

**MEMORANDUM**

Agenda Item No. 5(C)

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

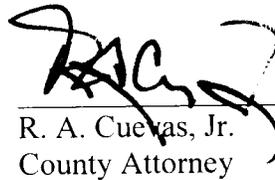
**DATE:** December 7, 2010

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

**SUBJECT:** Resolution approving significant  
modification to Building Better  
Communities General Obligation  
Program Project No. 293 to allocate  
\$2.0 million to Historic Opa-locka  
City Hall

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



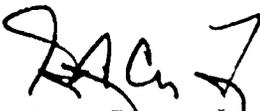
# MEMORANDUM

(Revised)

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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(C)  
12-7-10

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 \$2.0 MILLION TO HISTORIC OPA-LOCKA  
CITY HALL AFTER PUBLIC HEARING; WAIVING  
ADMINISTRATIVE RULES CONTEMPLATING  
COMPETITIVE PROCESS; DIRECTING COUNTY MAYOR  
OR COUNTY 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 TIMELY COMPLETE HISTORIC OPA-  
LOCKA CITY HALL RESTORATION; AND REQUIRING  
BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH  
FUNDING, INCLUDING CASH FLOW REVISIONS

**WHEREAS**, the Historic Opa-locka City Hall located at 777 Sharazad Boulevard Street (the "Historic Opa-locka City Hall") and owned by the City of Opa-locka (the "City"), is a three story building comprised of 6000 square feet built in 1926 and was previously used by the City as a city hall to provide essential services to its citizens; and

**WHEREAS**, because of its Moorish architecture, Historic Opa-Locka City Hall was placed on the National Register of Historic Places on March 22, 1982 and designated a historic site by the Opa-locka Historic Preservation Board in 1991; and

**WHEREAS**, over the years, Historic Opa-locka City Hall has been the backdrop for numerous movies and commercials and is listed as one of four historic black heritage visitation sites according to the publication called the "Florida Black Heritage Trail"; and

**WHEREAS**, Historic Opa-locka City Hall is in need of major restoration including structural, roofing, electrical and plumbing repairs and site work at an estimated cost of \$2

million in order to preserve it as a historic facility and to make it safe for use by the City and the general public for public and private events; 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, \$3 million to fund the Miami Marine Stadium and \$1 million to fund the restoration of Curtiss Mansion”; 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 \$2.0 million allocation to the restoration of the Historic Opa-Locka City Hall 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, \$1 million to fund the restoration of Curtiss Mansion and \$2.0 million to fund the restoration of the Historic Opa-Locka City Hall”; and

**WHEREAS**, this significant modification to Project No. 293 would add the Historic Opa-Locka City Hall as an eligible historic facility and would allocate \$2.0 million of Project No. 293 BBC Program funds to its historic preservation; 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 \$2.0 million from Project No. 293 BBC GOB Program funds to the Historic Opa-Locka City Hall without a competitive process; and

**WHEREAS**, the Board wishes to direct the County Mayor or the County Mayor’s designee to list Project No. 293 funding for Historic Opa-Locka City Hall in the next series resolution as eligible for funding, to fund the restoration of the Historic Opa-Locka City Hall from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued

in the first quarter of 2011) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or the County Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval,

**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, \$1 million to fund the restoration of Curtiss Mansion and \$2.0 million to fund the restoration of the Historic Opa-Locka City Hall; and

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 \$2.0 million from Project No. 293 BBC GOB Program funds to the restoration of the Historic Opa-Locka City Hall without a competitive process.

Section 4. The County Mayor or the County Mayor's designee is directed to list the Project No. 293 funding for the Historic Opa-Locka City Hall in the next series resolution as a project eligible for funding and to fund the timely restoration of the Historic Opa-locka City Hall

from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in first quarter of 2011). The County Mayor and the County 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.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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               | Lynda Bell        |
| Audrey M. Edmonson              | Carlos A. Gimenez |
| Sally A. Heyman                 | Barbara J. Jordan |
| Joe A. Martinez                 | Jean Monestime    |
| Natacha Seijas                  | Rebeca Sosa       |
| Sen. Javier D. Souto            |                   |

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of December, 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.

