



**CITIZENS' ADVISORY COMMITTEE
AGENDA**

**September 7, 2010 8:30 AM – 10:00 AM
SPCC Building – 12th Floor – Conference Room 12A**

<u>Item</u>	<u>Presenter</u>
I. Welcome & Introductions	Chairwoman Reiter
II. Approval of Minutes	Chairwoman Reiter(FA)
A. 6/10/2010	
III. Significant Modifications/Additions & Deletions	
A. Ives Estates District Park/Florida Memorial University	George Navarrete (FA)
B. Military Museum – District 9	George Navarrete (FA)
IV. GOB 3 rd Quarter Progress Report	George Navarrete (FA)
V. Other Items	
A. Affordable Housing Allocation – District 12	George Navarrete (FA)
B. West Perrine Park – District 9	George Navarrete (FA)
C. Westchester Community Arts Center – District 10	George Navarrete (FA)
D. Historic Preservation Fund RFP – District 8	George Navarrete (FA)
E. Affordable Housing Allocation – District 4	George Navarrete (FI)
F. Revision of GOB Administrative Rules – Soft Costs Language	George Navarrete (FA)
VI. Other Business	
A. Marlins Ballpark Stadium	
VII. Public Comments	

FA – For Action FI – For Information

Next CAC Meeting Date – November 15, 2010

**Building Better Communities (BBC)
GOB Citizens' Advisory Committee**

June 10, 2010

8:30 A.M.

22nd Floor Rear Conference Room

Committee members: Robin Reiter-Faragalli, Barbara Bisno, Dr. Jay Hess, Guy Forchion, Wendell James, Ernesto Martinez Jr., Ann Pope, Jose "Pepe" Riesco, Mary Scott Russell.

Others present: Merci L. Rodriguez (Mayor's Office); George Navarrete (OCI); Roslyn Alic-Batson (OCI); Gerry Heffernan (CAO); Frank Barriga (OCI); Marlen Brant (OCI); Angus Laney (MDPR);

Attendees: Brandan DeCaro (City of Miami Gardens); Jose Garcia (MAM); Geri Keenan (CAO); Monica Rizo (CAO); Aleida Arrazcaeta (OCI); Alex Peraza (DCA) .

I. Welcome and Introductions	
Discussion:	The meeting was called to order at 8:34 a.m. by Chairwoman Robin Reiter-Faragalli. She thanked members for attending the meeting.
II. Approval of Minutes	
	The Chairwoman asked for a motion to approve the minutes of May 3, 2010. Motion to accept minutes of May 3, 2010 made by Ann Pope, seconded by Dr. Jay Hess. Motion carried.
III. Significant Modifications/Additions and Deletions	
Discussion:	<p>The Chairwoman asked Mr. George Navarrete for a status update on the list that was presented to the Committee at their last meeting May 3, 2010. Mr. Navarrete responded that the County Manager would like to present the list to the Board of County Commissioners before the summer break at the end of July 2010. She suggested that, at some point, the Committee will appreciate at some point knowing the outcome.</p> <p>A. GOB Project 317 – Parks Improvement in District 1 Mr. Navarrete reported that this item was presented to Board Committee of jurisdiction on Monday, June 7, 2010 and the project is located in Commission District 1. This significant modification changes the designation from Countywide park improvement to District 1 park improvements and provides improvement to two parks in the City of Miami Gardens. Motion to approve staff recommendation made by Dr. Jay Hess, seconded by Ann Pope. Motion carried.</p> <p>B. Tropical Park Equestrian Center – District 10 Mr. Navarrete reported that this item, which was presented to the Board Committee of jurisdiction on Monday, June 7, 2010 and sponsored by Senator Souto, directs the administration to fund the Ronald Reagan Equestrian Center with an allocation of \$10 million from the next bond sale. The Chairwoman asked what the staff recommendation on this item is. Mr. Navarrete responded that he was asked the same question at Committee and that he agreed with the County Manager that we should wait for the bond sale list to be finalized so staff can have a better idea of the impact of the items that will be deleted from the proposed list. Ms. Russell stated that she is confused and still is not sure what the recommendation is on this item. Ms. Pope wanted to know what project is being taken off the list to accommodate the Equestrian Center. The Chairwoman asked where the Equestrian Center was planned in the Program. Mr. Navarrete responded that this project was projected to be funded in the future after the 2015 gap. Ms. Bisno asked if the additional projects are going to be included with the retooling of the list to adjust for a higher millage rate. Mr. Forchion asked what the proposed changes in millage rates are that staff is looking at and how much money will it generate. Mr. Navarrete responded that the current millage rate is .285%, with the next increase estimated to be .39% which is the assumed rate for next year and .445% after that. The anticipated dollars expected to be generated would be approximately \$10 million. Assistant County Attorney Gerald Heffernan stated that the CAC is making recommendations and</p>

	<p>the Board will make the final determination. Ms. Bisno asked if there was a staff recommendation for this project. Mr. Navarrete responded that the Administration would prefer to present the list without having specific Commissioners add projects in a piecemeal fashion. Ms. Russell asked if the CAC can take a stand and state that the CAC would not make recommendations until a final list is presented. A motion that the CAC not vote on any individual projects until the entire list for the next two bond sales is established and that the CAC will review the list and recommend to the Commission, made by Dr. Hess, seconded by Mary Scott Russell. Motion carried.</p> <p>C. History Miami (F/K/A) Historical Museum of Southern Florida This item was withdrawn from the agenda.</p> <p>D. City of West Miami – District 6 Mr. Navarrete reported that this item adds \$100,000.00 to the City of West Miami in addition to the \$1 million already allocated. District 6 has a \$15 million dollar allocation for multi-purpose projects. The District Commissioner has made the following allocations: The City of Miami Springs - \$2 million, City of West Miami - \$1 million, City of Hialeah - \$3.5 million and City of West Miami with this item an additional allocation of \$100,000. The District 6 multi-purpose project has a remaining balance of \$8.4 million. Motion to accept staff recommendation made by Mr. Jose “Pepe” Riesco, seconded by Ms. Mary Scott Russell. Motion carried.</p>
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IV. Commission Sponsored Items

<p>Discussion:</p>	<p>A. Caribbean Boulevard Housing Project – District 9 Mr. Navarrete reported that this item approves the allocation for District 9 from GOB Project No. 249 of \$5 million to fund construction of a portion of multi-family affordable rental units to be located at the Caribbean Boulevard site.</p> <p>B. Caribbean Blvd./Northside Site Developers – Districts 9 and 2 Mr. Navarrete reported that this item approves the selection of the developers for the GOB Northside Metrorail Station (Northside) and Caribbean Boulevard Sites to build multi-family, mixed income and mixed use affordable rental housing on two County owned sites. The Developer for Northside is Carlisle Development Group, LLC and Caribbean Village, Ltd., (Pinnacle Housing Group) for the Caribbean Boulevard site.</p> <p>C. Lake Vue Oasis Project – District 1 Mr. Navarrete reported that this item went to the Board before and this new item amends the previous resolution to change the language from a loan to a grant of \$3,092,377.63 for District 1 affordable housing funds. This item also approves the agreements with the developer, UDG III Oasis.</p> <p>D. Blue Lakes/Vanguardian Village Projects - District 10 Mr. Navarrete reported that this item rescinds a previous allocation of \$2.5 million from Project 249 to Blue Lakes Trailer Park and adds that allocation of \$2.5 million to Vanguardian Village Projects.</p>
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V. Other Business

<p>Discussion:</p>	<p>Mr. Navarrete stated that he has responses to the questions that were asked at the last CAC meeting. The Chairwoman stated that at the last meeting the Committee gave a conditional approval of the Historic Glenn Curtiss Mansion restoration project, subject to approval by the Dade Heritage Trust. A letter from the Dade Heritage Trust signed by Becky Roper Matkov addressed to County Manager George Burgess stated that on May 26, 2010 the Dade Heritage Trust voted to endorse the \$1 million allocation of GOB Historic Preservation Funds to the Historic Glenn Curtiss Mansion Restoration Project.</p> <p>Mr. Navarrete stated there are some other items to update the Committee on.</p> <ul style="list-style-type: none"> • There was a question about the Cultural Plaza design and whether the owner (the County) can alter the design. After consultation with the County Attorney’s Office, there is no known provision that would prevent the owner from altering the design. • Another question was whether there is federal funding to match the GOB funding for the
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	<p>public housing projects. The answer is that there are no federal funds going towards the public housing projects.</p> <ul style="list-style-type: none"> • The other item is the Miami River Greenway Funding issue. Other funding was identified so the GOB funding for the Greenway Project will not be used, so this item is closed. • Lastly, the question regarding who is the stakeholder for the Virginia Key Beach Park the City of Miami or the Virginia Key Beach Park Trust was answered. The City of Miami is listed as the stakeholder for the Virginia Key Beach Park but staff will revisit this issue again when presented with the interlocal agreement for this project.
VI. Public Comments	
Discussion:	<p>There being no public comments and any other business, the Chairwoman thanked everyone for attending the meeting. Meeting adjourned at 9:18 a.m.</p>

Next CAC Meeting Date September 7, 2010

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO.

