



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Economic Prosperity Committee Meeting**

January 14, 2016  
2:00 P.M.  
Commission Chamber

**Research Division**

Charles Anderson, CPA  
Commission Auditor  
111 NW First Street, Suite 1030  
Miami, Florida 33128  
305-375-4354

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes																
<b>1G1 152797</b>	ORDINANCE PERTAINING TO COUNTY MAYOR'S DELEGATED AUTHORITY; AMENDING SECTIONS 2-8.2.7, 2-8.2.7.01, AND 2-285 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REQUIRE CONTRACTS WITH SMALL BUSINESS MEASURES MEET AT LEAST EIGHTY-FIVE PERCENT OF THE SMALL BUSINESS GOALS APPLICABLE TO THE PORTION(S) OF THE CONTRACT WORK PERFORMED TO DATE BEFORE A CHANGE ORDER OR CONTRACT AMENDMENT BE CONSIDERED FOR MAYORAL APPROVAL; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE																
<b>Notes</b>	<p>The proposed ordinance, pertaining to the County Mayor's delegated authority, amends Sections 2-8.2.7, 2-8.2.7.01, and 2-285 of the Miami-Dade County Code requiring that contracts with small business measures meet at least eighty-five percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for mayoral approval.</p> <p><b>Background:</b> The Miami-Dade County (County) Small Business Development (SBD) provides business opportunities and technical assistance to aid small businesses in their growth and contribution to the County and South Florida economy. The goal of the SBD is to increase the participation of small businesses on County contracts and encourage the utilization of certified small businesses on County contracts, where applicable.</p> <p>On November 3, 2015, the BCC adopted Resolution No. R-1001-15 which requires County contracts with small business measures meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for BCC approval.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d9ead3;"> <th colspan="3" style="text-align: center;">Code Comparison</th> </tr> <tr style="background-color: #d9ead3;"> <th colspan="3" style="text-align: center;">Sections 2-8.2.7, 2-8.2.7.01, and 2-285</th> </tr> <tr style="background-color: #d9ead3;"> <th colspan="3" style="text-align: center;">Miami-Dade County Code</th> </tr> <tr style="background-color: #d9ead3;"> <th style="text-align: center;">Section</th> <th style="text-align: center;">Current</th> <th style="text-align: center;">Proposed</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">Sec. 2-8.2.7. <i>Economic stimulus ordinance.</i></td> <td style="vertical-align: top;"> <p>(4) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or his/her designee shall have the following authority with respect to contracts within the scope of this Section:</p> <p>(e) For Capital Stimulus Projects negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements where:</p> <ol style="list-style-type: none"> <li>1. The change order or claim does not increase the contract amount, including contingencies; and</li> <li>2. The contingency allowance established in accordance with Section 2-8.1(h) shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and</li> <li>3. 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January 14, 2016 Meeting  
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Item No.	Research Notes	
<p>Sec. 2-8.2.7.01. <i>Miscellaneous Construction Contracts Program.</i></p>	<p>(5) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or Mayor's designee shall have the following authority with respect to the Miscellaneous Construction Contracts Program:</p> <p>(e) To negotiate and settle contractual disputes, and issue change orders for additional work: and</p>	<p>(5) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or Mayor's designee shall have the following authority with respect to the Miscellaneous Construction Contracts Program:</p> <p>(e) To negotiate and settle contractual disputes, and issue change orders for additional work. <b>Any County contract with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval.</b></p>
<p>Sec. 2-285. <i>County Mayor's Authority as to contracts for the Aviation Department.</i></p>	<p>(3) The County Manager may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars (\$500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County Manager may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder.</p> <p>(3.1) The provisions of subsection (3) above notwithstanding, the County Manager shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the County Commission for ratification within one hundred eighty (180) days. The County Manager shall report on a monthly basis to the Aviation Operations Committee of the County Commission on his actions taken in exercising the authority delegated to him hereunder. The County Manager shall not have delegated authority hereunder to issue any change order or amendment that is the result of design errors or omissions, and any such change order or amendment shall require prior County Commission approval.</p>	<p>(3) The County <b>Mayor</b> may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars (\$500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County <b>Mayor</b> may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder. <b>Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval.</b></p> <p>(3.1) The provisions of subsection (3) above notwithstanding, the County <b>Mayor</b> shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the <b>Board</b> for ratification within one hundred eighty (180) days. <b>Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must</b></p>

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<b>2A 152985</b>	RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 332 - "HIALEAH HIGH SCHOOL PERFORMING ARTS CENTER" TO REDUCE ALLOCATION BY \$2,340,486.00 FOR A TOTAL FUNDING ALLOCATION OF \$5,531,800.00 AND PROJECT NO. 332.1 - "CULTURAL HERITAGE, EDUCATION AND PERFORMING ARTS PARK" TO CHANGE THE PROJECT NAME TO "GARDEN OF THE ARTS" AND TO INCREASE ALLOCATION BY \$1,585,000.00 FOR A TOTAL FUNDING ALLOCATION OF \$2,785,000.00 AND ADDITION OF NEW PROJECT NO. 355 - "JOHN F. KENNEDY LIBRARY" TO BE FUNDED WITH \$755,486.00 OF SURPLUS FUNDS FROM PROJECT NO. 332, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-919-04, AFTER A PUBLIC HEARING; WAIVING PROVISIONS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BOND PROGRAM USING SURPLUS FUNDS	
