

MEMORANDUM

Agenda Item No. 5(A)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

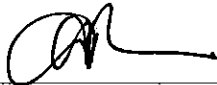
DATE: October 3, 2019

FROM: Abigail Price-Williams
County Attorney

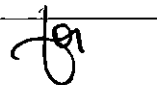
SUBJECT: Resolution rescinding Resolution No. R-648-15 which approved allocation of \$10,000,000.00 of Building Better Communities General Obligation Bond ("Bond") Program funds for development of a West Dade Government Center; approving, after a public hearing, a significant modification of Bond Program Project No. 241 – "Unincorporated Municipal Service Area – Future Multi-Use Facility" to revise the project description; approving allocations from Project No. 241 in amount of \$1,390,000.00 and from Bond Program Project No. 232 – "Future Multi-Use Facilities" in amount of \$8,610,000.00 and for development of a multi-purpose facility to be located adjacent to the Miami Arts Studio 6-12 at Zelda Glazer ("Project"); authorizing County Mayor to expend funds from Bond Program for the project provided the County Mayor first negotiates and presents to this Board for approval a lease or use agreement for at least 25 years with the Miami-Dade County School Board allowing for the County's development and use of the project

Resolution No. R-1004-19

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



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

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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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 5(A)

Veto _____

10-3-19

Override _____

RESOLUTION NO. R-1004-19

RESOLUTION RESCINDING RESOLUTION NO. R-648-15 WHICH APPROVED ALLOCATION OF \$10,000,000.00 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (“BOND”) PROGRAM FUNDS FOR DEVELOPMENT OF A WEST DADE GOVERNMENT CENTER; APPROVING, AFTER A PUBLIC HEARING, A SIGNIFICANT MODIFICATION OF BOND PROGRAM PROJECT NO. 241 – “UNINCORPORATED MUNICIPAL SERVICE AREA – FUTURE MULTI-USE FACILITY” TO REVISE THE PROJECT DESCRIPTION; APPROVING ALLOCATIONS FROM PROJECT NO. 241 IN AMOUNT OF \$1,390,000.00 AND FROM BOND PROGRAM PROJECT NO. 232 – “FUTURE MULTI-USE FACILITIES” IN AMOUNT OF \$8,610,000.00 AND FOR DEVELOPMENT OF A MULTI-PURPOSE FACILITY TO BE LOCATED ADJACENT TO THE MIAMI ARTS STUDIO 6-12 AT ZELDA GLAZER (“PROJECT”); AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXPEND FUNDS FROM BOND PROGRAM FOR THE PROJECT PROVIDED THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE FIRST NEGOTIATES AND PRESENTS TO THIS BOARD FOR APPROVAL A LEASE OR USE AGREEMENT FOR AT LEAST 25 YEARS WITH THE MIAMI-DADE COUNTY SCHOOL BOARD ALLOWING FOR THE COUNTY’S DEVELOPMENT AND USE OF THE PROJECT

WHEREAS, pursuant to Resolution No. R-917-04 (“Outreach Facilities Resolution”), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$255,070,000.00 to construct and improve public service outreach facilities to meet code and service requirements and to increase neighborhood and community access to services; and

WHEREAS, Appendix A to the Outreach Facilities Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “Bond Program”) by project number, municipal project location, Commission district, project name, project description, street address and allocation; and

WHEREAS, one of the original projects listed in Appendix A to the Outreach Facilities Resolution is Bond Program Project No. 241 – “Unincorporated Municipal Service Area – Future Multi-Use Facility” with a remaining allocation of \$1,390,000.00 (“Project No. 241”) and the following project description: “Acquire or construct a multi-use County government facility in unincorporated Miami-Dade County in order to bring County services closer to local communities and to areas that have experienced high growth and/or planned future significant growth;” and

WHEREAS, another one of the projects listed in Appendix A to the Outreach Facilities Resolution and approved by the voters for funding is Project No. 232 – “Future Multi-Use Facilities” (“Project No. 232”) with an original allocation of \$39,000,000.00 and the following project description: “Acquire or construct various multi-use County government facilities in order to bring services closer to local communities;” and

WHEREAS, in 2015, this Board, pursuant to Resolution No. R-648-15, approved the allocation of Bond Program funds from Project No. 241 in the amount of \$1,390,000.00 and from Project No. 232 in the amount of \$8,610,000.00, for the total amount of \$10,000,000.00, in order to fund the development of a West Dade Government Center at one of several possible locations within Commission District 11 as identified in such resolution; and

WHEREAS, Resolution No. R-648-15 allocated the \$10,000,000.00 from Project Nos. 241 and 232 to a West Dade Government Center in Commission District 11 following a County Mayor report to the Board dated October 25, 2013 which had identified these two funding sources as viable funding sources for the West Dade Government Center; and

WHEREAS, since 2015, no site has been definitively selected for the construction of a West Dade Government Center, no additional funds have been identified for the construction of the West Dade Government Center, no operational funds have been identified or are available for a West Dade Government Center, and the County has reevaluated the need for a West Dade Government Center; and