RESOLUTION APPROVING SIGNIFICANT
MODIFICATION OF BUILDING BETTER COMMUNITIES
GENERAL OBLIGATION BOND PROGRAM PROJECT NO.
18 - "IVES ESTATE DISTRICT PARK" IDENTIFIED IN
APPENDIX A TO RESOLUTION NO. R-913-04 TO REDUCE
ITS ALLOCATION AND ADDITION OF PROJECT NO. 123.1
- "FLORIDA MEMORIAL UNIVERSITY MULTI-PURPOSE
ARENA" TO APPENDIX A TO RESOLUTION NO. R-913-04
TO BE FUNDED FROM PORTION OF PROJECT NO. 18
ALLOCATION AFTER PUBLIC HEARING; AND WAIVING
REQUIREMENTS OF IMPLEMENTING ORDER 3-47
REGARDING ADDING NEW PROJECTS TO BUILDING
BETTER COMMUNITIES GENERAL OBLIGATION BOND
PROGRAM USING SURPLUS FUNDS

WHEREAS, pursuant to Resolution No. R-913-04 (the "Parks and Recreational Facilities Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000 to construct and improve neighborhood and regional parks and other recreational areas, including gymnasiums; and

WHEREAS, Appendix A to the Parks and Recreational Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Parks and Recreational Facilities Resolution and approved by the voters for funding is Project No. 18 - "Ives Estate District Park" with an original allocation of \$20,000,000 ("Project No. 18") and located in District 1; and

WHEREAS, as one of Florida's oldest academic institutions, Florida Memorial University (the "University") located in District 1 has a long history and commitment to the free exchange of ideas, the pursuit of knowledge, and the ongoing transmission of African-American history and culture; and

WHEREAS, the University plans to construct a multi-purpose event arena at a cost between \$7,000,000 (the "Arena") on its campus through a collaborative effort involving the University, Miami-Dade County (the "County") and private sources; and

WHEREAS, the Arena would provide significant benefits to the citizens of the County by providing a place for recreational, cultural, and educational activities, as well as serve as a venue for community high school and intercollegiate sports competition and other uses by the public; and

WHEREAS, given that there is no such facility available to citizens living in the Northwest area of the County and the cities of Miami Gardens, Opa-Locka, and Miami Lakes, the areas which would receive the most direct benefit from the construction of the Arena, it would be a public purpose and in the best interest of the County to financially contribute towards the construction of the Arena; and

WHEREAS, the Arena qualifies as a gymnasium open to public use and therefore, is eligible for funding pursuant to the Parks and Recreational Facilities Resolution; and

WHEREAS, it has been determined that only \$13,000,000 of the allocated amount of \$20,000,000 is needed to fund Project No. 18; and

WHEREAS, this Board wishes to approve a significant modification to Project 18 to reduce its allocation from \$20,000,000 to \$13,000,000 and to allocate the \$7,000,000 no longer needed for Project No. 18 to a new project to be added to Appendix A to the Parks and

Recreational Facilities Resolution as Project No. 123.1 and entitled “Florida Memorial University Multi-Purpose Arena”; and

WHEREAS, in accordance with Implementing Order 3-47 (“IO 3-47”), the \$7,000,000 no longer needed for Project No. 18 are deemed “Surplus Funds”; and

WHEREAS, IO 3-47 sets forth a process for the allocation of Surplus Funds (as such term is defined in IO 3-47) to existing and new BBC Program projects; and

WHEREAS, in order to add the Arena as a new project to Appendix A to the Parks and Recreational Facilities Resolution, this Board wishes to waive the requirements of IO 3-47 regarding the addition of new projects to the BBC Program using surplus funds,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution by reference.

Section 2. The significant modification of Project No. 18 to reduce its allocation from \$20,000,000 to \$13,000,000 after a public hearing is approved. Appendix A to the Parks and Recreational Facilities Resolution shall be amended accordingly.

Section 3. The addition of Project No. 123.1 - “Florida Memorial University Multi-Purpose Arena” with an allocation of \$7,000,000 after a public hearing is approved. Appendix A to the Parks and Recreational Facilities Resolution shall be amended to add the following information at the end of Appendix A: (a) under the column titled “Project Number” add “123.1”; (b) under the column titled “Municipal Project Location” add the word(s) “City of Miami Gardens”; (c) under the column titled “BCC District” add the number “1”; (d) under the column titled “Project Name” add the words “Florida Memorial University Multi-Purpose Arena”; (e) under the column titled “Project Description” add the words “construct a state of the

art athletic and recreational gymnasium including basketball courts and related seating, track, weight and training rooms, locker rooms, dance/exercise room, meeting and lecture rooms and related offices to be open to the public”; (f) under the column titled “Street Address” add the following: “15800 NW 42nd Street, Miami Gardens”; and, (g) under the column titled “Allocation (000s)” add “7,000”.

Section 3. This Board hereby waives the requirements of IO 3-47 regarding the addition of new projects to the BBC Program using surplus funds, including the requirement that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all projects has been identified to the satisfaction of the Board.

The Prime sponsor of the foregoing resolution was Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this _____, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. _____

Gerald T. Heffernan

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
4-6-10

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT
MODIFICATION TO BUILDING BETTER COMMUNITIES
GENERAL OBLIGATION BOND PROGRAM PROJECT NO.
293 - "HISTORIC PRESERVATION FUND", AS IDENTIFIED
IN APPENDIX A TO RESOLUTION NO. R-919-04 TO
ALLOCATE \$1,000,000 TO FRIENDS OF THE MILITARY
MUSEUM OF SOUTH FLORIDA AT NAS RICHMOND, INC.
TO FUND WORK TO RICHMOND NAVAL AIR STATION
AFTER PUBLIC HEARING; WAIVING ADMINISTRATIVE
RULES CONTEMPLATING COMPETITIVE PROCESS; AND
AUTHORIZING COUNTY MAYOR OR MAYOR'S
DESIGNEE TO EXECUTE INTERLOCAL COOPERATION
AGREEMENT AND TO DISBURSE FUNDS AFTER
SATISFACTION OF CONDITIONS PRECEDENT

WHEREAS, Appendix A to Resolution No. 919-04 (the "Cultural Facility Resolution"), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Cultural Facilities Resolution and approved by the voters for funding is Project No. 283 - "Richmond Naval Air Station – Building 25" with an allocation of \$2 million and a project description that states: "Relocate this historic structure to a location near Miami MetroZoo and complete its rehabilitation as a military museum and memorial. Building 25 is the last remaining wood frame building of the Richmond Naval Air Station, which served as control base for blimps that protected the South Florida coastline during World War II and as a CIA base during the Cuban Missile Crisis. Through the Office of Historic Preservation" (the "Military Museum"); and

WHEREAS, also listed in Appendix A to the Cultural Facility Resolution and approved by the voters for funding is Project No. 293 – “Historic Preservation Fund” (“Project No. 293”), a Countywide fund with an allocation equal to \$10,000,000 and a project description that states: “[e]stablish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000 and \$3 million to fund the Miami Marine Stadium”; and

WHEREAS, all additions, deletions and significant modifications to individual projects or to Appendix A to the Cultural Facility Resolution require a majority vote of the Board after a public hearing; and

WHEREAS, this Board wishes to approve a significant modification to Project No. 293 to change the Project Description to add a \$1 million allocation to complete the restoration of the Military Museum such that the new Project Description would read as follows: “[e]stablish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000, \$3 million to fund the Miami Marine Stadium and \$1 million to fund the restoration of the Military Museum”; and

WHEREAS, this significant modification to Project No. 293 would add the Military Museum, a facility designated by the Miami-Dade County Board of Historic Preservation as a historic site, as eligible for funding and would allocate \$1 million of Project No. 293 BBC Program funds to its historical preservation; and

WHEREAS, these funds would complement additional funding for the restoration of Military Museum provided by BBC GOB Project No. 283- “Richmond Naval Air Station – Building 25”; and

WHEREAS, the Administrative Rules governing the BBC GOB Program contemplate that the award of Project No. 293 funds to an eligible project be made pursuant to a competitive process even though such a process is not legally required; and

WHEREAS, because a competitive process is not currently contemplated, this Board wishes to award \$1 million from Project No. 293 BBC GOB Program funds to the Military Museum without a competitive process; and

WHEREAS, this Board wishes to authorize the execution of an Interlocal Cooperation Agreement with the Friends of the Military Museum of South Florida at NAS Richmond, Inc. (the “Grantee”) and the disbursement of BBC GOB Program funds for this purpose only after the satisfaction of certain conditions precedent,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby approves the significant modification to Project No. 293, identified in Appendix A to Resolution No. R-919-04, after a public hearing to change the Project Description to read as follows: “Establish a facilities preservation fund to provide

emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000, \$3 million to fund the Miami Marine Stadium, and \$1 million to fund the restoration of the Military Museum.”

Section 3. This Board waives the Administrative Rules governing the BBC GOB Program that contemplate the award of Project No. 293 funds to an eligible project pursuant to a competitive process and awards \$1 million from Project No. 293 BBC GOB Program funds to the restoration of the Military Museum without a competitive process.

Section 4. Notwithstanding the authority delegated to the County Manager pursuant to Resolution No. R-595-05, this Board hereby authorizes the County Mayor or the Mayor’s designee to execute an Interlocal Cooperation Agreement(s) and to disburse BBC GOB Program funds to fund the restoration of the Military Museum only after the satisfaction of all of the following conditions precedent: (a) the Grantee shall submit a plan for the funding of all design and construction costs associated with the complete restoration of the Military Museum (the “Project”), including identification of all funding sources and written commitments from third parties, if any, and the Grantee covenants and warrants that it has, in combination with the Project No. 293 \$1 million allocation, the amount of funding necessary to complete the Project; (b) the Grantee shall submit a plan for the funding of future operating costs of the Project; and (c) Project No. 293 must be listed as a project eligible for funding in one or more BBC GOB Program bond series resolutions. The Interlocal Cooperation Agreement shall provide that the

Project No. 293 \$1 million allocation shall be used to fund the last \$1 million of construction costs necessary to complete the Project.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|----------------------|---------------------------------|
| | Dennis C. Moss, Chairman |
| | Jose "Pepe" Diaz, Vice-Chairman |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorrin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this _____ day of _____, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. _____

Geri Bonzon-Keenan

Memorandum



Date:

To: Honorable Chairman Dennis C. Moss and
Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: *Building Better Communities* General Obligation Bond Program Quarterly Progress
Report – 3rd Quarter FY 2009-10 (April 1, 2010 – June 30, 2010)

The following report provides an update on the *Building Better Communities* General Obligation Bond Program (GOB) for the period from April 1, 2010 through June 30, 2010. During this time span, we continued with ongoing bond projects now underway at 353 project sites throughout Miami-Dade. These projects are playing a critical role in revitalizing our economy and job market, providing opportunities at a time when private investment is slow. They also help fulfill the program's long-term goal of building the infrastructure for Miami-Dade County's future.

