

**Date:** April 2, 2013

# Memorandum



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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

**Subject:** Miami Marine Stadium

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At the February 11, 2013 Cultural Arts and Recreation Committee, Commissioner Xavier L. Suarez requested a report on the current status of the Miami Marine Stadium (MMS), expedite the Building Better Communities General Obligation Bond (GOB) funds, explore the feasibility of including a program for autistic children to therapeutically work with dolphins, and establish whether for-profit and non-profit funding could be used for the program.

### Current Status

On December 18, 2012, the MMS Steering Committee, appointed by the City of Miami (City) Manager, unanimously approved the site plan proposed by Friends of Miami Marine Stadium, a non-profit organization created to renovate the stadium. The site plan establishes the areas for the "Flex Space Park" to the East of the Stadium (necessary for MMS events) and to the West - the "Maritime Center" (necessary for supporting MMS operations and supplying cultural amenities to the site). At the March 14, 2013 City Commission meeting a discussion item on this matter was deferred for 30 days to allow the MMS Steering Committee to meet with Commissioners individually. The item pertaining to the operational plan for the restoration of the MMS will then be presented to the Commission (attachment).

### GOB Funding

The MMS has a GOB Historic Preservation Fund allocation of \$3 million. County Resolution R-328-10 authorized the allocation of the \$3 million to the City (attachment); the funds can only be used for the preservation and renovation of the MMS. The MMS property and buildings are owned by the City; therefore, expediting the use of GOB funding is dependent on City action.

### Therapeutic Dolphin Program

Since the 1970's, individuals with disabilities have utilized swimming with Dolphins in a variety of treatment methods. More recently, Dolphin Assisted Therapy (DAT) has been used to treat children with Autism. Often in DAT programs, children spend a portion of the treatment day in adapted learning activities, and contact with the dolphin is used as a reward or motivation for better performance on tasks. While controversial and expensive, many parents claim that after DAT, their autistic children experienced improvements in communication, behavior and other significant activities of daily living. Many professionals in the field agree that the DAT experience can be motivational and uplifting for children with autism.

Funding for a DAT program at MMS could be sought by for-profit and non-profit organizations. The program would require infrastructure to be constructed at MMS to house the dolphins. Other expenses would include staff to care for the dolphins, utilities, feed, and veterinary care. There are stringent permitting requirements at the local, state and national level for the exhibition or use of dolphins in such a program. GOB funds can only be used for renovation of

Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
Page 2

MMS; however, there may be opportunities for fundraising for the establishment of a program. As this is a City facility, adding this type of program to its offerings at the MMS would require City action.

For additional information, please contact Jack Kardys, Director, Parks, Recreation and Open Spaces Department, at 305-755-7903, or me directly.

#### Attachments

c: Lisa M. Martinez, Senior Advisor, Office of the Mayor  
Jack Kardys, Director, Parks, Recreation and Open Spaces Department



**AGENDA ITEM SUMMARY FORM**

Law Department  
Matter ID No.  
\_\_\_\_\_

FILE ID: 13-00306

Date: 2/14/13

Requesting Department: Planning and Zoning

Commission Meeting Date: 3/14/13

District Impacted: 2

Type:  Resolution  Ordinance  Emergency Ordinance  Discussion Item

Other \_\_\_\_\_

Subject: Discussion item to allow the Miami Marine Stadium Steering Committee to present a report of its findings to the City Commission pertaining to the operational plan for the restoration of Miami Marine Stadium.

**Purpose of Item:**

Discussion item to allow the Miami Marine Stadium Steering Committee to present a report of its findings to the City Commission pertaining to the operational plan for the restoration of Miami Marine Stadium.

**Background Information:**

\_\_\_\_\_

**Budget Impact Analysis**

NO Is this item related to revenue?

NO Is this item an expenditure? If so, please identify funding source below.

General Account No: N/A

Special Revenue Account No: N/A

CIP Project No: N/A

NO Is this item funded by Homeland Defense/Neighborhood Improvement Bonds?

Start Up Capital Cost: N/A

Maintenance Cost: N/A

Total Fiscal Impact: N/A

**Final Approval**  
(SIGN AND DATE)

CIP	<u>N/A</u>	Budget	<u>[Signature]</u>
Grants		Risk Management	
Purchasing		Dept. Director	<u>[Signature]</u>
Chief	<u>[Signature]</u>	City Manager	<u>[Signature]</u>

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**DISCUSSION ITEM**

13-00251

DISCUSSION REGARDING THE SELECTION PROCESS FOR THE CITY ATTORNEY.

*City Commission*

13-00251 Cover Page.pdf

13-00251 City Attorney - Job Announcement.pdf

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**DISCUSSION ITEM**

13-00306

DISCUSSION TO ALLOW THE MIAMI MARINE STADIUM STEERING COMMITTEE TO PRESENT A REPORT OF ITS FINDINGS TO THE CITY COMMISSION PERTAINING TO THE OPERATIONAL PLAN FOR THE RESTORATION OF MIAMI MARINE STADIUM.

