



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Board of County Commissioners (BCC) Meeting

January 23, 2018
9:30 A.M.
Commission Chambers

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**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 5A
File No. 172755**

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY AND APPROVING THE AMENDMENT TO THE NARANJA LAKES COMMUNITY REDEVELOPMENT PLAN, AFTER A PUBLIC HEARING, CONTINGENT UPON THE AGENCY EXECUTING THE FIRST AMENDMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve the agreement between Miami-Dade County and the Naranja Lakes Community Redevelopment Agency and approve the amendment to the redevelopment plan.

APPLICABLE LEGISLATION/POLICY

Community Redevelopment Act of 1969; Chapter 163 of the Florida Statutes (Sections 163.330 through 163.450); outlines State procedures relating to CRAs; all powers arising pursuant to the Act are conferred upon counties with home rule charters:

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0163/part03.htm&StatuteYear=2006&Title=%2D%3E2006%2D%3EChapter%20163%2D%3EPart%20III

On July 21, 1998, the Board adopted **Resolution No. R-847-98**, declaring a geographical area in South Miami-Dade County as “slum and blight”. (No online record available for this resolution)

The Agency was created by the Board pursuant to **Ordinance No. 02-216** adopted on October 22, 2002. The ordinance also appointed the Agency’s board members and delegated the power to the Agency to prepare a Redevelopment Plan: <http://intra/gia/matter.asp?matter=023109&file=false&yearFolder=Y2002>

On May 6, 2003, the Board adopted **Resolution No. R-418-03**, approving the Plan, and funded the Plan by adopting Ordinance No. 03-106, which created the Trust Fund: <http://intra/gia/matter.asp?matter=031197&file=false&yearFolder=Y2003>

Resolution No. R-418-03, adopted by the Board on July 22, 2003, approved the Interlocal Agreement granting the Agency certain redevelopment powers: <http://intra/gia/matter.asp?matter=030969&file=true&yearFolder=Y2003>

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Daniella Levine Cava, District 8 and Commissioner Dennis C. Moss, District 9
Department/Requester: None**

12/11/17: The item was forwarded by the Housing and Social Services Committee (HSSC) to the BCC with a favorable recommendation.

During the Committee, during the public hearing, a member of the CRA spoke in support of the expansion. Commissioner Cava spoke in support of the expansion, and said there has been neglect towards the CRA, and funding and the expansion are necessary to “spark investment”. The director of Office of Management and Budget (OMB) spoke at the podium to clarify concerns, and making the Board aware, of the predicted revenues that this will bring, as well as the conditions of the smart plan and agreement, stressing that this will have a “significant impact” on the revenues. Commissioner Suarez asked for the total value of the existing tax roll in the area, and OMB assistant director answered that it is about \$370 million (15 years ago it was about 40% of that). Commissioner Suarez asked if there were still areas that were “slum and blighted”, to which the department answered that yes, there are quite a few areas that are still “slum and blighted”.

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FISCAL IMPACT

This item has no fiscal impact, the budget of the CRA is approved annually by the Board.

- Naranja Lakes CRA FY 2016-2017 Adopted Budget: <http://www.miamidade.gov/redevelopment/library/budgets/naranja-lakes-2016-17-adopted.pdf>

ANALYSIS

The Naranja Lakes Community Redevelopment Agency is an urban initiative to stimulate and guide the redevelopment of the Naranja Lakes area creating better neighborhoods to live, work and play. Naranja Lakes is a traditional neighborhood development with 1,567 residential units, retail shops, commercial buildings, public squares and greens, a Village Center with an outdoor public amphitheater and a childcare facility.

This agreement provides the redevelopment priorities for the area, which consists of 1,247 acres (1.95 square miles) and the Amended Redevelopment plan adds a 3,060 acres (4.78 square miles), to make the proposed redevelopment are a total of 4,307 acres (6.73 square miles), making it the largest community redevelopment agency in Miami-Dade County. This area falls into District 8 and 9, represented by Commissioner Cava and Commissioner Moss, respectively.

The agreement includes strategies for redevelopment of the proposed expanded area, including transportation projects, coordinating roadways, sidewalks, landscaping, infrastructure, retail and development of affordable housing.

ADDITIONAL INFORMATION

Naranja Lakes is poised for new growth that may well be precedent-setting model for future neighborhoods in Miami-Dade County. The first step in this process is the new community of Mandarin Lakes under development on 212-acres of vacant property that is part of the Naranja Lakes Community Redevelopment Area.

- Map of Naranja Lakes Area: <http://www.miamidade.gov/redevelopment/library/maps/naranja-lakes.pdf>
- Miami-Dade County Office of Management and Budget CRA Website: <http://www.miamidade.gov/redevelopment/>
- Miami-Dade County CRA's Meetings and Minutes: <http://www.miamidade.gov/cob/county-commission-appointed-cras.asp>

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**Item No. 5B
File No. 172881**

Researcher: NR Reviewer: TD

RESOLUTION APPROVING THE REDEVELOPMENT PLAN FOR CAMP MATECUMBE LOCATED AT 13841 SW 120 STREET IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve the plan for the Camp Matecumbe redevelopment project in compliance with Section 33-303 of the Code of Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Section 33-303 of the Code - Exclusive procedure for zoning in the unincorporated areas or where the County retains zoning jurisdiction in incorporated areas; exception for approval of governmental facilities.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUNAREXAPGOFA

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Joe A. Martinez, District 11
Requester : Governmental Facilities Hearing Application**

There is no procedural history for this item.

FISCAL IMPACT

The approval of the plan to designate Camp Matecumbe as a Government Facility does not create a fiscal impact to Miami-Dade County. However, the cost of the redevelopment will be derived from Building Better Communities General Obligation Bond Program with total allocation of \$6 million.

ANALYSIS

This item seeks approval of Camp Matecumbe as a Government Facility and recommends approval by the Miami-Dade County Site Review Committee (Site Review Committee). The Site Review Committee's task is to review projects subject to Section 33-303 of the Code with regard to the public need for the facility, its impact to the surrounding community, and other similar considerations. The committee reviewed the application on May 10, 2017 and recommends approval.

Approval of Camp Matecumbe as a Government Facility is necessary because the County's governmental buildings and features that require permits from the Department of Regulatory and Economic Resources (RER) require that the site go through the Governmental Facilities process.

It is anticipated that current projects consisting of the nature-based playground, parking lot and chapel renovation, will start in August 2018 and be completed by August 2019. The remaining overall park improvements including sewer force-main installation, underground utilities projects will start once design and permitting is completed.

The redevelopment is important in order to continue to serve the Miami-Dade County residents and visitors educational and recreational needs by constructing additional amenities and buildings at Camp Matecumbe.

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Camp Matecumbe is a 21.46-acre park located in southwest Miami-Dade County immediately north of the Kendall-Tamiami Executive Airport, and adjacent to the 78-acre Boystown Pine Rockland Preserve, a designated Environmentally Endangered Land (EEL) property. The site currently contains dormitory-style cabins, two large residential structures, an activity center, a chapel, cafeteria, and sports facilities. The amended general plan proposes to preserve the cultural and historical significance of the site, while providing additional parkland within the rapidly growing area of unincorporated Miami-Dade County.

The redevelopment of Camp Matecumbe will include:

- A green parking buffer;
- Primary and overflow parking at no charge;
- Historical/interpretative markers or memorial areas
- Playground for schoolchildren ages 5-12;
- Restrooms and showers;
- Overnight cabins;
- Native Pine Rockland Preserve area and Pineland Restoration area; Greenhouse and Nature Center;
- Chapel;
- Renovated gym (to include meeting rooms, restrooms, showers);
- Learning center (for classrooms /assembly);
- Concessions;
- Renovated cafeteria; and
- Pool
- Mess Hall
- Naturalistic Pool

ADDITIONAL INFORMATION

As part of the application the Governmental Facilities Hearing Application was reviewed by the following County department:

- The Department of Regulatory and Economic Resources
- Department of Transportation and Public Works (DTPW),
- Miami-Dade Fire Rescue
- Miami-Dade Water & Sewer Department
- Miami-Dade Aviation Department
- The Miami-Dade County Department of Cultural Affairs

Camp Matecumbe is located in Commission District 11, represented by Commissioner Joe A. Martinez.

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**Item No. 5C
File No. 172461**

Researcher: BM Reviewer: PGE

RESOLUTION GRANTING PETITION TO CLOSE A PORTION OF NW 24 AVENUE FROM NW 119 STREET SOUTH FOR APPROXIMATELY 336 FEET (ROAD CLOSING PETITION NO. P-911)

ISSUE/REQUESTED ACTION

Whether the Board should approve the petition by Rosal Westview, LLC, for road closure of a 336-foot portion of NW 24 Avenue from NW 119 Street South, in order to incorporate the land into the proposed plat of Westview Logistics Center (tentative plat number T-23768) in District 2 represented by Commissioner Monestime.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Sections 336.09 – 336.12:

Section 336.09 (Closing and abandonment of roads; authority)

Section 336.10 (Closing and abandonment of roads; publication of notice)

Section 336.12 (Closing and abandonment of roads; termination of easement; conveyance of fee)

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0336/0336ContentsIndex.html

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime, District 2

Department/Requester: Transportation and Public Works

12/14/17: Forwarded to BCC with a favorable recommendation.

Commissioner:

Commissioner Sosa had the following questions:

Are we proposing closing a street? The closure creates a haven, benefiting a few, while causing more traffic for others.

We are going to have the street? We are going to move it or shape it or do it, but we are going to have the street, there is no closure?

And it will improve the traffic ability on this area?

Department:

This is part of a development. This street is going to be modified and a different street is being created and that is being approved as part of the plat. This is a hypothetical street right now and is for the benefit of the project and will improve traffic mobility. It was done as part of the traffic review.

11/16/17: No action was taken due to lack of a quorum at the Transportation and Public Works Committee.

FISCAL IMPACT

If this resolution is approved, the closure will not affect the tax roll since an alternate road will be dedicated by plat. The fee to close the road is \$800.

ANALYSIS

The proposed resolution approves a petition for road closure by Rosal Westview, LLC, of a 336-foot portion of NW 24 Avenue from NW 119 Street South, in order to incorporate the land into the proposed plat of Westview Logistics Center (tentative plat

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number T-23768) in District 2 represented by Commissioner Monestime. The right-of-way is currently zoned IU-1 (Industrial District, light manufacturing) and BU-2 (Business Districts, special). The closing of the right-of-way is contingent on recordation of the plat.

Implementing the proposed resolution will provide residents with an improved traffic flow and continuity in the area as it plans to connect a dead end into a through street. This is clearly demonstrated in the following drawn attachments, and in pictures on the Google Earth map:

<https://www.google.com/maps/@25.8820986,-80.23952466m/data=!3m1!1e3>

The petition is signed by all abutting property owners, which includes Rosal Westview, LLC, and Southeastern Conference Assn. of Seventh-Day Adventist, Inc. Rosal Westview, LLC signed the petition on August 17, 2017.

ADDITIONAL INFORMATION

According to the Florida Department of State Website (Sunbiz), the petitioner, Rosal Westview, LLC, first filed with the State of Florida on July 26, 2011, and has an active status.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=ROSALWESTVIEW%20L110000861300&aggregateId=flal-111000086130-b8178820-9116-4f46-b221-0dd0dc92111a&searchTerm=ROSAL%20WESTVIEW%20LLC&listNameOrder=ROSALWESTVIEW%20L110000861300>

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**Item No. 5D
File No. 172739**

Researcher: SAP Reviewer: TD

ORDINANCE SETTING POLICY RELATING TO THE UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY WATER INFRASTRUCTURE AND INNOVATION ACT (WIFIA) LOAN PROGRAM; AUTHORIZING INDEBTNESS IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$500,000,000.00 IN THE FORM OF LOANS FROM UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO FUND CONSTRUCTION OF CERTAIN WATER AND WASTEWATER FACILITIES OF MIAMI-DADE WATER AND SEWER DEPARTMENT; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR LOAN, NEGOTIATE INTEREST RATES WITHIN CERTAIN LIMITS; EXECUTE LOAN AGREEMENT, RECEIVE AND EXPEND SUCH FUNDS AND EXECUTE CERTAIN AMENDMENTS TO THE LOAN AGREEMENT; AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GRANT A LIEN OF PLEDGED REVENUES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or his designee to apply for loans from the United States Protection Agency's (EPA) Water Infrastructure and Innovation Act (WIFIA) Program in an amount not to exceed \$500,000,000.00.

APPLICABLE LEGISLATION/POLICY

Section 403.8532 of the Florida Statutes governing drinking water state revolving loan fund. The purpose of this section is to assist in implementing the legislative declarations of public policy by establishing infrastructure financing, technical assistance, and source water protection programs to assist public drinking water systems in achieving and maintaining compliance with the Florida Safe Drinking Water Act and the Federal Safe Drinking Water Act, as amended, and to conserve and protect the quality of waters of the state.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0403/Sections/0403.8532.html

Ordinance No. 93-134, adopted November 16, 1993, to provide funds, together with other funds of the Department, to pay the cost of capital improvements to the Water & Sewer System (the "System") and to fund a Reserve Account.

Link not available online

Ordinance No. 15-59, adopted relating to the rules of procedure of the Board of County Commissioners; amending Section 2-1 of the Code of Miami-Dade County, requiring inclusion of additional information in statement of fiscal impact required for ordinances.

<http://intra/gia/legistarfiles/Matters/Y2015/151096.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Water & Sewer Department

The proposed ordinance was adopted on first reading at the December 19, 2017, Board meeting and scheduled for a public hearing before the Board on Tuesday, January 23, 2018.

FISCAL IMPACT

It is projected that the County will save up to \$301,966,726 in project financing costs of low interest rate loans in the maximum amount of \$500,000,000.00 are authorized and borrowed in lieu of selling bonds to finance a portion for the needed

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improvements for the County's water and wastewater system. In accordance with Ordinance 15-59, WASD performed a fiscal analysis of the anticipated debt service payments for the first loan to be borrowed in the amount of \$80 million.

The funding source to repay the loans is WASD's operating revenue. To establish the interest rate on the date of the loan closing, the WIFIA Program will identify the Treasury rates through the use of the daily rate tables published by the Bureau of the Public Debt for State and Local Government Series (SLGS) investments.

SOCIAL EQUITY STATEMENT

Authorization to receive low-interest WIFIA loans will benefit WASD's customers, regardless of geographic location, demographics, or income levels, as the funds borrowed for these water and wastewater improvement projects will serve the County's potable drinking water needs at a lower cost of borrowing.

ANALYSIS

This item seeks approval to apply for loans from EPA's WIFIA Program in an amount not to exceed \$500,000,000.00 to fund construction of certain water and wastewater facilities of Miami Dade WASD. In 2014, Congress enacted the Water Infrastructure Finance and Innovation Act as part of the Water Resources Reform and Development Act of 2014. The WIFIA program's mission is to accelerate investment in the nation's water and wastewater infrastructure by providing long-term, low-cost supplemental credit assistance under customized terms to creditworthy water and wastewater projects of national and regional significance.

Eligible Projects

The WIFIA program can fund development and implementation activities for eligible projects such as:

- Projects that are eligible for the Clean Water State Revolving Fund (SRF), a self-perpetuating loan assistance authority for water quality improvement projects.
- Projects that are eligible for the Drinking Water SRF, a federal-state partnership to help ensure safe drinking water.
- Enhanced energy efficiency projects at drinking water and wastewater facilities.
- Brackish or seawater desalination, aquifer recharge, alternative water supply, and water recycling projects.
- Drought prevention, reduction, or mitigation projects.

There is no specific maximum dollar value for each WIFIA loan. Costs such as project design, feasibility studies and consulting fees are eligible project costs.

<https://www.epa.gov/wifia/learn-about-wifia-program>

The ordinance states that in the event the funds received in any one fiscal year from the WIFIA Program are not sufficient to complete the Project, the County Mayor or his designee is authorized to enter into an amendment to the Loan Agreement to delay the completion of the Project in the County until such time as the County can demonstrate its ability to meet the debt service requirements of the original Loan Agreement and the amended Loan Agreement. Any deficiencies in the pledged revenue available for the semi-annual loan payment described in the loan agreement would be paid from any legally available WASD funds.

The Drinking Water State Revolving Fund Construction Loan Agreement includes the following:

Loan Repayment Account - Loan Debt Service Account Withdrawals – The withdrawal of moneys from the Loan Debt Service Account shall be for the sole purpose of making the Semiannual Loan Payment or for discharging the County's obligations.

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Rates and Use of the Water and Sewer Systems - Collection of Revenues – The County shall use its best efforts to collect all taxes, fees and other charges due and the County shall establish liens on premises served by the Water or Sewer System for the amount of all delinquent rates, fees and other charges where such action is permitted by law.

Details of Financing - Repayment Schedule – The Semiannual Loan Payment shall be computed based upon the principal amount of the Loan plus the Loan Service Fee and Loan Service Fee capitalized interest and the principle of level debt services. The Department will deduct the Loan Service Fee and all associated interest from the first two payments. After the final disbursement of Loan proceeds, the Semiannual Loan Payment shall be based upon, the actual project costs and actual dates and amounts of disbursements, taking into consideration any previous payments.

OTHER INFORMATION

EPA News Release. Bill Signed by President Trump Gives EPA’s WIFIA Program Additional Help to Meet Communities’ Water Infrastructure Needs. May 17, 2017

The U.S. Environmental Protection Agency’s (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) program received an additional \$8 million for credit subsidy in the Consolidated Appropriations Act of 2017 which was signed into law by President Donald Trump on May 5, 2017. This additional funding, combined with the \$17 million appropriated for credit subsidy in December 2016, will allow the WIFIA program to lend approximately \$1.5 billion for water infrastructure projects, a key component of the President’s infrastructure agenda.

<https://www.epa.gov/newsreleases/bill-signed-president-trump-gives-epas-wifia-program-additional-help-meet-communities>

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**Item No. 7A
File No. 180088**

Researcher: SAP Reviewer: TD

ORDINANCE RELATING TO OVERNIGHT CAMPING ON COUNTY PROPERTY: AMENDING SECTION 21-286 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AN EXCEPTION TO THE REQUIREMENT THAT LAW ENFORCEMENT GIVE VIOLATORS THE OPPORTUNITY TO GO TO A HOMELESS SHELTER RELATED TO SEXUAL PREDATORS, SEXUAL OFFENDERS AND CERTAIN OTHER PERSONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 172445]

ISSUE/REQUESTED ACTION

Whether the Board should amend the County ordinance relating to the prohibition on overnight camping on County property to exempt law enforcement from being directed to offer an opportunity to violators to go to a homeless shelter where such violator is a sexual predator or offender and thus ineligible.

APPLICABLE LEGISLATION/POLICY

See Miami-Dade County Code of Ordinances, Article XVIII Section 21-286 governing Offenses and Miscellaneous Provisions - Prohibition on Overnight Camping.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch21_artxviii_sec21-286

Section 810.09 of the Florida Statutes. Trespass on property other than structure or conveyance.— (b) If the offender defies an order to leave, personally communicated to the offender by the owner of the premises or by an authorized person, or if the offender willfully opens any door, fence, or gate or does any act that exposes animals, crops, or other property to waste, destruction, or freedom; unlawfully dumps litter on property; or trespasses on property other than a structure or conveyance, the offender commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0800-0899/0810/Sections/0810.09.html

Section 21-281 of the Code. Sexual Offender and Sexual Predator Residence Prohibition - It is unlawful for any person who has been convicted of a violation of sexual battery, lewd and lascivious acts on/in presence of persons under age 16, in which the victim or apparent victim of the offense was less than sixteen (16) years of age, to reside within 2,500 feet of any school.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch21_artxvii_sec21-281

Section 21-286 of the Code. There shall be no overnight camping on County facility/property. The provisions of this chapter shall apply to the incorporated and unincorporated areas of Miami-Dade County and any person violating this section shall, upon being warned by a County official or a law enforcement officer, cease the prohibited activity. If the person continues the prohibited activity after such warning, the official or law enforcement officer may direct the individual to leave the premise

http://miamidade.fl.elaws.us/code/coor_ptiii_ch21_artxviii_sec21-286

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Esteban L. Bovo, Jr., District 13

Department/Requester: None

This item was forwarded to the Board with a favorable recommendation, with committee amendments following public hearing, by the Public Safety & Health Committee at its December 13, 2017 meeting. This item was amended at the meeting to correct factual; errors that were in the original equity statement.

Highlights from the Public Hearing

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- Ron Book from the Homeless Trust expressed that there is a growing amount of homeless predators and offenders. He added that there has been false information from local publications regarding the homeless persons from the Julia Tuttle Causeway and that all persons were placed in housing. Several individuals were re-arrested because they re-offended not because of any issue at the Homeless Trust. State law requires that if someone is living on the street they are required to register the street and the closest cross street. Currently there are 235 persons that have that address. The Trust have offered shelter to every person on the street, some have accepted others not. The Trust is not committed to put into any shelters individuals on the registry and to put people at risk, the current ordinance is a catch 22 for everyone involved; however the ordinance amendment will help to accomplish a solution.
- MDPD Director Juan Perez agreed with Mr. Book that this ordinance amendment is a Catch 22. The Director is concerned that MDPD will still be in the middle because while MDPD will be enforcing the law it will in essence only be displacing persons to a different location. MDPD will continue to work with the Homeless Trust and other agencies to come up with a solution to this situation.
- Deputy Mayor Kemp noted that it is not the County's intent to arrest its way out of the situation. All agencies along with the County are actively involved to alleviate the problem. This ordinance is just another tool to offer assistance in a very difficult situation because the status quo is not acceptable.
- Commissioner Diaz referred to the amendment as "smoke to camouflage an issue". He noted that the truth is that the Department of Corrections placed offenders and predators under the Julia Tuttle Bridge and the 2,500 distance was determined to protect our children. It is a safety issue because when a family enters the shelter we need to protect those that are most vulnerable. The County Attorney's Office (CAO) clarified that the 2,500 ft. distance has no impact on this amendment.
- Commissioner Cava expressed concern that the amendment is validating the practice that already exists because the arrest does not fix the problem.
- Commissioner Jordan asked CAO to reiterate the ordinance prohibiting overnight camping. CAO explained that according to the ordinance police are authorized to give a warning before an arrest; however, if the person is homeless they have to offer them a shelter if space is available, however, sexual offenders and predators are not allowed in shelters; therefore, the ordinance is meaningless because offenders are not eligible to go to a shelter. *This ordinance takes away that requirement.*
- A letter from Florida Action Committee, Inc. was distributed to the Committee that stated that the Florida Action Committee is in strong opposition to the proposed amendment and to the Miami-Dade County Sex Offender Residency Restriction (SORR). The proposed amendment will not solve any problems, only create new and more complicated ones. The County's SORR which legislates these individuals into homelessness, will now, further, legislate these individuals into law-breaking.

FISCAL IMPACT

Implementation of this ordinance will not have a fiscal impact to the County as the enforcement of this ordinance will be performed by existing staff.

ANALYSIS

The proposed ordinance amends Section 21-286 of the Code of Miami-Dade County, Florida, which prohibits overnight camping on county property/facility. The ordinance requires law enforcement to first offer violators the opportunity to go to a Homeless Shelter. This opportunity is meaningless where the violator is a sexual predator or sexual offender, and thus the proffered amendment aims to address that by exempting law enforcement's offer to go to a homeless shelter where the violator is a sexual offender or predator and thus ineligible. Overnight camping is defined as the use of outdoor space for living accommodation purposes involving the erection of structures such as the setting up of any tents, shacks, or shelters for sleeping activities from the hours of sunset to sunrise.

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County property is an inappropriate setting for overnight camping activities for reasons that include, but are not limited to, the lack of adequate means for disposing of waste and access to utilities. The County has an obligation to maintain its property clean, safe and publicly accessible in accordance with the requirements of law. The requirement to offer homeless persons violating the prohibition an opportunity to go to a homeless shelter has proven unworkable, unduly burdensome on law enforcement, and has rendered the prohibition meaningless when the homeless person is a sexual predator, sexual offender, or is otherwise ineligible to stay at homeless shelters. With approval of this ordinance, the County will help ensure the proper aesthetic maintenance and safety of its properties and facilities.

Social Equity Statement

The proposed ordinance amends Section 21-286 of the Code and provides that any homeless person, as defined in 24 Code of Federal Regulations Section 583.5, found to be in violation of this section shall first be offered an opportunity to go to a homeless shelter by a County official or law enforcement officer, if there is space available at such a shelter. The ordinance clarifies that the requirement to offer an opportunity to go to a homeless shelter does not apply to any sexual predator or sexual offender, as defined in Section 21-280 of the Code, or to any person that is otherwise ineligible to stay at a homeless shelter.

The amendment, therefore, makes clear an exception in Section 21-286 of the Code for sexual predators or offenders with regard to the requirement that individuals be provide an opportunity to go to a homeless shelter.

The following table compares the existing Code section to the proffered amendments:

Code Comparison Chart Miami-Dade County		
Section	Original	Proposed
21-286 - <i>Prohibition on Overnight Camping</i>	(3) Any homeless person, as defined in 24 CFR Section 583.5, violating this section shall first be offered an opportunity to go to a homeless shelter by a County official or law enforcement officer, if there is space available at such a shelter	(3) Any homeless person, as defined in 24 CFR Section 583.5, violating this section shall first be offered an opportunity to go to a homeless shelter by a County official or law enforcement officer, if there is space available at such a shelter. >> The requirement to offer an opportunity to go to a homeless shelter shall not apply to any sexual offender as defined in Section 21-280 of the Code, or any person that is otherwise ineligible to stay at a homeless shelter << Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid the remainder of this ordinance shall not be affected by such invalidity. Section 3: It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance including any sunset provision, shall become and be made of the Code of Miami-Dade County, Florida. The sections of this ordinance

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		<p>may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section”, “article,” or other appropriate word.</p> <p>Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.</p>
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News Articles on Sex Offenders and Homelessness

- Florida Action Committee. *Miami-Dade sets up to arrest homeless sex offenders by amending ordinance. November 2, 2017*
<https://floridaactioncommittee.org/miami-dade-sets-up-to-arrest-homeless-sex-offenders-by-amending-ordinance/>

County officials, realizing that homeless shelters won’t take registrants, have found that “the requirement to offer homeless persons violating the prohibition an opportunity to go to an homeless shelter has proven unworkable, unduly burdensome on law enforcement, and has rendered the prohibition meaningless when the homeless person is a sexual predator, sexual offender or is otherwise ineligible to stay at homeless shelters”. In other words, there is no place for these individuals to go, so probation directs them to go sleep by the tracks - but if they sleep by the tracks they are told by police to leave. They face arrest if they don’t stay there, yet they face arrest if they go

- Sun Sentinel. *Lauderdale homeless pushed out of Stranahan Park now camping at county library. July 12, 2017*
<http://www.sun-sentinel.com/local/broward/fl-sb-homeless-county-library-20170712-story.html>

County officials are struggling to deal with a sprawling homeless encampment outside the north entrance of Broward County’s main library that includes men and women who so far have resisted efforts to get them into shelters or treatment programs.

