Memorandum

MIAMI-DADE COUNTY

Date: June 30, 2009

Agenda Item No. 9(A)(5)

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

From: George M. Burgess
County Manager

Subject: Resolution Awarding Recaptured Funds from the Safe Neighborhood Parks Program

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution allocating $163,000 in Safe Neighborhood Parks (SNP) Recaptured Funds to the City of Opa Locka, and authorizing the County Mayor or the County Mayor's designee to negotiate and execute the grant agreement with the City of Opa Locka. These funds were originally allocated to the same grantee by the Board December 4, 2007 (R-1365-07). The funds were recaptured because the grantee was unable to complete the project by the contract expiration date of December 31, 2008. The project was completed on March 27, 2009, and the City is requesting that the funds be re-allocated to allow for reimbursement of their expenses.

SCOPE

The scope of this agenda item includes the following SNP project in Commission District 1.

Grantee	Park Project	Amount
City of Opa Locka	Sherbondy Park (CD - 1)	$163,000

FISCAL IMPACT/FUNDING

This agenda item re-allocates $163,000 in recaptured funds from the SNP Program.

TRACKING/MONITOR

The grantee will implement the project and the Office of Capital Improvements (OCI), Johnny Martinez, P.E., Director, will monitor the project.

DELEGATION OF AUTHORITY

There is no additional delegation of authority related to this item.

BACKGROUND

On July 16, 1996, the Board approved Ordinance No. 96-115 which authorizes issuance, subject to approval by special election, of $200 million in general obligation bonds for park projects, establishes a Citizens' Oversight Committee (COC) and empowers it to administer the bond program, and designates entities and projects eligible for bond funding. Consistent with the SNP Ordinance, and the COC Resolution R-1-03 (Attachment 1), the COC reviewed written requests for re-authorization of unexpended funds. On May 14, 2009, the COC approved by two-thirds majority vote to re-authorize $163,000 in recaptured bond funds to the City of Opa Locka.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 9(A)(5)

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. 9(A)(5)
6-30-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ALLOCATION OF SAFE NEIGHBORHOOD PARKS RECAPTURED FUNDS IN THE AMOUNT OF $163,000 TO THE CITY OF OPA-LOCKA FOR THE SHERBONDY PARK PROJECT AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXPEDITE EXECUTION OF RELATED GRANT AGREEMENT

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

WHEREAS, it is necessary to authorize allocation of recaptured funding to the City of Opa-locka for the Sherbondy Park project; and

WHEREAS, County Ordinance No. 96-115, adopted by the Board on July 16, 1996 provides for recaptured interest earned and proceeds of the Safe Neighborhood Parks (SNP) Bond to be used for acquisition of park, open space and natural areas, and other projects consistent with the Ordinance; and

WHEREAS, in accordance with Section 5(13) of County Ordinance No. 96-115, if bond proceeds have not been expended or encumbered within the periods allowed, the recipient agencies may submit to the Citizens' Oversight Committee (COC), for review and approval in its discretion, a plan for expenditure or encumbrance of the funds in accordance with the purposes of the Ordinance within the municipality or area of the County in which the funds were originally authorized to be expended; and

WHEREAS, at the meeting of May 14, 2009, the COC considered written requests for recaptured fund grants, in accordance with COC Resolution R-1-03, and favorably recommended the allocation of $163,000 of SNP recaptured funds to the City of Opa-locka,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board allocates Safe Neighborhood Parks recaptured funds in the amount of $163,000 to the City of Opa-locka, as specified in the accompanying memorandum, and authorizes the County Mayor or the Mayor's designee to negotiate and expedite execution of the related grant agreement, after review by the County Attorney's Office, and to exercise amendment, modification, renewal, cancellation and termination provisions of such grant agreement.

