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

MEMORANDUM

Agenda Item No. 5(C)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 19, 2011

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

SUBJECT: Resolution approving significant modification to BBC GOB Program Project No. 19 - "Recreational Facility"

Resolution No. R-600-11

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: July 19, 2011

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

SUBJECT: Agenda Item No. 5(C)

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(C)
7-19-11

RESOLUTION NO. R-600-11

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 19 - "RECREATIONAL FACILITY", AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 TO MODIFY PROJECT DESCRIPTION, AFTER PUBLIC HEARING; APPROVING LOCATION OF SUCH PROJECT; APPROVING ADDITION OF PROJECT NO. 19 TO APPENDIX A TO RESOLUTION NO. R-134-11; AND APPROVING ACCELERATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDING FOR PROJECT NO. 19

WHEREAS, Appendix A to Resolution No. 913-04 (the "Park and Recreational Facilities Resolution"), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC GOB 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 Park and Recreational Facilities Resolution and approved by the voters for funding is Project No. 19 – "Recreational Facility" ("Project No. 19"), located in North Miami with a Street Address listed as "TBD" or "to be decided" with an allocation equal to $5,000,000 and a project description that states: "GOB funds to compliment other funding sources to construct a recreational facility to house an Olympic sized pool, martial arts facilities and fencing facilities"; and

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

WHEREAS, the City of North Miami Council has requested, among other things, that the Board approve: a significant modification to Project No. 19 to modify the original project description to include an aquatic facility, basketball courts, and parking, the proposed Street Address for Project No. 19 as 13760 N.E. 5th Avenue, and the acceleration of $500,000 of BBC GOB Program funding from the Series 2011 Bonds to fund the design and engineering phase of the project, all as evidenced by the letter from the City of North Miami dated April 29, 2011, a copy of which is attached hereto as Attachment A; and

WHEREAS, this Board wishes to approve the significant modification to Project No. 19 to change the Project Description such that the new Project Description would read as follows: "Construct an aquatic facility and a recreational facility, including basketball courts, a multipurpose field, playground, shelter and parking," the proposed Street Address for Project No. 19 and the requested $500,000 acceleration of BBC GOB Program funding,

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 approves the significant modification to Project No. 19, identified in Appendix A to Resolution No. R-913-04, after a public hearing to change the Project Description to read as follows: "Construct an aquatic facility and a recreational facility, including basketball courts, a multipurpose field, playground, shelter and parking." In addition, the Street Address for Project No. 19 shall be 13760 N.E. 5th Avenue.

Section 3. This Board hereby approves the addition of BBC GOB Program Project No. 19 to Appendix A to Resolution No. R-134-11 and the acceleration of $500,000 of BBC GOB Program funding for Project No. 19 to fund the design and engineering phase of such project.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Jean Monestime**, 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:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			absent
Bruno A. Barreiro	aye	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	absent	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of July, 2011. 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. Christopher Agrippa
Deputy Clerk

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

Geri Bonzon-Keenan

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NORTH MIAMI
FLORIDA

April 29, 2011

The Honorable Jean Monestime
Miami-Dade County Commissioner, District 2
900 N.E. 125th Street, Suite 200
North Miami, FL 33161

Re: Building Better Communities General Obligation Bond Project 19-70719/Recreational Facility

Dear Commissioner Monestime:

On April 27, 2011, city staff met with Miami-Dade County Office of Capital Improvements staff to discuss the project referenced above.

As you know, the city of North Miami Council, through resolution No. R-2011-21, requested a substantial modification to the original project description and location to fund an aquatic and recreational facility to include basketball courts, a multipurpose field, playground, shelter and parking at 13760 N.E. 5th Avenue.

We are asking for your support of this project by asking the County Attorney's office to prepare a resolution to be placed on the May 24, 2011 agenda of the Building Better Communities Bond Program's Citizens' Advisory Committee providing for a project description change and a new address for the project.

As always, we thank you for your support and look forward to hearing from you.

Sincerely,

Russell Benford
City Manager

RB:mp

Attachment: Resolution No. R-2011-21

c: Mayor and City Council members
Jeff Geimer, Parks and Recreation Director
V. Lynn Whitfield, City Attorney
Miguel Seco, Governmental Affairs Manager

776 NE 125 Street | North Miami | Florida | 33161 305.895.9888 Fax: 305.893.1367

ATTACHMENT "A" 6

RESOLUTION NO. R-2011-21

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, URGING MIAMI-DADE COUNTY COMMISSIONERS TO ACCEPT A RE-DESIGNATION AND REALLOCATION OF THE FIVE MILLION DOLLARS ($5,000,000.00) ASSOCIATED WITH PROJECT NO. 19 OF THE MIAMI-DADE COUNTY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FINANCING, BY MAKING IMMEDIATELY AVAILABLE FIVE HUNDRED THOUSAND DOLLARS ($500,000.00) FOR THE PROJECT DESIGN AND ENGINEERING PHASE WITH THE REMAINING FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS ($4,500,000.00) TO BE MADE AVAILABLE IN THE YEAR 2012 FOR THE PROJECT CONSTRUCTION PHASE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on November 2, 2004, the voters of Miami-Dade County approved the Building Better Communities General Obligation Bond ("GOB") Funds for infrastructure improvements throughout the County; and

