

Memorandum



(Public Hearing 7-2-13)

Date: June 4, 2013

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

Agenda Item No. 5(D)

From: Carlos A. Gimenez
County Mayor 

Subject: Ordinance Authorizing Issuance of Special Obligation Capital Asset Acquisition Bonds in an Amount not to Exceed \$65,000,000

Recommendation

It is recommended that the Board of County Commissioners (Board) enact the accompanying Ordinance which authorizes the issuance of up to \$65,000,000 of Special Obligation Capital Asset Acquisition Bonds. Once authorized, the Bonds will be issued to fund the costs associated with the acquisition and implementation of an Enterprise Resource Planning (ERP) system, the acquisition of needed Elections equipment, the acquisition and installation of 17 trailers to be used as portable classrooms and the acquisition of 16 buses for the Head Start/Early Head Start program for the Community Action and Human Services.

Below is more detailed information on each project:

- The ERP Implementation (estimated cost of \$46,000,000) will allow the integration of certain aspects of County operations (i.e. procurement, budgeting, finance, and human resources, amongst others) into one information technology application. The purpose of an ERP system is to improve financial and resource management by better facilitating the availability of management information. The ERP system will replace several legacy systems used by the County which are outdated, obsolete and increasingly difficult to maintain.
- The Elections equipment to be acquired (estimated cost of \$4,262,000) consists of two capital purchases recommended by the Mayor's Elections Advisory Group, impaneled following the November 2012 General Election. More specifically, they are (1) an additional sorter to increase the productivity of processing incoming and outgoing mail ballots, and (2) electronic poll book technology at all voting sites to substantially improve the check-in experience of voters at every polling place.
- The acquisition and installation of 17 trailers (estimated cost of \$2,900,000) to be used as portable classrooms throughout the County for the Head Start/Early Head Start program. The new units will replace County-owned modular units, which are included as part of the Interlocal Agreement between the County and the School Board of Miami-Dade County, currently in use as Head Start Classrooms. The existing units are no longer compliant with State, local, or Miami-Dade County Public School building codes, and do not conform with the requirements of Health and Human Services and the Department of Children and Families for Head Start facilities.
- The 16 buses, to be acquired four per year over the next four years (estimated total cost of \$2,758,000) by Community Action and Human Services, will replace existing buses that are obsolete and require constant and extensive maintenance. The configuration of the existing buses cannot be used for the efficient and safe transportation of the variety of clients served by Community Action and Human Services.

Scope

The proposed Bonds will finance projects that will have countywide impact.

Fiscal Impact/Funding Source

The principal and interest on the proposed Bonds are special and limited obligations of the County payable solely from legally available non-ad valorem revenues of the County as appropriated annually, or from revenues otherwise available from authorized funds and debt service reserves. Actual debt payments will be budgeted within the Countywide General Fund.

Until a series of bonds is issued, the enactment of the 2013 Ordinance will have no fiscal impact on the County. The terms, maturities, interest rates and other bond related details for each issuance of the authorized Bonds will be established in a Series Resolution adopted by the Board prior to the issuance of the Bonds.

Track Record/Monitoring

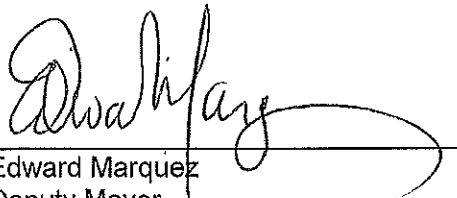
The programming and recommended use of bond proceeds is managed through the County's annual capital budget process, under the auspice of the Office of Management and Budget, Jennifer Moon, Director. Issuance of bonds under the Ordinance, annual bond service and continuing disclosure will be managed by the Finance Department, Division of Bond Administration, Frank Hinton, Director.

Background

The County has issued 15 series of Special Obligation Capital Asset Acquisition Bonds in the aggregate principal amount of \$878,050,000, of which \$635,456,645 is currently outstanding. The proceeds from the Capital Asset Acquisition Bonds were used to fund various countywide capital equipment projects. Each of these series were issued pursuant to Board authorized ordinances and subsequent series resolutions.

The accompanying Ordinance provides for the financing of (1) the implementation of an ERP system which is an integrated financial management system that will replace the current antiquated accounting system, as well as other legacy systems including our payroll and human resources systems and budget development systems; (2) the purchase of new Elections equipment to be used during County elections; (3) the acquisition and installation of 17 trailers to be used as portable classrooms for the Head Start/Early Head Start program; and (4) the acquisition of 16 buses to be used to transport clients served by Community Action and Human Services.

The Ordinance provides that bonds shall only be issued with a subsequent series resolution to be approved by the Board. Each Series Resolution will provide a more detailed description of the projects to be financed, the terms, maturities, interest rates, hedge arrangements, if any, and other details for each series of Bonds to be issued.



Edward Marquez
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: July 2, 2013

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

SUBJECT: Agenda Item No. 5(D)

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. 5(D)
7-2-13

ORDINANCE NO. _____

ORDINANCE AUTHORIZING ISSUANCE OF MIAMI-DADE COUNTY SPECIAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$65,000,000 FOR PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND/OR RENOVATING CERTAIN CAPITAL ASSETS AND/OR PROJECTS; PROVIDING THAT DETAILS OF SAID BONDS BE DETERMINED IN ONE OR MORE SERIES RESOLUTIONS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE

WHEREAS, the Board of County Commissioners (the “Board”) of Miami-Dade County, Florida (the “County”), after consultation with the County’s various departments and agencies, has determined that there exists certain current capital acquisition needs of the County that can be satisfied through the acquisition, construction, improvement and/or renovation of all or a portion of the capital assets and/or projects listed in Exhibit A to this Ordinance, as such Exhibit A may be modified or supplemented from time to time by a certificate executed by the Mayor of the County or a designee of the Mayor of the County, which is incorporated in this Ordinance by reference (collectively, the “Projects”); and

WHEREAS, this Board finds that the funding of the Projects serves a public purpose and is in the best interests of the citizens of the County; and

WHEREAS, in order to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated in this Ordinance by reference, and in accordance with the plan of finance for the Projects, the Board wishes to approve the issuance of its special obligation bonds (the “Bonds”), from time to time in one or more series, in an aggregate principal amount not to exceed \$65,000,000 to pay all or a portion of the cost of the Projects,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. (a) Pursuant to the Constitution of the State of Florida, Chapters 125 and 166, Florida Statutes, as amended, the Home Rule Amendment and Charter of Miami-Dade County, Florida, as amended, the Code of Miami-Dade County, Florida, as amended, other applicable provisions of law and the provisions of this Ordinance, the issuance by the County of the Bonds, from time to time in one or more series, in an aggregate principal amount not to exceed Sixty Five Million Dollars (\$65,000,000) to pay all or a portion of the cost of the Projects is authorized and approved. Prior to the issuance of one or more series of Bonds, the Board shall adopt a subsequent resolution with respect to such Bonds (each, a "Series Resolution" and collectively, the "Series Resolutions"). The Board may, by Series Resolution, provide that after the issuance of the Bonds with respect to which such Series Resolution is being adopted, the authorization for the issuance of any portion of the aggregate principal amount of Bonds authorized under this Ordinance that has not been issued shall expire.

(b) The Bonds shall be dated such date or dates, shall mature at such time or times, not to exceed forty (40) years, shall bear interest at such rate or rates, fixed or variable, or any combination of the same authorized by law, not to exceed in any event the maximum rate authorized by law, and may be either tax-exempt or taxable bonds, or a combination thereof, all as shall be determined by the Series Resolution with respect to such Bonds.

(c) The Bonds shall be payable from legally available non-ad valorem revenues of the County that the County may covenant to appropriate annually, as more fully described and conditioned in the Series Resolution, or from moneys otherwise available from authorized funds and any reserves.

(d) The Bonds shall be issued for the purpose of paying all or a portion of the cost of the Projects, including, where applicable, reimbursing the County for any expenses

previously incurred in connection with the Projects, and for such other purposes as may be specified in the Series Resolutions.

(e) The Board may, by Series Resolution, authorize the Mayor of the County or a designee of the Mayor of the County to negotiate all agreements associated with the issuance of the Bonds and to award the sale of the Bonds from time to time in the manner, and subject to such conditions and limitations, as may be set forth in the Series Resolutions.

Section 2. This Ordinance shall be governed by and construed and interpreted in accordance with the laws of the State of Florida. Venue shall lie in Miami-Dade County, Florida.

Section 3. If any one or more of the provisions of this Ordinance should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Ordinance.

Section 4. This Ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald T. Heffernan

Bond Counsel: Squire Sanders (US) LLP
D. Seaton and Associates

EXHIBIT A

PROJECTS

- Enterprise Resource Planning Implementation
- Elections Equipment
- Portable Classrooms (Community Action and Human Services)
- Buses (Community Action and Human Services)