

MEMORANDUM

Agenda Item No. 5(D)

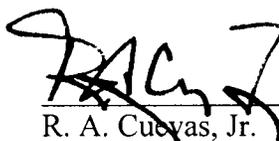
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 8, 2010

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

SUBJECT: Resolution approving significant
modification to BBC GOB
Program Project No. 293 to
allocate \$1,000,000 to Curtiss
Mansion

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM
(Revised)

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

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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. 5(D)
7-8-10

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT
MODIFICATION TO BUILDING BETTER COMMUNITIES
GENERAL OBLIGATION BOND PROGRAM PROJECT NO.
293 - "HISTORIC PRESERVATION FUND", AS IDENTIFIED
IN APPENDIX A TO RESOLUTION NO. R-919-04 TO
ALLOCATE \$1,000,000 TO CURTISS MANSION AFTER
PUBLIC HEARING; WAIVING ADMINISTRATIVE RULES
CONTEMPLATING COMPETITIVE PROCESS; AND
AUTHORIZING COUNTY MAYOR OR MAYOR'S
DESIGNEE TO EXECUTE INTERLOCAL COOPERATION
AGREEMENT AND TO DISBURSE FUNDS AFTER
SATISFACTION OF CONDITIONS PRECEDENT

WHEREAS, the Glenn H. Curtiss Mansion (the "Curtiss Mansion"), a facility owned by the City of Miami Springs (the "City") and listed in the National Register of historic property, was built in 1925 by Glenn H. Curtiss as his personal residence, located at 500 Deer Run Street, Miami Springs, Florida; and

WHEREAS, Glenn H. Curtiss was an American aviation pioneer, real estate developer and the developer of "Country Club Estates" later to be incorporated as the present day City of Miami Springs; and

WHEREAS, the Curtiss Mansion is one of the largest and most architecturally distinguished of the Pueblo Revival-type residences associated with the City of Miami Springs developments; and

WHEREAS, Curtiss Mansion's architect, Martin Luther Hampton, was one of Miami-Dade's most prominent architects during the 1920's and his designs included the former Miami Beach City Hall and the Congress Building in downtown Miami; and

WHEREAS, Appendix A to Resolution No. 919-04 (the “Cultural Facility Resolution”), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “BBC Program”) by project number, municipal project location, BCC district, project name, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Cultural Facility Resolution and approved by the voters for funding is Project No. 293 – “Historic Preservation Fund” (“Project No. 293”), a Countywide fund with an allocation equal to \$10,000,000 and a project description that states: “[e]stablish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000 and \$3 million to fund the Miami Marine Stadium”; and

WHEREAS, all additions, deletions and significant modifications to individual projects or to Appendix A to the Cultural Facility Resolution require a majority vote of the Board after a public hearing; and

WHEREAS, this Board wishes to approve a significant modification to Project No. 293 to change the Project Description to add a \$1 million allocation to the restoration of the Curtiss Mansion such that the new Project Description would read as follows: “[e]stablish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic

districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000, \$3 million to fund the Miami Marine Stadium and \$1 million to fund the restoration of the Curtiss Mansion”; and

WHEREAS, this significant modification to Project No. 293 would add the Curtiss Mansion as an eligible historical site and would allocate \$1 million of Project No. 293 BBC Program funds to its historical preservation; and

WHEREAS, these funds would compliment additional funding for the restoration of Curtiss Mansion provided by BBC GOB Project No. 271- “Curtiss Mansion”; and

WHEREAS, Miami-Dade County voters approved an allocation of \$1 million to BBC GOB Project No. 271 - “Curtiss Mansion” to “[r]estore the Curtiss Mansion for use as an educational and research center on the history of aviation, visitors attraction and historical museum, through the Office of Historic Preservation. Built in 1925 as the private residence of developer and pioneer inventor and aviator Glenn Curtiss, the mansion was built in the Pueblo style which he used as the theme for the architecture of Miami Springs. The building served as part of the Miami Springs Country Club before falling victim to fires and disrepair”; and

WHEREAS, the Administrative Rules governing the BBC GOB Program contemplate that the award of Project No. 293 funds to an eligible project be made pursuant to a competitive process even though such a process is not legally required; and

WHEREAS, this Board wishes to award \$1 million from Project No. 293 BBC GOB Program funds to the Curtiss Mansion without a competitive process; and

WHEREAS, this Board wishes to authorize the execution of an Interlocal Cooperation Agreement with the City and the disbursement of BBC GOB Program funds for this purpose only after the satisfaction of certain conditions precedent,

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. This Board hereby approves the significant modification to Project No. 293, identified in Appendix A to Resolution No. R-919-04, after a public hearing to change the Project Description to read as follows: “Establish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000, \$3 million to fund the Miami Marine Stadium and \$1 million to fund the restoration of the Curtiss Mansion.”

