Memorandum

MIAMI-DADE COUNTY

Date: December 2, 2008

Agenda Item No. 5(C)

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

From: George M. Burgess
County Manager

Subject: Significant Modification of *Building Better Communities General Obligation Bond (BBC GOB)* Program Funds for BBC GOB Project Nos. 174 "Downtown Government Center Fire Alarm System", 176 "SPCC Facility Refurbishment (Stairwell & Elevators)", 224 "Building/Energy Management System For Government Facilities and Courthouses", and 226 "SPCC Facility Refurbishment (Includes HVAC and Communications Systems)".

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution amending Appendix A to Resolution Nos. R-915-04 and R-917-04, adopted on July 20, 2004, which respectively authorized the holding of a bond election for the construction and improvement of public safety and public service & outreach facilities ("Authorizing Resolutions"). This recommendation requests the approval of significant modifications[1] for the following projects:

- Project 174: modification of original project title, reduction in the scope of work, and reallocation of unutilized funds to Project 176.

Item	Original BBC Project - R-915-04	Modified BBC Project
Project Name	Downtown Government Center Fire Alarm System	Downtown Government ~~Center~~ Facilities Fire Alarm System
Project Description	Replace the fire alarm systems in downtown County buildings, and install automated external defibrillators (AEDs) at the Plaza Center, Main Library, Miami Art Museum, Central Support Facility and Stephen P. Clark Center (SPCC). These facilities serve over 12,000 daily visitors and staff and 30,000 transit riders accessing the Government Center Station.	Replace the fire alarm systems in downtown County buildings~~, and install automated external defibrillators (AEDs)~~ at the Plaza Center, Main Library, Miami Art Museum, and Central Support Facility ~~and Stephen P. Clark Center (SPCC)~~.
Allocation	$3,000,000	~~$3,000,000~~ $2,200,000

[1] Words stricken through shall be deleted. Words underscored constitute the changes proposed. Remaining provisions are now in effect and remain unchanged.

- Project 176: increase in original funding allocation due to addition of unutilized funds from Project 174.

Item	Original BBC Project - R-915-04	Modified BBC Project
Project Name	SPCC Facility Refurbishment (Stairwell & Elevators)	No change.
Project Description	Pressurize the east stairwell and service elevator vestibules, to keep smoke and other noxious fumes out of these critical emergency evacuation paths during an emergency. The SPCC is a 30 story facility with 2,800 employees and provides a myriad of County services to more than 2,000 daily visitors. In excess of 30,000 daily transit riders use the Government Center Station located inside the Center.	No change.
Allocation	$1,200,000	~~$1,200,000~~ $2,000,000

- Project 224: reduction in original funding allocation due to reevaluation of the original estimate.

Item	Original BBC Project - R-917-04	Modified BBC Project
Project Name	Building/Energy Management System For Government Facilities and Courthouses	No change.
Project Description	This project includes more than 30 buildings totaling in excess of 4,000,000 square feet employing 11,000 and providing services to over 29,000 daily visitors throughout Miami-Dade County. Replace existing Building/Energy Management System (BMS), and expand it to monitor all GSA managed buildings. BMS reduces operating costs, while providing remote automated control of HVAC, lights, alarms, card access, fire systems and other building equipment.	No change.
Allocation	$9,200,000	~~$9,200,000~~ $8,200,000

- Project 226: Addition of scope of work to reflect the replacement of fire alarm system at the SPCC, and increase in the original funding allocation by transferring unutilized funds from Project 224.

Item	Original BBC Project - R-917-04	Modified BBC Project
Project Name	SPCC Facility Refurbishment (Includes HVAC and Communications Systems)	No change.
Project Description	Refurbish HVAC systems; modernize elevator controls; replace fire drain lines and rotted window sills; repair limestone; and expand emergency communications systems. The Stephen P. Clark Center (SPCC) is the main County building providing space for most County departments and is the seat of County Government. This is a 30 story facility that employs 2,800 and provides a myriad of County services to more than 2,000 daily visitors. In excess of 30,000 daily transit riders use the Government Center Station located inside the Center.	Refurbish HVAC systems; modernize elevator controls; replace fire drain lines, fire alarm system, and rotted window sills; repair limestone; and expand emergency communications systems. The Stephen P. Clark Center (SPCC) is the main County building providing space for most County departments and is the seat of County Government. ~~This is a 30 story facility that employs 2,800 and provides a myriad of County services to more than 2,000 daily visitors. In excess of 30,000 daily transit riders use the Government Center Station located inside the Center.~~
Allocation	$2,400,000	~~$2,400,000~~ $3,400,000

Scope

The impact of this agenda item is limited to County Commission District 5.

