



MEMORANDUM

Agenda Item No. 5(A)

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

DATE: March 6, 2012

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

SUBJECT: Resolution approving deletion of
Building Better Communities General
Obligation Bond (BBC GOB)
Program Project No. 265 – “Hubbard-
Alvarez Bungalow” from and
addition of project No. 265.1 –
“Miami Hispanic Cultural Dance
Center”

Resolution No. R-194-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

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

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 5(A)

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(A)
3-6-12

RESOLUTION NO. R-194-12

RESOLUTION APPROVING DELETION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (BBC GOB) PROGRAM PROJECT NO. 265 – “HUBBARD-ALVAREZ BUNGALOW” FROM AND ADDITION OF PROJECT NO. 265.1 – “MIAMI HISPANIC CULTURAL DANCE CENTER” TO APPENDIX A TO RESOLUTION NO. R-919-04 TO BE FUNDED WITH \$250,000 FROM DELETED PROJECT NO. 265, ALL AFTER A PUBLIC HEARING; WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BBC GOB PROGRAM USING SURPLUS FUNDS; APPROVING ACCELERATION OF PROJECT NO. 265.1; ADDING PROJECT NO. 265.1 TO EXHIBIT A OF RESOLUTION NO. R-134-11

WHEREAS, pursuant to Resolution No. R-919-04 (the “Cultural Facilities Resolution”), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000 to construct and improve libraries, cultural facilities, and Head Start learning centers for pre-school children to offer multicultural educational opportunities and activities; and

WHEREAS, Appendix A to the Cultural 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, the BCC GOB Program Administrative Rules require that lands and facilities acquired, developed, improved or rehabilitated by BBC GOB funds shall be dedicated and maintained in perpetuity for the use and benefit of the general public and must be open to the general public at reasonable times and managed for public use; and

WHEREAS, one of the projects listed in Appendix A to the Cultural Facilities Resolution is BBC GOB Program Project No. 265- “Hubbard-Alvarez Bungalow” with an original allocation of \$250,000 and a project description that read in part, “[r]ehabilitate this historic structure....”; and

WHEREAS, because the Dade Heritage Trust (“Trust”), the owner of the Hubbard-Alvarez Bungalow (the “Bungalow”), had plans to sell the Bungalow, the Trust used its own funds to restore the Bungalow; and

WHEREAS, therefore, because funding is no longer needed for the restoration of the Bungalow, Project No. 265 can be deleted from Appendix A to the Cultural Facilities Resolution, thereby making the \$250,000 allocated to Project No. 265 “surplus funds” (as such term is defined in Implementing Order 3-47 (“IO 3-47”)); and

WHEREAS, the Miami Hispanic Ballet Corp. (“MHB”) is a Florida not-for-profit corporation with a mission of encouraging dance, supporting artistic and cultural diversity and increasing opportunities for people of all ages and backgrounds to experience classical and contemporary dance forms; and

WHEREAS, in 2008, MHB received an allocation from the BBC GOB Project No. 223 – “Not-for-Profit Community Organization Capital Fund” of \$500,000 and used such funds to purchase a property located at 111 SW 5TH Avenue, Miami, Florida 33130 and known as the “Warner House” in order to develop a permanent home to continue its work and core mission, teach dance, offer theater productions, workshops and dance performances; and

WHEREAS, MHB requires additional funds to adapt the Warner House to provide performance and rehearsal studios, classrooms, storage, parking, administration and meeting areas necessary to operate a multi-disciplinary facility as the Miami Hispanic Cultural Dance Center to teach dance, offer theater productions, workshops and dance performances; and

WHEREAS, given that the \$250,000 originally allocated to Project No. 265 is no longer needed for the rehabilitation of the Bungalow, it would be in the best interest of the County to instead allocate that money to MHB to be used for the adaptation of the Warner House property; and

WHEREAS, this Board wishes to approve a deletion of Project No. 265- "Hubbard-Alvarez Bungalow" from Appendix A to the Cultural Facilities Resolution; and

WHEREAS, this Board further desires to allocate the \$250,000 no longer needed for the Bungalow to a new project to be added to Appendix A to the Cultural Facilities Resolution as Project No. 265.1 with a project name of "Miami Hispanic Cultural Dance Center," a municipal project location of Miami, in BCC District 5, a street address of 111 SW 5TH Avenue, Miami, Florida 33130, and a project description as follows: "To provide funding to Miami Hispanic Ballet Corp. to adapt the historic Warner House to provide the performance and rehearsal studios, classrooms, storage, parking, administration and meeting areas necessary to operate a multi-disciplinary facility as the Miami Hispanic Cultural Dance Center to teach dance, offer theater productions, workshops and dance performances"; and

WHEREAS, in accordance with Implementing Order 3-47, the \$250,000 no longer needed for Project No. 265 are deemed "surplus funds"; and

WHEREAS, IO 3-47 sets forth a process for the allocation of surplus funds to existing and new BCC GOB Program projects; and

WHEREAS, in order to add the Miami Hispanic Cultural Dance Center as a new project to Appendix A of the Cultural Facilities Resolution, this Board wishes to waive the requirements of IO 3-47 regarding the addition of new projects to the BCC GOB Program using surplus funds; and

WHEREAS, this Board desires to accelerate funding for MHB and wishes to add MHB to Exhibit A to Resolution No. R-134-11 as a project to be funded from the Series 2011 BBC GOB bond proceeds; and

WHEREAS, this item was presented to the BBC-GOB Citizens' Advisory Committee ("CAC") on January 18, 2012 and, as a result of a 6-6 tie vote, was forwarded to the Board without a recommendation,

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

Section 1. All of the foregoing recital clauses are incorporated herein by referenced and adopted by this Board.

Section 2. This Board, after a public hearing, hereby approves a deletion BBC GOB Program Project No. 265 – "Hubbard-Alvarez Bungalow" from Appendix A to the Cultural Facilities Resolution.

Section 3. This Board, after a public hearing and upon a two-thirds vote, hereby waives the requirements of IO 3-47 regarding the addition of new projects to the BBC GOB 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, and approves the addition of BBC GOB Program Project No. 265.1 to Appendix A to the Cultural Facilities Resolution. Project No. 265.1 shall have a project name of "Miami Hispanic Cultural Dance Center", a municipal project location of Miami, in BCC District 5, a street address of 111 SW 5TH Avenue, Miami, Florida 33130, and a project description as follows: "To provide funding to Miami Hispanic Ballet Corp. to adapt the historic Warner House to provide the performance and rehearsal studios, classrooms, storage, parking, administration and meeting areas necessary to operate a multi-disciplinary facility as the Miami Hispanic Cultural Dance Center to teach dance, offer theater productions, workshops and dance performances."

Section 4. This Board hereby approves the acceleration of Project No. 265.1 and its addition to Exhibit A to Resolution No. R-134-11 as a project to be funded from the Series 2011 BBC GOB bond proceeds.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Bruno A. Barreiro**, 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
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz
Sally A. Heyman	aye	Barbara J. Jordan
Jean Monestime	aye	Dennis C. Moss
Rebeca Sosa	aye	Sen. Javier D. Souto
Xavier L. Suarez	aye	

7

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of March, 2012. 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.

A handwritten signature in black ink, appearing to be "MR", is written over a horizontal line.

Monica Rizo