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**Item No. 7B
File No. 172414**

Researcher: SM Reviewer: PGE

ORDINANCE RELATING TO ZONING; AMENDING ARTICLES XXXIII(K), XXXIII(R), AND XXXIII(S) OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING GAS AND SERVICE STATIONS IN ADDITIONAL LAND USE CATEGORIES SUBJECT TO CONDITIONS UNDER THE COUNTY'S STANDARD URBAN CENTER DISTRICT REGULATIONS AND IN THE MODEL CITY URBAN CENTER AND NORTH CENTRAL URBAN AREA DISTRICTS; AMENDING DEFINITIONS RELATING TO BUILDING FRONTAGE; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This item proposes to amend the County's Zoning Code to authorize gas and service stations in additional land use categories subject to conditions under the County's Standard Urban Center District Regulations and in the Model City Urban Center and North Central Urban Area Districts.

APPLICABLE LEGISLATION/POLICY

Articles XXXIII(K), XXXIII(R) and XXXIII(S) of Chapter 33 of the Code Of Miami-Dade County, Florida, which governs zoning and contains directives to promote urban centers in places where mass transit, roadways, and highways are highly accessible.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_K_STURCEDIRE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_K_STURCEDIRE)

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_R_MOURCEDIMC](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_R_MOURCEDIMC)

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_NOEURARDINC](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_NOEURARDINC)

Sec. 23A-1. – Governs the Comprehensive Development Master Plan

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH23APLGE_S23A-1CODEMAPL](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH23APLGE_S23A-1CODEMAPL)

PROCEDURAL HISTORY

Prime Sponsors: Vice Chairwoman Commissioner Audrey M. Edmonson, District 3 and Commissioner Jean Monestime, District 2.

Forwarded to BCC with a favorable recommendation with committee amendments following public hearing at the Government Operations Committee on December 12, 2017.

FISCAL IMPACT

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as it will not result in additional staffing needs or future operational costs, as stated in the mayoral memo.

ANALYSIS

The proposed Ordinance amends articles XXXIII(K), XXXIII(R), AND XXXIII(S) of Chapter 33 of the Code Of Miami-Dade County, Florida; Authorizing Gas And Service Stations In Additional Land Use Categories Subject to conditions under the

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County's Standard Urban Center District Regulations and In The Model City Urban Center and North Central Urban Area Districts. This ordinance would allow gas stations in Mixed-Use Corridor under specific conditions; thereby expanding the zoning districts where such facilities can be developed. This will give residents in Urban Center and Urban Area Districts greater access to gasoline in times of emergencies, such as hurricanes.

This item was amended at the December 12, 2017 Government Operations Committee to provide, in the Building Placement Standards, that the Building Frontage Zone be hard-surfaced and match the adjoining sidewalk.

Per the Social Equity statement included in the item, there will be greater availability of gasoline stations in Miami-Dade County Urban Center and Urban Area zoning districts and provides standards for developing such facilities. Currently the existing Urban Center zoning regulations restricts auto related uses in order to encourage transit-oriented development in Urban Centers. The regulations limit where gas/service stations are allowed. The importance of having access to gasoline was shown after Hurricane Irma struck, It was emphasized how important it is for emergency evacuations and for public health. This will apply to Urban Centers and Urban Area Districts in unincorporated Miami-Dade County.

The Urban Center zoning regulations restrict the development of gasoline service stations to certain mixed-use industrial areas and a limited mixed-use category.

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**Item No. 7C
File No. 172213**

Researcher: AIP Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-84, 33-96, 33-107, 33-284.87, 33-314, 21-166, 21-169, AND 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING STANDARDS, CRITERIA, AND PROCEDURES RELATED TO DIGITAL KIOSK SIGNS; MAKING TECHNICAL AMENDMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 171758]

ISSUE/REQUESTED ACTION

This ordinance proposes zoning changes to the County Code relating to digital kiosks. Amendments include technical changes, procedural changes, and changes to definitions.

APPLICABLE LEGISLATION/POLICY

Section 33-84 (definitions) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-84DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV1TIAPPUDE_S33-84DE)

Section 33-96 (illumination) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV2GEPR_S33-96IL](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV2GEPR_S33-96IL)

Section 33-107 (Class C commercial signs) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV3SISTRECH_S33-107CLCCOSI](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTVISI_DIV3SISTRECH_S33-107CLCCOSI)

Section 33-284.87 (signs) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_K_STURCEDIRE_S33-284.87SI](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_K_STURCEDIRE_S33-284.87SI)

Section 33-314 (direct applications and appeals to the County Commission) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXVIZOPR_S33-314DIAPAPCOCO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXVIZOPR_S33-314DIAPAPCOCO)

Section 21-166 (bus shelter location and extension onto private property) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH21OFMIPR_ARTXIIPUBUPABESH_S21-166BUSHLOEXONPRPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH21OFMIPR_ARTXIIPUBUPABESH_S21-166BUSHLOEXONPRPR)

Section 21-169 (exemption of signs from zoning requirements) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH21OFMIPR_ARTXIIPUBUPABESH_S21-169EXSIZORE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH21OFMIPR_ARTXIIPUBUPABESH_S21-169EXSIZORE)

Section 33C-2 (Rapid Transit Zone) of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33CFIIDRATRSYEVZO_S33C-2RATRZO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)

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PROCEDURAL HISTORY

Prime Sponsor: Chairman Commissioner Esteban L. Bovo, Jr., District 13

Department/Requester: None

7/07/2017: Requires Municipal Notification by the BBC because it impacts several cities.

7/18/2017: The proposed ordinance was adopted on first reading and is set for public hearing before the Government Operations Committee (GOC) on October 10, 2017.

10/10/2017: At the GOC, a public hearing was conducted, and there was a substitute presented, which was then forwarded to the BCC with a favorable recommendation.

11/21/17: Item was deferred at the BCC.

FISCAL IMPACT

This item has no fiscal impact.

ANALYSIS

This item deals mainly with digital kiosk signs, which are meant to interact with pedestrians, be used for advertising, as well as offer valuable information such as bus routes. The proposed changes update the current Code to include several provisions that relate to kiosk signs, such as emitting auditory messages when pedestrians interact with it, or illuminating, but must not impact drivers or those who are not interacting with the sign.

The item also includes other specifications into the lighting patterns allowed, and the size specifications for the signs. It also states that kiosks placed by the County shall provide Wi-Fi, bus routes and schedules, charging stations, and other useful pedestrian information.

The item updates the definition for “Kiosk Signs” to: “Kiosk sign: A detached, single- or dual-face sign placed within a base and affixed or permanently attached to the ground, where the sign face is similar in dimensions to a bus-shelter sign. The kiosk structure shall be of pedestrian scale and may also contain Wi-Fi or other equipment that is housed in a compartment that screens the equipment from view.”

The substitute presented and forwarded at the 10/10/17 Government Operations Committee (GOC) defers in the original (171758) in that it:

- allows kiosk signs to be single- or dual faced;
- allows but does not require Wi-Fi on all County Kiosk signs;
- provides that malfunctioning signs, which must immediately revert to a black screen under the current Code, shall be restored to normal operation conforming to the requirements of sections 33-96 (illumination), within 7 days instead of 24 hours;
- changes the dimensions of a kiosk sign which could be exempt from certain prohibitions on sign movement; and
- clarifies that this exemption related to sign movement shall only apply when a pedestrian is physically interacting with the kiosk sign’s touch screen.

Main Proposed Amendments to the Miami-Dade County Code:

Section:	As it currently reads:	Proposed amendment:
33-84 (definitions)	(16) Kiosk sign: A detached, dual-face sign placed within a base and affixed or permanently attached to the ground, similar in dimensions to a bus-shelter sign.	(16) Kiosk sign: A detached, single- or dual-face sign placed within a base and affixed or permanently attached to the ground, where the sign face is similar in dimensions to a bus-shelter sign. The kiosk structure shall be of pedestrian scale and may also contain Wi-Fi or other equipment that is housed in a compartment that screens the equipment from view.

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Section:	As it currently reads:	Proposed amendment:
33-96 (illumination)	(c)(5) Any digital sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall immediately revert to a black screen and shall be restored to its normal operation conforming to the requirements of this section within twenty-four (24) hours.	(c)(5) Any digital sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall immediately revert to a black screen and shall be restored to its normal operation conforming to the requirements of this section within 7 days.
		<p>(c)(6) Kiosk signs allowed pursuant to this code may have a portion of the sign face, that is no greater than 39 inches wide and extending no higher than 7 feet from the ground, that is exempt from subsections (1), (2), and (4) above, to allow movement and auditory information when a pedestrian interacting with the sign, provided that all of the following conditions are met:</p> <p>(i) This exemption only applies during the time period when a pedestrian is physically interacting with the kiosk sign's touch screen and at all other times, the entire area of the kiosk sign is required to comply with subsections (1), (2), and (4), and this exemption shall not apply.</p> <p>(ii) If a kiosk sign is located along a road or public right-of-way, the kiosk sign shall only have interactive mode on one sign face, and the interactive sign face shall not be visible from the incoming traffic on the abutting lane.</p> <p>(iii) This is a limited exception and shall be interpreted narrowly.</p>
33-107 (Class C commercial signs)	Type of signs permitted: Billboard; bulletin board; poster board; mural in locations specified herein.	(A) The table set forth identifies types of signs permitted: Billboard; bulletin board; poster board; kiosk sign; or mural in locations specified herein and with certain applicable conditions
		<p><i>Type of Signs:</i> Kiosk Sign <i>Size:</i> As per definition <i>Number:</i> The number of kiosk signs shall not exceed that of twice the detached class B signs allowed, unless otherwise provided in this chapter. <i>Setback and Spacing:</i> 30 feet from any right-of-way; 20 feet from an interior property line; 30 feet from any detached sign; 30 feet from another kiosk sign, unless otherwise provided in this chapter. <i>Illumination:</i> Static and digital <i>Maximum Height:</i> As per definition <i>Special Conditions:</i> As provided in subsection (e) below</p>

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Section:	As it currently reads:	Proposed amendment:
		<p>(c) Kiosk Signs</p> <p>(1) Purpose and Intent: (i) Because of their size and characteristics as defined in this chapter, kiosk signs are particularly suited to serve pedestrians and pedestrian-oriented development. Pedestrians may interact with kiosk signs through touch screens or auditory messages, and where such interactive mode is allowed in a limited manner, restricted by size, and only allowed during the time that a pedestrian is interacting with the kiosk sign, the interactive capabilities and features are consistent with pedestrian oriented development and the aesthetics of the areas where these signs are to be allowed. Effects on traffic or to pedestrian safety would be minimal based on the size of the interactive portion of the kiosk sign and the presence of a pedestrian interacting with the kiosk sign. (ii) Policy for County-installed signs. Kiosk signs have the potential to also integrate other services that may provide a benefit to the public, such as Wi-Fi capability, maps, and transit information such as schedules and routes. Where kiosk signs are placed by the County or pursuant to a County contract, it is the policy of the County that all such kiosks shall include services and information to assist the public, such as Wi-Fi, transit information, and maps.</p> <p>(2) Permitted zoning districts. Kiosk signs with static or digital Class B or Class C signs may only be located on: (i) Properties that meet all of the following criteria: (a) Zoned BU-1A, BU-2, or BU-3, or the municipal equivalent, or properties zoned or designated for airport or seaport; and (b) a minimum of 25 acres in area; and (c) located along a major roadway as designated on the Land Use Plan Map of the Comprehensive Development Master Plan; or (ii) Properties designated MC, MCS, MM, or MCI on the Land Use Regulating Plan of an Urban Center/Area District, or the municipal equivalent, but not on properties developed with residential uses only; or (iii) A Pedestrian-Oriented Development, as defined in section 33E-8, that is not in an Urban Center/Area District; or (iv) Rail stations not already covered within the above categories, which may be zoned Rapid Transit Zone or other comparable district. For such rail stations, the maximum number of kiosk signs allowed shall either be equivalent to the BU zoning district or twice the detached class B signs allowed by the station's Rapid Transit Zone subzone, whichever is greater.</p>

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Section:	As it currently reads:	Proposed amendment:
		<p>(3) Placement standards. Each kiosk sign with static or digital Class B or Class C signs shall:</p> <ul style="list-style-type: none"> (i) Comply with the digital illumination standards set forth in this article; (ii) Comply with the setback and spacing requirements set forth in this article; (iii) Be oriented to serve pedestrians in the interior of the property and not be oriented to serve vehicles; in Urban Center/Area Districts, kiosk signs may be located in areas designated for pedestrian traffic along designated open spaces; (iv) Not be visible from any abutting public right-of-way or from any property in residential single-family use; (v) Not be located in surface parking areas; (vi) Not interfere with pedestrian or vehicular visibility or traffic flow; and (vii) Not interfere with or displace required landscaping or parking. <p>(4) Maximum height of sign structure. The kiosk structure may contain Wi-Fi or other equipment that is housed above or below the sign face in a compartment that screens the equipment from view, provided that the entire kiosk structure does not exceed 11 feet in height.</p> <p>(5) Variances. Requests for variances of setback and spacing requirements shall be subject to the standards and requirements of section 33-96(d)(2). All other requests for variances of the requirements applicable to kiosks shall be permitted only pursuant to the standards and requirements of 33-96(d)(1).</p>
21-169 (exemption of signs from zoning requirements)	Signs affixed to bus shelters and bus passenger benches placed at MDTA authorized bus stops and extending onto private property are exempt from the provisions of Chapter 33 of the Code of Miami-Dade County.	Signs affixed to bus shelters and bus passenger benches placed at bus stops authorized by the Miami-Dade County Department of Transportation and Public Works or successor entity (“DTPW”) and extending onto private property are exempt from the provisions of Chapter 33 of the Code of Miami-Dade County, except that all signs shall comply with section 33-96, which relates to sign illumination, and shall comply with those portions of chapter 33 that specifically reference bus shelter signs, including but not limited to section 33-284.99.60(B)(7).
33C-2 (Rapid Transit Zone).	(D)(1)(b) Stations for the Rapid Transit System, including such uses as passenger platforms and waiting areas, ticket and information booths, restrooms, utility rooms, in-station advertising displays...	(D)(1)(b) Stations for the Rapid Transit System, including such uses as passenger platforms and waiting areas, ticket and information booths, restrooms, utility rooms, kiosk signs only to the extent permitted by section 33-107 in-station advertising displays...

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Item No. 7D

File No. 180084 (172595)

Researcher: BM Reviewer: PGE

ORDINANCE RELATING TO CONTRACTS FOR THE CONSTRUCTION OF COUNTY-OWNED GOVERNMENT BUILDINGS AND PRIVATELY FUNDED CONSTRUCTION PROJECTS ON COUNTY-OWNED LAND; CREATING SECTION 2-11.16.1 THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE DEPOSIT OF ONE PERCENT OF THE CONSTRUCTION COSTS FROM SUCH CONTRACTS OR PROJECTS INTO THE MIAMI-DADE AFFORDABLE HOUSING TRUST FUND; REQUIRING INCORPORATION OF CODE PROVISIONS IN COUNTY CONSTRUCTION CONTRACTS AND LEASES; PROVIDING FOR WAIVER; CREATING EXEMPTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve an ordinance creating section 2-11.16.1 to the County Code requiring the deposit of one percent of the construction costs from construction contracts or projects on County-owned government building and privately funded construction projects on County-owned land into the Miami-Dade Affordable Housing Trust Fund.

APPLICABLE LEGISLATION/POLICY

Section 2-11.16 of the County Code, County Construction Contracts, relates to specifications for construction contracts entered into by the County.

The link below relates to Section 2-11.16 of the County Code, County Construction Contracts

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO

Article VIII, Section 17-129 of the County Code, Affordable Housing Trust Fund of Miami-Dade County, was intended to (1) establish a permanent, renewable source of revenue to meet, in part, the housing needs of the residents of Miami-Dade County; (2) to foster a housing supply accessible to a range of incomes in developments assisted by the Trust Fund; and (3) to disperse affordable housing units throughout the County.

Below is a link relating to Article VIII, Section 17-129 of the County Code:

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH17HO_ARTVIII AFHOTRFUMIDECOFL

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

12/12/18: This item was amended to create an exemption for any development or construction of a Public Health and Trust sit or facility. The previous agenda item number was File no. 172595.

Commissioner:

Commissioner Sosa had the following questions:

Imposing an extra amount on construction for improvement on Jackson hospital, acquired by the Public Health Trust, will defeat the purpose of the funding we want Jackson to use to improve Jackson facility. It will increase the cost of construction that will take away from what Jackson needs from us.

If we approve the amendment, we are not going to overcharge Jackson?

Commissioner Sosa requested a report, from the Department of Housing, regarding current affordable housing plans:

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- 1) Is there a plan for young people given affordable housing today for them to transition to Workforce Housing, to get a job, and to have a home or apartment?
- 2) What the statistics are of how long do people stay in an affordable housing project?
- 3) What is the transition that we as the government create for young residents?
- 4) If there is no transition, maybe we should look at the possibility of using money to pay for some of the careers or trade so that they transition out of affordable housing. We don't want young people to stay in affordable housing forever.

County Attorney:

The amendment, any project related to Jackson will be exempt from the ordinance.

Commissioner Martinez had the following question:

For clarification, this does not increase the cost, it tells the administration to deposit one percent of the money into Affordable Housing.

County Attorney:

Once percent of the overall construction cost gets deposited into the trust fund unless there is an exemption.

Public Hearing:

Wanted to seek clarification on the record that new development that are being done pursuant to existing lease and development agreements with the County are not subject to one percent contribution.

County Attorney:

This does not have a retroactive effect. It only applies to future contracts and leases.

FISCAL IMPACT

If this ordinance is approved by the Board, this item will not have a fiscal impact to the County because there are no planned projects for which this fee would apply. Furthermore, there currently exist no leases or contracts with private entities to which construction costs associated with privately funded projects on County-owned land are eligible.

ANALYSIS

The proposed ordinance creates section 2-11.16.1 to the County Code requiring the deposit of one percent of the construction costs from construction contracts or projects, on County-owned government building and privately funded construction projects on County-owned land, into the Miami-Dade Affordable Housing Trust Fund.

The Affordable Housing Trust Fund of Miami-Dade County was established by the Board on February 6, 2007 to (1) establish a permanent, renewable source of revenue to meet, in part, the housing needs of the residents of Miami-Dade County; (2) foster a housing supply accessible to a range of incomes in developments assisted by the Trust Fund; and (3) disperse affordable housing units throughout the County. The Trust consists of up to 13 Trustees who have knowledge of and demonstrable service to the affordable housing community.

The monies deposited in the fund are to be used to:

- construct, acquire, rehabilitate or subsidize affordable housing;
- to assist other governmental entities, private organizations or individuals in the construction, acquisition, rehabilitation, reimbursement of County advanced funds, location or subsidy of affordable housing;
- shall, whenever feasible, be disbursed in a manner to assure that the housing supply created with these monies is accessible to a range of families whose incomes do not exceed.

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The U.S. Department of Housing and Urban Development's published standards for moderate income households, adjusted for family size.

Below is a summary of the proposed ordinance creating Section 2-11.16.1 of the County Code:

Section:	Proposed amendment:
<p><i>Sec. 2-11.16.1 Construction Contract Fee for Affordable Housing</i></p>	<p>(a) The County shall provide and deposit not less than one percent of the construction costs associated with the construction of new County governmental buildings or facilities into the Miami-Dade Affordable Housing Trust Fund codified at Sections 17-129 et seq. of the Code, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. Additionally, the County shall provide and deposit not less than one percent of the construction costs associated with all leases and contracts for privately funded construction on County-owned land. Notwithstanding the foregoing, this section shall not apply to publicly or privately funded construction of or on any County-owned building, facilities or property where the total value of the construction is \$200,000.00 or less. For purposes of this section, the term “construction cost” shall mean architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.</p> <p>(b) Incorporation into construction contracts. Except as provided in subsection (d) below, the County Mayor or County Mayor's designee is authorized and directed to include the provisions set forth in subsection (a), in each construction contract. Additionally, all leases and contracts for privately funded construction on County-owned land shall contain specific provisions to implement the intent of subsection (a).</p> <p>(c) Waiver of requirements. The requirements of subsection (a) may be waived by resolution of the Board of County Commissioners when and if it appears to the Board that a construction project covered hereunder is not appropriate for application of the above requirements.</p> <p>(d) Exemptions. This section of the code shall not apply to those construction contracts that relate to:</p> <ol style="list-style-type: none"> (1) The development of affordable housing through the County's Infill Housing Initiative Program; (2) The development of affordable housing in accordance with section 125.379, Florida Statutes; (3) The development of affordable housing in accordance with a public housing mixed-finance development concept; (4) Any affordable housing development funded through the County's affordable housing funding programs, such as Documentary Stamps Surtax, State Housing Initiatives Partnership, HOME Investment Partnerships, Community Development Block Grant, General Obligation Bond programs, or other similar affordable housing programs; (5) Any construction contract that is restricted by federal or state laws, grants or agreements, for the purposes prescribed herein or (6) Any development or construction of Public Health Trust site or facility.

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The creation of Section 2-11.16.1 to the County Code provides for the deposit of one percent of the construction costs from construction contracts or projects, on County-owned government building and privately funded construction projects on County-owned land, into the Miami-Dade Affordable Housing Trust Fund.

ADDITIONAL INFORMATION

Below is a link to the Affordable Housing Advisory Board website:

<http://www.miamidade.gov/housing/affordable-housing-advisory-board.asp>

Below is an article posted by the Miami Herald regarding the recommended support of the Affordable Housing Trust Fund:

<http://www.miamiherald.com/opinion/op-ed/article100539097.html>

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Item No. 7E
File No. 172013

Researcher: BM Reviewer: PGE

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-284.62 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT REGULATIONS RELATED TO DEVELOPMENT IN THE "CENTER" SUB-DISTRICT; REVISING PROVISIONS RELATING TO BUILDING HEIGHT AND PLACEMENT, MAXIMUM FLOORPLATE SIZE, VEHICULAR ENTRYWAYS, AND FRONTAGE FOR OFF-STREET PARKING; CREATING REQUIREMENT PERTAINING TO PEDESTRIAN CONNECTIVITY WITH PUBLIC TRANSIT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 33-284.62 of the County Code relating to the Downtown Kendall Urban Center (DKUC) Zoning District Regulations to create a requirement pertaining to pedestrian connectivity with public transit.

APPLICABLE LEGISLATION/POLICY

Section 33-284.62 of the County Code sets forth definitions regarding zoning district regulation related to development in the Downtown Kendall Urban Center Zoning District.

https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_I_DOKEURCEDI_S33-284.62DEPA

Section 33-284.99.41 of the County Code relates to Model City Urban Center District (MCUCD) requirements and mixed-used policies.

https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH33ZO_ARTXXXIII_R_MOURCEDIMC_S33-284.99.41MOURCEDIMCRE

Ordinance No. 14-134 relates to amendment to the Urban Center District Land Use Plan. The amendment relates to zoning district regulations for the Downtown Kendall Urban Center to re-designate subject property from center to core sub-district, create new core sub-district street types and associated development parameters, and re-designate street abutting subject property. This ordinance was adopted by the Board on December 16, 2014.

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2014/14-134.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Xavier L. Suarez, District 7

12-14-17: Forwarded to the BCC with a favorable recommendation by TPWC.

11-16-17: At the November 16, 2017 meeting of the Transportation and Public Works Committee, no action was taken due to lack of a quorum.

10-03-17: This item was adopted on first reading by the Board on October 3, 2017.

FISCAL IMPACT

Enactment of this ordinance is not anticipated to create a fiscal impact to the County, i.e., it will not result in additional staffing needs nor create future operational costs.

ANALYSIS

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The proposed ordinance makes the following amendments to Section 33-284.62 of the Code of Miami-Dade County: (1) provisions related to building height and placement, maximum floorplate size, vehicular entryways, frontage of off-street parking; and (2) creates requirement pertaining to pedestrian connectivity with public transit.

The item is intended to provide an integration of uses that encourages more efficient use of resources and infrastructure, including transportation and housing. The benefit to County residents is that the pedestrian connectivity provides more efficient access to transportation.

Specifically, the proposed ordinance revises the following items of Section 33-284.62 of the County Code of Miami-Dade County:

The table below summarizes the proffered amendments to the Development Parameters of the zoning ordinance relating to the Downtown Kendall Urban Center District.

Building Maximum	As it currently reads:	Proposed amendment:
Pedestal – At street front	6 stories	7 stories
Tower	2	15
		Combined pedestal and tower height may not exceed 18 stories
Building Placement	From	To
Front – Build-to line	40 feet	15 feet minimum
Interior Side/Rear	20 foot minimum setback for pedestal/30 foot minimum setback for tower.	No minimum setback pedestal and tower.
Maximum Floorplate Size	As it currently reads:	Proposed amendment:
	Maximum building floorplates above eight stories for all uses shall be twenty thousand (20,000) square feet. Cantilever balconies six (6) feet or less in depth shall not be counted towards the maximum building floorplate area.	Maximum building floorplates above eight stories for all uses shall be twenty-five thousand square feet or 25 percent of the lot area whichever is greater. Cantilever balconies six (6) feet or less in depth shall not be counted towards the maximum building floorplate area.
Streetwalls	As it currently reads:	Proposed amendment:
Vehicular Entries	Allowed. Each entry may be up to thirty-three (33) feet wide, with a minimum interval of seventy (70) feet between each vehicular entry along frontage.	Allowed. Each entry may be up to 33 feet wide, with a minimum interval of 70 feet between each vehicular entry along frontage for abutting non-designated streets.
Habitable Space	Twenty (20) foot minimum depth for first story and entire length of pedestal.	20 foot minimum depth for first story and entire length of pedestal.
Off-street Parking	As it currently reads:	Proposed amendment:

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Street Level	Street Level - Eight (8) foot minimum setback from the front property line.	Colonnade Level – When provided, 20 foot minimum setback from interior wall of colonnade.
	Other Levels—Parking garages may be no closer to the front property line than the build-to line. At least one (1) vehicular connection shall be provided.	All Building Level – 20 foot minimum setback from pedestal’s build-to line.