Fiscal Impact/Funding Source

There is no fiscal impact to the existing BBC Program allocations as a result of this modification.

Track Record/Monitor

The implementing entity for this project will be the General Services Administration (GSA). The responsible party for monitoring this project is the Office of Capital Improvements (OCI), Johnny Martinez, P.E., Director.

Background

This agenda item accomplishes the following actions:

1) Modification of Project 174: Downtown Government ~~Center~~ Facilities Fire Alarm System (Original funding allocation $3,000,000; revised funding allocation $2,200,000)

Project 174 will be modified by changing the project title to make it comprehensive of Downtown government facilities other than the SPCC. Further modifications will include reducing the original scope of work by eliminating the replacement of the fire alarm system and the installation of automated external defibrillators (AEDs) at the SPCC; the former task will be added to GOB Project 226, while the

latter will be performed under a different contract and funded by a different funding source. As a result of the reduction in scope, the allocation for this project has been reduced to $2,200,000.

2) Modification of Project 176: SPCC Facility Refurbishment (Stairwell & Elevators) (Original funding allocation $1,200,000; revised funding allocation $2,000,000)

The original estimate has been reevaluated and the original funding allocation has been increased by transferring $800,000 from Project 174 as a result of the reduction in scope on the latter project. The revised funding allocation for Project 176 is $2,000,000.

3) Modification of Project 224: Building/Energy Management System for Government Facilities and Courthouses (Original funding allocation $9,200,000; revised funding allocation $8,200,000)

The original estimate has been reevaluated and the original funding allocation has been reduced in the amount of $1 million; this amount will be transferred to Project 226 to help fund the replacement of the fire alarm system at the SPCC. As a result, the revised funding allocation for Project 224 is $8,200,000.

4) Modification of Project 226: SPCC Facility Refurbishment (Includes HVAC and Communications Systems) (Original funding allocation $2,400,000; revised funding allocation $3,400,000)

The original scope of work for Project 226 will be modified to reflect the addition of the replacement of fire alarm system at the SPCC, originally under Project 174. As a result of the increase in scope on the latter project and the transfer of $1 million from Project 224, the revised funding allocation for Project 226 is $3,400,000.

This item was reviewed by the Building Better Communities Citizens' Advisory Committee at their meeting on January 1, 2008 and was forwarded for consideration by the Board of County Commissioners with a favorable recommendation.

Wendi J. Norris, Director, GSA

MEMORANDUM

(Revised)

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

DATE: December 2, 2008

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

SUBJECT: Agenda Item No. 5(C)

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 _____

Agenda Item No. 5(C)
12-2-08

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NOS. 174 - "DOWNTOWN GOVERNMENT CENTER FIRE ALARM SYSTEM" AND 176 – "SPCC FACILITY REFURBISHMENT (STAIRWELL & ELEVATORS)," EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-915-04, AND PROJECT NOS. 224 – "BUILDING/ENERGY MANAGEMENT SYSTEM FOR GOVERNMENT FACILITIES AND COURTHOUSES" AND 226 – "SPCC FACILITY REFURBISHMENT (INCLUDES HVAC AND COMMUNICATIONS SYSTEMS)," EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-917-04, AFTER A PUBLIC HEARING

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 the significant modification of Building Better Communities General Obligation Bond Program (the "BBC GOB Program") Project Nos. 174 - "Downtown Government Center Fire Alarm System" and 176 – "SPCC Facility Refurbishment (Stairwell & Elevators)," each identified in Appendix A to Resolution No. R-915-04, and Project Nos. 224 – "Building/Energy Management System for Government Facilities and Courthouses" and 226 – "SPCC Facility Refurbishment (Includes HVAC and Communications Systems)," each identified in Appendix A to Resolution No. R-917-04 after a public hearing, all as more particularly described in the accompanying memorandum, is approved.