As you know, current economic conditions, consequent impacts to the tax roll and the current countywide debt service millage of 0.285 have significantly impacted the County's bonding capacity. Based on these constraints, as well as on current project status and potential operational budget impacts, the Office of Capital Improvements (OCI) and the Office of Strategic Business Management (OSBM), with input from stakeholders, developed a proposed list of projects to be funded from the next two bond sales. This list was distributed to Board members in early July 2010. This preliminary list included projects that could be funded from the next two bond sales under three different millage scenarios. We will work with the Board and all stakeholders to prepare the final list of projects for the next bond sale, which is currently scheduled for December 2010. This final recommended list of projects will be presented to the Board for approval in the fall of 2010.

Below are highlights of the program during this period including cumulative information (See Attachment 1).

OVERALL PROGRAM OVERVIEW

Description	Activity This Period	Cumulative Activity
Design and Construction Contracts Awarded	\$1.1 million	\$209.2 million
Municipal Agreements Executed	\$4.4 million	\$139.4 million
Property Acquisitions	\$0	\$69 million
Agreements Executed or In-Progress with Not-for-Profit Organizations	\$0	\$41.3 million
Agreements Executed or in Progress with Not-for-Profit Community Based Organization Grant Fund (NFP Fund)	\$8 million	\$22 million

A total of 353 individual project sites (County departments, municipal and not-for-profit projects) are in various stages of development, with 306 (87 percent) of these sites proceeding on-schedule. Total GOB expenditures to date for all bond series (Series 2005A, Seaport Tunnel, Series 2008B/B1 and Marlins Ballpark) are approximately \$673 million. As of this reporting period, the entire \$147.1 million from the first tranche of the current bond sale (Series 2008B/B1 – valued at approximately \$349 million total) has been spent. Further, \$99.5 million of the second tranche (valued at approximately \$201.7 million) has also been spent bringing the overall total spent from the current Series 2008B/B1 bond sale to \$246.6 million. Also, as of the end of this reporting period, the \$50 million in GOB funds allocated for the Marlins Ballpark has been spent.

COUNTY PROJECTS

County projects are continuing to progress through various stages of development including design, construction and property acquisition (See Attachment 2). During this period, 283 individual County project sites were in various stages of development, with 238 (84 percent) of these sites proceeding on schedule.

MUNICIPAL PARTICIPATION

There were four municipal agreements for \$4,395,000 executed this period, one each with the Cities of West Miami and Surfside and two with Miami Springs. The total value of municipal agreements fully executed to date is \$139.4 million.

NOT-FOR-PROFIT PARTICIPATION (INCLUDING CULTURAL AFFAIRS PROJECTS)

No not-for-profit grant agreements were executed this reporting period. The total value of grant agreements executed to date with not-for-profit organizations remained \$41.3 million. This \$41.3 million does not include agreements executed as part of the Not-for-Profit Community Organization Capital Grant Fund (NFP Fund) discussed below.

NOT-FOR-PROFIT COMMUNITY ORGANIZATION CAPITAL GRANT FUND

No agreements were executed this period related to the 37 grant allocations, awarded by the Board in July 2007, as part of the \$30 million NFP grant fund. To date, 30 NFP Fund agreements have been executed with a total value of \$22 million. The remaining seven agreements, worth approximately \$8 million, are in various stages of processing. OCI is working with stakeholders for these projects to complete the funding process that includes receipt of stakeholder information, internal staff due-diligence review and final approval process. As of the end of this reporting period, 12 NFP Fund projects have been completed. They are the United Way Center for Excellence in Early Education, Galata Intergenerational Recreational Community Center, WDNA Community Public Radio Station Building, Association for the Development of the Exceptional Adult Day Training Center, Jewish Museum of Florida, Daily Bread Food Bank, Albert C. Pierre Community Services Center, Tropical Audubon Society Roof Replacement, Sunrise Community Adult Training Center, the Miami Hispanic Ballet Theater (property purchase), YMCA Daycare & Wellness Center and Citizens for a Better South Florida (property purchase).

SURPLUS FUNDS (NET INTEREST INCOME AND UNALLOCATED PROCEEDS) AND OTHER SOURCES OF FUNDS

Implementing Order (IO) No. 3-47 established the process for the allocation of surplus funds from the BBC-GOB and was approved by the Board on March 17, 2009. This IO requires that activity on the following three items be reported to the Board on a quarterly basis:

1. CASH FLOW REVISIONS (SERIES 2008B and B-1 Bond Sales)

IO No. 3-47 defines a cash flow revision as an amendment to a project's original expenditure timetable approved by the Board for funding from a particular bond sale provided such change does not increase the total allocation approved by the voters for a specific project. This period, OCI administratively approved approximately \$11.7 million in cash flow revisions from the second tranche (\$201.7 million) of the Series 2008B/B1 bond sale (valued at approximately \$349 million total) to the benefit of 44 project sites (See Attachment 3).

FUNDING ACCELERATIONS

IO No. 3-47 defines acceleration as the addition of a new project to the list of projects approved by the Board for funding from a specific bond sale. This period, there were no accelerations processed for Board approval under IO No. 3-47.

2. GOB NET INTEREST INCOME AVAILABLE

IO #3-47 defines net interest income as interest earnings on unspent bond proceeds that accrue from the time bonds are sold to the time the bond proceeds are spent, less administrative expenses and any arbitrage liability set-asides. At the time covered in this report, the unallocated BBC-GOB interest was \$1.15 million.

SIGNIFICANT MODIFICATIONS

Significant modifications approved this period included the following:

- Significant modification to Project No. 317 – “Parks Improvements in District 1” changing the municipal project location from “CW” (countywide) to “Miami Gardens.” Approved by the Board on July 8, 2010.
- Significant modification to Project No. 322 - “Northside Police Station” and Project No. 44 - “Trail Glades Range” approving the use of \$1,100,000 in interest proceeds previously approved for Project No. 322 to fund budget shortfalls in Project No. 44. Approved by the Board on July 8, 2010.
- Significant modification to Project No. 293 – “Historic Preservation Fund” revising the project description to include the Curtiss Mansion as a project to be funded out of Project No. 293 and allocating \$1 million from Project No. 293 to fund the restoration of the Curtiss Mansion. Approved by the Board on July 8, 2010.
- Significant modification to Project No. 92 – “Arcola Lakes Park Senior Center” to increase its project allocation from \$6,000,000 to \$6,300,000 using \$300,000 in GOB interest income to fund the budget shortfall. Approved by the Board on June 3, 2010.
- Significant modification relocating Project No. 286 – “Westchester Arts Center” from Tamiami Park to Tropical Park and increasing the allocation for Project No. 286 from \$4 million to \$8 million with funds transferred from Project No. 292 – “Miami-Dade County Auditorium. Approved by the Board on June 3, 2010.
- Significant Modification to Project No. 251 – “Florida Memorial Head Start Center” and Project No. 300 – “Regional Head Start Center” decreasing the allocation for Project No. 251 from \$160,000 to \$24,154 and transferring the remaining balance of \$135,846 to Project No. 300 – “Regional Head Start Center” thereby increasing its allocation from \$5,900,000 to \$6,035,846. Approved by the Board on April 20, 2010
- Significant modification to Project No. 293 – “Historic Preservation Fund” revising the project description to include the Miami Marine Stadium as a project to be funded out of Project No. 293 and allocating \$3 million from Project No. 293 to fund the restoration of the marine stadium. Approved by the Board on April 6, 2010.

PUBLIC OUTREACH EFFORTS

This period, two public outreach events were held. They were the groundbreaking for the Lyric Theater and the check presentation ceremony for the Citizens for a Better South Florida property purchase. In the upcoming months, staff will be involved in public outreach efforts geared towards providing information to the public on the proposed projects that will be funded from the next two bond sales.

CITIZENS ADVISORY COMMITTEE (CAC)

Three CAC meetings and one project subcommittee meeting were held during this reporting period. At the April 12, 2010 CAC meeting, the Committee discussed the list of projects to be presented for the next two bond sales and the GOB Economic Development Fund Administrative Rules. Subsequently, a project subcommittee meeting was held on April 19, 2010 to discuss the revised list of projects for the next two

bond sales. At this meeting, the subcommittee endorsed the process utilized by staff to identify the projects for the next two bond sales. At the May 3rd, 2010 CAC meeting, the Committee also endorsed the process utilized by staff to identify the projects for the next two bond sales. The Committee also approved recommended significant modifications to several projects such as the Historic Curtiss Mansion and the Arcola Lakes Senior Center. At the June 10, 2010 CAC meeting, the Committee approved recommended significant modifications to several projects such as Parks Improvements in District One and the City of West Miami Recreation Center.

SERIES 2008B/B1 BOND SALE

Financial markets necessitated that the County sell its 2008/2009 series of bonds in groups (called tranches) rather than a single sale, as was done with the initial 2005 bond sale. The first tranche (\$147.1 million) of the approximately \$350 million Series 2008B/B1 bond sale was sold on December 11, 2008. The second tranche (\$201.7 million) was sold on March 12, 2009 thereby completing the series. These bonds have funded GOB projects over the past year and one-half and will continued funding projects this year with the largest portion of the sale (81 percent) slated for ongoing work funded in the initial 2005 bond sale. The entire amount from the Series 2008B/B1 bond sales is expected to be spent by the end of this calendar year.