*Department of  
Planning and Zoning*

13-00306 Summary Form.pdf

13-00306 Steering Committee Meetings & Discussions.pdf

13-00306 Resolution - MMSSC-R-12-001.pdf

13-00306 Miami Marine Stadium Report.pdf

13-00306 Letter - Friends of Miami Marine Stadium, Inc..pdf

13-00306 Where The Land & The Sea Kiss.pdf

**END OF DISCUSSION ITEMS**

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

**MEMORANDUM**

Agenda Item No. 5(A)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** April 6, 2010

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

**SUBJECT:** Resolution approving significant  
modification to BBC GOB  
Program Project No. 293 to  
allocate \$3,000,000 to Miami  
Marine Stadium

**Resolution No. R-328-10**

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This resolution was amended at the Transit, Infrastructure and Roads Committee to provide that the Interlocal Cooperation Agreement(s) include language regarding the Inspector General's right to exercise his authority with respect to the grant pursuant to Section 2-1076 of the Code of Miami-Dade County, Florida.

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

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** April 6, 2010

**FROM:** R. A. Cuevas, Jr.  
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
- 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. 5(A)  
4-6-10

RESOLUTION NO. R-328-10

RESOLUTION APPROVING SIGNIFICANT  
MODIFICATION TO BUILDING BETTER COMMUNITIES  
GENERAL OBLIGATION BOND PROGRAM PROJECT NO.  
293 - "HISTORIC PRESERVATION FUND", AS IDENTIFIED  
IN APPENDIX A TO RESOLUTION NO. R-919-04 TO  
ALLOCATE \$3,000,000 TO MIAMI MARINE STADIUM  
AFTER PUBLIC HEARING; WAIVING ADMINISTRATIVE  
RULES CONTEMPLATING COMPETITIVE PROCESS; AND  
AUTHORIZING COUNTY MAYOR OR MAYOR'S  
DESIGNEE TO EXECUTE INTERLOCAL COOPERATION  
AGREEMENT AND TO DISBURSE FUNDS AFTER  
SATISFACTION OF CONDITIONS PRECEDENT

**WHEREAS**, pursuant to Resolution No. 919-04 (the "Cultural Facility Resolution"), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000 to construct and improve libraries, cultural facilities, and Head Start learning centers for pre-school children to offer multi-cultural educational opportunities and activities; and

**WHEREAS**, Appendix A to the Cultural Facility Resolution lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the "BBC Program") by project number, municipal project location, BCC district, project name, project description, street address, and project funding allocation; and

**WHEREAS**, one of the projects listed in Appendix A to the Cultural Facility Resolution and approved by the voters for funding is Project No. 293 - "Historic Preservation Fund" ("Project No. 293"), a Countywide fund with an original allocation equal to \$10,000,000 and a project description that states: "[e]stablish a facilities preservation fund through the Office of

Historic Preservation. This program will provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000”; and

**WHEREAS**, all additions, deletions and significant modifications to individual projects or to Appendix A to the Cultural Facility Resolution require a majority vote of the Board after a public hearing; and

**WHEREAS**, this Board wishes to approve a significant modification to Project No. 293 to change the Project Description to delete the reference to the Office of Historic Preservation and to add a \$3 million allocation to the Miami Marine Stadium such that the new Project Description would read as follows: “[e]stablish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000 and \$3 million to fund the Miami Marine Stadium”; and

**WHEREAS**, this significant modification to Project No. 293 would add the Miami Marine Stadium, a facility owned by the City of Miami (the “City”) and listed in the City’s Register of historic property as an eligible historical site and would allocate \$3 million of Project No. 293 BBC Program funds to its historical preservation; and

**WHEREAS**, the Administrative Rules governing the BBC GOB Program contemplate that the award of Project No. 293 funds to an eligible project be made pursuant to a competitive process even though such a process is not legally required; and

**WHEREAS**, this Board wishes to award \$3 million from Project No. 293 BBC Program funds to the Miami Marine Stadium without a competitive process; and

**WHEREAS**, this Board wishes to authorize the execution of an Interlocal Cooperation Agreement with the City and the disbursement of BBC GOB Program funds for this purpose only after the satisfaction of certain conditions precedent,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

**COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

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

Section 2. This Board hereby approves the significant modification to Project No. 293, identified in Appendix A to Resolution No. R-919-04, after a public hearing to change the Project Description to read as follows: "Establish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000 and \$3 million to fund the Miami Marine Stadium."

Section 3. This Board waives the Administrative Rules governing the BBC GOB Program that contemplate the award of Project No. 293 funds to an eligible project pursuant to a

competitive process and awards \$3 million from Project No. 293 BBC Program funds to the Miami Marine Stadium without a competitive process.

