

Memorandum



Date: January 11, 2010

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

From: George M. Burgess
County Manager

RCT
Agenda Item No. 4(I)

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: Resolution Awarding Safe Neighborhood Parks Funds to, and Ratifying of the Submission of a Grant Application by, Miami-Dade County Park and Recreation Department for Lakes by the Bay Park and Awarding \$346,100 of Discretionary Interest Earnings and Recaptured Funds to the Town of Miami Lakes Contingent upon Resolution of Certain Payment Disputes between the County and the Town

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution: (1) awarding \$750,000 in Safe Neighborhood Parks (SNP) Discretionary Interest Earnings and Recaptured Funds to Miami-Dade County Park and Recreation Department (MDPR) for Lakes by the Bay Park for the Interpretive Trails, Phase 1 project (the "Project"); (2) ratifying MDPR's submission of a grant application for said funds; (3) awarding \$346,100 of Discretionary Interest Earnings to the Town of Miami Lakes for Royal Oaks Park, Miami Lakes Park, and Sevilla Estates Park, contingent upon resolution of certain Quality Neighborhoods Improvement Bond (QNIP) payment disputes between the County and the Town of Miami Lakes; and (4) authorizing the County Mayor or the Mayor's designee to negotiate and execute grant agreements with the subject entities, and to exercise any renewal, cancellation and termination provisions contained therein.

SCOPE

The scope of this agenda item impacts Commission Districts 8 and 13.

FISCAL IMPACT/FUNDING SOURCE

Funding is provided by the SNP Bond Program authorized under County Ordinance No. 96-115 as amended, including available interest earned. Once the Project is completed, MDPR's annual operating budget and maintenance costs for the Lakes by the Bay Park will increase by \$24,000 annually.

TRACK/RECORD MONITOR

The grantees will implement the projects and the County's Office of Capital Improvements (OCI), Johnny Martinez, P.E., Director, will monitor the projects.

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 authorized the issuance, subject to approval by special election, of \$200 million in general obligation bonds for park projects, established a Citizens' Oversight Committee (COC) and empowered it to administer the bond program, and recommend entities and projects eligible for bond funding to the Board.

On December 7, 2009, the Recreation, Culture & Tourism Committee forwarded to the BCC with a favorable recommendation a resolution approving conveyance of 49.3 acres of land at Lakes by the Bay Park to the Town of Cutler Bay, designating such land as local park, retaining as countywide park 55.24 acres of Lakes by the Bay Park; and approving the sub-grant by MDPR to the Town of Cutler Bay of all previously awarded SNP funds for Lakes by the Bay Park. Additionally, the Building Better Communities General Obligation Bond funds designated for Lakes by the Bay Park will be dedicated to the development of the local park. If approved by the Board, the above funding actions would result in no funding being available for countywide park development at Lakes by the Bay Park.

On December 16, 2009, MDPR attended the COC meeting and verbally requested \$750,000 in SNP Discretionary Interest Earnings and Recaptured Funds for the countywide portion of Lakes by the Bay Park. While the initial request was oral, MDPR subsequently completed a written grant application with all supporting documents. The Project will provide for clearing exotic vegetation, restoring walkways/nature trails and landscaping, constructing an interpretive gazebo/nature shelter and a turn-about, installing site furniture and wayfinding and interpretive signage. The COC waived the competitive requirements of its administrative rules including the matching funds requirement and voted to approve and recommend the allocation to MDPR. This recommendation was made in accordance with the SNP Ordinance and COC Resolution No. R-1-99 (Attachment 1).

In addition, at the December 16th SNP COC meeting, the COC awarded the Town of Miami Lakes \$346,100 of Discretionary Interest Earnings for Royal Oaks Park (\$200,000), Miami Lakes Park (\$46,100), and Sevilla Estates Park (\$100,000) with the condition that Royal Oaks Park, Miami Lakes Park, and Sevilla Estates Park be completed by December 2, 2010. However, at the December 1, 2009 Board of County Commissioners meeting, staff was directed to hold any funds re-allocated to the Town in abeyance until such time as resolution of payment disputes between the County and the Town relating to QNIP funds were resolved. Staff will continue to work with the Town to resolve any outstanding issues.

The attached resolution awards \$750,000 in SNP Discretionary Interest Earnings and Recaptured Funds to MDPR for the countywide portion of Lakes by the Bay Park, for the Interpretive Trails, Phase 1 project and \$346,100 to the Town of Miami Lakes for Royal Oaks Park, Miami Lakes Park, and Sevilla Estates Park contingent upon dispute resolution with the County and the Town of Miami Lakes completing such projects by December 2, 2010. The grant agreement with the Town of Miami Lakes will only be executed once Miami Lakes has resolved its outstanding QNIP payment issues with the County.


Assistant County Manager



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 _____ Agenda Item No. _____
Veto _____
Override _____

RESOLUTION NO. _____

RESOLUTION AWARDING \$750,000 SAFE NEIGHBORHOOD PARKS DISCRETIONARY INTEREST EARNINGS AND RECAPTURED FUNDS TO MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT FOR COUNTYWIDE PORTION OF LAKES BY THE BAY PARK; RATIFYING SUBMISSION OF GRANT APPLICATION FOR SUCH PROJECT; AWARDING \$346,100 OF DISCRETIONARY INTEREST EARNINGS TO TOWN OF MIAMI LAKES CONTINGENT UPON RESOLUTION OF CERTAIN PAYMENT DISPUTES BETWEEN COUNTY AND TOWN OF MIAMI LAKES; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE RELATED GRANT AGREEMENTS, AND TO EXERCISE ANY RENEWAL, CANCELLATION OR TERMINATION PROVISIONS CONTAINED THEREIN

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:

Section 1. Awards \$750,000 of SNP discretionary interest earnings and recaptured funds to the Miami-Dade County Park and Recreation Department for the Lakes by the Bay Park Interpretive Trails, Phase 1 project and authorizes the County Mayor or the Mayor's designee to expedite execution of the related grant agreement, following approval by the County Attorney's Office, and to exercise any renewals, cancellations and termination provisions of such agreement.

Section 2. Awards \$346,100 of discretionary interest earnings to the Town of Miami Lakes for Royal Oaks Park (\$200,000), Miami Lakes Park (\$46,100), and Sevilla Estates Park (\$100,000), contingent upon resolution of certain Quality Neighborhoods Improvement Bond payment disputes between the County and the Town of Miami Lakes, and once such payment dispute has been resolved to the satisfaction of the Board, authorizes the County Mayor or the Mayor's designee to negotiate and execute the related grant agreement with the Town of Miami Lakes, following approval by the County Attorney's Office, and to exercise any renewals, cancellations, and termination provisions of such 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
Dorin 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, 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.

MW

Monica Rizo

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