- 1) This ordinance creates the following requirement by amendment to Section 33-284.62 of the County Code regarding Pedestrian Connection to public transit:

Proposed amendment:
Parcels south of South Datran Drive shall provide a 10 foot wide pedestrian walkway or colonnade or property that is located in such a manner as to encourage pedestrian access to the Metrorail station.

Implementing the proposed ordinance will encourage County residents in this area to more efficiently use public transit along the premium transit corridors.

ADDITIONAL INFORMATION

Below is a detailed report on the DKUC District explaining its purpose and intent.

<https://www.miamidade.gov/zoning/library/reports/downtown-kendall-district.pdf>

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 7F
File No. 172415**

Researcher: AIP Reviewer: TD

ORDINANCE RELATING TO THE CHILDREN’S TRUST; AMENDING CHAPTER 2, ARTICLE CIII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE MEMBERSHIP OF THE GOVERNING BOARD AND DELETING THE INTERIM SUPPORT PROVISION; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This Ordinance relates to the children’s trust amending chapter 2, Article CIII of the Code Of Miami-Dade County, Florida and revising the membership of the governing board and deleting the interim support provision.

APPLICABLE LEGISLATION/POLICY

Section 125.901, Florida Statutes, specifies the membership of the governing board, powers, duties, responsibilities and dissolution of The Children’s Trust:
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.901.html

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Xavier, L. Suarez, District 7
Department/Requester: None**

11/7/2017: Item was adopted on first reading at the BCC and tentatively scheduled for a public hearing for the Housing and Social Services Committee meeting on Dec, 11, 2017.

FISCAL IMPACT

Currently this creates no fiscal impact to the County, since it is funded through a special taxing district. The County electorate authorized the levy of an ad valorem tax to supplement current County expenditures for children’s services on September 10, 2002. On August 26, 2008, the voters approved an extension of The Children’s Trust’s ad valorem tax levy.

ANALYSIS

This Board wishes to amend the ordinance establishing The Children’s Trust by revising the membership of the governing board and deleting the interim support provision.

Section 2-1522 (Governing Board) as it currently reads	Section 2-1522 with proposed amendments
(a) The governing board of The Children's Trust shall consist of the following thirty-three (33) members: (1) Superintendent of Miami-Dade Public County Schools; ... (4) Miami-Dade County Manager; ... (10) One (1) member who is a member of and is selected by the Greater Miami Chapter of the National Conference for Community and Justice	(a) The governing board of The Children's Trust shall consist of the following thirty-three (33) members: (1) Superintendent of Miami-Dade Public County Schools or his or her designee; ... (4) Miami-Dade County Mayor; ... (10) One (1) member who is a member of and is selected by a locally recognized faith-based coalition ...

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<p>...</p> <p>(12) One (1) member who is a member of and is selected by the Miami-Dade County School Readiness Coalition;</p> <p>...</p> <p>(14) One (1) member who is a member of and is selected by the Alliance for Human Services;</p> <p>...</p> <p>(16) One (1) member who is a youth selected by the Miami-Dade Student Government Association;</p> <p>(17) One (1) member of the School Board of Miami-Dade County as appointed by the Chair of the School Board;</p> <p>...</p> <p>(19) One (1) member of the Miami-Dade County Board of County Commissioners, as appointed by the Commission Chair;</p> <p>20) One (1) member of the State of Florida Legislature who represents residents of Miami-Dade County, as appointed by the chair of the Miami-Dade legislative delegation;</p> <p>...</p>	<p>(12) One (1) member who is a member of and is selected by the Miami-Dade County Early Learning Coalition;</p> <p>...</p> <p>(14) One (1) member who is a member of and is selected by a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county;</p> <p>...</p> <p>(16) One (1) member who is a youth selected by the Miami-Dade County Student Government Association;</p> <p>(17) One (1) member who is a member of the School Board of Miami-Dade County as appointed by the Chair of the School Board;</p> <p>...</p> <p>19) One (1) member who is a member of the Miami-Dade County Board of County Commissioners, as appointed by the Commission Chair;</p> <p>20) One (1) member who is a member of the State of Florida Legislature who represents residents of Miami-Dade County, as appointed by the chair of the Miami-Dade legislative delegation;</p> <p>...</p>
<p>Section 2-1530 (Interim Staff Support) as it currently reads</p>	<p>Section 2-1530 (Interim Staff Support) with proposed amendments</p>
<p>Sec. 2-1530. - Interim Staff Support.</p> <p>The County Manager's Office shall provide staff support to The Children's Trust on an interim basis until such time as The Children's Trust hires permanent staff.</p>	<p align="center">[[Deleted]]</p>

ADDITIONAL INFORMATION

In 1988, the voters of Miami-Dade County (the “County”) approved the creation of a juvenile welfare board, which, by voter approval on September 10, 2002, was named “The Children’s Trust”. They are funded through a special taxing district, from commercial and residential properties. Homes valued at over \$100,000 contribute \$50 of their taxes to the Children’s Trust. The Children’s Trust receives \$130,000,000 to distribute across the County into various programs for children and families in the community. These include:

- After-school programs
- Arts education
- Child care
- Disabilities programs
- STEM programs
- Programs for parenting and pregnancy

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- Health & Nutrition programs
- Health insurance access
- Sports and fitness programs
- Summer camps
- Teen programs
- Youth employment

Additional information can be found on The Children's Trust Website: <https://www.thechildrenstrust.org/>

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Research Notes**

**Item No. 8A1
File No. 172710**

Researcher: BM Reviewer: TD

RESOLUTION APPROVING A 10-YEAR LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CUBAN PILOTS ASSOCIATION, INC. (CUPA) FOR A PARCEL OF LAND ALREADY IN USE AS A BAY OF PIGS INVASION MEMORIAL AT MIAMI EXECUTIVE AIRPORT, WITH ANNUAL PAYMENTS BY CUPA TO MIAMI-DADE COUNTY IN THE AMOUNT OF \$4,922.19; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE TERMINATION PROVISIONS THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE COUNTY PROPERTY APPRAISER A COPY OF SAID LEASE

ISSUE/REQUESTED ACTION

Whether the Board should approve a 10-year Lease Agreement with the Cuban Pilots Association, Inc. (CUPA), a non-profit organization, for a 23,439 square foot parcel at the Miami Executive Airport (TMB) to establish a memorial to honor pilots lost during the Bay of Pigs invasion in 1961.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-333-15, adopted by the Board on April 21, 2015, established the County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

Resolution No. R-224-99, adopted by the Board on March 4, 1999, authorized the acceptance of the B-26B Bomber for display as part of the CUPA Memorial.

This resolution is not available online.

Resolution No. R-649-07, adopted by the Board on June 5, 2007, awarded CUPA a 10-year Lease Agreement for the parcel with the County.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-649-07.pdf>

Resolution No. R-461-13, adopted by the Board on June 4, 2013, includes a termination provision should the not-for-profit entity fail to maintain a public benefit.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-461-13.pdf>

Resolution No. R-791-14, adopted by the Board on September 3, 2014, directs the Mayor or designee to provide the Miami-Dade County Property Appraiser copies of all lease/operating agreements involving County-owned property.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-791-14.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Joe A. Martinez, District 11

Department/Requester: Aviation Department

12-14-17: Forwarded to BCC with a favorable recommendation from the Economic Development and Tourism Committee.

FISCAL IMPACT

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Research Notes

If the proposed resolution is approved by the Board, it will be revenue-generating for the County. The County will receive \$4,922.19, which is based on fair market value, annually from CUPA for the 10-year Lease Agreement term. CUPA will be responsible for maintenance expenditure of the premises. The monthly rental agreement amount is \$410.18.

ANALYSIS

If approved by the Board, the resolution approve a 10-year Lease Agreement with the Cuban Pilots Association, Inc. (CUPA), a non-profit organization, for a 23,439 square foot parcel at the Miami Executive Airport (TMB) to establish a memorial to honor pilots lost during the Bay of Pigs invasion in 1961.

The Lease Agreement for the memorial with CUPA was established by the Board on April 27, 2007, for a 10-year term, which expired on June 18, 2017. CUPA is currently on a month-to-month agreement. The monthly rental agreement amount paid by CUPA is \$410.018

CUPA would like to continue honoring the memory of the fallen pilots. This resolution would provide for a new 10-year Lease Agreement for a memorial to pilots of the Bay of Pigs invasion of 1961 at the TMB

CUPA agrees to maintain the bomber at a level consistent with aircraft on display in aviation museums acceptable to the United States Air Force and acknowledges that all installation, maintenance, and relocation activity must occur in strict compliance with requirements of the Federal Aviation Administration and with all regulatory requirements of the State of Florida and the County.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Cuban Pilots Association, Inc., has an active status as a not-for-profit agency and first filed and registered on 12/17/1990.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=CUBANPILOTSASSOCIATION%20N412800&aggregateId=domnp-n41280-736bcd56-89b7-4e88-9557-58ffb164caec&searchTerm=cuban%20pilot%20association&listNameOrder=CUBANPILOTSASSOCIATION%20N412800>

Additional information on the TMB is available at the Miami-Airport website.

Miami Executive Airport (TMB) is one of the busiest general aviation airports in Florida, serving corporate, recreational, flight training, and governmental agency activities.

http://www.miami-airport.com/kendall_tamiami.asp

The link below provides additional information relating the 'Bay of Pigs Invasion in 1961' Memorial:

<https://travelforaircraft.wordpress.com/2009/10/21/a-new-monument-to-fliers-%E2%80%93-the-aviators-of-the-bay-of-pigs-invasion-%E2%80%93-the-douglas-b-26-invader/>

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**Item No. 8A2
File No. 172806**

Researcher: BM Reviewer: PGE

RESOLUTION WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE FOR THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY; APPROVING THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY FOR PROJECT SUPPORT SERVICES FOR THE TERMINAL OPTIMIZATION PROGRAM FOR THE MIAMI-DADE AVIATION DEPARTMENT, INCREASING THE CONTRACT VALUE BY \$3,000,000.00 AND EXTENDING THE TERM TO JULY 31, 2018; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL RIGHTS PROVIDED FOR IN THE AMENDMENT

ISSUE/REQUESTED ACTION

Whether the Board should: (1) waive the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; and (2) approve the Eighth County amendment to the Consultant Agreement for Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G), including allocating additional funding of \$3,000,000 through July 31, 2018.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-8.1COPUGE

Section 5.03(D) Home Rule Charter, Financial Administration, relates to contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

The link below relates to Section 5.03(D) Home Rule Charter:

<http://www.miamidade.gov/charter/library/charter.pdf>

Resolution No. R-265-16, adopted by the Board on April 5, 2016, relates to a sixth amendment to the agreement to add \$3.3 million to the agreement.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2016/R-265-16.pdf>

Resolution No. R-735-05, adopted by the Board on June 21, 2005, provided that the County assume responsibility for the completion of the North Terminal Development Project (NTD).

<http://intra/gia/legistarfiles/Matters/Y2005/051768.pdf>

Resolution No. R-807-06, adopted by the Board on July 6, 2006, relates to a bid-waiver for a consulting agreement for project support services for the North Terminal Development Project.

<http://intra/gia/legistarfiles/Matters/Y2006/061667.pdf>

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Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

12-19-17: The foregoing proposed resolution was 4-day ruled by Commissioner Martinez

12-14-17: Forwarded to BCC with a favorable recommendation by the Economic Development and Tourism Committee.

Commissioner:

Commissioner Sosa had the following comments:

We want to know when the new solicitation be advertised and be awarded?

We want to make sure we don't have problems with procurement.

She requested the attorney to prepare an item for her to sponsor to include as part of the recommendation of award to a company of an item. The Inspector General should provide the following information on a recommended company:

- Provide a background if the company has been investigated in the county while working on any contract.
- If the company has failed to pay on time and within the terms on the contract.
- If the company has bad rating anywhere.

FISCAL IMPACT

If the proposed resolution is approved by the Board, it will add \$3,000,000 of funding and extend the term of Project No. B701D until July 31, 2018 for support services for the Terminal Optimization Program.

The additional allocation would increase the Total Authorized Amount from \$114,534,902 to \$117,534,902.

ANALYSIS

If approved by the Board, the resolution: (1) waives the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; (2) approves the Eight County amendment to the Consultant Agreement Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) allocating additional funding of \$3,000,000 and extending the term to July 31, 2018; and (3) authorizes the Mayor or designee to execute the attached amendment.

The Aviation Department has initiated its TOP in late 2014, in response to airlines request for more gates, as a \$1.149 billion capital improvement program to make MIA a more desirable and efficient transportation center. The TOP is intended to expand the functionality of existing terminal buildings, modernize older terminals, and provide safe and efficient terminal facilities for the next 20 to 30 years. The TOP has been broken into two phases with Phase I to cover the Fiscal Year 2015 to Fiscal Year 2018 time period and Phase II to cover the Fiscal Year 2019 to Fiscal Year 2025 time period. Phase I has been estimated to cost \$650.6 million and Phase II is estimated to cost \$498.0 million.

The TOP is primarily funded by bonds, federal and state grants, PFCs, and monies set aside from the Reserve Maintenance Fund and Improvement Fund.

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The previous seven modifications to this agreement are summarized in the table below:

Modification	Effect
1	Increased the contract by \$2,500,000 Cost or cost estimating, code research for Life Safety Master Plan, and additional support staff for the BHS; and exercised three (3) one-year renewal options for \$45,150,000
2	Allowed utilization of the available balance in the Basic Services allocation to fund work authorized as Dedicated Services or Reimbursable Expenses.
3	Extended the term to September 30, 2014.
4	Modified the term to January 31, 2015.
5	Extended the term to January 31, 2018, and expanded the scope of work.
6	Added \$3,300,000 to continue providing services at MIA
7	Added \$2,800,000 to continue providing services at MIA.

The most recent amendment was approved by the Board on June 6, 2017. This Amendment achieves the objective of providing the services needed to ensure that work is continued and contractors are paid on time. This Agreement will be in effect until the new agreement is awarded. The current vendor is Sequeira & Gavarette, Inc.

It is in the best interest of the County to waive competitive bid procedures pursuant to Miami-Dade County Code Section 2-8.1 in order to ensure the work is continued and contractors are paid on time.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Sequeira & Gavarette, Inc., has an active status and first filed and registered on 5/28/1986.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=SEQUEIRAGAVARRETE%20M327721&aggregateId=domp-m32772-3823619b-2cf0-4a95-a479-4617198d3cd5&searchTerm=Sequeira%20%26%20Gavarette%2C%20Inc&listNameOrder=SEQUEIRAGAVARRETE%20M327721>

More information is available at the link below regarding the Airport Master Plan and Capital Improvement Plan:

http://www.miami-airport.com/master_plan.asp

Below is a link for the 2016 Comprehensive Annual Financial Report for the Miami-Dade Aviation Department:

<http://www.miami-airport.com/library/pdfdoc/Miami-Dade%20Aviation%20Issued%20CAFR%20FS-%2003-10-2017.pdf>

Below is a link for the 2017 fiscal year adopted budget for the Miami-Dade Aviation Department:

http://www.miami-airport.com/library/pdfdoc/MDAD_2017_Budget.pdf

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Research Notes

Item No. 8A3
File No. 180049

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND TWU LOCAL 291 RELATED TO THE OPERATIONS AND MAINTENANCE OF THE MIC-MIA CONNECTOR AUTOMATED PEOPLE MOVER SYSTEM, IN THE AMOUNT OF \$3,600,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND EXERCISE ALL RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the board should approve a settlement agreement between the County and Transport Workers Union Local 291 (TWU) in the amount of \$3,600,000.00 related to the operations and maintenance of the Miami Intermodal Center – Miami International Airport (MIC-MIA) Connector Automated People Mover System.

APPLICABLE LEGISLATION/POLICY

Section 13(c) of the Urban Mass Transportation Act (UMTA) of 1964 states that before a transit system can receive any federal money under UMTA, the Secretary of Labor must certify that “fair and equitable” arrangements have been made to protect the rights and interests of employees affected by the federal money.

<http://digitalcollections.library.cmu.edu/awweb/awarchive?type=file&item=556796>

PROCEDURAL HISTORY

Prime Sponsor: Rebeca Sosa, District 6

Department/Requester: Aviation Department

FISCAL IMPACT

The County will pay TWU \$3.5 million and Phillips, Richard & Rind, P.A. Trust Account \$100,000. The funding source is Miami-Dade Aviation Department (MDAD) Contingency Funds. The Federal Aviation Administration (FAA) has approved the eligibility of airport funds for this purpose. Neither the costs of this settlement nor the ongoing expenses of the MIA Mover will be paid from Miami-Dade County Department of Transportation and Public Works (DTPW) funds.

ANALYSIS

This item seeks approval of the terms and conditions of this Settlement Agreement in which TWU agrees to waive all of its claims against the County related to operations and maintenance of the MIC-MIA Connector Automated People Mover System, as well as any other claims which could be asserted related to the E-Satellite Train or the North Terminal Skytrain, in exchange for the payment in the amount of \$3,600,000.00. TWU is the union that represents the County's transit employees.

On September 12, 2012, TWU alleged that the 13(c) agreement was violated when MDAD awarded the maintenance work for the MIA Mover to Mitsubishi Heavy Industries of America, Inc. (MHIA)/Crystal Mover Services Industry (CMSI), and asserted that the operation and maintenance (O&M) of the MIA Mover should be transitioned to TWU. This assertion caused concerns to MDAD because an additional \$20 million expense would be incurred over a three-year period to transition the trains' O&M to DTPW. If such a transition would occur, it is expected that certain critical CMSI staff would have to continue working with DTPW. The exact number of staff from CMSI that would have to remain is unknown at this time. In such event, MDAD would also have to pay an as-yet-to-be-determined mark-up on train parts.

On June 10, 2016, the Arbitrator appointed to resolve the dispute, Robert H. Hoffman, issued an award in favor of TWU and found that the County violated the 13(c) Agreement by awarding the MIA Mover maintenance work to MHIA. The Arbitrator further found that 30 new job opportunities (22 technicians and 8 cleaners) were lost by the TWU bargaining unit when MDAD

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decided to contract out the maintenance work for the MIA Mover. On December 1, 2017, the County and TWU entered into a settlement agreement. The agreement stated that:

- TWU relinquishes any legal to contractual rights to any maintenance work on the MIC MIA Mover and the following trains at MIA: the E Satellite Train and North Terminal Sky Train operated at the MIA.
- The County will issue payment to TWU in the amount of three million five hundred dollars and zero cents (\$3,500,000) within fifteen (15) days from the date this Agreement is fully executed and approved by the Board of County Commissioners (BCC).
- TWU recognizes that maintenance on the MIC MIA Mover, the E satellite Train and North Terminal Sky Train may be performed by anyone determined by the County including an outside vendor selected by the County.
- TWU and the County agree that this Agreement is a negotiated settlement where all or part of the Agreement has been typed by one Party for the convenience of the other and that this Agreement shall not be construed for or against any Party as a result of who drafted or typed this Agreement or any specific provision hereof.

Case No. 01-14-000-6029 (Remedial Decision and Award):

A. Money Damages are proper

The Union seeks money damages, either in the form of back pay or overtime compensation or seemingly both. The Union maintains it is entitled to back pay as one of the traditional remedies used to fully remedy a situation where jobs belong to a union, or in this case 13(c) agreement and the CBA. It is thus money and jobs lost to the bargaining unit.

B. The Damages Remedy

The Union's Position: The Union provided an accounting of the total damages suffered by the bargaining unit through December 2016, when the remedy hearing was held. The parties are in agreement that the MIA Mover will take 22 Full-Time Equivalence of employees in the classification of the Metromover Technician. These are 22 additional positions that would have been in the bargaining unit, at least as of September 9, 2011, when the MIA Mover became operational. It is estimated that it would take 10 rail vehicle cleaners to perform the work, based on the number of shifts, number of vehicles, and the type of cleaning that needs to be done. Arbitrators recognizes that a damage award should be distributed to the entire bargaining unit where it is difficult to determine exactly who may have been affected.

The County's Position: Damages, if any, should not accrue until after May 2017 lineup. The Union's damage model is flawed because it purports to be calculating "back pay" for theoretical employees retroactively for a period starting September 9, 2011 through December 31, 2016. Back pay is pay that was taken from an employee such as one that is laid off or suspended and then back pay is used to reimburse for that actual loss. In addition to the improper time period, the Union's damage model assumes "back pay" for the full salary of 30 employees for over five years. The Union's damage model engages in improper double counting because it includes the full salary of 22 technicians and 8 cleaners without deducting the pay those theoretical individuals received for the last five years while employed with DTPW. The overtime rate is also improper double counting and punitive.

C. The Damages Decision

Lost were those maintenance job opportunities created by the MIA Mover in 2011 for which "by training or re-training" unit employees could become "qualified" instead the County subcontracted this maintenance and cleaning work to an outside firm to perform in violation of the County's 13(c) agreement with the Union. Remedying such employees with damages for their lost opportunities is [art of the overall remedy that will make it a compete one.

BCC Meeting: January 23, 2018
Research Notes

ADDITIONAL INFORMATION

TWU is affiliated with the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the worldwide International Transport Workers Federation (ITF). They are a trade union representing workers in Mass Transportation, Airline, Railroad, Utility, University, Municipalities, Service and allied industries. The Transport Workers Union of America, AFL-CIO represents nearly 140,000 members across the airline; railroad; transit, universities, utilities, and services; and gaming sectors.

<https://twu291.org/site/index.php/about-us/history>

Crystal Mover Services, Inc. (CMSI) is an Operations and Maintenance (O&M) organization incorporated by Mitsubishi Heavy Industries America Inc. (MHIA) and Sumitomo Corporation (SC)/Sumitomo Corporation of Americas (SCOA). CMSI was established to support the O&M needs of the Crystal Mover Automated People Mover (APM) manufactured by Mitsubishi Heavy Industries (MHI) and installed in the United States of America. The Headquarters is located in Miami, with branches in GA, VA and FL.

<http://www.crystal-mover.com/>

Robert B. Hoffman is a member of the National Academy of Arbitrators and serve on permanent labor panels for various employers and unions. He has worked full time as an arbitrator since 1990 and previously practiced law and served with the National Labor Relations Board. Robert B. Hoffman, Ltd, Inc. has branches in Fort Lauderdale and Fort Myers, Florida.

<https://www.linkedin.com/search/results/index/?keywords=Robert%20B.%20Hoffman%2C%20Ltd.%2C%20Inc.>

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8A4
File No. 180082**

Researcher: NR Reviewer: TD

RESOLUTION SUPPORTING THE BID TO BE A HOST SITE FOR THE 2026 WORLD CUP SOCCER MATCHES AND EVENTS; APPROVING THE TERMS OF THE AIRPORT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MEMBER ASSOCIATION (AS SUCH TERM IS DEFINED IN THE AIRPORT AGREEMENT) AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE CERTAIN PROVISIONS CONTAINED THEREIN; WAIVING RESOLUTION NO. R-130-06 AND ADMINISTRATIVE ORDER 3-20; AND URGING THE UNITED STATES BID COMMITTEE AND FEDERATION INTERNATIONALE DE FOOTBALL ASSOCIATION TO SELECT THE BID FOR HOSTING THE 2026 WORLD CUP IN MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve the resolution expressing support for the bid to the United Bid Committee (UBC) for Miami-Dade County (County) to be a host city for the 2026 FIFA World Cup, as well as approve the execution of a required FIFA-provided Airport Agreement (Agreement) between the County and the Member Association.

APPLICABLE LEGISLATION/POLICY

Resolution R-130-06 requiring contracts submitted to the BCC be completely negotiated and in final form.

<http://www.miamidade.gov/govaction/matter.asp?matter=060239&file=false&yearFolder=Y2006>

Administrative Order 3-20 requiring contractual language on the Independent Private Section Inspector General Services.
(Link for this item is unavailable)

PROCEDURAL HISTORY

Prime Sponsor: Rebeca Sosa, District 6

Requester: Aviation Department

FISCAL IMPACT

A study conducted by the Boston Consulting Group, on behalf of the UBC, indicates that the economic benefit to local host cities may be as much as \$500 million.

It is expected that Miami-Dade Aviation Department (MDAD) departmental support of the 2026 FIFA World Cup may be a minimum \$275,000. Additionally, staff has estimated another \$1.5 million in rental fees and advertisement that the County would need to incur pursuant to the Agreement. However, pursuant to the Agreement, FIFA and/or its Member Association or affiliates will cover certain expenses including installation of signs, and the purchase of Airport retail spaces and outdoor media spaces.

The County intends to provide support as needed to host the 2026 FIFA World Cup in a manner similar to the support provided to the Super Bowl Host Committee. The County's experience as a host city for previous special events provides a basis for estimating the potential in-kind services such as public safety, transportation and staff support. Expenditures for these services for the Super Bowl in 2010 were approximately \$3 million. Applying the assumption that the Super Bowl is a week of activities and that the World Cup is approximately one month of activities, it is estimated that in-kind support could total at least \$15 million.

**BCC Meeting: January 23, 2018
Research Notes**

ANALYSIS

This resolution proposes support for the bid to the UBC the County to be a host city for the 2026 FIFA World Cup and the Member Association. The Member Association is comprised of the US Soccer Federation, the Mexican Soccer Federation and the Canadian Soccer Association.

It is anticipated that an entity to be named the Greater Miami Sports Commission, Inc. will be created as a non-profit entity (GMSC) prior to the Board's consideration of this item and it is anticipated that GMSC will submit the bid to UBC.

This instant item requests the waiver Resolution No. R-130-06, passed 1/26/2006, requires that "seeking approval of a contract and authority to execute same until the underlying contract is completely negotiated, in final form, and executed by all non-County parties". The waiver of R-130-06 is requested in order to submit the county's bid under existing UBC rules.