FUTURE BOND SALES

During this period, staff, working together with OSBM and the various stakeholders, evaluated the status of the projects in the GOB Program, their operational budget impacts and various millage rate scenarios as part of the development of the list of projects that are proposed for funding from the next two bond sales. The County Executive Office has been directly overseeing this process. As indicated above, this list has been distributed to the Board and will be finalized during the upcoming quarter in preparation for the next bond sale scheduled for later this year.

CONCLUSION

The GOB Program continues to be a resounding success as reflected by the continued progress during this reporting period with improvement projects, both large and small, moving forward in neighborhoods throughout Miami-Dade. As mentioned previously, a combined total of nearly \$673 million from all the GOB bond series has been spent to date, including approximately \$246.6 million from the current Series 2008B/B1 bond sale. These expenditures have undoubtedly had a mitigating impact on the local economy and, specifically, on the construction industry, which has been especially affected by the current economic conditions. The County is poised to continue spending funds from the second tranche of the Series 2008B/B1 sale during the remainder of 2010.

If you have any questions regarding this report, please contact George Navarrete, Director, Office of Capital Improvements, at (305) 375-2736 or me directly.

Attachments

c: Honorable Carlos Alvarez, Mayor
Robert A. Cuevas Jr., County Attorney
Ysela Llort, Assistant County Manager
George Navarrete, Director, Office of Capital Improvements
County Executive Office Senior Staff
Department Directors
Charles Anderson, Commission Auditor

MEMORANDUM

HCD
Agenda Item No. 2(A)

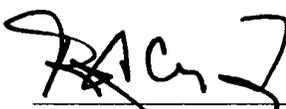
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 14, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving
agreements related to grant
in amount of \$10,592,307 for
District 12 to Consolidated
Real Estate Investment LLC
for development of 87
affordable elderly rental units
from BBC GOB Program 249

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 9, 2010

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
9-9-10

RESOLUTION NO. _____

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$10,592,307 FOR DISTRICT 12 TO CONSOLIDATED REAL ESTATE INVESTMENT LLC FOR DEVELOPMENT OF EIGHTY-SEVEN AFFORDABLE ELDERLY RENTAL UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP”; AND PROVIDING THAT FUNDING OF SUCH GRANT SHALL BE INCLUDED IN NEXT TWO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS

WHEREAS, pursuant to Resolution No. 136-10 adopted on February 2, 2010 (the “Allocation Resolution), this Board approved a District 12 allocation of \$10,592,307 from Project No. 249–“Preservation of Affordable Housing Units and Expansion of Home Ownership” of the Building Better Communities General Obligation Bond Program (the “BBC Program”) to Consolidated Real Estate Investment LLC (the “Developer”) to fund all or a portion of the construction of eighty-seven (87) affordable rental units, which will be LEED certified, for the elderly located in the vicinity of N.W.114 Avenue and N.W. 4th Terrace (the “Lil Abner Project”) subject to Board approval of the necessary documents; and

WHEREAS, this Board wishes to approve, as required by the Allocation Resolution, the necessary documents; and

WHEREAS, there is need to provide affordable elderly housing in District 12 as soon as it is practicable; and

WHEREAS, the Lil Abner Project will fill that need since it will be ready to commence construction once the underwriting report is received by mid-July and the construction period is estimated to take no longer than twenty-four months from then provided it obtains the grant as soon as possible; and

WHEREAS, there are no operating costs to the County associated with the Lil Abner Project since it will be owned and operated by the Developer; and

WHEREAS, it is anticipated that the County shall issue the next series of Building Better Communities General Obligation Bonds (the "Bonds") in the fall of 2010 and another series of Bonds in the fall of 2011; and

WHEREAS, it is the desire of this Board that the grant in the amount of \$10,592,307 to the Developer be included in the next two series of Bonds since it is ready to commence construction and there is no cost to the County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this Resolution and are approved.

Section 2. The Board approves the Development and Grant Agreement between the County and Consolidated Real Estate Investment LLC in substantially the form attached as Exhibit "A" to this Resolution (the "Grant Agreement") and the County Mayor or County Mayor's designee is authorized to execute the Grant Agreement on behalf of the County, subject to the County receiving a favorable underwriting report and any adjustments that need to be made in Grant Agreement and the Regulatory Agreement described below to reflect the findings of the report, after consultation with the office of the County Attorney.

Section 3. The Board approves the Rental Regulatory Agreement to be delivered by the Developer and recorded in the public records in substantially the form attached as Exhibit "B" to this Resolution (the "Regulatory Agreement") and the County Mayor or County Mayor's designee is authorized to execute the Grant Agreement on behalf of the County after consultation with the office of the County Attorney. Pursuant to the Regulatory Agreement, the Developer shall, among other provisions, develop eighty-seven (87) affordable rental units to be leased to elderly individuals with rents which are equal to or less than 30% of annual incomes for households at 60% of the area median income adjusted for size established by HUD (the "AMI"). The initial rental rate is anticipated to be \$660 per month for one bedroom units and \$792 per month for two bedroom units.

Section 4. Any grant proceeds that are reimbursed to the County pursuant to the Grant Agreement or the Regulatory Agreement shall be used solely for affordable housing in District 12.

Section 5. The funding of the grant in the amount of \$10,592,307 to Consolidated Real Estate Investment LLC shall be included in the next two series of Bonds scheduled to be issued in the fall of 2010 and the fall of 2011, respectively.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Gerald T. Heffernan

MEMORANDUM

RCT

Agenda Item No. 2C

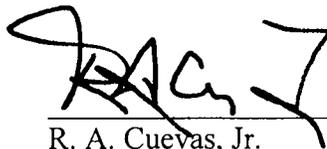
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 12, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing Mayor
to list BBC GOB Program
Project 106 – “West Perrine
Park” in series resolution as
eligible funding in next series
of BBC GOB

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsors Chairman Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/up

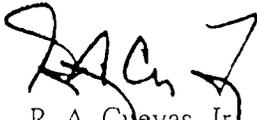


MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 9, 2010

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
9-9-10

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 106 – "WEST PERRINE PARK" IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS AND TO FUND \$4.5 MILLION FROM SUCH BOND PROCEEDS IN ORDER TO TIMELY DEVELOP AND CONSTRUCT THE WEST PERRINE FAMILY AQUATIC CENTER; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS; ADDING WEST PERRINE PARK TO LIST OF ECONOMIC STIMULUS PROJECTS PURSUANT TO COUNTY'S ECONOMIC STIMULUS PLAN

WHEREAS, pursuant to Resolution No. R-913-04 (the "Parks Facilities Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000 to construct and improve neighborhood and regional parks and other recreational areas; and

WHEREAS, Appendix A to the Parks Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond ("BBC GOB") Program by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Parks Facilities Resolution and approved by the voters for funding is Project No. 106 – "West Perrine Park," with a project description of "park improvements, which include an aquatic center, athletic fields and courts; vehicle and pedestrian circulation; landscaping and irrigation" and with an allocation of \$5 million; and

WHEREAS, \$4.5 million of the total allocation for Project No. 106 is to be used for the development and construction of the West Perrine Park Family Aquatic Center; and

WHEREAS, the West Perrine Park previously had a pool but it has been demolished; and

WHEREAS, the West Perrine area is a densely populated, low-income area; and

WHEREAS, currently the nearest Miami-Dade Park and Recreation Department pool is outside the desirable service area for the local community served by West Perrine Park; and

WHEREAS, the local community served by West Perrine Park has expressed interest in the speedy development of the Family Aquatic Center through local leisure interest surveys; and

WHEREAS, Florida had the highest unintentional drowning death rate of toddlers ages 1-4 in the United States in the 5 years between 1999 and 2003 and the third highest overall unintentional drowning death rate in the United States in the 5 years between 1999 and 2003; and

WHEREAS, the design documents for the West Perrine Family Aquatic Center have been completed and the project is ready to be advertised for construction bids; and

WHEREAS, this Board, on July 17, 2008, approved Ordinance 08-92 which established Section 2-8.2.7 of the County Code delineating the procedure for expediting projects under the County's Economic Stimulus Plan ("ESP"), including language specifying that the Board may, from time to time, by subsequent resolution, add or delete projects from the list of ESP projects; and

WHEREAS, this Board desires to add the West Perrine Family Aquatic Center located in District 9 to the list of ESP projects to be expedited under the ESP in order to implement such project as expeditiously as possible in order to stimulate the local construction industry; and

WHEREAS, this Board wishes to direct the County Mayor or Mayor's designee to list Project No. 106 in the next series resolution as a project eligible for funding, to fund the

development and construction of the West Perrine Family Aquatic Center in full in the amount of \$4.5 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby directs the County Mayor or Mayor's designee (i) to list Project No. 106 in the next series resolution as a project eligible for funding, (ii) to fund the development and construction of the West Perrine Park Family Aquatic Center in full in the amount of \$4.5 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and (iii) not to make any adjustments to said funding for any reason, including cash flow revisions authorized by Implementing Order No. 3-47, without this Board's prior approval.

