



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

November 15, 2016
9:30 A.M.
Commission Chamber

Research Division

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

**Board of County Commissioners
November 15, 2016 Meeting
Research Notes**

Item No.	Research Notes																																																																		
4A 162083	ORDINANCE PERTAINING TO ANIMALS; REPEALING REGULATIONS PERTAINING TO PIT BULL DOGS; DELETING SECTIONS 5-17 THROUGH 5-17.7 AND AMENDING SECTION 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE																																																																		
Notes	<p>The proposed ordinance:</p> <ul style="list-style-type: none"> • Repeals regulations pertaining to pit bull dogs; • Deletes Sections 5-17 through 5-17.7; and • Amends Section 8CC-10 of the Miami-Dade County Code relating to civil penalties. <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2">Additional Information on States with Pitbull Bans¹</th></tr> <tr> <th>State</th><th>Number of Cities with Pit Bull Ban</th></tr> </thead> <tbody> <tr><td>Alabama</td><td>8</td></tr> <tr><td>Alaska</td><td>1</td></tr> <tr><td>Arkansas</td><td>27</td></tr> <tr><td>Colorado</td><td>7</td></tr> <tr><td>Florida</td><td>1 (Miami-Dade County)</td></tr> <tr><td>Georgia</td><td>2</td></tr> <tr><td>Idaho</td><td>3</td></tr> <tr><td>Illinois</td><td>5</td></tr> <tr><td>Indiana</td><td>4</td></tr> <tr><td>Iowa</td><td>77</td></tr> <tr><td>Kansas</td><td>61</td></tr> <tr><td>Kentucky</td><td>16</td></tr> <tr><td>Louisiana</td><td>6</td></tr> <tr><td>Maryland</td><td>2</td></tr> <tr><td>Michigan</td><td>16</td></tr> <tr><td>Mississippi</td><td>12</td></tr> <tr><td>Missouri</td><td>57</td></tr> <tr><td>Montana</td><td>3</td></tr> <tr><td>Nebraska</td><td>10</td></tr> <tr><td>New Mexico</td><td>1</td></tr> <tr><td>New York</td><td>1</td></tr> <tr><td>North Dakota</td><td>12</td></tr> <tr><td>Ohio</td><td>29</td></tr> <tr><td>Rhode Island</td><td>1</td></tr> <tr><td>Tennessee</td><td>20</td></tr> <tr><td>Texas</td><td>1</td></tr> <tr><td>Vermont</td><td>1</td></tr> <tr><td>Washington</td><td>14</td></tr> <tr><td>West Virginia</td><td>2</td></tr> <tr><td>Wisconsin</td><td>34</td></tr> <tr><td>Wyoming</td><td>2</td></tr> </tbody> </table> <p>Additionally, 292 U.S. Military Bases have breed-specific Pit bull laws in place.²</p>	Additional Information on States with Pitbull Bans ¹		State	Number of Cities with Pit Bull Ban	Alabama	8	Alaska	1	Arkansas	27	Colorado	7	Florida	1 (Miami-Dade County)	Georgia	2	Idaho	3	Illinois	5	Indiana	4	Iowa	77	Kansas	61	Kentucky	16	Louisiana	6	Maryland	2	Michigan	16	Mississippi	12	Missouri	57	Montana	3	Nebraska	10	New Mexico	1	New York	1	North Dakota	12	Ohio	29	Rhode Island	1	Tennessee	20	Texas	1	Vermont	1	Washington	14	West Virginia	2	Wisconsin	34	Wyoming	2
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¹ <http://www.dogsbite.org/legislating-dangerous-dogs-state-by-state.php>

² <https://www.scribd.com/doc/56495216/Estimated-U-S-Cities-Counties-States-and-Military-Facilities-with-Breed-Specific-Pit-Bull-Laws>

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	<p><u>Additional Information on Relevant Legislation:</u></p> <p>During the Public Safety and Healthcare Administration Committee meeting on February 14, 2012, File No. 120173, which would place a non-binding straw ballot question on the August 14, 2012 primary election ballot regarding whether or not the electors support the County's ban on pit bull dogs, was discussed and tabled as follows:</p> <ul style="list-style-type: none"> • <i>The Committee noted the way dogs were socialized and trained determined whether they were dangerous and pointed out that the current dangerous dog ordinance served the same purpose as the ban on pit bulls.</i> • <i>The Committee explained pit bulls were not high on the Animal Services Department list of aggressive dogs and bites.</i> • <i>The Committee expressed concern that the State Legislature was addressing this issue, which would preempt the County's Home Rule Charter and Amendment (Charter). It was noted that the State Legislature session would end March 9, which was prior to the next Committee meeting scheduled on March 13, 2012. It was suggested that the Committee defer this proposal to March 13.</i> • <i>The Committee asked the Animal Services Department Director to verify whether the fiscal impact to the County of the pit bull ban was \$3 million.</i> • <i>The Director of the Animal Services Department pointed out that \$3 million was more than the department's entire budget for enforcement, and that pit bulls accounted for two percent of the enforcement expenses.</i> • <i>The Committee requested an update on the legislation in Tallahassee that would preempt the Charter and end the County ban on pit bulls.</i> • <i>The Director noted he spoke with that Assistant County Attorney earlier in the day, and the proposed legislation had committee meetings in both the Florida House of Representatives and the Florida Senate. He noted the committee meetings were not scheduled, and would require 36 hours advanced notice.</i> • <i>The Committee questioned whether the ban on pit bulls resulted in a mass decrease in the number of dog maulings, to which the Director noted he did not have data dating back to 1989 when the ban on pit bulls was put in place. He explained that in 2011, approximately 400 pit bulls were in County animal shelters. He pointed out the number bites by pit bulls was very low.</i> • <i>The Committee questioned how the County would handle a situation where a breed other than a pit bull mauled a child, to which the Director explained the County would treat that dog as a dangerous dog and quarantine it to check for rabies. He clarified the County would not treat the dog of another breed any different than a pit bull.</i> • <i>It was suggested that the Committee wait until the State Legislative session ended before voting on this proposal.</i> • <i>In response to a question regarding the impact of the State Legislature passing the related proposed legislation, the Assistant County Attorney advised that legislation would preempt the County law and make it unenforceable.</i> • <i>It was moved by the Committee that this proposed resolution be tabled. The motion was seconded and approved.</i> • <i>It was moved by the Committee that the County Attorney prepare an ordinance that would repeal County legislation that banned county residents from owning pit bulls with an effective date after the August 14, 2012, primary election and contingent upon the passage of a referendum by voters to repeal the pit bull ban. This motion was seconded and approved.</i> <p>Chapter 5 Section 5-23 of the Miami-Dade County Code provides regulations for dangerous and aggressive dogs.</p> <p>On May 1, 2012, the BCC, through Ordinance No. 12-33, repealed regulations pertaining to pit bull dogs. The provisions of Ordinance 12-33 were to become effective upon passage of a referendum during the August 14, 2012 primary election authorizing the ordinance to take effect.</p> <p>During the BCC meeting on May 1, 2012, Ordinance 12-33 was discussed as follows:</p> <ul style="list-style-type: none"> • <i>The Assistant County Attorney advised that the ballot question would read: "Shall the ordinance repealing the County's 23 year-old law prohibiting the ownership of pit bulls as a dangerous breed of dogs become effective".</i>

