



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Recreation, Culture & Tourism Committee**

February 9, 2009

2:00 PM

Commission Chamber

Charles Anderson, CPA  
Commission Auditor  
111 NW First Street, Suite 1030  
Miami, Florida 33128  
305-375-4354

**Recreation, Culture and Tourism Committee**  
**Agenda Notes**  
**February 9, 2009**

Item No.	Subject Matter	Background	Analysis / Comments / Questions
2(A)	Resolution Authorizing The Conveyance of one (1) parcel of Land to the City of Opa-Locka for the Expansion of Park and Recreational Area in the Magnolia Northside Neighborhood	<p>This resolution approves the conveyance of one (1) parcel of land to the City of Opa-Locka for the expansion of a park and recreational area in the Magnolia Northside Neighborhood.</p> <p>This property is a vacant lot located within the City of Opa-Locka and within the boundaries of Magnolia Northside Neighborhood.</p> <p>The City wishes for the County to donate this property to the City for purposes of expanding the adjacent park and recreational facilities.</p> <p><b>The assessed value for the 5,280 square foot property is as follows:</b></p> <ul style="list-style-type: none"> <li>• \$36,531 for 2008</li> <li>• \$34,907 for 2007</li> </ul> <p><b>The parcel of land is zoned as a single family residence and is maintained at an annual cost of \$3000 by the County.</b></p> <p><b>The conveyance of this property is authorized under Florida Statute 125.38. This statute allows a county government to convey property to a municipality for the purposes of promoting community interest and welfare.</b></p>	
4(A)	Resolution Authorizing Approval Of Nineteen (19) Grant Awards For A Total Of \$350,000 From The FY2008-09 Summer Arts & Science Camp For Kids (SAS-C)	<p>This resolution approves nineteen (19) grant awards for a total of \$350,000 from the 2008-09 Summer Arts &amp; Science Camps for Kids (SAS-C).</p> <p>The SAS-C is a joint initiative of the Miami-Dade Department of Cultural Affairs and The Children's Trust. The SAS-C is fully funded by The Children's Trust. The Children's Trust has awarded \$45 million in grants to agencies operating summer camps and after-school programs benefiting 36,130 children at 350 sites throughout Miami-Dade County. The objective of this program is to grant funding to non-profit organizations that will provide underserved children in Miami-Dade County the ability to attend high quality cultural arts and/or science summer camp programs.</p> <p><b>Of the nineteen (19) grant awards for this program, the following are first time recipients:</b></p> <ul style="list-style-type: none"> <li>• Arts Ballet Theatre of Florida</li> <li>• Coral Gables Congregational Church Diva Arts &amp; entertainment</li> <li>• Fairchild Tropical Garden</li> <li>• Miami-Dade County Park and Recreation-Division of Arts and Culture (African Heritage &amp; Raices)</li> <li>• Young Men's Christian Association (YMCA)</li> </ul>	
4(B)	Resolution Authorizing Approval of Fifty (50)	This resolution approves fifty (50) grant awards for a total of \$195,000 from the FY2008-09 Community Grants Program (CGP)-Second Quarter.	

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	Grants For A Total of \$195,000 From The Department Of Cultural Affairs FY 2008-09 Community Grants Program.	<p>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 (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.</p> <p><b>Of the fifty (50) grant awards for this program, the following are first time recipients’:</b></p> <ul style="list-style-type: none"> <li>• <b>Academy of Performing Arts and Entertainment, Inc.</b></li> <li>• <b>Barry University - School of Education</b></li> <li>• <b>City of South Miami</b></li> <li>• <b>Dade Community Foundation a/f/a for Neighbors of Schenley Park, Inc</b></li> <li>• <b>DuMond Conservancy for Primates and Tropical Forests</b></li> <li>• <b>Florida International University Board of Trustees for the benefit of the Physics Department</b></li> <li>• <b>Good Hope Equestrian Training Center, Inc.</b></li> <li>• <b>Goodwill Industries of South Florida, Inc.</b></li> <li>• <b>Harmony School of Art and Music, Inc.</b></li> <li>• <b>Hispanic-American Lyric Theater, Inc. a/f/a Risingstar Artist Group</b></li> <li>• <b>Kiwanis Club of Little Havana</b></li> <li>• <b>Miami Downtown Development Authority</b></li> <li>• <b>Miami-Dade County Fair Foundation, Inc.</b></li> <li>• <b>Miami-Dade County Park and Recreation Dept. - Region 4</b></li> <li>• <b>Mustard Seed Initiative, Inc., The</b></li> <li>• <b>Solid Rock Enterprises, Inc.</b></li> <li>• <b>Tradisyon Lakou Lakay, Inc.</b></li> </ul>	
4(G)	Matheson Hammock Park Sign Maintenance Agreement with the City of Coral Gables	<p>This agreement allows Miami-Dade Park and Recreation Department (MDPR) to install a double-sided, sandblasted, non-illuminated free standing sign in the right of way at the entrance of Matheson hammock Park. This agreement will also require MDPR to maintain the sign.</p> <p><b>The estimate for the fabrication, City of Coral Gables permit and the installation of the double-sided sign is \$18,000.</b></p> <p><b>The MDPR does not have a specific annual budget for signage.</b></p> <p>The request to install this sign is to replace a damaged one.</p> <p>How was this sign damaged? Has it already been replaced? If so, should this agreement be retroactive?</p>	
4(H)	Joint Use Agreement with the School Board of Miami-Dade County	<p>This agreement provides for joint use of the recreational areas within the park. The agreement also provides for joint use of future recreational amenities that may be constructed in the future.</p>	

