

Financial Affairs  
Edward Marquez, Chief Financial Officer

**SUBJECT: RESOLUTION NO. 04-19; REQUESTING ISSUANCE BY THE STATE BOARD OF EDUCATION OF FLORIDA OF \$5,115,000 OF CAPITAL OUTLAY BONDS FOR AND ON BEHALF OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

**COMMITTEE: BUSINESS AND FINANCIAL SERVICES**

The legislature passed House Bill 17A during the special legislative session in November of 1997, requiring districts which receive Classrooms First funds to participate in State Board of Education (SBE) bond sales issued by the State Board of Education of Florida on behalf of Florida school districts. The proceeds from such bonds may be used to fund PECO-eligible capital projects or projects approved by the State. The bonding capacity of a district is calculated by the Department of Education and is based upon the district's share of estimated future collections of motor vehicle license taxes and the amount of outstanding bonds previously issued on behalf of the district.

If a district chooses not to have the State issue bonds on its behalf, then it will receive its share of motor vehicle license (MVL) tax collections on an annual basis and is not eligible to participate in the Classrooms First Program. If a district does elect to have bonds issued, then the State will withhold each year from MVL tax collections an amount required to make debt service payments on the issued bonds. The excess of a district's share of MVL tax collections over the required debt service payment, referred to as Capital Outlay and Debt Service (CO & DS) revenue, is distributed to the district each year. No local funds or a tax increase is involved.

The School Board of Miami-Dade County, Florida has been notified that it has an additional bonding capacity of \$5,115,000 as calculated by the Florida Department of Education. Bonding these funds was anticipated in the multi-year capital outlay plan and permits the acceleration of projects identified in the resolution. The list of approved projects in the resolution contains more projects than can be funded from the bond proceeds in order to maximize the district's flexibility.

The attached resolution, requesting that the State Board of Education issue bonds on behalf of the district, is submitted for approval.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, approve Resolution No. 04-19 requesting the State Board of Education of Florida to issue capital outlay bonds on behalf of The School Board of Miami-Dade County, Florida, for the purpose of financing the cost of capital outlay projects described in section 1(b) therein.

A RESOLUTION OF THE SCHOOL BOARD OF       Miami-Dade        
COUNTY, FLORIDA, REQUESTING THE ISSUANCE BY THE STATE  
BOARD OF EDUCATION OF FLORIDA OF \$       5,115,000        
CAPITAL OUTLAY BONDS FOR AND ON BEHALF OF SUCH BOARD FOR  
THE PURPOSE HEREINAFTER STATED.

WHEREAS, pursuant to Article XII, Section 9, Subsection (d) of the Florida Constitution of 1968, approved at the general election of November, 1968, as amended at the general elections of November, 1972 and November, 1992 (herein collectively referred to as "School Capital Outlay Amendment"), the State Board of Education of Florida is authorized to issue bonds payable solely as to both principal and interest from the funds provided for in said School Capital Outlay Amendment for the purpose of financing capital outlay projects for school purposes in the manner provided therein upon the application of the School Board of any School District and of the Board of Trustees of any Community College District in the State of Florida; and

WHEREAS, this School Board of       Miami-Dade       County, Florida, deems it necessary and essential that \$       5,115,000       of such bonds be issued by said State Board of Education in order to finance capital outlay projects for the School Districts of       , Florida (hereinafter called "District"), as hereinafter set forth; now, therefore,

BE IT RESOLVED BY THE SCHOOL BOARD OF       Miami-Dade        
COUNTY, FLORIDA (hereinafter called "Board"):

SECTION 1. It is hereby found, declared and determined by this Board as follows, that:

(a) A survey has heretofore been made and is now in effect, under regulations prescribed by the State Board of Education, of the capital outlay school needs of said District which said survey has been approved as required by said State Board of Education, and is now on file in the Office of the Secretary of this Board and in the office of the State Board of Education in Tallahassee, Florida, which survey is by reference made a part of this resolution as fully and to the same extent as if incorporated verbatim herein.

(b) It is essential and necessary in order to maintain the public schools in said District for the State Board of Education to issue \$ 5,115,000 Capital Outlay Bonds for and on behalf of the Board in order to finance the cost of acquiring, building, constructing, altering, remodeling, improving, enlarging, furnishing, equipping, maintaining, renovating or repairing of the following capital outlay projects for school purposes in said District, described and listed as follows in order of priority of need as approved by the State Board of Education:

Project Number	Name of School Center, or Description of Location	Description of Project and List of Facilities Included
<b>PLANNED/UNDER CONSTRUCTION</b>		
1-02	District-Wide	Correct deficiencies as identified in Chapter 6A-2 FAC and S.R.E.F. Section 4.6(2)(d) relating to safety to life, health, and sanitation as identified in the comprehensive safety report on the file in the Office of Educational Facilities.
2-02	District-Wide	Necessary modifications for the physically disabled in existing school buildings recommended for continued use in the survey report as provided in Section 255.21 Florida Statutes.
3-02	District-Wide	Additional or replacement of equipment for existing school buildings recommended for continued use in the survey report as provided in rule 6A-2.0206 and S.R.E.F., Section 2.1(4)(e)1b.
4-02	District-Wide	Replacement of roofs at existing school buildings as provided in rule 6A-2.0205(3), FAC and S.R.E.F., Section 1.2(64).
5-02	District-Wide	Purchase sites for educational and ancillary facilities for future use beyond the projection period of the survey. Sites to be approved pursuant to Section 235.19 Florida Statutes, and Rule 6A-2.039, FAC and S.R.E.F., Section 1.4(1)-(5).
6-02	District-Wide	Retrofit existing schools for technology (video data wiring).

