MEMORANDUM

Amended
Special Item No. 1

TO: Honorable Chairperson Barbara Carey Shuler, Ed. D. and Members, Board of County Commissioners

DATE: July 20, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Approving a Special Election for the *Building Better Communities* Bond Program – To Construct and Improve Water, Sewer and Flood Control Systems

R#912-04

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the placement of the *Building Better Communities* General Obligation Bond Program (Program) ballot question authorizing funding for projects to construct and improve water, sewer and flood control systems on the November 2, 2004 ballot. If approved by the Board and the voters, the referendum will allow the County to expand water distribution systems, construct and improve drainage systems and sewage disposal facilities and provide for environmental and quality of life preservation projects, (see Appendix A). It also allows for landfill closures, purchase of development rights to maintain the rural character of agricultural lands and purchase of environmentally endangered lands. This resolution will allow the County to issue General Obligation Bonds in an amount not to exceed $378.183 million over a multi-year period to fund improvements to the County's infrastructure and address a number of quality of life issues in our community. Legislation creating interlocal agreements with the municipalities and establishing a Program Advisory Committee will be forwarded to the Board upon approval of the Program by the electorate. Individual debt issuances will also be subsequently forwarded for Board approval.

BACKGROUND

The recommended Program will provide the County with the capability of responding to the community's longstanding unfunded capital infrastructure needs in a comprehensive manner. The attached recommended list of projects provides a multi-faceted approach which addresses the need for facilities and infrastructure as well as economic development concerns. Since our Community Small Business Enterprise and Community Workforce regulations will apply to the *Building Better Communities* projects, it is anticipated that the Program will contribute to our economy by generating a large number of jobs as well as many new and meaningful business development and training opportunities in our local community.

A comprehensive report detailing our efforts to assemble a balanced *Building Better Communities* Program is presented under separate cover. The attached resolution and corresponding project recommendations further refine the proposed Program by incorporating the Board's input from the June 24, 2004 General Obligation Bond Workshop as well as subsequent individual follow-up meetings with Board members.

We have a unique opportunity to move forward with this Program at this time. Existing debt from the Decade of Progress Bond Program, the Criminal Justice Bond Program and the Safe Neighborhood Parks Bond Program is being retired allowing capacity for future bond issuances while maintaining a flat millage rate for debt service. Finally, placement of the ballot question on an already scheduled General Election allows us to avoid incurring the considerable costs that would be associated with a separate election.

Therefore, it is respectfully requested that the Board approve the attached resolution and allow the electorate to vote on critical capital improvement issues impacting the future of Miami-Dade County.

Corin Brody
Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Amended
Special Item No. 1
7-20-04

RESOLUTION NO. **912-04**

RESOLUTION PROVIDING FOR HOLDING OF GENERAL OBLIGATION BOND SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, ON NOVEMBER 2, 2004 WITH RESPECT TO AUTHORIZATION OF NOT EXCEEDING $378,183,000 GENERAL OBLIGATION BONDS OF SAID COUNTY TO CONSTRUCT AND IMPROVE WATER, SEWER AND FLOOD CONTROL SYSTEMS

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") finds it necessary and appropriate and in the best interest of the County to hold a special election to authorize the issuance of General Obligation Bonds (the "Bonds") of Miami-Dade County in an amount not to exceed $378,183,000, as needed, in series from time to time, which Bonds will be secured by the full faith and credit of the County; and

WHEREAS, proceeds from such Bonds will be used for various, unfunded capital projects that have been identified and delineated in Appendix A, attached to this Resolution; and

WHEREAS, issuing such Bonds will stimulate the County economy and provide employment; and

WHEREAS, upon approval by the electors of the County to issue the Bonds, the Board will enact Bond ordinances authorizing the issuance of the Bonds so approved; and

WHEREAS, the Board intends, to the extent possible, that the debt service millage required to pay the debt service on the Bonds shall not exceed the current debt service millage in any year while the Bonds are outstanding and the total principal amount of the Bonds has been fixed with that intention in mind,

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

Section 1. The preamble to this Resolution and the County Manager's memorandum accompanying this Resolution are approved and incorporated by reference in this Resolution.

Section 2. A General Obligation Bond Special Election shall be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of the County the questions stated in the Notice of General Obligation Bond Special Election set forth below in Section 3 of this Resolution.