Section 3. This Board waives the Administrative Rules governing the BBC GOB Program that contemplate the award of Project No. 293 funds to an eligible project pursuant to a competitive process and awards \$1 million from Project No. 293 BBC GOB Program funds to the restoration of the Curtiss Mansion without a competitive process.

Section 4. Notwithstanding the authority delegated to the County Manager pursuant to Resolution No. R-595-05, this Board hereby authorizes the County Mayor or the Mayor’s designee to execute an Interlocal Cooperation Agreement(s) and to disburse BBC GOB Program funds to fund the restoration of the Curtiss Mansion only after the satisfaction of all of the

following conditions precedent: (a) the City shall submit a plan for the funding of all design and construction costs associated with the complete restoration of the Curtiss Mansion (the “Project”), including identification of all funding sources and written commitments from third parties, if any, and the City covenants and warrants that it has, in combination with the Project No. 293 \$1 million allocation, the amount of funding necessary to complete the Project; (b) the City shall submit a plan for the funding of future operating costs of the Project; and (c) Project No. 293 must be listed as a project eligible for funding in one or more BBC GOB Program bond series resolutions. The Interlocal Cooperation Agreement shall provide that the Project No. 293 \$1 million allocation shall be used to fund the last \$1 million of construction costs necessary to complete the Project.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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	

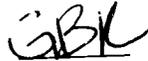
The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Geri Bonzon-Keenan

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



Legislative Notes

Agenda Item: 5(D)
File Number: 101084
**Committee(s)
of Reference:** Board of County Commissioners
Date of Analysis: June 24, 2010
Type of Item: Significant Modification to Building Better Communities General Obligation Bond Program

Summary

This item approves the significant modification to Project No. 293 of the voter-approved Building Better Communities General Obligation Bond Program (BBC-GOB). This amendment would dedicate \$1 million to the Curtiss Mansion rehabilitation project from the BBC-GOB-based Historic Preservation Fund. The Historic Preservation Fund is capped at \$10 million, of which \$3 million has been allocated to the preservation of Miami Marine Stadium.

This item would also waive the Administrative Rules governing the GOB program that contemplate a competitive process in awarding of Historic Preservation funds.

Background and Relevant Legislation

BBC-GOB Project No. 293 created a \$10 million Historic Preservation Fund "to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings." (Page 9, Appendix A, Resolution R-919-04.) Originally, the Office of the Historic Preservation would make available up to \$1 million annually grants and loans between \$25,000 and \$250,000 from the fund.

On April 6, 2010, the Board of County Commissioners approved a significant modification to Project 293 dedicating \$3 million from the Historic Preservation Fund to the restoration of the Miami Marine Stadium. (Resolution R-328-10.)

Curtiss Mansion

BBC-GOB Project No. 271 awarded \$1 million to the Curtiss Mansion restoration project. The funds were used to preserve the shell of the building which was built in 1925. (Page 5, Appendix A, Resolution R-919-04.) The project is intended to convert the mansion into an educational and research center on the history of aviation, visitors' attraction and historical museum.

According to staff, the additional funds would be used for the renovation of the inside of the Curtiss Mansion.

Administrative Rules

The BBC-GOB program as created by Ordinance 05-47, is administratively governed by the Building Better Communities Administrative Rules. (Page 2, Building Better Communities Administrative Rules, Rev. 1/07.) The rules are intended to create a competitive process by which funding is allocated.

According to the Administrative Rules, recipients of Historic Preservation funds must apply for funding during a funding cycle. Following closure of an application submission period, the County Manager will review and evaluate each Funding Application Package for funding eligibility or ineligibility. According to the Rules, the County Manager may use the Dade Heritage Trust and the Historic Preservation Board to vet the applicants.

This proposed resolution would waive the provisions of the Administrative Rules.

Policy Change

This item would constitute a significant modification to the BBC-GOB program by adding an additional allocation of \$1 million to the Curtiss Mansion project. This item would waive the Administrative Rules of the BBC-GOB which are intended to create a competitive process for the allocation of Historic Preservation Funds.

Prepared by: Jason T. Smith