



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Economic Prosperity Committee Meeting

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

Research Division

Office of the Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

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

Item No.	Research Notes
1G1 161115	ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAMS; AMENDING SECTION 2-8.1.1.1.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance amends Section 2-8.1.1.1.2 of the Miami-Dade County Code relating to the Small Business Enterprise Goods Program to provide for increased penalties to be paid by contractors and sub-contractors upon failure to meet goal requirements.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to small business measures during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues in meeting small business measures.</p> <p>Specifically, contractors and sub-contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and • A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County.
1G2 161116	ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAMS; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS, AND PENALTIES FOR SCHEDULE OF INTENT VIOLATIONS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed resolution amends Section 10-33.02 of the Miami-Dade County Code relating to the Small Business Enterprise Construction Services Program to provide for increased penalties to be paid by contractors and sub-contractors upon failure to meet goal requirements.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to small business measures during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues in meeting small business measures.</p> <p>Specifically, contractors and sub-contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and • A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County. <p>Additionally, the proposed ordinance provides that if on three (3) separate occasions, a subcontractor executed a Schedule of Intent (SOI) Affidavit and subsequently becomes unavailable to perform or complete the work for the prime contractor during the contract period, SBD will suspend said subcontractor from certification for one (1) year. If SBD suspends the same subcontractor three (3) times due to its failure to perform pursuant to an SOI, SBD will suspend the subcontractor for a minimum of five (5) years, or until such time as the subcontractor can show SBD that it is ready, willing and able to perform if five (5) years has elapsed.</p>
1G3 161117	ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAMS; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY

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

Item No.	Research Notes
	CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance amends Section 2-10.4.01 of the Miami-Dade County Code relating to Small Business Enterprise Architecture and Engineering Programs to provide for increased penalties to be paid by contractors and sub-contractors upon failure to meet goal requirements.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to small business measures during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues in meeting small business measures.</p> <p>Specifically, contractors and sub-contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and • A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County.
1G4 161119	ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance amends Sections 2-8.1.1.1.1 of the Miami-Dade County Code relating to Small Business Enterprise Services Programs to provide for increased penalties to be paid by contractors and sub-contractors upon failure to meet goal requirements.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to small business measures during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues in meeting small business measures.</p> <p>Specifically, contractors and sub-contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and • A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County.
1G5 161121	ORDINANCE PERTAINING TO COMMUNITY WORKFORCE PROGRAM; AMENDING SECTION 2-1701 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance pertaining to the Community Workforce Program amends Section 2-1701 of the Miami-Dade County Code to provide for increased penalties to be paid by contractors and sub-contractors upon failure to meet goal requirements.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to small business measures during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues in meeting small business measures.</p>

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

Item No.	Research Notes		
	Code Comparison Chart Section 2-1701 of the Miami-Dade County Code		
	Section	Current	Proposed
	<p>Sec. 2-1701. <i>Community Workforce Program. (2) Program Components</i></p>	<p>C. <i>Workforce Plan</i>: Bid and proposal documents for Capital Construction Contracts/Work Order to which a local workforce goal has been applied shall require the contractor, to develop and submit to the County, within fifteen (15) days of notification of award of the contract, a Workforce Plan outlining how the goal will be met and containing all of the information and elements required by this Section. The Plan shall specify the total number of persons that will be used by the contractor (as well as by all subcontractors) to perform all of the construction trades and labor work of the contract, broken down by trade and labor category, minimum qualifications for each category, and the number of persons to be utilized in each category. The Plan shall identify by name, address and trade category of all persons proposed to perform work under the contract currently on the contractor's (or on any proposed subcontractor's) payroll who reside in any Designated Target Area. The Plan shall also indicate the number of positions shown on the work, trade categories and minimum qualifications therefore of the positions to be hired by the contractor (or by any proposed subcontractors) to perform the construction trades and labor work under the contract. The County will not enter into the contract until it receives the contractor's Workforce Plan and deems the Plan acceptable. The contract language of a contract subject to a local workforce goal shall provide that in the event that at contract completion, the contractor fails to comply with the established local workforce goal, liquidated damages equal to a minimum of \$1,500.00 per position or the salary that would be payable for such position had the person(s) been hired for the position as listed on the approved workforce plan to include all approved revisions to the workforce plan, whichever is greater shall be withheld from the contractor's final payment as liquidated damages and be applied to pay part of the</p>	<p>C. <i>Workforce Plan</i>: Bid and proposal documents for Capital Construction Contracts/Work Order to which a local workforce goal has been applied shall require the contractor, to develop and submit to the County, within fifteen (15) days of notification of award of the contract, a Workforce Plan outlining how the goal will be met and containing all of the information and elements required by this Section. The Plan shall specify the total number of persons that will be used by the contractor (as well as by all subcontractors) to perform all of the construction trades and labor work of the contract, broken down by trade and labor category, minimum qualifications for each category, and the number of persons to be utilized in each category. The Plan shall identify by name, address and trade category of all persons proposed to perform work under the contract currently on the contractor's (or on any proposed subcontractor's) payroll who reside in any Designated Target Area. The Plan shall also indicate the number of positions shown on the work, trade categories and minimum qualifications therefore of the positions to be hired by the contractor (or by any proposed subcontractors) to perform the construction trades and labor work under the contract. The County will not enter into the contract until it receives the contractor's Workforce Plan and deems the Plan acceptable. The contract language of a contract subject to a local workforce goal shall provide that in the event that at contract completion, the contractor fails to comply with the established local workforce goal, liquidated damages equal to a minimum of \$3,000.00 per position or the salary that would be payable for such position had the person(s) been hired for the position as listed on the approved workforce plan to include all approved revisions to the workforce plan, whichever is greater shall be withheld from the contractor's final payment as liquidated damages and be applied to pay part of the costs of the Community Workforce Program under this ordinance. In calculating the salary, a minimum of eight (8) hours per day times (i) the position's wage rate or (ii) the applicable Responsible Wages and Benefits Schedule</p>