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	<ul style="list-style-type: none">• The Assistant County Attorney explained that the proposed ordinance would remove the 23 year-old law from the books and that the proposed ordinance would give effect to the ballot question.• The County Attorney further explained that the BCC was repealing the pit pull regulation with the proposed ordinance, subject to approval of the voters. If the voters did not pass the ballot question, the ordinance would not go into effect, he noted.• The Assistant County Attorney explained that in this case, it was not possible to just have a ballot referendum that would have the effect of repealing the 23 year-old law. He clarified that it was necessary to also have an ordinance, and by having the BCC pass the ordinance, if the ballot question was approved, it would come into effect immediately.• The Commission further clarified that some State legislators wanted to pre-empt this proposed ordinance; however, the BCC and the State legislators agreed that the commissioners would vote on the ordinance. <p><u>Additional Information on August 14, 2012 Primary Election Ballot Results³:</u> On August 14, 2012 Miami-Dade County voters elected to retain the ban on pit bull dogs.</p> <ul style="list-style-type: none">• Ballot question: “Shall the ordinance repealing the County’s 23 year-old law prohibiting the ownership of pit bulls as a dangerous breed of dogs become effective”.• Results:<ul style="list-style-type: none">○ Yes – 36.72%○ No – 63.28%									
4B 162523	ORDINANCE RELATING TO ANNEXATION PROCEDURES; AMENDING SECTIONS 20-3 AND 20-7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING A MUNICIPALITY TO PROVIDE A COMPARISON BETWEEN COUNTY AND MUNICIPAL LAND USE REGULATIONS PRIOR TO MUNICIPAL ANNEXATION OF UNINCORPORATED AREAS IN THE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE									
Notes	<p>The proposed resolution relating to annexation procedures amends Sections 20-3 and 20-7 of the Miami-Dade County Code requiring a municipality to provide a comparison between County and Municipal Land Use Regulations prior to Municipal annexation of Unincorporated Areas in the County.</p> <p><u>Background</u> On December 3, 2013, the BCC adopted Resolution No. R-1006-13 directing the Mayor or designee to identify one or more universities or a professional consultant to contract with the County to analyze and make recommendations concerning future incorporations and annexations within the unincorporated area. On November 5, 2015, the BCC adopted Resolution No. R-972-14 authorizing the Mayor or designee to enter into an agreement with PMG Associates, Inc. to perform an analysis and carry out the recommendations pursuant to Resolution No. R-1006-13.</p> <p>PMG Associates, Inc. submitted a report to the BCC dated October 27, 2015 entitled “Analysis of Incorporation and Annexation Within the Unincorporated Areas”. Among other things, the report recommended that existing zoning regulations and other restrictions, particularly those related to location and hours and days of sale for businesses, be compared to relevant municipal requirements at the time of annexation to ensure consistency.</p> <table><tr><th colspan="3">Code Comparison Chart Sections 20-3 and 20-7 of the Miami-Dade County Code</th></tr><tr><th>Section</th><th>Current</th><th>Proposed</th></tr><tr><td>Sec. 20-3. <i>Initiated by governing body of municipality.</i></td><td>Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary</td><td>Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary changes, according to the current tax assessment roll, and</td></tr></table>	Code Comparison Chart Sections 20-3 and 20-7 of the Miami-Dade County Code			Section	Current	Proposed	Sec. 20-3. <i>Initiated by governing body of municipality.</i>	Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary	Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary changes, according to the current tax assessment roll, and
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³ <http://results.enr.clarityelections.com/FL/Dade/40545/96726/en/vts.html?cid=0242>

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		<p>changes, according to the current tax assessment roll, and pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:</p> <p>(A) An accurate legal description of the lands or land area involved in such proposed boundary change.</p> <p>(F) In addition to the foregoing, there shall be filed with the Clerk of the County Commission the following information:</p> <p>(1) Land use plan and zoning. The municipality shall present a general land use plan and a map showing proposed zoning for the subject area which, if annexed, will be enacted by the municipality. This information shall be submitted regardless of size of area or state of existing development.</p>	<p>pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:</p> <p>(A) An accurate legal description of the lands or land area involved in such proposed boundary change.</p> <p>(F) In addition to the foregoing, there shall be filed with the Clerk of the County Commission the following information:</p> <p>(1) Land use plan and zoning. The municipality shall present a general land use plan and a map showing proposed zoning for the subject area which, if annexed, will be enacted by the municipality. In addition, the municipality shall provide a comparison between existing County land use regulations governing the subject area and the relevant municipal land use regulations, including, but not limited to, any zoning restrictions pertaining to location of businesses and hours and days of sale for businesses, to identify how businesses may be impacted upon annexation. This information shall be submitted regardless of size of area or state of existing development.</p>
	<p>Sec. 20-7. <i>Public hearing.</i></p>	<p>The Clerk of the County Commission, upon receipt of the recommendations of the Planning Advisory Board, shall set the matter of such proposed boundary changes for public hearing at a regular meeting of the County Commission and cause notice of such public hearing to be published in a daily newspaper of general circulation in Miami-Dade County at least once not less than one (1) week prior to the date of such public hearing. Notice of such public hearing shall be furnished to a representative of the petitioner or the municipality initiating the proposed boundary change, to all property owners within the area and within six hundred (600) feet thereof and any adjacent municipality. The cost</p>	<p>The Clerk of the County Commission, upon receipt of the recommendations of the Planning Advisory Board, shall set the matter of such proposed boundary changes for public hearing at a regular meeting of the County Commission and cause notice of such public hearing to be published in a daily newspaper of general circulation in Miami-Dade County at least once not less than one (1) week prior to the date of such public hearing. Notice of such public hearing shall be furnished to a representative of the petitioner or the municipality initiating the proposed boundary change, to all property owners within the area and within six hundred (600) feet thereof and any adjacent municipality. The cost of such notice shall be paid by the individual, group or municipality initiating the proposed change. At such public</p>

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	<p>of such notice shall be paid by the individual, group or municipality initiating the proposed change. At such public hearing, the County Commission shall review and consider the recommendations of the Planning Advisory Board, and shall afford to all interested persons an opportunity to be heard upon the merits and propriety of the proposed boundary changes.</p> <p>(A) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for boundary change shall consider the following guidelines:</p> <p>(1) The suitability of the proposed boundaries, in conjunction with the existing municipality, provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:</p> <p>(a) Not divide a U.S. Census Designated Place, to the extent feasible.</p> <p>(b) Include adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned.</p> <p>(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more than eighty (80) percent of its boundary by one (1) or more municipalities and 2) of a size that could not be serviced efficiently or effectively.</p> <p>(d) Have natural or built barriers as boundaries, to the extent feasible, and</p> <p>hearing, the County Commission shall review and consider the recommendations of the Planning Advisory Board, and shall afford to all interested persons an opportunity to be heard upon the merits and propriety of the proposed boundary changes.</p> <p>(A) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for boundary change shall consider the following guidelines:</p> <p>(1) The suitability of the proposed boundaries, in conjunction with the existing municipality, provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:</p> <p>(a) Not divide a U.S. Census Designated Place, to the extent feasible.</p> <p>(b) Include adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned.</p> <p>(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more than eighty (80) percent of its boundary by one (1) or more municipalities and 2) of a size that could not be serviced efficiently or effectively.</p> <p>(d) Have natural or built barriers as boundaries, to the extent feasible, and</p> <p>(10) How businesses may be impacted upon annexation, based on a comparison between existing County land use regulations governing the subject area and the relevant municipal land use regulations, including, but not limited to, any zoning restrictions pertaining to location of businesses and hours and days of sale for businesses.</p>
4C 162513	ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-13 AND 33-16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REGULATING REMOVAL OF FILL FROM LAKE EXCAVATION IN ZONING DISTRICTS OUTSIDE THE URBAN DEVELOPMENT BOUNDARY THAT AUTHORIZE RESIDENTIAL USES; PROHIBITING OFF-SITE TRANSFER OF SUCH FILL; PROVIDING FOR VARIANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance amends Sections 33-13 and 33-16 of the Miami-Dade County Code regulating removal of fill from lake excavation in zoning districts outside the Urban Development Boundary that authorizes residential uses. The proposed ordinance further prohibits off-site transfer of such fill.
7A 162423	ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PORTABLE MINI-STORAGE UNITS REQUIREMENTS; REQUIRING A CERTIFICATE OF USE FOR UNITS RATHER THAN A ZONING IMPROVEMENT PERMIT; SHORTENING TIME ALLOWED FOR

