

MEMORANDUM

Agenda Item No. 5(L)

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

DATE: February 19, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving, after a public hearing, significant modification of Building Better Communities General Obligation Bond ("Bond") Program Project No. 292 – "Miami-Dade County Auditorium" to reduce its allocation by \$2.8 million and Bond Program Project No. 286 – "Construction of the Westchester Community Arts Center" to increase its allocation by \$2.8 million of surplus funds from Project No. 292, both as identified in Appendix A to Resolution No. 919-04; approving the use of surplus funds

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



Abigail Price-Williams
County Attorney



APW/uw

Memorandum



Date: February 19, 2020

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

From: Carlos A. Gimenez
Mayor

Subject: Significant Modification to Building Better Communities General Obligation Bond Program Projects No. 286 – “Construction of the Westchester Community Arts Center” and No. 292 - “Miami-Dade County Auditorium”

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution approving a significant modification to Building Better Communities General Obligation Bond (the “Bond”) Program Projects No. 286 – “Construction of the Westchester Community Arts Center” and No. 292 - “Miami-Dade County Auditorium” following a public hearing, as set forth in Appendix A to Resolution No. R-919-04 (“Authorizing Resolution”) to revise the allocations for each project and for the use of surplus funds. The significant modification authorizes the transfer of Bond Program funding as follows: \$2,800,000.00 from the Miami-Dade County Auditorium (MDCA) to the Westchester Community Arts Center (WCAC). Bond funds will complete the budget for the construction of a multi-purpose facility at Tropical Park that will accommodate a wide range of performing arts, recreational and community activities.

Item	Current Bond Program Project	Modified Bond Program Project
Project Name	Construction of the Westchester Community Arts Center	No Change
Project Number	286	286
Project Description	“Construction of a community arts center to include Hispanic heritage programming space and a studio theater at Tropical Park”	No Change
Street Address	7900 SW 40 th Street	No Change
Amount of Bond funding allocation	\$8.0 million	\$10.8 Million (After \$2.80 Million transfer from Project No. 286)
Project Name	Miami-Dade County Auditorium	No Change
Project Number	292	292
Project Description	“Area-wide park improvements that include acoustical upgrades”	No Change
Street Address	2901 W Flagler Street	No Change
Amount of Bond funding allocation	\$4.0 million	\$1.2 Million (After \$2.80 Million transfer to Project No. 286) *

* Bond funding for MDCA will be fully replaced and as necessary, increased by Countywide Infrastructure Investment Program (CIIP) funds.

Scope

The WCAC will be constructed at Tropical Park, 7900 SW 40th Street within County Commission District 10, which is represented by Commissioner Javier D. Souto and the MDCA is located at 2091 W Flagler Street within County Commission District 5, represented by Commissioner Eileen Higgins.

Fiscal Impact/Funding Source

The funds transferred from Project No. 292 to Project No. 286 will be replaced and, as necessary, augmented with Countywide Infrastructure Investment Program (CIIP) funds.

Track Record/Monitor

The agency responsible for implementing the projects is the Department of Cultural Affairs (CUA) and the project manager is Carolina Alfonso, Department of Cultural Affairs Construction Projects Manager.

Background

On November 2, 2004, voters overwhelmingly approved the referendum to fund more than 300 capital improvements throughout the County over the next 15 to 20 years. Appendix "A" to the authorizing Resolution No. R-919-04 lists projects eligible for funding from the Bond Program by number, name and project description. All additions, deletions and significant modifications to individual projects require a majority vote of the Board following a public hearing.

The authorizing Resolution No. R-919-04 contained Project Number 286 – "Construction of the Westchester Community Arts Center" with an original allocation of \$4 million for the design and construction of the Westchester Community Arts Center to be located in Tamiami Park, and Project Number 292 – "Miami-Dade County Auditorium" with an original allocation of \$8 million for the design and construction of a Hispanic Heritage Cultural Arts Center and a studio "black box" theater directly adjacent to MDCA, along with acoustical, theater, sound, and communications upgrades for MDCA.

On June 3, 2010, the Board adopted Resolution No. R-589-10 to approve a significant modification of Bond Program Projects No. 286 and 292, to reduce the original allocation of Project No. 292 – "Miami-Dade County Auditorium" from \$8.0 to \$4.0 million, to transfer \$4.0 million to Bond Program No. 286 – "Construction of the Westchester Community Arts Center", and to modify the description of both projects. Specifically, the significant modification consolidated complementary project functions (the Westchester Community Arts Center's studio theater and the Miami-Dade County Auditorium's Hispanic Heritage Center and black box theater) into one project (a multidisciplinary arts programming facility, the Westchester Community Arts Center) at a single location (Tropical Park) to better serve the needs of the community. The balance of the Bond Program funds for MDCA were dedicated to repairs and renovations of the existing theater.

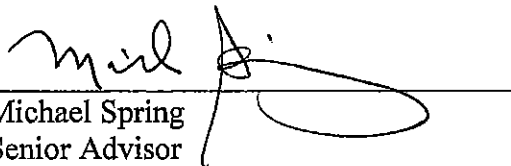
Currently, Project No. 286 – "Construction of the Westchester Community Arts Center," is fully designed and a construction contract is ready to be awarded, however the most up-to-date project cost estimates reflect a funding gap of \$2.8 million due to natural escalation of construction, technology and equipment costs since the project was allocated \$8.0 million in 2010. Project No. 292 – "Miami-Dade County Auditorium" is currently under planning and design for numerous improvements to the infrastructure of

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

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the existing facility. The costs to complete the required improvements to MDCA have not been fully estimated and any costs in excess of the remaining \$1.2 million allocation will be funded through the CIIP, which was created to bring County facilities up to code, repair and renovate County buildings, and make County assets more efficient, more welcoming places to visit, work and conduct business.

The Building Better Communities General Obligation Bond Program Citizens' Advisory Committee considered this item at its meeting on February 6, 2020 and gave a favorable recommendation.


Michael Spring
Senior Advisor



MEMORANDUM
(Revised)

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

DATE: February 19, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(L)

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
Veto _____
Override _____

Agenda Item No. 5(L)
2-19-20

RESOLUTION NO. _____

RESOLUTION APPROVING, AFTER A PUBLIC HEARING, SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (“BOND”) PROGRAM PROJECT NO. 292 – “MIAMI-DADE COUNTY AUDITORIUM” TO REDUCE ITS ALLOCATION BY \$2.8 MILLION AND BOND PROGRAM PROJECT NO. 286 – “CONSTRUCTION OF THE WESTCHESTER COMMUNITY ARTS CENTER” TO INCREASE ITS ALLOCATION BY \$2.8 MILLION OF SURPLUS FUNDS FROM PROJECT NO. 292, BOTH AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. 919-04; APPROVING THE USE OF SURPLUS FUNDS

WHEREAS, the Building Better Communities General Obligation Bond Program Citizens’ Advisory Committee considered this item at its meeting on February 6, 2020 and gave a favorable recommendation; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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, following a public hearing, approves the significant modification to Building Better Communities General Obligation Bond (“Bond”) Program Project No. 292 – “Miami-Dade County Auditorium” to reduce the allocation by \$2.8 million from \$4 million to \$1.2 million.

Section 3. This Board, following a public hearing, approves the significant modification to Bond Program Project No. 286 – “Westchester Community Arts Center” to increase the allocation by \$2.8 million from \$8 million to \$10.8 million using surplus funds from Bond Program Project No. 292. The Board approves the use of surplus funds consistent with this resolution.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose “Pepe” Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	


The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of February 2020. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Monica Rizo Perez