



MEMORANDUM

Agenda Item No. 11(A)(1)

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

DATE: November 16, 2010

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

SUBJECT: Resolution directing County Mayor
to list Building Better Communities
General Obligation Bond Program
Project No. 286 – Construction of
the Westchester Community Arts
Center

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** November 16, 2010
and Members, Board of County Commissioners

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

SUBJECT: Agenda Item No. 11(A)(1)

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. 11(A)(1)
11-16-10

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 286 – "CONSTRUCTION OF THE WESTCHESTER COMMUNITY ARTS CENTER" IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS, TO FUND \$8 MILLION FROM SUCH BOND PROCEEDS IN ORDER TO TIMELY DEVELOP AND CONSTRUCT THE WESTCHESTER COMMUNITY ARTS CENTER AND TO CONTRACT WITH PROGRAMMING PARTNER FOR SUCH FACILITY; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS

WHEREAS, pursuant to Resolution No. R-919-04 (the "Cultural Facilities Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000 to construct and improve libraries, cultural facilities, and Head Start learning Centers; and

WHEREAS, Appendix A to the Cultural Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond ("BBC GOB") Program by project number, municipal project location, BCC district, project name, project description, street address and allocation; and

WHEREAS, one of the projects listed in Appendix A to the Cultural Facilities Resolution and approved by the voters for funding is Project No. 286 – "Construction of the Westchester Community Arts Center" ("Project No. 286") with a project description of "Construction of a community arts center to include Hispanic heritage programming space and a studio theater at Tropical Park" with an allocation of \$8 million; and

WHEREAS, this Board wishes to direct the County Mayor or Mayor's designee to list Project No. 286 in the next series resolution as a project eligible for funding, to fund the development and construction of the Westchester Community Arts Center at Tropical Park in full in the amount of \$8 million 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 Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval; and

WHEREAS, this Board wishes to further direct the County Mayor or Mayor's designee to secure a programming partnership agreement with a programming partner that has experience in providing children's dance, musical and theatre in order for such programming partner to provide programming at the Westchester Community Arts Center,

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 directs the County Mayor or Mayor's designee (i) to list Project No. 286 in the next series resolution as a project eligible for funding, (ii) to fund the development and construction of the Westchester Community Arts Center at Tropical Park in full in the amount of \$8 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and (iii) not to 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 3. This Board directs the County Mayor or Mayor's designee to secure a programming partnership agreement with a programming partner that has experience in

providing children's dance, musical and theatre in order for such programming partner to provide programming at the Westchester Community Arts Center.

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 |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of November, 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.

MR

Monica Rizo