OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 5(D)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Resolution approving significant modification to Building Better Communities General Obligation Bond Program Project No. 123 – "Unincorporated Municipal Service Area – Local Park Improvements"

Resolution No. R-06-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natacha Seijas.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Agenda Item No. 5(D)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)
1-22-09

RESOLUTION NO. **R-06-09**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 123 – "UNINCORPORATED MUNICIPAL SERVICE AREA – LOCAL PARK IMPROVEMENTS," AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. 913-04 AFTER A PUBLIC HEARING

WHEREAS, pursuant to Resolution No. 913-04 (the "Parks Facility Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed $680,258,000 to construct and improve neighborhood parks and other recreational areas; and

WHEREAS, Appendix A to the Parks Facility Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Parks Facility Resolution and approved by the voters for funding is Project No. 123 – "Unincorporated Municipal Service Area – Local Park Improvements" ("Project No. 123"), located in BCC District 13, with an original allocation equal to $1,283,000 and a project description that states: "[p]ark improvements to existing local parks to include renovation and upgrades"; and

WHEREAS, although the project description references "local parks," the street address for Project No. 123 is "NW 194 St and NW 82 Avenue," the site of Spanish Lake Park; and

WHEREAS, several other projects listed in Appendix A to the Parks Facility Resolution with the same project name ("Unincorporated Municipal Service Area – Local Park

Improvements") but located in Commission Districts 2, 3, 4, 10 and 11 listed the street address for those projects as "Various"; and

WHEREAS, all additions, deletions and significant modifications to individual projects or to Appendix A to the Parks Facility Resolution require a majority vote of the Board after a public hearing; and

WHEREAS, this Board wishes to approve a significant modification to Project No. 123 to change the street address to "Various"; and

WHEREAS, this significant modification would permit the expenditure of BBC Program funds allocated to Project No. 123 throughout Commission District 13, which result is consistent with the original project description for Project No. 123 as approved by the voters, as well as, other BBC Program Local Park Improvement projects,

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

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

Section 2. This Board approves the significant modification to Project No. 123 to change the street address to "Various", after a public hearing. Accordingly, the column titled "STREET ADDRESS" in Appendix A to the Parks Facility Resolution shall read "Various" with respect to Project No. 123.

The Prime Sponsor of the foregoing resolution is Commissioner Natacha Seijas. It was offered by Commissioner **Carlos A. Gimenez**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**absent**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2009. 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GBK

Geri Bonzon-Keenan