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:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

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:_____
Deputy Clerk

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

Geri Bonzon-Keenan

MEMORANDUM

Amended
Special Item No. 4

TO:	Honorable Chairperson Barbara Carey Shuler, Ed. D. and Members, Board of County Commissioners	**DATE:**	July 20, 2004
FROM:	George M. Burgess County Manager	**SUBJECT:**	Resolution Approving a Special Election for the *Building Better Communities* Bond Program – To Construct and Improve Public Safety Facilities

R#915-04

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the placement of the *Building Better Communities* General Obligation Bond Program (Program) ballot question authorizing funding for projects to construct and improve public safety facilities on the November 2, 2004, ballot. If approved by the Board and the voters, the referendum will allow the County to construct and improve public safety and security facilities including courts, detention centers, animal shelters and ocean lifeguard facilities (see Appendix A). This resolution will allow the County to issue General Obligation Bonds in an amount not to exceed $341.087 million over a multi-year period to fund improvements to the County's infrastructure and address a number of quality of life issues in our community. Legislation creating interlocal agreements with the municipalities and establishing a Program Advisory Committee will be forwarded to the Board upon approval of the program by the electorate. Individual debt issuances will also be subsequently forwarded for Board approval.

BACKGROUND

The recommended Program will provide the County with the capability of responding to the community's longstanding unfunded capital infrastructure needs in a comprehensive manner. The attached recommended list of projects provides a multi-faceted approach which addresses the need for facilities and infrastructure as well as economic development concerns. Since our Community Small Business Enterprise and Community Workforce regulations will apply to the *Building Better Communities* projects, it is anticipated that the Program will contribute to our economy by generating a large number of jobs as well as many new and meaningful business development and training opportunities in our local community.

A comprehensive report detailing our efforts to assemble a balanced *Building Better Communities* Program is presented under separate cover. The attached resolution and corresponding project recommendations further refine the proposed Program by incorporating the Board's input from the June 24, 2004 General Obligation Bond Workshop as well as subsequent individual follow-up meetings with Board members.

We have a unique opportunity to move forward with this Program at this time. Existing debt from the Decade of Progress Bond Program, the Criminal Justice Bond Program and the Safe Neighborhood Parks Bond Program is being retired allowing capacity for future bond issuances while maintaining a flat millage rate for debt service. Finally, placement of the ballot question on an already scheduled General Election allows us to avoid incurring the considerable costs that would be associated with a separate election.

Therefore, it is respectfully requested that the Board approve the attached resolution and allow the electorate to vote on critical capital improvement issues impacting the future of Miami-Dade County.

Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Amended
Special Item No. 4
7-20-04

RESOLUTION NO. **915-04**

RESOLUTION PROVIDING FOR HOLDING OF GENERAL OBLIGATION BOND SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON NOVEMBER 2, 2004 WITH RESPECT TO AUTHORIZATION OF NOT EXCEEDING $341,087,000 GENERAL OBLIGATION BONDS OF SAID COUNTY TO CONSTRUCT AND IMPROVE PUBLIC SAFETY FACILITIES

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") finds it necessary and appropriate and in the best interest of the County to hold a special election to authorize the issuance of General Obligation Bonds (the "Bonds") of Miami-Dade County in an amount not to exceed $341,087,000, as needed, in series from time to time, which Bonds will be secured by the full faith and credit of the County; and

WHEREAS, proceeds from such Bonds will be used for various, unfunded capital projects that have been identified and delineated in Appendix A, attached to this Resolution; and

WHEREAS, issuing such Bonds will stimulate the County economy and provide employment; and

WHEREAS, upon approval by the electors of the County to issue the Bonds, the Board will enact Bond ordinances authorizing the issuance of the Bonds so approved; and

WHEREAS, the Board intends, to the extent possible, that the debt service millage required to pay the debt service on the Bonds shall not exceed the current debt service millage in any year while the Bonds are outstanding and the total principal amount of the Bonds has been fixed with that intention in mind,

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

Section 1. The preamble to this Resolution and the County Manager's memorandum accompanying this Resolution are approved and incorporated by reference in this Resolution.

Section 2. A General Obligation Bond Special Election shall be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of the County the questions stated in the Notice of General Obligation Bond Special Election set forth below in Section 3 of this Resolution.