Section 4. Notwithstanding the authority delegated to the County Manager pursuant to Resolution No. R-595-05, this Board hereby authorizes the County Mayor or the Mayor's designee to execute an Interlocal Cooperation Agreement(s) and to disburse BBC GOB Program funds to fund the Miami Marine Stadium only after the satisfaction of all of the following conditions precedent: (a) the City shall submit a plan for the funding of all design and construction costs associated with the complete renovation of the Miami Marine Stadium (the "Project"), including identification of all funding sources and written commitments from third parties, if any, and the City covenants and warrants that it has, in combination with the \$3 million allocation, the amount of funding necessary to complete the Project; (b) the City shall submit a plan for the funding of future operating costs of the Project; and (c) Project No. 293 must be listed as a project eligible for funding in one or more BBC GOB Program bond series resolutions. >>The Interlocal Cooperation Agreement(s) shall provide that the Inspector General shall have the right to exercise all authority and power with respect to this grant, all as specifically set forth in Section 2-1076 of the Code of Miami-Dade County, Florida.<<<sup>1</sup> If an Interlocal Cooperation Agreement(s) authorizing the reimbursement of \$3 million for the Project is not executed within five years from the effective date of this resolution, the County Mayor or the Mayor's designee shall present to this Board a report detailing the status of the Project.

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<sup>1</sup> Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

**Resolution No. R-328-10**

Agenda Item No. 5(A)

Page No. 5

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

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of April, 2010. 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR



Legislative Notes

**Agenda Item:** 5(A)  
**File Number:** 100653  
**Committee(s)  
of Reference:** Board of County Commissioners  
**Date of Analysis:** March 25, 2010  
**Type of Item:** Resolution

**Summary**

This resolution provides for the following:

1. Approves a significant modification to Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 293, (Historic Preservation Fund) identified in Appendix A of Resolution No. 919-04, after a public hearing to change the Project Description to read as follows:  
"Establish a facilities preservation fund to provide emergency funding to property owners for the rehabilitation of residential and commercial historic sites. The program is geared to make an impact in the revitalization of historic buildings at the neighborhood level, particularly designated historic districts and other areas having a high concentration of older buildings. The Preservation Fund intends to make available up to \$1 million annually in grants and loans between \$25,000 and \$250,000 and **\$3 million to fund the Miami Marine Stadium.**"
2. **Waives the Administrative Rules governing the BBC-GOB Program that contemplate the award of Project No. 293 funds to an eligible project pursuant to a competitive process and awards \$3 million from Project No. 293 BBC Program funds to the Miami Marine Stadium without a competitive process.**
3. Authorizes the County Mayor or the Mayor's designee to execute an **Interlocal Cooperation Agreement(s) and to disburse BBC-GOB Program funds to fund the Miami Marine Stadium only after the satisfaction of certain conditions.**
4. If an Interlocal Cooperation Agreement(s) authorizing the reimbursement of \$3 million for the Project is not executed within five years from the effective date of this resolution, the County Mayor or the Mayor's designee will present to the Board of County Commissioners a report detailing the status of the Project.

**On March 10, 2010, the Transit, Infrastructure and Roads Committee (TIRC) amended the item to include the Interlocal Cooperation Agreement(s) will provide that the Inspector General will have the**

right to exercise all authority and power with respect to this grant, all as specifically set forth in Section 2-1076 of the Code of Miami-Dade County, Florida.

#### **Background and Relevant Information<sup>1</sup>**

A 1993 Engineering Study of Marine Stadium conducted by the Hartford Steam Boiler Inspection and Insurance Company showed that the Stadium could have been repaired for a cost estimated between \$2-3 million; and the Stadium was not damaged during Hurricane Andrew. Unfortunately, the City of Miami did not act on the results of this study.

**On October 8, 2009**, the City of Miami Historic and Environmental Preservation Board designated both the Marine Stadium and the Basin as historic.

**On January 2010**, an engineering study was organized with the assistance of the World Monuments Fund and the firm of Simpson Gumpertz and Heger (SGH). Its purpose was to document the cost of restoration of the concrete. The study estimated that restoration costs would range from \$5.5-\$8.5 million; depending upon how much additional work is done to extend the life of the restoration. This figure compares to estimates as high as \$15 million done in a previous report (2008) for the City of Miami.

SGH used core sampling techniques to document costs. The report done for the City was based on a visual inspection. SGH is familiar with the Marine Stadium as they had done a study in 1993 of the structure. The sub-contractor, Structural Preservation Systems, worked on the City's previous study. **The study recommends that a follow-up study be conducted to determine the condition and costs of the piles under the land and under the sea bed.**

**Results of engineering study from February 2010 Update:** Concrete restoration costs estimated to be between \$5.5-8.5 million, depending upon how much additional preventive work is done to extend the life of the structure. The estimates do not include other aspects of renovation (seats, bathrooms, railings, Handicapped accessibility). Also, a follow-up study is necessary to determine the condition of the piles.

#### **Questions**

1. During the March 10, 2010, Transit, Infrastructure and Roads Committee, it was mentioned by City of Miami officials that they were seeking funding from the federal government. *What is the status of this funding?*
2. Also, officials mentioned that a 501c3 was being created to accept donations for the Miami Marine Stadium restoration project. *What is the status of the 501c3?*
3. How much has been donated by private foundations to the Miami Marine restoration project?
4. Did the GOB-BBC Citizens Advisory Committee review this item on March 23, 2010?

**Prepared by: Michael Amador-Gil**

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<sup>1</sup> Friends of Miami Marine Stadium