Under existing terms FIFA and its Member Association may unilaterally modify and enhance the County's obligations requiring the County to indemnify FIFA and its affiliates and pay damages for: termination; the County's failure to perform deliverables that are not within the County's jurisdiction or authority; and breach of existing MDAD contracts that may be in effect through 2026, if necessary for the delivery of obligations contained in the Agreement.

Countering this high risk of open ended fiscal impacts, the Mayor's office recommends the insertion of contractual language limiting the County's fiscal exposure by limiting unilateral modification of any agreement by FIFA and the Member Association. Insertion of this language may disqualify the County's application as Host City.

It is expected that FIFA will be announcing the selection of the host nation for the 2026 FIFA World Cup at the 2018 FIFA World Cup in Russia this summer. Currently, Morocco is the only other nation submitting a bid for the 2026 FIFA World Cup.

FIFA has indicated that the 2026 tournament will be an expanded version including the largest field of participating nations ever, with 48 countries competing. A Host City can expect to hold between four to eight matches. The UBC has also stated that the US will host 60 of 80 matches, with Canada and Mexico each hosting 10 matches.

If the County is selected as a Host City for the 2026 World Cup with matches to be played at Hard Rock Stadium, with several other venues also utilized such as Bayfront Park, Lummus Park, Florida International University, University of Miami, St. Thomas University and Barry University. Hosting the World Cup presents many benefits including: \$500 million estimated economic impact to the community, as well as other benefits such as worldwide exposure of our community and legacy of serving as a host city. In addition, it will support the County's and Greater Miami Convention and Visitors Bureau's (GMCVB) international recognition as a "big-event town" and premier travel destination.

A complete list of several proposed conditions provided as an annex to the Airport Agreement is found in the staff/ Mayoral Memorandum (HW p.4) of this item.

Questions:

How often has Resolution R-130-06 been waived in the past by this Board for other major events?

In September of 2017, the County, along with the GMCVB and the Miami Dolphins, provided a response to a Request for Qualifications (RFQ) that was evaluated by the UBC. Was this RFQ reviewed by the Board and/ or appropriate committee? What is the final date of our submission for consideration for the World Cup?

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8C1
File No. 172651**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING THE FUNDING OF THIRTY-TWO GRANTS FOR A TOTAL OF \$358,900.00 FROM THE FISCAL YEAR 2017-2018 FIRST QUARTER OF THE TOURIST DEVELOPMENT COUNCIL GRANTS PROGRAM ROOM TAX PLAN AND SURTAX CATEGORY TO PROMOTE MIAMI-DADE COUNTY TOURISM; WAIVING RESOLUTION NO. R-130-06, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS WITH VARIOUS ENTITIES AND TO EXERCISE ALL PROVISIONS, INCLUDING CANCELLATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution which would approve the funding of thirty-two grants for a total of \$358,900 from the Fiscal Year FY 2017-2018 first quarter of the tourist development council grants program room tax plan and surtax category to promote Miami-Dade County tourism.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-130-06 adopted January 24, 2006, requiring contracts with non-governmental entities be signed by the other parties before being submitted to the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=060239&file=false&yearFolder=Y2006>

Ordinance 16-104 adopted September 22, 2016 relates to approving, Adopting and Ratifying Proprietary Budgets, Special Assessment District Budgets, and Other Budgets Of Miami-Dade County, Florida, For The Fiscal Year Commencing October 1, 2016 And Ending September 30, 2017.

<http://intra/gia/matter.asp?matter=162075&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsors: None

Department/Requester: Department of Cultural Affairs

The Item was forwarded to BCC with favorable recommendation at the Economic Development and Tourism Committee December 14, 2017.

FISCAL IMPACT

Funding for the Tourist Development Council (TDC) Grants Program comes from the two percent Tourist Development Room Tax Revenue and the two percent Hotel/Motel Food and Beverage Surtax revenues. In addition, the Greater Miami Convention and Visitors Bureau provides \$25,000 to the TDC, pursuant to a multi-year agreement. Further, a remaining balance of \$213,072 from FY 2016-17 in unspent grant funds was carried over and is being appropriated as part of the FY 2017-18 program, as stated by the mayoral memo.

The amount of \$1.25 million has been allocated for FY 2017-18 TDC, The current First Quarter recommendations, totaling \$358,900, begin the recommended TDC grant allocations for this fiscal year.

ANALYSIS

This Resolution, if approved by the Board will approve the funding of 32 grants for a total of \$358,900 from the FY 2017-18 Tourist Development Council Grants Program, This Item will also recommends that Resolution No. R-130-06 be waived in order to expedite the allocation of funding support for these time-sensitive, tourism-oriented, and community events.

BCC Meeting: January 23, 2018
Research Notes

This Item relates to promoting Miami-Dade County's tourism by funding tourist-oriented cultural, sporting, television and special event/promotions.

The TDC used five competitive categories to evaluate the applicant and their respective organization.

- Tourism, Impact/Marketing Plan.
- Quality and track record of the Organization and its event.
- Event coordination and management.
- Fiscal Feasibility and accountability
- Efforts to comply with and incorporate the American with Disabilities Act

The funds are distributed on a reimbursement basis to ensure that County grant funds are used strictly for the activities that are listed in this memorandum and represented in the subsequent grant agreements.

On November 2, 2017, The TDC met to evaluate 32 applications requesting \$530,900 for the First Quarter of the program. The TDC recommended funding all 32 applicants, for a total of \$358,900.

The reason the Item wishes to waive Resolution No. R-130-06 is to expedite the allocation of funding support for the time-sensitive, tourism-oriented, and community events.

As per the grant awards agreement, by making this grant, Miami-Dade County assumes no obligation to provide financial support of any type whatever in excess of the total grant amount. Cost overruns are the sole responsibility of the Grantee. Grant funds will be supplied to the Grantee once the award is approved and subject to the conditions and limitations as outlined in the agreement and its accompanying articles and attachments.

In the event that County funds on which the agreement is depend do not materialize or are withdrawn, the agreement is terminated and the county has no further liability to the Grantee, beyond that already incurred by the termination date. If the County has revenue shortfall, then the total grant will be reduced accordingly.

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8C2
File No. 172917**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING MEDIATED SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY, BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, RONIEL RODRIGUEZ, IV, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, AND STRATEGIC PROPERTIES GROUP, INC. IN AN AMOUNT OF \$100,000.00, OF WHICH \$40,000.00 SHALL BE PAID BY THE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution approving the mediated settlement between Miami-Dade County, Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIFF), Florida International University Board of Trustees (FIU), Roniel Rodriguez, IV, Old Republic National Title Insurance Company (National Title), and Strategic Properties Group, Inc. (Strategic) pending in the Circuit Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, Case No. 14-15650 CA 23, (the Lawsuit) in the amount of \$100,000 in favor of Strategic. National Title shall pay Strategic \$60,000 and the County shall pay Strategic \$40,000 as full and final satisfaction and payment for all claims relating to the Coconut Grove Playhouse property.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-797-13 adopted October 1, 2013 approving (1) the updated lease between the state of Florida (state) and co-lessees, Miami-Dade County and Florida International University (FIU) of the Coconut Grove playhouse, 3500 main highway, Coconut Grove, FL 33133 and (2) the agreement between the County and FIU, and authorizing the county mayor or the county mayor's designee to execute the lease and the agreement, subject to certain conditions and authorizing the county mayor or the mayor's designee to exercise any and all rights conferred therein

<http://www.miamidade.gov/govaction/matter.asp?matter=131977&file=false&yearFolder=Y2013>

Resolution No. R-1043-13 adopted December 17, 2013 approving a Management and Operating Agreement Between Miami-Dade County (County) And The City Of Miami Department of Off-Street Parking A/K/A Miami Parking Authority; (2) Approving A Memorandum Of Understanding Between The County And The City Of Miami; (3) Authorizing The Mayor Or Designee, Subject To Certain Conditions, To Conclude And Execute Settlement Agreements and/ or to take other legal action, for the purpose of removing specified encumbrances on the Coconut Grove Playhouse Property and to make expenditures related to such purposes in a total amount not to exceed \$120,000.00; and (4) authorizing The County Mayor Or Designee To Execute The Foregoing Agreements And To Exercise Any And All Rights Conferred By Any Of The Foregoing Agreements, And Providing For An Effective Date

<http://www.miamidade.gov/govaction/matter.asp?matter=132485&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

**Prime Sponsors: Commissioner Xavier L. Suarez, District 7
Department/Requester: Department of Cultural Affairs**

FISCAL IMPACT

The fiscal impact to the County from entering into this settlement agreement is \$40,000 and shall be funded from parking revenue proceeds from the Coconut Grove Playhouse surface parking lot, as stated in the mayoral memo.

ANALYSIS

BCC Meeting: January 23, 2018
Research Notes

This Item relates to whether the Board should approve the mediated settlement between Miami-Dade County and the aforementioned parties.

If approved, then the County shall pay Strategic \$40,000 as full and final satisfaction and payment for all claims relating to the Coconut Grove Playhouse property. On October 1, 2013 via Resolution No. R-797-13, this Board authorized the County administration to enter into a lease agreement with the State, with FIU as a co-tenant for the Playhouse property, and on December 17, 2013 via Resolution No. R-1043-13 to negotiate with claimants that had encumbrances on such property and to resolve such claims in an amount not to exceed \$120,000. Thereafter, the County resolved five claims totaling \$40,375 and removed all of the encumbrances on the Playhouse Property. There was a settlement after long litigation

As per the Mediated Settlement Agreement, Miami-Dade County TIFF, FIU, National Title, and Strategic Properties Group, Inc. met on August 9, 2017 to mediate the case styled Miami-Dade County v. Strategic Properties Group, Inc. and have reached an agreement as of such date to fully settle the claims by and between themselves arising out of or related to the matter set forth in the above-styled litigation, upon the following terms and conditions, subject to and contingent upon approval by the County Mayor and the Miami-Dade County Board of County Commissioners. Strategic agrees to accept the total sum of \$100,000, payable within 10 days, after approval by the later of the County Mayor, and the Miami-Dade County Board of County Commissioner, and the exchange of executed copies of this Agreement. Payment to Strategic shall be made as follows.

- \$60,000 shall be paid by the National Title.
- \$40,000 shall be paid by the County.

All payments shall be made payable in accordance with the instructions set forth by the agreement or as otherwise instructed in writing by Strategic.

BCC Meeting: January 23, 2018
Research Notes

Item No. 8F1
File No. 172538

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND JONATHAN SPIKES FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION, FOR THE PREMISES LOCATED AT 150 NW 79 STREET, ROOMS 342-1, 342-2, 342-3, 342-4, 342-5, 342-6, 342-7 AND EXCLUSIVE USE OF LOBBY, MIAMI, FLORIDA, TO BE UTILIZED TO PROVIDE THERAPEUTIC SERVICES, AND PSYCHO-EDUCATIONAL CLASSES FOR THE YOUTH AND FAMILIES OF MIAMI-DADE COUNTY, TO PREPARE THEM TO SUCCEED IN ACADEMIC, SOCIAL, AND CAREER SETTINGS, WITH A TOTAL RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE \$168,600.14, FOR THE INITIAL FIVE-YEAR TERM OF THE LEASE AND THE ADDITIONAL FIVE, ONE-YEAR RENEWAL OPTION PERIODS; DECLARING SUCH PROPERTY SURPLUS; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution authorizing execution by the County Mayor or the County Mayor's designee, of a lease agreement between Miami-Dade County and Jonathan Spikes foundation, Inc., a Florida not-for-profit organization, for the premises located at 150 NW 79 street, rooms 342-1, 342-2, 342-3, 342-4, 342-5, 342-6, 342-7 and exclusive use of lobby, Miami, Florida, to be utilized to provide therapeutic services, and psycho-educational classes for the youth and families of Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of Florida Statutes- Governs sale of county property to United States, or State.

http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-380-17- Establishes Board policy regarding County-Owned real property.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-380-17.pdf>

Ordinance No. 12-53 governs lease of County property; amending Sec.2-8.6.5 of the Code, to require criminal background checks of certain proposed tenants of County property and disclosure of adverse results to the Board.

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2012/12-53.pdf>

No. R-333-15 Governs County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County owned property to promote public disclosure and fiscal responsibility.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Department/Requester: Internal Services Department

This Item was forwarded to BCC with a favorable recommendation at the Government Operations Committee December 12, 2017.

BCC Meeting: January 23, 2018
Research Notes

FISCAL IMPACT

The County will receive for the initial five years, a rental income of. \$78,318.12. There will be a three percent annual increase once the second year of the lease has passed. The total revenue to the County for the initial five-year term, plus the five, one – year renewal option periods, will be \$168,600.14, This includes an annual increase of three percent, and a four percent lease management fee. The rent for the initial year is \$11.25 per square foot. The rental has been discounted from market rate, as the Tenant is providing necessary services intended to promote community interest and welfare, as stated in the mayoral memo.

ANALYSIS

If this resolution is approved, the Board will authorize the execution of the Lease Agreement between Miami-Dade County and Jonathan Spikes Foundation, Inc., a Florida not-for-profit organization, for the use of County-owned property located at 150 NW 79 Street, Miami, Florida. The resolution does the following:

- Authorizes the lease of County-owned property at the Edison/West Little River Community Resource Center, consisting of approximately 1,343 adjusted square feet of air-conditioned space to include Rooms 342-1, 342-2, 342-3, 342-4, 342-5, 342-6, 342-7 and the lobby, together with off-street parking in common with other tenants.
- Authorizes a lease term of five years, with five, one-year renewal option periods.
- Declares such property surplus.

This facility will be used by the tenant to operate as a not-for-profit Affirming Youth organization, which provides private therapeutic services and psycho-educational classes for youth ranging in ages from infancy through 19 years old, and their families, to develop practical, cognitive and behavioral skills to assist participants in succeeding in academic, social and career settings, as stated in the mayoral memo. The program provides participants with opportunities to reflect on life experiences and relevant personal and social issues in a supportive learning and academic environment. Participants will be taught academic skills, such as reading, writing, and research through a variety of activities. The organization will be staffed by licensed educators, clinical social workers, clinical mental health therapists and other trained professionals.

Further lease details include The County and its responsibility for the cost and expenses associated with the property, including, security, utilities, janitorial maintenance, landscaping, repairs, and replacement of fixtures during the first two years of the Lease.

The Tenant is responsible for improvements to the premises, phone and data related installation and services, and any permits or licenses required to utilize the premises, and for performing all due diligence necessary to maintain, and/or otherwise operate the property. The Tenant shall have the right to terminate the Lease on an annual basis, within 90 days prior to the anniversary of the effective date, if the necessary funding for the Tenant’s use of the premises is eliminated, reduced, or otherwise not secured by the Tenant.

There was an in-house survey Internal Services Department’s Real Estate Development Division did of the comparable rental values in the area of the subject property to determine market rental value. The following findings were made as stated in the mayoral memo.

- 551 NW 72 Street, Miami, Florida - \$15.00 per square foot on an annual basis. Tenant is responsible for all operating costs and expenses.
- 555 NW 95 Street, Miami, Florida - \$16.50 per square foot on an annual basis. Tenant is responsible for all operating costs and expenses.
- 7325 N Miami Avenue, Miami, Florida - \$18.00 per square foot on an annual basis. Tenant is responsible for all operating costs and expenses.

BCC Meeting: January 23, 2018
Research Notes

ADDITIONAL INFORMATION

The following statement comes from the website of Jonathanspikes.org

<https://www.jonathanspikes.org/about-us>

“The Jonathan Spikes Foundation (dba Affirming YOUth) was established in 2011 by Jonathan Spikes who wanted to create an organization with support services that cater to the physical, mental, emotional, and spiritual wellbeing of youth in Miami-Dade County. Mr. Spikes, a survivor of trauma, witnessed the shooting of his brother when he was 6 years old, and the loss of his second brother at aged 21. This fueled his desire and commitment to help youth not meet the same fate as his brothers. Affirming YOUth works to make sure violence does not have to occur in our communities, and strongly believes that empowering our youth to manage and sustain themselves holistically is the path to success.”

On their website they have also have an IRS determination letter dates September 12, 2012 showing their approval for tax exempt status under section 501(C) (3) of the Internal Revenue Code.

<https://www.jonathanspikes.org/irs-determination-letter>

Jonathan Spikes Foundation, Inc. has an active status on Sunbiz.org.

**BCC Meeting: January 23, 2018
Research Notes**

**Item 8F2
File No. 172611**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$60,850.00 FOR THE SALE AND PURCHASE BETWEEN BETHESDA CHURCH MINISTRIES, INC., AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER, FOR APPROXIMATELY 3,920 SQUARE FEET OF LAND AT 14120 NW 7 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY FOR THE PURPOSE OF CONSTRUCTING A NEW PUMP STATION BY THE WATER AND SEWER DEPARTMENT; AUTHORIZING THE EXPENDITURE OF UP TO \$3,000.00 FOR CLOSING COSTS TO BE FUNDED BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 17, TITLED COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT, EXERCISE ALL RIGHTS CONFERRED THEREIN, TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD SUCH DEED

ISSUE/REQUESTED ACTION

Whether the Board should authorize the following:

1. A contract for sale and purchase in the amount of \$60,850.00 between the County, as buyer, and Bethesda, Church Ministries, Inc., as seller, for the purpose of acquiring land to construct new pump stations for the Water and Sewer Department; and
2. Acceptance of the conveyance by the County Mayor by Warranty Deed.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09, adopted July 21, 2009, requiring that County interest in real property be recorded in public records of Miami-Dade County.

<http://intra/gia/legistarfiles/MinMatters/Y2009/091900min.pdf>

Resolution No. R-537-14, adopted June 3, 2014, approving allocation of \$126,000,000.00 from BBC-GOB Program Project No. 17 – “Countywide Water and Sewer System Enhancements” to fund extension of sewer system to developed commercial and industrial corridors of the County.

<http://intra/gia/matter.asp?matter=140987&file=true&yearFolder=Y2014>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime, District 2

Department/Requester: Internal Services

This item was forwarded to the Board with a favorable recommendation from the Infrastructure and Utilities Committee at its December 12, 2017 meeting.

FISCAL IMPACT

The estimated total cost of the acquisition is \$63,850, which includes \$60,850 for the acquisition and approximately \$3,000 for closing costs. The funding source for the acquisition of the land is Building Better Communities General Obligation Bond Program Project No. 17, titled Countywide Water and Sewer System Enhancements.

ANALYSIS

BCC Meeting: January 23, 2018
Research Notes

The item seeks approval for the purchase of land from Bethesda Church Ministries, Inc. in the amount of \$63,850, which includes \$3,000 of closing costs, to construct a vital pump station. The expansion will bring wastewater services to commercial areas along NW 7th Avenue, as approved by the Board through Resolution No. R-537-14. The resolution also states that the use of Project 17 GOB funds will not have an immediate impact on water and sewer rates since there will be no need to issue water and sewer bonds or utilize available funds to pay the cost of such expansions.

On November 22, 2016, an Appraisal Report was submitted by Quinlivan Appraisal to estimate the total suggested compensation of the part to be acquired plus damages and concluded that the market value of the property was \$60,850. Quinlivan Appraisal is an independent appraiser from the approved list of appraisers used by the County.

The Contract states that:

- The purchase price is predicated upon a site area of 3,920 net square feet and shall be adjusted according to the net square feet as determined by the final survey. The Buyer is responsible to obtain a current, certified boundary survey of the Real Property prepared by a professional land surveyor licensed by the State of Florida.
- All liens of record, including certified municipal and county liens, as well as special assessments, shall be paid in full at or before closing by the Seller.
- The Warranty Deed states that Bethesda Church Ministries, Inc. for and in consideration of \$10 and other good and valuable consideration is conveying the property to the County.

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8F3
File No. 172456**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING THE USE OF CONTRACT NO. RFP-00199, FINANCIAL AND P3 ADVISORY SERVICES FOR THE DEPARTMENT AND TRANSPORTATION AND PUBLIC WORKS PROJECT TITLED LED ROADWAY LIGHTING DEVELOPMENT AND INSTALLATION AND AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY FOR SAID CONTRACT IN A TOTAL AMOUNT UP TO \$150,000.00

ISSUE/REQUESTED ACTION

Whether the Board should authorize the use of Contract No. RFP-00199, Financial and P3 Advisory Services, for the LED roadway lighting development and installation project for the Department of Transportation and Public Works (DTPW) in the amount of \$150,000.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

[https://library.municode.com/fl/miami -
dade county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Master Procurement Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services, including professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-706-16, adopted by the Board on July 19, 2016, approved award of Contract No. 00199 to KPMG LLP for delivery of financial and public-private partnership advisory services in an amount not to exceed \$2,000,000 for an initial two-year term and, two, one-year options to renew.

<http://intra/gia/matter.asp?matter=161687&file=true&yearFolder=Y2016>

Resolution No. R-151-15, adopted by the Board on February 3, 2015, directed the County Mayor to prepare and issue a solicitation for the retention of a financial consultant to provide specialized financial services to support the County in its desire to explore P3 delivery methods for the design, construction, operation and maintenance of court and jail facilities. Under the resolution, a P3 solicitation shall consist of two steps, a Request for Qualifications followed by a Request for Proposals.

<http://intra/gia/matter.asp?matter=150167&file=true&yearFolder=Y2015>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

12/14/17: Forwarded to BCC with a favorable recommendation by the Transportation and Public Works Committee.

BCC Meeting: January 23, 2018
Research Notes

11/16/17: No action taken due to lack of a quorum by the Transportation and Public Works Committee.

FISCAL IMPACT

DTPW is requesting an allocation of \$150,000 to cover the cost of financial and P3 advisory services. The mayoral memorandum does not explain how that allocation was determined and what specific services the vendor – KPMG LLP – would deliver. Per information found in the Bid Tracking System on January 19, 2018, \$1,000,000 have been allocated to the contract's Blanket Purchase Order, of which \$360,000 has been released leaving a balance of \$640,000. As specified in the contract, the performance and payment for any work shall be expressly conditioned upon the execution of a Work Order by both parties.

ANALYSIS

This item seeks Board authorization for DTPW to be added to the County's Financial and P3 Advisory Services contract with KPMG with an allocation of \$150,000; the addition of the department to the contract will authorize the firm's delivery of financial advising and consulting services associated with the LED roadway lighting development and installation project. As indicated in the mayoral memorandum, the project proposes to convert roughly 12,597 existing high pressure sodium streetlights to LED (i.e., energy efficient light emitting diodes) and to maintain the new LED lighting system for a 15-year term. LED lighting is considered more efficient than traditional lighting sources, reducing energy consumption, decreasing the use of fossil fuels and having a longer lifespan, ostensibly resulting in cost savings. However, medical professionals have issued warnings about the potential health hazards of LED streetlights, such as severe discomfort and glares which may result in personal injury.

(see: <http://www.cnn.com/2016/06/21/health/led-streetlights-ama/index.html>).

Under the County's contract with KPMG, the firm is required to deliver financial advising and P3 consulting services associated with the acquisition of projects through the P3 delivery method. A P3 (i.e., public-private partnership) is a contractual arrangement between a public agency and a private sector entity through which the skills and assets of each sector are shared to deliver a service or facility that serves a public purpose for use by the general public. The specific services KPMG contracted to deliver relating to the County's efforts to develop court and jail facilities via P3 initiatives are: preparation of solicitation documents; production of market research; analysis of County assets; review of proposals received; formation of benchmarks; preparation of project cost comparisons/normalizations; analysis of financing options; and review and assessment of project risks. KPMG may also assist the County in any project negotiations and subsequent contract preparation as well as the presentation of recommendations to the County administration, the Mayor's Office and the Board on such projects.

DTPW issued a Request for Expressions of Interest (RFI) to solicit market feedback on the project. A summary of the results of that RFI was not included in the mayoral memorandum. Information pertaining to the project's timeline and contractor deliverables were also not included in the memorandum. Finally, note that based on a search for KPMG LLP on December 11, 2017 in the Florida Department of State, Division of Corporation website, OCA concludes that the firm is not a registered, active state of Florida business entity.

[http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResults?inquiryType=EntityName
&searchNameOrder=KPMG&searchTerm=kpmg](http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResults?inquiryType=EntityName&searchNameOrder=KPMG&searchTerm=kpmg)

BCC Meeting: January 23, 2018
Research Notes

Item No. 8F4
File No. 172493

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9439-4/21, PITNEY BOWES GROUP1 SOFTWARE MAINTENANCE, FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE THREE, ONE-YEAR OPTION TO RENEW TERMS FOR LEGACY CONTRACT NO. L9439-4/21, PITNEY BOWES GROUP1 SOFTWARE MAINTENANCE, FOR THE INFORMATION TECHNOLOGY DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$475,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 [SEE ORIGINAL ITEM UNDER FILE NO. 171468]

ISSUE/REQUESTED ACTION

Whether the Board should authorize Legacy Contract No. L9439-4/21, Pitney Bowes Group1 Software Maintenance, and approve the exercise of the contract's next three option to renew terms (\$475,000) by the County Mayor or the County Mayor's designee.

APPLICABLE LEGISLATION/POLICY

Pursuant to Resolution No. R-187-12, the Mayor is directed to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.
<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Pursuant to Resolution No. R-98-12, before any option-to-renew period is exercised by the County on any contract, the County Mayor or County Mayor's designee is directed to attempt to negotiate better pricing for the County.
<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

Miami Dade Code (Code) 2-8.1, requires formal bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; provides that procurement procedures shall be established by I.O. and approved by the Board.
http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Pursuant to Code 2-8.1(b) (2) Legacy Purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. The County Mayor shall include, in any Legacy Purchase award recommendation, a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for Legacy Purchases for the particular good or service.
http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Implementing Order 3-38 sets forth the County's processes and procedures for the purchase of goods and services including professional services. It established the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchase, and sole sources.
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

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Research Notes**

Requester : Internal Services

The original item under file No. 171468 was tabled at the June 13, 2017 Infrastructure and Utilities Committee (IUC) meeting.

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its December 12, 2017 meeting without discussion. However, Commissioner Suarez stated he was voting No on this item at this time.