Section 3. Notice of said General Obligation Bond Special Election shall be published in The Miami Herald, a newspaper of general circulation in Miami-Dade County, Florida, at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held, the date of first publication in said newspaper to be at least thirty days before said election, which notice shall be substantially in the following form:

NOTICE OF GENERAL OBLIGATION BOND SPECIAL ELECTION
BUILDING BETTER COMMUNITIES
To be Held On
TUESDAY, NOVEMBER 2, 2004
MIAMI-DADE COUNTY, FLORIDA

A General Obligation Bond Special Election will be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of Miami-Dade County, Florida, the following question:

BUILDING BETTER COMMUNITIES
CONSTRUCT AND IMPROVE PUBLIC SAFETY FACILITIES

To promote public safety by constructing and improving detention centers, justice centers, courthouses, police, fire and lifeguard stations, and new animal care and control facilities, described in Resolution No. 915-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding $341,087,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

_____FOR BONDS

_____AGAINST BONDS

The polls at said election will be open from 7:00 o'clock A.M. until 7:00 P.M. of the same day. All qualified electors of the County shall be entitled to vote at said special election.

Said General Obligation Bond Special Election will be held at the established polling places in the several precincts, respectively, in the County as established for County-wide general elections.

Miami-Dade County shall be authorized to issue the bonds covered by the question hereinabove set forth if such issuance as to such question shall have been approved by vote of a majority of the qualified electors of Miami-Dade County voting thereon.

By order of the Board of County Commissioners of Miami-Dade County, Florida.

_____
Clerk of the Board of County Commissioners of
Miami-Dade County, Florida

Section 4. Touch Screen Voting Machines shall be used at such special election, and the ballot question shall appear in substantially the form set forth in the Notice of General Obligation Bond Special Election in Section 3 of this Resolution.

Section 5. The question shall appear on the touch screens ballot as a separate question. Those qualified electors desiring to approve the issuance of bonds shall be instructed to vote "FOR BONDS". Those qualified electors desiring to disapprove the issuance of bonds shall be instructed to vote "AGAINST BONDS".

Section 6. Absentee paper ballots may be used by qualified electors of the County for voting on the question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question hereinabove set forth, with proper place for voting either "FOR BONDS" or "AGAINST BONDS" following the statement of the question aforesaid.

Section 7. A sample ballot showing the manner in which the question aforesaid shall appear on the touch screen ballot at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 8. This special election on the question aforesaid shall be held and conducted in accordance with the applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution. This special election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

Section 10. All proceeds of the sale of the Bonds shall be delivered to the Finance Director of the County who shall deposit those proceeds in appropriate construction fund trust accounts, not to be commingled with other funds of the County, to be disbursed solely for the purposes set forth in this Resolution. The County, itself or through independent auditors, shall have the right at all times to audit the books and records of all beneficiaries who receive proceeds from the sale of the Bonds.

Some projects listed in Appendix A of this Resolution may be the subject of contractual agreements between the County and the external agencies receiving the Bond proceeds to pay the cost of such projects. Such agreements shall provide the terms and conditions for the County to release Bond proceeds to the agency and such other requirements as the County shall deem appropriate. In the event that an agency fails, without adequate reason, to commence acquisition, planning, design or construction of a project within six (6) months of the receipt of County approval to proceed with such project, the County shall have the option of reallocating the Bond proceeds earmarked for such project to any other projects listed in Appendix A falling within the same ballot category.

All additions, deletions and significant modifications to individual projects or to Appendix A shall require a majority vote of the Board after public hearing.

Section 11. Bond proceeds in an amount not to exceed 3% of the principal amount of the Bonds shall be used to pay administrative expenses associated with managing the Bond program. The Finance Director will deposit these funds in a separate Bond Administrative Expense Fund.

Section 12. The Bonds are part of an overall Bond Program pursuant to which the County is proposing to issue up to $2,925,750,000 in General Obligation Bonds ("Bond

Program") upon voter approval. The intent of the County is to include a combined municipal and UMSA component ("Municipal Component") in the Bond Program totaling 10% of the Bond proceeds, net of issuance costs. The formula used for distribution of proceeds is based on a weighted formula 75% on population and 25% on contribution to the tax roll (based on June 1, 2004 figures) as compared to the total population and property tax roll figures for the entire County. The data for this distribution was based upon most recent Census figures as provided by the Miami-Dade County Planning Department and tax roll figures as provided by the Miami-Dade County Property Appraiser. Should a municipality incorporate after passage of this Bond program, it may petition the Board for a portion of any unallocated Bond proceeds that had been apportioned to local projects in the UMSA area then contained in such municipality. Not all of the individual components of the Bond Program will include a Municipal Component but in the aggregate, the overall Bond Program will include a Municipal Component that equals 10% of the Bond Program.

It is the intent of the County that the balance of the bond proceeds from the Bond Program net of cost of issuance (90%) shall be used for projects of countywide and/or regional significance.

