MEMORANDUM

Agenda Item No. 5(A)

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

DATE: June 3, 2010

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

SUBJECT: Resolution approving significant modification to BBC GOB Program Project No. 92 - "Unincorporated Municipal Service Area – Arcola Lakes Park"

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/up

MEMORANDUM
(Revised)

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

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SUBJECT: Agenda Item No. 5(A)

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(A)
6-3-10

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 92 - "UNINCORPORATED MUNICIPAL SERVICE AREA – ARCOLA LAKES PARK", AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 TO INCREASE ALLOCATION FROM $6,000,000 TO $6,300,000 AFTER PUBLIC HEARING; APPROVING ALLOCATION OF ADDITIONAL $300,000 FROM INTEREST EARNINGS GENERATED FROM INVESTMENT OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROCEEDS; DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST SUCH PROJECT IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS AND TO FUND FROM SUCH BOND PROCEEDS FULL AMOUNT NECESSARY TO DEVELOP AND TIMELY COMPLETE ARCOLA LAKES SENIOR CENTER; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS; AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO IMPLEMENT EXPEDITED COMPETITIVE PROCESS PROCEDURES AUTHORIZED BY ECONOMIC STIMULUS ORDINANCE FOR SELECTION OF ARCOLA LAKES SENIOR CENTER'S CONTRACTOR

WHEREAS, one of the projects approved by the voters for Building Better Communities General Obligation Bond Program (the "BBC GOB Program") funding is the construction at the Arcola Lakes Park of a new one story senior center building, an outdoor therapeutic aquatic pool and heated whirlpool, associated deck space, vehicular and pedestrian circulation, parking and landscaping, all located at 1301 NW 83rd Street (the "Arcola Lakes Senior Center"); and

WHEREAS, pursuant to Resolution No. R-380-09, this Board added the Arcola Lakes Senior Center to the list of economic stimulus projects so as to expedite construction of such

facility in order to stimulate the local economy and to meet the projected construction commencement date of November 2010 with anticipated project completion in November 2011; and

WHEREAS, in the County's 2009-10 adopted budget, the Arcola Lakes Senior Center was funded from BBC GOB Program bond proceeds in an amount equal to $4,265,000 with the balance of the funds necessary for completion anticipated to be funded from BBC GOB Program bond proceeds in 2010-11; and

WHEREAS, accordingly the Arcola Lakes Senior Center was listed as eligible for funding from BBC GOB Series 2008A bond proceeds as set forth in Exhibit A to Resolution No. R-1154-08; and

WHEREAS, despite the fact that this Board has directed that construction of the Arcola Lakes Senior Center be expedited, has funded such construction in this fiscal year's budget, has expressly authorized use of BBC GOB Series 2008A bond proceeds to fund such design and construction, and has approved the requisite development plans, building permits and waivers of plats, the administration has indefinitely delayed the construction of the Arcola Lakes Senior Center; and

WHEREAS, Resolution No. R-913-04 (the "Park and Recreational Facilities Resolution") authorized the issuance of $680,258,000 in general obligation bonds for the construction and improvement of neighborhood and regional parks and other recreational areas; and

WHEREAS, one of the projects listed in Appendix A to the Parks and Recreation Resolution and approved by the voters for funding is Project No. 92 – "Unincorporated

Municipal Service Area - Arcola Lakes Park" in an amount of $6,000,000 which includes construction of the Arcola Lakes Senior Center ("Project No. 92"); and

WHEREAS, the construction of the Arcola Lakes Senior Center will fulfill the urgent and dire need for an eagerly awaited center where elderly residents of the community can meet, socialize, address health and wellness concerns, and cultivate meaningful support groups; and

WHEREAS, the failure to allocate sufficient funds to fund the budget shortfall and resulting operating and maintenance costs will result in a failure to accord Project No. 92 the priority which the voters desired; and

WHEREAS, it has been determined that an additional $300,000 will be necessary to successfully complete Project No. 92, thereby increasing the total cost from $6,000,000 to $6,300,000; and

WHEREAS, additions, deletions and significant modifications to individual projects or to Appendix A to the Parks and Recreation Resolution may be made by this Board after a favorable majority vote following a public hearing; and

WHEREAS, in BBC GOB Program Quarterly Progress Report dated April 5, 2010, the County Manager reported to the Board that as of that date $2.4 million of net interest income was available from the investment of BBC GOB Program bond proceeds derived from BBC GOB Program bonds (the "GOB Interest"), including but not limited to the Series 2008A bonds; and

WHEREAS, this Board wishes to approve a significant modification to Project No. 92 to increase the original allocation from $6,000,000 to $6,300,000 and to approve the funding of the additional $300,000 from GOB Interest; and

WHEREAS, Implementing Order No. 3-47 sets forth a process for the allocation of surplus funds from the BBC GOB Program, that includes the funding of budget shortfalls of BBC GOB Program projects from GOB Interest; and

WHEREAS, in accordance with Implementing Order No. 3-47, the proposed use of GOB Interest as surplus funds to fill Project No. 92's budget shortfall was presented to the Citizen's Advisory Committee and this item was forwarded by the Citizen's Advisory Committee to the Board with a favorable recommendation; and

WHEREAS, the Board wishes to direct the County Mayor or the Mayor's designee to list Arcola Lakes Senior Center in the next series resolution as eligible for funding, to fund the development and construction of the Arcola Lakes Senior Center in full ($6,300,000 minus any previous BBC GOB Program funding) from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or the Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval; and

WHEREAS, this Board wishes to direct the County Mayor or the Mayor's designee to implement expedited competitive process procedures authorized by Ordinance No. 08-92 (the "Economic Stimulus Ordinance") for selection of the Arcola Lakes Senior Center's contractor,

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 (i) approves the significant modification to Project No. 92 to increase the allocation from $6,000,000 to $6,300,000 which will be funded from GOB Interest so the column titled "Allocation (000s)" with respect to Project No. 92 in Appendix A to the

Parks and Recreation Resolution shall read "$6,300 ($6,000 funded by bond proceeds and $300 funded from interest earnings)" ; and (ii) approves the allocation of $300,000 from GOB Interest to Project No. 92 to fund the budget shortfall.