<b>Notes</b>	<p>The proposed resolution provides for the following, after a public hearing:</p> <ul style="list-style-type: none"> <li>• Approves a significant modification of Bond Program Project No. 332- "Hialeah High School Performing Arts Center" reducing its allocation by \$2,340,486.00 from \$7,872,286.00 to \$5,531,800.00;</li> <li>• Approves a significant modification of Bond Program Project No. 332.1- "Cultural Heritage, Education and Performing Arts Park" in order to change the project name to "Garden of the Arts" and to increase its allocation by \$1, 585,000 from \$1,200,000.00 to \$2,785,000; and</li> <li>• Waives the provisions of IO 3-47 as it relates to adding new projects to the Bond Program using surplus funds and, approves the addition of new Project No. 355 - "John F. Kennedy Library", a municipal project location of "Hialeah", to be located in Commission District 13, a street address of "190 W. 49th Street, Hialeah, Fl. 33012", an allocation of \$755,486.00, and a project description that provides: "Funds will be used for capital costs to improve the John F. Kennedy Library."</li> </ul> <p><b>Additional Information</b> On July 1, 2014, the BCC adopted Resolution No. R-578-145, approving significant modifications to the following for Building Better Communities-General Obligation Bond (BBC-GOB) Program Projects in Appendix A to the Cultural Facilities Resolution No. R-919-04:</p> <ul style="list-style-type: none"> <li>• Project No. 332 – Hialeah High School Performing Arts Center reducing its allocation by \$927,714 from \$8,800,000 to \$7,872,286; and</li> <li>• Project No. 302 – Hialeah – Reconstruct Milander Auditorium increasing its allocation by \$927,714 from \$6,346,000 to \$7,273,714.</li> </ul> <p>The City of Hialeah has completed Project No. 332 and \$3,268,200 of the remaining \$8,800,000 allocation are surplus funds (as such term is defined in Implementing Order 3-47 (IO 3-47) and BBC GOB Project No. 302 – Hialeah- Reconstruct Milander Auditorium with an original allocation of \$6,346,000 has a budget shortfall (as such term is defined in IO 3-47) of \$927,714. The City of Hialeah has requested to use \$927,714 of surplus funds from Project No. 332 to complete Project No. 302.</p>	
<b>2C 152834</b>	RESOLUTION ESTABLISHING COUNTY POLICY TO REINSTATE THE MANAGEMENT TRAINEE PROGRAM IN THE OFFICE OF THE MAYOR; REQUESTING THE MAYOR OR MAYOR'S DESIGNEE TO IDENTIFY AVAILABLE FUNDING SOURCES TO REINSTATE THE MANAGEMENT TRAINEE PROGRAM FOR THE FISCAL YEAR 2016-2017 AND TO INCLUDE SUCH FUNDING IN THE MAYOR'S 2016-2017 BUDGET PROPOSAL; AND REQUIRING THE MAYOR OR MAYOR'S DESIGNEE TO PROVIDE A REPORT TO THE BOARD	
<b>Notes</b>	<p>The proposed resolution establishes County Policy to reinstate the Management Trainee Program in the Office of the Mayor and requests that the Mayor or designee identify available funding sources to reinstate the Program for the Fiscal Year 2016-2017, and, if funding sources are identified, to include such funding for the management trainee program in his 2016-17 budget proposal, or as soon as practicable.</p> <p>The proposed resolution further directs the Mayor or designee to submit to the BCC within 60 days of the effective date of this resolution a report identifying all funding sources available to reinstate the Program for the Fiscal Year 2016-2017. The report will also inform the BCC whether the Mayor will include such funding in his 2016-2017 budget proposal, and if not, provide the reasons for not doing so.</p> <p><b>Background</b> The Miami-Dade County Management Trainee Program (Program) was a nationally recognized training program for future public administrators in which participants gained experience in all facets of the Miami-Dade County government. The County Manager's Office coordinated and supervised the Program.</p> <p>The Adopted Fiscal Year 2007-2008 Final Business Plan, Adopted Budget and Multi-Year Capital Plan, and Five-Year Financial Outlook eliminated funding for four management trainee positions in an effort to save taxpayer funds during the economic downturn. The County's Fiscal Year 2008-2009 Final Business Plan, Adopted Budget and Multi-Year Capital Plan, and Five-Year Financial Outlook, included the goal of</p>	

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<p>promoting public service through the re-instatement of the Program consisting of four management trainee positions in the County Executive Office.</p> <p>A memo dated October 13, 2015, from the Mayor of Miami-Dade County, reported that as of August 2015, a total of 165 senior level employees under the County Mayor’s purview are eligible to retire within three years based on Deferred Retirement Option Program (DROP) date, longevity years of service, or age. This total includes 40 senior level positions, which must separate from County service due to completion of DROP and the Mayor’s memo further states that “it is critical that we accelerate the development of the current workforce to assume these future leadership positions.”</p> <p>In Fiscal Year 2012-13, PortMiami included \$243,000.00 in its operating budget to fund four management trainee positions to assist in succession planning for the department.</p>
<b>2D 152998</b>	<p>RESOLUTION DIRECTING MAYOR OR MAYOR’S DESIGNEE TO CONDUCT FEASIBILITY STUDY ON USING SOCIAL IMPACT BONDS AS A MECHANISM TO FINANCE SOCIAL SERVICE PROGRAMS; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE, IN CONSULTATION WITH THE HOMELESS TRUST, TO SELECT ONE OR MORE TECHNICAL ASSISTANCE ENTITIES TO SUPPORT THE COUNTY IN CONDUCTING THE FEASIBILITY ANALYSIS; AUTHORIZING THE MAYOR OR MAYOR’S DESIGNEE TO APPLY OR ENDORSE APPLICATIONS FOR FUNDING OR OTHER TECHNICAL SUPPORT RESOURCES IN FURTHERANCE OF CONDUCTING FEASIBILITY ANALYSIS; AND DIRECTING MAYOR OR MAYOR’S DESIGNEE TO PREPARE A REPORT RELATED TO SUCH PROPOSED FINANCING FOR CONSIDERATION BY THIS BOARD WITHIN 120 DAYS AND INCLUDE RECOMMENDATIONS IN REPORT TO THE BOARD</p>