WHEREAS, a sum of Five Million Dollars ($5,000,000.00) for the Project was assigned to District 2 of the Board of County Commissioners at a site location within the City of North Miami ("City") to be determined at a later time to construct a recreational facility to house an Olympic sized pool, martial arts facilities and fencing facilities ("Project"); and

WHEREAS, due to the community's changing needs over the last six years, the City is requesting that the Five Million Dollars ($5,000,000.00) allocated for the Project be used instead to fund an aquatic facility and a recreational facility including basketball courts, a multipurpose field, playground, shelter and parking at the proposed address of 13760 NE 5th Avenue ("New Project"); and

WHEREAS, to implement the New Project, the City would like to request Five Hundred Thousand Dollars ($500,000.00) immediately for the design and engineering phase of the New Project with the remaining Four Million Five Hundred Thousand Dollars ($4,500,000.00) to be made available in the year 2012 for the New Project construction phase; and

WHEREAS, the Mayor and City Council of the City of North Miami, find that the re-

designation and allocation of GOB funding would create the highest value and beneficial return to the residents of the City, and is thereby compelled to respectfully urge the Miami-Dade County Board of Commissioners to grant the City's request.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Mayor and City Council Urging Re-designation and Allocation of BBC-GOB Funding.** The Mayor and City Council of the City of North Miami, Florida, hereby urge Miami-Dade County Commissioners to accept a re-designation and reallocation of the Five Million Dollars ($5,000,000.00) associated with project No. 19 of the Miami-Dade County Building Better Communities General Obligation Bond Financing, by making immediately available Five Hundred Thousand Dollars ($500,000.00) for the project design and engineering phase with the remaining Four Million Five Hundred Thousand Dollars ($4,500,000.00) to be made available in the year 2012 for the project construction phase.

Section 2. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22 day of February, 2011.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

JACQIE VIEIRA
ACTING CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

V. LYNN WHITFIELD
CITY ATTORNEY

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

Legislative Notes

Agenda Item:	5(C)
File Number:	**111155**
Committee(s) of Reference:	**Board of County Commissioners**
Date of Analysis:	**June 9, 2011**
Prime Sponsor:	**Commissioner Jean Monestime**
Type of Item:	**Significant Modification to Building Better Communities General Obligation Bond Program**

Summary

This item approves a Significant Modification to Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 19 to include:

- Change Project Description to read as follows: "Construct an aquatic facility and recreational facility, including basketball courts, a multipurpose field, playground, shelter and parking.";
- Add street address 13760 N.E. 5th Avenue;
- Approve the addition of Project No. 19 to Exhibit A to R-134-11; and
- Accelerate $500,000 of BBC-GOB Program funding for Project No. 19 to fund the design and engineering phase of the project.

The original project description for BBC-GOB Project No. 19 included the following:

- GOB funds to compliment other funding sources to construct a recreational facility to house an Olympic sized pool, martial arts facilities and fencing facilities;
- Street address: to be determined; and
- BBC GOB allocation of $5,000,000.

On March 1, 2011, the Board of County Commissioners (BCC) approved R-134-11, authorizing the issuance of up to $200,000,000 in BBC-GOB for Series 2011A Bonds to be used to pay all or portion of various capital projects in the BBC-GOB Program Projects List in Exhibit A which was attached to R-134-11.

Development of BBC-GOB Program Projects List

On July 11, 2010, the County Manager issued a memo on the BBC-GOB Program Project List. The Memo provided three scenarios that illustrated the choices for the BBC-GOB bond sales in the next two fiscal years. In every scenario, the upcoming two sales are followed by a gap of nearly 24 months in which the County will not sell new bonds.

Furthermore, the Memo states that uncertainty surrounding our millage rates and property-tax roll have made useful projections almost impossible. The list of projects for the next two (2) bond sales was developed by the Office of Capital Improvements and the Office of Strategic Business Management in consultation with the County Executive Office, user departments and external stakeholders.

On December 23, 2010, the County Manager issued a Memo outlining the BBC-GOB Bond Program for the next 45 months and recommended the implementation of a commercial paper program in order to provide an additional financing vehicle to complete a list of BBC-GOB projects. Subsequently, on March 1, 2011, the BCC approved R-134-11, authorizing the issuance of up to $200,000,000 in BBC-GOB for Series 2011A Bonds to be used to pay for various capital projects in the BBC-GOB Program Projects List identified in the December 23, 2010 County Manager BBC-GOB Bond Program Memo.

Questions

In response to questions posed by the Office of Commission Auditor (OCA), the Office of Capital Improvements (OCI) staff provided the following responses:

- If BBC GOB Project No. 19 is added to Appendix A to R-134-11, how will this affect the other projects already on the list? If BBC GOB Project No. 19 is added will another BBC GOB Project be removed? ***Since we have not yet encumbered the $200 million covered under Series 2011A and there is sufficient flexibility in the program to accommodate this request for acceleration, we have not identified donor projects at this time.***

Prepared by: Mia B. Marin