Economic Prosperity Committee

July 14, 2016 Meeting

Research Notes

Item No.	Research Notes	
	<p>costs of the Community Workforce Program under this ordinance. An updated Plan shall be submitted to SBD on a monthly basis. In the event that during the contract time a new hire or a person identified in the Plan as already on the contractor's (or any proposed subcontractor's) payroll to meet the local workforce goal is replaced, Miami-Dade County will require the contractor to immediately contact SBD identifying the replacement. Notwithstanding anything to the contrary above, the contractor may be relieved from the requirements of this ordinance, in part or in whole, if such contractor can demonstrate to SBD that it has utilized its best efforts to achieve the goal in accordance with the prescribed Implementing Order.</p> <p><i>D. Goal compliance:</i> The following shall count towards compliance with a local workforce goal. Within 15 days of approval of the Workforce Plan, the contractor shall complete and submit a Job Order Request Form (in the form attached to Resolution No. 1145-99, the Clearinghouse for posting of job opportunities) to the Employee Relations Department for each position designated in the approved Workforce Plan for recruitment. The employer/contractor Information portion of the Job Order Request Form shall provide the relevant information for the contractor or subcontractor who will employ the new hire. Persons designated in the approved Workforce Plan as already on the contractor's (or on any proposed subcontractor's) payroll at the time of bid submittal who reside in the DTA in which the public improvement is located and who perform any construction trades work or labor of the contract shall count towards meeting the local workforce goal. Each New Hire residing in the DTA where the public improvement project is located who is hired to any position designated in the approved Workforce Plan who performs construction trades or labor work of the contract for a minimum duration of one hundred twenty (120) days or the length of the job whichever is less, shall also count</p>	<p>wage rate will be used. An updated Plan shall be submitted to SBD on a monthly basis. In the event that during the contract time a new hire or a person identified in the Plan as already on the contractor's (or any proposed subcontractor's) payroll to meet the local workforce goal is replaced, Miami-Dade County will require the contractor to immediately contact SBD identifying the replacement. Notwithstanding anything to the contrary above, the contractor may be relieved from the requirements of this ordinance, in part or in whole, if such contractor can demonstrate to SBD that it has utilized its best efforts to achieve the goal in accordance with the prescribed Implementing Order.</p> <p><i>D. Goal compliance:</i> The following shall count towards compliance with a local workforce goal. Within 15 days of approval of the Workforce Plan, the contractor shall complete and submit a Job Order Request Form (in the form attached to Resolution No. R-1145-99, the Clearinghouse for posting of job opportunities) to the Employee Relations Department for each position designated in the approved Workforce Plan for recruitment. The employer/contractor Information portion of the Job Order Request Form shall provide the relevant information for the contractor or subcontractor who will employ the new hire. Persons designated in the approved Workforce Plan as already on the contractor's (or on any proposed subcontractor's) payroll at the time of bid submittal who reside in the DTA in which the public improvement is located and who perform any construction trades work or labor of the contract shall count towards meeting the local workforce goal. Each New Hire residing in the DTA where the public improvement project is located who is hired to any position designated in the approved Workforce Plan who performs construction trades or labor work of the contract for a minimum duration of one hundred twenty (120) days or the length of the job whichever is less, shall also count towards meeting the goal. Persons that reside in a DTA other than the DTA in which the public improvement is located, may be counted towards meeting the goal provided the first priority in hiring for such position was given to persons residing in the Designated Target Area</p>

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

Item No.	Research Notes	
	<p>towards meeting the goal. Persons that reside in a DTA other than the DTA in which the public improvement is located, may be counted towards meeting the goal provided the first priority in hiring for such position was given to persons residing in the Designated Target Area in which the public improvement is located, and when the hiring party as well as the WDOs and WROs have demonstrated to SBD that they have been unable to identify a qualified resident of the Designated Target Area in which the public improvement is located.</p>	<p>in which the public improvement is located, and when the hiring party as well as the WDOs and WROs have demonstrated to SBD that they have been unable to identify a qualified resident of the Designated Target Area in which the public improvement is located. In the event that at contract completion, goal compliance cannot be determined due to the contractor's failure to submit and obtain SBD approval for a revised Workforce Plan, \$10,000.00 shall be withheld from the contractor's final payment as liquidated damages, and applied to pay costs of the Community Workforce Program.</p>
1G6 161122	<p>ORDINANCE PERTAINING TO PAYMENT OF LIVING WAGES; AMENDING SECTION 2-8.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE</p>	
Notes	<p>The proposed ordinance pertaining to payment of Living Wages, amends Sections 2-8.9 of the Miami-Dade County Code to provide for increased penalties to be paid by contractors and sub-contractors upon failure to pay correct wages.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to living wage rate during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues paying this rate.</p> <p>Specifically, service contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and • A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County. 	
1G7 161144	<p>ORDINANCE PERTAINING TO PAYMENT OF RESPONSIBLE WAGES; AMENDING SECTION 2-11.16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR INCREASED PENALTIES TO BE PAID BY CONTRACTORS AND SUB-CONTRACTORS UPON FAILURE TO MEET GOAL REQUIREMENTS, AND PRIVATE RIGHT OF ACTION BY EMPLOYEES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE</p>	
Notes	<p>The proposed ordinance pertaining to payment of Responsible Wages, amends Section 2-11.16 of the Miami-Dade County Code to provide for increased penalties to be paid by contractors and sub-contractors upon failure to pay the correct wages goal requirement, and private right of action by employees.</p> <p>Increasing the penalties on applicable contracts will provide for stronger accountability to responsible wage rate during the duration of the contract. Increased penalties may have a positive fiscal impact on the County, however, it is difficult to determine at this point. In addition, the proposed amendment will assist all parties involved to resolve any issues paying this rate.</p> <p>Specifically, contractors and sub-contractors may be sanctioned in the following ways:</p> <ul style="list-style-type: none"> • Penalties payable to the County in an amount equal to 20% of the amount of the underpayment of wage and/or benefits for the first instance of underpayment; • 40% for the second instance; • 60% of the amount of underpayment for the third and successive instances; and 	