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11A9 162268	<p>PLACEMENT OF UNITS; REQUIRING UNITS TO BE SECURED; ADDING STANDARDS FOR MAINTENANCE OF UNITS; AMENDING SECTION 33-8.1; REMOVING ZONING IMPROVEMENT PERMIT REQUIREMENT FOR PORTABLE MINI-STORAGE UNITS; AMENDING SECTION 8CC-10; REVISING CIVIL PENALTIES RELATING TO ALL PORTABLE MINI-STORAGE UNIT VIOLATIONS; REDUCING CIVIL PENALTY FOR FIRST OFFENSES; PROVIDING FOR DELAYED ENFORCEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 161510][SEE AGENDA ITEM NO. 11A9]</p> <p>RESOLUTION DIRECTING THE MAYOR OR MAYOR’S DESIGNEE TO CREATE A SPECIAL CERTIFICATE OF USE CATEGORY FOR PORTABLE MINI-STORAGE UNITS IN UNINCORPORATED MIAMI-DADE COUNTY AND DIRECTING THE MAYOR OR MAYOR’S DESIGNEE TO IMPLEMENT ASSOCIATED PROCEDURES; AMENDING IMPLEMENTING ORDER NO. 4-111 TO PROVIDE FOR A SPECIAL PORTABLE MINI-STORAGE UNIT CATEGORY AND ASSOCIATED FEE FOR SAID CERTIFICATE OF USE APPLICATIONS [SEE AGENDA ITEM NO. 1G4]</p>									
Notes	<p><u>7A – 162423:</u> The proposed ordinance:</p> <ul style="list-style-type: none">Amends Section 33-20 of the Miami-Dade County Code (Code) requiring a certificate of use, as opposed to the existing requirement of a zoning improvement permit, prior to the placement of a portable mini-storage unit on properties within unincorporated Miami-Dade County;Requires a certificate of use for units rather than a zoning improvement permit for a period not to exceed 30 consecutive days in all instances;Specifies that:<ul style="list-style-type: none">The certificate of use will be placed in a conspicuous place visible to law/code enforcement officers;Only two (2) certificates of use may be issued for a site during a 12-month period;The property cannot have a portable mini-storage unit for more than 60 days total in a calendar year; andMini-portable storage units must be removed immediately upon issuance of a hurricane watch, among others.Amends schedule of civil penalties to establish a \$250.00 penalty for first offense and a \$500.00 penalty for subsequent offenses;Reduces civil penalties for first offenses; andProvides for delayed enforcement. <p><i>During the Unincorporated Municipal Service Area Committee on October 11, 2016, the proposed ordinance was amended to correct a scrivener’s error in Section 33-20(i)(10) and to add language to Section 33-20(i)(12) giving a property owner the option of securing the portable mini-storage unit against hurricane wind speeds of up to 100 mph and requiring property owners to attest that they have property insurance for damages caused by windstorms.</i></p> <p><u>Fiscal Impact Statement:</u> There is no anticipated fiscal impact to the County with the enactment of this ordinance amending the Code as additional staffing resources will not be required to issue the certificate of use, inspect, or issue notices of violation, if necessary. The implementation of a one-time courtesy warning will not have a significant impact on enforcement revenues. The Department of Regulatory and Economic Resources (Department) anticipates the issuance fee for the certificate of use to be \$123.47, which includes the requisite fee for inspection.</p> <ul style="list-style-type: none"><i>According to Implementing Order 4-111, the Certificate of Use processing fee is \$36.70 and the Certificate of Use inspection fee is \$86.97.⁴</i> <table><tr><th colspan="3">Code Comparison Chart Sections 33-20 and 8CC-10</th></tr><tr><th>Section</th><th>Current</th><th>Proposed</th></tr><tr><td>Sec. 33-20. Accessory buildings; utility sheds and pergolas;</td><td>(i) Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner’s lot,</td><td>(i) Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner’s lot, parcel or tract and is designed to be delivered to</td></tr></table>	Code Comparison Chart Sections 33-20 and 8CC-10			Section	Current	Proposed	Sec. 33-20. Accessory buildings; utility sheds and pergolas;	(i) Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner’s lot,	(i) Portable mini-storage unit. For the purpose of this section, the term portable mini-storage unit shall mean a portable container designed for the storage of personal property that is placed on a homeowner’s lot, parcel or tract and is designed to be delivered to
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⁴ <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/io4-111.pdf>