<b>Notes</b>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> <li>• Directs the Mayor or Mayor’s designee to coordinate with the Miami-Dade County Homeless Trust and other County and non-County agencies that assist the homeless to study the feasibility of using Social Impact Bonds to finance a Permanent Supportive Housing program in the County using a Housing First intervention model to address chronic homelessness and reduce costs to the health, crisis response and criminal justice systems and develop recommendations for next steps to accomplish an initial pilot project; <ul style="list-style-type: none"> <li>○ <i>The Mayor or designee, in consultation with the Homeless Trust, is authorized to select one or more technical assistance entities to support the County in conducting the feasibility analysis and to assist it in developing recommendations. Such entit(ies) must have demonstrated prior and ongoing experience in providing technical support to all phases through ramp-up of Social Impact Financing projects: ability to identify strong, evidence-based models targeting chronic homeless high users of public systems that have a high likelihood of success in the Social Impact Financing implementation phase, project coordination and management across multiple systems, financial modeling and estimation of return on investment (ROI) and cost-benefit analysis, program design and evaluation methodology, marketing the project to potential investors, capital raising, and developing contracts and supplementary documentation and ability to successfully transition a project into implementation using ramp-up activities.</i></li> </ul> </li> <li>• Authorizes the Mayor or designee to apply, or endorse applications for funding or other technical support resources in furtherance of conducting feasibility analysis and developing recommendations; and</li> <li>• Directs the Mayor to submit and present a report setting forth the feasibility analysis and recommendations to the BCC within 120 days from the effective date of this resolution.</li> </ul> <p><b>The use of County funds for such technical support is not authorized under this proposed Resolution.</b></p> <p><b>Background</b>  “Social Impact/Pay For Success” Financing is a mechanism designed to raise private-sector capital to expand effective social service programs based on the concept of pay for success contracts which allow governments to pay only for results. Social Impact Financing is a method of financing, being adopted by cities and states, in which philanthropic and private risk capital are used to fund preventive programs that have been proven to produce real results, while also reducing the financial and societal costs associated with addressing the problem and has been noted as a way to foster innovation in social services by reducing the risk to taxpayers that they will be funding ineffective programs.</p> <p>The initial Social Impact Financing feasibility analysis will research the feasibility of using social impact bonds to finance a Permanent Supportive Housing program in the County using a Housing First intervention model to address chronic homelessness and reduce costs to the health, crisis response and criminal justice systems. The Miami-Dade County Homeless Trust has authorized its staff and consultant to participate in any County effort to perform a feasibility analysis of Social Impact Financing and how it can be used to reduce chronic homelessness as well as to apply, or endorse applications, for funding or other technical support in furtherance of such feasibility determination.</p>
<b>2E 152941</b>	<p>RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO DEPOSIT A MINIMUM OF 25 PERCENT OF THE PROCEEDS FROM THE SALES OR LEASING OF COUNTY-OWNED PROPERTIES INTO THE MIAMI-DADE AFFORDABLE HOUSING TRUST FUND; EXCEPT FOR PROCEEDS FROM THE SALES OR LEASING OF COUNTY-OWNED PROPERTIES, WHICH ARE SOLD OR LEASED UNDER THE COUNTY’S INFILL HOUSING INITIATIVE PROGRAM, PUBLIC HOUSING MIXED-FINANCE DEVELOPMENT CONCEPT OR FUNDED THROUGH THE COUNTY’S AFFORDABLE HOUSING FUNDING PROGRAMS SUCH AS DOCUMENTARY SURTAX, STATE HOUSING INITIATIVES PARTNERSHIP, HOME INVESTMENT PARTNERSHIPS, COMMUNITY DEVELOPMENT BLOCK GRANTS, GENERAL OBLIGATION BONDS PROGRAMS OR SIMILAR AFFORDABLE HOUSING PROGRAMS</p>
<b>Notes</b>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> <li>• Directs the County Mayor or designee to deposit a minimum of 25 percent of the proceeds from the sales or leasing of County-owned properties into the Affordable Housing Trust Fund for the purpose of increasing and improving the supply of affordable housing to households in the affordable target income groups, including, but not limited to acquisition of property and property</li> </ul>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<p>rights, covering the cost of construction including costs associated with planning, administration, design, building or installation, as well as any other costs associated with the construction or financing of affordable housing, and reimbursement to the County for such costs if funds were advanced by the County from other sources.</p> <ul style="list-style-type: none"> <li>o <i>The proceeds from the sales or leasing of County-owned properties for the purpose of constructing, acquiring, or rehabilitating affordable housing, such as through the County's Infill Housing Initiative and the public housing mixed-finance development concept programs are exempt from the requirements of this resolution.</i></li> <li>o <i>Additionally, the proceeds from the sales or leasing of County-owned properties, which are funded through the County's affordable housing funding programs, such as Documentary Surtax, State Housing Initiatives Partnership, HOME Investment Partnerships, Community Development Block Grant, General Obligation Bond programs, or other similar programs, are also exempt from the requirements of this resolution.</i></li> </ul> <p><b>Background</b> The BCC enacted Ordinance No. 07-15, which is codified at Article VIII, Sections 17-129 et seq. of the Code of Miami-Dade County (Code), establishing the Affordable Housing Trust Fund (Trust Fund) of Miami-Dade County, Florida. The purpose of the Trust Fund is (1) to establish a permanent, renewable source of revenue to meet, in part, the housing needs of the residents of Miami-Dade County; (2) to foster a housing supply accessible to a range of incomes in developments assisted by the Trust Fund; and (3) to disperse affordable housing units throughout the County.</p> <p>The Code provides that "monies deposited in the Trust that are used to construct, acquire, rehabilitate or subsidize affordable housing and/or to assist other governmental entities, private organizations or individuals in the construction, acquisition, rehabilitation, reimbursement of County advanced funds, location or subsidy of affordable housing shall, whenever feasible, be disbursed in a manner to assure that the housing supply created with these monies is accessible to a range of family whose incomes do not exceed the U.S. Department of Housing and Urban Development's published standards for moderate income households, adjusted for family size."</p> <p>The Trust Fund currently has \$1,828,014.90 deposited into it.</p>