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:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2004. 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

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

CONSTRUCT AND IMPROVE PUBLIC SAFETY FACILITIES

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
170 & 171	UMSA	CW	**Animal Services Building Expansion and Electrical Upgrades**	Construct additional kennel facilities at the existing facilities and install an emergency generator at the Animal Services complex and provide upgrades to complete the facility's electrical service.	7401 NW 74 Street	**$2,000**
172	TBD	CW	**New Animal Shelter**	Construct a new animal shelter.	TBD	**$5,000**
173	Various - Miami & UMSA	CW	**Haulover Beach and Crandon Park Fire Rescue**	Construct two beach facilities to accommodate beach rescue functions, one at Crandon Park and the other at Haulover Beach.	Crandon and Haulover Beaches	**$3,000**
174	Miami	CW	**Downtown Government Center Fire Alarm System**	Replace the fire alarm systems in downtown County buildings, and install automated external defibrillators (AED's) at the Plaza Center, Main Library, Miami Art Museum, Central Support Facility and Stephen P. Clark Center (SPCC). These facilities serve over 12,000 daily visitors and staff and 30,000 transit riders accessing the Government Center Station.	Various	**$3,000**
175	Miami	CW	**Medical Examiner Building**	Refurbish or replace building and equipment throughout facility to ensure continuity of this critical County function. Includes major HVAC equipment, emergency generator and fuel tank, and primary lab systems. This is a mission critical facility that must remain online at all times, particularly during natural disasters and other emergencies.	1851 Bob Hope Road	**$3,200**
176	Miami	CW	**SPCC Facility Refurbishment (Stairwell & Elevators)**	Pressurize the east stairwell and service elevator vestibules, to keep smoke and other noxious fumes out of these critical emergency evacuation paths during an emergency. The SPCC is a 30 story facility with 2,800 employees and provides a myriad of County services to more than 2,000 daily visitors. In excess of 30,000 daily transit riders use the Government Center Station located inside the Center.	111 NW First Street	**$1,200**

MEMORANDUM

Amended
Special Item No. 6

TO: Honorable Chairperson Barbara Carey Shuler, Ed. D. and Members, Board of County Commissioners

DATE: July 20, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Approving a Special Election for the *Building Better Communities* Bond Program – To Construct and Improve Public Services Outreach and Facilities

R#917-04

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the placement of the *Building Better Communities* General Obligation Bond Program (Program) ballot question authorizing funding for projects to construct and improve public services and outreach facilities on the November 2, 2004, ballot. If approved by the Board and the voters, the referendum will allow the County to construct and improve public services facilities, including Americans with Disabilities Act (ADA) improvements and code upgrades, and provide a Not-for–Profit Community Organization Capital Fund for construction and renovation for nonprofit organizations (see Appendix A). This resolution will allow the County to issue General Obligation Bonds in an amount not to exceed $255.070 million over a multi-year period to fund improvements to the County's infrastructure and address a number of quality of life issues in our community. Legislation creating interlocal agreements with the municipalities and establishing a Program Advisory Committee will be forwarded to the Board upon approval of the program by the electorate. Individual debt issuances will also be subsequently forwarded for Board approval.

BACKGROUND

The recommended Program will provide the County with the capability of responding to the community's longstanding unfunded capital infrastructure needs in a comprehensive manner. The attached recommended list of projects provides a multi-faceted approach, which addresses the need for facilities and infrastructure as well as economic development concerns. Since our Community Small Business Enterprise and Community Workforce regulations will apply to the *Building Better Communities* projects, it is anticipated that the Program will contribute to our economy by generating a large number of jobs as well as many new and meaningful business development and training opportunities in our local community.

A comprehensive report detailing our efforts to assemble a balanced *Building Better Communities* Program is presented under separate cover. The attached resolution and corresponding project recommendations further refine the proposed Program by incorporating the Board's input from the June 24, 2004 General Obligation Bond Workshop as well as subsequent individual follow-up meetings with Board members.

We have a unique opportunity to move forward with this Program at this time. Existing debt from the Decade of Progress Bond Program, the Criminal Justice Bond Program and the Safe Neighborhood Parks Bond Program is being retired allowing capacity for future bond issuances while maintaining a flat millage rate for debt service. Finally, placement of the ballot question on an already scheduled General Election allows us to avoid incurring the considerable costs that would be associated with a separate election.

