

Memorandum



Date: January 10, 2008
To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No.

12(B)1

From: George M. Burgess
County Manager

Subject: *Building Better Communities General Obligation Bond* (BBC-GOB) Program Quarterly Status Report – Fourth Quarter FY-07 (July 1 – September 30, 2007)

The following report provides an update on our efforts related to the *Building Better Communities-General Obligation Bond* (BBC-GOB) Program, in accordance with Resolution No. R-595-05, which established the Administrative Rules for the BBC-GOB program.

Progress continued during the fourth quarter of FY 2006-07 in advancing the BBC-GOB program. To date, \$295 million is either in progress or completed (including expenditures, encumbrances and projects in progress). This amount includes approximately \$148 million in design and construction contracts that have been approved for advertising or awarded, more than \$76 million in municipal agreements that have been fully executed and \$8 million in municipal agreements that are in the process of being executed, more than \$52 million in County property acquisitions and \$11 million in not-for-profit grant agreements executed or in progress (See Attachment 1). To date, \$155.5 million of the initial bond sale has already been disbursed. The following is an update on the major components of the BBC-GOB program.

County Projects

Design

Notable projects that *commenced* design this quarter include the Phase 1 Master Planning for the New Detention Center, MetroZoo Pathways, Landscaping and Transportation Improvements, MetroZoo Amazon & Beyond Exhibit Telecommunications Upgrades, Vizcaya Structural Repairs, District 8 and 9 Water & Sewer Improvements, Crandon Park Area Wide Improvements-Phase 1B and improvements to Sgt Joseph Delancy Park. Design was *completed* for the Joseph Caleb Center Facility Refurbishment, the Country Village and International Gardens Parks and for Phase 1-A of the Tropical Park Equestrian Center. Also, the design contract for the Update of the Existing Master Plan for the Expansion of the Courtrooms and Administration Facilities was *awarded* this quarter bringing the total to date of design contracts that have been awarded or approved for advertisement to over \$74 million.

Construction

This quarter, construction *began* on various notable projects including improvements to Bird Lakes Park, approximately \$3.5 million in water main installations throughout the County, more than \$1.8 million in local drainage improvements throughout the County and roadway resurfacing between SW 103-107 Avenue and SW 136-138 Street. Also, construction was *completed* on more than \$500,000 in local drainage improvements and on various sidewalk improvements.

Further, the construction contracts for the Redland Fruit & Spice Park Improvements, the Kendall Soccer Park and \$3 million in local drainage improvements from SW 137th Avenue to SW 144th

Avenue and SW 26th Street to SW 42nd Street were *advertised* for bids. The construction contracts for Boystown (Camp Matecumbe) and various countywide water and sewer enhancements were awarded bringing the total to date of construction contracts that have been *awarded or approved for advertisement* to over \$73 million.

Property Acquisitions

This quarter, 1.88 acres were acquired for the expansion of the Redland Fruit & Spice Park and various acres of environmentally endangered land were also acquired. Currently, of the more than \$52 million in County property acquisitions to date, more than \$16 million have been spent on the acquisition of approximately 1,833 acres acquired as part of the Environmentally Endangered Lands (EEL) Program.

General Status of County Department Sites

Currently, 509 individual County department project sites are in various stages of development, with 459 (90%) of these sites proceeding on schedule. The expiration of the Expedite Ordinance in January 2007 has affected the pace at which BBC-GOB projects are being implemented as has the property tax relief initiative, which may affect BBC-GOB projects that consequently impact the operational budget. The BBC-GOB Citizens' Advisory Committee (CAC) is particularly concerned about the lack of an Expedite Ordinance and, on March 21, 2007, passed a motion encouraging the BCC to implement an ordinance as soon as possible.