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

Item No.	Research Notes
	<ul style="list-style-type: none"> A fourth violation will constitute a default of the contract where the underpayment occurred and may be cause for suspension or termination in accordance with the debarment procedures of the County. <p>Additionally, any employee of a contractor or subcontractor may instead, bring an action by filing suit against the contractor or subcontractor in any court of competent jurisdiction and may be awarded back pay, benefits, attorney's fees, costs.</p> <p>The applicable statute of limitations of such a claim will be two (2) years as provided in Florida Statutes Section 95.11(4)(c) in an action for payment of wages. The court may also impose sanctions on the employer, including those persons or entities aiding or abetting the employer, to include wage restitution to the affected employee and damages payable to the covered employee in the sum of up to five hundred dollars (\$500.00) for each week each employer is found to be in violation.</p>
2A 161589	RESOLUTION RESCINDING RESOLUTION NO. R-1121-14 WHICH ALLOCATED \$9,000,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124 – “ECONOMIC DEVELOPMENT FUND” TO SKYRISE MIAMI, LLC TO FUND SKYRISE MIAMI PROJECT
Notes	<p>The proposed resolution rescinds Resolution No. R-1121-14 which allocated \$9,000,000.00 from Building Better Communities General Obligation Bond Program Project No. 124 – Economic Development Fund to Skyrise Miami, LLC to fund the Skyrise Miami Project.</p> <p>Background Skyrise Miami, LLC submitted an application to the County requesting a Project No. 124 grant in the amount of \$9,000,000.00 to fund certain public infrastructure needs for its development of a \$410 million entertainment center and tourism attraction at Bayside. On October 10, 2014, the BCC approved, through Resolution No. R-1121-14, the allocation of \$9,000,000.00 of Project No. 124 funds to Skyrise Miami, LLC to fund the Skyrise Miami Project. However, Skyrise Miami, LLC has now requested a withdrawal of its application for Project No. 124 funds.</p> <p>Additional Information- Economic Development Fund- Project 124 On February 3, 2015, the BCC, through Resolution No. R-123-15, set policy for Miami-Dade County related to the Project No. 124- Economic Development Fund (Project 124) directing the County Mayor or designee to complete negotiations by July 21, 2015 with each potential grant recipient of an allocation from the Project 124 Fund approved by the BCC on or before January 21, 2015 and to prepare and submit a report to the BCC detailing the results of the negotiations. If the BCC approves an allocation of Project 124 Fund proceeds for a Pending Application, the County Mayor or designee is directed to complete negotiations with the proposed grant recipient of such allocation within a six month period following the date of approval by the BCC.</p> <p>On May 5, 2015, the BCC, through Resolution No. R-423-15, amended administrative rules governing Economic Development Project No. 124 of the Building Better Communities General Obligation Bond (BBC GOB) Program to be applied to all new applications for funding.</p> <p>The Administrative Rules were amended to add the following at the end of Article II, Section 4.A.1. – Eligibility Requirements for Projects:</p> <ul style="list-style-type: none"> <i>Does the project improve infrastructure for a greater area of impact that can advance economic development substantially beyond the project footprint?</i> <i>Is the project a target industry identified in the May 2012 One Community One Goal Strategic Report or identified by the Beacon Council, from time to time?</i> <i>Does it advance green technology or energy green industry?</i> <i>Does it enhance or advance transit-oriented development?</i>

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

Item No.	Research Notes
	<ul style="list-style-type: none"> • <i>Would the project be vulnerable to sea level rise that would require adaptation strategies and if so, would it contribute to any overall sea level rise adaptation goals established by the County?</i> <p>Additionally, the County Mayor or designee was to apply the criteria in the amended Administrative Rules to all new applications received by the County for Project 124 funding and was to report the findings to the BCC when a new project is considered by the BCC for an allocation from the Project 124 Fund.</p> <p>On June 2, 2015, the BCC, through Resolution No. R-510-15, directed the County Mayor or designee to post on the County’s calendar the date and time of any negotiation sessions with recipients of a BCC approved allocation of Project 124 funds; record all such negotiation sessions; include a member of the staff that provides support to the Building Better Communities Citizen’s Advisory Committee in each negotiation session; and in the report to the BCC, include the date and time of each negotiation session with each potential grant recipient of Project 124 funds from the date the BCC allocated Project 124 funds to the potential grant recipient to the date in Resolution No. R-123-15 for completion of the negotiation of a grant agreement.</p> <p><u>Additional Information- Mayor’s Report- Project 124 Negotiations</u></p> <p>On September 16, 2015, the Mayor, in response to the directive in Resolution No. R-123-15, issued a report on the results of negotiations of Grant Agreements for Building Better Communities General Obligation Bonds, Economic Development Fund Project 124 recipients.</p> <p>The following projects require little additional negotiation:</p> <ul style="list-style-type: none"> • Larkin Health Sciences Campus; River Landing Miami; Skyrise (<i>being rescinded</i>); and Westview Business Park. <p>The following projects require significant additional negotiation:</p> <ul style="list-style-type: none"> • Carrie Meek International Business Park; Orion Jet Center; and Overtown Gateway. <p>The following projects require significant additional negotiation and a County Lease:</p> <ul style="list-style-type: none"> • Miami Ocean Studios (<i>Rescinded</i>); Miami Wilds Project; and Aviation Corporate Hanger (<i>Rescinded</i>). <p><u>Previous Economic Development Fund Project 124 Allocations</u></p> <p>On July 1, 2014, the BCC, through Resolution No. R-616-14, waived administrative rules for BBC GOB, EDF, Project 124, approving the allocation of \$6,000,000.00 from Project 124 to Flagler Street Reconstruction and Economic Development to fund certain economic development projects.</p> <p>On November 5, 2014, the BCC approved \$24,000,000 in allocations from the EDF Project 124 fund for the following projects:</p> <ul style="list-style-type: none"> • R-986-14- Allocating \$5,000,000.00 to the Carrie Meek International Business Park project; • R-987-14- Allocating \$500,000.00 to the Aviation Corporate Hangar project; <ul style="list-style-type: none"> ○ <i>Rescinded on June 21, 2016 through R-556-16;</i> • R-988-14- Allocating \$5,000,000.00 to the Orion Jet Center Development project; and • R-1015-14- Allocating up to \$13,500,000.00 to Miami Wilds, LLC for the Miami Wilds project. <p>On December 16, 2014, the BCC approved \$20,000,000 in allocations from the EDF Project 124 fund for the following projects:</p> <ul style="list-style-type: none"> • R-1121-14- Allocating \$9,000,000 to Skyrise Miami, LLC to fund the Skyrise Miami Project; <ul style="list-style-type: none"> ○ <i>Rescinded in the proposed resolution;</i> • R-1122-14- Allocating \$6,000,000 to Overtown Gateway Partners, LLC to fund the Overtown Gateway Project; and • R-1116-14- Allocating \$5,000,000 to Larkin Health Science Education Campus.