Gerald T. Heffernan

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



Legislative Notes

**Agenda Item:** 5(C), 5(D), 5(E)

**File Number:** 102511, 102447 and 102717

**Committee(s)  
of Reference:** Board of County Commissioners

**Date of Analysis:** November 11, 2010

**Prime Sponsor:** Commissioner Barbara J. Jordan for item 5(C)  
Chairman Dennis C. Moss for item 5(E)  
Commissioner Rebeca Sosa for item 5(D)

**Type of Item:** Significant Modification to Building Better Communities General Obligation Bond Program

**Summary**

These items approve a significant modification to Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 293.

**Background and Relevant Legislation**

The Historic Preservation Fund (HPF) is a program funded under the BBC-GOB through project 293 with an original allocation of \$10 million (R-919-04). The HPF is intended to provide matching funds to private property owners, private non-profit organizations, and municipal government agencies for the acquisition, relocation and rehabilitation of designated historic properties, or properties eligible for designation as a historic property or as a contributing historic property within Miami-Dade County.

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). These administrative rules have been prepared to address the administration and allocation of funds for the projects and programs identified in the BBC-GOB Program. In addition to the funding of projects listed in the BBC-GOB program, eligible projects may be funded through the application process described in the administrative rules with monies from four (4) funds. The four (4) funds are as follows:

- Historical Preservation Fund (HPF);
- Economic Development Fund (EDF);
- Not-for-Profit Community Organization Capital Fund (NFPCF); and
- Primary Health Care Facilities Fund (PHCFF)

At the June 9, 2010, Transit, Infrastructure & Roads Committee, the Director of the Office of Capital Improvements responded to Committee member concerns about the lack of a competitive process as it related to the issuance of HPF. The Director of Capital Improvements (OCI) noted that an RFP competitive process was initiated and advertised to issue a portion of the \$10 million of HPF. However, the Director of OCI further noted that due to the difficulties encountered in the competitive process relating to private homeownership and the limited bonding capacity of the BBC-GOB. For these reasons, County Administration decided not to move forward with the RFP.

On June 15, 2010, the Board approved Resolution R-668-10, which included amendments to the Administrative Rules governing the BBC-GOB Program. According to the amended Administrative Rules, recipients of HPF must apply for funding during a funding submission period or a funding allocation may be awarded to a recipient by the Board on a case by case basis (page 6, Building Better Communities Administrative Rules, Rev. 04/10). Additionally, the amendments provide the funding allocation, administration and reimbursement policy to require title to land acquired with BBC-GOB Program funds or facilities constructed/developed with BBC-GOB funds will vest with a Public Agency, or legally incorporated 501(c)(3) not-for-profit Community Based Organization, or an active and duly registered Florida for-profit corporation or other recognized business entity (page 21, Building Better Communities Administrative Rules, Rev. 04/2010). On July 11, 2010, the County Manager issued a memo to include a list of projects considered for the upcoming BBC-GOB bond sale and it does not include funding for BBC-GOB Project 293.

The Board approved three significant modifications to Project 293 to include the following:

- Resolution R-328-10 approved \$3 million of HPF for the Miami Marine Stadium;
- Resolution R-707-10 approved \$1 million of HPF for the restoration of the Curtiss Mansion; and
- On November 4, 2010, the Board of County Commissioners approved \$1.8 million of HPF for the restoration of the Historic Hampton House.

**Currently, the following legislative items seek to approve allocations from the HPF:**

Item	Title	Allocation Amount	Project Status
5C	Historic Opa-Locka City Hall	\$2.0 million	n/a
5E	Military Museum of South Florida	\$1.0 million	Military Museum GOB project #283 with an allocation of \$2M involved structural stabilization and repairs needed prior to relocating the entire structure to a site adjacent to the existing Gold Coast Railroad Museum. The project is complete and has spent all funds (minus \$40,000 of final project retainage). The allocation from the Historic Preservation Fund is needed to complete the construction and restoration of the facility.
5D	Historic Biltmore Hotel and Country Club	\$1.2 million	n/a

On September 21, 2010, the Board approved resolution R-955-10 directing the County Mayor or Designee to prepare a Request for Proposals for Historic Properties that qualify for funding from the Historic Preservation Fund. Resolution R-955-10 provides a set \$250,000 limit for each grant application and requires the Selection Committee to comprise of representatives from the County's Historic Preservation Fund and the Dade Heritage Trust.

**Prepared by:** Mia B. Marin