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	<p><i>swimming pools; fallout shelters; boat storage; portable mini-storage units.</i></p>	<p>parcel or tract and is designed to be delivered to and/or removed from the homeowner's site by a truck or other street-legal vehicle.</p> <p>One temporary portable mini-storage unit may be placed on a fee simple lot, parcel or tract containing a single-family residence, subject to the following conditions and limitations:</p> <p>(1) The homeowner:</p> <p>(a) has a valid building permit for the major remodeling of, or for a significant addition to, or for damage repair to the single-family residence on the lot, parcel, or tract whereon the portable mini-storage unit is requested to be placed; or</p> <p>(b) is conducting work involving interior improvements that do not require a building permit; or</p> <p>(c) is using the portable mini-storage unit to move personal items or furnishings to another location; and</p> <p>(2) The portable mini-storage unit, shall not exceed 8 feet in width, 16 feet in length, and 8 feet in height; and</p> <p>(3) The portable mini-storage unit shall be placed at ground level, shall be setback a minimum of ten (10) feet from the front property line and a minimum of five (5) feet from all other property lines, and shall comply with the safe sight distance triangle regulations; and</p> <p>(4) In no instance shall hazardous material be placed in the portable mini-storage unit; and</p> <p>(5) The property owner shall apply for and obtain a Zoning Improvement Permit (ZIP) pursuant to Section 33-8.1 for a portable mini-storage unit that will be kept on the lot/parcel for more than 15 days.</p> <p>(6) The ZIP for the portable mini-storage unit shall be a conditional permit and shall be issued for a period not to exceed 90 days.</p> <p>(7) No mechanical, plumbing or electrical installations or connections are made to the portable mini-storage unit.</p> <p>(8) The portable mini-storage unit shall have clearly posted on the exterior of the unit, the name, current phone number and address of the company providing the portable mini-storage unit, a copy of the current ZIP permit issued for the mini-storage unit, and the date the portable mini-storage unit was placed at the site.</p> <p>(9) The conditional ZIP approval may be revoked by the Director at any time should the homeowner's utilization of such temporary portable mini-storage unit result in</p>	<p>and/or removed from the homeowner's site by a truck or other street-legal vehicle.</p> <p>One temporary portable mini-storage unit may be placed on a fee simple lot, parcel or tract containing a single-family residence, subject to the following conditions and limitations:</p> <p>(1) The homeowner:</p> <p>(a) Has a valid building permit for the major remodeling of, or for a significant addition to, or for damage repair to the single-family residence on the lot, parcel, or tract whereon the portable mini-storage unit is requested to be placed; or</p> <p>(b) Is conducting work involving interior improvements that do not require a building permit; or</p> <p>(c) Is using the portable mini-storage unit to move personal items or furnishings to another location; and</p> <p>(2) The portable mini-storage unit, shall not exceed 8 feet in width, 16 feet in length, and 8 feet in height; and</p> <p>(3) The portable mini-storage unit shall be placed at ground level, shall be setback a minimum of ten (10) feet from the front property line and a minimum of five (5) feet from all other property lines, and shall comply with the safe sight distance triangle regulations; and</p> <p>(4) In no instance shall hazardous material be placed in the portable mini-storage unit; and</p> <p>(5) The property owner shall apply for and obtain a Certificate of Use (C.U.) pursuant to Section 33-8 for a portable mini-storage unit that will be kept on the lot/parcel; and</p> <p>(6) The C.U. for the portable mini-storage unit shall be a conditional permit and shall be issued for a period not to exceed 30 consecutive days; and</p> <p>(7) The C.U. shall be placed in a conspicuous place on the portable mini-storage unit so as to be easily readable by law enforcement and code enforcement officials; and</p> <p>(8) No site may have more than 2 C.U.s issued for a portable mini-storage unit within a 12-month period. No site may have a portable mini-storage unit for more than 60 days total in a calendar year; and</p> <p>(9) No mechanical, plumbing or electrical installations or connections are made to the portable mini-storage unit. All portable mini-storage units must be kept in good, clean, and finished condition, with no visible signs of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks; and</p> <p>(10) The portable min-storage unit shall be locked at all times when it is not being loaded or unloaded</p> <p>(11) The portable mini-storage unit shall have clearly posted on the exterior of the unit, the name, current phone number and address of the company providing the portable mini-storage unit, a copy of the current C.U. permit issued for the mini-storage unit, and the date the portable mini-storage unit was placed at the site.</p> <p>(12) The conditional C.U. approval may be revoked by the Director at any time should the homeowner's utilization of such temporary portable mini-storage unit result in unsafe or unsanitary conditions on the site or upon violation of any of the conditions or limitations stated herein. All portable mini-storage units shall be removed or secured to withstand winds in excess of 100 mph immediately</p>

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		unsafe or unsanitary conditions on the site or upon violation of any of the conditions or limitations stated herein.	<p>upon the issuance of a hurricane watch by a federal agency. Any property owner placing a portable mini-storage unit on their property must that they have property insurance for damages caused by windstorms.</p> <p>(13) Enforcement. A courtesy warning shall be issued prior to commencing any enforcement action, and the responsible party shall have five calendar days within which to correct the violation. Thereafter, the County may commence appropriate enforcement action.</p>								
	Sec. 8CC-10. <i>Schedule of civil penalties.</i>	N/A	<table><tr><th>Code Section</th><th>Description of Violation</th><th>Civil Penalty</th></tr><tr><td>33-20(i)</td><td>Failure to comply with regulations relating to portable mini-storage units</td><td>250.00</td></tr><tr><td></td><td>First offense</td><td>500.00</td></tr></table>	Code Section	Description of Violation	Civil Penalty	33-20(i)	Failure to comply with regulations relating to portable mini-storage units	250.00		First offense
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11A9 – 162268:

The proposed resolution:

- Directs the Mayor or Mayor’s designee to create a special certificate of use category for “Portable Mini-Storage Units,” located within unincorporated Miami-Dade County, to implement the associated procedures and to give effect to the intent of this resolution within 120 days from its enactment;
- Amends Implementing Order No. 4-111 to include a new special certificate of use category and \$36.70 fee for “Portable Mini-Storage Units,” located within unincorporated Miami-Dade County; and
 - The special certificate of use category services include the resources expended for intake of the certificate of use application, processing of the application, and record keeping.
- Adopts and approves the amendments to Implementing Order No. 4-111.

Additional Information on Unincorporated Municipal Service Area Committee Meeting Discussion

During the Unincorporated Municipal Service Area Committee meeting on October 11, 2016, the proposed ordinance was discussed as follows:

- *The Committee inquired if the proof of insurance requirement was retro-active and would necessitate existing pod owners to secure a certificate of use (CU) once legislature was adopted, to which the Assistant County Attorney explained that while the proposed ordinance and CU requirement would not be implemented until January 2017, there was already a procedure in place in which pod owners were required to secure a Zoning Improvement Permit “ZIP” for long term storage of pods on the property.*
- *The Committee requested clarification regarding the intent of the proposed ordinance and inquired whether the new requirements were intended to make the process more burdensome on residents or was simply aimed at limiting the length of time pods could remain on the property.*
- *It was explained that the intent of the item was to prevent abuse of the existing process.*
- *The Deputy Director for Office of Regulatory and Economic Resources noted that the proposed ordinance sought to limit the length of time pods could remain on property to 60 days in a calendar year. She pointed out that the existing policy allowed pods to remain on site for up to 15 days without a ZIP, or 90 days with the ZIP.*
- *The Deputy Director explained that the item would require residents to secure a CU for all storage pods in the future regardless of whether the pod would be used for only a short period of time (less than 15 days.) She explained that the foregoing proposed ordinance would allow staff to enforce rules and regulations more effectively.*
- *The Committee inquired about the process for securing a CU certificate, to which the Deputy Director noted that while residents could apply for the CU online, staff would be unable to verify whether residents had obtained the required insurance coverage. She added that residents would only be required to attest to having secured the appropriate insurance on the pods.*