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

Item No.	Research Notes
	<p>On January 21, 2015, the BCC, through Resolution No. R-37-15, approved the allocation from the EDF Project 124 in the amount of \$10,000,000 to Miami Ocean Studios, LLC to fund the Miami Ocean Studio Economic Development Project.</p> <ul style="list-style-type: none"> • Rescinded on March 8, 2016, through R-234-16. <p>On March 3, 2015, the BCC approved \$15,000,000 in allocations from the EDF Project 124 fund to the following projects:</p> <ul style="list-style-type: none"> • R-230-15- Allocating \$7,500,000 to River Landing Development, LLC for the River Landing Development Project; and • R-233-15- Allocating \$7,500,000 to Rosal Westview, LLC for the Rosal Westview Business Park Project. <p>On April 21, 2015, the BCC approved \$15,000,000 in allocations, <u>subject to Recaptured Funds</u>, from the EDF Project 124 fund to the following projects:</p> <ul style="list-style-type: none"> • R-349-15- Allocating \$7,500,000- Neuroscience Centers of Florida Foundation, Inc. to fund Project Mercy; and • R-334-15- Allocating \$7,500,000- to the Village of Palmetto Bay for the Downtown Palmetto Bay Project. <p>On May 5, 2015, the BCC, through Resolution No. R-431-15, waived the Administrative Rules that each Project 124 allocation be a minimum of \$10,000,000.00 for Turnberry Airport Holdings, LLC with regard to the Fontainebleau Aviation Project and, <u>subject to the Recaptured Funds becoming available</u> for re-allocation and the future consideration by the BCC of a Grant Agreement between the County and Turnberry Airport Holdings, LLC, and approved an allocation of up to \$5,000,000.00 from Project 124 to Turnberry Airport Holdings, LLC for the Fontainebleau Aviation Project.</p> <p>On October 6, 2015, the BCC, through Resolution No. R-886-15, approved the allocation, <u>subject to the availability of Recaptured Funds</u>, of up to \$10,000,000.00 from Project 124 Funds, to Wexford Miami, LLC for the University of Miami Life Science and Technology Park Project.</p> <p>On November 3, 2015, the BCC, through Resolution No. R-997-15, waived the requirement in the Administrative Rules that each Project 124 allocation be a minimum of \$10,000,000.00 for NKMIA LLC with regard to the Naem Khan Project and approved, an allocation, <u>subject to the availability of Recaptured Funds</u>, of up to \$1,500,000.00 from Project 124 to NKMIA LLC for the Naem Khan Project.</p> <p>The following list provides other projects that have been considered:</p> <ul style="list-style-type: none"> • October 16, 2014- Legislative File No. 141535- Failed in EDPMC- \$5,000,000- AVE Aviation Commerce Center project; • October 16, 2014- Legislative File No. 141866- No Action Taken at EDPMC- \$18,500,000- Beach Re-nourishment Reserve Fund project; and • November 5, 2014- Legislative File No. 141539- Failed in BCC- \$5,000,000- Parkside at Palmetto Bay project.
2B 161064	<p>RESOLUTION ESTABLISHING COUNTY POLICY THAT AT LEAST \$300,000.00 OF PROCEEDS FROM THE LOCAL BUSINESS TAX, OR OTHER LEGALLY AVAILABLE REVENUE, SHALL BE ALLOCATED IN FY 2016-17 TO SUPPORT EXPANDED SERVICES FOR SMALL BUSINESSES IN THE COMMUNITY TO BE PROVIDED BY SMALL BUSINESS DEVELOPMENT CENTER ("SBDC") AT FLORIDA INTERNATIONAL UNIVERSITY ("FIU"), SUBJECT TO APPROPRIATION; DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE, PRIOR TO THE RELEASE OF THE MAYOR'S PROPOSED FY 2016-17 COUNTY BUDGET, AN INTERLOCAL AGREEMENT WITH FIU TO EXPAND THE SERVICES OF SBDC TO PROVIDE ASSISTANCE TO CERTAIN SMALL BUSINESSES THROUGHOUT</p>

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

Item No.	Research Notes
	MIAMI-DADE COUNTY; AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PRESENT SUCH INTERLOCAL AGREEMENT TO THIS BOARD FOR CONSIDERATION AND APPROVAL PRIOR TO, OR CONCURRENTLY WITH, THE FINAL ADOPTION OF THE FY 2016-17 COUNTY BUDGET
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Establishes a County policy that at least \$300,000.00 of proceeds from (a) the County's Local Business Tax, collected pursuant to the provisions of Article IX, Section 8A-171 of the Code of Miami-Dade County, Florida, et. al., that are not already obligated to support the Beacon Council, or (b) other legally available revenue, be allocated in FY 2016-17 to support expanded outreach services by the Small Business Development Center (SBDC) at FIU to eligible small businesses located in Miami-Dade County who pay a Local Business Tax or are otherwise in compliance with the County's ordinance governing same, subject to appropriation; • Directs the County Mayor or designee to negotiate, prior to the release of the Mayor's proposed FY 2016-17 County budget, an Interlocal Agreement with FIU for the purpose of this resolution and such Interlocal Agreement should include provisions allowing the SBDC at FIU to utilize County offices and facilities to provide such services and should set forth the obligation of the SBDC at FIU to, and the means by which the SBDC at FIU will, verify that recipients of the expanded small business outreach services have paid the County's Local Business Tax or are otherwise in compliance with the County's Local Business Tax ordinance; and • Directs the County Mayor or designee to present the Interlocal Agreement with FIU for BCC consideration and approval prior to, or concurrently with, the BCC's final adoption of the FY 2016-17 budget. <p><u>Background</u> Florida International University (FIU) is the Host Institution, as that term is defined in Florida Statutes Section 288.001(2)(b), for the Florida Small Business Development Center Network, the principal business assistance organization designated by the State of Florida pursuant to Florida Statutes Section 288.001 for small businesses in Miami-Dade County. The Small Business Development Center (SBDC) at FIU serves the complex and diverse needs of small businesses throughout every stage of growth through no-cost professional business consulting, value-added training, and access to business data and information. The Florida Small Business Development Center Network, a pilot program launched in 1976 that was officially recognized by the federal government with the adoption of the Small Business Act of 1980, has grown to become the largest such network in the nation.</p>
2C 161672	RESOLUTION SUPPORTING THE RESILIENT MIAMI GRANT PROGRAM; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COLLABORATE AND COORDINATE WITH CATALYST MIAMI, URBAN IMPACT LAB, AND THE FLORIDA INSTITUTE FOR HEALTH INNOVATION TO FURTHER THE GOALS AND IDEAS OF RESILIENT MIAMI
Notes	<p>The proposed resolution supports the Resilient Miami grant program and directs the County Mayor or designee to collaborate and coordinate with Catalyst Miami, Urban Impact Lab and the Florida Institute for Health Innovation to further the goals and ideas of the Resilient Miami grant program.</p> <p><u>Background</u> The Kresge Foundation's Climate Resilience and Urban Opportunity Initiative seeks to strengthen the capacity of community-based nonprofit organizations to influence local and regional climate resilience planning, policy development and implementation, in order to better reflect the priorities and needs of all segments of the community.</p> <p>Resilient Miami is a three-year grant program awarded by the Kresge Foundation in January 2016 through the Kresge Foundation's Climate Resilience and Urban Opportunity Initiative, and this grant program is based on a proposal by Catalyst Miami, Urban Impact Lab and the Florida Institute for Health Innovation; and focused on networking, researching and strategizing the most effective paths forward on climate change issues. Resilient Miami sets out to invest in establishing community infrastructure through increased education and awareness,</p>

