

MEMORANDUM

Agenda Item No. 5(A)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 1, 2014

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

SUBJECT: Resolution approving significant modification to Building Better Communities General Obligation Bond (BBC GOB) Program Project Nos. 332 – “Hialeah High School Performing Arts Center” to reduce allocation by \$927,714.00 for a total funding allocation of \$7,872,286.00 and 302 – “Hialeah – reconstruct Milander Auditorium”

Resolution No. R-578-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/Imp



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(Revised)

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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 Mayor'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)
7-1-14

RESOLUTION NO. R-578-14

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (BBC GOB) PROGRAM PROJECT NOS. 332 – “HIALEAH HIGH SCHOOL PERFORMING ARTS CENTER” TO REDUCE ALLOCATION BY \$927,714.00 FOR A TOTAL FUNDING ALLOCATION OF \$7,872,286.00 AND 302 – “HIALEAH – RECONSTRUCT MILANDER AUDITORIUM” TO INCREASE ALLOCATION BY \$927,714.00 FOR A TOTAL FUNDING ALLOCATION OF \$7,273,714.00, BOTH IN APPENDIX A TO RESOLUTION NO. R-919-04, AFTER A PUBLIC HEARING

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 \$552,692,000.00 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, one of the projects listed in Appendix A to the Cultural Facilities Resolution is BBC GOB Program Project No. 332- “Hialeah High School Performing Arts Center” with an original allocation of \$10,000,000.00 and a project description that provides “GOB funds complement other funding to complete this performing arts complex by: acquiring equipment; developing support spaces for rehearsal, scene shop and technical theater training; and acquiring property and providing funds for the design and construction of structures to

provide critically needed parking and related improvements to serve patrons and users of both the Hialeah High School Performing Arts Center and the cultural and community facilities at the Milander Park complex”; and

WHEREAS, in November of 2012, this Board approved Resolution R-994-12, which resolution approved a significant modification to Project No. 332 to reduce the original allocation of \$10,000,000.00 to \$8,800,000.00 in order to fund a new Project No. 332.1 titled “Cultural Heritage, Education and Performing Arts Park”; and

WHEREAS, the City of Hialeah has completed Project No. 332 and \$3,268,200.00 of the remaining \$8,800,000.00 allocation are “surplus funds” (as such term is defined in Implementing Order 3-47 (“IO 3-47”)); and

WHEREAS, another one of the projects listed in Appendix A to the Cultural Facilities Resolution is BBC GOB Project No. 302 – “Hialeah- Reconstruct Milander Auditorium” with an original allocation of \$6,346,000.00 and a project description that provides “demolition and reconstruction of the multi-purpose cultural arts center to include an auditorium, recreation facility, convention center, rental area and marquee at Milander Auditorium”; and

WHEREAS, the allocation in Project No. 302 is insufficient to complete the work and Project No. 302 has a “budget shortfall” (as such term is defined in Implementing Order 3-47) of \$927,714.00; and

WHEREAS, the City of Hialeah desires, and has requested, to use \$927,714.00 of surplus funds from Project No. 332 to complete Project No. 302; and

WHEREAS, it would be in the best interest of the County to allocate \$927,714.00 of the surplus funds from Project No. 332 to Project No. 302 and to the City of Hialeah to be used to complete Milander Auditorium; and

WHEREAS, this Board wishes to approve a significant modification of BBC GOB Project No. 332- "Hialeah High School Performing Arts Center" in Appendix A to the Cultural Facilities Resolution to reduce the allocation from \$8,800,000.00 to \$7,872,286.00; and

WHEREAS, this Board further desires to allocate \$927,714.00 of the surplus funds to Project No. 302 – "Hialeah – Reconstruct Milander Auditorium" for a total project allocation of \$7,273,714.00; and

WHEREAS, in accordance with IO 3-47, the \$927,714.00 not needed for Project No. 332 are deemed "surplus funds"; and

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

WHEREAS, this item was presented to the BBC-GOB Citizens' Advisory Committee ("CAC") on April 29, 2014 and received a favorable 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 reference and adopted by this Board.

Section 2. This Board, after a public hearing, hereby approves a significant modification of BBC GOB Program Project No. 332 – "Hialeah High School Performing Arts Center" in Appendix A to the Cultural Facilities Resolution in order to reduce its allocation from \$8,800,000.00 to \$7,872,286.00.

Section 3. This Board, after a public hearing, hereby approves a significant modification of BBC GOB Program Project No. 302 – "Hialeah – Reconstruct Milander

Auditorium" in Appendix A to the Cultural Facilities Resolution in order to increase its allocation from \$6,346,000.00 to \$7,273,714.00.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 2014. 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