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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: April 7, 2009

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

Agenda Item No. 9(A)~~(2)~~

From: George M. Burgess
County Manager

Resolution No. R-365-09

Subject: Resolution Awarding Recaptured Funds from the Safe Neighborhood Parks Program

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RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the attached resolution allocating $819,929 in Safe Neighborhood Parks (SNP) Recaptured Funds to six public agencies and one not-for-profit organization, and authorizing the County Mayor or the County Mayor's designee to negotiate and execute grant agreements with the subject agencies. These funds were originally allocated to the same grantees by the Board. The funds were recaptured because the grantees were unable to complete the projects by the contract expiration date. All of the grantees have requested an extension of their contracts and reallocation of funds, and have made a commitment to complete the projects within the extension time period.

SCOPE

The scope of this agenda item reflects the re-allocation of $819,929 in recaptured funds to SNP projects in on County park, six municipalities and one non-profit agency located in Commission Districts 2, 4, 7, 8 and 13.

FISCAL IMPACT/FUNDING

The fiscal impact of this agenda item re-allocates $819,929 in recaptured funds to existing SNP projects and grantees for completion of improvements as detailed below:

Grantee	Park Project	Amount
City of North Miami	Kiwanis Park	$112,000
Village of Biscayne Park	Biscayne Park	25,000
YMCA	Downrite Park	48,000
City of Homestead	Mayor Roscoe Warren Park	220,000
Town of Cutler Bay	Parcel located at SW 87 Avenue & Old Cutler Road	200,000
Town of Cutler Bay	Cutler Ridge Park	75,000
Village of Palmetto Bay	Palmetto Bay Park	74,929
Miami-Dade Parks	Amelia Earhart Park	65,000
	Total Awards	**$819,929**

TRACKING/MONITOR

The grantees will implement the projects and the Office of Capital Improvements (OCI), Johnny Martinez, P.E., Director, will monitor the projects.

DELEGATION OF AUTHORITY
There is no additional delegation of authority related to this item.

BACKGROUND
On July 16, 1996, the Board approved Ordinance No. 96-115 which authorizes issuance, subject to approval by special election, of $200 million in general obligation bonds for park projects, establishes a Citizens' Oversight Committee (COC) and empowers it to administer the bond program, and designates entities and projects eligible for bond funding.

Consistent with the Safe Neighborhood Parks Ordinance, and the COC Resolution R-1-03 (Attachment 1), the Committee reviewed written requests for re-authorization of unexpended funds. The COC approved by two-thirds majority vote to re-authorize $819,929 in recaptured bond funds. These funds were originally allocated to the same grantees by the Board. The funds were recaptured because the grantees were unable to complete the projects by the contract expiration date. All of the grantees have requested an extension of their contracts and reallocation of funds, and have made a commitment to complete the projects within the extension time period.

In accordance with Ordinance No. 96-115 and Master Bond Resolution No. R-1193-97, the Safe Neighborhood COC is recommending allocation of $819,929 in grant awards from SNP Recaptured Funds to specific entities for specific projects.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: April 7, 2009

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

SUBJECT: Agenda Item No. 9(A)(2)

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 Mayor'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. 9(A)(2)
4-7-09

RESOLUTION NO. R-365-09

RESOLUTION ALLOCATING $819,929 SAFE NEIGHBORHOOD PARKS RECAPTURED FUNDS TO SPECIFIC ENTITIES FOR VARIOUS PARK PROJECTS AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXPEDITE EXECUTION OF RELATED GRANT AGREEMENTS

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, it is necessary to allocate of recaptured funding to specific entities for various park projects; and

WHEREAS, County Ordinance No. 96-115, adopted by the Board on July 16, 1996 provides for recaptured interest earned and proceeds of the Safe Neighborhood Parks Bond to be used for acquisition of park, open space and natural areas, and other projects consistent with the Ordinance; and

WHEREAS, in accordance with Section 5(13) of County Ordinance No. 96-115, if bond proceeds have not been expended or encumbered within the periods allowed, the recipient agencies may submit to the Citizens' Oversight Committee, for review and approval in its discretion, a plan for expenditure or encumbrance of the funds in accordance with the purposes of the Ordinance within the municipality or area of the County in which the funds were originally authorized to be expended; and

WHEREAS, the Citizens' Oversight Committee considered written requests for recaptured fund grants, in accordance with Safe Neighborhood Parks Citizens' Oversight Committee Resolution R-1-03,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board allocates Safe Neighborhood Parks recaptured funds to the entities specified in the accompanying memorandum; and authorizes the County Mayor or the County Mayor's designee to negotiate and expedite execution of the related grant agreements. The Board further authorizes the County Mayor or the County Mayor's designee to exercise amendment, modification, renewal, cancellation and termination provisions of such grant agreements.

The foregoing resolution was offered by Commissioner Audrey M. Edmonson, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Diaz and upon being put to a vote, the vote was as follows:

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of April, 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. MR

Monica Rizo

Attachment 1

RESOLUTION R-1-03
SAFE NEIGHBORHOOD PARKS
CITIZENS' OVERSIGHT COMMITTEE
VOTING REQUIREMENTS FOR RECAPTURED FUNDS

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida, through Ordinance 96-115, the Safe Neighborhood Parks Ordinance, duly organized and established this Citizens' Oversight Committee (the "Committee"); and

WHEREAS, the Ordinance has charged the Committee with the responsibility of overseeing the deposit and disbursement of Bond proceeds for the acquisition and improvement of parks and natural areas, all as more particularly set forth in the Ordinance; and

WHEREAS, the Ordinance has entrusted the Committee with the authority to promulgate rules for the conduct of its meetings and the discharge of its responsibilities; and

WHEREAS, the Committee wishes to ensure thoughtful consideration of reauthorizing Safe Neighborhood Parks funds that have been recaptured following Grantee contract expiration;

NOW THEREFORE BE IT RESOLVED BY THE CITIZENS' OVERSIGHT COMMITTEE OF THE SAFE NEIGHBORHOOD PARKS BOND:

Section 1. Recaptured Proceeds and Interest. Following written requests from a Grantee, under Section 5 (b) (13) of the Safe Neighborhood Parks Ordinance, and consideration of staff's recommendation, the Oversight Committee, by two-thirds vote of the members present may approve reauthorization of recaptured bond proceeds and interest.

Section 2. **Proceeds and Interest Not Reauthorized**. The Committee, by majority vote, shall designate the use of the Recaptured proceeds and interest, that have not been reauthorized, in a manner consistent with the Ordinance at any full meeting of the Committee having this item on the agenda.

APPROVED 9/16/03

Safe Neighborhood Parks Citizens' Oversight Committee