

MEMORANDUM

Agenda Item No.8(M) (3)

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

DATE: October 2, 2012

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

SUBJECT: Resolution waiving Building
Better Communities General
Obligation Bond Program's
Administrative Rules for
purpose of disbursing bond funds
in the amount of \$1,980,900.25

Resolution No. R-797-12

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.




R. A. Cuevas, Jr.
County Attorney

RAC/smm

Date: October 2, 2012

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

From: Carlos A. Gimenez,
Mayor 

Subject: Resolution Waiving Building Better Communities General Obligation Bond Program's Administrative Rules for Purpose of Disbursing Bond Funds in the Amount of \$1,980,900.25 as Local Government Match to the US Army Corps of Engineers Relating to BBC GOB Project No. 52 - "Beach Erosion Mitigation and Renourishment Project"

Recommendation

It is recommended that the Board of County Commissioners approve the attached resolution waiving Building Better Communities General Obligation Bond ("BBC GOB") Program's Administrative Rules for purpose of disbursing bond funds in the amount of \$1,980,900.25 to the US Army Corps of Engineers as the County share of the non-federal portion of a federal beach renourishment project.

Scope

The proposed beach nourishment will occur in Commissioner Heyman's District 4, with countywide benefits.

Fiscal Impact/Funding Source

This resolution would authorize disbursement of \$1,980,900.25 from BBC GOB Project No. 52 - "Beach Erosion Mitigation and Renourishment Project" (Index Code CPF052PE1636) to provide the County's share of the non-federal portion of \$2,904,120. State grant funds of \$923,219.75 will provide the remainder of the non-federal portion under State Grant No. CPDE04, Index Code CPE315PE0401. The BBC GOB funds to be used are from unexpended 2011A proceeds.

Track Record/Monitor

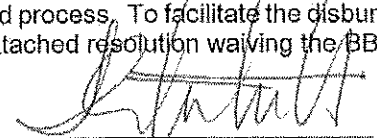
The Water Management Division Chief of the Department of Regulatory and Economic Resources will be responsible for tracking and monitoring this project.

Background

Miami-Dade County serves as the local sponsor for the Federal Miami-Dade County Beach Erosion Control and Hurricane Surge Protection Project extending from Government Cut to Sunny Isles Beach. The County is therefore responsible for providing local coordination of beach nourishment activities conducted by the Army Corps of Engineers (Corps), including providing the non-federal funds needed to implement projects.

The Corps is currently initiating the Federal Contract G Project to renourish critically eroded segments of Bal Harbour beach located between 96th Street and Haulover Inlet. The project was estimated at \$5,808,240 with the non-federal funding share of \$2,904,120 divided between an existing State grant from the Florida Department of Environmental Protection in the amount of \$923,219.75 (31.79% of the non-federal cost share) and County BBC GOB funds in the amount of \$1,980,900.25 (68.21% of the non-federal share). A copy of the letter from the Corps requesting the non-federal share in the amount of \$2,904,120 is shown in Attachment A.

The BBC GOB Program's administrative rules state that funding is to be disbursed on a reimbursement basis and only allows funding advances of up to 90% for municipalities. Under the terms of the local cooperation agreement between the Corps and Miami-Dade County, all non-federal funds must be provided to the Corps prior to initiating the bid process. To facilitate the disbursement of the GOB funding for the County portion of the non-federal funds, the attached resolution waiving the BBC GOB Program's administrative rules is recommended for approval.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: October 2, 2012

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

SUBJECT: Agenda Item No8(M) (3)

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.8(M) (3)
10-2-12

RESOLUTION NO. R-797-12

RESOLUTION WAIVING BUILDING BETTER
COMMUNITIES GENERAL OBLIGATION BOND
PROGRAM'S ADMINISTRATIVE RULES FOR PURPOSE OF
DISBURSING BOND FUNDS IN THE AMOUNT OF
\$1,980,900.25 AS LOCAL GOVERNMENT MATCH TO U.S.
ARMY CORPS OF ENGINEERS RELATING TO BBC GOB
PROJECT NO. 52 - "BEACH EROSION MITIGATION AND
RENOURISHMENT PROJECT"; AND AUTHORIZING THE
MAYOR OR MAYOR'S DESIGNEE TO TAKE ALL ACTIONS
NECESSARY TO EFFECTUATE THE FOREGOING

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board hereby waives the Building Better Communities General Obligation Bond Program's administrative rules in order to disburse BBC GOB Series 2011A bond funds in the amount of \$1,980,900.25 from BBC GOB Project No. 52 – "Beach Erosion Mitigation and Renourishment Project" to the U.S. Army Corps of Engineers for the Federal Contract G Project to nourish critically eroded segments of the Bal Harbor beachfront; and authorizes the Mayor or Mayor's designee to take all actions necessary to effectuate the foregoing.

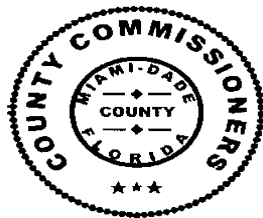
The foregoing resolution was offered by Commissioner **Sally A. Heyman**,
who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa**
and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 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.

Monica Rizo

ATTACHMENT A



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

MAY 04 2012

Programs and Project Management Division

Mr. Brian Flynn
Special Projects Administrator 2
Miami-Dade Department of Environmental Resources Management
701 North West 1st Court, 5th Floor
Miami, Florida 33136

Dear Mr. Flynn:

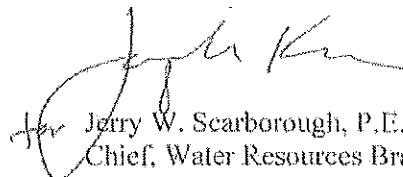
Please reference letter dated November 15, 2011 regarding the Fiscal Year (FY) 2012 major milestones for the Dade County Shore Protection Project Contract G. The purpose of this letter is to request the amount required for your agency's non-Federal proportionate share of design and award of the upcoming re-nourishment for Contract G.

In accordance with the Dade County Local Cooperation Agreement (LCA), the non-Federal sponsor is required to contribute 50.2% of the costs indicated above. The estimated total cost for your share of the total estimated cost is \$2,904,120. Your estimated share includes Contract G design, construction, engineering during construction (EDC), and construction supervision and administration by district office (S&A) and construction supervision and administration by field office (S&J).

We request that these funds be deposited via electronic funds or wire transfer (see enclosures) as soon as possible to avoid any delays in the critical award of this contract.

If you have any questions or need additional information please contact Jason Harrah at 904-232-1381.

Sincerely,


Jerry W. Scarborough, P.E.
Chief, Water Resources Branch