Therefore, it is respectfully requested that the Board approve the attached resolution and allow the electorate to vote on critical capital improvement issues impacting the future of Miami-Dade County.

Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Amended
Special Item No. 6
7-20-04

RESOLUTION NO. **917-04**

RESOLUTION PROVIDING FOR HOLDING OF GENERAL OBLIGATION BOND SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON NOVEMBER 2, 2004 WITH RESPECT TO AUTHORIZATION OF NOT EXCEEDING $255,070,000 GENERAL OBLIGATION BONDS OF SAID COUNTY TO CONSTRUCT AND IMPROVE PUBLIC SERVICE OUTREACH FACILITIES

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") finds it necessary and appropriate and in the best interest of the County to hold a special election to authorize the issuance of General Obligation Bonds (the "Bonds") of Miami-Dade County in an amount not to exceed $255,070,000, as needed, in series from time to time, which Bonds will be secured by the full faith and credit of the County; and

WHEREAS, proceeds from such Bonds will be used for various, unfunded capital projects that have been identified and delineated in Appendix A, attached to this Resolution; and

WHEREAS, issuing such Bonds will stimulate the County economy and provide employment; and

WHEREAS, upon approval by the electors of the County to issue the Bonds, the Board will enact Bond ordinances authorizing the issuance of the Bonds so approved; and

WHEREAS, the Board intends, to the extent possible, that the debt service millage required to pay the debt service on the Bonds shall not exceed the current debt service millage in any year while the Bonds are outstanding and the total principal amount of the Bonds has been fixed with that intention in mind,

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

Section 1. The preamble to this Resolution and the County Manager's memorandum accompanying this Resolution are approved and incorporated by reference in this Resolution.

Section 2. A General Obligation Bond Special Election shall be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of the County the questions stated in the Notice of General Obligation Bond Special Election set forth below in Section 3 of this Resolution.

Section 3. Notice of said General Obligation Bond Special Election shall be published in The Miami Herald, a newspaper of general circulation in Miami-Dade County, Florida, at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held, the date of first publication in said newspaper to be at least thirty days before said election, which notice shall be substantially in the following form:

NOTICE OF GENERAL OBLIATION BOND SPECIAL ELECTION
BUILDING BETTER COMMUNITIES
To be Held On
TUESDAY, NOVEMBER 2, 2004
MIAMI-DADE COUNTY, FLORIDA

A General Obligation Bond Special Election will be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of Miami-Dade County, Florida, the following question:

BUILDING BETTER COMMUNITIES
CONSTRUCT AND IMPROVE PUBLIC SERVICE OUTREACH FACILITIES

To construct and improve public service outreach facilities to meet code and service requirements and to increase neighborhood and community access to services, described in Resolution No. 917-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding $255,070,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

_____FOR BONDS

_____AGAINST BONDS

The polls at said election will be open from 7:00 o'clock A.M. until 7:00 P.M. of the same day. All qualified electors of the County shall be entitled to vote at said special election.

Said General Obligation Bond Special Election will be held at the established polling places in the several precincts, respectively, in the County as established for County-wide general elections.

Miami-Dade County shall be authorized to issue the bonds covered by the question hereinabove set forth if such issuance as to such question shall have been approved by vote of a majority of the qualified electors of Miami-Dade County voting thereon.

By order of the Board of County Commissioners of Miami-Dade County, Florida.

_____
Clerk of the Board of County Commissioners of
Miami-Dade County, Florida

Section 4. Touch Screen Voting Machines shall be used at such special election, and the ballot question shall appear in substantially the form set forth in the Notice of General Obligation Bond Special Election in Section 3 of this Resolution.

Section 5. The question shall appear on the touch screens ballot as a separate question. Those qualified electors desiring to approve the issuance of bonds shall be instructed

to vote "FOR BONDS". Those qualified electors desiring to disapprove the issuance of bonds shall be instructed to vote "AGAINST BONDS".

Section 6. Absentee paper ballots may be used by qualified electors of the County for voting on the question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question hereinabove set forth, with proper place for voting either "FOR BONDS" or "AGAINST BONDS" following the statement of the question aforesaid.

Section 7. A sample ballot showing the manner in which the question aforesaid shall appear on the touch screen ballot at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 8. This special election on the question aforesaid shall be held and conducted in accordance with the applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution. This special election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

Section 10. All proceeds of the sale of the Bonds shall be delivered to the Finance Director of the County who shall deposit those proceeds in appropriate construction fund trust

accounts, not to be commingled with other funds of the County, to be disbursed solely for the purposes set forth in this Resolution. The County, itself or through independent auditors, shall have the right at all times to audit the books and records of all beneficiaries who receive proceeds from the sale of the Bonds.

Projects listed in Appendix A of this Resolution may be the subject of contractual agreements between the County and the external agencies receiving the Bond proceeds to pay the cost of such projects. Such agreements shall provide the terms and conditions for the County to release Bond proceeds to the agency and such other requirements as the County shall deem appropriate. In the event that an agency fails, without adequate reason, to commence acquisition, planning, design or construction of a project within six (6) months of the receipt of County approval to proceed with such project, the County shall have the option of reallocating the Bond proceeds earmarked for such project to any other projects listed in Appendix A falling within the same ballot category.

All additions, deletions and significant modifications to individual projects or to Appendix A shall require a majority vote of the Board after public hearing.

Section 11. Bond proceeds in an amount not to exceed 3% of the principal amount of the Bonds shall be used to pay administrative expenses associated with managing the Bond program. The Finance Director will deposit these funds in a separate Bond Administrative Expense Fund.

Section 12. The Bonds are part of an overall Bond Program pursuant to which the County is proposing to issue up to $2,925,750,000 in General Obligation Bonds ("Bond Program") upon voter approval. The intent of the County is to include a combined municipal and UMSA component ("Municipal Component") in the Bond Program totaling 10% of the Bond

proceeds, net of issuance costs. The formula used for distribution of proceeds is based on a weighted formula 75% on population and 25% on contribution to the tax roll (based on June 1, 2004 figures) as compared to the total population and property tax roll figures for the entire County. The data for this distribution was based upon most recent Census figures as provided by the Miami-Dade County Planning Department and tax roll figures as provided by the Miami-Dade County Property Appraiser. Should a municipality incorporate after passage of this Bond program, it may petition the Board for a portion of any unallocated Bond proceeds that had been apportioned to local projects in the UMSA area then contained in such municipality. Not all of the individual components of the Bond Program will include a Municipal Component but in the aggregate, the overall Bond Program will include a Municipal Component that equals 10% of the Bond Program.

It is the intent of the County that the balance of the Bond proceeds from the Bond Program net of cost of issuance (90%) shall be used for projects of countywide and/or regional significance.

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:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2004. 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

C:\WP\RESO\4283.DOC

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
223	CW	CW	**Not-for-Profit Community Organization Capital Fund**	Establish a not-for-profit community organization capital fund for the needs of various agencies.	Various	**$30,000**
224	Miami	CW	**Building/Energy Management System For Government Facilities and Courthouses**	This project includes more than 30 buildings totaling in excess of 4,000,000 square feet employing 11,000 and providing services to over 29,000 daily visitors throughout Miami-Dade County. Replace existing Building/Energy Management System (BMS), and expand it to monitor all GSA managed buildings. BMS reduces operating costs, while providing remote automated control of HVAC, lights, alarms, card access, fire systems and other building equipment.	Various	**$9,200**
225	Miami	CW	**Cooling Capacity Enhancement at the Central Support Facility**	Refurbish existing chilled water facility and add chilled water capacity to meet the space conditioning needs of two new buildings planned for completion by 2010.	200 NW 1 Street	**$3,500**
226 LR	Miami	CW	**SPCC Facility Refurbishment (Includes HVAC and Communications Systems)**	Refurbish HVAC systems; modernize elevator controls; replace fire drain lines and rotted window sills; repair limestone; and expand emergency communications systems. The Stephen P. Clark Center (SPCC) is the main County building providing space for most County departments and is the seat of County Government. This is a 30 story facility that employs 2,800 and provides a myriad of County services to more than 2,000 daily visitors. In excess of 30,000 daily transit riders use the Government Center Station located inside the Center.	111 NW First Street	**$2,400**
227	UMSA	CW	**Data Processing Center Facility Refurbishment**	Repair/replace building equipment, refurbish and modernize facility. Improvements include remediating serious building settlement problem, adding a parking structure to provide needed additional parking capacity, and refinishing building exterior. This is a critical facility providing County departments with all information technology needs. The Data Processing Center is the main hub for data routing and storage for Miami-Dade County operations.	5600 SW 87 Avenue	**$2,900**

Note: Allocation shown in nominal value.