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 30th day of June, 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. MR

Monica Rizo

RESOLUTION R-1-99
SAFE NEIGHBORHOOD PARKS
CITIZENS' OVERSIGHT COMMITTEE
USE OF SAFE NEIGHBORHOOD PARKS INTEREST EARNINGS

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida, through Ordinance 96-115, the Safe Neighborhood Parks Ordinance, duly organized and established this Citizens' Oversight Committee (the "Committee"); and

WHEREAS, the Ordinance has charged the Committee with the responsibility of overseeing the deposit and disbursement of Bond proceeds for the acquisition and improvement of parks and natural areas, all as more particularly set forth in the ordinance; and

WHEREAS, the Committee wishes to establish the use of Safe Neighborhood Parks interest earnings as specifically set forth below;

NOW THEREFORE BE IT RESOLVED BY THE CITIZENS' OVERSIGHT COMMITTEE OF THE SAFE NEIGHBORHOOD PARKS BOND:

Section 1. **Initial Earnings.** Prior to full execution of grant agreement with Public Agency or Not-For-Profit Organization, interest earned shall be allocated to land acquisition.

Section 2. **Subsequent Earnings.** Subsequent to full execution of grant agreement with Public Agency or Not-For-Profit Organization, interest earned on behalf of each grant recipient to be allocated as follows:

(A). to the Office of Safe Neighborhood Parks, as needed, for central administration;

(B). the balance is to be distributed

- 30.00% to the Public Agency or Not-For-Profit Organization on whose behalf the interest was earned (may be used for soft costs consistent with the Ordinance)

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- 70.00% to be used, at the discretion of the Oversight Committee, for land acquisition or other eligible projects consistent with the Ordinance.

APPROVED 3/26/99

Safe Neighborhood Park Citizens' Oversight Committee

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

Legislative Notes

Agenda Item: 9(A)5

File Number: 091563

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: June 4, 2009

Type of Item: Resolution Awarding Recaptured Funds from the Safe Neighborhood Parks Program

Background and Relevant Legislation

The Board of County Commissioners (Board) approved Resolution 365-09 on April 7, 2009 that included the recapture and reallocation of $819,929 in Safe Neighborhood Parks (SNP) funds. To date, these are the only SNP reallocations approved for FY 2009.

Grantee	Park Project	Project Description	Amount
City of North Miami	Kiwanis Park	Installation of ADA-accessible playground	$112,000
Village of Biscayne Park	Biscayne Park	Purchase and installation of one 20' x 30' pavilion and storage facility	$25,000
YMCA	Downrite Park	Construct one, 2,160 ft. shelter (partial)	$48,000
City of Homestead	Mayor Roscoe Warren Park	Purchase and installation of one boundless playground and eight (8) park shelters	$220,000
Town of Cutler Bay	Parcel located at SW 87th Avenue & Old Cutler Road	Purchase 1.39 acres to be combined with Lincoln Park	$200,000
Town of Cutler Bay	Cutler Ridge Park	Purchase and Installation of one picnic pavilion and playground shelter	$75,000
Village of Palmetto Bay	Palmetto Bay Park		$74,929
Miami-Dade Parks	Amelia Earhart Park	Construct one 32' x 32' picnic shelter with electricity connection	$65,000
Total			**$819,929**

The above-mentioned SNP projects are located within five Commission Districts (2, 4, 7, 8 and 13).

The funds were originally allocated to these grantees by the Board. The funds were recaptured because the grantees were unable to complete the projects by the contract completion date. All the grantees have requested an extension of their contracts and reallocation of funds. The SNP Oversight Committee considers written requests for recaptured fund grants for review and approval. The SNP Oversight Committee recommended the re-allocation of the $819,929 in SNP grant awards to the same grantees. The SNP Committee did not recapture any funds in 2008.

This resolution requests Board approval for the reallocation of funds in the amount of $163,000 for the Sherbondy Park project located in the City of Opa-Locka within District 1.

Question:

How many previous SNP allocations have been designated to the City of Opa-Locka? 5

What is the total amount of SNP funds allocated to the City of Opa-Locka? $602,510

Further details related to prior SNP recaptured funds will be provided when this item comes before the Board.

Budgetary Impact

If the Board approves this reallocation of $163,000, the new total amount of SNP recaptured funds for FY 2009 will now be $982,929.

Prepared By: Mia B. Marin