WHEREAS, the West Dade Government Center project is not one that is currently necessary or feasible; and

WHEREAS, accordingly, this Board desires to rescind Resolution No. R-648-15; and

WHEREAS, the School Board of Miami-Dade County (“MDPS”) owns and operates a school located at 15015 SW 24th Street, Miami, Florida in Commission District 11 named the Miami Arts Studio 6-12 at Zelda Glazer (“MAS”); and

WHEREAS, MAS is a MDPS magnet school that provides students daily, intensive theory and practice in the studio of their choice, including but not limited to band, broadcasting, dance, entertainment law, orchestra, and vocal; and

WHEREAS, on the MAS campus there is a vacant, approximately 4.1-acre site; and

WHEREAS, the County desires, in collaboration with the MDPS, to develop on said site a multi-purpose facility with associated restrooms, audio and visual equipment, and an outdoor, ancillary open green space with landscaping, so as to allow the multi-purpose facility to host a variety of public services and events to the community, including as a venue for movie nights for the community, activities hosted by the Miami-Dade Public Library Department and the Animal Services Department relating to literacy and animal adoption/ownership, respectively, live projections of concerts occurring inside the MAS performing arts theater to allow the community

to view and listen from the outside, fitness classes for the community such as yoga and Pilates, organized activities for senior citizens, town hall events, and public hearings (the “Multi-Purpose Project”); and

WHEREAS, between 2000 and 2015, the area surrounding MAS – SW 42nd Street to the South, SW 8th Street to the north, SW 157th Avenue to the west, and SW 147th Avenue to the east – experienced a 900 percent growth in population; and

WHEREAS, accordingly, this Board finds that the areas immediately surrounding MAS have experienced significantly high growth since 2000 and the proposed Multi-Purpose Project will bring services closer to the areas of West Dade and booming communities surrounding MAS; and

WHEREAS, because the services to be provided from the Multi-Purpose Facility are anticipated to be both County and MDPS services, as well as potentially from third-party providers, this Board desires to approve a significant modification to the project description of Project No. 241 to allow for a variety of services, such that the project description would now state as follows: “Acquire or construct a multi-use government facility in unincorporated Miami-Dade County in order to bring services closer to local communities and to areas that have experienced high growth and/or planned future significant growth;” and

WHEREAS, this Board desires to allocate \$1,390,000.00 of funds from Project No. 241 and \$8,610,000.00 of funds from Project No. 232 in order to fund the design and construction of the Multi-Purpose Project; and

WHEREAS, the Bond Program Administrative Rules require that before Bond Program funds can be spent on a project, there be an agreement to lease or use the property to be improved and said agreement must have an unexpired term of 25 years or more; and

WHEREAS, this Board authorizes the County Mayor or County Mayor's designee to expend Bond Program funds for the Multi-Purpose Project provided the County Mayor or County Mayor's designee first negotiates and presents to this Board for its approval a lease or other use agreement with MDPS for a minimum term of 25 years to allow the County to develop and use the Multi-Purpose Project,

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

Section 1. Incorporates, by this reference, the foregoing recital clauses and adopts same as if fully set forth herein.

Section 2. Rescinds Resolution No. R-648-15 which had approved an allocation of Bond Program Project Nos. 241 and 232 funds in the amount of \$10,000,000.00 for development of a West Dade Government Center.

Section 3. Approves, after a public hearing, a significant modification of Project No. 241 to provide for a revised project description to read as follows: "Acquire or construct a multi-use government facility in unincorporated Miami-Dade County in order to bring services closer to local communities and to areas that have experienced high growth and/or planned future significant growth."

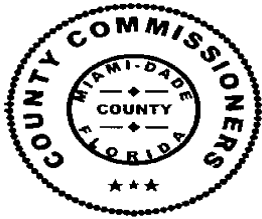
Section 4. Finds that: (a) the areas immediately surrounding MAS have experienced significantly high growth since 2000; (b) the proposed Multi-Purpose Project will bring services closer to the areas of West Dade and communities surrounding MAS; and (c) the Multi-Purpose Project to be built adjacent to MAS is a multi-use facility within the description of Project Nos. 241 and 232, and therefore approves the allocation of \$1,390,000.00 from Project No. 241 and \$8,610,000.00 from Project No. 232 for the design and construction of the Multi-Purpose Project.

Section 5. Authorizes the County Mayor or County Mayor’s designee to expend funds from the Bond Program Project Nos. 241 and 232 for the Multi-Purpose Project, provided that the County Mayor or County Mayor’s designee first negotiates and presents to this Board for its approval a lease or other use agreement with MDPS for a minimum term of 25 years allowing the County to develop and use the Multi-Purpose Project in accordance with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It was offered by Commissioner **Sally A. Heyman** , who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose “Pepe” Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of October, 2019. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Monica Rizo Perez