RCT
Agenda Item No. 2(A)

MEMORANDUM

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	December 13, 2010
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing County Mayor to identify those parks in Miami-Dade County with walking paths that are not illuminated and are used by fifty or more residents on a daily basis, to estimate the cost to illuminate such paths, and to identify any available Building Better Communities General Obligation Bond Funds

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

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

DATE: January 20, 2011

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.
1-20-11

RESOLUTION NO. _____

RESOLUTION DIRECTING MAYOR OR MAYOR'S DESIGNEE TO IDENTIFY THOSE PARKS IN MIAMI-DADE COUNTY WITH WALKING PATHS THAT ARE NOT ILLUMINATED AND ARE USED BY FIFTY OR MORE RESIDENTS ON A DAILY BASIS, TO ESTIMATE THE COST TO ILLUMINATE SUCH PATHS, AND TO IDENTIFY ANY AVAILABLE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS TO FUND THE ILLUMINATION OF SUCH WALKING PATHS, INCLUDING INTEREST EARNINGS AND UNALLOCATED SURPLUS FUNDS AND TO REPORT SUCH FINDINGS TO THE BOARD

WHEREAS, the Miami-Dade County Parks & Recreation Department ("Parks Department") is the third largest county park system in the United States, consisting of 263 parks and approximately 12,848 acres of land; and

WHEREAS, Miami-Dade County's (the "County") parks provide a variety of facilities, activities and programs for the community including, but not limited to, playgrounds, athletic fields, sports development, summer-camp programs, and programs for seniors and people with disabilities; and

WHEREAS, the mission of the Parks Department is "to create outstanding recreational, natural and cultural experiences to enrich you and to enhance the quality of life our community for this and future generations"; and

WHEREAS, approximately 25 million people use the County's park system annually to, among other things, safely recreate and become more physically fit; and

WHEREAS, the County's parks must remain safe and accessible so as to facilitate their use and enjoyment by residents; and

WHEREAS, all parks should be adequately illuminated to enable residents, including children and the elderly, to use them in the early morning or early evening hours without fear of crime; and

WHEREAS, the citizens of Miami-Dade County authorized by special election the issuance of $2.926 billion in the Building Better Communities General Obligation Bonds (the "BBC GOB Program") of the County to fund various capital projects; and

WHEREAS, as the BBC GOB Program progresses, some of these capital projects may be completed under budget, may be modified to reduce scope of work or may be altogether eliminated, resulting in surplus funds being available to fund other capital projects; and

WHEREAS, on March 31, 2005, this Board enacted Ordinance No. 05-47 authorizing the issuance of general obligation bonds in an aggregate principal amount not to exceed $2,925,750,000 (the "GOB Bonds") from time to time in one or more series; and

WHEREAS, as a result of the marketing of any GOB Bonds, the County may receive a premium in excess of the principal amount; and

WHEREAS, BBC GOB Program bond proceeds earn interest while on deposit in a project fund until such bond proceeds are spent on a BBC GOB Program capital project (the "Interest Earnings"); and

WHEREAS, Interest Earnings are tantamount to bond proceeds; therefore, this Board is required to allocate Interest Earnings to BBC GOB Program capital projects,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or Mayor's designee to: (a) identify those County-owned parks with walking paths that are not illuminated and are used by fifty or more residents, on average, on a daily basis; (b) estimate the cost to illuminate such paths; (c) identify any available BBC GOB funds to fund the illumination of such walking paths, including interest earnings and unallocated surplus funds; and (d) submit a report to the Board with the aforementioned information within sixty days of the effective date of this resolution.

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	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 20th day of January, 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.

Martin W. Sybblis