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	<ul style="list-style-type: none"> The Assistant County Attorney confirmed that insurance coverage for the pods would be provided to staff through attestation from the applicant resident. There being no further questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as amended and Agenda Item 2L as presented. 														
11A1 162149	RESOLUTION OPPOSING POLICY UNDERLYING AMENDMENT 1 ENTITLED "RIGHTS OF ELECTRICITY CONSUMERS REGARDING SOLAR ENERGY CHOICE" ON THE NOVEMBER 8, 2016 GENERAL ELECTION BALLOT														
Notes	<p>The proposed resolution disapproves of and opposes the policy underlying Amendment 1 entitled "Rights of Electricity Consumers Regarding Solar Energy Choice" to the BCC's previously expressed support for efforts to increase solar energy generation and other forms of renewable energy in the state of Florida.</p> <p>Amendment 1, entitled "Rights of Electricity Consumers Regarding Solar Energy Choice," was presented to voters at the November 8, 2016 general election and was sponsored by an organization called Consumers for Smart Solar.</p> <p>Amendment 1 did not pass on November 8, 2016 after it failed to be approved by 60%.⁵</p> <ul style="list-style-type: none"> Election results: <ul style="list-style-type: none"> YES – 50.77% NO – 49.23% <table border="1" data-bbox="297 861 1459 1816"> <thead> <tr> <th colspan="2">Additional Information on Amendments 1⁶</th></tr> <tr> <th colspan="2">Florida Solar Energy Subsidies and Personal Solar Use Initiative</th></tr> </thead> <tbody> <tr> <td>Summary</td><td> <p>This amendment establishes a right under Florida's constitution for consumers to own or lease solar equipment installed on their property to generate electricity for their own use. State and local governments shall retain their abilities to protect consumer rights and public health, safety and welfare, and to ensure that consumers who do not choose to install solar are not required to subsidize the costs of backup power and electric grid access to those who do.</p> <p>The two main components of this initiative are as follows:</p> <ul style="list-style-type: none"> Would put the right to produce solar energy, which is provided by state statute, into the state constitution; and Would allow state and local governments to prevent people who do not choose to produce solar energy from being required to subsidize the production of solar energy. </td></tr> <tr> <td>Support</td><td>A vote "for" Amendment 1 supports adding a section in the state constitution giving residents of Florida the right to own or lease solar energy equipment for personal use while also enacting constitutional protection for any state or local law ensuring that residents who do not produce solar energy can abstain from subsidizing its production.</td></tr> <tr> <td>Opposition</td><td>A vote "against" Amendment 1 opposes constitutionalizing the right to own or lease solar equipment and the protection of laws preventing subsidization of solar energy, thereby, leaving the personal use of solar power protected as a right by state statute, and not by the constitution.</td></tr> <tr> <td>Arguments in Support</td><td> <p>Supporters argue that Amendment 1 would:</p> <ul style="list-style-type: none"> Guarantee the right of Florida residents to produce their own solar energy production; and Protect every Florida consumer, including those who do not produce their own solar energy, and address undesirable solar business practices like "third-party leasing". </td></tr> <tr> <td>Arguments in Opposition</td><td> <p>Opponents argue that Amendment 1:</p> <ul style="list-style-type: none"> Is backed by utilities and would extend their control over solar energy production while limiting customer solar production; </td></tr> </tbody> </table>	Additional Information on Amendments 1 ⁶		Florida Solar Energy Subsidies and Personal Solar Use Initiative		Summary	<p>This amendment establishes a right under Florida's constitution for consumers to own or lease solar equipment installed on their property to generate electricity for their own use. 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⁵ <http://enight.elections.myflorida.com/Constitutional/Amendment.aspx>

⁶ [https://ballotpedia.org/Florida Solar Energy Subsidies and Personal Solar Use, Amendment 1 \(2016\)](https://ballotpedia.org/Florida_Solar_Energy_Subsidies_and_Personal_Solar_Use,_Amendment_1_(2016))

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	<table border="1" data-bbox="298 247 1461 373"> <tr> <td data-bbox="298 247 505 373"></td><td data-bbox="505 247 1461 373"> <ul style="list-style-type: none"> • Would potentially prohibit the practice of net metering; • Is unnecessary and misleading because it would provide rights and protections that Florida residents already have; and • Would create barriers for solar customers. </td></tr> </table> <p><u>Additional Information – WLRN - What Do Florida's Two Solar Amendments Actually Mean For The Sunshine State?⁷:</u></p> <p>Amendment 1:</p> <ul style="list-style-type: none"> • <i>In order to understand what this means, you first have to understand the concept of net metering. Individuals or businesses with solar panels are rarely off the grid; they are still connected to power lines that bring in electricity from the utility companies like Florida Power & Light or Duke Energy.</i> • <i>One way of approaching net metering is with a bi-directional meter that counts outflow and inflow of power.</i> • <i>During the day, solar panels produce electricity and sometimes you generate more power than you need. That extra power goes out onto the grid, down the power lines and maybe to your neighbor's house. Nothing changes for them; they wouldn't even know that the power they're using came from the sun. You get paid for supplying this power.</i> • <i>At night or when it is cloudy, by contrast, your solar panels are not generating electricity. So your building pulls power from the grid, power generated by the utilities. You have to pay for this power.</i> • <i>The question Amendment 1 raises is: Who should pay for infrastructure like the power lines and power plants that everyone uses?</i> • <i>They way some see it, people who use solar and don't end up paying for electricity don't contribute enough to the maintenance of power lines and power plants.</i> • <i>Some argue that even if you are generating more electricity than you use, you still rely on the grid for those dark hours and the ability to sell your excess. It's about convenience.</i> • <i>The way persons who own solar would pay their fair share is unclear. The language in this amendment does not specify. But people on both side of the issue suspect it could mean a change in the rates solar generators are paid for their excess power, or it could be in the form of some monthly fee.</i> • <i>Supporters of Amendment 1 have raised millions of dollars, the vast majority from utility companies: FPL, Duke Energy, Tampa Electric Company and Gulf Power Company.</i> • <i>The Executive Director of the Southern Alliance for Clean Energy, says utility companies are not fans of people with solar simply because they're losing out on revenue from customers.</i> • <i>Some fear Amendment 1 because they say the Legislature could use it to make solar prohibitively expensive or create more barriers to solar.</i> <p><u>Additional Information on Relevant Legislation:</u></p> <p>On April 21, 2015, the BCC, through Resolution No. R-315-15, supported the expansion of solar photovoltaic energy by local governments in the state; welcomed the publication "Florida Solar Financing Action Plan, A Menu of Options" as a valuable resource for local governments seeking to expand the use of solar photovoltaic energy in their communities, without specifically endorsing or adopting any of the individual options contained within; and encouraged all other Florida counties to adopt R-315-15.</p> <p>On September 7, 2016, the BCC, through Resolution No. R-806-16, approved the policy underlying Amendment 4 entitled "Solar Devices or Renewable Energy Source Devices; Exemption from Certain Taxation and Assessment" and expressed support for efforts to increase solar energy generation and other forms of renewable energy in the State of Florida.</p>		<ul style="list-style-type: none"> • Would potentially prohibit the practice of net metering; • Is unnecessary and misleading because it would provide rights and protections that Florida residents already have; and • Would create barriers for solar customers.
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11A2 162522	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ALLOCATE FUNDING TO MIAMI-DADE COUNTY FOR THE SOUTH DADE MARKETING BRAND INITIATIVE		
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to allocate funding to Miami-Dade County or partnering organizations such as the Greater Miami Convention & Visitors' Bureau, the Beacon Council, or Economic Development Council of South Dade, for the South Dade Marketing Brand Initiative; 		

⁷ <http://wlrn.org/post/what-do-floridas-two-solar-amendments-actually-mean-sunshine-state>

