



**MEMORANDUM**

Agenda Item No. 11(A)(12)

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

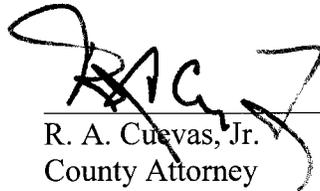
**DATE:** April 7, 2009

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

**SUBJECT** Resolution directing Safe  
Neighborhood Parks Citizens'  
Oversight Committee to  
allocate Safe Neighborhood  
Parks bond surplus funds  
equally among thirteen  
Commission Districts to  
fund qualified projects within  
each district

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

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** April 7, 2009

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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 Mayor'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. 11(A)(12)  
4-7-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING SAFE NEIGHBORHOOD PARKS  
CITIZENS' OVERSIGHT COMMITTEE TO ALLOCATE SAFE  
NEIGHBORHOOD PARKS BOND SURPLUS FUNDS  
EQUALLY AMONG THIRTEEN COMMISSION DISTRICTS  
TO FUND QUALIFIED PROJECTS WITHIN EACH DISTRICT

**WHEREAS**, the Board of County Commissioners of Miami-Dade County, Florida enacted Ordinance 96-115, the Safe Neighborhood Parks ("SNP") Ordinance authorizing the issuance, subject to approval of the electorate, of \$200 million in general obligation bonds ("Bonds") for the purpose of financing capital improvement projects, including the acquisition of land, for parks, beaches, natural areas and recreation facilities ("Qualified Projects"); and

**WHEREAS**, on November 5, 1996, the citizens of Miami-Dade County authorized the issuance of the General Obligation Bonds in a county wide election; and

**WHEREAS**, as of this date, approximately \$6 million of bond proceeds and interest income earned on the bond proceeds are on deposit in the project fund ("Surplus Funds"); and

**WHEREAS**, since interest income is tantamount to bond proceeds, this Board is required to use interest income to fund one or more Qualified Projects; and

**WHEREAS**, currently the SNP Citizens' Oversight Committee ("Committee") administers the process for the allocation of the bond proceeds; and

**WHEREAS**, this Board desires to establish a fair and equitable process to administer the Surplus Funds because it is in the best interest of the County to insure that parks in all thirteen Commission Districts derive the benefit of these funds; and

**WHEREAS**, this Board wishes to divide the surplus funds equally among the thirteen County Commission Districts to be used for Qualified Projects within each of these thirteen Districts; and

**WHEREAS**, the SNP Ordinance provides that “interest earned on proceeds of the Bonds which have been sold but not allocated shall be used for acquisition of park, open space and natural areas to meet the future needs of the growing population of Dade County”; and

**WHEREAS**, the Committee has determined that bond proceeds are deemed allocated to one or more Qualified Projects when a contract has been executed between the County and a recipient and therefore, interest income accrued before such contract is executed shall be used for the acquisition of park, open space and natural areas pursuant to the SNP Ordinance (“Unallocated Interest Income”); and

**WHEREAS**, this Board agrees with the Committee’s interpretation regarding the Unallocated Interest Income, which currently is approximately \$90,000; and

**WHEREAS**, pursuant to the SNP Ordinance, at least one of the Qualified Projects within at least one of the Commission Districts shall therefore include \$90,000 of Surplus Funds for the acquisition of a parcel(s) of park, open space and natural areas,

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

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

Section 2. This Board directs the Committee, within one-hundred and twenty (120) days from the effective date of this resolution, to: (a) divide the Surplus Funds equally among the thirteen County Commission Districts; and (b) submit a recommendation to this Board for

specific Qualified Projects within each County Commission District to be funded from each Commission District's share of the Surplus Funds.

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
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

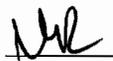
The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of April, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Monica Rizo