



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Recreation, Culture & Tourism Committee**

October 8, 2010  
2:00 PM  
Commission Chamber

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

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

**October 8, 2010**

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

**Item Number(s)**

2(A)
2(C)

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



Legislative Notes

**Agenda Item:** 2(A)  
**File Number:** 102103  
**Committee(s)  
of Reference:** Recreation, Culture & Tourism Committee  
**Date of Analysis:** October 5, 2010  
**Type of Item:** Resolution Approving Amended and Restated Operating Agreement  
**Prime Sponsor:** Chairman Dennis C. Moss

**Summary**

This item approves the amended and restated operating agreement (OA) for Miami-Dade Zoological Park and Gardens between Miami-Dade County and Zoological Society of Florida (ZSF).

**Background and Relevant Legislation**

The last amendment to the OA was approved on May 9, 2000, through resolution R-444-00 which allowed the County to reimburse the Society for marketing and educational programming at Miami Metrozoo. In accordance to the OA, the ZSF receives an annual allotment from Miami-Dade County to create and execute a marketing plan for the zoo. The annual allotment is executed on a reimbursement basis.

ZSF's Financial Statements show that in addition to the Miami Metrozoo Marketing transactions, the Society receives grants through the Cultural Affairs Department, Safe Neighborhood Parks (SNP) Bond funds and General Obligation Bonds (GOB).

ZSF's Financial Statements for 2007 and 2008 lists Miami Metrozoo marketing allotment of \$1,005,000 for FY2007 and \$950,000 for FY2008. ZSF was awarded \$248,080 and \$308,412 in Cultural Affairs grants for years ending September 30, 2007 and 2008 respectively. Actual amounts for SNP funds are administered by the ZSF on a cost reimbursement basis and these activities have not been recorded in the accompanying statement of activities.

ZSF's Financial Statements for 2008 and 2009 lists Miami Metrozoo marketing allotment of \$950,000 for FY2008 and \$1,150,000 for FY2009. ZSF was awarded \$308,412 and \$325,524 in Cultural Affairs grants for years ending September 30, 2008 and 2009 respectively.

On February 6, 2007, the Board approved Resolution R-120-07, authorizing the County to enter into a grant agreement with the ZSF for the construction of GOB Project No. 46. Additionally, R-120-07 authorized a significant modification to GOB Project No. 46. This significant modification revised the project description to: "Construction of Amazon and Beyond Project and Phase IV Lakes and Australia Exhibit." This significant modification allowed the Amazon and Beyond Project to be funded by GOB funds. The amount of GOB funds transferred to the Amazon and Beyond Project from GOB Project No. 46 was \$18.7 million. The \$18.7 million was used to contribute to the total project cost for Amazon and Beyond which was estimated at \$50 million.

On September 21, 2006, ZSF's Board of Directors passed a resolution that commits the ZSF to raise \$18.7 million in private funds to repay the County in understanding of Miami-Dade County's intent to reassign GOB funds, estimated at \$18 million, to complete the Amazon and Beyond Project.

Resolution R-120-07 does not legally commit the ZSF to pay the County \$18.7 million, however, ZSF's financial statements reflect its intent on paying this balance by 2014.

**According to the Miami-Dade Parks and Recreation Department, Project No. 46 has a balance in the amount of \$12,281,130 for future use on the Amazon and Beyond/Lakes and Australia Exhibit. However, there is another legislative item on this same agenda (Item 2B) requesting a significant modification to Project No. 46 that will shift the \$12,281,130 funds to GOB Project No. 47 (Miami MetroZoo-Construction Phase V-Florida Exhibit).**

**How much of the \$18.7 million has been repaid by the ZSF to Miami-Dade County to date?**

**According to Miami-Dade Legislative File No. 102289 (County Manager Supplemental Information Memorandum), ZSF has advised the County that the difficult economic situation over the last three years have made it extremely challenging to raise private dollars anticipated to restore the funding by 2014 (\$18.7 million) but the organization stands committed to raising \$3 million for the Florida Exhibit (GOB Project No.47) by the time it is ready to open.**

**Due to ZSF's inability to pay by 2014, how will that affect project no. 46, no. 47 and/or other GOB projects?**

Prepared by: Mia B. Marin.