<b>2F 152987</b>	<p>RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 90 - "UNINCORPORATED MUNICIPAL SERVICE AREA - COUNTRY VILLAGE PARK" TO REDUCE ALLOCATION BY \$80,300.00 FOR A NEW TOTAL FUNDING ALLOCATION OF \$1,497,700.00 AND ADDITION OF NEW PROJECT NO. 357 - "UNINCORPORATED MUNICIPAL SERVICE AREA - ACADIA PARK" WITH AN ALLOCATION OF \$80,300.00 OF SURPLUS FUNDS FROM PROJECT NO. 90, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING; AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BOND PROGRAM USING SURPLUS FUNDS</p>
<b>Notes</b>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> <li>• Approves, after a public hearing, the significant modification of Project No. 90 in Appendix A to the Parks Resolution to reduce its original allocation by \$80,300.00 from \$1,578,000.00 to \$1,497,700.00;</li> <li>• Declares \$80,300.00 as surplus funds and waives the requirements of IO 3-47 regarding the addition of new projects to the Bond Program using surplus funds, including the requirement that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all projects has been identified;</li> <li>• Approves, after a public hearing, the addition of Project No. 357 titled "Unincorporated Municipal Service Area – Acadia Park" to Appendix A to the Parks Resolution. <ul style="list-style-type: none"> <li>o <i>Project No. 357 will have a municipal project location of "UMSA", be located in Commission District 1, have a project description that provides "Local park improvements include construction of shade structure over park playground", a street address of "5351 NW 195th Drive," and an allocation equal to \$80,300.00.</i></li> </ul> </li> </ul> <p><b>Background</b> Pursuant to Resolution No. R-913-04 (Parks Resolution), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000.00 to construct and improve neighborhood and regional parks and other recreational areas to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands.</p> <p>One of the projects listed in Appendix A to the Parks Resolution is Project No. 90 – "Unincorporated Municipal Service Area – Country Village Park" in County Commission District 1, a project description that provides "Local park improvements include athletic fields and courts and pedestrian circulation," and an original allocation of \$1,578,000.00.</p> <p>The Parks, Recreation and Open Spaces Department intends to construct a shade structure over the park playground at Acadia Park, located at 5351 NW 195th Drive in Commission District 1 and at the time the Parks Resolution was adopted, the Parks Department did not have a defined scope of work for Acadia Park. Since 2004, a need has developed for local park improvements at Acadia Park, including the construction of a shade structure over the park playground. This item was considered by the Bond Program Citizens' Advisory Committee at its meeting on November 6, 2015 and it received a favorable recommendation from the Committee.</p>
<b>2G 152942</b>	<p>RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO STUDY THE FEASIBILITY OF LEVERAGING DOCUMENTARY SURTAX FUNDS TO SECURE BONDS TO FINANCE AFFORDABLE HOUSING PROJECTS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A WRITTEN REPORT TO THE BOARD WITHIN 60 DAYS</p>
<b>Notes</b>	<p>The proposed resolution directs the County Mayor or designee to analyze the feasibility of leveraging Documentary Surtax funds to secure bonds to finance affordable housing projects and further directs the County Mayor or designee to specifically analyze the feasibility of</p>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	obtaining \$130,000,000.00 in bonds to be divided equally amongst the 13 County Commission Districts with each County Commission District receiving a total of \$10,000,000.00. Additionally, the proposed resolution directs the County Mayor or designee to provide a report to the BCC with the analysis within 60 days of the effective date of this resolution.
<b>2H 152800</b>	RESOLUTION ESTABLISHING, AS BOARD POLICY, THAT EVERY YEAR, BETWEEN DECEMBER 1-15TH, THE LOBBY OF THE STEPHEN P. CLARK CENTER BE USED BY THE MIAMI-DADE COUNTY HISPANIC AFFAIRS ADVISORY BOARD TO SHOWCASE AN ART EXHIBIT FEATURING LOCAL ARTISTS TO BE CALLED THE "ART MIAMI-DADE" EXHIBIT
<b>Notes</b>	The proposed resolution establishes, as a policy of the BCC, that every year, between, December 1-15th, the lobby of the Stephen P. Clark Center will be used the Miami-Dade County Hispanic Affairs Advisory Board to showcase an art exhibit featuring local artists to be called the "Art Miami-Dade" exhibit.
<b>2I 152943</b>	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SEEK COLLABORATION OF THE MIAMI-DADE COUNTY SCHOOL BOARD IN OFFERING HIGH SCHOOL STUDENTS THE OPPORTUNITY TO ENROLL IN SUMMER VOCATIONAL AND TECHNICAL CLASSES AND TO REPORT BACK TO THIS BOARD WITHIN 90 DAYS
<b>Notes</b>	The proposed resolution directs the County Mayor or designee to seek collaboration of the Miami-Dade County School Board in offering high school students the opportunity to enroll in summer vocational and technical classes, beginning in 2016 and further directs the County Mayor or designee to report back to the BCC with recommendations as to how the County and the School Board may partner in providing high school students with vocational and technical summer classes and to place the completed report on a BCC agenda within 90 days of the effective date of this resolution.
<b>2J 152944</b>	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A WRITTEN REPORT TO THE BOARD DESCRIBING MIAMI-DADE COUNTY'S EFFORTS IN SUPPORT OF AUTISM-RELATED CAUSES OVER THE PRECEDING 10 YEARS, AND DESCRIBING ANY PLANNED FUTURE EVENTS OR EXPENDITURES IN SUPPORT OF AUTISM-RELATED CAUSES
<b>Notes</b>	The proposed resolution directs the County Mayor or designee to prepare a written report to the BCC describing all of the County's efforts in support of autism-related causes over the preceding 10 years, and describing any planned future events or expenditures in support of autism-related causes. The County Mayor or designee will provide the report on a BCC agenda within 90 days of the effective date of this resolution.
