MEMORANDUM

Agenda Item No. 5(A)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	September 1, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving significant modification to BBC GOB Project No. 241 to reduce its allocation by $1,500.000.00 and addition of new Project No. 353 – "Biscayne Shores & Gardens Community Center" to be funded from Project No. 241

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

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

DATE: September 1, 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)
9-1-15

RESOLUTION NO. _____

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 241 – "UNINCORPORATED MUNICIPAL SERVICE AREA – FUTURE MULTI-USE FACILITY" TO REDUCE ITS ALLOCATION BY $1,500,000.00 AND ADDITION OF NEW PROJECT NO. 353 – "BISCAYNE SHORES & GARDENS COMMUNITY CENTER" TO BE FUNDED WITH $1,500,000 OF SURPLUS FUNDS FROM PROJECT NO. 241, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-917-04, AFTER A PUBLIC HEARING AND WAIVING PROVISIONS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BOND PROGRAM USING SURPLUS FUNDS

WHEREAS, pursuant to Resolution No. R-917-04 ("Public Service Outreach Facilities Resolution"), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed $255,070,000 to construct and improve public service outreach facilities to meet code and service requirements and to increase neighborhood and community access to services; and

WHEREAS, Appendix A to the Public Service Outreach Facilities 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, similarly, pursuant to Resolution No. R-913-04 ("Parks Resolution"), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal

amount not to exceed $680,258,000 to construct and improve neighborhood and regional parks and other recreational areas; and

WHEREAS, Appendix A to the Parks Resolution lists projects eligible for funding from 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 Parks Resolution is Bond Program Project No. 99 – "Unincorporated Municipal Service Area – Biscayne Shores Park", located at NE 116 Street and 14th Avenue, with an original allocation of $1,500,000, and a project description that reads "Local park improvements include building construction; vehicle and pedestrian circulation; picnic area, landscaping; and utilities" ("Project No. 99"); and

WHEREAS, the primary element of the improvements to Biscayne Shores Park was the construction of a recreation center that would also function as a multi-use community center; and

WHEREAS, indeed, in 2003 and pursuant to Resolution No. R-1034-03, this Board approved a general plan for Biscayne Shores and Gardens via a governmental facilities hearing that called for a 1,000-3,000 square foot building to include space for offices, recreation and restrooms; and

WHEREAS, however, there are insufficient funds allocated to Project No. 99 to undertake the community and recreation center as envisioned and the Parks, Recreation and Open Spaces Department estimates that an additional $1,500,000 is needed to complete the building; and

WHEREAS, one of the projects listed in Appendix A to the Public Service Outreach Facilities Resolution is Bond Program Project No. 241 – "Unincorporated Municipal Service Area- Future Multi-Use Facility", located in the unincorporated municipal service area

("UMSA"), with a remaining allocation of $2,890,000, a TBD street address, and a project description that reads "Acquire or construct a multi-use County government facility in unincorporated Miami-Dade County in order to bring County services closer to local communities and to area that have experienced high growth and/or planned future significant growth" ("Project No. 241"); and

WHEREAS, this Board desires to approve a significant modification to Project No. 241 to reduce the allocation of Project No. 241 by $1,500,000 resulting in a revised allocation of $1,390,000; and

WHEREAS, the $1,500,000 from Project No. 241 are thus "unused proceeds" (as such term is defined in Implementing Order 3-47 ("IO 3-47")) and, upon approval of the significant modification to Project No. 241 to reduce its allocation to $1,390,000, are deemed "surplus funds" (as such term is also defined in IO 3-47); and

WHEREAS, this Board desires to approve an addition of a new Bond Program Project No. 353 titled "Biscayne Shores & Gardens Community Center" to Appendix A to the Public Service Outreach Facilities Resolution with a municipal project location of "UMSA", in Commission District 3, with a project description that provides "Construct a community center", a street address of NE 116th Street and NE 14th Avenue and an allocation of $1,500,000 to be funded from surplus funds from Project No. 241; and

WHEREAS, IO 3-47 sets forth a process for the allocation of surplus funds to new Bond Program projects and this Board desires to waive IO 3-47 as it pertains to the addition of new projects to the Bond Program to be funded with surplus funds; and

WHEREAS, this item was considered by the Building Better Communities Citizens' Advisory Committee (the "Committee") at its meeting of June 23, 2015, 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. 241 in Appendix A to the Public Service Outreach Facilities Resolution, to reduce its allocation from $2,890,000.00 to $1,390,000.00.

Section 3. This Board hereby declares $1,500,000.00 as surplus funds and waives the provisions of IO 3-47 as it relates to adding new projects to the Bond Program using surplus funds.

Section 4. This Board, after a public hearing, hereby approves the addition of a new Project No. 353 to be titled "Biscayne Shores & Gardens Community Center" to Appendix A to the Public Service Outreach Facilities Resolution with a municipal project location of "UMSA", in Commission District 3, with a project description that provides "Construct a community center", a street address of NE 116th Street and NE 14th Avenue and an allocation of $1,500,000 to be funded from surplus funds from Project No. 241.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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 1st day of September, 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