Regarding the potential affects of the proposed property tax relief initiative, the operational impacts of BBC-GOB projects currently being implemented and scheduled for future implementation will be evaluated during the annual budget process by the Office of Strategic Business Management (OSBM) in coordination with project stakeholders, the County Executive Office and the Office of Capital Improvements (OCI). Several departments have deferred implementation of some of their projects pending the outcome of the vote for further property tax cut measures

Municipal Participation

Three municipal agreements were executed this quarter, one each with the cities of West Miami, Miami and Miami Beach, bringing the total for municipal agreements that have been fully executed to one-hundred five (105) with a value of approximately \$76 million. An additional three municipal agreements with a value of approximately \$8 million are in the process of being executed. On June 5, 2007, the Board amended Section 2-8.2.10 of the Code of Miami-Dade County, via Ordinance 07-77, by establishing provisions allowing municipalities to use their own procurement procedures when constructing BBC-GOB-funded projects on behalf of the County and by allowing municipalities to use their own Small Business Program if they have one in place. In the event that municipalities do not have their own Small Business Program, Ordinance 07-77 states that the said municipalities would be required to follow the County's established Small Business Program.

On October 2, 2007, the Board, in an item sponsored by Commissioners Moss and Heyman, again amended Section 2-8.2.10 of the Code of Miami-Dade County by requiring that municipalities follow the County's Small Business Enterprise (SBE) Program when implementing projects on-behalf of the County, *even if they have their own program in place*. This item deleted the previously approved option which allowed a municipality to apply the requirements of its own SBE program for BBC-GOB projects constructed by the municipality on behalf of the County. Also approved on October 2, 2007 was an ordinance, sponsored by Commissioners Sorenson and Heyman, that further amended Section 2-8.2.10 of the Code of Miami-Dade County by requiring that municipalities, wherever practical, incorporate

sustainable ("green") building practices when implementing BBC-GOB projects on-behalf of the County. This amendment also added language that basically gives a municipality the option to apply the requirements of its own sustainable buildings program in contracts related to a project.

The County provided \$5 million in BBC-GOB funds to the City of Hialeah for the construction of a 300-unit affordable housing residential complex. The first phase of this project is scheduled to open in late 2007 and Phase II is scheduled to open in August 2008. The total project cost is approximately \$28 million.

The County and the City of Hialeah continued discussions regarding the construction, by the City, of a project that would include a health care facility and affordable housing on the corner of Palm Avenue and Okeechobee Road. The land for the project is owned by the City and the area used for this project would be the existing surface parking lot. The City would construct a parking garage to make up for the lost surface parking area. It is the County's intent to contribute \$7.5 million from the County Commission District 6 Health Care BBC-GOB line item and \$4 million from Commission District 6 housing funds for this project.

Some municipal projects that were substantially completed during this quarter include the Doral Meadows Park, the Miami Beach Old City Hall and various sidewalk projects within the City of Miami Shores.

Not-for-Profit Participation (including Cultural Affairs Projects)

There were no not-for-profit grant agreements executed this quarter. To date, four not-for-profit grant agreements for approximately \$8.5 million have been fully executed, including the Lyric Theater (\$1,500,000), the Richmond Naval Air Station Museum (\$350,000), the Cuban Museum (\$4,110,000) and Fairchild Tropical Gardens (\$2,500,000). Three other grant agreements with not-for-profits worth more than \$2 million are in the process of being executed.

Regarding the Museum Park Project, both museums are presently involved in the selection and negotiations with their respective design consultants. On 10/05/07, a report on the consultant selection process for the Museum Park Project was accepted by the Recreation and Cultural Affairs Committee (RCAC). The information provided in this report is reflected in the subsequent paragraphs below.

The County, the City of Miami and the museums have been working on a Memorandum of Understanding (MOU) that sets out the general terms and conditions of the projects and the responsibilities and financial commitments of all parties involved. It is expected that this MOU will be presented to the Board of County Commissioners and the City of Miami Commission within the next few months. To date, no BBC-GOB funds have been disbursed to the museums.

Section 2-8.2.10 of the Code of Miami-Dade County requires that a not-for-profit comply with County procurement procedures when implementing BBC-GOB-funded contracts, either on County-owned land or where the not-for-profit will operate the facility on behalf of the County. OCI has been assisting the museums in complying with these requirements. OCI staff has worked with both museums, the County's Small Business Affairs Office and local professional organizations to create meaningful opportunities for Community Business Enterprise (CBE) firms.

The Miami Art Museum (MAM) has elected to pay for their design effort entirely with private funds. It is also their preference to own the facility. As a result, the County's procurement requirements, including small business programs, do not apply. Nevertheless, MAM has still committed to comply with an overall CBE goal of between 15 and 25% established by the County's Review Committee and is still looking to

provide additional opportunities for local design professionals. MAM has initiated competitive selection processes for their Design and Executive architects and their engineers and other consultants using public advertisements and diversified selection committees. MAM expects to complete the selection of the consultants by late October 2007.