Project Number	Name of School Center, or Description of Location	Description of Project and List of Facilities Included
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UNDER CONSTRUCTION

25-02	Hialeah Elementary	<p>Site Development &amp; Improvement: P.E. covered play area (2800 NSF); covered walkway (2000 NSF); correct drainage problems; irrigation system as required.</p> <p>Remodeling: Remodel Building 01 Rooms 030A, 030B, 050 and 050B; to administration area and itinerant office (1564 NSF) - - Minus 20.</p> <p>Renovations: Upgrade HVAC in Building 01 (41629 NSF).</p> <p>New Construction: Six primary classrooms (7053 NSF-- Plus 150; ESE self-contained classroom (945 NSF)-- Plus 10; art laboratory (1575 NSF); music laboratory (2015 NSF).</p>
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PLANNED

53-02	North Twin Lakes Elementary	<p>Site Development &amp; Improvement: Provide bus drop off; P.E. covered play area (3100 NSF); covered walkway (2000 NSF); correct drainage; expand parking by 24 regular parking spaces.</p> <p>Remodeling: Convert Building 01 to administration and intermediate classroom (3252 NSF)--Plus 30.</p> <p>Renovations: Upgrade HVAC, lighting F/A, P/A and windows in Buildings 01 through 07 (20080 NSF); upgrade restrooms for ADA in Buildings 01 and 04.</p> <p>New Construction: One kindergarten classroom (1200 NSF)-- Plus 25; three primary classrooms (3270 NSF) -- Plus 75; three ESE self contained classrooms (2985 NSF) -- Plus 30; two itinerant offices (240 NSF); art laboratory (1495 NSF); music laboratory (1930 NSF); media center (5489 NSF); textbook storage (266 NSF); two custodial closets (50 NSF); student group restrooms (324 NSF).</p>
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(c) The capital outlay projects described above shall have priority in the financing thereof in the order stated above, the same being the order of priority of needs of said capital outlay projects as shown in said survey heretofore referred to, and there being no other capital outlay projects for said District, as shown on said survey, having a higher order of priority of needs for said District.

(d) It is anticipated that all of the proceeds of the Capital Outlay Bonds issued on behalf of the District by the State Board of Education pursuant to Section 2 hereof will be spent by the District within three years from the issuance date of such bonds to pay the costs of the capital outlay projects described above or such other projects as herein authorized.

**SECTION 2.** This Board does hereby request the State Board of Education to issue Capital Outlay Bonds for and on behalf of the Board pursuant to the School Capital Outlay Amendment, for the purpose of financing the cost of the capital outlay projects described in Section 1(b) hereof. The Capital Outlay Bonds shall have such date or dates of issue and date or dates of maturity, shall have such provisions for redemption prior to maturity, with or without premium, such place or places of payment, and such other details as the State Board of Education shall in its discretion determine, and the Capital Outlay Bonds shall be sold by the State Board of Education in the manner provided by said School Capital Outlay Amendment and the proceeds thereof shall be applied to the financing of the capital outlay projects described in Section 1(b) hereof in the manner required by and as provided in the rules and regulations of the State Board of Education now existing or hereafter adopted.

**SECTION 3.** This Board does hereby agree and consent that it will fully comply with and abide by all rules, regulations and orders of said State Board of Education now in existence or hereafter at any time made relative to the financing of the capital outlay projects, the application of the proceeds of the Capital Outlay Bonds, and the acquiring, building, constructing, altering,

remodeling, improving, enlarging, furnishing, equipping, maintaining, renovating or repairing of said capital outlay projects, and all other matters relating thereto.

**SECTION 4.** In the event any balance of the proceeds of the Capital Outlay Bonds shall remain after the completion of the capital outlay projects described in Section 1(b), and after the payment, or reservation of sufficient funds for the payment, of all costs thereof, then such unexpended balance of such proceeds shall, in the discretion of the State Board of Education, be deposited in the Reserve Account in the Sinking Fund for the payment of principal and interest on said Capital Outlay Bonds, or for the cost of other capital outlay projects described in said survey and for no other purpose.

**SECTION 5.** In the event that the priority of needs of capital outlay projects of the District as shown on said survey shall be hereafter changed upon the request of this Board and with approval as required by the State Board of Education, then the proceeds of such Capital Outlay Bonds may be used for the capital outlay projects having the highest priority of needs instead of the capital outlay projects described in Section 1(b) hereof, in the manner provided in the School Capital Outlay Amendment and under such rules and regulations now existing or hereafter made by the State Board of Education.

**SECTION 6.** In the event the interest rates prevailing in the market place at the time the Capital Outlay Bonds are authorized for sale by the State Board of Education would not permit compliance with the parity test set forth in the applicable bond resolution and the coverage requirements set forth in Article XII, Section 9, Subsection (d) of the Constitution of the State of Florida, the Board hereby requests and authorizes the State Board of Education to issue a lesser principal amount of Capital Outlay Bonds on behalf of the Board, which would comply with such test and requirement at the prevailing interest rates anticipated by the Board of Education at the time the Bonds are authorized for sale by the State Board of Education, notwithstanding the authority to