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	<ul style="list-style-type: none"> • Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the funding and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 Federal Legislature Package when it is presented to the BCC. <p><i>For purposes of this marketing initiative, South Dade is defined as the area bordered on the north by SW 136th Street, on the west by the Miami-Dade County line, on the east by Biscayne National Park, and on the south by the county line separating Miami-Dade and Monroe Counties.</i></p> <p><u>Background</u></p> <p>The goal of the South Dade Marketing Brand Initiative is to brand the southern portion of Miami-Dade County as a dynamic, diverse, and highly attractive place for people to live, work, play, and visit.</p> <p>The need for a marketing initiative for this area first arose in the early 1990s after a series of events including Hurricane Andrew, the realignment and closure of the Homestead Airforce Base, and the ratification of the North American Free Trade Agreement, negatively impacted three important industries in South Dade: tourism, military, and agriculture. In the years that followed, there was an effort to develop, embrace, and implement a campaign to brand and position South Dade as a good place for people to live, work, play, and visit.</p> <p>Interest in a new brand for South Dade arose again in late 2014 during public meetings held as a part of the Tomorrow's South Dade visioning effort. The recommendations from those meetings included that South Dade develop a marketing plan that properly reflects its uniqueness and quality of life to reverse the long-held perception that the area is solely an affordably-priced housing community, and that South Dade become more sustainable from an economic perspective and work closer with all economic development organizations in Miami-Dade County to bring jobs to the area.</p> <p>The need for a branding initiative was again raised during the South Dade Solutions Summit meetings in 2015 and was the focus of the Summit in 2016.</p> <p>It has been determined that the Economic Development Council of South Dade should take the lead in bringing businesses and community organizations together to facilitate the branding and marketing effort. Among other things, the Economic Development Council of South Dade will need to work with businesses and community organizations to implement and track the branding and subsequent marketing plan for tourism and economic development in South Dade, track the demographics for the South Dade area, prepare periodic reports that demonstrate how the area is changing, and serve as the collective voice for economic prosperity in South Dade.</p>
11A3 162532	RESOLUTION URGING THE FLORIDA LEGISLATURE TO USE SADOWSKI ACT AFFORDABLE HOUSING TRUST FUND REVENUES SOLELY FOR AFFORDABLE HOUSING; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2017 STATE LEGISLATIVE SESSION
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to use Florida's Sadowski Act Affordable Housing Trust Fund revenues solely for affordable housing programs, and not continue to sweep documentary stamp tax/affordable housing trust fund revenues to the state general revenue fund for other purposes; • Preliminarily identifies the issue as a critical County priority for the 2017 state legislative session; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the legislative action and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the BCC and to preliminarily identify this item as a critical priority when the BCC determines priorities for the 2017 session as provided in Resolution No. R-764-13.

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	<p><u>Background</u></p> <p>In 1992, the Florida Legislature responded to the growing need for affordable housing assistance by enacting the William E. Sadowski Act, which created a dedicated source of revenue for affordable housing. This dedicated source of revenue consists of a 10-cent documentary stamp tax paid on the transfer of real estate, which began in August 1992, and a reallocation of 10 cents of existing documentary stamp tax revenues from general revenue to the Affordable Housing Trust Fund, which began in July 1995. The Sadowski Act Affordable Housing Trust Fund revenues are divided between state and local government housing trust funds, with 70 percent of the revenues going into the Local Government Housing Trust Fund and 30 percent going into the State Housing Trust Fund.</p> <p>Affordable Housing Trust Fund revenues support various state and local housing assistance programs, including the State Housing Initiatives Partnership (SHIP) Program and the State Apartment Incentive Loan (SAIL) Program.</p> <ul style="list-style-type: none"> • The SHIP Program serves very low, low and moderate income families and provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. SHIP funding may be used for emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-down, acquisition of property for affordable housing, homeownership counseling and matching dollars for federal housing grants and programs. • The SAIL Program provides low-interest loans on a competitive basis to affordable housing developers, with SAIL funding often serving to bridge the gap between a development's primary financing and the total cost of the affordable housing development. SAIL funds are available to individuals, public entities, not-for-profit and for-profit entities that propose the construction or substantial rehabilitation of multifamily units affordable to very low income individuals and families. <p>Since the 2010 session, the Florida Legislature each session has swept varying portions of documentary stamp tax/affordable housing trust fund revenues from affordable housing programs and diverted these funds to the state's general revenue fund as part of the effort to address sizable budget deficits. The total amount of revenues in the Affordable Housing Trust Fund estimated to be available for state fiscal year 2016-17 was approximately \$317 million.</p> <p>During the 2016 session, the Florida Legislature restored approximately 63 percent of the total \$317 million to affordable housing programs, sweeping roughly \$117 million of the \$317 million available in Affordable Housing Trust Fund revenues from affordable housing programs to the state general revenue fund for other purposes.</p>
11A4 162511	RESOLUTION URGING THE UNITED STATES CONGRESS TO PROVIDE FUNDING FOR FERTILITY SERVICES FOR WOUNDED VETERANS
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the United States Congress to fund fertility services for wounded veterans; • Directs the Clerk of the Board to transmit certified copies of this resolution to Senator Patty Murray, and the Members of the Florida Congressional Delegation; and • Directs the County's federal lobbyists to advocate for the action and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 Federal Legislative Package to include this item and add this item to the 2017 Federal Legislative Package when it is presented to the BCC. <p><u>Background</u></p> <p>Thousands of troops have suffered severe genital and spinal injuries that affect their reproductive abilities. Troops suffering from these injuries require fertility counseling or treatment, or must adopt if they want to become parents or have more children.</p> <p>During the 114th United States Congress, legislation sponsored by Senator Patty Murray (D-WA) was passed authorizing the United States Department of Veterans Affairs (VA) to provide in vitro fertilization treatments and other reproductive services to wounded veterans. However, the legislation did not provide any additional funding for in vitro fertilization treatments and other reproductive services.</p>

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11A5 162515	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD REQUIRE QUALIFIED TARGET INDUSTRY BUSINESSES TO FILL NOT LESS THAN 20 PERCENT OF THE JOBS CREATED WITH RESIDENTS OF THE COUNTY WHERE THE BUSINESS IS LOCATED
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to enact legislation that, to the extent permissible by law, would require Qualified Target Industry businesses to fill not less than 20 percent of the jobs created with residents of the County in which the business will be located; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the passage of the legislation and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 Legislative Package when it is presented to the BCC. <p><u>Background</u></p> <p>The Florida Legislature has codified in section 288.106(1), Florida Statutes, to encourage the growth of a high-value-added employment and economic base by providing tax refunds to qualified target industry businesses that create new high-wage employment opportunities by expanding existing businesses within this state or by bringing new businesses to this state. The Florida Legislature in support of the policy set forth in section 288.106(1), Florida Statutes, has enacted legislation creating the Qualified Target Industry Tax Refund Program (QTI Program), which permits tax refunds to qualified target industry businesses in accordance with section 228.106. The refunds permitted under the QTI Program include the following taxes due and paid by the qualified target industry business:</p> <ul style="list-style-type: none"> • Corporate income taxes under chapter 220, Florida Statutes; • Intangible personal property taxes under chapter 199, Florida Statutes; • Excise taxes under chapter 221, Florida Statutes; • Excise taxes on documents under chapter 201, Florida Statutes; and • Ad valorem taxes paid, as defined in section 220.03(1), Florida Statutes. <p>The state requires an applicant requesting certification as a qualified target industry business to include with its application, among other things, a resolution adopted by the BCC of the county in which the project will be located that recommends that the target industry business be approved as a qualified target industry business and that the commitments of local financial support necessary for the target industry business exist. The state also requires funding from local sources, public or private, (Local Financial Support) to be paid to the Economic Development Trust Fund equal to 20 percent of the annual tax refund for a qualified target industry business. In each application of a business seeking to be certified as a qualified target industry business, the BCC has provided the Local Financial Support from Miami-Dade County general fund revenue.</p> <p>Although Miami-Dade County has provided the Local Financial Support, there has been no guarantee or requirement that the businesses would hire or employ any residents of Miami-Dade County.</p> <p><u>Additional Information on Target Industry Business⁸</u></p> <p>According to section 288.106(1)(q), Florida Statutes, "target industry business" means a corporate headquarters business or any business that is engaged in one of the target industries identified pursuant to the following criteria developed by the department in consultation with Enterprise Florida, Inc.:</p> <ul style="list-style-type: none"> • Future growth— Industry forecasts should indicate strong expectation for future growth in both employment and output, according to the most recent available data. Special consideration should be given to businesses that export goods to, or provide services in, international markets and businesses that replace domestic and international imports of goods or services. • Stability— The industry should not be subject to periodic layoffs, whether due to seasonality or sensitivity to volatile economic variables such as weather. The industry should also be relatively resistant