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	for Ron Ehman Park and Miami Killian Senior High School	<p>The County will have the right to use the full park site including recreational amenities during school hours and days.</p> <p>The agreement is for ten (10) years with three (3) successive ten (10) year renewal periods with an annual rental rate of \$1.00.</p> <p>The previous joint use agreement expired in 2005 and was not renewed because the Miami-Dade County School Board (MDSB) planned to build a school in that property owned by MDSB. However, the surrounding neighborhood was opposed to the idea of a school building and the MDSB has decided not to build. Establishing a new joint use agreement rather than month to month provides the MDPR with longer term assurance to operate the park that services the community.</p> <p>According to MDPR, the following is a breakdown of the Ron Ehman Park Expenditures:</p> <table border="1" data-bbox="512 553 1402 997"> <thead> <tr> <th>Ron Ehman Park Expenditures</th> <th>%</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Primary (basic operation of the park including rentals)</td> <td>72.5%</td> <td>\$196,258</td> </tr> <tr> <td>After School Programs</td> <td>7.5%</td> <td>\$ 20,303</td> </tr> <tr> <td>Summer Camp</td> <td>20.0%</td> <td>\$ 54,140</td> </tr> <tr> <td><b>Total Park Expenditure Budget</b></td> <td><b>100.0%</b></td> <td><b>\$270,700</b></td> </tr> <tr> <td>Grounds Maintenance Cost</td> <td></td> <td>\$ 12,230</td> </tr> <tr> <td>Tennis Center Expenditures</td> <td></td> <td>\$ 14,100</td> </tr> <tr> <td>Total Park Expenditures</td> <td></td> <td>\$297,030</td> </tr> <tr> <td>Operating Revenues</td> <td></td> <td>-\$220,000</td> </tr> <tr> <td><b>Net Operating Costs</b></td> <td></td> <td><b>\$77,030</b></td> </tr> </tbody> </table> <p><b>The Miami-Dade Parks and Recreation Department (MDPR) has advised the Office of Commission Auditor that there is a scrivener's error regarding the MDPR's operational costs. The operational cost is \$77,030 instead of \$15,000.</b></p> <p><b>There are no new operational costs associated with this new agreement.</b></p> <p><b>The costs will be funded by the General Fund Subsidy (UMSA).</b></p>	Ron Ehman Park Expenditures	%	Amount	Primary (basic operation of the park including rentals)	72.5%	\$196,258	After School Programs	7.5%	\$ 20,303	Summer Camp	20.0%	\$ 54,140	<b>Total Park Expenditure Budget</b>	<b>100.0%</b>	<b>\$270,700</b>	Grounds Maintenance Cost		\$ 12,230	Tennis Center Expenditures		\$ 14,100	Total Park Expenditures		\$297,030	Operating Revenues		-\$220,000	<b>Net Operating Costs</b>		<b>\$77,030</b>	
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5(A)	Building Better Communities/General Obligation Bond (BBC\GOB) Program – Execution of BBC/GOB Grant	<p>This resolution executes the second Building Better Communities/General Obligation Bond (BBC/GOB) grant agreement with the Miami Art Museum of Dade County Association, Inc. (MAM), in the amount of \$8.4 million, for BBC/GOB project #296. The funds will be used for pre-design, planning, preliminary design engineering and other related costs associated with the development of the Museum at Museum Park (or Bicentennial Park).</p> <p>This resolution also waives the requirement in the BBC/GOB Administrative Rules that grantees demonstrate site control (site control</p>																															