Unlike MAM, the Miami Science Museum (MSM) will use BBC-GOB funds to pay for their design and prefers for the County to own the facility and to enter into an operating agreement with the County. OCI staff has been working with MSM to assure that all County procurement procedures are followed. MSM has committed to an overall CBE goal of 15%. The MSM has selected a number of consultants but has not executed any contracts to date. The MSM competitively selected their Design and Executive architects using public advertisements and diversified selection committees. The Executive Architect and many of the engineering firms who will develop the detailed construction documents are local firms. However, MSM did not comply with certain technical aspects of the County's procurement procedures for which a waiver will be requested from the Board of County Commissioners. MSM expects to complete the selection of the primary consultants by November 1, 2007.

Grant Funds

The County Manager's recommendation to award 37 grants totaling \$30 million from the Not-for-Profit Community-based Organization Grant Fund (NFP) received affirmative support from the BBC-GOB Citizens' Advisory Committee at their meeting of July 9, 2007 and was approved by the Governmental Operations and Environment Committee at their meeting of July 11, 2007 and by the Board on July 24, 2007. Staff is currently reviewing various NFP agreements submitted this quarter by the following NFPs: Jewish Museum of Florida, Habitat for Humanity of Greater Miami, Center for Haitian Studies, WDNA-88.9 FM Community Public Radio, Nanay, Inc. and Galata, Inc.

During this quarter, staff worked with the County Attorney's Office, the County Executive Office, the Office of Historic Preservation and the Planning and Zoning Department on the request for proposals for the Historic Preservation Fund and the transfer of Historic Preservation projects to the Planning and Zoning Department. During the first quarter of FY2007-08, the RFP for the Historic Preservation Fund is expected to be advertised.

Regarding the Economic Development Fund (EDF), the County Executive Office has assigned administration of the EDF to the County's Office of Community and Economic Development (OCED). During this quarter, OCED began preparing a plan of action for the administration of the EDF. Also, OCI is evaluating the possible use of EDF funds for infrastructure for housing projects in order to maximize the use of these funds.

Acceleration of Projects

Pursuant to the acceleration report presented to and accepted by the Board of County Commissioners on April 24, 2007, this quarter OCI administratively approved \$33 million in project acceleration requests for 102 project sites from the initial bond sale of \$266 million. Some of the more notable projects that were approved for acceleration this quarter included:

- \$6.6 million for countywide infrastructure improvements (sidewalks and roadway resurfacings)
- \$4.6 million for the acquisition of Environmentally Endangered Lands
- \$4.3 million for Doral Meadows Park
- \$3.9 million for various countywide park improvements
- \$2.7 million for the Key Biscayne Sanitary Sewer Installation

- \$2.4 million for various Library projects
- \$1.5 million for the new Animal Services Facility
- \$1.6 million for countywide local drainage improvements
- \$350,000 for Miami Gardens Park

To date, \$162.3 million have been approved for acceleration of nearly 190 project sites that are proceeding faster than anticipated using funds from projects that have not moved forward as quickly as anticipated. It is important to note that no projects have been delayed by the acceleration of other projects. These actions have been taken to minimize the risk of arbitrage and to keep projects moving forward.

Public Outreach Efforts

In September 2007, more than 50 advertisements were placed in community periodicals highlighting the status of BBC-GOB projects in neighborhoods throughout the County. The ads were localized to reflect projects in four Miami-Dade regions (north, south, west and central). A countywide advertisement was also developed.

The BBC-GOB Citizens' Advisory Committee and OCI staff began a series of public information meetings to provide residents with an update of the bond program in their neighborhood. In the fourth quarter, four meetings - District 3 Homeowners Associations, Beacon Council, Brickell Homeowners Association and Plymouth Church were scheduled. Targeted groups for future presentations include business chambers of commerce, homeowners' associations, professional groups, civic clubs and faith-based organizations.