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

Item No.	Research Notes
	to build upon a network of key stakeholders to ensure the establishment of essential relationships, and to develop strategic initiatives for the Resilient Miami implementation plan.
3A 161471	RESOLUTION APPROVING \$165,000.00 IN FUNDING SUPPORT FOR TWELVE (12) FELLOWSHIP AWARDS TO SOUTH FLORIDA ARTISTS FROM THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2015-2016 GENERAL OPERATING FUNDS FOR THE VISUAL AND MEDIA ARTISTS FELLOWSHIP PROGRAM; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN
Notes	<p>The proposed resolution approves \$165,000.00 in funding support for 12 fellowship awards to South Florida artists from the South Florida Cultural Consortium's FY 2015-16 general operating funds for the Visual and Media Artists Fellowship Program. <i>In addition, it is recommended that Resolution No. R-130-06, requiring contracts with non-governmental entities be signed by the other parties before being submitted to the BCC, be waived in order to expedite the allocation of funding support for these time-sensitive fellowship awards.</i></p> <p>The impact of the proposed resolution is countywide, reflecting the five-county membership of the South Florida Cultural Consortium (Martin, Palm Beach, Broward, Monroe, and Miami-Dade counties).</p> <p><u>Fiscal Impact/Funding Source</u> The funding for each of the 12 Visual and Media Artists Fellowship Awards is from the adopted FY 2015-16 budget for the Department of Cultural Affairs. The Miami-Dade County Department of Cultural Affairs administers the Fellowship Program and serves as the fiscal agent for the South Florida Cultural Consortium's contributed funds from member counties for Consortium programs benefiting the South Florida region. Funds contributed from each county are allocated to cover its respective fellowship awards.</p> <p><u>Background</u> The South Florida Cultural Consortium conducted the 2016 Visual and Media Artists Fellowship Program, recommending the award of 12 fellowships to outstanding South Florida artists. Each member county of the South Florida Cultural Consortium receives benefits at least equivalent to its respective cash contribution. Grant funds secured by the South Florida Cultural Consortium provide additional financial and programmatic benefits to each of the participating counties.</p>
3B 161472	RESOLUTION APPROVING EXECUTION OF AN INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, MARTIN COUNTY, MIAMI-DADE COUNTY, MONROE COUNTY AND PALM BEACH COUNTY RELATING TO THE SOUTH FLORIDA CULTURAL CONSORTIUM, PURSUANT TO SECTION 163.01, FLORIDA STATUTES (AS AMENDED); AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY PROVISIONS CONTAINED THEREIN
Notes	<p>The proposed resolution approves the execution of an Interlocal Agreement among Broward County, Martin County, Miami-Dade County, Monroe County, and Palm Beach County, providing for the continued operation of the South Florida Cultural Consortium pursuant to Section 163.01, Florida Statutes, as amended, for a period of 30 years, commencing on the date of complete execution by all Parties, with automatic successive one-year renewals thereafter until terminated in accordance with the terms of the Agreement.</p> <p>This Interlocal Agreement continues the formal process for inter-county cooperation for enhancement, encouragement, and public expenditures in support of culture and the arts within the counties, which are members of the Consortium, and with such other government or other entities that these counties may in the future contract with. This Interlocal Agreement has been executed by: Broward County on June 3, 2014; Martin County on May 16, 2016; Monroe County on June 19, 2013; and Palm Beach County on June 7, 2011.</p> <p><u>Background</u> The South Florida Cultural Consortium is a coalition of the arts councils of Martin, Palm Beach, Broward, Miami-Dade and Monroe Counties. Established in 1985 by interlocal agreement among the participating counties, pursuant to Section 163.01, Florida Statutes (as amended), it engages steadily in developing resources, conceptualizing and implementing programs for the benefit of the region's cultural development, and expanding audiences throughout South Florida.</p>