Section 3. Notice of said General Obligation Bond Special Election shall be published in The Miami Herald, a newspaper of general circulation in Miami-Dade County, Florida, at least twice, once in the fifth week and once in the third week prior to the week in which the election is to be held, the date of first publication in said newspaper to be at least thirty days before said election, which notice shall be substantially in the following form:

NOTICE OF GENERAL OBLIGATION BOND SPECIAL ELECTION
BUILDING BETTER COMMUNITIES
To be Held On
TUESDAY, NOVEMBER 2, 2004
MIAMI-DADE COUNTY, FLORIDA

A General Obligation Bond Special Election will be held on Tuesday, November 2, 2004, for the purpose of submitting to the qualified electors of Miami-Dade County, Florida, the following question:

BUILDING BETTER COMMUNITIES
CONSTRUCT AND IMPROVE WATER, SEWER AND FLOOD CONTROL SYSTEMS

To protect natural resources through improved distribution of clean water, safe sewage and waste disposal, improved flood control and

drainage, described in Resolution No. 912-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding $378,183,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

_____FOR BONDS

_____AGAINST BONDS

The polls at said election will be open from 7:00 o'clock A.M. until 7:00 P.M. of the same day. All qualified electors of the County shall be entitled to vote at said special election.

Said General Obligation Bond Special Election will be held at the established polling places in the several precincts, respectively, in the County as established for County-wide general elections.

Miami-Dade County shall be authorized to issue the bonds covered by the question hereinabove set forth if such issuance as to such question shall have been approved by vote of a majority of the qualified electors of Miami-Dade County voting thereon.

By order of the Board of County Commissioners of Miami-Dade County, Florida.

_____
Clerk of the Board of County Commissioners of
Miami-Dade County, Florida

Section 4. Touch Screen Voting Machines shall be used at such special election, and the ballot question shall appear in substantially the form set forth in the Notice of General Obligation Bond Special Election in Section 3 of this Resolution.

Section 5. The question shall appear on the touch screens ballot as a separate question. Those qualified electors desiring to approve the issuance of bonds shall be instructed to vote "FOR BONDS". Those qualified electors desiring to disapprove the issuance of bonds shall be instructed to vote "AGAINST BONDS".

Section 6. Absentee paper ballots may be used by qualified electors of the County for voting on the question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question hereinabove set forth, with proper place for voting either "FOR BONDS" or "AGAINST BONDS" following the statement of the question aforesaid.

Section 7. A sample ballot showing the manner in which the question aforesaid shall appear on the touch screen ballot at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 8. This special election on the question aforesaid shall be held and conducted in accordance with the applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution. This special election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

Section 10. All proceeds of the sale of the Bonds shall be delivered to the Finance Director of the County who shall deposit those proceeds in appropriate construction fund trust accounts, not to be commingled with other funds of the County, to be disbursed solely for the purposes set forth in this Resolution. The County, itself or through independent auditors, shall

have the right at all times to audit the books and records of all beneficiaries who receive proceeds from the sale of the Bonds.

Some projects listed in Appendix A of this Resolution may be the subject of contractual agreements between the County and the external agencies receiving the Bond proceeds to pay the cost of such projects. Such agreements shall provide the terms and conditions for the County to release Bond proceeds to the agency and such other requirements as the County shall deem appropriate. In the event that an agency fails, without adequate reason, to commence acquisition, planning, design or construction of a project within six (6) months of the receipt of County approval to proceed with such project, the County shall have the option of reallocating the Bond proceeds earmarked for such project to any other projects listed in Appendix A falling within the same ballot category.

All additions, deletions and significant modifications to individual projects or to Appendix A shall require a majority vote of the Board after public hearing.

Section 11. Bond proceeds in an amount not to exceed 3% of the principal amount of the Bonds shall be used to pay administrative expenses associated with managing the Bond program. The Finance Director will deposit these funds in a separate Bond Administrative Expense Fund.

Section 12. The Bonds are part of an overall Bond Program pursuant to which the County is proposing to issue up to $2,925,750,000 in General Obligation Bonds ("Bond Program") upon voter approval. The intent of the County is to include a combined municipal and UMSA component ("Municipal Component") in the Bond Program totaling 10% of the Bond proceeds, net of issuance costs. The formula used for distribution of proceeds is based on a weighted formula 75% on population and 25% on contribution to the tax roll (based on June 1,

2004 figures) as compared to the total population and property tax roll figures for the entire County. The data for this distribution was based upon most recent Census figures as provided by the Miami-Dade County Planning Department and tax roll figures as provided by the Miami-Dade County Property Appraiser. Should a municipality incorporate after passage of this Bond program, it may petition the Board for a portion of any unallocated Bond proceeds that had been apportioned to local projects in the UMSA area then contained in such municipality. Not all of the individual components of the Bond Program will include a Municipal Component but in the aggregate, the overall Bond Program will include a Municipal Component that equals 10% of the Bond Program.