<b>2K 160012</b>	RESOLUTION APPROVING AN ALLOCATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 290 - "VIZCAYA'S RESTORATION OF MAIN HOUSE AND GARDENS AND CREATION OF NEW EDUCATIONAL CENTER AT VIZCAYA VILLAGE" IN AMOUNT OF \$10,000,000.00 FOR DEVELOPMENT OF THE "BAHAMIAN HERITAGE MUSEUM AT VIZCAYA" WITHIN THE VIZCAYA VILLAGE GROUNDS
<b>Notes</b>	The proposed resolution approves an allocation from Project No. 290 in the amount of \$10,000,000.00 in order to fund the restoration and development of one or more of the buildings on the Vizcaya Village grounds as the "Bahamian Heritage Museum at Vizcaya."  <b>Background</b> Pursuant to Resolution No. R-919-04 (Cultural Facilities Resolution'), the voters approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000.00 to construct and improve libraries, cultural facilities, and Head Start learning centers for pre-school children to offer multi-cultural educational opportunities and activities.  One of the projects listed in Appendix A to the Cultural Facilities Resolution and approved by the voters for funding is Project No. 290 – "Vizcaya's Restoration of Main House and Gardens and Creation of New Educational Center at Vizcaya Village" (Project No. 290) with an original allocation of \$50,000,000.00 and the following project description: "Restore and improve its historically landmarked main house and gardens to make them more accessible and enjoyable for future generations. Vizcaya will restore the nine endangered historic buildings of the Vizcaya Village and open them to the public for the first time, creating an extraordinary new cultural and educational center for Miami-Dade residents and visitors. Vizcaya will renovate the space to be vacated by the Museum of Science for necessary staff offices, collections storage, exhibition galleries, and an auditorium."  Charles Deering purchased the land that comprises Vizcaya Museum and Gardens between 1910 and 1912 and began construction in 1913. About a thousand individuals may have been involved in creating Vizcaya, including Bahamian stonemasons from Coconut Grove and stonecutters and craftsmen from the Northeast United States and Europe. Vizcaya's main house was completed in 1916 and, while only serving as a winter home for Mr. Deering, required extensive year-round upkeep and maintenance.  However, the restoration of the Vizcaya Village and all of its buildings has not yet been completed and to date, \$30,579,228.00 of Project No. 290 funds have been used or encumbered for capital projects at Vizcaya. The unused and unencumbered balance of Project No. 290 is therefore \$19,420,773.00.
<b>2L 152986</b>	RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 119 - "UNINCORPORATED MUNICIPAL SERVICE AREA - LOCAL PARK IMPROVEMENTS" TO REDUCE ALLOCATION OF \$2,665,000.00 BY \$500,000.00, AND ADDITION OF PROJECT NO. 358 - "SW 144TH AVENUE LINEAR GREENWAY" WITH AN ALLOCATION OF \$500,000.00 OF SURPLUS FUNDS FROM PROJECT NO. 119, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING; AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS USING SURPLUS FUNDS
<b>Notes</b>	The proposed resolution provides for the following: <ul style="list-style-type: none"> <li>• Approves, after a public hearing, the significant modification of Project No. 119 in Appendix A to the Parks Resolution to reduce its current allocation by \$500,000.00 from \$2,665,000.00 to \$2,165,000.00;</li> <li>• Declares \$500,000.00 as surplus funds and waives the requirements of IO 3-47 regarding the addition of new projects to the Bond Program using surplus funds, including the requirement that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all projects has been identified to the satisfaction of the BCC; and</li> </ul>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<ul style="list-style-type: none"> <li>Approves, after a public hearing, the addition of Project No. 358 titled "SW 144th Avenue Linear Greenway" to Appendix A to the Parks Resolution. Project No. 358 will have a municipal project location of "UMSA", be located in Commission District 11, have a project description that provides "Development of linear greenway for passive park purposes", a street address of "SW 144th Avenue between Bird Road/SW 42nd Street and SW 9th Street" and an allocation equal to \$500,000.00.</li> </ul> <p><b>Background</b> Pursuant to Resolution No. R-913-04 (Parks Resolution), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000.00 to construct and improve neighborhood and regional parks and other recreational areas to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands.</p> <p>One of the projects listed in Appendix A to the Parks Resolution is Project No. 119 – "Unincorporated Municipal Service Area - Local Park Improvements" in Commission District 11, a project description that provides "Local park improvements to existing local parks include renovation, and upgrades" (Project No. 119) and an original allocation of \$3,500,000.00. The original allocation to Project No. 119 was reduced to \$2,665,000.00 pursuant to Resolution No. R-959-14, which allocated \$835,000.00 to new Project No. 119.1 titled "SW 157th Avenue Linear Greenway" and the County is developing for local, passive park use public lands in Commission District 11 along SW 144th Avenue between Bird Road / SW 42nd Street and SW 9th Street, as a greenway which is preliminarily known as the SW 144th Avenue Linear Greenway. At the time the Parks Resolution was adopted, the Parks Department did not have a defined scope of work for the local parks within Commission District 11. Since 2004, a need for developed and improved greenways to be used for passive park purposes has been identified in District 11, including a greenway along SW 144th Avenue between Bird Road /SW 42nd Street and SW 9th Street.</p> <p>This item was considered by the Bond Program's Citizens' Advisory Committee at its meeting of November 6, 2015 and it received a favorable recommendation from the Committee.</p>