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

Item No.	Research Notes																								
	The Consortium has been recognized nationally and statewide as a model for interagency/intercounty, regional cooperation and collaboration. It was awarded the South Florida Regional Resource Center's (SFRRRC) Regional Governance Award, and its programs have received funding support from the National Endowment for the Arts, the State of Florida Division of Cultural Affairs and the private sector.																								
3C 161337	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE SECOND, THIRD, FOURTH AND FIFTH, ONE-YEAR OPTION TO RENEW PERIODS FOR POOL NO. 9253-5/20, ART IN PUBLIC PLACES MISCELLANEOUS SERVICES, IN AN AMOUNT UP TO \$640,000.00 FOR THE CULTURAL AFFAIRS DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS																								
Notes	<p>The proposed resolution authorizes the County Mayor or County Mayor's designee to exercise all the remaining option to renew periods under Prequalification Pool No. 9253-5/20, Art in Public Places Miscellaneous Services, for the Cultural Affairs Department. Board approval of the option to renew periods is required as the value of the requested renewal periods brings the aggregate pool value over the County Mayor's delegated authority.</p> <p>Background: This pool was established in May 2010 under the delegated authority for \$800,000 for a five-year term, with five (5), one-year option to renew periods. The Cultural Affairs Department uses this pool to access prequalified vendors who compete to deliver miscellaneous maintenance and repair services and associated logistical support for the County's Art in Public Places Program. The program commissions and purchases artwork in various forms for display in County buildings and parks. Typical services under this pool include refinishing, restoring, transporting, installing and removing artwork.</p> <p>Prior to exercising any option to renew period, market research is conducted to determine if exercising a renewal period is in the County's best interest. The results of that research indicate that there are no comparable formal contracts or pools established by neighboring municipalities or governmental entities for these services. Use of this pool provides a cost-effective and efficient mechanism to obtain maintenance, repair and associated logistical support services for the Art in Public Places Program. Accordingly, exercising the next available option to renew period is in the County's best interest as it ensures continuity in the delivery of these services. This pool will remain advertised on the County's Procurement Management Services website to encourage additional participation.</p> <p>Fiscal Impact/Funding Source: The pool, which is in its first option to renew period, expires on October 31, 2016 as a six-month extension was administratively authorized to allow time to assess whether exercising the remaining option periods are in the County's best interest and to process this request to the BCC. The second option to renew period is valued at \$160,000. If approved, the pool's cumulative value will be \$1,600,000. The projected allocations for the remaining option to renew periods are consistent with past usage.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="3" style="background-color: #c6e0b4;">Initial Contract Term and Options to Renew with Allocation</th> </tr> <tr> <th style="background-color: #c6e0b4;">Term</th> <th style="background-color: #c6e0b4;">Period Covered</th> <th style="background-color: #c6e0b4;">Allocation</th> </tr> </thead> <tbody> <tr> <td>Initial Contract Term</td> <td>May 1, 2010 – April 30, 2015</td> <td>\$800,000</td> </tr> <tr> <td>First OTR</td> <td>May 1, 2015 – July 31, 2016</td> <td>\$160,000</td> </tr> <tr> <td>Second OTR</td> <td>August 1, 2016 – July 31, 2017</td> <td>\$160,000</td> </tr> <tr> <td>Third OTR</td> <td>August 1, 2017 – July 31, 2018</td> <td>\$160,000</td> </tr> <tr> <td>Fourth OTR</td> <td>August 1, 2018 – July 31, 2019</td> <td>\$160,000</td> </tr> <tr> <td>Fifth OTR</td> <td>August 1, 2019 – July 31, 2020</td> <td>\$160,000</td> </tr> </tbody> </table>	Initial Contract Term and Options to Renew with Allocation			Term	Period Covered	Allocation	Initial Contract Term	May 1, 2010 – April 30, 2015	\$800,000	First OTR	May 1, 2015 – July 31, 2016	\$160,000	Second OTR	August 1, 2016 – July 31, 2017	\$160,000	Third OTR	August 1, 2017 – July 31, 2018	\$160,000	Fourth OTR	August 1, 2018 – July 31, 2019	\$160,000	Fifth OTR	August 1, 2019 – July 31, 2020	\$160,000
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Fifth OTR	August 1, 2019 – July 31, 2020	\$160,000																							

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

Item No.	Research Notes
	<p>Prequalified Vendors</p> <ul style="list-style-type: none"> • All Digital Printing Corp (Micro/SBE) <ul style="list-style-type: none"> ○ 7311 NW 12 Street, Suite 7 Miami, FL • Canyon Construction, Inc. (SBE, DBE) <ul style="list-style-type: none"> ○ 6767 Collins Avenue Number 606 Miami Beach, FL • Conservation Solutions, Inc. <ul style="list-style-type: none"> ○ 8905 Ballard Lane Clinton, MD • Creative Commercial Insight & Restorations, Inc. <ul style="list-style-type: none"> ○ 6140 NW 7 Avenue #A Miami, FL • Dan Henry Design, LLC <ul style="list-style-type: none"> ○ 652 W 163 Street Apartment 5 New York, NY • Rosa Lowinger and Associates, Inc. <ul style="list-style-type: none"> ○ 5418 Packard Street Los Angeles, CA ○ 4728 NE Miami Place Miami, FL <p>Applicable Ordinances and Contract Measures</p> <ul style="list-style-type: none"> • The two (2) percent User Access Program provision applies and will be collected on all purchases. • The Small Business Enterprise Bid Preference and Local Preference Ordinances will be applied at the time of spot market competition. • The Living Wage Ordinance does not apply. <p><u>Additional Information – Miami-Dade County Art in Public Places¹:</u></p> <p>Miami-Dade County Art in Public Places, a program of the Miami-Dade County Department of Cultural Affairs, serves the community through the implementation of art installations dedicated to enriching the public environment and to preserving and enhancing the artistic and civic pride of Miami-Dade County. Miami-Dade Art in Public Places promotes collaboration and creative art projects that improve the visual quality of public spaces. These public art installations transform public spaces from ordinary civic areas to sites that can lift the spirit and connect with the community.</p> <p>One of the first public art programs in the country, Miami-Dade Art in Public Places was established in 1973 with the passage of an ordinance allocating 1.5% of construction cost of new county buildings for the purchase or commission of artworks. Art in Public Places is overseen by a citizens’ Trust appointed by the Board of County Commissioners. The Trust receives recommendations on acquisitions and commissions from the Professional Advisory Committee, an independent group of professionals in the field of art, art history, public art, architecture, landscape architecture and architectural history.</p> <p>Over the past forty-two years, the Miami-Dade Art in Public Places Trust has acquired or commissioned over 700 works of art and gained international recognition as a leader in its field. Artworks are installed countywide at diverse sites including Miami International Airport, Metrorail and Metromover stations, PortMiami, Zoo Miami, Adrienne Arsht Center for the Performing Arts, parks, fire stations, libraries, police stations, public housing developments, courthouses and community health centers.</p> <p>For more than a decade, the focus of the program has been on site-specific, collaborative projects that involve the thinking of artists, landscape architects, historians, engineers, and architects in a team approach. Creative problem solving through innovative collaborations has resulted in projects that validate, define, and expand community identity.</p> <p>The goals of the program are several: to enhance the artistic heritage of Miami-Dade County, to give dimension to the public environment for residents and visitors, to increase public awareness to works of art, and to</p>

