

MEMORANDUM

Amended
Agenda Item No. 5(A)

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

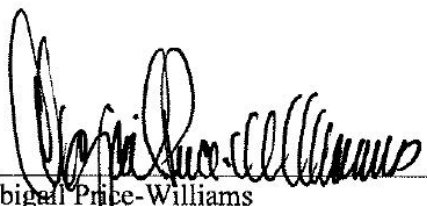
DATE: January 22, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving, after a public hearing, a significant modification of Building Better Communities General Obligation Bond ("Bond") Program Project No. 318 – "Martin Luther King – Business Center" contained in Appendix A to Resolution No. R-914-04 to reduce its original allocation of \$5,000,000.00 by \$4,029,103.00; waiving the provisions of Implementing Order 3-47 regarding the addition of new projects to the Bond Program using surplus funds; approving, after a public hearing, the addition of a new project titled Bond Program Project No. 368 – "District 3 Neighborhood Infrastructure Improvements" with an allocation of \$4,029,103.00 of surplus funds to Appendix A to Resolution No. R-914-04; and further approving allocation of \$1,100,000.00 of Bond Program funds from new bond Program Project No. 368 to Atlantic Pacific Communities, LLC, or any affiliate approved by the County Mayor, for public infrastructure improvements associated with Phase III of Seventh Avenue Transit Village Affordable Housing Project

Resolution No. R-17-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/smm

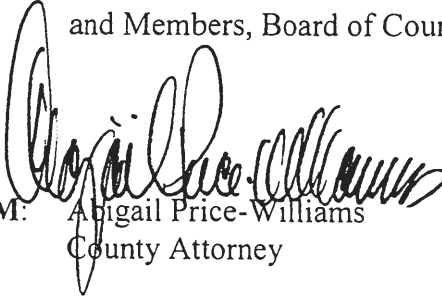


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
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County Attorney

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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
- ☐ 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 _____	Amended Agenda Item No. 5(A)
Veto _____		1-22-20
Override _____		

RESOLUTION NO. R-17-20

RESOLUTION APPROVING, AFTER A PUBLIC HEARING, A SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (“BOND”) PROGRAM PROJECT NO. 318 – “MARTIN LUTHER KING – BUSINESS CENTER” CONTAINED IN APPENDIX A TO RESOLUTION NO. R-914-04 TO REDUCE ITS ORIGINAL ALLOCATION OF \$5,000,000.00 BY \$4,029,103.00; WAIVING THE PROVISIONS OF IMPLEMENTING ORDER 3-47 REGARDING THE ADDITION OF NEW PROJECTS TO THE BOND PROGRAM USING SURPLUS FUNDS; APPROVING, AFTER A PUBLIC HEARING, THE ADDITION OF A NEW PROJECT TITLED BOND PROGRAM PROJECT NO. 368 – “DISTRICT 3 NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS” WITH AN ALLOCATION OF \$4,029,103.00 OF SURPLUS FUNDS TO APPENDIX A TO RESOLUTION NO. R-914-04; AND FURTHER APPROVING ALLOCATION OF \$1,100,000.00 OF BOND PROGRAM FUNDS FROM NEW BOND PROGRAM PROJECT NO. 368 TO ATLANTIC PACIFIC COMMUNITIES, LLC, OR ANY AFFILIATE APPROVED BY THE COUNTY MAYOR OR MAYOR’S DESIGNEE, FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH PHASE III OF SEVENTH AVENUE TRANSIT VILLAGE AFFORDABLE HOUSING PROJECT

WHEREAS, pursuant to Resolution R-914-04 (“Public Infrastructure Resolution”), the voters of Miami-Dade County approved the issuance of general obligation bonds to be used to construct and improve walkways, bikeways, bridges and access to the Seaport, and other municipal and neighborhood infrastructure improvements to enhance quality of life; and

WHEREAS, Appendix A to the Public Infrastructure 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 Public Infrastructure Resolution is Bond Program Project No. 318 – “Martin Luther King – Business Center,” a project description that provides “Provide infrastructure improvements to spur economic development and attract new businesses to the community in order to create jobs,” and an original allocation of \$5,000,000.00 (“Project No. 318”); and