FISCAL IMPACT

The contract, which is in its initial term, expires on February 28, 2018 and has an allocation of \$289,000. If this request is approved, the contract will have a modified cumulative value of \$764,000 (proprietary funds) and will expire on February 28, 2021. The requested increase in expenditure authority is based on negotiated rates in the executed agreement. Board approval of the option to renew terms is required as the cumulative value of the current term and the requested renewal terms exceed the County Mayor's delegated authority.

ANALYSIS

This item seeks the approval for the next three option-to-renew terms for the Legacy Pitney Bowes Group1 Software Maintenance contract. This contract provides for ongoing maintenance and support services for Pitney Bowes software applications. The applications are utilized by Water and Sewer's Customer Care and Billing System to conduct billing operations and provide ongoing maintenance and support.

The ISD Director approved this legacy award under the delegated authority on July 29, 2016 in the amount of \$231,025. The Director has been delegated up to \$250,000 for noncompetitive contracts. Noncompetitive contracts with an allocation exceeding \$250,000, such as the present OTR item, require Board approval. The contract was administratively extended by six months with a prorated allocation of \$57,756.24, resulting in the current allocation of \$288,781.24 (\$231,025 award amount plus \$57,756.24 proration) and an 18-month initial term.

The Market Research conducted by ISD revealed that:

- Other printing and mailing software manufacturers that provide a similar product, however the pricing would be much higher since the County already owns the licenses for the Pitney Bowes software, and also the software must be able to integrate with PeopleSoft;
- The County has used these applications since 1994 and has invested in software upgrades and standardized on Pitney Bowes equipment to integrate this software into their PeopleSoft Customer Information System;
- Pitney Bowes is the proprietary owner of these software applications and the sole provider of maintenance and support services;
- These applications help produce a significant savings to WASD's Customer Information System operations; and
- In addition to postal savings, WASD could not process the volumes of invoices that go out to customers without the use of these applications.

According to ISD, based on the proprietary nature of these software applications and WASD foreseeing using them in the long-term, it is recommended that the next option to renew be used in order to obtain the necessary maintenance and support services to support WASD's mailing and billing operations. According to ISD:

- No other vendor is capable of providing the required maintenance and support services;
- The County owns the licenses for the software that has been integrated with the System;

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- The County has invested extensively in software upgrades and standardized Pitney Bowes equipment; and
- A replacement with a similar product that meets the County’s needs can cost up to \$860,000, cause critical disruptions to the Water and Sewer billing system, and will not add new functional value.

The below table provides the contract terms and allocations:

Initial/Renew	Contract Term	Allocation
Initial Term (18-month)	9/1/2016 – 2/28/2018	\$289,000
First Option to Renew	3/1/2018 – 2/28/2019	\$154,000
Second Option to Renew	3/1/2019 – 2/29/2020	\$158,000
Third Option to Renew	3/1/2020 – 2/28/2021	<u>\$163,000</u>
Total		\$764,000

The impact of this items is countywide in nature, and there are no applicable contract measures as this a legacy contract.

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Research Notes**

**Item No. 8F5
File No. 172537**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING APPROVAL OF A LEGACY CONTRACT FOR THE MAINTENANCE AND SUPPORT OF THE COMPUTERIZED COURT CASE MANAGEMENT SYSTEM FOR THE MIAMI-DADE CLERK OF COURTS, CONTRACT NO. L2002-129-1169, TO TYLER TECHNOLOGIES, INC. FOR AN INITIAL FIVE-YEAR TERM PLUS TWO, FIVE-YEAR OPTION TO RENEW TERMS IN A TOTAL AMOUNT NOT TO EXCEED \$5,193,000.00 AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve a legacy contract award to Tyler Technologies, Inc. for maintenance and support of the Odyssey Courts Case Management System (System) for an initial five-year term, and two, five-year options to renew for a cumulative value up to \$5,193,000, should the options to renew be exercised, for the Miami-Dade Clerk of Courts.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code governs legacy purchases; such purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. Unlike other noncompetitive purchases which require a two-thirds vote of the Board members present, a legacy purchase may be awarded by the Board upon a majority vote of the members present.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-1025-05, adopted by the Board on 09/08/2005, authorized the purchase of the system through a competitively established contract.

<http://intra/gia/matter.asp?matter=060518&file=false&yearFolder=Y2006>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

12/12/17: Forwarded to BCC with a favorable recommendation from the Government Operations Committee.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the five-year term is valued at \$1,731,000. Should the two, five-year option to renew term period be exercised the cumulative contract value would be \$5,193,000. The current contract expires on February 28, 2018, and is currently valued at \$12,323,414 per the Bid Tracking System. Per information found in the Bid Tracking System on January 19, 2018, \$1,489,000 have been allocated, of which \$545,782 has been released leaving a balance of \$943,217.

The proposed allocation is lower than previous contracts as this contract is solely for maintenance and support services.

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ANALYSIS

If approved by the Board, the proposed resolution approves a legacy contract award to Tyler Technologies, Inc. for maintenance and support of the System for an initial five-year terms, and two, five-year options to renew for a cumulative value up to \$5,193,000, should the options to renew be exercised, for the Miami-Dade Clerk of Courts.

The resolution proposes a legacy contract since Tyler Technologies, Inc. is the proprietary owner and sole provider of maintenance of the current system. Therefore, no other vendor is capable of proving the required maintenance and support services. It may be in the County's interest approve the request for the Legacy Contract as it may not be feasible to replace the system at this time. Market research estimates that the replacement cost for the system would exceed approximately \$5 million, but also the training and additional resources to customize and implement a new system.

Tyler Technologies, Inc. is the current provider of the Odyssey Court Case Management System. The System is used throughout the 14 Miami-Dade County court office locations. In order to remain in compliance with the software license agreement and to obtain available software version releases and updates, the System requires ongoing maintenance and support services.

The Odyssey Court Case Management System is used in over 14 states and over 120 counties.

A search of the County's Certified Small Business Enterprise firms (SBEs) as of January 19, 2018, under commodity code no. 20554 - SOFTWARE, APPLICATION: PREPROGRAMMED SOFTWARE, resulted in the following five SBEs:

1. LASER PRODUCTS, INC,
2. Network & Communication Services, Inc.
3. RPR EMPIRE CORP.
4. THE ASHVINS GROUP, INCORPORATED
5. VISUAL DATA SOLUTIONS, INC.

ADDITIONAL INFORMATION

Below is a link relating to Tyler Technologies, Inc. regarding the Odyssey Case Management System:

<https://www.tylertech.com/solutions-products/odyssey-product-suite/case-manager>

Below is a link relating to Tyler Technologies, Inc. regarding the use by States and Counties in the U.S.:

<https://www.tylertech.com/productsheets/odyssey/OdysseyCaseManager.pdf>

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8F6
File No. 172539**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO FORMAL BID NO. 00529 FOR LIQUID FERRIC SULFATE FOR THE WATER AND SEWER DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve the rejection of all bids received under Formal Bid No. FB-00529 for purchase of Liquid Ferric Sulfate for the Water and Sewer Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) – requires formal sealed bids for purchases over \$250,000; provides that procurement procedures shall be established by Implementing Order and approved by the Board.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Section 2-8.4 of the County Code and Implementing Order No. 3-21 governing any protest made by a participant in any competitive process utilized for selection of a person or other entity to construct any public improvement, to provide any supplies, materials or services (including professional or management services other than professional services whose acquisition procedure is governed by the Consultant's Competitive Negotiation Act, F.S. Section 287.055 et seq.), or to lease any county property.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.4

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-21.pdf>

Implementing Order No. 3-38 governing the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-1011-15, adopted November 3, 2015 directing the County Mayor or his designee to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ.

<http://intra/gia/legistarfiles/Matters/Y2015/152271.pdf>

Resolution No. R-187-12, adopted February 21, 2012, directing the County Mayor to include due diligence information in memoranda recommendation certain contract awards.

<http://intra/gia/legistarfiles/Matters/Y2012/120287.pdf>

Resolution No. R-140-15, adopted February 3, 2015 directing County mayor or his designee to conduct a full review, priori to re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County.

<http://intra/gia/legistarfiles/Matters/Y2015/150090.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services

**BCC Meeting: January 23, 2018
Research Notes**

This item was forwarded to the Board with a favorable recommendation from the Infrastructure and Utilities Committee at its December 12, 2017 meeting.

FISCAL IMPACT

There is no fiscal impact for the rejection of bids. The award value would have been \$6,696,000 for a five-year term. The previous contract 9568-0/17, valued at \$12,329,733.33 for five years and two months. The original expiration date was October 31, 2017; however, as per ISD’s extension authority, on December 22, 2017, the current contract’s expiration date was extended to January 31, 2018. The allocation under this replacement contract is lower than the current contract due to a reduction in unit costs and estimated quantities for the raw chemical materials.

As of January 16, 2018, BTS shows the following BPO information on the current contract:

BPO ID	Allocation Amount	Released Amount	Remaining Balance
ABCW1300042	\$12,528,600.00	\$11,184,898.00	\$1,343,702.00

ANALYSIS

The proposed resolution authorizes the rejection of two bids, one from Evoqua Water Technologies LLC and the other from Kemira Water Solutions, Inc. for the purchase and delivery of Liquid Ferric Sulfate for the Water and Sewer Department. Note that there was a “No Bid” received from USP technologies. Ferric Sulfate is an effective primary coagulant that performs in both drinking water and wastewater treatment applications over a wide pH-range. The chemical is added in the wastewater treatment process to remove minerals that cause severe operational issues for the County’s wastewater treatment facilities.

February 16, 2017, Invitation to Bid No. FB-00529 was issued under full and open competition. On June 8, 2017, the Department conducted a survey with 32 firms to determine why only three (3) bids were received. Six (6) of the 32 firms responded to the survey. Below are the firms and their responses.

Firm	Response
<i>Local</i>	
IMEX Innovative Co.	This is not our scope of work.
Total Connection Inc. SBE	The manufacturers refused to work with us because they were going to bid direct.
Sarandrea Associates group Corp. (CBE disabled Veteran)	We want to bid but the whole process with new electronic bid procedures made it more difficult and time consuming. If you decide to re-advertise we would definitely provide a bid.

<i>Non-Local</i>	
Aqua Utility Service, LLC.	Our firm reviewed the specifications provided, studied the opportunity and did not feel it was in our best interest to respond with a bid for this particular product and added scope of work at this time.
Chemical Containers	We provide chemical storage tanks. We do not manufacture chemicals.
Chem-Trade	Too far for shipment.

The vendor recommended for award was Kemira Water Solutions, Inc. located in Atlanta, GA. The original award recommendation was protested by Equova Water Technologies, LLC, a vendor that was deemed non-responsible by County staff for failing to provide the American National Standard Institute/National Science Foundation (ANSI/NSF) Standard 60 Certification (*Drinking Water Treatment Chemicals – Health Effects*). Pursuant to Section 2-8.4 of the Code and Implementing Order No. 3-21, on August 25, 2017, Evoqua Water Technologies LLC submitted a Written Intent to file a Protest to the Clerk

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of the Board in regards to the Mayor's decision to deem its bid as "non-responsible for failing to provide required qualification document." Staff reviewed the certifications and determined that the County should reconsider the certifications to accept. A request to reject all bids is being submitted for consideration to conduct further research to determine the appropriate certification requirements prior to resoliciting.

OCA posed the following questions to ISD, to which they responded.

1. **Explain what WASD intends to do in the interim while this contract is re-solicited.**

A replacement solicitation has been issued. ISD intends to extend the existing contract pursuant to its delegated authority to ensure continuity of services while the replacement solicitation is evaluated and awarded.

2. **What is the specific chemical certification requirement mentioned in the mayoral memo**

The certification requirement is the American National Standard Institute/National Science Foundation Standard 60 Certification.

3. **Is that certification required under the current contract? Yes**

4. **Did the protesting vendor (Evoqua) question the certification requirements at the Bidders Conference? No**

5. **What is the status of the re-solicitation, including the decision regarding the final certification requirements?**

A replacement solicitation was issued and responses are due by January 12, 2018. The certification requirement will remain the same. Research determined that this certification is the only one adopted by the State of Florida.

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8F7
File No. 172533**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00399 FOR PURCHASE OF ORIGINAL EQUIPMENT MANUFACTURER AND ORIGINAL EQUIPMENT PARTS AND SERVICES FOR COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$72,135,000.00 FOR THE INITIAL FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve the award of contract No. FB-00399 for purchase of original equipment manufacturer and original equipment parts and services for county departments in a total amount not to exceed \$72,135,000.00.

APPLICABLE LEGISLATION/POLICY

Section 29-124 of the County Code governs special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust (CITT)

https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2012/R-187-12.pdf>

Resolution No. R-140-15 directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-140-15.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

**BCC Meeting: January 23, 2018
Research Notes**

This Item was forwarded to BCC with a favorable recommendation at the Government Operations Committee December 12, 2017.

FISCAL IMPACT

The fiscal impact for the five-year term \$72,135,000. The advertised value for contract FB-00399 is \$118,860,000 and the awarded value is \$72,135,000 .There are two current contracts. Contract No 1070-5/14 is valued at \$59,577,000 for an eight–year and ten–month term. Contract No. 5380-6/14 is valued at \$153,410,000 for a nine-year and nine-month term. Both contracts will expire on March 31, 2018, as stated per the mayoral memo.

Department	Allocation	Funding Source
Aviation	\$1,860,000	Proprietary Funds
Fire Rescue	\$ 9,000,000	Fire District
Internal Services	\$ 48,825,000	Internal Services Funds
Parks, Recreation and Open Spaces	\$600,000	General Fund
Police	\$90,000	General Fund
PortMiami	\$30,000	Proprietary Funds
Solid Waste management	\$1,536,000	Proprietary Funds
Transportation and Public Works	\$2,994,000	DTPW Operating
Water and Sewer	\$7,200,000	Proprietary Funds
Total	\$72,135,000	

ANALYSIS

This Resolution will approve a competitive contract award, Contract No. FB-00399, Purchase of Original Equipment Manufacturer and Original Equipment Parts and Services, for the aforementioned County Departments with ISD requiring the highest allocation. This contract provides for Original Equipment Manufacturer and Original Equipment brand replacement parts for various types of Miami-Dade County automotive and heavy equipment.

The equipment includes passenger vehicles, light and heavy trucks, utility vehicles, construction and agricultural vehicles, and motorcycles. The contract also includes maintenance, repair, modification, and installation services.

The contract has three groups which are the following:

1. Purchase of Original Equipment Manufacturer parts per catalog line item.
2. Purchase of Original Equipment Manufacturer brands and Original Equipment parts.
3. Purchase of Original Equipment Manufacturer brands and Original Equipment parts and repair services, including installation services.

There were a total number of 52 vendors recommended for this award of which 47 have a local address and are headquartered locally. An Invitation to Bid was issued under full and open competition.

The term of the contract that was advertised was a five-year term, with a five – year option to renew to be exercised at the County’s discretion. With this contract additional staff will be warranted, this is for the purpose to explore additional innovative ways to improve to improve the contracting for parts and repair services. Staff will continuously review opportunities during the initial term, this may improve the County’s approach to the provision of parts and services for repair of light and heavy vehicles. Internal Services hosted an Industry Day where on-site vendor registration was available to participants and vendor registration training was conducted, as stated per the mayoral memo.

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Research Notes**

**Item No. 8F8
File No. 172697**

Researcher: BM Reviewer: PGE

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$4,726,000.00 FOR PREQUALIFICATION POOL NO. 5966-0/23 FOR PURCHASE OF WORK GLOVES FOR VARIOUS DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve additional expenditure in the amount of \$4,726,000 for the Prequalification Pool No. 5966-0/23, Work Gloves, to allow multiple County departments to continue purchasing different types of work gloves required for safety.

APPLICABLE LEGISLATION/POLICY

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-941-13, Item 1.2 Work Gloves, established the Prequalification Pool No. 5966-0/23 and was approved by the Board on November 19, 2013.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-943-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

12/12/17: Forwarded to BCC with a favorable recommendation by the Government Operations Committee.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the resolution would add \$4,726,000 of additional expenditure for work gloves for County departments.

The pool current cumulative allocation of \$3,320,000 and expires on November 30, 2023. The proposed additional expenditure will increase the pool to a modified cumulative value of \$8,046,000.

Per information found in the Bid Tracking System on January 19, 2018, \$3,319,300 have been allocated to the contract's Blanket Purchase Order, of which \$1,540,141 has been released leaving a balance of \$1,779,159.

ANALYSIS

If approved by the Board, the proposed resolution approves approve additional expenditure in the amount of \$4,726,000 for the Prequalification Pool No. 5966-0/23, Work Gloves, to allow multiple County departments to continue purchasing different types of work gloves required for safety.

As required by the National Institute for Occupational Safety and Health Administration (OSHA) and the Miami-Dade County Safety Manual, gloves are provided to employees that require hand protection with performing job duties.

Prequalification Pool No. 5966-0/23 was approved by the Board on November 19, 2013 with a value of \$3,097,000 for 10 years. At the time a Prequalification Pool, No. 8909-0/18 Latex and Nitrile Gloves. It was determined to be in the County's

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best interest to consolidate Prequalification Pool No. 8909-0/18, Latex and Nitrile Gloves, into Prequalification Pool No. 5966-0/23, Work Gloves, to increase efficiency through spot market competitions.

The table below summarizes the allocation of the expenditure requested:

Department	Allocation Requested	Funding Source
Animal Services	\$ 60,000	General Fund
Corrections and Rehabilitation	\$2,500,000	General Fund
Fire Rescue	\$1,800,000	Fire District
Medical Examiner	\$150,000	General Fund
Public Housing and Community Development	\$216,000	Federal Funds
Total:	\$4,726,000	

The proposed Prequalification Pool, 5966-0/23 would consist of 16 approved vendors. However, additional vendors may be added at any time during the term of the pool.

A search of the County’s Certified Small Business Enterprise Firms (SBEs) as of January 19, 2018, under commodity code 20027 - GLOVES, WORK: CANVAS, COATED, LEATHER, PLASTIC, resulted in a different description for the commodity code - Folkloric Clothing – and the following nine SBEs:

1. GATEWAYS UNLIMITED, INC.
2. I P A CORP.
3. INNOVATIVE INCENTIVES, INC.
4. INTERNATIONAL SAFETY RESOURCES, INC. DBA INDUSTRIAL SAFETY RESOURCES
5. MONICA MANUFACTURING CORP . DBA ALL UNIFORM WEAR
6. PALMETTO UNIFORMS INC
7. PAPCO GROUP, LLC DBA VOLARIS AEROSPACE
8. Paragon Uniform Group, Inc
9. TOTALPACK INC

ADDITIONAL INFORMATION

According to the OSHA guidelines, on Personal Protection Equipment, Hand and Are Protection, If a workplace hazard assessment reveals that employees face potential injury to hands and arms that cannot be eliminated through engineering and work practice controls, employers must ensure that employees wear appropriate protection.

<https://www.osha.gov/Publications/osha3151.pdf>

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Research Notes**

**Item No. 8F9
File No. 172699**

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FOUR YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$6,000,000.00 FOR PREQUALIFICATION POOL NO. 9234-2/18-2 FOR PURCHASE OF TELECOM SERVICES, EQUIPMENT, AND MATERIALS FOR THE INFORMATION TECHNOLOGY 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional time and expenditure authority to Prequalification Pool No. 9234-2/18-2, Telecom Services, Equipment, and Materials, for the Miami-Dade Information Technology Department (ITD). The Department is requesting \$6,000,000 in additional expenditure authority and four years of additional time.

APPLICABLE LEGISLATION/POLICY

The County established this pool via Resolution No. R-207-12 for a two-year term with two, two year option to renew terms. Adding vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis, was granted under this Resolution.

<http://intra/gia/matter.asp?matter=120533&file=false&yearFolder=Y2012>

Pursuant to Resolution No. R-187-12, the Mayor is directed to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Pursuant to Code 2-8.1, the Mayor or Mayor's designee is hereby delegated the authority to award and reject bids or proposals for contracts for public improvements (construction), and purchases of supplies, materials and services (including professional services, other than professional architectural, engineering and other services subject to section 2-10.4 and Section 287.055, Florida Statutes) costing one million dollars (\$1,000,000.00) or less, or in the case of miscellaneous construction contracts designed to provide opportunities for Community Small Business Enterprises specifically authorized by Board resolution five million dollars (\$5,000,000.00) or less, without the need for action by the County Commission.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It established the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchase, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Requester : Internal Services

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Research Notes**

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its December 12, 2017 meeting. Below is a summary of the discussion held at the IUC:

Commissioner Martinez questioned why the contract did not have a new Request For Qualification. The ITD Director explained that this is an open pool, that new vendors can be added anytime and for every job we invite vendors to provide pricing. Further, the ISD’s Chief Procurement Officer stated the pool was re-advertised in Bidsync (described below) and a vendor workshop was held as part of their outreach efforts. Commissioner Martinez indicated he has plans to draft a new ordinance to address this matter.

Commissioner Diaz requested that the Mayoral Memorandum highlight when it is an open pool contract for ease of knowing new vendors can be added anytime.

Miami-Dade County now issues all competitive solicitations for goods and services issued through the Procurement Management Division of the Internal Services Department through the BidSync Electronic Bidding System <http://www.miamidade.gov/procurement/electronic-bidding-solution.asp>

FISCAL IMPACT

This pool expires on March 31, 2018 and has an existing allocation of \$16,780,000. If this request is approved, the pool will have a modified cumulative value of \$22,780,000 (Internal Services Funds) and will expire on March 31, 2022. The allocation for the extension period is lower than the allocation for the current term and is based on anticipated project needs.

ANALYSIS

This item seeks additional time and expenditure authority to Prequalification Pool No. 9234-2/18-2, Telecom Services, Equipment, and Materials, for ITD.

ITD uses the pool to purchase telecommunication services, equipment, and materials that are used to support the County’s telecommunication infrastructure. The pool of pre-qualified vendors allows the County to secure the most competitive pricing by conducting spot market competitions.

This pool is currently in its final option term. If a replacement solicitation were to be issued the requirements, terms and conditions of the pool would not change. Also, it is anticipated that the same vendors would prequalify for the replacement solicitation. It is important to note that qualified vendors may be added to the pool at any time during the term of the pool. Further, this prequalification pool will remain advertised on the Internal Services Department website to encourage additional participation.

The table below reflects the existing, additional and cumulative allocations of this pool:

Department	Existing Allocation	Additional Request	Modified Allocation
Information Technology	\$16,780,000	\$6,000,000	\$22,780,000

The existing pool was established with 19 vendor and currently there are 24 pre-qualified vendors, of which 11 are local vendors. Attachment 1 in the item lists the pre-qualified vendors in the pool.

Small Business Enterprise Bid Preference and Local Preference will be applied at the time of the spot market quotation.

ISD Input (pending response to questions posed by the OCA)

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1. As suggested at committee by Commissioner Martinez, as a matter of public policy, why is it in the County's best interests to extend this pool rather than re-solicit it;
2. What are the planned projects for the extension period, including cost per project; and
3. Under the existing pool, which vendor has received the majority of the awards, including cumulative value of the awards.

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Research Notes

Item No. 8F10
File No. 172703

Researcher: SM **Reviewer: PGE**

RESOLUTION WAIVING FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B)(1) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT AND AWARDING CONTRACT NO. BW9916-0/17 TO COBUS INDUSTRIES, LP, IN A TOTAL AMOUNT UP TO \$960,000.00 TO PURCHASE TWO COBUS 3000 SPECIALIZED AIRPORT BUSES FOR THE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should waive competitive bidding procedures for the purchase of goods and services, and approve award of Contract No. BW9916-0/17 to Cobus Industries, LP for the purchase of two Cobus 3000 specialized airport buses for the Miami-Dade Aviation Department (MDAD).

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Section 5.03(D) Home Rule Charter, Financial Administration, relates to contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

The link below relates to Section 5.03(D) Home Rule Charter:

<http://www.miamidade.gov/charter/library/charter.pdf>

Resolution No. R-1011-15 directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ; and directing the County Mayor to include such information in memorandum to Board pertaining to vendor being recommended for contract award.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-1011-15.pdf>

Resolution No. R-187-12 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2012/R-187-12.pdf>

Resolution No. R-411-14 Approved a bid waiver contract to purchase two Cobus airfield buses

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<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-411-14.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This Item was forwarded to the Economic Development and Tourism Committee on December 14, 2017

FISCAL IMPACT

The impact to the County for the one-time purchase will be \$960,000.

ANALYSIS

The proposed resolution waives formal bid procedures pursuant to Section 5.03(d) of the Home Rule Charter and Section 2-8.1(b)(1) of the code of Miami-Dade County by a two-thirds vote of the board members present and awarding contract no. BW9916-0/17 to Cobus industries, LP, in a total amount up to \$960,000.00 to purchase two Cobus 3000 specialized airport buses for MDAD.

MDAD uses airfield buses to transport passengers between the main terminal and the tarmac. These buses can also be used for emergency evacuations. All airfield buses are required to comply with Federal Aviation Regulations including U.S Department of Transportation's Passenger Bill of Rights.

Four of the department's existing airfield buses have a maximum capacity of 39 passengers each. Two Cobus airfield buses were previously purchased by MDAD through Resolution No. R-411-14. The capacity of those two are 112 passengers each. The purchase of two new Cobus airfield buses with the same capacity of 112 passengers each will increase operation efficiency by improving the time and efficient transportation of passengers in the event of an emergency. This is especially critical when considering new commercial airplanes have a maximum capacity of 582 seats.

ISD conducted market research to determine the availability of competition for the purchase of two, high-capacity airfield buses that met MDAD's requirements. It was concluded that Cobus Industries, LP was the only vendor that provided airfield buses with the required features. These features include three doublewide doors on each side and a flat, no-step floor that is leveled with the bus station curb height. According to the market research that was performed there were no other vendors that offered such features. Although ISD conducted market research, no reason was provided for not soliciting complete bids. A search of the Small Business Enterprise Certification list from ISD's web site shows no local vendors for this item.

ADDITIONAL INFORMATION

According to the website aviationpros.com, Cobus airport buses are manufactured in serial production and include unique features as a complete low-floor interior, extra wide doors, all aluminum construction and a Mercedes engine/chassis package. Cobus airport buses can alleviate travel time between concourse-to-concourse connecting flights or for transportation to satellite terminals. There are approximately 3,000 Cobus airport buses in operation at 350 airports around the world, more than 125 in North America alone.