¹ <http://www.miamidadepublicart.org/#about>

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

Item No.	Research Notes
	promote understanding and awareness of the visual arts. The Art in Public Places program has given Miami-Dade County national visibility in the arts and a leadership role in public programming. Through Art in Public Places, the County supports the development of a unique and vital civic environment.
3D 161550	RESOLUTION APPROVING INTERLOCAL AGREEMENT BETWEEN VILLAGE OF PALMETTO BAY AND MIAMI-DADE COUNTY RELATING TO GRANT IN AMOUNT OF \$7,500,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT 124 ECONOMIC DEVELOPMENT FUND AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND DELIVER INTERLOCAL AGREEMENT ON BEHALF OF COUNTY
Notes	<p>The proposed resolution approves an Interlocal Agreement (Interlocal) with the Village of Palmetto Bay, Florida (Village), which is associated with a previously approved allocation by the BCC in the amount of \$7.5 million from Building Better Communities General Obligation Bond (BBC-GOB) Program Project No. 124 Economic Development Fund (Project No. 124) for Downtown Palmetto Bay Development (GOB Project).</p> <p>Approval of the Interlocal will fund certain public infrastructure improvements in connection with the revitalization of its Downtown District in the southwestern area of the Village (Development). Phase I of the Development is the Downtown Streetscape Project, which involves the transformation of Franjo Road into a pedestrian-friendly street, and the construction of new lateral roads. Phase II is the Transit Station that involves the construction of a transit station with ground retail and upper level parking.</p> <p><u>Fiscal Impact/Funding Source</u></p> <p>The total anticipated cost of the public infrastructure improvements under Phase I is projected at \$12.44 million. The Village will be responsible for the remaining \$4.94 million. Pursuant to the Interlocal, all reimbursements to the Village will be in accordance with the BBC-GOB Program Administrative Rules (Administrative Rules).</p> <p>The Interlocal provides that \$7.5 million from the BBC-GOB Project No. 124 will be made available to the Village on a reimbursable basis for costs related to the GOB Project. The funding source for the Interlocal is BBC-GOB Program bond proceeds.</p> <p>The County anticipates reimbursement funding under the Interlocal to be made available in fiscal year 2017-2018. The Interlocal will partially offset the cost of roadway improvements, new drainage, underground utilities, expanded sidewalks, pavers, traffic circles, lighting, landscaping, new lateral roads and construction of parking garage and amenities of eligible infrastructure.</p> <p>The Interlocal requires the Village to provide evidence that the Village funded an amount of capital cost from Village funds equal to 39.71 percent of the invoice amount being submitted to the County for reimbursement. The Village will also be responsible for the management of the Project. It is anticipated that the Village will be reimbursed for eligible costs over a period of 18 months, which will satisfy the Federal reimbursement requirements as well as the County's policy that reimbursements be disbursed over a period that is no more than five (5) years.</p> <p><u>Additional Information</u></p> <p>On April 21, 2015, the BCC, through Resolution No. R-334-15, waived the requirement in the Administrative Rules that each Economic Development Project 124 allocation be a minimum of \$10,000,000.00 for the Village of Palmetto Bay with regard to the Downtown Palmetto Bay Project and, <u>subject to the Recaptured Funds becoming available for re-allocation</u>, and approved an allocation of up to \$7.5 million from Project 124 to the Village of Palmetto Bay for the Downtown Palmetto Bay Project.</p> <p><i>The County will reallocate Recaptured Funds to projects in the order in which projects are allocated Project 124 Funds (i.e. the oldest allocation will receive Recaptured Funds first). Recaptured Funds will be allocated to the Downtown Palmetto Bay Project as such Recaptured Funds become available until such project is fully funded in the amount of the allocation approved by the BCC.</i></p>

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

Item No.	Research Notes
	<p>Additional Information on Recaptured Fund Allocations On April 21, 2015, the BCC approved \$15,000,000 in allocations, <u>subject to Recaptured Funds</u>, from the EDF Project 124 fund to the following projects:</p> <ul style="list-style-type: none"> • R-349-15- Allocating \$7,500,000- Neuroscience Centers of Florida Foundation, Inc. to fund Project Mercy; and • R-334-15- Allocating \$7,500,000- to the Village of Palmetto Bay for the Downtown Palmetto Bay Project. <p>On May 5, 2015, the BCC, through Resolution No. R-431-15, waived the Administrative Rules that each Project 124 allocation be a minimum of \$10,000,000.00 for Turnberry Airport Holdings, LLC with regard to the Fontainebleau Aviation Project and, <u>subject to the Recaptured Funds becoming available</u> for re-allocation and the future consideration by the BCC of a Grant Agreement between the County and Turnberry Airport Holdings, LLC, and approved an allocation of up to \$5,000,000.00 from Project 124 to Turnberry Airport Holdings, LLC for the Fontainebleau Aviation Project.</p> <p>On October 6, 2015, the BCC, through Resolution No. R-886-15, approved the allocation, <u>subject to the availability of Recaptured Funds</u>, of up to \$10,000,000.00 from Project 124 Funds, to Wexford Miami, LLC for the University of Miami Life Science and Technology Park Project.</p> <p>On November 3, 2015, the BCC, through Resolution No. R-997-15, waived the requirement in the Administrative Rules that each Project 124 allocation be a minimum of \$10,000,000.00 for NKMIA LLC with regard to the Naem Khan Project and approved, an allocation, <u>subject to the availability of Recaptured Funds</u>, of up to \$1,500,000.00 from Project 124 to NKMIA LLC for the Naem Khan Project.</p>
3E 161461	RESOLUTION APPROVING GRANT AGREEMENT BETWEEN OAK PLAZA ASSOCIATES (DEL.) LLC AND MIAMI-DADE COUNTY RELATING TO GRANT IN AMOUNT OF \$2,000,000.00 FROM PROJECT 320 ECONOMIC DEVELOPMENT FUND OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE AND DELIVER GRANT AGREEMENT ON BEHALF OF COUNTY
Notes	<p>The proposed resolution approves a Grant Agreement (Agreement) with Oak Plaza Associates, LLC (Grantee), which is associated with a previously approved allocation by the BCC in the amount of \$2 million from Building Better Communities General Obligation Bond (BBC-GOB) Program Project No. 320 Economic Development Fund in Targeted Urban Areas (Project No. 320) for Miami Design District NE 2 Avenue (GOB Project).</p> <p><u>Fiscal Impact</u> The total anticipated cost of the public infrastructure is projected at \$4,438,000.00. The Grantee will be responsible for the remaining \$2,438,000.00 of the total project costs not covered under the Agreement. The Grantee will also be responsible for the management of the overall GOB Project. The Grantee has agreed to create or cause to be created 433 new full-time permanent jobs, each with an annual median salary of \$35,000.00 or higher.</p> <p>The County anticipates reimbursement funding under the Agreement to be made available in FY 2017-18.</p> <p><u>Additional Information</u> In November 2004, Miami-Dade County voters approved the issuance of \$352.182 million in general obligation bonds to, among other things, construct and improve bridges, public infrastructure, and neighborhood improvements as part of the BBC GOB Program. A total of \$15 million was allocated towards the Economic Development in the Targeted Urban Areas Fund Project 320. The Administrative Rules for the BBC GOB Program that govern Fund Project 320 were adopted by the BCC under Resolution No. R-668-10 on June 15, 2010.</p> <p>Funding from grant awards under Project 320 must be used for public infrastructure to spur economic development and attract new businesses to the community in order to create jobs. Public infrastructure includes</p>