<b>3A 152980</b>	<p>RESOLUTION APPROVING, PURSUANT TO FLORIDA STATUTES SECTION 125.37, A LAND EXCHANGE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO OF 60,170 SQUARE FEET OF COUNTY-OWNED LAND LOCATED SOUTH OF NE 13TH STREET BETWEEN BISCAYNE BLVD. AND NE 2ND AVENUE ("COUNTY PARCEL") FOR 61,904 SQUARE FEET OF FDOT-OWNED LAND LOCATED IMMEDIATELY WEST OF THE COUNTY PARCEL BETWEEN NE 2ND AVENUE AND NE 1ST AVENUE ("FDOT PARCEL"); DECLARING COUNTY PARCEL SURPLUS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY PLANNING ADVISORY BOARD; TRANSFERRING SAFE NEIGHBORHOOD PARKS GRANT REQUIREMENTS FROM COUNTY PARCEL TO APPROXIMATELY 21,000 SQUARE FEET WITHIN FDOT PARCEL; RELEASING A RESTRICTIVE COVENANT FROM COUNTY PARCEL; RECORDING A NEW RESTRICTIVE COVENANT ON PERFORMING ARTS CENTER IN FAVOR OF THE STATE OF FLORIDA; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THIS BOARD TO EXECUTE COUNTY DEED; DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE RELEASE OF RESTRICTIVE COVENANT AND NEW RESTRICTIVE COVENANT AND TO COMPLETE ALL ACTS NECESSARY TO EFFECTUATE THE EXCHANGE OF THE PARCELS</p>
<b>Notes</b>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> <li>Exchange of a County-owned parcel totaling approximately 60,170 square feet and located south of NE 13 Street between Biscayne Boulevard and NE 2 Avenue for parcels owned by the Florida Department of Transportation (FDOT) totaling approximately 61,904 square feet, and located immediately west of the County-owned parcel between NE 2 Avenue and NE 1 Avenue, pursuant to Section 125.37, Florida Statutes;</li> <li>Transfer of Safe Neighborhood Parks (SNP) grant requirements from the County-owned parcel to the parcel the County will receive from FDOT;</li> <li>Release of a restrictive covenant for the County-owned parcel;</li> <li>Recording of a new restrictive covenant on the property located at 1300 Biscayne Boulevard, known as the Adrienne Arsht Center for the Performing Arts of Miami-Dade County (Arsht Center); and</li> <li>Delegation of authority to the Mayor or the Mayor's designee to execute the associated deeds, release of restrictive covenant, and restrictive covenant.</li> </ul> <p>The proposed land exchange will accomplish the following:</p> <ul style="list-style-type: none"> <li>Provide FDOT with sufficient clearance to reconstruct I-395 with the planned signature bridge;</li> <li>Preserve the view corridor at the front of the Arsht Center's Ballet Opera House by restricting future building on Parcel 171. The proposed deed for Parcel 171 includes the following restriction: "No permanent building shall be erected on the Property so as to obstruct, impede or block the sightline and view from, to and of the Performing Arts Center;" and</li> <li>Provide a nearby County-owned location suitable for the development of a park for community use and parking to serve the Arsht Center.</li> </ul> <p><b>Fiscal Impact / Funding Source</b> There is no funding impact regarding the exchange of properties. Based on appraisals performed by FDOT, the parcels being exchanged have an equal value of \$27.8 million each. The use restrictions outlined in the SNP grant will be maintained by the County and transferred from the County-owned parcel to the parcel being received from FDOT. The release of restrictive covenant is necessary in order to clear the title of the County-owned parcel. The recording of a revised restrictive covenant corrects the address of the property (mistakenly identified as the parcel south of NE 13 Street rather than the Arsht Center itself) and is a condition to the \$750,000.00 grant that was awarded by the State of Florida Regional Cultural Facilities Grant Program for the construction of the Arsht Center in 2006.</p> <p><b>Background</b> <b>Land Exchange</b></p>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<p>The County has a long-term Operating Management Agreement with the Performing Arts Center Trust, Inc. (PACT), the non-profit organization that manages and operates the performing arts center facilities on the east and west sides of Biscayne Boulevard, between 13 Street and 14 Street, which comprise the Arsht Center. During the development and design of the Arsht Center (previously known as the Performing Arts Center), the PACT commissioned an urban design plan that recommended securing the land south of the Arsht Center to prevent these key sites from being developed and to create gateway parks for the Arsht Center. In 1999, the County purchased Parcel 171, located south of the Ballet Opera House on the west side of Biscayne Boulevard (Resolution R-1038-99). Years later, FDOT purchased the land south of the Concert Hall, located on the east side of Biscayne Boulevard, as well as other properties along the I-395 corridor, in anticipation of the planned reconstruction of I-395.</p> <p>The County used funds from successful grant applications submitted by the Office of the County Manager and prepared by the Department of Cultural Affairs to purchase Parcel 171. Grant awards for the property acquisition totaled \$1.5 million from the Florida Department of Environmental Protection (DEP) and \$800,000.00 from the County's SNP Program. Due diligence has been performed on the requirements of these grants to ensure that the proposed land exchange does not violate the terms of the grant agreements. The County is planning to update the Operating Management Agreement to give the PACT additional authorization to use the exchanged property for parking and 35 percent of the parcel for open park space, subject to BCC approval. The use restrictions outlined in the SNP grant will be maintained and included in the updated Operating Management Agreement.</p> <p>Title work for the FDOT-owned parcel revealed two (2) issues, which merit further elaboration here for the purpose of full disclosure, but are not considered to be detrimental to the land transfer. A repurchase agreement between FDOT and a third party, Charleville Development Corp., covers part of the land to be conveyed to the County. The agreement states that "the right to repurchase is subordinate to the right of governmental entities that acquire the Property for any public purpose," therefore, it does not immediately affect the proposed land transfer. The agreement is dated June 13, 2005, with an expiration of 25 years after the date of the purchase agreement. This right to repurchase would only be of concern if the County were to sell the property before 2030. In addition, a Level I Environmental Assessment revealed contamination concerns for the southern portion of the FDOT parcel, where FDOT has performed preliminary remediation and will continue remediation activities during the construction phase of I-395. A strip of land 25-feet by 180 feet on the southern portion of the parcel being transferred to the County is included in the remediation area. Except for this area, there are no contamination concerns for the northern portion of the parcel, which is being conveyed to the County.