	Present SNPCOC Recommendations to the Manager
October 2009	Recreation, Culture & Tourism Committee
November 2009	Board of County Commissioners

On June 9, 2009, the County Manager issued a memo informing the Board of County Commissioners that the Office of Capital Improvements will be advertising a Request for Proposals (RFP) SNP0809 on June 12, 2009 which will provide \$6 million (interest earnings) in funding for land acquisitions and capital development of public parks.

According to PRD, over seventy (70) applications were received for the above-mentioned RFP submitted by municipalities, not-for-profits and Miami-Dade County totaling \$21,342,972.

Of the seventy (70) applications, only forty-eight (48) applications are being recommended for SNP funding (48 applications recommended for SNP Discretionary and 1 for SNP Land Acquisition).

Of the forty-eight (48) grant applications being recommended, eleven (11) projects come from the Parks and Recreation Department (valued at \$1,282,500).

The eleven grant applications approved by SNPCOC (SNP0809) are as follows:

District	Project	SNP Request	Total Project Cost	Matching Funds	SNP Funding Recommendations
2	Little River Park	\$100,000	\$200,000	CDBG	\$100,000
7	Sunkist Park	\$175,000	\$350,000	QNIP	\$175,000
9	Ben Shavis Park	\$100,000	\$200,000	CDBG	\$100,000
9	Naranja Park	\$110,500	\$221,000	QNIP	\$110,500
10	Ruben Dario Park	\$72,800	\$145,600	GOB	\$72,800
10	McMillian Park	\$191,600	\$383,200	GOB	\$191,600
10	Blue Lakes Park	\$140,600	\$281,200	QNIP	\$140,600
11	Millers Pond Park	\$155,000	\$310,000	QNIP	\$155,000
11	Westwind Lakes Park	\$45,000	\$90,000	QNIP	\$45,000
11	Lago mar Park	\$96,000	\$192,000	QNIP	\$96,000
11	Hammocks Community Park	\$96,000	\$192,000	QNIP	\$96,000

Budgetary Impact

Questions

The following questions and/or requests were posed to the Office of Capital Improvements and responses were not received at the time of printing.

- What is the status of the remaining projects left in the SNP program and the amount of unallocated funds currently available;
- What is the amount of funds remaining in the SNP program;
- Original amount of SNP Discretionary funds and its balance if this item is approved?
- Original amount of SNP Land Acquisition funds and its balance if this item is approved?

Prepared By: Mia B. Marin

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Legislative Notes

Agenda Item: 4(F)

File Number: 092653

Committee(s) of Reference: Recreation, Culture & Tourism Committee

Date of Analysis: November 4, 2009

Type of Item: Resolution for a retroactive approval of QNIP II funds

Commission District 10

Summary

This resolution retroactively approves modification number seven (7) to an agreement with the Optimist Club of Westchester, Inc. in the amount of \$40,000 for the consultant design and technical oversight during construction of the Northwest Field House at Tropical Park using Quality Neighborhood Improvement Program funds (QNIP)

Background and Relevant Legislation

QNIP was established by the Board of County Commissioners (BCC) in 1999 to address infrastructure needs in older unincorporated neighborhoods and newer high growth areas as proposed by the Mayor's Budget Message in 1998. On March 18, the BCC adopted Resolution No. R-315-99 approving QNIP project sites and funding recommendations for each commission district. The QNIP program sets aside funds for each commission district for the following:

- Sidewalk repairs and improvements;
- Safe routes to schools;
- Drainage improvements;
- Resurfacing streets; and
- Park improvements.

On September 20, 2001, the Board of County Commissioners authorized the implementation of Phase II of QNIP (QNIP2) as proposed by the Mayor's Budget Message of September 5, 2001. The QNIP2 project list totals \$60 million in funds and the balance of the initial QNIP1 projects.

According to the Office of Capital Improvements Information System (CIIS) QNIP Master Report there are a total of six (6) QNIP programs.

QNIP Totals as November 5, 2009

	Budget	Unallocated Balance
QNIP1	\$118,164	\$1,127,216
QNIP2	\$61,536,444	\$1,776,864
QNIP3	\$3,608,000	\$2,915
QNIP4	\$30,523,386	\$1,901,318
QNIP5	\$30,000,000	\$2,582,982
QNIP6	\$8,000,000	\$6,528,568

According to the CIIS QNIP Master Report, the following information was provided for the Westchester Optimist Field House Project:

- Original budget amount of \$62,000;
- Revised budget \$103,000; and
- Project was completed in June 2008.

The Optimist Club of Westchester Field House project is located in District 10. The total QNIP2 allocation for District 10 is \$8,263,375 with an unallocated balance of \$1,553,235. There are 23 projects listed under the QNIP2 District 10 allocation.

Budgetary Impact

The funding for this project will come from QNIP2 funds. No additional County funds will be used.

Questions

What is the annual operational and maintenance cost of the field house?

Prepared By: Mia B. Marin

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Legislative Notes

Agenda Item: 4(H)

File Number: 092939

Committee(s) of Reference: Recreation, Culture and Tourism

Date of Analysis: November 4, 2009

Type of Item: Contract Award Recommendation for Haulover Park

Commission District 4

Summary

This is a Recommendation for Award for Construction contract between Niko Consultant, LLC and Miami-Dade County for the construction of a new two story lifeguard headquarters, staff parking lot and the demolition of the existing lifeguard headquarters at Haulover Park for a total contract amount of \$2,276,017.

Background and Relevant Legislation

R.J. Heisenbottle Architects, P.A. (Heisenbottle) is the project architect who conducted the base construction cost estimates for the Lifeguard Headquarters project. According to the Capital Improvements Information system (CIIS), Heisenbottle has been awarded three (3) contracts valued at \$1,917,120. As of November 5, 2009, the CIIS Contractor Evaluation Report reflects four (4) evaluations for Heisenbottle with an average evaluation rate of 2.7 out of 4.

The Small Business Development Department does not list Heisenbottle in its latest Goal Deficit Report of October 1, 2009 nor in its latest Violations Report of October 23, 2009.

Niko Consultant, LLC (Niko) is being recommended for award of this project being the lowest bidder (45% lower than base contract estimate by Heisenbottle). According to CIIS, Niko has not previously been awarded any County contracts. According to the Small Business Development Firm Awards Report of October 23, 2009, Niko has not been awarded any contracts in the last three years.

The Subcontractors listed in this project are as follows:

- Sunshine Electrical Contractors Corporation;
- ABK Construction, Inc.; and
- TCS Contracting Group.

Neither of these above-mention subcontractors is listed in the Small Business Development Department Goal Deficit Report of October 1, 2009 or Violations Report of October 23, 2009.

Budgetary Impact

Funding Sources for this project include Capital Asset Series 2004B Interest and General Obligation Bond Program funds.

Funding	Amount
Capital Asset Series 2004B	\$600,000
General Obligation bond Program	\$1,676,017
Total	\$2,276,017

Prepared By: Mia B. Marin