MEMORANDUM

TIR
Agenda Item No. 2C

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

DATE: January 13, 2010

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

SUBJECT: Resolution establishing policy that design and construction of neighborhood public infrastructure improvements be given funding priority from Building Better Communities GOB proceeds

---

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/up

MEMORANDUM
(Revised)

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

DATE: February 2, 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.

2-2-10

RESOLUTION NO. _____

RESOLUTION ESTABLISHING POLICY THAT DESIGN AND CONSTRUCTION OF NEIGHBORHOOD PUBLIC INFRASTRUCTURE IMPROVEMENTS BE GIVEN FUNDING PRIORITY FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROCEEDS; AND DIRECTING COUNTY MAYOR OR HIS DESIGNEE TO MAKE A RECOMMENDATION TO THE BOARD IDENTIFYING NEIGHBORHOOD PUBLIC INFRASTRUCTURE IMPROVEMENTS SUITABLE FOR ACCELERATION OF FUNDING FROM SUCH BOND PROCEEDS

WHEREAS, on July 20, 2004, the Board adopted Resolution Nos. R-912-04, R-913-04, R-914-04, R-915-04, R-916-04, R-917-04, R-918-04 and R-919-04 (collectively, the "Authorizing Resolutions") authorizing the issuance of $2.926 billion in general obligation bonds for capital projects and on November 4, 2004, a majority of those voting approved the bond program (the "BBC GOB Program"); and

WHEREAS, Resolution No. R-914-04 (the "Neighborhood Improvement Resolution") authorized the issuance of $352,182,000 in general obligation bonds for the construction and improvement of walkways, bikeways, bridges and access to the Seaport, and other municipal and neighborhood infrastructure improvements (collectively, "Neighborhood Improvements"); and

WHEREAS, Appendix A to the Neighborhood Improvement Resolution lists Neighborhood Improvements eligible for funding from the BBC GOB Program by project number, municipal project location, BCC district, project name, project description, street address and project funding allocation, subject to additions, deletions and significant

modifications to individual projects or to such appendices made from time to time by majority vote of the Board after a public hearing; and

WHEREAS, the County has previously issued $250,000,000 Miami-Dade County, Florida General Obligation Bonds (Building Better Communities Program), Series 2005, to fund various community projects (the "Series 2005 Bonds"), $99,600,000 Miami-Dade County, Florida General Obligation Bonds (Building Better Communities Program), Series 2008A, to fund a community project consisting of a tunnel project to improve access to the Port of Miami and/or other infrastructure projects, as designated from time to time by the Board (the "Series 2008A Bonds"), and $350,000,000 Miami-Dade County, Florida General Obligation Bonds (Building Better Communities Program), Series 2008B to fund the projects detailed in the series resolution, as such list may be amended by the Board from time to time (the "Series 2008B Bonds"); and

WHEREAS, the nation is in the midst of an economic crisis and Miami-Dade County's unemployment rates are among the highest in the nation; and

WHEREAS, expediting design and construction of the Neighborhood Improvements would stimulate the local economy by providing business to local companies and employment opportunities for the residents of Miami-Dade County; and

WHEREAS, the Board wishes to establish as its policy that design and construction of the Neighborhood Improvements be given funding priority from any uncommitted and unexpended Series 2005 Bond proceeds and Series 2008B Bond Proceeds (collectively, the "BBC GOB Proceeds"); and

WHEREAS, the Board wishes to direct the County Mayor or the County Mayor's designee to make a recommendation to the Board identifying Neighborhood Improvements suitable for acceleration of funding from any uncommitted and unexpended BBC GOB Proceeds,

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. It is a policy of this Board that design and construction of the Neighborhood Improvements be given funding priority from the any uncommitted and unexpended BBC GOB Proceeds.

Section 3. The County Mayor or the County Mayor's designee is hereby directed to make a recommendation to the Board identifying Neighborhood Improvements suitable for acceleration of funding from any uncommitted and unexpended BBC GOB Proceeds and to submit such recommendation directly to the Board without committee review within thirty days of the effective date of this resolution. At such time the Board shall consider amending Exhibit A to Resolution Nos. R-577-05 and R-1154-08, as the case may be, to accelerate the funding of Neighborhood Improvements using any uncommitted and unexpended BBC GOB Proceeds.

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 2nd day of February, 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. GBK

Geri Bonzon-Keenan