

# Memorandum



**Date:** April 16, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Waiver of Competitive Bidding and Authorization to Negotiate Between Miami-Dade County and the YMCA for Construction and Operation of Recreational Centers

Agenda Item No. 8(H)(1)

**This item was amended to reflect the changes made at the January 14, 2013 Recreation and Cultural Affairs Committee meeting. Specifically, this item is amended to clarify that one of the proposed Regional Recreation Centers will be located at Oak Grove Park or an alternative site located within County Commission District 2.**

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution providing for a waiver of competitive bidding and authorize the Mayor or Mayor's designee to negotiate with The YMCA of Greater Miami (YMCA) to establish up to seven Regional Recreational Centers (RRCs) on County park land. Negotiations will occur within the framework of the Programming Partner Program (Ordinance No. 02-137) established in 2002 and amended in 2009, and pursuant to Section 26-34 of the Miami-Dade Code and Article 5.03(D) of the Home Rule Charter. Once negotiated, the Mayor or Mayor's designee will bring the Programming Partnership Operating Agreement(s) to the Board for final approval.

## **Scope**

The locations of the proposed RRCs are: 1) Kendall Indian Hammocks Park, located in District 10; 2) Ives Estates Park, located in District 1; 3) Tamiami Park, located in District 11; 4) Oak Grove Park or alternative site as determined by the Parks, Recreation and Open Spaces Department (PROS), to be located in District 2; 5) West Kendall District Park, located in District 11; 6) Chuck Pezoldt Park, located in District 9; and 7) North Pointe Park, located in District 1. These recreational facilities will be open to all residents of Miami-Dade County, therefore, the scope is Countywide.

## **Fiscal Impact/Funding Source**

There will be no fiscal impact to the County in the construction and operation of the RRCs. The YMCA will pay 100% of the costs associated with the construction and operation of the RRCs. The County will continue to develop park infrastructure and active recreation amenities outside of the estimated 40,000 sq.ft. RRCs in accordance with approved master plans using Building Better Communities General Obligation Bond (BBC-GOB) funds, or other available capital funding sources.

## **Track Record/Monitor**

PROS Contract Management Section manager, Jon Seaman, will develop and negotiate the terms and conditions of the Programming Partnership Operating Agreement(s) and development rider(s). The Program Partnership Operating Agreement(s) and development rider(s) will be brought to the Board for final approval.

## **Background**

The County's Strategic Plan establishes Recreation Goals that include sufficient distribution of recreation facilities that provide world class recreational and cultural enrichment opportunities with a wide array of outstanding programs and services for residents and visitors.

On July 23, 2002, the Board adopted Ordinance No. 02-137 creating the Programming Partners Program. This program fulfills the goals and objectives of the Recreation and Open Space Element of the Comprehensive Development Master Plan (CDMP) Objective 4C, Section ii, which provides for PROS to work with community-based and non-profit youth service organizations, foundations, facility support societies and other special interest groups to expand opportunities for private, non-profit recreational programming and investment in park improvements. The Programming Partners Program has provided for partnerships with over 40 community-based nonprofit organizations, including youth sports leagues, environmental organizations, and adult recreational leagues.

In 2005, PROS commissioned Lambert Advisory to perform a Recreation Market Assessment and make recommendations regarding the development of large regional recreation centers (40,000+ sq.ft.) within Ives Estates, West Kendall District, Amelia Earhart and Homestead Air Reserve Base Parks. The market study provided demographic analysis, recommended the appropriate mix of recreation uses, profiled best practices and benchmarked against similar community centers throughout North America for construction costs, operating expenses and revenue potential. Based on this study, PROS determined that the limited amount of BBC-GOB monies warranted establishing programming partnerships to accomplish the objective of building these types of facilities.

PROS currently has two large community recreation centers built, maintained and operated on County park land by the Boys and Girls Club in Kendall and in Northwest Miami-Dade. PROS operates and maintains two large recreation centers, at Goulds Park in South Dade and the NFL YET Center at Gwen Cherry Park in Liberty City, and has also partnered with the Gwen Cherry Park Foundation in the construction of an addition to the NFL YET Center.