⁸ http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0288/Sections/0288.106.html

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	<p>to recession, so that the demand for products of this industry is not typically subject to decline during an economic downturn.</p> <ul style="list-style-type: none"> • High wage— The industry should pay relatively high wages compared to statewide or area averages. • Market and resource independent— The location of industry businesses should not be dependent on Florida markets or resources as indicated by industry analysis, except for businesses in the renewable energy industry. • Industrial base diversification and strengthening— The industry should contribute toward expanding or diversifying the state's or area's economic base, as indicated by analysis of employment and output shares compared to national and regional trends. Special consideration should be given to industries that strengthen regional economies by adding value to basic products or building regional industrial clusters as indicated by industry analysis. Special consideration should also be given to the development of strong industrial clusters that include defense and homeland security businesses. • Positive economic impact— The industry is expected to have strong positive economic impacts on or benefits to the state or regional economies. Special consideration should be given to industries that facilitate the development of the state as a hub for domestic and global trade and logistics.
11A6 162507	RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT THE TERROR INTELLIGENCE IMPROVEMENT ACT OF 2016 OR SIMILAR LEGISLATION THAT WOULD PREVENT TERRORISTS FROM PURCHASING FIREARMS WHILE ALSO PROTECTING THE CONSTITUTIONAL RIGHTS OF LAW ABIDING CITIZENS
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the United States Congress to enact the Terror Intelligence Improvement Act of 2016 or similar legislation that would prevent terrorists from purchasing firearms while also protecting the constitutional rights of law abiding citizens; • Directs the Clerk of the Board to transmit a certified copy of this resolution to Senator Marco Rubio and the remaining Members of the Miami-Dade County Congressional Legislative Delegation; and • Directs the County's federal lobbyists to advocate for the legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 Federal Legislative Package to include this item and to include this item in the 2017 Federal Legislative Package when it is presented to the BCC. <p><u>Background</u></p> <p>United States Senator Marco Rubio (R-FL) introduced a bill, titled the Terror Intelligence Improvement Act of 2016, that would make it harder for suspected terrorists to purchase firearms and easier for law enforcement agencies to investigate and arrest terrorists, while safeguarding law-abiding citizens' Second Amendment and due process rights; and</p> <p>The Act would:</p> <ul style="list-style-type: none"> • Consolidate all federal terrorism intelligence under the FBI; • Require that the FBI Director and the Joint Terrorism Task Force be immediately notified of any request to transfer a firearm to an individual who was the subject of a federal terrorism investigation within the last 10 years; • Authorize the United States Attorney General to delay the purchase or transfer of firearms by an individual who was the subject of a federal terrorism investigation within the last 10 years, file an emergency petition to stop the purchase and make an arrest if the petition demonstrates probable cause that the individual engages, supports or has engaged or supported in terrorist plots; • Protect the due process rights of law-abiding Americans by ensuring emergency petitions filed by the United States Attorney General are only granted if the transferee receives notice of the hearing and has the opportunity to participate with legal counsel; and • Require the Inspector General of the Intelligence Community to conduct an audit of the federal government's terrorism screening and watch list procedures, and present recommendations for improving the system to the Senate and House Intelligence Committees.
11A7 162510	RESOLUTION OPPOSING STATE LEGISLATION THAT WOULD REVISE THE CURRENT FLORIDA RETIREMENT SYSTEM TO SHIFT NEW EMPLOYEES INTO A 401(K)-STYLE INVESTMENT PLAN RATHER THAN THE TRADITIONAL PENSION PLAN
Notes	The proposed resolution:

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	<ul style="list-style-type: none"> • Opposes any legislation filed for consideration during the 2017 session of the Florida Legislature that would revise the current Florida Retirement System to shift new employees into a 401(k)-style investment plan rather than the traditional pension plan; • Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, and the President and Executive Director of the Florida Association of Counties; and • Directs the County's state lobbyists to oppose the legislation and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the BCC. <p><u>Background</u></p> <p>The Florida Retirement System (FRS) was established in 1970 and is currently the fourth largest public retirement system in the United States. As of Fiscal Year 2015, membership in the FRS totaled 735,418, of which 598,369 were active members. FRS is the primary retirement system not only for employees of the State of Florida, but also for employees of all 67 Florida counties and district school boards, as well as 28 Florida state colleges and Florida universities. The FRS also serves as the primary retirement system for employees of 186 Florida municipalities and 262 Florida independent special districts that have made an irrevocable election to participate in the FRS.</p> <p>FRS members have two plan options available for participation: the defined benefit plan, commonly known as the traditional pension plan (Pension Plan), and the defined contribution plan, commonly known as the investment plan (Investment Plan), the latter of which is similar to the 401(k) retirement plans offered by many private employers. FRS employers are responsible for contributing a set percentage of each employee's monthly salary to the FRS to fund the program, and employees in both the Pension Plan and Investment Plan are also required to contribute three percent of their salary to fund the program. As of July 1, 2016, the Pension Plan was 85.4 percent actuarially funded, comfortably above the 80 percent benchmark generally identified for a healthy pension system.</p> <p>In recent years, numerous bills have been filed during the state legislative session seeking to revise the FRS to shift new public employees into a 401(k)-style investment plan rather than the Pension Plan, either by closing the Pension Plan to new employees or by defaulting new employees into the Investment Plan rather than the Pension Plan. Shifting new public employees into the Investment Plan from the Pension Plan is likely to lead to higher costs to maintain the current Pension Plan for both active and retired members and beneficiaries, thereby potentially undermining and destabilizing the long-term fiscal viability of the current Pension Plan by increasing the unfunded liability of the FRS pension fund.</p> <p>If more new public employees are shifted into the Investment Plan, over time there are likely to be fewer and fewer employees for whom contributions are made to support the FRS pension fund and increasingly more employees for whom contributions are made to support their individual 401(k)-style investment accounts. Florida law requires counties, like all FRS employers, to pay an actuarially-determined rate for each employee to fund the Pension Plan. These actuarially-determined rates are likely to increase if more new public employees are shifted into the Investment Plan and are thus no longer contributing to the FRS pension fund.</p> <p><u>Additional Information on Relevant Legislation</u></p> <p>On January 29, 2014, under Resolution No. 86-14, the BCC identified opposing changes to the current FRS pension plan as one of the County's state legislative priorities for the 2014 session.</p> <p>On February 19, 2014, the BCC, through Resolution No. R-179-14, opposed legislation that would revise the current Florida Retirement System to require new public employees to enroll in a 401(k) style retirement plan rather than the current pension plan.</p> <p>On February 18, 2015, the BCC, through Resolution No. R-181-15, urged the Florida Legislature to strengthen the current Florida Retirement System to protect participants in the system and opposed any legislation filed for consideration during the Florida Legislature's 2015 session that would revise the current Florida Retirement System to shift new employees into a 401(k)-style investment plan rather than the traditional pension plan.</p>

