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

MEMORANDUM

Agenda Item No. 11(A)(5)

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

DATE: September 21, 2010

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

SUBJECT: Resolution directing Mayor to list BBC GOB Program Project 106 – "West Perrine Park" in series resolution as eligible funding in next series of BBC GOB

Resolution No. R-954-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsors Chairman Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM
(Revised)

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

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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 Manager'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. 11(A)(5)
9-21-10

RESOLUTION NO. R-954-10

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 106 – "WEST PERRINE PARK" IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS AND TO FUND $4.5 MILLION FROM SUCH BOND PROCEEDS IN ORDER TO TIMELY DEVELOP AND CONSTRUCT THE WEST PERRINE FAMILY AQUATIC CENTER; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS; ADDING WEST PERRINE PARK TO LIST OF ECONOMIC STIMULUS PROJECTS PURSUANT TO COUNTY'S ECONOMIC STIMULUS PLAN

WHEREAS, pursuant to Resolution No. R-913-04 (the "Parks Facilities 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 and regional parks and other recreational areas; and

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

WHEREAS, one of the projects listed in Appendix A to the Parks Facilities Resolution and approved by the voters for funding is Project No. 106 – "West Perrine Park," with a project description of "park improvements, which include an aquatic center, athletic fields and courts; vehicle and pedestrian circulation; landscaping and irrigation" and with an allocation of $5 million; and

WHEREAS, $4.5 million of the total allocation for Project No. 106 is to be used for the development and construction of the West Perrine Park Family Aquatic Center; and

WHEREAS, the West Perrine Park previously had a pool but it has been demolished; and

WHEREAS, the West Perrine area is a densely populated, low-income area; and

WHEREAS, currently the nearest Miami-Dade Park and Recreation Department pool is outside the desirable service area for the local community served by West Perrine Park; and

WHEREAS, the local community served by West Perrine Park has expressed interest in the speedy development of the Family Aquatic Center through local leisure interest surveys; and

WHEREAS, Florida had the highest unintentional drowning death rate of toddlers ages 1-4 in the United States in the 5 years between 1999 and 2003 and the third highest overall unintentional drowning death rate in the United States in the 5 years between 1999 and 2003; and

WHEREAS, the design documents for the West Perrine Family Aquatic Center have been completed and the project is ready to be advertised for construction bids; and

WHEREAS, this Board, on July 17, 2008, approved Ordinance 08-92 which established Section 2-8.2.7 of the County Code delineating the procedure for expediting projects under the County's Economic Stimulus Plan ("ESP"), including language specifying that the Board may, from time to time, by subsequent resolution, add or delete projects from the list of ESP projects; and

WHEREAS, this Board desires to add the West Perrine Family Aquatic Center located in District 9 to the list of ESP projects to be expedited under the ESP in order to implement such project as expeditiously as possible in order to stimulate the local construction industry; and

WHEREAS, this Board wishes to direct the County Mayor or Mayor's designee to list Project No. 106 in the next series resolution as a project eligible for funding, to fund the

development and construction of the West Perrine Family Aquatic Center in full in the amount of $4.5 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval,

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 hereby directs the County Mayor or Mayor's designee (i) to list Project No. 106 in the next series resolution as a project eligible for funding, (ii) to fund the development and construction of the West Perrine Park Family Aquatic Center in full in the amount of $4.5 million from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the Fall of 2010) and (iii) not to make any adjustments to said funding for any reason, including cash flow revisions authorized by Implementing Order No. 3-47, without this Board's prior approval.

Section 3. This Board hereby adds the West Perrine Family Aquatic Center located in District 9 to the list of ESP projects covered under the ESP and authorizes the County Mayor or Mayor's designee to exercise his authority under the ESP with respect to this project.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** 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	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of September, 2010. 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: **DIANE COLLINS**
Deputy Clerk

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

Monica Rizo