WHEREAS, to date, \$970,897.00 from Project No. 318 was spent on the MLK Business Center pursuant to a Bond Program Grant Agreement with the Martin Luther King Economic Development Corporation, and \$4,029,103.00 remains unspent from the original Project No. 318 allocation; and

WHEREAS, the Bond Program Grant Agreement with the Martin Luther King Economic Development Corporation was terminated on November 4, 2014 resulting from the grantee’s failure to abide by a repayment plan with the County and for failure to abide by the terms of the Bond Program Grant Agreement; and

WHEREAS, there is great need in County Commission District 3 and, in particular, Liberty City, for Bond Program funds for neighborhood infrastructure improvements; and

WHEREAS, therefore, this Board desires to approve a significant modification to Project No. 318 to reduce its allocation by \$4,029,103.00 for a new total project allocation of \$970,897.00; and

WHEREAS, this Board desires to approve the addition of a new Project No. 368 – “District 3 Neighborhood Infrastructure Improvements” to Appendix A to the Public Infrastructure Resolution to be funded with the \$4,029,103.00 of surplus funds from Project No. 318; and

WHEREAS, the new Project No. 368 shall have a municipal project location of Miami, Commission District 3, a “TBD” location, a project allocation of \$4,029,103.00 and a project description as follows: “Construct and improve neighborhood and public infrastructure improvements in County Commission District 3 and, in particular, Liberty City”; and

WHEREAS, Implementing Order 3-47 (“IO 3-47”) sets forth a process for the allocation of surplus funds to existing and new Bond Program projects and this Board desires to waive the provisions of IO 3-47 as it pertains to the addition of new projects, to be funded to the Bond Program using surplus funds in order to fund new Project No. 368; and

WHEREAS, Seventh Avenue I, Ltd. leased property from the County for the development of two phases of a transit-oriented development project to include affordable housing and which project is known as the Seventh Avenue Transit Village project; and

WHEREAS, Seventh Avenue I, Ltd. desires to develop Phase III of the Seventh Avenue Transit Village Project for the development of additional units of affordable housing and public and neighborhood infrastructure associated with such Phase III; and

WHEREAS, this Board desires to allocate an amount not to exceed \$1,100,000.00 to Atlantic Pacific Communities, LLC or any affiliate approved by the County Mayor or Mayor’s designee for the purpose of funding public and neighborhood infrastructure improvements necessary for the development of Phase III of the Seventh Avenue Transit Village Project; and

WHEREAS, this item was presented to the Bond Program Citizens’ Advisory Committee (“CAC”) on November 8, 2019, and received a favorable recommendation,

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.

Section 2. Approves, after a public hearing: (a) a significant modification of Project No. 318 to reduce its allocation by \$4,029,103.00.00 for a new total project allocation of \$970,897.00; and (b) the addition of new Project No. 368 – “District 3 Neighborhood Infrastructure Improvements” to Appendix A to the Public Infrastructure Resolution, with a municipal project location of Miami, Commission District 3, a “TBD” location, a project allocation of \$4,029,103.00 and a project description as follows: “Construct and improve neighborhood and public infrastructure improvements in County Commission District 3 and, in particular, Liberty City.”

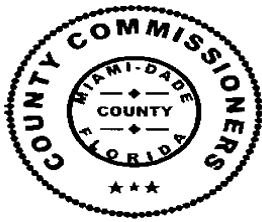
Section 3. Waives the provisions of IO 3-47 as it relates to adding new projects to the Bond Program using surplus funds.

Section 4. Approves the allocation of an amount not to exceed \$1,100,000.00 from New Project No. 368 to Atlantic Pacific Communities, LLC or any affiliate approved by the County Mayor or Mayor’s designee for the purpose of funding public and neighborhood infrastructure improvements necessary for the development of Phase III of the Seventh Avenue Transit Village Project.

The Prime Sponsor of the foregoing resolution is Chairwoman Audrey M. Edmonson. It was offered by Commissioner **José "Pepe" Diaz** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** 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	absent
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 this resolution duly passed and adopted this 22nd day of January, 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez