

MEMORANDUM

Agenda Item No. 11(A) (17)

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

DATE: November 5, 2014

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

SUBJECT: Resolution directing County
Mayor to develop competitive
process and present it to
commission within thirty days of
effective date of this resolution
for selection of Better
Communities General Obligation
Bond Program Economic
Development Fund projects

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.


R. A. Cuevas, Jr.
County Attorney

RAC/smm



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(Revised)

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and Members, Board of County Commissioners

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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 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. 11(A) (17)
11-5-14

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR DESIGNEE TO DEVELOP COMPETITIVE PROCESS AND PRESENT IT TO COMMISSION WITHIN THIRTY DAYS OF EFFECTIVE DATE OF THIS RESOLUTION FOR SELECTION OF BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM ECONOMIC DEVELOPMENT FUND PROJECTS; PROVIDING THAT PROJECTS PENDING ALLOCATION BY BOARD BE INCLUDED IN COMPETITIVE PROCESS; AND PROVIDING THAT NEGOTIATIONS CONTINUE WITH RESPECT TO TARGETED URBAN AREA ECONOMIC DEVELOPMENT PROJECTS PREVIOUSLY AWARDED ALLOCATION BY BOARD

WHEREAS, Appendix A to Resolution No. R-914-04 (“Public Infrastructure Resolution”) lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (“Bond Program”) by project number, municipal project location, Commission district, project description, street address, and project funding allocation; and

WHEREAS, two of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding are Project No. 124 – Economic Development Fund (“Project 124”) with a project description that states “Provide infrastructure improvements to spur economic development and attract new businesses to the community and to create jobs” and a maximum amount of \$75 million for eligible (meets the legal requirements of the ballot question) infrastructure projects and Project No. 320 – Economic Development in Targeted Urban Areas” with a project description that states “Provide infrastructure improvements to spur economic development and attract new businesses to the community and to create jobs: (“Project 320”) and a maximum amount of \$15 million for eligible infrastructure projects; and

WHEREAS, the goal of Project 124 and Project 320 is to encourage business development through grants for public infrastructure capital costs related to projects that will create jobs and stimulate economic development which will have a long term benefit to the local community and the County; and

WHEREAS, Project 124 projects are to be “game changing” through job creation which has a positive economic impact on the County as a whole while Project 320 projects are to benefit target urban areas of the County where job creation is essential to the well-being of the local community; and

WHEREAS, pursuant to the Building Better Communities Bond Program administrative rules (“Administrative Rules”), the administration has reviewed a substantial number of applications on a case by case basis from applications submitted to the County from time to time; and

WHEREAS, from applications received to date, the County Mayor (i) recommended an initial allocation to eligible Project 320 projects in an aggregate amount in excess of \$13 million which this Board approved (“Approved Project 320 Projects”), subject to negotiations by the County Mayor and final approval by this Board of a Grant Agreement; and (ii) recommended seven eligible Project 124 projects for initial allocations, five of which were approved by the appropriate committee (“Pending Project 124 Projects”); and

WHEREAS, in order to maximize the creation of jobs and the economic impact to the County, it is essential that a competitive process for projects eligible for an initial allocation, subject to further negotiations, be established by the County Mayor within thirty days of the effective date of this resolution before advancing the Pending Project 124 Projects for approval so the opportunity to identify all potential target urban area projects and “game changing”

County projects, with a priority to eligible projects located in the unincorporated areas of the County, will be exhausted; and

WHEREAS, it is the best interest of the County and its residents that the County Mayor develop with the competitive process, a plan to educate the community in order to encourage the development of “game changing” projects that will be eligible for funding; and

WHEREAS, it is also the desire of this Board that the County Mayor continue with the negotiations for each of the Approved Project 320 projects,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and incorporated in this Resolution.

Section 2. The County Mayor or designee is directed to develop a competitive process, which shall include the Pending Project 124 projects, for the selection of eligible Project 124 and Project 320 projects in order to maximize the creation of jobs and economic impact from such projects. In conjunction with the competitive process, the County Mayor or designee shall also develop a definition and objective criteria for measuring whether a project is “game changing” and include a plan to educate the community to encourage the development of “game changing” projects.

Section 3. The County Mayor or designee shall continue with negotiations with the developer of each Pending 320 Project.

Section 4. The County Mayor or designee shall provide the competitive process developed pursuant to the terms of this resolution to this Board no later than thirty (30) days from the effective date of this resolution and shall place it on the agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Estéban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of November, 2014. 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