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

Item No.	Research Notes
	<p>road improvements, water and sewer networks, public parking structures, public facilities and other improvements subject to certain limitations and evaluated on a case-by-case basis. Ineligible uses of the grant awards from Project 320 include, but are not limited to, working capital, furniture and fixtures, business equipment, and non-capital related expenses.</p> <p>The grant awards are disbursed as reimbursements of eligible expenditures paid by the grantees and approved by the Mayor or his designee in accordance with established administrative and IRS rules governing the tax-exempt status of the General Obligation Bond Program. The disbursement of grant funds are also contingent upon the developer meeting performance measures for job creation, private investment, average salaries and other measures in the respective grant agreements. In the event that IRS rules require grant funds to be disbursed before performance milestones can be met, a clawback provision will be included in the grant agreement that allows the County to recover part or all of the grant funds disbursed when performance milestones are not achieved.</p> <p>Prior to entering into grant agreements, a final determination as to the projects qualifications to receive the funds will be made. The grant agreements will be presented to the BCC for approval at a future date. If an agreement cannot be finalized, the funding may be reallocated by the BCC. If the allocations are greater than the amount of eligible public infrastructure expenditures needed, the difference will be available for reallocation by the BCC.</p> <p><u>Additional Information- Previous Economic Development Fund Project 320 Allocations</u></p> <p>The BCC has approved various resolutions (see below) allocating funding from the BBC GOB, EDF Fund Project 320. The resolutions also directed the Mayor or his designee to begin negotiating the terms of grant agreements that will be presented to the BCC for approval at a future date.</p> <ul style="list-style-type: none"> • R-900-14- \$3,000,000.00- Wynwood Plaza Project- District 3; • R-901-14- \$2,000,000.00- Miami Design District NE 2nd Avenue Project- District 3; • R-902-14- \$3,000,000.00- Regional Health and Wellness Center and the Culinary Enterprise Center- District 1- <i>(Rescinded)</i>; <ul style="list-style-type: none"> ○ <i>On May 5, 2015, the BCC, through Resolution No. R-427-15, rescinded Resolution No. R-902-14, which allocated \$3,000,000.00 of Project 320 funds to the Health and Culinary Center; and approved an allocation of up to \$2,000,000.00 from Project 320 funds to Seventh Avenue I, Ltd. Subject to the availability of Project 320 funds or Recaptured Funds becoming available for re-allocation and subject to the future consideration by the BCC of a Grant Agreement between the County and Seventh Avenue I, Ltd.</i> ○ <i>On May 5, 2015, the BCC, through Resolution No. R-432-15, rescinded Resolution No. R-902-14, which allocated \$3,000,000.00 of Project 320 funds to the Health and Culinary Center; and allocated up to \$2,800,000.00 from Project 320 funds to Urban Health and Wellness Group for the Wellness Center Project. Subject to the availability of Project 320 funds or Recaptured Funds becoming available for re-allocation.</i> • R-903-14- \$2,000,000.00- Sunshine Plaza Project- District 2; • R-904-14- \$200,000.00- St. James Smokehouse- District 2- <i>(Project Withdrawn)</i>; • R-905-14- \$3,000,000.00- Grove Village on Grand- District 7- <i>(Rescinded)</i>; <ul style="list-style-type: none"> ○ <i>On October 6, 2015, the BCC, through Resolution No. R-909-15, rescinded Resolution No. R-905-14, which allocated \$3,000,000 of Project 320 funds to Grove Village on Grand.</i> • R-225-16- \$1,500,000.00- Homestead Downtown Revitalization-; • R-423-16- \$1,100,000.00- Jessie Trice Community Health Center, Inc.- District 1- <i>(Subject to recaptured funds)</i>; and • R-420-16- \$2,000,000.00- Tacolcy Tuscany Cove I, LLC- District 3- <i>(Subject to recaptured funds)</i>.

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

Item No.	Research Notes
	<i>The County will reallocate Recaptured Funds to projects in the order in which projects are allocated Project 320 Funds (i.e. the oldest allocation will receive Recaptured Funds first). Recaptured Funds will be allocated to each project as such Recaptured Funds become available until such project is fully funded in the amount of the allocation approved by the BCC.</i>
3F 161605	RESOLUTION APPROVING PROPOSED FISCAL YEAR 2015 LITTLE HAITI SMALL DEVELOPMENTS DOCUMENTARY STAMP SURTAX FUNDING RECOMMENDATION IN AN AMOUNT UP TO \$500,000.00 IN FISCAL YEAR 2015 DOCUMENTARY STAMP SURTAX FUNDS TO IAMI REAL ESTATE INVESTMENTS, LLC HOUSING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN
Notes	<p>The proposed resolution approves the proposed funding recommendations for up to \$500,000.00 for the FY 2015 Request for Applications (RFA) for the Documentary Stamp Surtax (Surtax) Program for Iami Real Estate Investments, LLC; authorizes the County Mayor or designee to execute all letters of commitment, contracts, agreements, and amendments pursuant to the proposed Surtax funding recommendation; and waives the provisions of Resolution No. R-343-15, limiting the total amount of Documentary Surtax funding to 15 percent of total development cost for rehabilitation developments.</p> <p>This will allow the developer (Iami Real Estate Investments, LLC) to be awarded \$500,000.00 in Surtax funds to develop a 23-unit, rehabilitation multi-family affordable rental housing development.</p> <p>The award of Surtax and SHIP funds will not have a negative fiscal impact on the County's General Fund.</p> <p>Background</p> <p>The FY 2015 Little Haiti Small Development RFA was made available on April 29, 2016 and applications were due by May 13, 2016. The RFA included the provisions of Resolutions Nos. R-343-15 and R-346-15, which define and limit the total amount of Surtax funds that may be awarded to a percentage of the Total Development Cost and establish a Maximum Total Development Cost per unit of surtax funds that may be awarded for affordable housing projects. All proposals were reviewed and scored by a Selection Committee.</p> <p>The recommendation for this award is based on a credit underwriting review and a positive recommendation of the projects' financial feasibility that was conducted by staff. The loan will be subject to those loan terms prescribed in the FY 2015 Little Haiti Small Development Surtax Request for Applications and is subject to change at the discretion of the County Mayor or designee based upon the credit underwriting analysis.</p>