This link refers to the Cobus Airport Bus capability and world-wide usage.

<http://www.aviationpros.com/company/10017123/cobus-industries-lp>

Cobus Industries, LP has an active status on Sunbiz.org with a filing date of June 6, 2012.

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<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directio=Initial&searchNameOrder=COBUSINDUSTRIES%20B120000001160&aggregateId=forlp-b12000000116-98a02f68-1700-40dc-bd07-bb50881d150d&searchTerm=Cobus%20Industries&listNameOrder=COBUSINDUSTRIES%20B120000001160>

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8F11
File No. 172714**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00578 IN A TOTAL AMOUNT UP TO \$3,387,000.00 FOR PURCHASE OF VARIOUS LABORATORY INSTRUMENTS AND INSTALLATION AND MAINTENANCE SERVICES FOR COUNTY DEPARTMENTS FOR A TERM OF FIVE YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should approve a resolution establishing a prequalification pool, RTQ-00578, Various Laboratory Instruments, for multiple County departments at a value of \$3,387,000 for a five-year term. The pool would provide for the purchase of various instruments used in forensic toxicology laboratories along with associated parts, accessories, installation, and maintenance services.

APPLICABLE LEGISLATION/POLICY

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-941-13, Item 1.2 Work Gloves, established the Prequalification Pool No. 5966-0/23 and was approved by the Board on November 19, 2013.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-943-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

12/12/17: Forwarded to BCC with a favorable recommendation by the Government Operations Committee.

Commissioner:

Commissioner Sosa had the following comments:

People are going to fly from other states to provide maintenance services in Miami-Dade County.

We have a lot of locals and the vendors that are for the pre-qualification pool who are out of the County.

I will not keep telling the Procurement Department that the GOC adopted an ordinance saying we do not recommend anyone who doesn't have a local address with at least one person if it's a small business and three if it is not.

We are doing everything without respecting the ordinance in existence.

Commissioner Sosa voted no on the item.

Commissioner Moss had the following comments to the Deputy Mayor:

He would like to have the issue of utilizing local firms brought up at the next committee meeting.

FISCAL IMPACT

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Research Notes**

If the proposed resolution is approved by the Board, the fiscal impact would be \$3,387,000 for a five-year term. The proposed allocation is lower than the current pool due to historical spending and projections for anticipated spending for the five-year term.

The current pool has a cumulative value of \$7,893,000 and expires on February 28, 2018.

ANALYSIS

If approved by the Board, the proposed resolution approves establishing a prequalification pool, RTQ-00578, Various Laboratory Instruments, for multiple County departments at a value of \$3,387,000 for a five-year term. The pool would provide for the purchase of various instruments used in forensic toxicology laboratories along with associated parts, accessories, installation, and maintenance services.

This proposed prequalification pool, RTQ-00578, Various Laboratory Instruments, is a replacement for Prequalification Pool No. 8348-0/12 which approved by the Board with a value of \$7,893,000 for 10 years. The pool of prequalified vendors will be established to participate in spot market competitions.

The proposed prequalification pool, RTQ-00578, Various Laboratory Instruments, will consist of two groups. Group 1 will be used for the purchase of laboratory equipment and Group 2 will be used for the installation and service of equipment.

The table below summarizes the allocation per department of the expenditure requested and the plan in which they will use the pool:

Department	Allocation Requested	Equipment Purchase	Funding Source
Medical Examiner	\$750,000	Gas chromatographs, mass spectrometers, liquid chromatographs, auto-sampler instruments, spectroscopy instruments, pipefitters, evaporators, and other related instruments	General Fund
Police	\$1,300,000	instruments, reagents, laboratory consumables, gas chromatograph flame ionization systems, mass spectrometers, forensic workstations, polarizing microscopes, foray management systems, superglue fuming cabinets and associated maintenance and support services	General Fund/State Funds/Federal Funds
Parks, Recreation, and Open Spaces	\$50,000	centrifuges and balances to support the functions; and minor laboratory items	General Fund
Regulatory and Economic Resources	\$292,000	parts and maintenance services for existing air quality	Proprietary Funds

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		monitoring equipment and new equipment for the air quality-monitoring program	
Water and Sewer	\$995,000	to sampler instruments, spectrometers, instrument data systems, and related equipment necessary to maintain compliance with various regulatory agencies	Proprietary Funds
Total:	\$3,387,000		

The proposed Prequalification Pool, RTQ-00578 would consist of 9 approved vendors. Two vendors have been identified and will be added to the pool upon completion of the prequalification criteria. However, additional vendors may be added at any time during the term of the pool.

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Research Notes**

**Item No. 8F12
File No. 172713**

Researcher: SM Reviewer: PGE

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00613 IN A TOTAL AMOUNT UP TO \$2,043,000.00 FOR PURCHASE OF REPAIR SERVICES FOR SHOP EQUIPMENT AND TOOLS FOR VARIOUS COUNTY DEPARTMENTS FOR A TERM OF EIGHT YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution authorizing establishment of prequalification pool RTQ-00613 in a total amount up to \$2,043,000.00 for purchase of repair services for shop equipment and tools for various county departments for a term of eight years.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; provides that procurement procedures shall be established by I.O. and approved by the Board.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution R-187-12 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2012/R-187-12.pdf>

Resolution No. R-140-15 directing the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-140-15.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

Forwarded to BCC with a favorable recommendation at the Government Operations Committee on December 12, 2017

FISCAL IMPACT

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Research Notes**

The fiscal impact for the eight-year term is \$2,043,000. The current pool, Prequalification Pool No. 0924-1/17-1, is valued at \$1,823,000 for a term of seven years and six months and expires on February 28, 2018. The allocation is based upon projected usage by County departments over the term of the pool as stated in the mayoral memo.

Department	Allocation
Aviation	\$493,000
Fire Rescue	\$60,000
Internal Services	\$600,000
Parks, Recreation, and Open Spaces	\$16,000
PortMiami	\$4,000
Public Housing and Community Development	\$160,000
Transportation and Public Works	\$330,000
Water and Sewer	\$380,000
Total	2,043,000

ANALYSIS

This Resolution approves the establishment of a prequalification pool, RTQ-00613, Repair Services for Shop Equipment and Tools, for multiple County departments. The prequalified vendors will provide necessary repairs for shop equipment and tools, including large machinery and small hand tools, utilized by County staff to support departmental operations. As seen above the Aviation Department, Internal Services, Public Housing and Community Development, Transportation and Public Works, and Water and Sewer are the departments receiving most of the allocation as stated in the mayoral memo.

The services provided under this prequalification pool are divided into seven groups:

- Group A, pneumatic shop equipment and tools
- Group B, hydraulic shop equipment and tools
- Group C, electric shop equipment and tools
- Group D, electronic diagnostic equipment and tools
- Group E, welding equipment and tools
- Group F, manufacturer authorized service providers by brand for shop equipment and tools
- Group G, automotive and truck lift yearly inspections and certifications

Three local vendors are being recommended for inclusion in the pool which are the following:

- Flamingo Shop Service Corporation 205 NE 179 Street Miami, FL Same Andrew Moseley Groups A, B, C, F and
- Hydraulic Sales and Service, Inc. 3700 NW South River Drive Miami, FL Same Cleveland Jones III Group F
- Jobbers Equipment Warehouse, Inc. 5440 NW 78 Avenue Miami, FL Same Maria J. Ahearn Groups A, B, C, F and G

If this Resolution is approved the County Mayor or the County Mayor’s designee will have the authority to solicit pricing and award contracts up to an aggregate amount of the allocation authorized by the Board. The County Mayor or the County Mayor’s designee will also have the authority to:

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Research Notes

- 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.
- Add vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis.

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8G1
File No. 172612**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING THE FISCAL YEAR 2017-18 CONTRACT IN THE AMOUNT OF \$1,133,000.00 WITH THE STATE OF FLORIDA DEPARTMENT OF HEALTH EFFECTIVE RETROACTIVELY TO OCTOBER 1, 2017 FOR THE PURPOSE OF MEETING PUBLIC HEALTH NEEDS OF THE CITIZENS OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY PROVISIONS CONTAINED THEREIN, AND TO EXECUTE FUTURE AGREEMENTS FOR, AND APPLY FOR, RECEIVE, AND EXPEND ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM FOR THIS PURPOSE

ISSUE/REQUESTED ACTION:

Whether the Board should approve FY 2017-18 contract in the amount of \$1,133,000.00 with the State of Florida Department of Health (DOH) retroactive to October 1, 2017 for the purpose of meeting public health needs in the County.

APPLICABLE LEGISLATION/POLICY

Chapter 154 of the Florida Statutes governing County Organization and Intergovernmental Relations - Public Health Facilities - System of coordinated county health department services; It is the intent of the Legislature to promote, protect, maintain, and improve the health and safety of all citizens and visitors of this state through a system of coordinated county health department services. The Legislature recognizes the unique partnership which necessarily exists between the state and its counties in meeting the public health needs of the state. To strengthen this partnership, the Legislature intends that the public health needs of the several counties be provided through contractual arrangements between the state and each county. The Legislature also recognizes the importance of meeting the educational needs of Florida’s public health professionals.

http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0154/0154ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20154

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Office of Management and Budget

This item was forwarded to the Board with a favorable recommendation by the Public Safety & Health Committee at its December 13, 2017 meeting.

FISCAL IMPACT

The FY 2017-18 contract identifies a total program cost of \$68,279,929. The County’s cash contribution of \$1,133,000.00 from Jackson Health System.

Breakdown	Amount
State’s cash contribution	\$ 55,769,998.00
County’s cash contributions	\$ 1,133,000.00
Other Local Cash contributions	
- DOH Health Services	\$ 4,550,513.00
- Medicaid	\$ 2,099,976.00
- Other	\$ 4,726,442.00
	\$11,376,931.00
Total	\$68,279,929.00

ANALYSIS

This item seeks authorization for the County to provide \$1,133,000 in program support to the State of Florida Department of Health for public health services to the residents of Miami-Dade County for one-year, retroactive to October 1, 2017 and

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terminating on September 30, 2018. According to Chapter 154 of the Florida Statutes, the purpose of the contract between DOH and the County is to promote public health, including environmental health services; to control and eradicate preventable disease; and to provide care to special populations. Miami-Dade County Health Department is one of the created County Health Departments. It is necessary for the parties to execute this contract in order to ensure coordination between the State and the County in the operation of the County Health Department (CHD).

The Contract Administrative Policies and Procedures specifies that:

- All funds for the CDH shall be deposited in the CHD Trust Fund maintained by the state treasurer and these funds shall be accounted for separately from funds deposited for others CHDs and shall be used only for public health purposes in Miami-Dade County;
- There shall be no transfer of funds between the three levels of services without a contract amendment unless the CHD director/administrator determines that an emergency exists herein a time delay would endanger the public’s health;
- The CHD may execute subcontracts for services necessary to enable the CHD to carry out the programs specified in the contract.

County Facilities subject to this Contract

Commission District	Facility Description	Location
7	Rosie Lee Wesley Clinic	6601 SW 62 nd Avenue, South Miami
1	Golden Glades Environmental Health/ Warehouse	1725 NW 167 th Street, Miami Gardens
5	PET Center Clinic	615 Collins Avenue, Miami Beach
11	PIC Center Admin Septic Tank Unit	11805 SW 26 th Street, Miami
9	West Perrine Clinic	18255 Homestead Avenue, Miami
9	Florida City Women’s Health Clinic	1600 NW 6 th Court, Building B, Florida City
2	Liberty City Health Center	2520 N.W. 75 th Street, Miami

County Fee Schedule

Primary Care and Communicable Disease	\$3,096,227.00
Immunization Services	281,768.00
Environmental Health	1,172,518.00
TOTAL	\$4,550,513.00

ADDITIONAL INFORMATION

Chapter 154.011 of the Florida Statutes outlines the following for Primary Care Services:

- (1) It is the intent of the Legislature that all 67 counties offer primary care services through contracts, as required by s. 154.01(3), for Medicaid recipients and other qualified low-income persons. Therefore, the Department of Health is directed, to the extent that funds are appropriated, to develop a plan to implement a program in cooperation with each county. The department shall coordinate with the county’s governing body. Such primary care programs shall be phased-in and made operational as additional resources are appropriated.
- (2) The department shall monitor, measure, and evaluate the quality of care provided by each primary care program.
- (3) It is the intent of the Legislature that each county primary care program include a broad range of preventive and acute care services which are actively coordinated through comprehensive medical management and, further, that the health

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and preventive services currently offered through the county health departments are fully integrated, to the extent possible, with the services provided by the primary care programs.

- (4) Each county primary care program shall coordinate obstetrical services with the Improved Pregnancy Outcome Program. Financially eligible women at risk for adverse pregnancy outcomes due to any potential medical complication shall not be denied access to prenatal care.
- (5) The department shall adopt rules to govern the operation of primary care programs authorized by this section. Such rules may include, but need not be limited to, requirements for income eligibility, income verification, continuity of care, client services, client enrollment and disenrollment, eligibility, intake, recordkeeping, coverage, quality control, quality of care, case management, a definition of income used to determine eligibility or sliding fees, and Medicaid participation and shall be developed by the State Health Officer

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**Item No. 8G2
File No. 172889**

Researcher: AIP Reviewer: TD

RESOLUTION RATIFYING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S ACTION IN EXECUTING AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF HEALTH TO ACCEPT AND RECEIVE APPROXIMATELY \$6.2 MILLION IN FLORIDA AIDS DRUG ASSISTANCE PROGRAM 340B DRUG REBATE DOLLARS AS PASS-THROUGH FUNDING FROM THE STATE OF FLORIDA TO SUPPORT HEALTH INSURANCE ASSISTANCE SERVICES AND RELATED ADMINISTRATIVE COSTS UP TO 10% OF THE TOTAL CONTRACT AMOUNT, UNDER THE COUNTY'S HIV EMERGENCY RELIEF PROJECT GRANTS PROGRAM, AND TO AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE TERMINATION AND AMENDMENT PROVISIONS CONTAINED IN SUCH AGREEMENT THAT MAY BE NECESSARY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AMENDMENT TO THE FISCAL YEAR 2017 CONTINUATION GRANT CONTRACT WITH MIAMI BEACH COMMUNITY HEALTH CENTER, INC. IN THE AMOUNT OF \$6.138 MILLION OF WHICH UP TO 10% OF SUCH AMOUNT WILL BE USED FOR ADMINISTRATIVE COSTS, AND TO EXERCISE AMENDMENT, MODIFICATION, CANCELLATION, AND TERMINATION CLAUSES CONTAINED IN SUCH CONTRACT

ISSUE/REQUESTED ACTION

Whether the Board should ratify the County Mayor (or designee)'s action in applying for \$6.2 million from the State of Florida to support health insurance assistance services and administrative costs, under the County's HIV Emergency Relief Project Grants Program; and amend a continuation grant contract with Miami Beach Community Health Center, Inc.

APPLICABLE LEGISLATION/POLICY

There have been over 60 resolutions adopted by the Board relating to funding for the Ryan White Program, below are some of the most recent ones:

Resolution No. R-1177-17 (*Ryan White HIV AIDS*) adopted by the Board on December 5, 2017, which ratified the County Mayor or designee in applying for \$27,963,028.00 in fiscal year 2018-19 HIV emergency relief project (Ryan white Part A and Minority Aids Initiative) grant funding for comprehensive health and support services for low-income persons living with HIV/AIDS: <http://intra/gia/matter.asp?matter=172345&file=true&yearFolder=Y2017>

Resolution No. R-836-16 (*\$27,824,843.00 in IV Emergency Relief Project*) adopted by the Board on September 20, 2016, which authorized the County Mayor or designee to apply for, receive, disburse and expend funds from the United States Department of Health and Human Services in the amount of approximately \$27,824,843.00 in HIV Emergency Relief Project (Ryan White Part A and Minority Aids Initiative) grant funding for comprehensive health and support services for low income persons living with HIV/AIDS: <http://intra/gia/matter.asp?matter=161899&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Office of Management and Budget

This item requires no committee review. This item has no procedural history.

FISCAL IMPACT

The funding from the State totals up to approximately \$6.2 million. No County matching funds are required. Upon receipt of the funds from the State, the County must expend them by March 31, 2018. In the event that the County does not expend these funds by the deadline, any remaining funds will be recaptured by the State.

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ANALYSIS

This item seeks to accept approximately \$6,200,000 from the State of Florida the contract with the State will allow the approximately \$6.2 million to be disbursed to the County to be used to support the local Ryan White Part A Program's ability to pay health insurance premiums, medication, doctor office visits, and diagnostic co-payments; and insurance deductible payments on behalf of at least 700 low-income persons living with HIV or AIDS who are enrolled in the County's Ryan White Part A Program. Thereafter, the County will amend the existing continuation grant contract with MBCHC, which was competitively selected in accordance with Request for Proposal No. 0313 "Health and Support Services for Persons Living with HIV/AIDS" to provide, among other things, health insurance assistance to eligible persons living with HIV/AIDS. The Board awarded the contract to MBCHC when the Board adopted Resolutions No. R-1072-12 and R-836-16. The MBCHC is the sole provider of these services. The County estimates that up to \$6.138 million will be added to MBCHC current contract, of which up to 10 percent will be used by MBCHC to cover their administrative costs. The remainder of the funds will be used by MBCHC to provide the services outlined herein.

ADDITIONAL INFORMATION

Although HIV rates have dropped nationwide, Miami remains high risk. According to the Center for Disease Control (CDC), Miami came in second place in their rankings for risk of infection (right behind Baton Rouge, Louisiana), with 42.8 infections for every 100,000 residents.

The Ryan White Program was established in Miami-Dade County in 1991 to address the need for HIV/AIDS-related services among the economically disadvantaged and underserved residents of our community. The program is currently funded by the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), under Part A of the Ryan White HIV/AIDS Treatment Extension Act of 2009.

The receipt of the funding from the State will allow the County's Ryan White Part A Program resources to be directed to other core medical and support services, such as Outpatient Medical Care, Medical Case Management, AIDS Pharmaceutical Assistance, Oral Health Care, Mental Health Services, Medical Transportation, Substance Abuse Services, Substance Abuse Outpatient Care, Food Bank, Outreach Services, and Other Professional Services (e.g., Legal Services and Permanency Planning), as prioritized by the Miami-Dade HIV/AIDS Partnership for program clients. Up to 10 percent of the total contract amount will be used to support costs related to the administrative burden on the County and MBCHC to manage, expend, and report on the use of these health insurance assistance resources from the State.

The Ryan White HIV/AIDS Program provides a comprehensive system of care that includes primary medical care and essential support services for people living with HIV who are uninsured or underinsured. The Program works with cities, states, and local community-based organizations to provide HIV care and treatment services to more than half a million people each year. The Program reaches approximately 52% of all people diagnosed with HIV in the United States.

Services of this Grant Program for Part A funds must be used to provide core medical and support services for people living with HIV. Core medical services include the following:

- AIDS Drug Assistance Program, AIDS pharmaceutical assistance
- Early intervention services
- Health insurance premium and cost sharing assistance for low-income individuals
- Home and community-based health services
- Home health care, and Hospice services
- Medical case management, including treatment-adherence services
- Medical nutrition therapy
- Mental health services
- Oral health

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- Outpatient and ambulatory medical care, and Substance abuse outpatient care

Part A of the Ryan White HIV/AIDS Treatment Extension Act of 2009 provides assistance to Eligible Metropolitan Areas (EMAs) and Transitional Grant Areas (TGAs) that are most severely impacted by the HIV epidemic.

Recipients:

Eligible Metropolitan Areas (EMAs)	Transitional Grant Areas (TGAs)
- Atlanta, GA	- Austin, TX
- Baltimore, MD	- Baton Rouge, LA
- Boston, MA	- Bergen-Passaic, NJ
- Chicago, IL	- Charlotte-Gastonia, NC/SC
- Dallas, TX	- Cleveland-Lorain-Elyria, OH
- Detroit, MI	- Columbus, OH
- Ft. Lauderdale, FL	- Denver, CO
- Houston, TX	- Ft. Worth, TX
- Los Angeles, CA	- Hartford, CT
- Miami, FL	- Indianapolis, IN
- Nassau Suffolk, NY	- Jacksonville, FL
- New Haven, CT	- Jersey City, NJ
- New Orleans, LA	- Kansas City, MO
- New York, NY	- Las Vegas, NV
- Newark, NJ	- Memphis, TN
- Orlando, FL	- Middlesex-Somerset-Hunterdon, NJ
- Philadelphia, PA	- Minneapolis-St. Paul, MN
- Phoenix, AZ	- Nashville, TN
- San Diego, CA	- Norfolk, VA
- San Francisco, CA	- Oakland, CA
- San Juan, PR	- Orange County, CA
- Tampa-St. Petersburg, FL	- Portland, OR
- Washington, DC	- Riverside-San Bernardino, CA
- West Palm Beach, FL	- Sacramento, CA
	- San Antonio, TX
	- San Jose, CA
	- Seattle, WA
	- St. Louis, MO

More information on the Ryan White program/grants:

- Miami-Dade County Ryan White Program Website - <http://www.miamidade.gov/grants/ryan-white-program.asp>
- Ryan White Program - <https://hab.hrsa.gov/about-ryan-white-hiv-aids-program/about-ryan-white-hiv-aids-program>
- Ryan White Part A Grants Info - <https://hab.hrsa.gov/about-ryan-white-hiv-aids-program/part-a-grants-emerging-metro-transitional-areas>

More information and statistics on HIV/AIDS in Miami-Dade County and nationwide:

- Miami-Dade HIV Programs and Services Florida Health Website - <http://miamidade.floridahealth.gov/programs-and-services/infectious-disease-services/hiv-aids-services/hiv-surveillance.html>
- Miami New Times Article - <http://www.miaminewtimes.com/news/miami-named-americas-number-two-hiv-hotspot-8955693>
- Miami Herald Article - <http://www.miamiherald.com/news/state/florida/article56192770.html>
- Miami-Dade HIV Partnership Website - <http://aidsnet.org/>

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Item No. 8K1
File No. 172826

Researcher: AIP Reviewer: TD

RESOLUTION DECLARING SURPLUS A PORTION OF COUNTY-OWNED PROPERTIES AT THE LIBERTY SQUARE PUBLIC HOUSING SITE, LOCATED ON THE NORTH AND SOUTH OF NW 65 STREET, BETWEEN NW 15 AVENUE AND NW 14 AVENUE, AND PORTIONS OF COUNTY-OWNED PROPERTIES LOCATED ON THE NORTH AND SOUTH OF NW 63 STREET, BETWEEN NW 15 AVENUE AND NW 14 AVENUE; AUTHORIZING THE CONVEYANCE OF SUCH PROPERTIES TO THE CITY OF MIAMI FOR A RIGHT-OF- WAY DEDICATION PURPOSE IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES, FOR \$10.00; WAIVING ADMINISTRATIVE ORDER NO. 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED; AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL STEPS TO ACCOMPLISH THE CONVEYANCE OF THE PROPERTIES AND TO TAKE ALL ACTIONS NECESSARY TO ENFORCE THE PROVISIONS OF THE COUNTY DEED

ISSUE/REQUESTED ACTION

Whether the Board should declare County-owned properties in Liberty Square as surplus and authorize the conveyance to the City of Miami for the purpose of a right-of-way.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 125.38 (*County Organization and Intergovernmental Relations - Sale of county property to United States, or state*) <http://goo.gl/i688Df>

City of Miami Code Section 54-58 (*Right of way dedication required prior to issuance of permits*) https://library.municode.com/fl/miami/codes/code_of_ordinances?nodeId=PTIITHCO_CH54STSI_ARTIICOEXRE

Administrative Order No. 8-4 (*Sale or Lease of County Real Property*) which gives the Board the authority to sell or lease or otherwise dispose of County-owned real property, adopted by the Board on May 5, 1981:
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Florida Statutes Section 125.411 (*Conveyance of Land by County*) which states "IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid".
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.411.html

Resolution No. R-974-09 (*Filing Closing Documents BCC Clerk*) Adopted by the Board on July 21, 2009, which directs any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.
<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Resolution No. R-636-16 (*Liberty Square and Lincoln Gardens Award*) Adopted by the Board on July 6, 2016 which approved Rudg, LLC as the developer of Liberty Square and Lincoln Gardens public housing sites.
<http://intra/gia/matter.asp?matter=161778&file=false&yearFolder=Y2016>

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PROCEDURAL HISTORY

**Prime Sponsor: Vice Chairwoman Commissioner Audrey M. Edmonson, District 3
Department/Requester: Public Housing and Community Development**

12/11/17: The Housing and Social Services Committee (HSSC) forwarded this item to the BCC with a favorable recommendation.

FISCAL IMPACT

The County would receive \$10.00 from City of Miami, there is no cost to the County for the conveyance of the properties.

ANALYSIS

This item seeks to:

1. Declare as surplus a portion of County-owned properties located on the north and south of NW 65 Street, between NW 15 Avenue and NW 14 Avenue, and on the north and south of NW 63 Street, between 15 Avenue and NW 14 avenue;
2. Authorize the conveyance of the Properties to the City of Miami (City) in the amount of \$10 for the purpose of a right-of-way dedication in accordance with Section 125.38, Florida Statutes;
3. Waive Administrative Order 8-4 as it relates to review by the Planning Advisory Board;
4. Authorize the Chairperson or the Vice Chairperson of the Board to the execute to the County Deed; and
5. Authorize the County Mayor or County Mayor’s designee to take all actions necessary to enforce the provisions as set forth in the County Deed.

Area Address	North/South	Area in Sq. Ft.	2017 Market Value
North and South of NW 65 Street between NW 15 Avenue and NW 14 Avenue	South side of Block 5 and Block 6	4,280	\$46,784
	North side of Block 3 and Block 4	4,280	\$46,784
North and South sides of NW 63 Street between NW 15 Avenue and NW 14 Avenue	South side of Block 3 and Block 4	4,282	\$46,806
	North side of Block 1 and Block 2	4,283	\$46,817

Google Maps Satellite View of NW 65 Street, NW 15 Avenue and NW 14 Avenue and NW 63 Street, NW 15 Avenue and NW 14 Avenue: <https://goo.gl/maps/Bb9agRcuzyB2>

ADDITIONAL INFORMATION

RUDG, LLC is performing development activities for Liberty Square. During this process, it was found that the areas in question do not meet the right-of-way (ROW) width required by the City of Miami (City). In order for RUDG, LLC to obtain a permit for their current and future development activities at Liberty Square, the street ROW width needs to comply with the City of Miami Code (City Code), which requires that no permit for construction of a new building or structure shall be issued until all portions of the applicant’s lot, tract or parcel lying within the City’s officially established ROW have been dedicated to the public for street purposes.