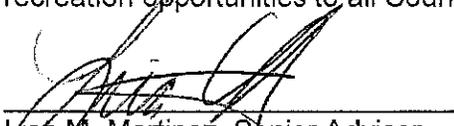
In 2009, the YMCA of Greater Miami approached the County to establish a strategic partnership for the development of large RRCs. Ten potential sites were identified as viable opportunities for public/private partnerships to build RRCs. The YMCA, in its strategic plan, has determined they have capacity to finance, construct and operate up to seven new RRCs. These seven locations are distributed in the northern, central and southern parts of the County to insure appropriate distribution of these types of services.

In 2011, PROS and the YMCA entered into a limited Programming Partnership, as a permit agreement, for the North Pointe Community Center, which has significantly reduced PROS' operating impact of the newly constructed facility. In fact, the North Pointe Community Center is so popular that PROS is recommending it be added as the seventh RRC to allow for the YMCA to develop an expansion plan to better serve the public demand.

The YMCA has proven successful while operating its Allapattah, Homestead, and South Dade Centers. All are the popular model that the market demands, are preferred by the public, and appropriate for District Parks. For 96 years the YMCA has strengthened the foundation of communities around the country through initiatives and programs that focus on youth development, healthy living and social responsibility. It has the reputation of a family oriented service provider, with the capacity to develop the RRCs within our community. In light of PROS' limited available capital and operating funds, it is recommended to waive competitive bidding and select the YMCA to finance, construct and operate up to seven proposed RRC sites. The next nine months will be spent thoroughly developing a market analysis, financing plan, construction time-line and operating terms and conditions to present the agreements to the Board for approval in 2013.

Additional opportunities remain in the northern, central and southern parts of the County to construct RRCs in County district parks. PROS has the advantage of negotiating with the YMCA for up to seven

sites distributed throughout the County for balanced resident access while maintaining flexibility in offering the remaining geographically distributed sites to other interested parties. This strategic approach maximizes residents' access to quality recreational facilities located close to their neighborhoods while also opportunities for other recreational service providers to negotiate with PROS for the other sites. PROS seeks to use public-private agreements that mobilize additional resources for park and recreation centers and programs countywide, promote greater effectiveness of those facilities and programs, and leverage existing County capital funding to more efficiently provide recreation opportunities to all County residents.



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Lisa M. Martinez, Senior Advisor  
Office of the Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** April 16, 2013

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

**SUBJECT:** Agenda Item No. 8(H)(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 Mayor'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. 8(H)(1)  
4-16-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE PURSUANT TO SECTION 26-34 OF THE COUNTY CODE, AND ARTICLE 5.03(D) OF THE HOME RULE CHARTER; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE PROGRAMMING PARTNERSHIP OPERATING AGREEMENT(S) WITH THE YMCA OF GREATER MIAMI FOR CONSTRUCTION AND OPERATION OF UP TO SEVEN FACILITIES LOCATED AT KENDALL INDIAN HAMMOCKS PARK, IVES ESTATES PARK, TAMIAMI PARK, OAK GROVE PARK OR ALTERNATIVE SITE AS DETERMINED BY THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT, WEST KENDALL DISTRICT PARK, CHUCK PEZOLDT PARK, AND NORTH POINTE PARK; AND FOR THE PROGRAMMING PARTNERSHIP OPERATING AGREEMENT(S) TO BE BROUGHT BEFORE THE BOARD FOR FINAL APPROVAL

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board, pursuant to Article 5.03(D) of the Home Rule Charter and Section 26-34 of the Code waives competitive bidding by vote of two-thirds of the members of the County Commission present and finds such waiver to be in the best interests of Miami-Dade County in order to authorize the Mayor or Mayor's designee to negotiate Programming Partnership Operating Agreement(s) with the YMCA of Greater Miami for construction and operation of facilities at Kendall Indian Hammocks Park, Ives Estates Park, Tamiami Park, Oak Grove Park (or alternative site >>within County Commission District 2,<<<sup>1</sup> as determined by the Parks,

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<sup>1</sup> Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

Recreation and Open Spaces Department), West Kendall District Park, Chuck Pezoldt Park, and North Pointe Park; and to present the negotiated Programming Partnership Operating Agreement(s) to the Board for final approval.

The foregoing resolution 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:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> day of April, 2013. 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.



Monica Rizo