Section 3. The County Mayor or the Mayor's designee is hereby directed to list the Arcola Lakes Senior Center in the next series resolution as a project eligible for funding and to fund the development and timely completion of the Arcola Lakes Senior Center in full ($6,300,000 minus any previous BBC GOB Program funding) from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010). The County Mayor and the Mayor's designee is directed to not make any adjustments to said funding for any reason, including cash flow revisions authorized by Implementing Order No. 3-47, without this Board's prior approval.

Section 4. The County Mayor or the Mayor's designee is hereby directed to implement expedited competitive process procedures authorized by the Economic Stimulus Ordinance for selection of the Arcola Lakes Senior Center's contractor.

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 3rd day of June, 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. GBK

Geri Bonzon-Keenan

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

Legislative Notes

Agenda Item:	**5(A)**
File Number:	**101113**
Committee(s) of Reference:	**Board of County Commissioners**
Date of Analysis:	**May 10, 2010**
Type of Item:	**Resolution**
Sponsor:	**Commissioner Dorrin D. Rolle**

Summary

This resolution approves the following:

- Significant modification to the Building Better Communities General Obligation Bond Program (BBC-GOB) Project No .92 (Unincorporated Municipal Service Area-Arcola Lakes Park), as identified in Appendix A to Resolution 913-04 to increase the allocation from $6.0 million to $6.3 million after a public hearing;
- Allocation of additional $300,000 from interest earnings generated from the investment BBC-GOB proceeds;
- Directs the County Mayor or his designee to list such project in a Series resolution as eligible for funding in the next Series of BBC-GOBs and to fund from such bond proceeds the full amount necessary to develop and timely complete the Arcola Lakes Senior Center;
- Requires Board of County Commissioners (BCC) approval to such funding, including cash flow revisions; and
- Directs the County Mayor or his designee to implement an expedited competitive process procedures authorized by the Economic Stimulus Ordinance for selection of Arcola Lakes Senior Center's contractor.

Background and Relevant Information

On April 7, 2009, the BCC, through Resolution 380-09, added the Arcola Lakes Senior Center to the list of Economic Stimulus Projects to be expedited under the Economic Stimulus Plan to provide jobs and act as a stimulus to the local economy.

Economic Stimulus Plan

In response to the economic slowdown, the BCC enacted Ordinance 08-92 (June 2008) which incorporates the Administration's recommendation to evaluate various strategic actions that could be implemented which will have a significant positive impact on the local labor market in a more expedient manner. The Office of Capital Improvements (OCI) identified certain capital projects that could be fast tracked over an 18- month period as part of a comprehensive Economic Stimulus Plan.

Building Better Communities General Obligation and Quarterly Progress Report
1st and 2nd Quarters FY 2009-10 (October 1, 2009-March 31, 2010)
According to the BBC-GOB Quarterly Report dated April 5, 2010, 447 (County department, municipal and not-for-profit) projects were in various stages of development, with 406 (91 percent) of these sites proceeding on-schedule. As of this reporting period, the entire $147.1 million from the first tranche of the current bond sale (Series 2008B/B1-approximatley $350 million total) has been spent. Further, $61.2 million of the second tranche (approximately $201.7 million) has also been spent bringing the overall total spent from the Series 2008B/B1 bond sale to $208.2 million.

Projected Operating and Maintenance Impact for the Arcola Lakes Senior Center[1]
in FY 2008-2009 Dollars

Asset	Quantity	Description	Estimated Annual Revenues [1]	Estimated Annual Staff Costs	Estimated Annual Operating and Start-up Costs	Estimated Total Annual Expenses [2]	Estimated Annual FTEs [3]
Senior Center	**1**	14,206 SF Floor Area, this building has a Banquet room, administrative offices, game room, arts and craft room, storage, male (2 Stalls) & female (5 Stalls) restrooms.	$14,500	$222,820	$407,180	$630,000	**5**
Swimming Pool	**1**	1,126 SF Pool facility	$3,000	$209,664	$90,336	$300,000	**6**
Parking Lot (lighted)	**1**	133 Spaces Lighted Parking Lot	$0	$0	$8,500	$8,500	0
		Total	**$17,500**	**$432,484**	**$506,016**	**$938,500**	**11**

Source: Miami-Dade Parks and Recreation Department

Prepared by: Michael Amador-Gil

[1] Revenues, expenses and FTEs are based on primary/basic services only. Recreational programming is not included.

[1] Estimated revenues are assuming a full year of operation (12 months)

[2] Source: Miami-Dade Parks Operating Impacts Analysis

[3] FTE = Full-time equivalent; 1 FTE = 2,080 annual labor hours; Source: Miami-Dade Parks Impact Analysis