

**MEMORANDUM**

Agenda Item No. 5(A)

---

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

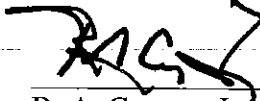
**DATE:** June 2, 2015

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

**SUBJECT:** Resolution approving significant modification of Building Better Communities General Obligation Bond Program Projects No. 92 – “Unincorporated Municipal Service Area – Arcola Lakes Park” to reduce allocation by \$300,000.00 and No. 93 – “Unincorporated Municipal Service Area – Oak Grove Park” to increase allocation by \$300,000.00 of surplus funds from Project No. 92, both as identified in Appendix A to Resolution No. R-913-04, after a public hearing and in accordance with Implementing Order 3-47 regarding allocation of surplus funds

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/lmp



# MEMORANDUM

(Revised)

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

**DATE:** June 2, 2015

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

**SUBJECT:** Agenda Item No. 5(A)

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(A)

6-2-15

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

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECTS NO. 92 – “UNINCORPORATED MUNICIPAL SERVICE AREA – ARCOLA LAKES PARK” TO REDUCE ALLOCATION BY \$300,000.00 AND NO. 93 – “UNINCORPORATED MUNICIPAL SERVICE AREA – OAK GROVE PARK” TO INCREASE ALLOCATION BY \$300,000.00 OF SURPLUS FUNDS FROM PROJECT NO. 92, BOTH AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING AND IN ACCORDANCE WITH IMPLEMENTING ORDER 3-47 REGARDING ALLOCATION OF SURPLUS FUNDS

**WHEREAS**, pursuant to Resolution No. R-913-04 (“Park and Recreation Resolution”), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000.00 to construct and improve neighborhood and regional parks and other recreational areas; and

**WHEREAS**, Appendix A to the Park and Recreation Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “Bond Program”) by project number, municipal project location, Commission district, project name, project description, street address and allocation; and

**WHEREAS**, one of the projects listed in Appendix A to the Park and Recreation Resolution is Project No. 92 – “Unincorporated Municipal Service Area – Arcola Lakes Park,” in Commission District 2, with an original allocation of \$6,000,000.00, a project description that reads “Local park improvements include building and aquatic construction; picnic shelter; vehicle and pedestrian circulation; landscaping; and utilities.” (“Project No. 92”); and

**WHEREAS**, the Bond Program allocation for Project No. 92 was increased by \$300,000.00, for a total allocation of \$6,300,000.00, pursuant to Resolution No. R-583-10, such additional funds being derived from interest earnings having accrued to the Bond Program; and

**WHEREAS**, another of the projects listed in Appendix A to the Park and Recreation Resolution is Project No. 93 – “Unincorporated Municipal Service Area – Oak Grove Park,” also in Commission District 2, with an original allocation of \$618,000.00 and a project description that reads “Local park improvements include building renovation, playground, picnic area, pedestrian circulation improvements and landscaping” (“Project No. 93”); and

**WHEREAS**, Project No. 93 has a budget shortfall of \$300,000.00, such shortfall negatively impacting the development of the Father Gerard Jean-Juste Community Center at Oak Grove Park; and

**WHEREAS**, the scope of Project No. 92 has been reduced and value engineered so as to allow Project No. 92 to be completed with the expenditure of \$6,000,000.00, and thereby leaving unused proceeds of \$300,000.00, such unused proceeds being “surplus funds” (as such term is defined in Implementing Order 3-47 (“IO 3-47”), that can be used for Project No. 93; and

**WHEREAS**, this Board desires to approve a significant modification to Project No. 92 to reduce its allocation by \$300,000.00, resulting in a revised allocation of \$6,000,000.00, and to Project No. 93 in order to allocate the \$300,000.00 of surplus funds from Project No. 92 to Project No. 93, resulting in a revised allocation of \$918,000.00; and

**WHEREAS**, IO 3-47 sets forth a process for the allocation of surplus funds to existing Bond Program projects that have a budget shortfall; and

WHEREAS, this item was considered by the Building Better Communities Citizens' Advisory Committee (the "Committee") at its meeting of November 6, 2014 and it received a favorable recommendation from the Committee,

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

**Section 1.** The foregoing recital clauses are incorporated herein by this reference and are adopted by this Board.

**Section 2.** This Board, after a public hearing, hereby approves the significant modification of Project No. 92 in Appendix A to the Park and Recreation Resolution, to reduce its allocation from \$6,300,000.00 to \$6,000,000.00.

**Section 3.** This Board hereby declares \$300,000.00 as surplus funds and, after a public hearing, hereby approves the significant modification of Project No. 93 in Appendix A to the Park and Recreation Resolution to increase its original allocation from \$618,000.00 to \$918,000.00

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. 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 2<sup>nd</sup> day of June, 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.

*MRP*

Monica Rizo Perez