Also this quarter, staff worked closely with the Government Information Center (GIC) to build a new BBC-GOB website that reflects the re-design of the County web portal. The new website is slated to be launched in late October 2007. A prototype BBC-GOB on-line newsletter has also been developed and the first edition is expected to be distributed in late October 2007. Lastly, an updated BBC-GOB brochure was produced as a hand-out for public meetings along with a powerpoint presentation that was developed for presentations.

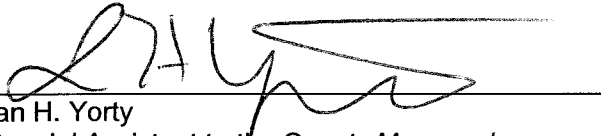
Citizens' Advisory Committee

Two CAC meetings were held this quarter on July 9 and September 17, 2007. Also, two subcommittee meetings, a Project Progress Subcommittee and a Housing Subcommittee were conducted on August 17 and September 28, 2007, respectively, to review projects that are progressing slower than anticipated and issues related to the BBC-GOB-funded Housing projects respectively. Featured stakeholders at the CAC meetings included the cities of Coral Gables and Hialeah. Also reviewed at these meetings were various items such as OCED's GOB Housing Plan, the Homeless Trust land acquisition and the agenda items for the Purchase of Development Rights and the Community Health Center of South Dade. Also during the meeting of September 17th, Robin Reiter was re-elected as Chairwoman and Barbara Bisno was elected Vice-Chair of the CAC for a two-year term.

Over the past quarter, we have continued to make significant strides in implementing the Building Better Communities-General Obligation Bond Program. Moving forward, during the first quarter of FY2007-08, design is scheduled to be completed for the ED/Trauma X-Ray Radiology Recovery Unit at Jackson Memorial Hospital, the Vizcaya Structural Repairs, Ives Estates District Park-Phase 1, Haulover Park-Phase 1, Olinda Park and the Pines Shores Drainage Improvement Project. Construction is scheduled to be completed for the Sonovoid Bridge on SW 248 St and 123 Ave, the South Miami Branch Library, the A.D. Barnes Park Aquatic Center, the Haulover Beach Side Restrooms, the Matheson Hammock Park

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Roadway Improvements, the Vizcaya Hurricane Screens and various countywide water and sewer, sidewalk and drainage improvements.

A handwritten signature in black ink, appearing to read 'I. Yorty', written over a horizontal line.

Ian H. Yorty
Special Assistant to the County Manager/
Interim Director, Office of Capital Improvements

**BUILDING BETTER COMMUNITIES
GENERAL OBLIGATION BOND
SUMMARY OF GOB PROGRESS
Breakdown of GOB Activity**

GOB EXPENDITURES AS OF 10/01/07 (AS PER FAMIS) = \$155.5 MILLION

County Departments		
Type of Contract		
Approved for Advertising - Design Contracts	68	\$33.8 million
Awarded - Design Contracts	16	\$16.1 million
Equitable Distribution Program (EDP) Agreements	32	\$2.4 million
Pre-existing Design Consultant Agreements or In-house Resources	124	\$22.1 million
County Design Contracts/In-House Resources - Subtotal	240	\$74.4 million
Approved for Advertising - Construction Contracts	9	\$25.4 million
Awarded - Construction Contracts	10	\$23.4 million
Approved for Advertising - Miscellaneous Construction Contracts (MCC)	9	\$1.6 million
Awarded - Miscellaneous Construction Contracts (MCC)	112	\$22.9 million
County Construction Contracts - Subtotal	140	\$73.3 million
Design and Construction Contracts - TOTAL	380	\$147.7 million
Property Acquisitions	142	\$52.4 million
County Departments GOB Activity Sub-Total	522	\$200.1 million
Municipalities		
Interlocal Agreements Fully Executed	105	\$76.2 million
Interlocal Agreements In Progress	3	\$7.9 million
Municipalities GOB Activity Sub-Total	108	\$84.1 million
Not-for-Profits		
Not-for-Profit Agreements Fully Executed	4	\$8.5 million
Not-for-Profit GOB Activity - Grants In Progress	3	\$2.1 million
Others (Econ. Dev. Fund; NFP Fund;)	0	\$0.0 million
Not-for-Profit GOB Activity Sub-Total	7	\$10.6 million
TOTAL GOB ACTIVITY		\$10.6 million