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	<p>On February 2, 2016, the BCC, through Resolution No. R-150-16, opposed any state legislation that would revise the current Florida Retirement System to shift new public employees into a 401(k)-style investment plan rather than the traditional pension plan.</p> <p><u>Additional Information – FRS Contributions, Payments and Investments⁹</u></p> <p>Contributions Pension contributions are the funds paid into pension systems. These contributions come from the employer (in the case of public pensions, the government) and employees. Investment earnings are the main source of increases in the fund.</p> <p>In fiscal year 2015, the most recent year for which information is available, total contributions of \$5.7 billion were made to Florida's state and local pension systems. Of this amount, \$1.6 billion came from employees. The remainder came from state and local governments.</p> <p>Payments Payments are the amounts paid to pension recipients by their pension plans. Pension payments include benefits and withdrawals. Benefits are the regular payments made by a pension plan to the plan's recipients. Pension beneficiaries may also withdraw funds before they are due to receive regular benefits.</p> <p>In fiscal year 2015, Florida's state and local pension systems made payments totaling \$10.9 billion.</p> <p>Investments The goal is that, by investing pension contributions, the pensioner will receive more money when he or she retires than he or she and the employer were able to contribute. These investments can come in the form of cash investments, short-term investments, securities, or other investments. Cash investments are usually low-risk, short-term investments that have a lower rate of return than other types of investments. Short-term investments are riskier than cash investments, but have the potential for greater returns. Securities can refer to stocks, bonds, or other types of financial certificates that hold some sort of financial value. As the values of these securities change, they can be traded to make a profit. While there are other applications of securities investments, this represents one of the most common practices.</p> <p>As of fiscal year 2015, Florida's state and local pension systems held \$187.4 billion in total cash and investment holdings.</p>
11A8 162505	RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE MIAMI-DADE EXPRESSWAY AUTHORITY TO PROVIDE INCREASED SIGNAGE REGARDING FLORIDA'S "SLOW TRAFFIC KEEP RIGHT" LAWS, AS DEFINED IN SECTION 316.081, FLORIDA STATUTES
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Department of Transportation and the Miami-Dade Expressway Authority to provide increased signage regarding Florida's "Slow Traffic Keep Right" laws, as defined in section 316.081, Florida Statutes; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, the Secretary of the Florida Department of Transportation, and the Executive Director of the Miami-Dade Expressway Authority; and • Directs the County's state lobbyists to advocate for the issues raised and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the BCC. <p><u>Background</u> The stated purpose of the Miami-Dade Expressway Authority is to ease traffic congestion on five Miami-Dade County roadways, including State Road 112/Airport Expressway, State Road 836/Dolphin Expressway, State</p>

⁹ https://ballotpedia.org/Public_pensions_in_Florida

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	<p>Road 874/Don Shula Expressway, State Road 878/Snapper Creek Expressway, and State Road 924/Gratigny Expressway.</p> <p>Motorists who impede the flow of traffic in the leftmost lanes of an expressway pose a hazard to other drivers and reduce the overall efficiency of commuting on roadways within Miami-Dade County. Nearly every state has adopted “keep right” laws to improve the efficiency and flow of traffic within its borders.</p> <p>The Florida Legislature has explicitly addressed this issue in its passage of section 316.081, Florida Statutes, which requires that any vehicle proceeding at less than the normal speed of traffic will be driven in the right-hand lane or as close as practicable to the right-hand lane of the roadway. Section 316.081 also requires that a driver may not continue to operate a motor vehicle in the leftmost lane of a two or more lane highway when the driver knows or reasonably should know that he or she is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed.</p> <p>In February 2016, the Florida Department of Transportation (FDOT) temporarily set up numerous dynamic messaging signs along the Florida Turnpike, Interstate 4, and other major roads reading: “SLOWER TRAFFIC KEEP RIGHT MINIMUM FINE \$121”.</p>
11A15 162547	<p>RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION AUTHORIZING COUNTIES TO CREATE INDEPENDENT SPECIAL DISTRICTS WITH THE POWER TO LEVY AD VALOREM TAXES UP TO ONE-HALF MILL, FOLLOWING APPROVAL BY VOTER REFERENDA, THAT WILL BE USED TO SUPPLEMENT CURRENT FUNDING FOR SENIOR SERVICES</p>
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to authorize counties or petitioners to create an independent special district, subject to referenda, with the power to levy an ad valorem tax of no more than one-half mill to supplement current funding for Senior Services; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation, the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation; and • Directs the County’s state lobbyists to advocate for the legislative action and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the BCC. <p><u>Background</u></p> <p>According to the Florida Department of Elder Affairs, more than 4.9 million residents are 60 years old or older. With a senior population expected to increase to 7.1 million by 2030, Florida ranks first in the nation as the state with the highest percentage of elderly citizens. Many senior citizens residing in Florida rely on social security and social services to meet their daily needs that are offered by the federal, state, and local governments, as well as not-for-profit and other organizations.</p> <p>Services for seniors funded or provided by Miami-Dade County include those that are used to (1) enable seniors to remain at home instead of being placed in a nursing home, (2) provide congregate and home delivered meals, recreation activities, adult day care, personal care, chore services, behavioral health, homemaker services, home repairs/renovations, medical supplies, transportation and training, support, education, counseling and respite for caregivers and (3) support families of seniors (collectively, Senior Services).</p> <p>Although Miami-Dade County has budgeted at least \$17,101,000.00 for the provision of Senior Services in Fiscal Year 2016-17, some unmet needs have been identified to include the provision of home health care assistance to 85 additional elderly individuals on a wait list of 1,054 individuals and the provision of home delivered meals from a wait list of 1,671 seniors.</p> <p>Section 125.901, Florida Statutes, authorizes counties to create independent special districts known as children’s services councils to provide funding for children’s services and programs that can levy a tax of no more than one-half mill. Similarly, section 154.331, Florida Statutes, authorizes counties to create dependent or independent special districts to provide funding for indigent and other health and mental health care services that can levy a tax of no more than one-half mill.</p>

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	<p><u>Additional Information on Senior Services Tax Levies</u> Ohio Senior Services Levies¹⁰</p> <p>In addition to state and federal funding, several Ohio counties and municipalities use senior services property tax levies and a dedicated sales tax to enhance and expand services to older adults. Currently, older citizens in 73 counties benefit from levies, including 70 that are countywide and 15 that are municipal (cities, townships, villages). Seniors in Cuyahoga and Montgomery counties benefit from four human service levies. Levy passages have increased significantly during the past decade, and currently generate more than \$139 million statewide each year.</p> <p>Countywide property tax senior services levies are based on the fair market value of real estate to expand services to older adults. Levies are implemented through voter approval as ballot issues and may be in effect for up to five years, at which time they can be placed back on the ballot for renewal.</p> <p>Missouri Senior Citizens' Services Fund Tax¹¹</p> <p>In November 2003, the majority of qualified voters of Clay County approved a levy to collect a tax not to exceed five cents per hundred dollars of assessed valuation upon all taxable property within the county for the purpose of providing services to persons sixty years of age or older as authorized in sections 67.990 to 67.995 of House Bill 351.</p> <p>The governing body of the county appoints a board of directors. The governing body of the county levies and collects a tax not to exceed five cents per one hundred dollars of assessed valuation upon all taxable property within the county. The governing body of the county must also approve the fund budget prepared and presented by the appointed board of directors. The administrative control and management of the funds in the senior citizens' services fund and all programs to be funded rest solely with the board of directors. The budget for the senior citizens' services fund must be approved by the governing body of the county prior to making of any payments from the fund in any fiscal year. The board of directors must use the funds in the senior citizens' services fund to provide programs which will improve the health, nutrition, and quality of life of persons who are sixty years of age or older.</p>

¹⁰ <https://aging.ohio.gov/information/seniorserviceslevies/>

¹¹ https://www.claycountymo.gov/Boards_and_Commissions/Senior_Citizen_Services_Board