Section 3. This Board hereby adds the West Perrine Family Aquatic Center located in District 9 to the list of ESP projects covered under the ESP and authorizes the County Mayor or Mayor's designee to exercise his authority under the ESP with respect to this project.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MR

Monica Rizo

RCT

MEMORANDUM

Agenda Item No. 2B

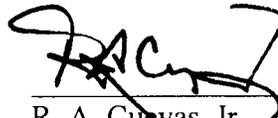
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 12, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing County Mayor
to list Building Better Communities
General Obligation Bond Program
Project No. 286 – Construction of
the Westchester Community Arts
Center

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 9, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
9-9-10

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 286 – "CONSTRUCTION OF THE WESTCHESTER COMMUNITY ARTS CENTER" IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS, TO FUND \$8 MILLION FROM SUCH BOND PROCEEDS IN ORDER TO TIMELY DEVELOP AND CONSTRUCT THE WESTCHESTER COMMUNITY ARTS CENTER AND TO CONTRACT WITH PROGRAMMING PARTNER FOR SUCH FACILITY; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS

WHEREAS, pursuant to Resolution No. R-919-04 (the "Cultural Facilities Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000 to construct and improve libraries, cultural facilities, and Head Start learning Centers; and

WHEREAS, Appendix A to the Cultural Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond ("BBC GOB") Program by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Cultural Facilities Resolution and approved by the voters for funding is Project No. 286 – "Construction of the Westchester Community Arts Center" ("Project No. 286") with a project description of "Construction of a community arts center to include Hispanic heritage programming space and a studio theater at Tropical Park" with an allocation of \$8 million; and

WHEREAS, this Board wishes to direct the County Mayor or Mayor's designee to list Project No. 286 in the next series resolution as a project eligible for funding, to fund the development and construction of the Westchester Community Arts Center at Tropical Park in full in the amount of \$8 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval; and

WHEREAS, this Board wishes to further direct the County Mayor or Mayor's designee to secure a programming partnership agreement with a programming partner that has experience in providing children's dance, musical and theatre in order for such programming partner to provide programming at the Westchester Community Arts Center,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby directs the County Mayor or Mayor's designee (i) to list Project No. 286 in the next series resolution as a project eligible for funding, (ii) to fund the development and construction of the Westchester Community Arts Center at Tropical Park in full in the amount of \$8 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and (iii) not to make any adjustments to said funding for any reason, including cash flow revisions authorized by Implementing Order No. 3-47, without this Board's prior approval.

Section 3. This Board directs the County Mayor or Mayor's designee to secure a programming partnership agreement with a programming partner that has experience in

providing children's dance, musical and theatre in order for such programming partner to provide programming at the Westchester Community Arts Center.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MR

Monica Rizo

MEMORANDUM

RCT

Agenda Item No. 2A

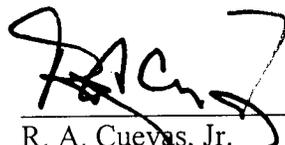
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 12, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County
Mayor to prepare RFP for
historic preservation properties
that qualify for funding from
Historic Preservation Fund

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 9, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
9-9-10

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE REQUEST FOR PROPOSALS FOR HISTORIC PRESERVATION PROPERTIES THAT QUALIFY FOR FUNDING FROM HISTORIC PRESERVATION FUND ESTABLISHED PURSUANT TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND APPROVING CERTAIN REQUIREMENTS TO BE INCLUDED IN REQUEST FOR PROPOSALS

WHEREAS, pursuant to Resolution No. R-919-04 ("Cultural, Library and Multicultural Education Facilities Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000 to construct and improve library, cultural and multicultural education facilities; and

WHEREAS, Appendix A to the Cultural, Library and Multicultural Education Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program ("BBC Program") by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Cultural, Library and Multicultural Education Facilities Resolution and approved by the voters for funding is Project No. 293 – "Historic Preservation Fund" with an original allocation of \$10 million ("Project No. 293"); and

WHEREAS, this Board has previously approved a significant modifications to Project No. 293 when it allocated \$3 million to the Miami Marine Stadium and will consider another significant modification to Project No. 293 in July which, if approved, will award \$1 million to

the Curtiss Mansion leaving \$6 million to be allocated by this Board to qualified historic preservation properties; and

WHEREAS, this Board wishes to direct the County Mayor or the County Mayor's designee to prepare a Request for Proposals (the "RFP") for the allocation of the remaining \$6 million to historic preservation properties that qualify for funding from Project 293 and to bring the RFP back to this Board for approval prior to publication; and

WHEREAS, to realize the greatest impact to its citizens and to carry out the will of the voters, this Board wishes to include certain requirements in the RFP,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board directs the County Mayor or County Mayor designee to prepare a RFP for the allocation of the remaining \$6 million to historic preservation properties that qualify for funding pursuant to Project 293 and to submit the RFP to this Board for approval before publication.

Section 3. The County Mayor or his designee is directed to include in the RFP, among other criteria, the following requirements: (i) each grant or loan to a selected qualified historic preservation property shall not exceed \$250,000 pursuant to the ballot question; (ii) only non-residential properties shall be eligible; (iii) any property that has received or will receive BBC Program funding under a different project designation is eligible, and (iv) funding shall be subject to the availability of BBC Program bond proceeds.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Gerald T. Heffernan

Memorandum



Date: July 8, 2010

Agenda Item No. 8(O)(1)(E)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Recommendation to Allocate \$10,529,307 of GOB Funds from Project No. 249 to Waterford I Associates, Ltd., to Authorize Negotiations with Waterford I Associates, Ltd., and to Authorize All Necessary Agreements for the Building Better Communities Obligation Bond Program for the Development of Multifamily Rental Housing On Privately Owned Land in Commission District 4

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) allocate \$10,529,307 of District 4 GOB Funds from Project No. 249 to Waterford I Associates, Ltd., and authorize staff to negotiate an agreement with Waterford I Associates, Ltd., the highest ranked applicant resulting from an evaluation/negotiation procedure approved by the Board through Resolution R-1336-09. This action rejected all applications received for a Consolidated Request for Applications (RFA) which was released on July 2, 2009, waived the bid protest and competitive bid requirements of the County Code, and authorized County staff to conduct an evaluation/negotiation with five applicants that submitted applications to the RFA. A copy of the Resolution and Supplement are attached.

PROJECT TITLE: Building Better Communities Obligation Bond Program for the Development of Multifamily Rental Housing On Privately Owned Land in Commission District 4.

DESCRIPTION: Request to allocate GOB District 4 GOB Project No. 249 Funds and negotiate an agreement with the highest ranked applicant for the development of a multifamily rental housing project in District 4.

PROJECT MANAGER: Leland Salomon, Director, GSA Real Estate Development Division

DPM AGENT/OFFICER: Andrew Zawoyksi, CPPO, Department of Procurement Management

DELEGATED AUTHORITY: If this item is approved, the County Mayor or County Mayor's designee will have the authority to negotiate an agreement which will be brought back to the Board for approval.

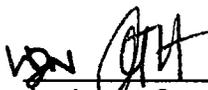
BACKGROUND

Resolution No. R-1374-08 was adopted by the Board on December 2, 2008, allocating \$10,529,307 of Building Better Communities GOB funds from Project No. 249 to fund the development of multi-family rental housing on privately owned land in Commission District 4. A Consolidated Plan RFA was released through the Department of Housing and Community Development in July 2009. Due to issues of concern with the process, the Board subsequently approved staff's recommendation to reject all applications submitted for the Commission District 4 Building Better Communities GOB portion of the FY 2010 Consolidated Plan Request for Applications (RFA) and enter into negotiations with all of the developers who submitted proposals in response to the solicitation.

As further detailed in the attached report, the Negotiation Committee has completed the process as outlined in the Supplement to Resolution R-1336-09 ("Supplement") approved by the Board on November 17, 2009. The Negotiation Committee determined that the structure of the financing, the adherence to the requirements of the RFA (specifically, proposing new construction, that the proposed rental units be built for work force renters, and maximizing the number of rental units towards the adjusted median income families as stated in the RFA, and four special needs groups); and being the most overall "ready" project, were important elements to making this recommendation. The Applicant proposes to build a mix of affordable rental townhomes and mid-rise apartment residences on the northeast corner of NE 26 Avenue and NE 195 Street in unincorporated Miami-Dade County. Additionally, the project proposes employing green practices and will seek LEED certification. The site is well located for the needs of affordable housing residents (bus stops, shopping and schools) and the site is zoned and ready for construction. A Phase 1 environmental study of the site has been completed with no further action required. The mix of two and three bedroom townhomes, along with one, two and three bedroom flats in the mid-rise residence will provide varied housing options. The proposed project will serve a mix of incomes from households that earn less than 30% of the area median income (AMI) to households that earn no more than 140% of the AMI. A minimum of 40% of the units will be set aside for households earning less than 60% of the AMI.

In order to proceed with this project, it is recommended that the Board allow staff to negotiate with Waterford I Associates, Ltd. Negotiations will include further review of the funding availability, a responsibility review, additional due diligence, and review of the underwriting capabilities. The resulting contract will be presented to the Board for approval.

Attachments



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 8, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(E)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(E)
7-8-10

RESOLUTION NO. _____

RESOLUTION TO ALLOCATE \$10,529,307 OF GOB FUNDS FROM PROJECT NO. 249 TO WATERFORD I ASSOCIATES, LTD., TO AUTHORIZE NEGOTIATIONS WITH WATERFORD I ASSOCIATES, LTD., AND TO AUTHORIZE ALL NECESSARY AGREEMENTS FOR THE BUILDING BETTER COMMUNITIES OBLIGATION BOND PROGRAM FOR THE DEVELOPMENT OF MULTIFAMILY RENTAL HOUSING ON PRIVATELY OWNED LAND IN COMMISSION DISTRICT 4, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AN AGREEMENT WHICH WOULD THEN BE PRESENTED TO THE BOARD FOR CONSIDERATION OF AWARD

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the allocation of \$10,529,307 of GOB funds from Project No. 249 to Waterford I Associates Ltd, and authorizes the County Mayor or County Mayor's designee to negotiate all necessary agreements for the Building Better Communities Obligation Bond Program for the development of multifamily rental housing on privately owned land in Commission District 4, which would then be presented to the Board for approval.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
8th day of September, 2010. This resolution shall become effective ten (10) days after
the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become
effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Brenda Kuhns Neuman

Memorandum



Date: April 20, 2010

To: George M. Burgess
County Manager

Thru: Miriam Singer, CPPO
Director
Department of Procurement Management 

From: Andrew Zawoyski, CPPO
Chief Negotiator
Chairperson, Negotiation Committee 

Subject: Report of Negotiation Committee for the Building Better Communities Obligation Bond Program for the Development of Multifamily Rental Housing On Privately Owned Land in Commission District 4

In accordance with the Board of County Commissioner's (Board) directive to reject all bids for the District 4 Building Better Communities General Obligation Bonds (GOB) portion of the FY 2010 Consolidated Request for Applications and commence negotiations with all proposers, the Negotiation Committee submits the following report.