The City Code further requires that all public streets in the City shall be established at a minimum width of 50 feet. The current ROW width for NW 65 and NW 63 Streets, between NW 15 Avenue and NW 14 Avenue, is 36 feet (see Attachment A to the

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resolution), which will require an additional 14 feet to be added to the ROW. Property dedications of 7 feet along both sides of NW 65 and NW 63 Streets, between NW 14 and NW 15 Avenues (for a total of 14 feet in additional ROW width), are needed for the purpose of achieving standard road ROW widths and corresponding turning radii. This is more specifically delineated in drawings attached to the resolution. To convey the property needed for dedication, the Board must approve the conveyance of land owned by the County.

The County Deed contains a restriction stating that the Properties are to be used as a ROW by the City and if the public use shall be discontinued, then the Properties shall revert to the County, at its option.

RUDG, LLC is registered in the Florida Department of State website, Sunbiz, as a Florida limited liability company, with a principal address of: 315 S Biscayne Boulevard Miami FL, 33131. RUDG LLC Sunbiz Link: <http://goo.gl/9eKahv>

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**Item No. 8L1
File No. 172644**

Researcher: SM Reviewer: PGE

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF 318 20TH STREET, MIAMI BEACH, FLORIDA, PURSUANT TO FLORIDA STATUTES SECTION 196.1997 AND SECTION 16A-18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE MAYOR OR DESIGNEE TO EXECUTE AND RECORD COVENANT; AND AUTHORIZING MAYOR OR DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the historic preservation ad valorem tax exemption for the rehabilitation of 318 20th street, Miami Beach, Florida.

APPLICABLE LEGISLATION/POLICY

Section 196.1997 of the Florida Statutes governs Ad valorem tax exemptions for historic properties.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0196/Sections/0196.1997.html

Section 16A-18 of the Code of Miami-Dade County governs tax exemptions for renovations for historic properties.

https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH16AHIPR_S16A-18TAEXREHIPR

Resolution No. R-974-09 directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Bruno A. Barreiro, District 5

Department/Requester: Regulatory and Economic Resources Department

This Item was forwarded to BCC with a favorable recommendation at the Government Operations Committee on December 12, 2017.

FISCAL IMPACT

The annual amount of ad valorem taxes to be exempted for the ten-year period is determined by applying the countywide operating millage against the taxable value of the qualifying improvements to the property. The ad valorem tax exemption is not applicable to other taxing authorities, as stated in the mayoral memo.

ANALYSIS

This Resolution will authorize the Ad valorem tax exemption for the property located at 318 20th Street, Miami Beach, Florida, pursuant to the provisions of Florida Statutes Section 196.1997 and Section 16A-18 of the Code of Miami-Dade County.

What this proposed legislation will do is to preserve historic buildings, by ways of giving an economic incentive to those property owners that take on the responsibility of restoring and maintaining a designated historic structure. The entirety of the assessed value will not be exempt. If the municipality approves it, then an exemption could be granted on the municipal portion of said property tax bill. As stated in the Historic Preservation exemption property tax assessments/revenue implications; the

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County will forgo an estimated \$21,843 if the Historic Preservation Exemption application is granted. Furthermore the owner must agree to assume the cost of the continued maintenance and repair of said property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the property eligible for listing in the National Register of Historic Places or designation under the provisions of the local preservation ordinance.

The tax exemption takes effect on January 1 following substantial completion of the improvement and extends for a ten-year period, which for this property shall begin on January 1, 2014 and end on December 31, 2023. Failure by the owners to adhere to these standards would result in revocation of the exemption.

All applicants must meet certain criteria as set forth by the Florida Department of State, Division of Historical Resources, in order for a tax exemption to be allowed including:

- Certification that the property has been designated historic by the applicable preservation board
- Certification that the property has received approval for the improvements by the applicable preservation board
- A determination that the planned improvements are consistent with the Secretary of the Interior's Standards for Rehabilitation

When the project is complete, the owner/applicant must submit post-construction documentation to the County, along with a signed covenant. The post-construction documentation of the application indicates that the amount spent by the property owner on the total renovation was \$4,650,000, of which the Property Appraiser's office determined that the taxable value of the qualifying improvements was \$4,680,387, as stated in the mayoral memo.

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**Item No. 8L2
File No. 172648**

Researcher: NR Reviewer: TD

RESOLUTION APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO DEDICATE THE COUNTY'S INTERESTS IN CERTAIN LANDS OWNED OR MANAGED BY MIAMI-DADE COUNTY TO THE BISCAYNE BAY COASTAL WETLANDS PHASE I RESTORATION PROJECT; APPROVING CERTIFICATION OF LANDS BY THE COUNTY TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND THE UNITED STATES ARMY CORPS OF ENGINEERS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND CERTIFICATION OF LANDS AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Cooperative Agreement between Miami-Dade County (County) and the South Florida Water Management District (SFWMD) for the dedication of the County's interests in certain lands owned or managed by the County for the Comprehensive Everglades Restoration Plan Biscayne Bay Coastal Wetlands Phase I Restoration Project, the Certification of Lands.

APPLICABLE LEGISLATION/POLICY

PROCEDURAL HISTORY

Prime Sponsor: Daniella Levine Cava

Requester: Regulatory and Economic Resources

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its December 12, 2017 meeting without discussion.

On September 8, 2005, the Board approved Resolution No. R-986-05, authorizing a Memorandum of Understanding (MOU) between Miami-Dade County and the South Florida Water Management District for cooperative management of the South Dade Wetlands Environmentally Endangered Lands Project.

<http://intra/gia/matter.asp?matter=052070&file=true&yearFolder=Y2005>

On July 8, 2010 the MOU was amended by Resolution No. R-718-10 to include the Biscayne Bay Coastal Wetlands and to extend the MOU to September 30, 2020.

<http://intra/gia/matter.asp?matter=101261&file=true&yearFolder=Y2010>

FISCAL IMPACT

The fiscal impact from this Agreement is positive, as some of the lands subject to the Agreement will be managed by the South Florida Water Management District, thereby reducing land management costs to the County.

ANALYSIS

Through this proposed Cooperative Agreement the County will dedicate its interests in certain lands to the South Florida Water Management District and to the U.S. Army Corps of Engineers for the Biscayne Bay Coastal Wetlands Phase I Restoration Project.

The subject lands that will be managed by the South Florida Water Management District in a manner compatible with the project's restoration purposes and consistent with the previously authorized MOU and EEL Program purposes.

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Under the MOU, a management plan was jointly developed to guide land management activities, such as invasive exotic species, protected species, dumping, and hydrology. The goals in the plan include objectives to remove exotic vegetation, to implement a prescribed fire program, to restore wetlands functions, and to provide for other activities that are necessary to protect and preserve the natural resources in the project area, consistent with the EEL Program purposes.

The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve and maintain environmentally endangered lands for the benefit of present and future generations.

The lands are primarily owned or managed by the Department of Regulatory and Economic Resources, Division of Environmental Resources Management's EEL Program, and the Department of Parks, Recreation and Open Spaces

The lands are located in Commission District 8, represented by Commissioner Daniella Levine Cava, and in Commission District 9, by Commissioner Dennis C. Moss.

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**Item No. 8N1
File No. 180068**

Researcher: SM Reviewer: PGE

RESOLUTION DECLARING SURPLUS COUNTY-OWNED RIGHTS-OF-WAY LOCATED ALONG STATE ROAD 997 (SW 177 AVENUE/KROME AVENUE) FROM SW 296 STREET TO SW 232 STREET ALSO KNOWN AS PARCEL NOS. 188.1, 189.1, 191.1, AND 192.1; AUTHORIZING THE CONVEYANCE OF SAME TO THE FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38, FOR NO MONETARY CONSIDERATION, FOR IMPROVEMENTS ALONG SUCH ROAD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTIES; AND AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE COUNTY DEEDS FOR SUCH PURPOSES

ISSUE/REQUESTED ACTION

Whether the Board should approve this resolution authorizing the Chairperson or Vice Chairperson of the Board to execute County Deeds conveying to the Florida Department of Transportation (FDOT) the right-of-way identified as Parcel Nos. 188.1, 189.1, 191.1, and 192.1, along State road 997(SW 177 Avenue/Krome Avenue).

APPLICABLE LEGISLATION/POLICY

Florida Statutes Code Section 125.38 governs the sale of County property to the United States, or state.

<http://www.flsenate.gov/Laws/Statutes/2011/125.38>

Florida Statutes Code Section 337.25 governs the acquisition, lease, and disposal of real and personal property.

<https://m.flsenate.gov/Statutes/337.25>

Resolution No. 974.09 directing that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Daniella Levine Cava

Department/Requester: Transportation and Public Works

This item was amended at the December 14, 2017 Transportation and Public Works Committee meeting to delete the reference to Parcel 190.1

FISCAL IMPACT

There is no fiscal impact associated with these actions since the portions of right-of-way being conveyed are not improved or maintained by the County. Conveying this right-of-way will not result in an increase in revenue from property taxes since the land which will be used as right-of-way is exempt from such payments, as stated in the mayoral memo.

ANALYSIS

Whether the Board should approve this resolution authorizing the Chairperson or Vice Chairperson of the Board to execute County Deeds conveying to the Florida Department of Transportation (FDOT) the right-of-way identified as Parcel Nos. 188.1,

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189.1, 191.1, and 192.1, along State road 997(SW 177 Avenue/Krome Avenue). The Parcel Nos. are included as an attachment in the mayoral memo.

FDOT is improving and expanding State Road 997 (SW 177 Avenue/Krome Avenue) from SW 296 Street to SW 232 Street in order to improve mobility, and alleviate traffic congestion.

FDOT conducted a project development & environment study (PD&E) dated September, 2013. Within that report it states that there aren't any designated pedestrian facilities currently existing along Krome Avenue or any of the adjacent side streets within the study corridor. No designated bicycle facilities exist within the study limits. There are no crosswalks and/or pedestrian pushbuttons provided at the signalized intersections within the study limits. There was a Krome Avenue Action plan that was developed in 1997 and approved by the Miami-Dade County Metropolitan Planning Organization in 1999. The primary purpose of the plan was to identify and evaluate alternatives for transportation improvements other than additional general use lanes and restrictive medians along Krome Avenue. The plan considered improvements to accommodate present and future traffic conditions within the corridor. The proposed improvements were primarily oriented toward access management, intersection improvements, multi-modal improvements, resurfacing, drainage improvements, and pedestrian/bicycle and equestrian facilities.

http://www.fdotmiamidade.com/userfiles/files/kromesouth/draft-project-documents/Wetlands%20Evaluation%20Report%20-2496144_WER_Sept2013.pdf

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Research Notes**

**Item No. 8N2
File No. 171934**

Researcher: SM Reviewer: PGE

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA

ISSUE/REQUESTED ACTION

Whether the Board should approve the resolution accepting conveyance of various property interest for road purposes to Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09 adopted July 21, 2009 - directs the County Mayor or County Mayor's designee to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County and to provide a recorded copy of each instrument to the Clerk of the Board within 30 days of execution of said instruments; and directs the Clerk of the Board to attach and permanently store a recorded copy of each of said instruments together with this resolution.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

PROCEDURAL HISTORY

**Prime Sponsor: Transportation and Public Works Committee
Department/Requester: Transportation and Public Works**

This Item was forwarded to BCC with a favorable recommendation at the Transportation and Public Works Committee on December 14, 2017.

FISCAL IMPACT

If the proposed resolution gets Board approval, the total fiscal impact as a result of these conveyances being accepted is approximately \$530.06 annually for maintenance costs associated with the subject rights-of-way being included in the Department of Transportation and Public Works (DTPW) inventory. These costs will be funded through DTPW's General Fund allocation, as stated in the mayoral memo.

ANALYSIS

The proposed resolution would authorize the acceptance of conveyances of various property interest for road purposes to Miami-Dade-County. Various zoning and land development requirements would be fulfilled with these acquired conveyances. This is done to put into force the improvements needed within the public right-of-way to meet County roadway standards, as stated in the mayoral memo. The properties being conveyed are located within various Commission Districts.

The Department of Transportation and Public Works recommends that this Board finds and determines that the acceptance of such conveyances would be in the public's best interest. Miami-Dade County will not be obligated to construct any improvements within the properties that are tendered for road right-of-way or other purposes other than as specifically set forth in the proposed resolution; and pursuant to Resolution No. R-974-09. See above for link.

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Research Notes**

**Item No. 8N3
File No. 172269**

Researcher: BM Reviewer: PGE

RESOLUTION APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ALONG SW 99 COURT FROM STATE ROAD 94/KENDALL DRIVE TO APPROXIMATELY 350 FEET NORTH; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution of an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) for the construction of improvements along SW 99 Court from State Road 94/Kendall Drive to approximately 350 feet north.

APPLICABLE LEGISLATION/POLICY

Chapter 337 of the Florida Statutes: relating to contracting, acquisition, disposal and use of property.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0337/0337ContentsIndex.html&StatuteYear=2017&Title=%2D%3E2017%2D%3EChapter%20337

Section 339.135 of the Florida Statutes: relating to transportation work programs, legislative budget requests and FDOT's budgeted fiscal year expenditures.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0339/Sections/0339.135.html

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

12/14/17: Forwarded to BCC with a favorable recommendation by the Transportation and Public Works Committee.

11/16/17: No action was taken due to lack of a quorum at the Transportation and Public Works Committee.

FISCAL IMPACT

The project's estimated cost is \$176,821.26, which will be financed with State of Florida funds. FDOT will cover the project's construction costs while the County's Department of Transportation and Public Works (DTPW) shall cover maintenance costs upon project completion. Such maintenance will be funded through DTPW's General Fund allocation at an estimated yearly cost of \$43.40.

ANALYSIS

This item seeks Board approval of an Off-System Construction and Maintenance Agreement between the County and FDOT for the construction of improvements along SW 99 Court from State Road 94/Kendall Drive to approximately 350 feet north, i.e., project limits. The work shall include milling and resurfacing, widening the existing roadway, constructing 72 feet of type F curb and gutter on the east side, replacing 50 feet of existing sidewalk and sod on the east side, upgrading signing and pavement markings and drainage improvements.

The project is located in District 7, which is represented by Commissioner Xavier L Suarez. As indicated in the mayoral memorandum, construction of improvements is scheduled to commence in August 2018. The memorandum does not

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indicate the project's anticipated completion date. Additionally, there is no mention in the memorandum whether citizen input will be solicited prior to execution of the agreement and/or project commencement.

This project is included in FDOT's Work Program as a safety project. The project limits is located outside of the State's Highway System, and the County is the holder of the ownership rights to the road. Key provisions of the agreement are as follows:

- FDOT shall design and construct the project in accord with all applicable federal and state laws and regulations; FDOT shall have final decision authority with respect to the design, the design review process and construction of the local roadway improvements, and the relocation of any utilities that FDOT may determine to be required;
- The County shall review the project design plans and submit its comments, if any, via Electronic Reviewer Comments; once the review process is concluded, the County shall authorize its DTPW to issue a permit to FDOT's construction contractor, authorizing FDOT to construct the project in accord with the final project design plans;
- The County acknowledges that FDOT will be utilizing federal funds to construct the project, and as a result thereof, the County agrees to perpetually maintain the local roadway improvements; to maintain, means to perform normal maintenance operations for the preservation of the local roadway improvements, which shall include roadway surfaces, shoulders, roadside structures, drainage, signing and pavement markers and such traffic control devices as are necessary for the safe and efficient use of the local roadway improvements;
- After completion of construction, the County shall assume all maintenance responsibilities; upon completion of construction, FDOT will invite the County on the Final Inspection of the work within the project limits and will incorporate valid County concerns that are within the scope of the contract into the final project punch list to be corrected by the contractor; and
- Upon completion of all work related to construction of the project, FDOT will be required to submit to the County final as-built plans for the local roadway improvements and an engineering certification that construction was completed in accordance with the plans.

Note that the attached agreement has not been signed by FDOT.

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**Item No. 8N4
File No. 172436**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ALONG NW 2 AVENUE FROM NW 123 STREET TO NW 127 STREET; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution of an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) for the construction of improvements along NW 2 Avenue from NW 123 Street to NW 127 Street.

APPLICABLE LEGISLATION/POLICY

Chapter 337 of the Florida Statutes: relating to contracting, acquisition, disposal and use of property.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0337/0337ContentsIndex.html&StatuteYear=2017&Title=%2D%3E2017%2D%3EChapter%20337

Section 339.135 of the Florida Statutes: relating to transportation work programs, legislative budget requests and FDOT's budgeted fiscal year expenditures.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0339/Sections/0339.135.html

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

The Item was forwarded to BCC with a favorable recommendation at the Transportation and Public Works Committee on December 14, 2017.

FISCAL IMPACT

The mayoral memorandum states that the improvements will be built by FDOT with federal funds. The County's Department of Transportation and Public Works (DTPW) shall cover maintenance costs upon project completion; such maintenance will be funded through DTPW's General Fund allocation at an estimated yearly cost of \$226.33.

ANALYSIS

This item seeks Board approval of an Off-System Construction and Maintenance Agreement between the County and FDOT for the construction of improvements along NW 2 Avenue from NW 123 Street to NW 127 Street. The improvements are associated with a larger project abutting the project limits. The improvements to be constructed include milling and resurfacing and widening of NW 2 Avenue from NW 123 Street to NW 127 Street, a road not on the State Highway System. Additionally, FDOT shall install an additional signal head for both SR922/NW125 Street Eastbound and Westbound approaching N Miami Avenue and further install back plates for all Eastbound and Westbound signal heads at the intersection of SR922/NW 125 Street and N Miami Avenue.

The project is located in District 2, which is represented by Commissioner Jean Monestime. As indicated in the mayoral memorandum, construction of improvements is scheduled to commence in August 2018. The memorandum does not indicate

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the project's anticipated completion date. Additionally, there is no mention in the memorandum whether citizen input will be solicited prior to execution of the agreement and/or project commencement.

This project is included in FDOT's Work Program as a safety project. The project limits is located outside of the State's Highway System, and the County is the holder of the ownership rights to the road. Key provisions of the agreement are as follows:

- FDOT shall design and construct the project in accord with all applicable federal and state laws and regulations; FDOT shall have final decision authority with respect to the design, the design review process and construction of the local roadway improvements, and the relocation of any utilities that FDOT may determine to be required;
- The County shall review the project design plans and submit its comments, if any, via Electronic Reviewer Comments; once the review process is concluded, the County shall authorize its DTPW to issue a permit to FDOT's construction contractor, authorizing FDOT to construct the project in accord with the final project design plans;
- The County acknowledges that FDOT will be utilizing federal funds to construct the project, and as a result thereof, the County agrees to perpetually maintain the local roadway improvements; to maintain, means to perform normal maintenance operations for the preservation of the local roadway improvements, which shall include roadway surfaces, shoulders, roadside structures, drainage, signing and pavement markers and such traffic control devices as are necessary for the safe and efficient use of the local roadway improvements;
- After completion of construction, the County shall assume all maintenance responsibilities; upon completion of construction, FDOT will invite the County on the Final Inspection of the work within the project limits and will incorporate valid County concerns that are within the scope of the contract into the final project punch list to be corrected by the contractor; and
- Upon completion of all work related to construction of the project, FDOT will be required to submit to the County final as-built plans for the local roadway improvements and an engineering certification that construction was completed in accordance with the plans.

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**Item No. 8N5
File No. 172449**

Researcher: SM Reviewer: PGE

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A CONTRACT IN THE AMOUNT OF \$338,421.12 TO AMERICAN BUILDERS MASTERS CORPORATION FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED DRAINAGE AND SIDEWALK IMPROVEMENTS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.2.7.01 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-53; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

ISSUE/REQUESTED ACTION

Whether the Board should approve the resolution authorizing the County Mayor or County Mayor's designee to execute a contract in the amount of \$338,421.12 to American Builders Masters Corporation for the people's transportation plan project entitled drainage and sidewalk improvements.

APPLICABLE LEGISLATION/POLICY

Section 2-8.2.7.01-Creates the MCC program in order to enhance the contracting opportunities of Community Small Business Enterprises and to facilitate and expedite the award of construction contracts to small businesses. Creates the 7040 Plan and the 7360 Plan and establishes procedures.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7.01MICOCOPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7.01MICOCOPR)

Implementing order 3-53- This Implementing Order establishes a policy for the use of the Miscellaneous Construction Contracts (MCC) program, which contains the MCC 7040 and MCC 7360 Plans.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-53.pdf>

Section 29-124- Requires Citizens' Independent Transportation Trust (CITT) review of contracts funded by the People's Transportation Plan or for contracts with a Transit allocation that exceeds \$1 million.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

PROCEDURAL HISTORY

Prime Sponsor: None.

Department/Requester: Transportation and Public Works.

This Item was forwarded to BCC with a favorable recommendation at the Transportation and Public Works Committee on December 14, 2017.

FISCAL IMPACT

The contract award would be approximately \$338,421.12. The base contract amount is \$298,751.00, exclusive of contingency and dedicated allowance amounts. There is no additional fiscal impact to operations or maintenance, as stated in the mayoral memo.

ANALYSIS

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The proposed resolution recommends contract award for Project Entitled People's Transportation Plan (PTP) project entitled Drainage and Sidewalk Improvements (Project MCC 7040 Plan - CICC 7040-0/07), Request for Price Quotation (RPQ) No. 20170202) in the amount of \$338,421.12 to American Builders Masters Corporation, was prepared by the Department of Transportation and Public Works (DTPW). There was a list of 162 pre-qualified firm, and on August 6, 2017, American Builders Masters Corporation put forward the lowest responsive and responsible base bid of \$298,751. This is 8.42 percent above the County's cost estimate. The location of work to be performed is located within District seven, represented by Commissioner Xavier L. Suarez. The recommendation may be considered by the Board only if CITT forwards a recommendation to the Board prior to the date scheduled for Board consideration, or 45 days have elapsed since the filing with the Clerk of this Contract Award Recommendation.

ADDITIONAL INFORMATION FOUND

American Builders Masters is located in Miami-Dade County, according to Sunbiz.org has a status of Active, and filing date of January 14, 2013. They do not have an operating website, and Buzzfile has a business description which states the following: American Builders Masters Corp is located in Miami, Florida. This organization primarily operates in the New Construction, Single-family Houses business / industry within the Construction - General Contractors & Operative Builders sector. This organization has been operating for approximately 4 years. American Builders Masters Corp is estimated to generate \$194,011 in annual revenues, and employs approximately 2 people at this single location.

<http://www.buzzfile.com/business/American-Builders-Masters-Corp-786-439-8048>

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Research Notes**

**Item No. 8N6
File No. 172555**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING THE TERMS OF THE MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND MIAMI-DADE COUNTY FOR THE OPERATION AND MAINTENANCE OF THE PARK-AND-RIDE/TRANSIT TERMINAL FACILITY AT THE INTERCHANGE OF INTERSTATE 75 AND MIAMI GARDENS DRIVE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE MEMORANDUM OF AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED HERETO AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution of a five-year agreement between Miami-Dade County and the Florida Department of Transportation (FDOT) for the management, maintenance, operation, and leasing of the Park-and-Ride/Transit Terminal Facility located at the northwest quadrant of the Interchange of Interstate 75 and Miami Gardens Drive.

APPLICABLE LEGISLATION/POLICY

Section 2-8.3 of the County Code requires the County Mayor to review responses to solicitations and to recommend the appropriate action to the County Commission. The recommendation shall be in writing, filed with the Clerk of the Board, and mailed to all participants no later than 10 days prior to any Commission meeting in which such recommendation is scheduled to be presented. The Board may waive the requirements of this section by a 2/3 vote of the County Commission.

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

This Item was forwarded to the BCC with a favorable recommendation at the Transportation and Public Works Committee on December 14, 2017.

FISCAL IMPACT

This Park-and-Ride/Transit Terminal Facility is a new facility. Starting in 2019, the annual Operations and Maintenance costs will be \$192,129.00. This is proportional to the capacity, infrastructure, and amenities proposed for the Facility, as stated in the mayoral memo.

ANALYSIS

This resolution will approve the terms of the memorandum of agreement between the FDOT and Miami-Dade County for the operation and maintenance of the park-and-ride/transit terminal facility at the interchange of interstate 75 and Miami Gardens drive.

FDOT will allow the County to use the Facility per the agreement between the two. It's owned by FDOT as a surface park-and-ride for transit riders, and as a major Metro bus connection in the northwestern part of the County. The new facility will consist of 298 surface parking spaces, 5 bus bays, a bus layover area, a kiss-and-ride area, bicycle cages and racks, pedestrian walkways and waiting areas, ticket vending machines, safety and security features, and landscaping. The completion date of said project is early 2019, as stated by the mayoral memo.

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Responsibilities of the County includes facility cleaning, trash removal, landscape maintenance, safety and security, in addition to the daily maintenance of the facility.

FDOT's operating costs and obligations include the maintenance of all directional signage to the Facility, pavement rehabilitation, and restoration and resurfacing of the facility.

Park-and-Ride facilities are valuable ancillary resources supporting the transportation infrastructure. They vary in size and complexity, often being used by commuters as a means to park their vehicle and commute to work via carpool, vanpool, and bus or rail transit. Facilities can serve as multimodal. Hubs encouraging use of alternate forms of travel rather than the single – occupant vehicle.

A Park-and-Ride Facility can contribute to fuel conservation, reduction in vehicle emissions, and reduced travel miles traveled. Impacts are related to the number of parked vehicles removed from the roadway between the lot and destination area, resources required for construction, maintenance and management of such facilities, and other environmental sustainability factors. Park-and-Ride lots may qualify for credits or funding grants from various programs.

<http://www.fdot.gov/transit/Pages/FinalParkandRideGuide20120601.pdf>

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Research Notes**

**Item No. 8N7
File No. 172647**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SN PLATINUM TRANSPORTATION, INC. TO PROVIDE SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

ISSUE/REQUESTED ACTION

Whether the Board should approve the application of SN Platinum transportation, Inc. for one Certificate of Public Convenience and Necessity to operate one non-emergency vehicle.

