

# MEMORANDUM

Agenda Item No. 11(A)(3)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** February 3, 2015

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

**SUBJECT:** Resolution setting policy for  
Miami-Dade County related to  
Building Better Communities  
General Obligation Bond  
Program Project No. 124 -  
"Economic Development Fund"  
("Project 124")

This item was amended at the 1-15-15 Economic Development and Port Miami Committee to direct the County Mayor to: conclude his negotiations with potential grant recipients of a Board approved allocation of Building Better Communities General Obligation Bond Program Project 124 Fund proceeds approved by the Board of County Commissioners on or before January 21, 2015 no later than July 21, 2015 and, for any application submitted on or before January 15, 2015 and under review by the County Mayor or designee, conclude negotiations, with any pending applicants of a Project 124 grant whose requested allocation is approved by the Board of County Commissioners, within a six month period following the date of approval of such allocation by the Board of County Commissioners. The item has also been amended to remove the original Section 3 which provided for a delay in the approval by the Board of County Commissioners of new allocations from the Building Better Communities General Obligation Bond Program Project 124 Fund.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



R. A. Cuevas, Jr.  
County Attorney


RAC/cp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** February 3, 2015

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(3)

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)(3)  
2-3-15

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

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY RELATED TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124- "ECONOMIC DEVELOPMENT FUND" ("PROJECT 124"); AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMPLETE NEGOTIATIONS BY JULY 21, 2015 WITH PROPOSED GRANT RECIPIENTS OF PROJECT 124 FUNDING ALLOCATIONS APPROVED BY THIS BOARD ON OR BEFORE JANUARY 21, 2015, TO PREPARE AND SUBMIT A REPORT DETAILING RESULTS OF NEGOTIATIONS TO BOARD, AND, FOR ANY APPLICATION SUBMITTED ON OR BEFORE JANUARY 15, 2015 AND UNDER REVIEW BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, TO COMPLETE NEGOTIATIONS WITH PROPOSED GRANT RECIPIENTS WITHIN SIX MONTHS FOLLOWING BOARD APPROVAL OF A PROJECT 124 FUNDING ALLOCATION FOR SUCH APPLICATION

**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**, one of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is 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 in order to create jobs" and a maximum allocation amount of \$75 million for eligible (meets all federal and state legal requirements and is within the scope the ballot question) public infrastructure projects ("Project 124 Fund"); and

**WHEREAS**, this Board has allocated almost all of the \$75 million from the Project 124 Fund to projects which are now subject to negotiations of a grant agreement between the County and each potential grant recipient with no deadline for the final completion of such negotiations; and

**WHEREAS**, there is a need for localized public infrastructure improvements throughout the County that are consistent with the Public Infrastructure Resolution and the related public infrastructure ballot question (“Public Infrastructure”); and

**WHEREAS**, Public Infrastructure projects may be eligible for funding pursuant to the Bond Program with a significant modification to the project description and funding criteria for the Project 124 Fund and/or the addition of a new project to Exhibit “A” to the Public Infrastructure Resolution (“New Project”) by this Board after public hearing; and

**WHEREAS**, it is essential that all Project 124 Fund negotiations with potential grant recipients be completed in a timely manner so that, if negotiations are not successful, this Board may reallocate funding to Public Infrastructure projects that will meet the needs of the local communities; and

>>WHEREAS, as of January 15, 2015, applications have been submitted to the County by potential grant recipients of a Board approved allocation of Project 124 Fund proceeds, which applications are under review by the County Mayor or the County Mayor’s designee and which may or may not be presented to this Board for approval (the “Pending Applications”); and<<<sup>1</sup>

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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.

**WHEREAS**, it is in the best interest of Miami-Dade County that the County Mayor or the County Mayor's designee be directed to complete negotiations by ~~[[June 16]]~~ >>July 21<<, 2015 with potential grant recipients of a Board approved allocation of Project 124 Fund proceeds >>approved by this Board on or before January 21, 2015,<< ~~[[and]]~~ to submit a report to this Board at its next scheduled meeting following ~~[[June 16]]~~>>July 21<<, 2015, >>and, if the Board approves an allocation of Project 124 Fund proceeds for a Pending Application, to complete negotiations with the proposed grant recipient of such allocation within a six month period following the date of approval of such allocation by this Board,<<~~[[;and]]~~

~~[[WHEREAS, it is in the best interest of Miami-Dade County to delay approval of new allocations from the Project 124 Fund until after the County Mayor's report is submitted for the Board's consideration so that this Board may consider whether the Project 124 Fund should be re-constituted or a New Project created,]]~~

**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 the County Mayor's designee is directed to complete negotiations by ~~[[June 16]]~~>>July 21<<, 2015 with each potential grant recipient of ~~[[a Board approved]]~~ >>an<< allocation from the Project 124 Fund >>approved by this Board on or before January 21, 2015<< and to prepare and submit a report to this Board detailing the results of the negotiations. ~~[[no later than June 30, 2015 and, pursuant to Ordinance No.14-65, to]]~~ >>The County Mayor or the County Mayor's designee, pursuant to Ordinance No. 14-65, shall<< place the completed report on an agenda of the Board at its next scheduled meeting following ~~[[June 16]]~~>>July 21<<, 2015. >>If this Board approves an allocation of Project 124

Fund proceeds for a Pending Application, the County Mayor or the County Mayor's designee is directed to complete negotiations with the proposed grant recipient of such allocation within a six month period following the date of approval by this Board.<<

~~[[Section 3. This Board delays approval of new allocations from the Project 124 Fund until the report provided for in Section 2 has been provided to the Board.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of February, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

JRA

Juliette R. Antoine