Background: Resolution No. R-1374-08 was adopted by the Board on December 2, 2008, allocating \$10,529,307 of Building Better Communities GOB funds from Project No. 249 to fund the development of multi-family rental housing on privately owned land in Commission District 4. A Consolidated Plan Request for Applications (RFA) was released through the Department of Housing and Community Development in July 2009. Due to issues of concern with the process, the Board subsequently approved staff's recommendation to reject all applications submitted for the Commission District 4 Building Better Communities GOB portion of the FY 2010 Consolidated Plan RFA, and enter into negotiations with all of the developers who submitted proposals in response to the solicitation.

The Negotiation Committee has completed the process as outlined in Supplement to Resolution R-1336-09 ("Supplement") approved by the Board on November 17, 2009.

Committee meeting dates: December 21, 2009; January 8, 2010; January 15, 2010; January 29, 2010; February 3, 2010; February 22, 2010; and March 24, 2010.

This Report follows the procedures as outlined in the Supplement as follows:

1. A Negotiation Committee will be appointed by the County Manager.
 - The Manager issued a memo dated November 30, 2009 appointing a Negotiation Committee (see attachment A).
 - All members as presented in Attachment A participated and completed the process.

2. All applicants from the GOB portion of the Consolidated RFA were invited to a publicly noticed meeting.

- The meeting took place January 15, 2010 and all applicants were represented.
- The applicants were advised of the evaluation process.
- The applicants were provided an opportunity to submit questions and make comments.
- The applicants were asked to update their applications as follows:
 - A statement that the proposed application for the Source and Use of funds is still valid and feasible.
 - An updated Development Pro Forma.
 - An updated Operating Pro Forma.
 - A current valid funding commitment statement.
 - Updated financial statements.
 - An updated Development Timeline.
 - A list of any new projects the Applicant may have acquired.
 - Any and all updated Forms, as may be necessary.
- Submittals were due on January 22, 2010.

3. Applicants will be allowed to submit any subsequent comments or inquires on process

- The applicants were requested to submit any inquiries concerning the process by January 19, 2010.
- Inquiries were received from one applicant and responded to by the Committee on January 20, 2010.
- All applicants submitted updates as requested.

4. The Negotiation Committee will meet with each responding applicant individually

- The Negotiation Committee met individually with all applicants in alphabetical order on February 3, 2010.
- Applicants were requested to make a brief project presentation of their development and specifically to address the updates.
- The Negotiation Committee followed with questions of all applicants.

5. The Negotiation Committee will rank the applicants and make a best value recommendation

- The Negotiation Committee applied the criteria set forth in the adopted resolution and the criteria identified in the Consolidated RFA.
- The Committee did not use numerical scoring.
- The Committee identified criterion and the relative weight and importance of each.
- The Committee requested and reviewed information on the Applicants' Past Performance from the Department of Housing and Community Development.
- A Responsibility Review was conducted on all applicants, developers, management companies and their general contractors. No issues were found.
- All applicants, developers, management companies and general contractors were "goggled". No issues were found.
- All general contractors were checked against the County's Capital Improvements Information System (CIIS) database – no history was found on the general contractors.
- The Committee submits the following ranking and best value recommendation:

- Ranking from highest ranked to lowest ranked:
 1. Waterford I Associates, LTD
 2. Greynolds Commons, LTD
 3. Landings at Aventura, LTD
 4. Centennial Management Corp.
 5. ELCO Landmark Residential, Inc.

- Strengths and Weaknesses – are attached as part of the Consensus Statement.

As part of the updates received from the applicants, the Committee received two alternative proposals which requested additional General Obligation Bonds (GOB) dollars than what was previously submitted by two applicants. Greynolds Commons, LTD submitted an "alternate proposal" which requested 100% of the GOB dollars (they originally requested only 50%) and reduced the number of units from 150 to 100; and ELCO-Landmark Residential, Inc. submitted a request for an additional \$3 million in GOB funds. In following the guidelines stipulated in the Resolution R-1336-09 and Supplement, the Committee did not consider these two alternatives, since they felt these were new "proposals" and not updates.

6. County Manager's Recommendation

Based on the Negotiation Committee's ranking and best value recommendation, it is recommended that the County Manager recommend to the Board, negotiating with Waterford I Associates, Inc., subject to funding availability, additional due diligence, and underwriting capabilities.

Attachment

Approved



George M. Burgess
County Manager

5/27/10
Date

Not Approved



George M. Burgess
County Manager

Date



Negotiation Committee Results Memo

Building Better Communities Obligation Bond Program for the Development of Multifamily Rental Housing on Privately Owned Land in Commission District 4

The Negotiation Committee has completed the task of ranking the applicants and making a best value recommendation in regards to the Commission District 4 Building Better Communities GOB portion of the FY 2010 Consolidated Plan RFA. The Negotiation Committee identified the criteria (meeting the requirements of original RFA, financing, control of property, workforce, new construction vs. rehab, number of units, overall readiness, past performance, and cost per unit) and provides the following unanimous best value recommendation:

Waterford I Associates, LTD - The Negotiation Committee determined that the structure of the financing, the adherence to the requirements of the RFA (specifically, proposing new construction, the proposed rental units being built for work force renters, and maximizing number of rental units towards the adjusted median income families as stated in RFA, and four special needs groups); and being the most overall "ready" project, were important elements to making this best value recommendation. Additionally, the project proposes employing green practices, the site is well located for the needs of affordable housing residents (bus stops, shopping and schools) and the site is zoned and ready for construction (the site has a completed Phase 1 environmental study with no further action required). Additionally, during negotiations, the Applicant offered 22 additional units (from the original 50 units) for a total of 72 units. With the addition of the 22 units, the set aside requirements for households earning less than 30% of County's median income would be modified from 16% to 5% of the units, however, the property would still maintain, at a minimum, 40% of the units set aside for households earning less than 60% of the median income.

Strengths and Weaknesses

Waterford I Associates, LTD

Strengths:

- Financing Structure
- Units earmarked for Work Force Renters
- New Construction
- Meeting other RFA requirements
- Most "ready" project



MIAMI-DADE COUNTY, FLORIDA
Department of Procurement Management

Weaknesses:

- # of Units proposed is low
- Requesting 100% of GOB funding
- Cost per unit high
- Two projects with County were in Foreclosure proceedings (both have since been resolved)
- Inability to close on construction of two housing developments resulting in recapturing of loans.

Greynolds Commons, LTD

Strengths:

- # of Units proposed high
- New Construction
- Requesting only approximately 50% of GOB funds

Weaknesses:

- Financial Structure dependent on uncertain funding sources
- Cost per Unit Highest
- Units are not for Work Force Renters

Landings at Aventura, LTD

Strengths:

- New Construction
- Requesting only approximately 50% of GOB funds

Weaknesses:

- Financial Structure dependent on uncertain sources
- Cost per Unit High
- Units not for Work Force Renters

Centennial Management Corp.

Strengths:

- # of Units proposed
- Requesting only approximately 50% of GOB funds
- Cost per Unit Low
- Proposing to restore blighted property



MIAMI-DADE COUNTY, FLORIDA
Department of Procurement Management

Weaknesses:

- o Financial Structure dependent on currently unavailable sources
- o Units are not for Work Force Renters
- o Not new construction, rehabilitation of 40 year old structure

ELCO Landmark Residential, Inc.

Strengths:

- o # of Units proposed
- o Requesting only approximately 60% of GOB funds
- o Cost per Unit Low
- o Restoring Blighted Property

Weaknesses:

- o Financial Structure dependent on non-available sources
- o Units not for Work Force Renters
- o Not new construction, rehabilitation of 40 year old structure
- o Developer did not have documentation of site control

Wendi Norris, Director General Services Administration

A handwritten signature in black ink, appearing to read "Wendi Norris", written over a horizontal line.

David Raymond, Executive Director, Homeless Trust

A handwritten signature in black ink, appearing to read "David Raymond", written over a horizontal line.

Betty Alexander, Division Director, Small Business Development

A handwritten signature in black ink, appearing to read "Betty Alexander", written over a horizontal line.

George Nayarrete, Assistant Director, OCI

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Memorandum



Date: November 17, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Supplement to
Agenda Item No.
11(A)27

From: 
Carlos Alvarez
Mayor


George M. Burgess
County Manager

Subject: Recommendation to Waive the Competitive Process and Bid Protest Procedures conducted pursuant to Resolution R-1374-08 and Recommending Procedures for the Negotiations with Proposers from previous process

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the accompanying Resolution which will 1) waive all competitive bid procedures pursuant to 4.03(D) of the Home Rule Charter and Section 2-8.1 of the Miami-Dade County Code by a two-thirds vote of the Board members present, as being in the best interest of the County and 2) waive the bid protest procedures, pursuant to the requirements of Section 2-8.4 of the Miami-Dade County Code by a two-thirds vote of the Board members present, as being in the best interest of the County. Furthermore, it is recommended that the Board approve the procedures set forth in this memorandum for purposes of evaluating and presenting the Board with the best value proposal.