</p> <p><b>Release of Restrictive Covenant and New Restrictive Covenant</b> As a result of the title work performed on County-owned Parcel 171, a restrictive covenant on the property was found to have been incorrectly recorded on that property. In 2006, the Arsht Center applied for and was granted a \$750,000.00 grant from the State of Florida Regional Cultural Facilities Program. As a condition of award, the County, as owner of the facility, recorded the restrictive covenant limiting the use of the facility as a cultural facility for a period of ten (10) years following the execution of the grant agreement. The restrictive covenant incorrectly listed the address of the facility as 240 Northeast 13 Street, Miami, Florida, 33132, which was the location of the construction trailers at the time. The release of restrictive covenant is required to clear the title for Parcel 171 prior to completing the land exchange. A new revised restrictive covenant will be recorded with the correct address of the Arsht Center: 1300 Biscayne Boulevard, Miami, Florida, 33132. All other terms of the restrictive covenant will remain as before.</p>
<b>3B 152852</b>	RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2015-16 FOR THE N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AGENCY IN THE AMOUNT OF \$159,039.00
<b>Notes</b>	<p>The proposed resolution approves the NW 79 Street Corridor Community Redevelopment Agency's (Agency) FY 2015-16 budget for the NW 79 Street Corridor Community Redevelopment Area (Area). The Agency's budget includes revenues and expenditures in the amount of \$159,039.00. The Board must approve the Agency's budget prior to the Agency expending any funds.</p> <p><b><u>Fiscal Impact / Funding Source</u></b> Typically the Agency's revenue source is the incremental growth of ad valorem revenues beyond an established base year, tax increment financing (Tax Increment), as defined in Section 163.387 of Florida State Statutes. Though there was an increase in the Preliminary 2015 Tax Roll over the 2014 Tax Roll, values have not risen above the base year for the Area, therefore, the Agency will not receive any Tax Increment revenue for the current fiscal year.</p> <p>The County will make payments to the Agency, when applicable, based on each year's growth of ad valorem revenues over the base year through 2039, when the Agency will sunset.</p> <p><b><u>Background</u></b> On May 05, 2009, the BCC adopted Resolution No. R-566-09, which declared the Area as slum or blighted. On July 19, 2011, the BCC adopted the Agency's Redevelopment Plan through Resolution No. R-604-11, establishing a Trust Fund and the resident board for the Area through Ordinance No. 11-55.</p> <p>The Agency held its first meeting on September 12, 2011. On October 3, 2011, the Agency adopted the Interlocal Agreement between the County and the Agency, which grants the Agency certain redevelopment powers. The Interlocal Agreement was approved by the BCC on January 24, 2012 through Resolution No. R-95-12. The Interlocal Agreement requires the Agency to submit for County approval an annual budget for the implementation of the Plan.</p> <p>On March 4, 2014, the BCC, adopted Resolution No. R-241-14, which conveyed a County-owned property located within the Area at 997 NW 79 Street to the Agency. The Agency issued a Request for Qualifications and is currently in the process of negotiating the sale of the property</p>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<p>for an amount above the appraised value (\$157,281.00), along with a community benefits package that will include construction jobs and permanent job for resident of the Area. The sale of this property will bring additional funds to the Agency.</p> <p>The Agency's FY 2015-16 budget includes:</p> <ul style="list-style-type: none"> <li>• \$175.00 for a special district fee imposed by the State of Florida;</li> <li>• \$70.00 for a non-ad valorem assessment; and</li> <li>• \$1,000.00 for maintenance on a property owned by the Agency.</li> </ul> <p><i>The remaining \$157,786.00, which includes the proceeds from the sale of the above-mentioned property, will be held in reserve. The Agency's FY 2015-16 budget was approved by the Agency on October 8, 2015.</i></p>
<b>3C 152855</b>	<p>RESOLUTION APPROVING THE BUDGET TOTALING \$2,720,838.00 FOR FISCAL YEAR 2015-16 FOR THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY</p>
<b>Notes</b>	<p>The proposed resolution approves the Naranja Lakes Community Redevelopment Agency's (Agency) FY 2015-16 budget for the Naranja Lakes Community Redevelopment Area (Area). The Agency's budget includes revenues and expenditures in the amount of \$2,720,838.</p> <p>The Board must approve the Agency's budget prior to the Agency expending any funding in the Trust Fund, as required by Section III D of the Interlocal Agreement.</p> <p><b><u>Fiscal Impact / Funding Source</u></b></p> <p>The Agency's revenue source is tax increment financing (TIF), which is generated through the incremental growth of ad valorem revenues beyond an established base year, as defined in Section 163.387, Florida Statutes. The Countywide TIF into the Agency's Trust Fund for FY 2015-16 is \$693,712 and the unincorporated municipal service area (UMSA) TIF payment into the Trust Fund is \$286,956.</p> <p>The County will continue to make payments to the Agency based on each year's growth of ad valorem revenues over the base year through 2033 when the Agency will sunset.</p> <p><b><u>Background</u></b></p> <p>On July 21, 1998, the BCC adopted Resolution No. R-847-98, declaring a geographical area in south Miami-Dade County as slum and blight. The Agency was created by the BCC pursuant to Ordinance No. 02-216 adopted on October 22, 2002. The ordinance also appointed the Agency's board members and delegated the power to the Agency to prepare a Redevelopment Plan (Plan). On May 6, 2003, the BCC adopted Resolution No. R-418-03, approving the Plan, and funded the Plan by adopting Ordinance No. 03-106, which created the Trust Fund. Resolution No. R-418-03, adopted by the BCC on July 22, 2003, approved the Interlocal Agreement granting the Agency certain redevelopment powers.