

Memorandum

MIAMI-DADE
COUNTY

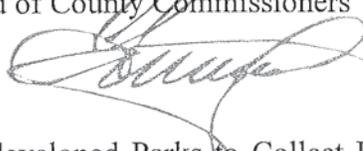
Date: July 1, 2016

Agenda Item No. 2(B)1

July 19, 2016

To: Honorable Chairman Jean Monestime
And Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor



Subject: Trust Funds for Undeveloped Parks to Collect Revenues from Permits Issued
Under Administrative Orders Nos. 8-3 and 8-5 – Directive 161004

At the June 7, 2016 Board of County Commissioners (Board) meeting, the Board approved Resolution No. R-519-16 (Attachment 1) directing the Mayor or Mayor's designee to: (a) establish, for Fiscal Year 2016-17, a trust fund for each undeveloped park and to deposit funds in an amount equal to the revenues generated from the use and rental of each, or portions of each, such undeveloped park pursuant to permits issued under Administrative Order (AO) 8-3 and AO 8-5 into each such trust fund. The revenues deposited and held in each trust fund shall be used towards funding the development of that undeveloped park in accordance with such undeveloped park's general plan. The resolution also directs the Mayor or Mayor's designee to (b) submit a report to the Board within 90 days on the number of trust funds established, the specific undeveloped parks associated with such trust funds, and the collections anticipated to be realized into each such trust fund pursuant to permits issued under AO 8-3 and AO 8-5 in FY 2016-17.

The Parks, Recreation and Open Spaces Department (PROS) currently has 52 undeveloped or largely undeveloped parks in its system. However, West End District Park, located in County Commission District 11 and represented by Commissioner Juan C. Zapata, is the only undeveloped park that has a permit pursuant to AO 8-3 or 8-5, which is a Permission to Conduct Private Business on Public Property permit (AO 8-5) with J & C Farms & Groves, LLC for vegetable crop farming that generates revenue of \$84,000.00 annually. PROS has established a trust fund for this park and is depositing funds received from the permit into this trust fund. PROS will establish trust funds for other undeveloped parks in the future as AO 8-3 or AO 8-5 revenue generating permits are issued.

In accordance with Ordinance 14-65, this memorandum will be placed on the next available Board meeting agenda.

If additional information is needed, please contact PROS Director Jack Kardys at (305) 755-7903.

c: Abigail Price-Williams, County Attorney
Michael Spring, Senior Advisor, Office of the Mayor
Jack Kardys, Director, Parks, Recreation and Open Spaces Department
Neil R. Singh, Interim Commission Auditor
Christopher Agrippa, Clerk of the Board
Eugene Love, Agenda Coordinator

ATTACHMENT 1

MEMORANDUM

Agenda Item No. 11(A)(24)

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

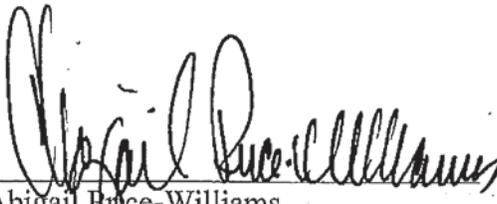
DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to establish, for FY 2016-17, a Trust Fund for each County park that is largely undeveloped in accordance with its approved General Plan; directing the County Mayor to deposit funds in an amount equal to revenues generated from the use of each such park pursuant to issuance of certain permits into each Park's Trust Fund and to use such funds to fund the development of each such park; further directing the County Mayor to report back to this Board within 90 days on the number of, and parks associated with, the trust funds to be established pursuant to this resolution and the amount anticipated to be deposited into each such Trust Fund in FY 2016-17

Resolution No. R-519-16.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

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

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(24)

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
- Statement of social equity 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

Agenda Item No. 11(A)(24)

Veto _____

6-7-16

Override _____

RESOLUTION NO. R-519-16

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO ESTABLISH, FOR FY 2016-17, A TRUST FUND FOR EACH COUNTY PARK THAT IS LARGELY UNDEVELOPED IN ACCORDANCE WITH ITS APPROVED GENERAL PLAN; DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO DEPOSIT FUNDS IN AN AMOUNT EQUAL TO REVENUES GENERATED FROM THE USE OF EACH SUCH PARK PURSUANT TO ISSUANCE OF CERTAIN PERMITS INTO EACH PARK'S TRUST FUND AND TO USE SUCH FUNDS TO FUND THE DEVELOPMENT OF EACH SUCH PARK; FURTHER DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO REPORT BACK TO THIS BOARD WITHIN 90 DAYS ON THE NUMBER OF, AND PARKS ASSOCIATED WITH, THE TRUST FUNDS TO BE ESTABLISHED PURSUANT TO THIS RESOLUTION AND THE AMOUNT ANTICIPATED TO BE DEPOSITED INTO EACH SUCH TRUST FUND IN FY 2016-17

WHEREAS, currently, Miami-Dade County (the "County"), through the Miami-Dade Park, Recreation and Open Spaces Department, owns and operates over 260 parks throughout Miami-Dade County; and

WHEREAS, many of these parks, such as Matheson Hammocks Park, Amelia Earhart Park, and Gwen Cherry Park, are substantially or fully developed and improved in accordance with this Board's adopted general plan for such parks; and

WHEREAS, unfortunately, other County parks, such as West End District Park and Homestead Air Reserve Park, have sat largely undeveloped in accordance with such park's Board-approved general plan ("Undeveloped Parks"), and are therefore largely unused by County residents for many years because the County has not allocated and budgeted sufficient funds and resources towards the development of these parks; and

WHEREAS, voters approved the Safe Neighborhood Parks Bond (“SNP”) program in 1996 and the Building Better Communities General Obligation Bond (“BBC GOB”) program in 2004 with the intent to develop park space and recreational facilities in parks throughout Miami-Dade County; and

WHEREAS, yet, the amount of money allocated to the development of parks under the SNP program and the BBC GOB program were insufficient to fully develop many of the Undeveloped Parks; and

WHEREAS, some of these Undeveloped Parks do, however, generate modest revenues for the County from permitted, temporary uses and rentals such as for farming, special events, and other activities allowed pursuant to Administrative Order (“AO”) 8-3 – “Special Events Permits in Park and Recreation Facilities” and AO 8-5 – “Permission to Conduct Private Business on Public Property”; and

WHEREAS, this Board desires to ensure that, at a minimum, funds in an amount equal to the revenues derived from the use and rental of each Undeveloped Park and facilities therein pursuant to permits issued under AO 8-3 and AO 8-5 be dedicated towards funding the development of each such Undeveloped Park in accordance with its approved general plan,

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

Section 1. The foregoing recitals are incorporated into this resolution and are approved.

Section 2. This Board hereby directs the County Mayor or Mayor’s designee to establish, for Fiscal Year 2016-17, a trust fund for each Undeveloped Park and to deposit funds in an amount equal to the revenues generated from the use and rental of each, or portions of each,

such Undeveloped Park pursuant to permits issued under AO 8-3 and AO 8-5 into each such trust fund. The revenues deposited and held in each trust fund for an Undeveloped Park shall be used towards the funding of the development of that Undeveloped Park in accordance with such Undeveloped Park's general plan.

Section 3. This Board further directs the County Mayor or Mayor's designee to report to the Board within 90 days of the adoption of this resolution on the number of trust funds established pursuant to this resolution, the specific Undeveloped Parks associated with such trust funds, and the collections anticipated to be realized into each such trust fund pursuant to permits issued under AO 8-3 and AO 8-5 in FY 2016-17. The County Mayor or Mayor's designee shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner **Juan C. Zapata**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 201. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo Perez