MEMORANDUM

Agenda Item No.

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

DATE: February 2, 2010

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

SUBJECT: Resolution awarding $500,000 Safe Neighborhood Parks Discretionary interest earnings to the Gwen Cherry Park Foundation, Inc. and the Miami-Dade Park and Recreation Department for the Miami National Football League Youth Education Town (YET) Center expansion

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

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

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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 AWARDING $500,000 SAFE NEIGHBORHOOD PARKS DISCRETIONARY INTEREST EARNINGS TO THE GWEN CHERRY PARK FOUNDATION, INC. AND THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MIAMI NATIONAL FOOTBALL LEAGUE YOUTH EDUCATION TOWN (YET) CENTER EXPANSION; RATIFYING THE MIAMI-DADE PARK AND RECREATION DEPARTMENT'S SUBMISSION OF GRANT APPLICATION; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE RELATED GRANT AGREEMENT, AND TO EXERCISE ANY RENEWAL, CANCELLATION OR TERMINATION PROVISIONS CONTAINED THEREIN

WHEREAS, 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, and this program is known as the Safe Neighborhood Parks ("SNP") Bond Program; and

WHEREAS, on January 29, 2009, the Gwen Cherry Park Foundation, Inc. attended the COC meeting and verbally requested $500,000 of SNP discretionary interest earnings, to be matched by the National Football League ("NFL"), to be used for the expansion of the NFL Youth Education Town ("YET") Center at Gwen Cherry Park; and

WHEREAS, the COC waived the competitive requirements of its administrative rules and vote to recommend the allocation of funds to the Gwen Cherry Park Foundation, Inc., and

that recommendation was made in accordance with the SNP ordinance and COC Resolution No. R-1-99 (Attachment 1); and

WHEREAS, the Gwen Cherry Foundation, Inc. subsequently completed a written application for the funds with all supporting documents; and

WHEREAS, at the January 11, 2010 Recreation, Culture and Tourism ("RCT") Committee meeting of this Board, the RCT Committee considered the award of $500,000 to the Gwen Cherry Park Foundation, Inc. for the NFL YET Center expansion and voted to defer the item to its next meeting; and

WHEREAS, the RCT Committee requested that the COC meet to consider the entities and corresponding projects that applied for funding under RFP SNP 0809, as well as the Gwen Cherry's NFL YET Center project and MDPR's Lakes by the Bay Park project, and to recommend for award $1.25 million (which included the $500,000 originally recommended for award to the NFL YET Center) among these entities and projects; and

WHEREAS, in the interim, in order to satisfy the site control requirements of the COC's administrative rules, MDPR became a co-applicant along with the Gwen Cherry Park Foundation, Inc. for the NFL YET Center expansion project since the project will be built on a County park; and

WHEREAS, the COC convened on January 29, 2010 and unanimously recommended the award of $500,000 of discretionary interest earnings to the Gwen Cherry Park Foundation, Inc. and MDPR for the NFL YET Center expansion project; and

WHEREAS, the NFL YET Center expansion project will provide a multimedia center of approximately 2,500 sq. ft. for the community and it is scheduled to be completed in June of 2010; and

WHEREAS, on February 3, 2010, the NFL is expected to host a press conference to announce the award of $500,000 of private funds for the NFL YET Center expansion project at Gwen Cherry Park; and

WHEREAS, this Board believes that it is in the best interest of Miami-Dade County to award $500,000 to Gwen Cherry Park Foundation, Inc. and MDPR for the NFL YET Center expansion project at Gwen Cherry Park because this award will result in a $500,000 match from the NFL and the facility, once completed, will serve residents and youth from one of the County's neediest communities and areas,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board awards $500,000 of SNP discretionary interest earnings to the Gwen Cherry Park Foundation, Inc. and MDPR for the NFL YET Center expansion project, ratifies the submission of a grant application by MDPR for such 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 renewal, cancellation, and termination provisions of such agreement.

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle. 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. MR

Monica Rizo

Attachment 1

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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Attachment 1

- 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

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