It is the intent of the County that the balance of the bond proceeds for the Bond Program net of cost of issuance (90%) shall be used for projects of countywide and/or regional significance.

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:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2004. 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:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald T. Heffernan

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

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CONSTRUCT AND IMPROVE WATER, SEWER AND FLOOD CONTROL SYSTEMS

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
1	CW	CW	**Local Drainage Improvements**	Construct stormwater drainage improvements in various locations across the county.	Various	**$95,175**
311	UMSA	6	**Drainage Improvements**	Construct stormwater drainage improvements in district 6.	SW 82 Avenue	**$1,000**
312	Sweetwater	12	**Drainage Improvements**	Construct stormwater drainage improvements in the City of Sweetwater.	Various	**$2,300**
3	Golden Beach	4	**Golden Beach - Drainage Improvement**	GOB funds to compliment other funding for drainage improvements at various locations in the City of Golden Beach.	Various	**$121**
4	Hialeah Gardens	12	**Hialeah Gardens Water and Sewer Improvements**	GOB funding will compliment other funding for a force main extension in the new annexation area.	Various	**$867**
5	Key Biscayne	7	**Key Biscayne - Installation of Sanitary Sewer**	Municipal GOB funds will compliment WASD GOB funds to install sanitary sewers throughout the Village of Key Biscayne.	Various	**$2,670**
304	Miami	Various - 3, 5, 6, 7	**Miami - Drainage and Storm System Improvements**	To provide drainage and storm system improvements.	Various	**$15,000**
6	Miami Lakes	13	**Miami Lakes - Drainage Improvements**	GOB funds will compliment other funding for drainage improvements along 82 Avenue and 154 Street in the Town of Miami Lakes.	Various	**$589**
7	Miami Shores	Various - 3 & 4	**Miami Shores - Drainage Improvements**	Drainage Improvements to eliminate stormwater flooding conditions in Miami Shores Village.	Various	**$850**
8	North Bay Village	4	**North Bay Village - Install Wastewater Force Main**	Municipal GOB funds will compliment other funds to install a 16" wastewater force main line to connect to the 24" WASD line in the City of North Bay Village.	Various	**$786**
9	Pinecrest	Various - 7 & 8	**Pinecrest - Water and Fire Protection Improvement Project**	GOB funds will compliment other funding for the design and construction of approximately 187,000 LF of water mains throughout the Village of Pinecrest to provide potable water and fire protection.	Various	**$2,857**

Note: Allocation shown in nominal value.

2004 BUILDING BETTER COMMUNITIES BOND PROGRAM
RECOMMENDED LIST OF PROJECTS

APPENDIX A

PROJECT NUMBER	MUNICIPAL PROJECT LOCATION	BCC DISTRICT	PROJECT NAME	PROJECT DESCRIPTION	STREET ADDRESS	ALLOCATION (000's)
14	UMSA	CW	**South Dade Disposal Facility Cell 5 Construction**	Construct South Dade Disposal Facility Cell 5.	24000 SW 97 Avenue	**$11,250**
15	Sunny Isles	4	**Sunny Isles - Center Island Drainage Project**	Complete system for collection of standing water and storm runoff, to include installation of storm drain lines, catch basins, and a subsurface pump station with injector wells in the City of Sunny Isles Beach.	Various	**$2,500**
16	Surfside	4	**Surfside - Water and Sewer Enhancements**	GOB funds will compliment other funding to provide the Town with water and sewer enhancements.	Various	**$829**
17	CW	CW	**Countywide Water and Sewer System Enhancements**	Construct main, pipeline and other enhancements to water delivery systems and to sewer collection systems to increase efficiency, capacity, quality of service, public health or fire protection.	Various	**$222,000**
			Bond Issuance Cost To Construct and Improve Water, Sewer and Flood Control Systems	The costs to issue bonds for water, sewer and flood control systems.		**$19,389**
					TOTAL	**$378,183**

Note: Allocation shown in nominal value.