



MEMORANDUM

Agenda Item No. 5(B)

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

DATE: December 7, 2010

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

SUBJECT: Resolution approving significant
modification of BBC GOB Program
Project No. 18 to reduce its allocation
and addition of Project No. 123.1
"Florida Memorial University
Multi-Purpose Arena"

Resolution No. R-1144-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/up



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(Revised)

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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. 5(B)

12-7-10

RESOLUTION NO. R-1144-10

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 18 - "IVES ESTATE DISTRICT PARK" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 TO REDUCE ITS ALLOCATION AND ADDITION OF PROJECT NO. 123.1 - "FLORIDA MEMORIAL UNIVERSITY MULTI-PURPOSE ARENA" TO APPENDIX A TO RESOLUTION NO. R-913-04 TO BE FUNDED FROM PORTION OF PROJECT NO. 18 ALLOCATION AFTER PUBLIC HEARING; WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM USING SURPLUS FUNDS; AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO LIST SUCH PROJECT IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS AND TO FUND FROM SUCH BOND PROCEEDS FULL AMOUNT NECESSARY TO TIMELY COMPLETE SUCH PROJECT AND REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS

WHEREAS, pursuant to Resolution No. R-913-04 (the "Parks and Recreational 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, including gymnasiums; and

WHEREAS, Appendix A to the Parks and Recreational Facilities 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 allocation; and

WHEREAS, one of the projects listed in Appendix A to the Parks and Recreational Facilities Resolution and approved by the voters for funding is Project No. 18 – “Ives Estate District Park” with an original allocation of \$20,000,000 (“Project No. 18”) and located in District 1; and

WHEREAS, as one of Florida’s oldest academic institutions, Florida Memorial University (the “University”) located in District 1 has a long history and commitment to the free exchange of ideas, the pursuit of knowledge, and the ongoing transmission of African-American history and culture; and

WHEREAS, the University plans to construct a multi-purpose event arena at a cost of \$10,000,000 (the “Arena”) on its campus through a collaborative effort involving the University, Miami-Dade County (the “County”) and private sources; and

WHEREAS, the Arena would provide significant benefits to the citizens of the County by providing a place for recreational, cultural, and educational activities, as well as serve as a venue for community high school and intercollegiate sports competition and other uses by the public; and

WHEREAS, given that there is no such facility available to citizens living in the Northwest area of the County and the cities of Miami Gardens, Opa-Locka, and Miami Lakes, the areas which would receive the most direct benefit from the construction of the Arena, it would be a public purpose and in the best interest of the County to financially contribute towards the construction of the Arena; and

WHEREAS, the Arena qualifies as a gymnasium open to public use and therefore, is eligible for funding pursuant to the Parks and Recreational Facilities Resolution; and

WHEREAS, this Board wishes to approve a significant modification to Project 18 to reduce its allocation from \$20,000,000 to \$15,000,000 and to allocate the \$5,000,000 difference

to a new project to be added to Appendix A to the Parks and Recreational Facilities Resolution as Project No. 123.1 and entitled “Florida Memorial University Multi-Purpose Arena” (“Project No. 123.1”); and

WHEREAS, in accordance with Implementing Order 3-47 (“IO 3-47”), the \$5,000,000 no longer allocated to Project No. 18 are deemed “Surplus Funds”; and

WHEREAS, IO 3-47 sets forth a process for the allocation of Surplus Funds (as such term is defined in IO 3-47) to existing and new BBC Program projects; and

WHEREAS, in order to add the Arena as a new project to Appendix A to the Parks and Recreational Facilities Resolution, this Board wishes to waive the requirements of IO 3-47 regarding the addition of new projects to the BBC Program using surplus funds; and

WHEREAS, the Board wishes to direct the County Mayor or the County Mayor’s designee to list Project No. 123.1 (Florida Memorial University Multi-Purpose Arena) in the next series resolution as eligible for funding from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the first quarter of 2011) and shall not make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or the County 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 by reference.

Section 2. The significant modification of Project No. 18 to reduce its allocation from \$20,000,000 to \$15,000,000 after a public hearing is approved. Appendix A to the Parks and Recreational Facilities Resolution shall be amended accordingly.

Section 3. The addition of Project No. 123.1 - "Florida Memorial University Multi-Purpose Arena" with an allocation of \$5,000,000 after a public hearing is approved. Appendix A to the Parks and Recreational Facilities Resolution shall be amended to add the following information at the end of Appendix A: (a) under the column titled "Project Number" add "123.1"; (b) under the column titled "Municipal Project Location" add the word(s) "City of Miami Gardens"; (c) under the column titled "BCC District" add the number "1"; (d) under the column titled "Project Name" add the words "Florida Memorial University Multi-Purpose Arena"; (e) under the column titled "Project Description" add the words "construct a state of the art athletic and recreational gymnasium including basketball courts and related seating, track, weight and training rooms, locker rooms, dance/exercise room, meeting and lecture rooms and related offices to be open to the public"; (f) under the column titled "Street Address" add the following: "15800 NW 42nd Street, Miami Gardens"; and, (g) under the column titled "Allocation (000s)" add "5,000".

Section 4. This Board hereby waives the requirements of IO 3-47 regarding the addition of new projects to the BBC Program using surplus funds, including the requirement that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all projects has been identified to the satisfaction of the Board.

Section 5. The County Mayor or the County Mayor's designee shall list Project No. 123.1 (Florida Memorial University Multi-Purpose Arena) in the next series resolution as eligible for funding from bond proceeds generated from the next BBC GOB Program bonds (scheduled to be issued in the first quarter of 2011) and not to make any adjustments to said funding for any reason, including cash flow revisions by the County Mayor or the County Mayor's designee authorized by Implementing Order No. 3-47, without this Board's prior approval.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** 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	Lynda Bell	aye
Audrey M. Edmonson	absent	Carlos A. Gimenez	aye
Sally A. Heyman	nay	Barbara J. Jordan	aye
Joe A. Martinez	nay	Jean Monestime	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

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

Gerald T. Heffernan