</p> <p>The Agency's FY 2015-16 budget of \$2,720,838 was approved by the Agency on September 15, 2015. The budget includes revenue sources of County and UMSA TIF (\$693,712 and \$286,956, respectively), carryover from prior years (\$1,736,670), and interest earnings (\$3,500).</p> <p>Administrative expenditures total \$92,850 and represent nine (9) percent of TIF revenues, excluding the 1.5 percent County Administrative Charge (\$14,710), satisfying the 20 percent cap in administrative expenditures required by the Interlocal Agreement. Administrative expenses are for direct County support (\$90,000), advertising (\$2,500), printing (\$300), and mail service (\$50).</p> <p>Operating expenditures total \$1,067,920 and include:</p> <ul style="list-style-type: none"> <li>• \$400,000 for community policing;</li> <li>• \$375,000 for projected debt service payment;</li> <li>• \$125,000 for professional contractual services for a boundary extension redevelopment plan and an economic development coordinator;</li> <li>• \$75,000 for community building operations, maintenance, and insurance;</li> <li>• \$50,000 for commercial redevelopment grants;</li> <li>• \$30,000 for legal services;</li> <li>• \$10,000 for a commercial grant coordinator;</li> <li>• \$2,000 for marketing; and</li> <li>• \$920 for membership in the Florida Redevelopment Association and required state fees.</li> </ul> <p>The Agency budget includes a \$1,545,358 contingency reserve.</p> <p>Following a five-year period, when the Area experienced a significant reduction in taxable values, the preliminary 2015 tax roll has increased nine (9) percent, indicating that the area has begun to recover from the recent economic downfall. As a result, the Area has benefited from a small growth in TIF revenues to address slum and blight in accordance with Agency's mission</p>
<b>3D 152915</b>	<p>RESOLUTION AUTHORIZING PAYMENT OF \$123,555.50 FOR ENVIRONMENTAL REMEDIATION AT THE FLORIDA PETROLEUM REPROCESSORS SUPERFUND SITE</p>
<b>Notes</b>	<p>The proposed resolution authorizes payment of the County's assessment of \$123,555.50 for the performance of remedial work at the Florida Petroleum Reprocessors Superfund Site pursuant to the PRP Group Organization Agreement, executed by the County on March 27, 1997, as amended.</p>

**Economic Prosperity Committee  
January 14, 2016 Meeting  
Research Notes**

Item No.	Research Notes
	<p>Much of the initial on-site remediation already has been accomplished under the existing agreement, but further remediation is necessary and will likely last until at least 2023. The agreement, amended in 2002, incorporates the pro rata allocation process of funding the PRP Group's site remediation work on the basis of each party's volumetric contribution of waste oil to the sites.</p> <p><b>Fiscal Impact/Funding Source</b> The fiscal impact to the County is \$123,555.50 and will be paid from Capital Outlay Reserve Funds.</p> <p><b>Background</b> In 1997, Miami-Dade County and numerous other persons, businesses and governmental entities were notified by the United States Environmental Protection Agency (EPA) that they were potentially responsible parties (PRPs) with respect to contamination at a federally-designated Superfund site located at 3211 SW 50 Avenue, in Davie in Broward County, Florida. The contaminated site is the former location of Florida Petroleum Reprocessors, which was engaged in the business of reprocessing used oil at the site since 1978. Due to extensive leakage and discharges over the years, the site was highly contaminated with hazardous substances.</p> <p>Based upon invoice receipts and canceled checks, it appears that Miami-Dade County, like many of the other PRPs, used the services of waste oil haulers who took the County's waste oil to the Florida Petroleum Reprocessors site several years ago. As such, under the federal Superfund law, Miami-Dade County, as a "generator," is strictly, jointly and severally liable for the cleanup of site contamination. While there are many PRPs for this site, based upon the volumetric information documented by the EPA, Miami-Dade County and U.S. Sugar are the largest volumetric contributors of waste oil to the site.</p> <p>As is normally the case in Superfund sites involving numerous PRPs, a PRP group was formed in order to allow the PRPs to work in a coordinated, cost-efficient manner in their collective negotiations with the EPA. The County executed the PRP Group Organization Agreement on March 26, 1997 and has actively participated in the PRP Group Steering Committee through its professional staff in the County Attorney's Office and the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources. In 2002, the PRP Group Organization Agreement was amended to include a pro rata allocation process requiring contributions from group members based upon the volumetric contribution of waste oil to the FPR site. To date, the PRP Group has successfully negotiated administrative orders with the EPA under which it is conducting both shallow and deep source soil contamination removal actions at the Florida Petroleum Reprocessors site. The County's contributions to date are noted below:</p> <ul style="list-style-type: none"> <li>• In 1999, pursuant to Resolution No. 162-99, the County paid \$283,000.00;</li> <li>• In 2002, pursuant to Resolution No. 1087-02, the County paid \$271,880.46; and</li> <li>• In 2004, pursuant to Resolution No. 1306-04, the County paid \$359,630.25.</li> </ul> <p>Although Resolution No. R-1306-04 and its accompanying memorandum implied that the 2004 payment would be final, remedial efforts have been ongoing and are scheduled to continue until at least 2023.</p> <p>The PRP Group Steering Committee, of which the County is a member, unanimously approved in late August 2015 a cash call of \$779,000.00, which is intended to cover all Group costs through the anticipated completion of the Consent Decree. The County's pro rata share of this amount of, \$123,555.50, is being requested for payment under this item. In the event that the PRP Group does not continue to timely perform the above-described remedial work, then it is likely that the EPA will perform a much more comprehensive cleanup and file a cost recovery action against the PRPs. Historically, the EPA initiated cleanups are several times more costly than cleanups undertaken by PRP groups.</p>