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

MEMORANDUM

Amended
Agenda Item No. 11(A)(24)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Resolution waiving Administrative Rules for Economic Development Fund Project 124 of Building Better Communities General Obligation Bond Program; Approving allocation of $7,500,000.00 from Project 124 to Neuroscience Centers of Florida Foundation Inc. to fund Project Mercy

Resolution No. R-349-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez, and Co-Sponsors Commissioner Bruno A. Barreiro and Vice Chairman Esteban L. Bovo, Jr.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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SUBJECT: Amended Agenda Item No. 11(A)(24)

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 _____

Amended
Agenda Item No. 11(A)(24)
4-21-15

RESOLUTION NO. R-349-15

RESOLUTION WAIVING ADMINISTRATIVE RULES FOR ECONOMIC DEVELOPMENT FUND PROJECT 124 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; APPROVING ALLOCATION OF $7,500,000.00 FROM PROJECT 124 TO NEUROSCIENCE CENTERS OF FLORIDA FOUNDATION INC. TO FUND PROJECT MERCY; AND DIRECTING COUNTY MAYOR OR DESIGNEE TO NEGOTIATE THE TERMS OF A GRANT AGREEMENT WITH NEUROSCIENCE CENTERS OF FLORIDA FOUNDATION PURSUANT TO BOND PROGRAM'S ADMINISTRATIVE RULES AND PRESENT SUCH GRANT AGREEMENT OR, ALTERNATIVELY, A REPORT FOR CONSIDERATION BY BOARD

WHEREAS, Appendix A to Resolution No. R-914-04 ("Public Infrastructure Resolution"), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program ("Bond Program") by project number, municipal project location, Commission district, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is Project No. 124 – Economic Development Fund ("Project 124") with a project description that states "Provide infrastructure improvements to spur economic development and attract new businesses to the community and to create jobs"; and

WHEREAS, the goal of Project 124 is to encourage development that will create jobs and cause economic development which will have a long term benefit to the community; and

WHEREAS, Neuroscience Centers of Florida Foundation, Inc. proposes the development of a world-class ambulatory care center in Miami-Dade that will cater to the needs of the local Multiple Sclerosis, Alzheimer's, Parkinson's and Stroke patients population

("Project Mercy") which is anticipated to result in approximately one hundred and fifty eight (158) direct jobs plus an additional one hundred and fifty eight (158) indirect jobs; and

WHEREAS, Project Mercy is estimated to generate a projected $6,000,000.00 in local taxes; and

WHEREAS, Neuroscience Centers of Florida Foundation, Inc. has submitted an application to the County requesting a Project 124 grant in the amount of $7,500,000.00 to fund a public access parking facility to support Project Mercy; and

WHEREAS, this Board wishes to approve an allocation of $7,500,000.00 from Project 124 to Neuroscience Centers of Florida Foundation, Inc. as a grant and direct the County Mayor or designee to commence negotiations pursuant to the policy established in Resolution No. R-668-10 and incorporated in the administrative rules of the Building Better Communities General Obligation Bond Program ("Administrative Rules"); and

WHEREAS, it is the desire of this Board to direct the County Mayor, or designee to negotiate a Grant Agreement between the County and Neuroscience Centers of Florida Foundation, Inc. in accordance with the Administrative Rules and, upon completion of the negotiations, to submit the Grant Agreement to this Board for its consideration or if negotiations are unsuccessful, a report on the status of the negotiations; and

WHEREAS, this Board wishes to waive the requirement, established in Resolution No. R-668-10 and set forth in the Administrative Rules, for Neuroscience Centers of Florida Foundation, Inc. that Project 124 allocations be made to projects with a minimum value of $10,000,000.00, and

WHEREAS, this Board has previously allocated the entire Project 124 funds to other infrastructure projects, subject to the negotiation of the County Mayor or the County Mayor's designee (the "County Mayor"), in accordance with Resolution No. R-123-15, of a Grant or Interlocal Agreement to be presented to this Board for its approval; and

WHEREAS, in the event that the County Mayor is unable to successfully negotiate a Grant or Interlocal Agreement and/or this Board does not approve the award of the Project 124 funds to one or more of the proposed Project 124 grant recipients to whom the Project 124 funds have been allocated, such funds will be recaptured and be available for re-allocation to other eligible Project 124 projects (the "Recaptured Funds"); and

WHEREAS, in the event that Recaptured Funds become available for re-allocation, this Board wishes to prioritize and approve an allocation of up to $7.5 million from Project 124 to Neuroscience Centers of Florida Foundation, Inc. for the funding of public infrastructure costs for Project Mercy in accordance with the Administrative Rules of the Bond Program,

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

Section 1. The foregoing recitals are approved and incorporated in this Resolution.

Section 2. The requirement in the Administrative Rules that each Project 124 allocation be a minimum of $10,000,000.00 is waived with regard to Neuroscience Centers of Florida Foundation, Inc. and an allocation of $7,500,000.00 from Project 124 to Neuroscience Centers of Florida Foundation, Inc. is approved, subject to the future consideration by this Board of a Grant Agreement between the County and Neuroscience Centers of Florida Foundation, Inc.

Section 3. The County Mayor or designee is directed to negotiate the terms of a grant agreement with Neuroscience Centers of Florida Foundation, Inc. pursuant to the Administrative Rules. The County Mayor or designee shall prepare and present a grant agreement to this Board

for its consideration within one hundred and twenty (120) days from the effective date of this resolution; provided, however, if the County Mayor or designee is unable to successfully negotiate the terms of such grant agreement within the requisite time period, a report detailing the status of the negotiations shall be presented to this Board instead. The County Mayor or designee shall provide the report to this Board within one hundred and twenty (120) days from the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

Section 4. The County will reallocate Recaptured Funds to projects in the order in which projects are allocated Project 124 Funds (i.e. the oldest allocation will receive Recaptured Funds first). Pursuant to such reallocation order, Recaptured Funds shall be allocated to the Mercy Project as such Recaptured Funds become available until such Project is fully funded in the amount of the allocation approved by this Board.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez, and the Co-Sponsors are Commissioner Bruno A. Barreiro and Vice Chairman Esteban L. Bovo, Jr. It was offered by Commissioner **Xavier L. Suarez**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. JRA

Juliette R. Antoine