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
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Legislative Notes

**Agenda Item:** 2(C)  
**File Number:** 102297  
**Committee(s)  
of Reference:** Board of County Commissioners  
**Date of Analysis:** October 6, 2010  
**Prime Sponsor:** Chairman Dennis C. Moss  
**Type of Item:** Resolution

**Summary**

This item approves a significant modification to Building Better Communities General Obligation Bond Program (BBC GOB) Project No. 293 – to allocate \$1,000,000 to Friends of the Military Museum of South Florida at NAS (Naval Air Station) Richmond, Inc.

**Background and Relevant Legislation**

The Historic Preservation Fund (HPF) is a program funded under the BBC GOB through project 293 with an original allocation of \$10 million (R-919-04). The HPF is intended to provide matching funds to private property owners, private non-profit organization, and municipal government agencies for the acquisition, relocation and rehabilitation of designated historic properties, or properties eligible for designation as a historic property or as a contributing historic property within Miami-Dade County.

The BBC-GOB Program as created by Ordinance 05-47, is administratively governed by the Building Better Communities Administrative Rules (Page 2, Building Better Communities Administrative Rules Rev. 1/07). These administrative rules have been prepared to address the administration and allocation of funds for the projects and programs identified in the BBC-GOB Program. In addition to the funding of projects listed in the BBC-GOB program, eligible projects may be funded through the application process described in the administrative rules with monies from four (4) funds. The four (4) funds are as follows:

- Historical Preservation Fund (HPF);
- Economic Development Fund (EDF);
- Not-for-Profit Community Organization Capital Fund (NFPCF); and
- Primary Health Care Facilities Fund (PHCFF)

At the June 9, 2010, Transit, Infrastructure & Roads Committee, the Director of the Office of Capital Improvements responded to Committee member concerns about the lack of a competitive process as it related to the issuance of HPF. The Director of Capital Improvements noted that an RFP competitive process was initiated and advertised to issue a portion of the \$10 million of HPF. However, due to the difficulties encountered in the competitive process relating to private homeownership and the limited bonding capacity of the BBC-GOB, a decision was made not to move forward with the RFP.

On June 15, 2010, the Board approved Resolution R-668-10, which included amendments to the Administrative Rules governing the BBC-GOB Program. According to the amended Administrative Rules, recipients of HPF must apply for funding during a funding submission period or a funding allocation may be awarded to a recipient by the Board on a case by case basis (page 6, Building Better Communities Administrative Rules, Rev. 04/2010). Additionally, HPF was amended to provide the funding allocation administration and reimbursement policy to require title to land acquired with BBC-GOB Program funds or facilities constructed/developed with BBC-GOB funds will vest with a Public Agency, or legally incorporated 501(c)(3) not-for-profit Community Based Organization, or an active and duly registered Florida for-profit corporation or other recognized business entity (page 21, Building Better Communities Administrative Rules, Rev. 04/2010).

On July 11, 2010, the County Manager issued a memo to include a list of projects considered for the upcoming BBC-GOB bond sale and it does not include funding for BBC-GOB Project 293.

The Board has approved two significant modifications to Project 293 to include the following:

- Resolution R-328-10 approved \$3 million of HPF to the Miami Marine Stadium; and
- Resolution R-707-10 approved \$1 million to the restoration of the Curtiss Mansion.

**Currently, legislative item #102290, seeks to approve an allocation of \$1.8 million in HPF to rehabilitate the Historic Hampton House building.**

On September 21, 2010, the Board approved a resolution directing the County Mayor or Designee to prepare a Request for Proposals for Historic Properties that qualify for funding from the Historic Preservation Fund. This above-mentioned resolution has been assigned a resolution number (R-955-10) but is not yet listed in the County's Legislation Information System. The resolution was amended to exclude a provision that set a \$250,000 limit for each grant application, but includes provisions that require the Selection Committee to comprise of representatives from the County's Historic Preservation Fund and the Dade Heritage Trust.

**Prepared by:** Mia B. Marin