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	<p>Agreement with the Miami Art Museum (MAM), Project #296</p>	<p>AO) as a pre-condition to receiving BBC/GOB funds. This requirement was waived for the first grant agreement approved by the BCC (R435-08).</p> <p>The first grant agreement for BBC\GOB project #296, in the amount of \$235,000, was approved by the Board of County Commissioners (BCC) on April 22, 2008 (R-435-08).</p> <p>This BBC\GOB bond program has an allocation of \$100 million for the MAM project. The Capital Improvements Information System (CIIS) projects the allocations for fiscal years 2005 through 2012 to be as follows:</p> <table border="1" data-bbox="512 493 1810 557"> <thead> <tr> <th>FY2005-06</th> <th>FY2006-07</th> <th>FY2007-08</th> <th>FY2008-09</th> <th>FY2009-10</th> <th>FY2010-11</th> <th>FY2011-12</th> </tr> </thead> <tbody> <tr> <td>\$235,000</td> <td>0</td> <td>0</td> <td>\$17,475,951</td> <td>\$14,229,718</td> <td>\$51,583,702</td> <td>\$16,475,629</td> </tr> </tbody> </table> <p>Although the FY2008-09 shows an allocation of \$17,475,951, this resolution only requests \$8.4 million and does not extend to remaining funds.</p> <p>To date, the budget for the new MAM museum is \$220 million (\$131 million for the building, \$70 million for an operating endowment and \$19 million for transitional expenses). The \$100 million will be used for the design and construction of the building.</p> <p><b>On April 22, 2008, prior to the approval of R-435-08 various concerns were raised by several County Commissioners regarding this project to include:</b></p> <ul style="list-style-type: none"> <li>• Community Redevelopment Agency (CRA) funding to be used for this project;</li> <li>• Cost Overruns;</li> <li>• Site Control;</li> <li>• Private Sector funds affecting Public Sector funds; and</li> <li>• Museum Park development</li> </ul> <p><b>CRA</b></p> <p>Commissioners at this meeting, expressed concern about the potential of using CRA funds to build the museum projects. County staff has assured the BCC that CRA funds will not be used to construct the Museum. The City of Miami plans to build a Museum Park to surround the Miami Art Museum, as well as the Miami Science Museum. The City has funding to build a Museum Park; however, the amount would not develop the park the way the City of Miami envisioned. The City intends on using tax increment revenues from the CRA to build the Museum Park, subject to the approval of the CRA boundaries. The County Attorney's office assured BCC they would not be subject to liability if they reject expanding the CRA.</p> <p><b>Cost Overruns</b></p> <p>MAM would be responsible for developing and maintaining the facility. MAM would also own the facility and would be responsible for any cost overruns.</p>	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	\$235,000	0	0	\$17,475,951	\$14,229,718	\$51,583,702	\$16,475,629	
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		<p><b>Site Control</b></p> <p>Commissioners expressed concern over why site control was being waived in the agreement. According to the Director of Cultural Affairs, site control would only be waived temporarily until MAM would come back before the BCC with Leases and Subleases for site control on the land. These leases would be for a time period of 99 years.</p> <p>In December 2008, the City of Miami Commission approved lease agreements with MAM and MSM for their respective parcels. Each lease is for a 99 year term. However, the leases are conditioned upon approval of the Master Development Agreement (MDA) and the Environmental Remediation Agreement (ERA).</p> <p><i>Currently, the leases <u>do not meet</u> the criteria for waiving site control requirements (Site control AO). Nonetheless, County staff wishes to waive site control with the justification that the MDA will be finalized in February 2009 and the ERA will be finalized in July 2009.</i></p> <p><b>Private Sector Funding affecting Public Sector Funding</b></p> <p>Public sector funding would not be jeopardized nor would the County be responsible for any cost overruns if Private funding was not realized. In order for MAM or MSM to secure a contract for construction of the museum the private sector funding needs to be in place. Construction site work cannot start without a contract.</p> <p><b>Museum Park Development</b></p> <p>The Museum Park Development is a City of Miami project that includes the redevelopment of Bicentennial Park. The 29-acre Bicentennial Park will provide for specific locations for the MAM and MSM (4 acres for each Museum). BBC/GOB funds will only be used for the Museums and not for the remaining 21-acre park redevelopment.</p> <p>CRA funds are not to be used for the museums.</p> <p>CRA funds are not to be used for the park redevelopment, unless otherwise approved by the BCC.</p>	