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

MEMORANDUM

Agenda Item No. 5(C)

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

DATE: November 5, 2014

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

SUBJECT: Resolution approving Significant Modification of Building Better Communities General Obligation Bond Program Project No. 119 – "Unincorporated Municipal Service Area – Local Park Improvements"
Resolution No. R-959-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(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 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(C)
11-5-14

RESOLUTION NO. R-959-14

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 119 – "UNINCORPORATED MUNICIPAL SERVICE AREA – LOCAL PARK IMPROVEMENTS" TO REDUCE ALLOCATION BY $835,000.00 AND ADDITION OF PROJECT NO. 119.1 – "SW 157TH AVENUE LINEAR GREENWAY" WITH AN ALLOCATION OF $835,000.00 OF SURPLUS FUNDS FROM PROJECT NO. 119, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING; AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS USING SURPLUS FUNDS

WHEREAS, pursuant to Resolution R-913-04 ("Parks Resolution"), the voters of Miami-Dade County 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 to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands; and

WHEREAS, Appendix A to the Parks Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "Bond 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 Resolution is Project No. 119 – "Unincorporated Municipal Service Area - Local Park Improvements" in Commission District 11, a project description that provides "General improvements to existing local parks include renovation, and upgrades," and an original allocation of $3,500,000 ("Project No. 119"); and

WHEREAS, the Parks, Recreation and Open Spaces Department ("Parks Department") intends to develop for local, passive park use, public lands in Commission District 11 along SW 157th Avenue between Bird Road / SW 42nd Street and SW 59th Terrace, as a greenway which is preliminarily known as the SW 157th Avenue Linear Greenway; and

WHEREAS, at the time the Parks Resolution was adopted, the Parks Department did not have a defined scope of work for the local parks within Commission District 11; and

WHEREAS, since 2004, the Parks Department has undertaken an assessment of the needs of local parks in Commission District 11 and has determined that there is a surplus amount of funds in Project No. 119 in the amount of $835,000; and

WHEREAS, since 2004, a need for developed and improved greenways to be used for passive park purposes has been identified in District 11, including a greenway along SW 157th Avenue between Bird Road /SW 42nd Street and SW 59th Terrace; and

WHEREAS, this Board therefore desires to approve a significant modification to Project No. 119 to reduce the original allocation by $835,000 for a new Project No. 119 allocation of $2,665,000 and to declare the $835,000 as "surplus funds" (as such term is defined in Implementing Order 3-47("IO 3-47"); and

WHEREAS, this Board further desires to utilize the $835,000 of surplus funds to create a new BBC GOB Program Project No. 119.1 titled "SW 157th Avenue Linear Greenway", located in Commission District 11, with a municipal project location of the unincorporated municipal service area ("UMSA"), a project description that provides "Development of linear greenway for passive park purposes," a street address of "SW 157th Avenue between Bird Road/SW 42nd Street and SW 59th Terrace," and an allocation of $835,000; and

WHEREAS, Implementing Order ("IO") 3-47 sets forth a process for the allocation of surplus funds to existing and new Bond Program projects; and

WHEREAS, IO 3-47 requires that prior to adding a new project to the Bond Program, the Board must consider certain factors, including that all projects have been completed or all the necessary funding for all projects have been identified to the satisfaction of the Board; and

WHEREAS, in order to add Project No. 119.1 - "SW 157th Avenue Linear Greenway" to the Bond Program as a new project to Appendix A to the Parks Resolution, this Board wishes to waive the requirements of IO 3-47 regarding the addition of new projects to the Bond Program using surplus funds; and

WHEREAS, this item was considered by the Building Better Communities Citizens' Advisory Committee (the "Committee") at its meeting of September 5, 2014 and it received a favorable recommendation from the Committee,

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

Section 1. The foregoing recital clauses are incorporated herein by this reference and are adopted by this Board.

Section 2. This Board, after a public hearing, hereby approves the significant modification of Project No. 119 in Appendix A to the Parks Resolution to reduce its original allocation from $3,500,000 to $2,665,000.

Section 3. This Board hereby declares $835,000 as surplus funds and waives the requirements of IO 3-47 regarding the addition of new projects to the Bond 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 4. This Board, after a public hearing, approves the addition of Project No. 119.1 titled "SW 157th Avenue Linear Greenway" to Appendix A to the Parks Resolution. Project No. 119.1 shall have a municipal project location of "UMSA", be located in Commission District 11, have a project description that provides "Development of linear greenway for passive park purposes", a street address of "SW 157th Avenue between Bird Road/SW 42nd Street and SW 59th Terrace" and an allocation equal to $835,000.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner **Juan C. Zapata**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** 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.	**aye**
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	**absent**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of November, 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