Background

Resolution R-1374-08, sponsored by Commissioner Sally Heyman, and adopted by the full Board on December 2, 2008, allocated \$10,592,307 of Building Better Communities General Obligation Bond (GOB) funds from Project 249 to fund the development of multi-family rental housing on privately owned land in District 4 through a grant pursuant to a Request for Proposals (RFP) that is subject to future Board approval. Furthermore, the Resolution requested that certain requirements and preferences be included as criteria in the RFP.

As part of the annual Consolidated RFA for federal, state, and local funding released by the Department of Housing and Community Development (DHCD), staff included the solicitation for District 4 GOB funds in an effort to expedite under one competitive process. Subsequent to its release, staff encountered technical issues with the GOB funding portion of the RFA. Staff believes that this competitive process for the GOB funding portion of the RFA needs to be rejected in order to address the technical issues and resume with a process to allocate GOB District 4 funds.

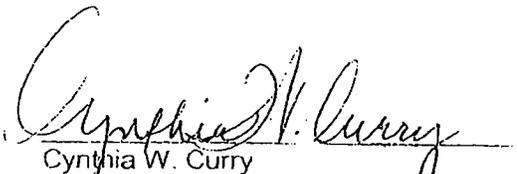
Procedures

The administration's professional recommendation as to the evaluation/negotiation process going forward is as follows:

1. A Negotiation Committee will be appointed by the County Manager, but subject to change as necessary. The team will consist of the Department Director, or designee, from the Department of Procurement Management (to serve as the Negotiation Team Chair), General Services Administration, Office of Capital Improvements, Homeless Trust, and Small Business Development. The negotiation team may consult technical advisors, as necessary.

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2. All applicants from the GOB portion of the Consolidated RFA will be invited to a publicly noticed meeting. At the meeting, the applicants will receive written notice of the evaluation process. The written notice will also include a request for updates to the developers' applications and other documentation the County may require with the date, time, and place that the response is due. Failure of the applicant to submit any required information will be taken into account in their ranking. Applicants will be allowed to comment on the process and ask questions at the meeting.
3. Applicants will be allowed to submit any subsequent comments or inquiries on the process in writing within a time period prescribed by the Department of Procurement Management (DPM). The Negotiation Committee reserves the right to make any modifications to the evaluation process which it determines are necessary to address any identified concern or which it otherwise determines to be in the best interest of the County in developing its best value recommendation. Any such modifications will be simultaneously communicated to all proposers in writing. DPM will respond to applicants' written inquiries, as necessary. The responses will be provided in writing to all applicants.
4. The Negotiation Committee will meet with each responding applicant individually, in alphabetical order, to conduct negotiations to determine which application offers Miami-Dade County the best value in advancing the interests and policies of Miami-Dade County. In making that determination, the Negotiation Committee will apply the criteria set forth in the adopted resolution and the criteria identified in the Consolidated RFA, but will not utilize numerical scoring. The relative weight and importance of each identified criterion shall be determined in the discretion of the Negotiation Committee and shall be explained in the written recommendation to be forwarded to the Board of County Commissioners.
5. The Negotiation Committee will rank the applicants and make a best value recommendation to include, at a minimum, the strengths/weaknesses of the applicants. The recommendation will be in writing and will contain a narrative explanation of the reasons for the recommendation and ranking. This recommendation will be forwarded to the County Manager through DPM.
6. Following review and evaluation, the County Mayor or the County Mayor's designee will submit a recommendation to the Board by no later than February 2010 for a) the allocation of District 4 GOB funding to the top ranked applicant, and b) the request to negotiate all necessary agreements, subject to funding availability and an underwriting review analysis.


Cynthia W. Curry
Senior Advisor to the County Manager

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA



MEMORANDUM

Agenda Item No. 11(A)(27)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 17, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution rescinding Resolution No.
R-1374-08; rejecting all bids for the
District Four (4) Building Better
Communities General Obligation
Bonds (GOB) portion of the FY 2010
consolidated request for applications

Resolution No. R-1336-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

A handwritten signature in black ink, appearing to read "RAC, Jr.", written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: November 17, 2009

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(27)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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Approved _____ Mayor

Agenda Item No. 11(A) (27)

Veto _____

11-17-09

Override _____

RESOLUTION NO. R-1336-09

RESOLUTION RESCINDING RESOLUTION NO. R-1374-08; REJECTING ALL BIDS FOR THE DISTRICT FOUR (4) BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS (GOB) PORTION OF THE FY 2010 CONSOLIDATED REQUEST FOR APPLICATIONS, ISSUED PURSUANT TO RESOLUTION NO. R-1374-08; WAIVING THE REQUIREMENTS OF SECTION 2-8.4 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO BID PROTEST PROCEDURES, AND SECTION 4.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO COMPETITIVE BID PROCEDURES, BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO ENTER INTO NEGOTIATIONS WITH ALL OF THE DEVELOPERS WHO SUBMITTED PROPOSALS IN RESPONSE TO THE RFP ISSUED PURSUANT TO RESOLUTION NO. R-1374-08 FOR THE CONSTRUCTION OF MULTI-FAMILY AFFORDABLE HOUSING UTILIZING GOB FUNDS IN DISTRICT FOUR (4)

WHEREAS, pursuant to Resolution No. R-918-04 (the "Affordable Housing Resolution"), the voters approved the issuance of general obligation bonds ("GOB") in a principal amount not to exceed \$194,997,000 to construct and improve affordable housing for the elderly and families; and

WHEREAS, Appendix A to the Affordable Housing Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Affordable Housing Resolution and approved by the voters for funding is Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” with an original allocation of \$137.7 million (“Project No. 249”); and

WHEREAS, there is a need for multi-family rental housing for families that is affordable in District 4; and

WHEREAS, this need may be satisfied in part through the development of multi-family rental units on privately owned land for which preference will be afforded to families who have at least one member employed by public sector and/or health care providers located in Miami-Dade County; and

WHEREAS, each Commissioner is entitled to choose the particular project to which he or she wishes his or her District’s respective BBC Program GOB funds be allocated; and

WHEREAS, in an effort to get the best deal for the County, the Board of County Commissioners (“Board”), pursuant to Resolution No. R-1374-08, directed the County Mayor or the Mayor’s designee to issue a Request for Proposals (“RFP”) that would set forth requirements to be met by each proposer and to present the results to this Board for approval; and

WHEREAS, the RFP process conducted pursuant to Resolution No. R-1374-08 encountered technical issues not related to this Board’s resolutions or actions, and

WHEREAS, this Board seeks to proceed in an expeditious manner while still allowing for competition among the developers who submitted proposals in response to the RFP issued pursuant to Resolution No. R-1374-08; and

WHEREAS, this Board finds that it is in the best interests of the citizens of the County and in particular District 4, to approve the allocation of \$10,592,307 from Project No. 249 and to direct the County Mayor or the Mayor's designee to negotiate with the developers who submitted proposals in response to the RFP issued pursuant to Resolution No. R-1374-08 in order to fund the development of multifamily rental housing on privately owned land in District 4 through a grant, subject to Board approval of the recommended proposer and all necessary agreements,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Resolution No. 1374-08 is hereby rescinded and shall have no effect.

Section 3. This Board authorizes the rejection of all proposals received in response to the Building Better Communities General Obligation Bonds ("GOB") Project Number 249 Request for Proposals ("District 4 GOB RFP") for the Construction of Multi-Family Housing in District 4 issued pursuant to Resolution No. R-1374-08.

Section 4. This Board approves the allocation of \$10,592,307 ("Allocation") from the \$137.7 million allocated for BBC Program Project No. 249 – "Preservation of Affordable Housing Units and Expansion of Home Ownership" to fund the development of multifamily rental housing on privately owned land in District 4 through a grant pursuant to the negotiations, subject to Board approval of the recommended proposer and all necessary agreements.

Section 5. The following are minimum requirements for the project: (i) the proposal shall maximize the number of rental units that could be financed from the GOB funds on privately owned land; (ii) forty percent (40%) of the units are to be rented to families that earn up to sixty percent (60%) of the adjusted median income for Miami-Dade County ("Median Income") and sixty percent (60%) of the units shall be rented to families that earn up to one hundred and forty percent (140%) of Median Income; (iii) the property shall be subject to a Land Use Restriction Agreement requiring the owner to continue to meet the requirements in (ii) above for as long as the bonds issued to fund the development remain outstanding but in no event less than thirty (30) years; (iv) preference shall be given to families who have at least one member employed by public sector and/or health care providers located in Miami-Dade County; and (v) the successful proposer shall enter into a grant agreement that will require the repayment of the grant if the conditions of the grant are not satisfied.

Section 6. This Board hereby waives all competitive bid procedures pursuant to Section 4.03(1D) of the Home Rule Charter and Section 2-8.1 of the Miami-Dade County Code by a two-thirds (2/3's) vote of the Board members present upon written recommendation of the County Mayor. This Board further waives the bid protest procedures, pursuant to the requirements of Section 2-8.4 of the Miami-Dade County Code, by a two-thirds (2/3's) vote of the Board members present upon written recommendation of the County Mayor.

Section 7. The County Mayor or the County Mayor's designee shall conduct competitive negotiations between the developers who submitted proposals in response to the RFP issued pursuant to Resolution No. R-1374-08 for the Building Better

Communities General Obligation Bonds (GOB) Project Number 249 for the Construction of Multi-Family Housing in District 4 in accordance with the criteria to be presented in the form of a Supplement by the County Manager before the November 17, 2009, meeting of the Board of County Commissioners. The Mayor or the Mayor's designee may, upon a determination that it is in the best interest of the County, allow the submission of updated proposals prior to negotiations.

Section 8. The Mayor or the Mayor's designee shall recommend further action to the Board as a result of the negotiations.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner Sally A. Heyman who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye		
	Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	absent		Audrey M. Edmonson	aye
Carlos A. Gimenez	aye		Sally A. Heyman	aye
Barbara J. Jordan	aye		Joe A. Martinez	absent
Dorin D. Rolle	absent		Natacha Seijas	absent
Katy Sorenson	aye		Rebeca Sosa	aye
Sen. Javier D. Souto	absent			

7 20

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of November, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: DIANE COLLINS
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in cursive script, appearing to read "BKN", is written over a horizontal line.

Brenda Kuhns Neuman

8/21

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Amended
Agenda Item No. 11(A)(9)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: December 2, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving
allocation of \$10,592,307
from BBC GOB Project
Number 249 for District 4

Resolution No. R-1374-08

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/ jls

j/ 22



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: December 2, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(9)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(9)
12-2-08

RESOLUTION NO. R-1374-08

RESOLUTION APPROVING ALLOCATION OF \$10,592,307 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP” IN FORM OF GRANT TO FUND DEVELOPMENT OF MULTI-FAMILY RENTAL HOUSING ON PRIVATELY OWNED LAND IN DISTRICT 4; DIRECTING COUNTY MAYOR OR HIS DESIGNEE TO SOLICIT PROPOSALS FOR SUCH DEVELOPMENT PURSUANT TO REQUEST FOR PROPOSALS; AND APPROVING CERTAIN REQUIREMENTS TO BE INCLUDED IN REQUEST FOR PROPOSALS

WHEREAS, pursuant to Resolution No. R-918-04 (the “Affordable Housing Resolution”), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$194,997,000 to construct and improve affordable housing for the elderly and families; and

WHEREAS, Appendix A to the Affordable Housing Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “BBC Program”) by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Affordable Housing Resolution and approved by the voters for funding is Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” with an original allocation of \$137.7 million (“Project No. 249”); and

WHEREAS, there is a need for multi-family rental housing for families that is affordable in District 4; and

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WHEREAS, this need may be satisfied in part through the development of multi-family rental units on privately owned land for which preference will be afforded to families who have at least one member employed by public sector and/or health care providers located in Miami-Dade County; and

WHEREAS, in order to develop such multi-family housing, the Board desires to direct the County Mayor or his designee to solicit proposals from the private sector pursuant to a Request for Proposals (“RFP”) that sets forth the requirements that shall be met by each proposer and to present the results to this Board for approval; and

WHEREAS, this Board wishes to approve certain requirements to be included in the RFP; and

WHEREAS, this Board determines that is in the best interests of the citizens of the County and in particular District 4, to approve the allocation of \$10,592,307 from Project No. 249 and to direct the County Mayor or his designee to issue the RFP to fund the development of multifamily rental housing on privately owned land in District 4 through a grant, subject to Board approval of the recommended proposer and all necessary agreements,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board approves the allocation of \$10,592,307 (“Allocation”) from the \$137.7 million allocated for BBC Program Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership” to fund the development of multifamily rental housing on privately owned land in District 4 through a grant pursuant to the RFP, subject to Board approval of the recommended proposer and all necessary agreements.

Section 3. The County Mayor or his designee is directed to issue the RFP, provided it includes, among others, the following requirements: (i) the proposal shall maximize the number of rental units that could be financed from the Allocation on privately owned land; (ii) forty percent (40%) of the units are to be rented to families that earn up to sixty percent (60%) of the adjusted median income for Miami-Dade County ("Median Income") and sixty percent (60%) of the units shall be rented to families that earn up to one hundred and forty percent (140%) of Median Income; (iii) the property shall be subject to a Land Use Restriction Agreement requiring the owner to continue to meet the requirements in (ii) above for as long as the bonds issued to fund the development remain outstanding but in no event less than thirty (30) years; (iv) preference shall be given to families who have at least one member employed by public sector and/or health care providers located in Miami-Dade County; and (v) the successful proposer shall enter into a grant agreement that will require the repayment of the grant if the conditions of the grant are not satisfied.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	absent		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	nay
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of December, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Gerald T. Heffernan



MEMORANDUM
OFFICE OF THE MAYOR

DATE: August 27, 2010

TO: Honorable Rebeca Sosa
Board of County Commissioners

FROM: 
Honorable Carlos Alvarez
Mayor

SUBJECT: Ballpark Construction Agreements

Much has been said in recent days about the Marlins franchise and its profitability, much of it misleading and inaccurate. Here are the facts:

- The Marlins had net income over two years (2008 and 2009) of roughly \$33.3 million (\$29.4 million in 2008 and \$3.9 million in 2009).
- This was accomplished by slashing the team's player payroll to the lowest in baseball in 2008 and among the five lowest in 2009. In prior years, player payroll was higher.
- That the team had a positive revenue stream should not have been a surprise to anyone. It was not a surprise to your negotiating team.
- The reduction of team costs to produce net income was not only prudent but necessary as a step for the team to secure private financing and to accumulate cash to be able to meet its contractual obligations under the stadium agreements. These obligations will exceed \$120 million within the next 12 months and roughly an additional \$120 million over the life of the stadium contracts.
- We should feel comfortable with the Marlins' books, since they have contractual financial obligations they must meet over the next several months. Those commitments require a solvent franchise.
- Lending institutions will require the team to have a positive cash flow.
- No net income was distributed to the team's ownership; rather, all net income was retained by the team.
- The stadium deal was not structured the way it was because we thought the team was bankrupt or insolvent, nor was the deal done to help bail out a sports franchise or its owner. We have stated that repeatedly.

When contracts were approved and signed last year to build a new ballpark in Miami-Dade County, the Florida Marlins took on a large and decades-long financial obligation. The team is responsible for approximately \$120 million of up-front construction costs, more than \$93 million in rent payments and more than \$26 million in capital reserve funds. It is also responsible for any cost overruns that are not directly caused by the government, whether on the ballpark itself or the surrounding public infrastructure.

With those obligations in mind, it should come as no surprise – and, in fact, a great comfort – that the team's balance sheets reflect the financial wherewithal to honor its commitments. Moreover, some of those requirements will require the team to seek private financing; any lender would demand a strong bottom line from a company seeking a transaction of that size. Only a solvent and sustainable organization will be well positioned to secure the necessary funds.

While the administration did not have access to the team's confidential financial information during negotiations, we performed a wide range of other research before we became confident that the deal was properly structured. In addition to conversations with executives at the team itself, we spoke with potential lenders, reviewed public documents, discussed team costs and financial structure with experts, and studied the structure of other recent ballpark construction agreements. As we told the Board of County Commissioners during the debate of this matter, it was only after that research that we were sufficiently comfortable to recommend approving the deal. We clearly had a fundamental expectation that the team, as a business, had net income.

The material that appeared on a sports web site, while limited, should only add to our confidence that the construction and operating agreements will continue proceeding as planned. Some Commissioners publicly worried last year whether the team was financially stable enough to carry these burdens; they should be more reassured than ever.

I would also caution against drawing too many conclusions from this information, which reflects only a two-year snapshot of the Marlins' finances. Such a short window can be limited and even deceiving, especially considering the 30- to 40-year lifespan of these contracts. Looking at the last two fiscal years for the County, for example, would provide little sense of how different our budgets looked during the real-estate boom from just a few years earlier.

Further, for the layperson, the income statements can be misunderstood. For a professional baseball franchise to have combined net income over two years of \$33.3 million when you have one of the lowest payrolls in baseball and have yet to incur the contractual obligations required by the stadium development agreements that initially exceed \$120 million is under no circumstances a discovery of a hidden windfall. To the contrary, it represents the positioning of the franchise for the issuance of debt to meet its contractual obligations under the stadium agreements. Finally, I must point out the income statements I first read in the Miami Herald did not show any distributions from net income to the team's ownership. All net income was retained by the franchise.

We continue to believe that we negotiated a very good, very competitive and fair deal among the County, the Marlins and the City of Miami. The split between public and private financing is at least on par with – if not better than – recent ballpark deals in similar cities, especially considering the relative newness of South Florida as a baseball market and the unique aspects of our fan base and stadium needs. As the team's management would certainly attest, we negotiated strongly on behalf of our taxpayers. We did not create new taxes or raise existing ones, and primarily tapped sources that are paid by out-of-town visitors and designed for financing just this kind of project. None of the construction money could have been used for other vital public services.

Even if we did see the need to reopen negotiations – which we do not – the Marlins are not willing to discuss reopening the contract. Nothing that we have learned has changed our reasoning in a way that would demand or justify new negotiations. I do not believe we were misled, misinformed or in any way prevented

from fulfilling our obligations to this community. More accurately, the information disseminated over the last two days has significantly misled the public.

Please feel free to call me directly with additional questions. I appreciate the complexity of the baseball agreements, and I know Commissioners can be put in a difficult position when forced to confront misleading, misunderstood or incomplete information.

I hope that our early successes in the ballpark's construction will continue, creating jobs and business here in Miami-Dade County. In April 2012, I expect we will all have reason to celebrate a model of sustainable public-private cooperation when the first pitch is thrown.

c: Honorable Dennis C. Moss, Chairman
and Members, Board of County Commissioners
Honorable Tomas Regalado, Mayor, City of Miami
Honorable Marc Sarnoff, Chairman
and Members, Miami City Commission
George M. Burgess, County Manager
Carlos Migoya, City Manager, City of Miami
Robert A. Cuevas, Jr., County Attorney
County Executive Office Senior Staff
Christopher Mazzella, Inspector General
Jose A. Galan, Office of Capital Improvements
David Samson, President, Florida Marlins