APPLICABLE LEGISLATION/POLICY

Section 4-42 of the County Code refers to the intent and history of the county with non-emergency vehicles and public convenience certificates.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN)

Section 4-43 of the County Code defines all the terms involved with driving fares and public convenience.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE)

Section 4-44 of the County Code specifies how to obtain a certificate of public convenience and necessity.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE)

Section 4-47 of the County Code elaborates on the fares and rates for the services.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA)

Section 4-48 of the County Code speaks to the insurance requirements.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE)

Section 4-49 of the County Code expands on the vehicle standards.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST)

Ordinance No. 80-145 was adopted by the Board, on December 18, 1980, to provide regulations on non-emergency medical transportation. This ordinance is not available on the internet.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Transportation and Public Works (DTPW)

This Item was forwarded to BCC with Favorable recommendation at the Transportation and Public Works Committee on December 14, 2017.

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Commissioner Rebeca Sosa from District 6, had a question regards to if these were local firms, and Selena Williams from the department transportation and public works explained that one of the firms were located in Pompano. Then she asked which item she was referring to, and her response was 1 G4. Commissioner Sosa asked why the firm in Pompano Beach is getting an opportunity whilst there are many firms in Miami-Dade County that pay taxes to the County, and that she would not support firms that were not located within Miami-Dade County. She asked the Item 1 G4 to be bifurcated.

FISCAL IMPACT

Miami-Dade County Department of Transportation and Public Works collects licensing, operating, permit, and inspection fees to support regulatory activities. There is an annual regulatory fee of \$625 per certificate that will yield \$625, in revenue annually for the new certificate, in addition to a \$38 per vehicle inspection, which depending on the age of the vehicle could vary from one to four per year, as stated per the mayoral memo. The fee schedule has a fee for non-emergency vehicle certificates in the amount of \$300 for the initial certificate application.

<https://www.miamidade.gov/licenses/library/fees/for-hire.pdf>

ANALYSIS

It is recommended that the Board approves this resolution which relates to the application for one certificate of public convenience and necessity to SN Platinum Transportation, Inc. to provide sedan non-emergency medical transportation services.

SN Platinum Transportation, Inc. wishes to transport patients to and from different medical facilities located within the County. The transportation rates are not regulated by the County. The County does have a requirement which states the Certificate Holder must file their rates with DTPW and have them posted inside each vehicle on the passenger compartment section.

These new proposed services under the certificate will increase the accessibility of licenses non-emergency medical transportation in the County, therefore increasing competition and high service standards to the public.

Drivers for non-emergency transportation must according to Miami-Dade County, have for-hire chauffeur registration, and the vehicles must be inspected. The services for non-emergency transportation includes the transportation of persons on stretchers, using wheelchairs, or whose incapacitation makes it impractical for them to be transported by a regular carrier, and who neither need, nor expect to need medical attention on route In order to provide non-emergency services you must first obtain a Non-Emergency Certificate of Public Convenience and Necessity., as stated by the Miami-Dade County website.

<https://www.miamidade.gov/licenses/non-emergency-transportation.asp>

ADDITIONAL INFORMATION

According to the website Sunbiz.org, [Sn Platinum Transportation, Inc.](#) is a Florida Domestic Profit Corporation filed on March 28, 2017. The company's filing status is listed as Active and its File Number is [P17000029005](#). The Registered Agent on file for this company is Viteri Christopher and is located at 1013 Ne 42nd Ave, Homestead, FL 33033. The company's principal address is 1013 Ne 42nd Ave, Homestead, FL 33033 and its mailing address is 1013 Ne 42nd Ave, Homestead, FL 33033. The company has 2 principals on record. The principals are Christopher Viteri from Homestead FL and Gian Viteri from Homestead FL.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype>

[=EntityName&directionType=Initial&searchNameOrder](#)

[=SNPLATINUMTRANSPORTATION%20P170000290050&aggregatId=domp-p17000029005-b8eb4fb5-7b34-41e5-8028-fc338a4b7f36&searchTerm=SN%20Platinum&listNameOrder=SNPLATINUMTRANSPORTATION%20P170000290050](#)

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Research Notes**

**Item No. 8N8
File No. 172652**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EDEN TRANSPORTATION SERVICES CORP. TO PROVIDE SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

ISSUE/REQUESTED ACTION

Whether the Board should approve the application of Eden Transportation Services, Corp. for one Certificate of Public Convenience and Necessity to operate one non-emergency vehicle.

APPLICABLE LEGISLATION/POLICY

Section 4-42 of the County Code refers to the intent and history of the county with non-emergency vehicles and public convenience certificates.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN)

Section 4-43 of the County Code defines all the terms involved with driving fares and public convenience.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE)

Section 4-44 of the County Code specifies how to obtain a certificate of public convenience and necessity.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE)

Section 4-47 of the County Code elaborates on the fares and rates for the services.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA)

Section 4-48 of the County Code speaks to the insurance requirements.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE)

Section 4-49 of the County Code expands on the vehicle standards.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST)

Ordinance No. 80-145 was adopted by the Board, on December 18, 1980, to provide regulations on non-emergency medical transportation. This ordinance is not available on the internet.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Transportation and Public Works (DTPW)

BCC Meeting: January 23, 2018
Research Notes

This Item was forwarded to BCC with a favorable recommendation at the Transportation and Public Works Committee on December 14, 2018.

FISCAL IMPACT

Miami-Dade County Department of Transportation and Public Works collects licensing, operating, permit, and inspection fees to support regulatory activities. There is an annual regulatory fee of \$625 per certificate that will yield \$625, in revenue annually for the new certificate, in addition to a \$38 per vehicle inspection, which depending on the age of the vehicle could vary from one to four per year, as stated per the mayoral memo. The fee schedule has a fee for non-emergency vehicle certificates in the amount of \$300 for the initial certificate application.

<https://www.miamidade.gov/licenses/library/fees/for-hire.pdf>

ANALYSIS

It is recommended that the Board approves this resolution which relates to the application for one certificate of public convenience and necessity to Eden Transportation Services, Corp. to provide sedan non-emergency medical transportation services.

Eden Transportation Services, Corp. wishes to transport patients to and from different medical facilities located within the County. The transportation rates are not regulated by the County. The County does have a requirement which states the Certificate Holder must file their rates with DTPW and have them posted inside each vehicle on the passenger compartment section.

These new proposed services under the certificate will increase the accessibility of licenses non-emergency medical transportation in the County, therefore increasing competition and high service standards to the public.

Drivers for non-emergency transportation must according to Miami-Dade County, have for-hire chauffeur registration, and the vehicles must be inspected. The services for non-emergency transportation includes the transportation of persons on stretchers, using wheelchairs, or whose incapacitation makes it impractical for them to be transported by a regular carrier, and who neither need, nor expect to need medical attention on route In order to provide non-emergency services you must first obtain a Non-Emergency Certificate of Public Convenience and Necessity., as stated by the Miami-Dade County website.

<https://www.miamidade.gov/licenses/non-emergency-transportation.asp>

ADDITIONAL INFORMATION

According to the website Sunbiz.org, [Eden Transportation Services, Corp.](#) is a Florida Domestic Profit Corporation filed on June 14, 2017. The company's filing status is listed as Active and its File Number is [P17000058296](#). The Registered Agent on file for this company is Martinez, Olaisys and is located at 7801 NW 160 TER, Miami Lakes, FL 33016. The company's principal address and mailing address is 900 W49 ST 314, Hialeah, FL 33012. The company has 2 principals on record. The principals are Martinez, Olaisys from Miami Lakes, FL and Morales, Liliana from Hialeah, FL.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=>

[EntityName&directionType=Initial&searchNameOrder=](#)

[EDENTRANSPORTATIONSERVICES%20P170000582960&aggregateId=domp-p17000058296-3b9963bb-1199-4704-9419-09e93ac6732d&searchTerm=](#)

[Eden%20Transportation%20Services%2C%20Corp&listNameOrder=EDENTRANSPORTATIONSERVICES%20P170000582960](#)

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8N9
File No. 172654**

Researcher: BM Reviewer: PGE

RESOLUTION APPROVING APPLICATION FOR THREE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO EXECUTIVE RIDE TRANSPORT, INC. TO PROVIDE WHEELCHAIR NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

ISSUE/REQUESTED ACTION

Whether the Board should approve the application for three certificates of public convenience and necessity to Palm Medical Transportation, LLC, to operate three non-emergency vehicles.

APPLICABLE LEGISLATION/POLICY

Section 4-42 of the County Code refers to the intent and history of the county with non-emergency vehicles and public convenience certificates.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-42LEFIIN)

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[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-43DE)

Section 4-44 of the County Code specifies how to obtain a certificate of public convenience and necessity.

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_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE)

Section 4-47 of the County Code elaborates on the fares and rates for the services.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-47SAARRA)

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_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-48SANSRE)

Section 4-49 of the County Code expands on the vehicle standards.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST)

Ordinance No. 80-145 was adopted by the Board, on December 18, 1980, to provide regulations on non-emergency medical transportation. This ordinance is not available on the internet.

**BCC Meeting: January 23, 2018
Research Notes**

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Transportation and Public Works (DTPW)

12/14/17: Forwarded to BCC with a favorable recommendation by the Transportation and Public Works Committee.

A similar item was adopted by the Board on 10/3/17.

<http://intra/gia/legistarfiles/MinMatters/Y2017/171677min.pdf>

FISCAL IMPACT

If this proposed resolution is approved, the annual regulatory fee of \$625 per certificate will yield \$1,875 of revenue and could possibly generate up to \$38 per vehicle inspection up to four inspections per year for the DTPW.

ANALYSIS

If approved by the Board, the resolution approves the application for three certificates of public convenience and necessity to Palm Medical Transportation, LLC, to operate three non-emergency vehicles.

Palm Medical Transportation, LLC, provides non-emergency medical transportation services to patients that require assistance to medical facilities. The applicant seeks to provide service seven days a week, 24 hours a day. This is an important service, which allows the members of the community affordable access to non-emergency medical transportation throughout the County. Companies that provide this service work to meet the demand for medical transportation throughout the county, including driving to and from hospital appointments, rehabilitation centers. The services span countywide, both incorporated, and unincorporated areas.

The County does not dictate the rates, nor does it choose one vendor to work with – rather it allows for the providers to compete with one another to provide low and fair rates, and allows the customer to have preference over the service providers. Section 4-47 of the County Code states that the rates can be done in 2 ways: public rates and contract rates. The public rates must be clearly posted within the vehicle on the passenger side, and the rates must be explained to the person requesting the service prior to the transport.

Palm Medical Transportation, LLC, proposed rates are summarized in the table below:

Cost per trip:		
Service	Rates	Additional Fees
Wheelchair Passenger – One Way	Load Fee: \$34.00	Per mile: \$2.50 (7 mile minimum) \$8.75 (per wheelchair use)
Ambulatory Passenger – One Way	Load Fee: \$34.00	Per mile: \$2.00 (7 mile minimum)
Wait time (after initial 15 minutes)	Per 15 minutes: \$9.50	-
Night Call (7:00 pm. – 7:00 am.)	Each Way additional: \$15.50	-
Immediate Response Call (Same Day)	Each Way additional: \$25.00	-
Out of Area Pickup Charge	Each Way additional: \$25.00	-

Increasing the availability of licensed non-emergency medical transportation in the county increases competition and higher service standards to the public.

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Research Notes

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Palm Medical Transportation, LLC, has an active status and first filed and registered on 05/25/2017.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=PALMMEDICALTRANSPORTATION%20L170001159890&aggregateId=flal-117000115989-3d708b4c-0249-4c14-98d7-051703225ee5&searchTerm=palm%20medical%20transportation&listNameOrder=PALMMEDICALTRANSPORTATION%20L170001159890>

Additional information on Non-Emergency Transportation is available on the County's website:

<http://www.miamidade.gov/licenses/non-emergency-transportation.asp>

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 8N10
File No. 172741**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING APPROVAL OF AN AGREEMENT BETWEEN MOBILITIE, LLC AND MIAMI-DADE COUNTY FOR THE PURPOSE OF PROVIDING A DEDICATED PLANS REVIEW STAFFER IN THE AMOUNT OF \$70,000.00 TO THE COUNTY IN THE FIRST YEAR

ISSUE/REQUESTED ACTION

Whether the Board should approve a Utility Structure Permitting Agreement between the County and Mobilitie, LLC to provide funding of \$70,000 for a dedicated Utility Permitting Employee, for one year, to review permits issued by the County's Department of Transportation and Public Works (DTPW) for applications for communications facilities.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-255-17, approved the agreement with FPL was adopted by the Board on March, 7, 2017.
<http://intra/gia/legistarfiles/MinMatters/Y2017/170034min.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Transportation and Public Works

12/14/17: Forwarded to BCC with a favorable recommendation.

FISCAL IMPACT

Mobilitie, LLC, will fully fund the \$70,000 for the requested Utility Permitting Employee position. The payment will be made at the start of the term, and the second payment at the six month period of the term. Mobilitie, LLC, will also reimburse for mileage expense and actual tolls expense for the employee's required visits related to the permit process, up to \$1,000 per month.

ANALYSIS

If approved by the Board, the proposed resolution approves a Utility Structure Permitting Agreement between the County and Mobilitie, LLC in the amount of \$70,000 to the County in the first year for the purpose of providing a dedicated plans review staffer for permits to be issued by the County Department of Transportation and Public Works for applications for communications facilities.

Per the Utility Structure Permitting Agreement, Mobilitie, LLC would provide the County with \$70,000 of funding for one employee, for one year, to exclusively process application for permits, on a priority basis, for communication facility projects within the unincorporated areas of the County. The agreement may be extended yearly through mutual consent.

Mobilitie, LLC's, duties under the agreement are to fully fund the requested position and the necessary expenses related to the permit process. Miami-Dade County's duties under the agreement are to diligently fill staffer position with a qualified individual and to initiate the rehiring process should the staffer leave or be terminated. Either party may terminate this agreement for convenience upon receipt of notice by the other party.

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ADDITIONAL INFORMATION

The link below is to an article posted by the Miami Herald relating to contract positions within the County which were fully funded by FPL. The contract positions were funded by FPL to exclusively process applications permits submitted by company. The article addresses concerns about possible conflicts of interest.

<http://www.miaminewtimes.com/news/fpl-wants-to-pay-salary-of-county-employee-in-charge-of-approving-its-permits-9188548>

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Research Notes**

**Item No. 801
File No. 172716**

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING THE ACQUISITION OF A PERPETUAL EASEMENT FROM THE FLORIDA POWER & LIGHT COMPANY TO MIAMI-DADE COUNTY IN EXCHANGE FOR \$56,800.00 IN ORDER TO INSTALL AND MAINTAIN A NEW SEWER PUMP STATION BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT, LOCATED AT 15100 N.W. 7 AVENUE, MIAMI, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT, EXERCISE ALL PROVISIONS CONTAINED THEREIN AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME

ISSUE/REQUESTED ACTION

Whether the Board should approve the acquisition of a perpetual easement from the Florida Power and Light Company (FP&L) for \$56,800.00 for the installation and maintenance of a new County-owned sewage pump station for the Water and Sewer Department.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-130-06, adopted January 24, 2006, amending Resolution No. R-1198-05 to clarify that proposed agenda items seeking approval of a contract and authority to execute same shall not be placed on any Committee or commission agenda unless the underlying contract is completely negotiated, in final form, and executed by all Non-County parties.

<http://intra/gia/legistarfiles/Matters/Y2005/053474.pdf>

Resolution No. R-974-09, approved by the Board on July 21, 2009, requires any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter or mortgage creating or reserving a real property interest in favor of the County contain language that such instrument, after proper execution, be recorded in the public records of the county within which the real property is located.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime

Department/Requester: Water & Sewer Department

This item was forwarded to the Board with a favorable recommendation from the Infrastructure and Utilities Committee at its December 12, 2017 meeting.

At that meeting, Commissioner Barreiro expressed his concern noting that Florida Power and Light (FPL) and the County were in negotiations for the main franchise agreement and pointed out that as a part of this deal, FPL had to consider placing all cables underground. He noted his intent to make this statement on the record whenever any agenda item regarding FPL was considered.

FISCAL IMPACT

The funding source for this acquisition is General Obligation Bond funds (Commercial and Industrial Corridors – Extension of Sewer System). The County has agreed to pay FP&L \$56,800 based upon the appraised value.

ANALYSIS

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Research Notes

The Water & Sewer Department is seeking approval for a perpetual easement from the FP&L in exchange for \$56,800 which is based on the appraised value of the easement. A perpetual easement is that type of easement which is to last without any limitation of time. On September 19, 2017, an Appraisal report was submitted by Quinlivan Appraisal to estimate the total suggested compensation of the part to be acquired plus damages. The property was personally inspected on February 5, 2017 and September 18, 2017. Quinlivan Appraisal is an independent appraiser from the approved list of appraisers used by the County.

The easement enables WASD to use FPL's land for a specific purpose. WASD will use the easement to install and maintain a new sewer pump station on a 4,456 square foot section of land on the southwest corner at the utility substation. This new pump will provide additional storage capacity and promote economic development by making sewer service to commercial corridors currently lacking connection to the County's sewer system in the area.

The Easement Agreement includes the following:

1. *Reservation of Grantor (FP&L) Rights* – FP&L reserves all rights of ownership in and to the easement Premises and keeps, saves, preserves, maintains, and reserves unto itself and to each and all of its successors and assigns, all of its rights and interests in and to the East Premises;
2. *Grantee (Miami-Dade County) Encumbrances* – The County shall not, without express prior written agreement with and prior approval from FP&L, directly or indirectly create or cause any lien, mortgage, security pledge, or any form of encumbrance(s) to be applied to or affect the Easement Premises.
3. *Design, Construction and Maintenance* – At all times during the Term of the Easement, in order to protect persons and property, Miami-Dade County, at its sole expense, shall maintain the entire easement Premises. All design, construction, repair and maintenance of facilities and improvements within the easement Premises shall comply with FP&L's instructions and specification along with all applicable laws.

If an emergency situation occurs which requires immediate repair of any facility within the easement Premises to prevent injury to persons or property, the County may at its discretion handle the repair itself and/or hire a Contractor and direct that Contractor to commence repair of the facility(ies) within the Easement Premises.

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Research Notes**

**Item No. 802
File No. 172423**

Researcher: NR Reviewer: TD

RESOLUTION APPROVING ADDENDUM NUMBER ONE TO AGREEMENT BETWEEN MIAMI-DADE COUNTY AND D.R. HORTON, INC. FOR WATER AND SANITARY SEWER FACILITIES, FOR A TERM OF 365 DAYS, WHICH ADDENDUM ELIMINATES REQUIREMENT THAT D.R. HORTON, INC. CONSTRUCT A NEW PUBLIC REGIONAL PUMP STATION AND INSTEAD REQUIRES D.R. HORTON, INC. TO CONTRIBUTE \$186,439.58 FOR ITS PRO-RATA SHARE OF THE COSTS OF UPGRADING COUNTY-OWNED PUMP STATION NO. 1018; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between Miami-Dade County (County) and D.R. Horton, Inc.” (Addendum Number One) for the “AH at Turnpike Second Addition” development project. Addendum Number One modifies the original sewer service requirements for the development project to connect to the County’s sewer system.

APPLICABLE LEGISLATION/POLICY

There is no applicable legislation

PROCEDURAL HISTORY

Prime Sponsor: Dennis Moss

Requester: Water & Sewer Department

This item was deferred at the November 14, 2017 Infrastructure and Utilities Committee (IUC) meeting.

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its December 12, 2017 meeting without discussion.

FISCAL IMPACT

In order to design, construct and install the upgrades to PS 1018, there will be a fiscal impact to the County. Based on WASD’s project estimate, the total project cost is estimated to be \$1,537,877. D.R. Horton, Inc. will pay twelve percent of the total costs (\$186,439.58). This financial contribution is based on the projected flows, as determined by hydraulic modeling performed by WASD of the D.R. Horton project.

This pump station upgrade project is budgeted under OMB project number 9650371, Lift Station Upgrades and Structural Maintenance Improvements, Adopted Budget Book FY2016-17. The funding sources are a combination of Future WASD Revenues Bonds, WASD Revenue Bonds Sold and the Wastewater Renewal Fund.

ANALYSIS

This resolution proposes Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between County and D.R. Horton, Inc. The Agreement eliminates the requirement that D.R. Horton, Inc. build a new public regional pump station and instead requires D.R. Horton, Inc. contribute its pro-rata share of the costs needed for the County to upgrade County-owned Pump Station No. 1018 (PS 1018).

On May 1, 2015, an agreement was entered into between the County and Adrian Developers of De La Fuente Parcel, LLC (Adrian Developers). The Agreement required Adrian Developers to design, construct and install a new public regional sewage pump station in order to connect its 180-single family home project to the County’s sewer system. Subsequently, it was

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determined that the WASD's Pump Station (PS) 1018 could accept the flows generated by the Adrian Developers project if improvements were constructed within the current PS 1018 basin area. Adrian Developers and WASD agreed to improve PS 1018 with the condition that the property owner (Adrian Developers) would contribute toward the costs of the upgrade. However, Adrian Developers sold the land to D.R. Horton, Inc. while the project was under construction. D.R. Horton, Inc., the new property owner through an Assignment dated August 11, 2017 took over responsibility for the Agreement with the County.

PS 1018 will provide sewer service for D.R. Horton, Inc.'s new 180-single-family home residential project as well as other future development projects to be constructed in the area served by PS 1018. In addition, the County will benefit from the elimination of the construction of a new public regional pump station because it will not have to assume the costs associated with the operation and maintenance of a new public regional pump station

The project is located in District 9, represented by Commissioner Dennis Moss.

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Research Notes**

**Item No. 803
File No. 172866**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT FOR MAINTENANCE OF PRIVATE FACILITIES WITHIN THE TOWN OF MEDLEY'S RIGHT-OF-WAY BETWEEN MIAMI-DADE COUNTY, TOWN OF MEDLEY, AIRPORT NORTH INDUSTRIAL, INC, AND EB PROPERTIES, INC.; APPROVING EXECUTION OF ESCROW AGREEMENT TO FUND SUCH MAINTENANCE BETWEEN MIAMI-DADE COUNTY, TOWN OF MEDLEY AND AIRPORT NORTH INDUSTRIAL, INC.; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the board should approve the execution of a maintenance agreement within the Town of Medley's right-of-way, and an escrow agreement to fund such maintenance between the County, Town of Medley, Airport North Industrial, Inc. (ANI) and EB Properties, Inc. (EB).

APPLICABLE LEGISLATION/POLICY

Town of Medley, Resolution No. C-1528 adopted September 12, 2017, approving both agreements.
Attached

PROCEDURAL HISTORY

**Prime Sponsor: Jose "Pepe" Diaz, District 12
Department/Requester: Water & Sewer Department**

This item was approved by the Town of Medley at a Special Meeting of the Town Council on September 12, 2017.

FISCAL IMPACT

There is no fiscal impact to the County. The Escrow Agreement requires ANI to deposit with Water & Sewer department \$30,822, which will be held in reserve for use in the event ANI or EB Properties, Inc. fail to maintain, repair, or replace the private sewer facilities.

ANALYSIS

This item seeks approval of the execution of 1) a maintenance agreement of private facilities within the public right-of-way on NW 80 Street between the County, the Town of Medley, ANI, and EB, and 2) an Escrow Agreement to provide funding for maintenance services, requiring ANI to deposit \$30,822 into an escrow account to be replenished and/or increased at the request of the County and/or the Town of Medley.

Both agreements provide the County and the Town of Medley with a mechanism to ensure that the maintenance of the private sewer facilities owned and operated by ANI and EB remain the sole responsibility of both companies. EB is incorporated in the State of Florida and has been in business for approximately 27 years. The company generates an estimated \$377,510 in annual revenues and has three (3) employees at 8275 NW 80th Street in Miami. As of January 19, 2018, Sunbiz lists EB Properties in good and active status.

ANI is developing a warehouse distribution facility to construct and place into service sewer facilities, including a pump station and a force main, to serve the first building of the warehouse facility project, with sewer sub-outs approved for connections to future buildings. The pump station and the force main have already been constructed and placed into service. The property is located in District 12.

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Maintenance Agreement for Private Facilities

Term of Agreement – Agreement shall run with the land, and shall be binding upon and inure to the benefit of the parties and their respective successors and assigns and for the benefit of and limitation upon all future owners of all or any part of the ANI Property and the EB property, and shall remain in full force and effect until such time, if any, as the Town and the County shall terminate in writing and such termination shall require reasonable notice.

Annual Budget for Maintenance of Improvements: Creation of Reserve Mechanism for Maintenance – ANI agrees and acknowledges that it will at all times maintain sufficient funds in reserve, which shall be equal to three times the amount set forth in the annual maintenance budget for reasonable maintenance, repair or replacements of any of the improvements.

Escrow Agreement

Escrow Funds – ANI agrees to deliver to Escrow Agent the Escrow Funds, within thirty (30) days after execution of the Escrow Agreement, which funds Escrow Agent agrees to hold in accordance with the provisions of the Agreement and the maintenance Agreement through a general ledger account that will bear interest at .02% monthly and will be reconciled monthly.

Disbursement of Escrow Funds - Upon written notice by the County or Town to Escrow Agent and ANI of the failure of ANI to perform maintenance, repair or replacement of any of the Improvements, as required by the terms of the Maintenance Agreement, which notice shall provide a description of the work performed or to be performed with a reasonable estimate of such costs. Escrow Agent shall release the funds requested to the County and/or Town within thirty (30) days of the written notice, unless ANI demonstrates in writing that it is diligently and timely working on maintaining, repairing or replacing the Improvements, and provides documentation substantiating its work.

**BCC Meeting: January 23, 2018
Research Notes**

**Item No. 804
File No. 172887**

Researcher: NR Reviewer: TD

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE AWARD AND EXECUTION OF A CONSTRUCTION CONTRACT FOR CD 2.19(2) CO-GEN FACILITY AND 2.01(6) ELECTRICAL IMPROVEMENTS AT THE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT, CONTRACT NO. S-891 TO POOLE & KENT COMPANY OF FLORIDA IN THE AMOUNT OF \$36,003,300.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should ratify the action of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance (WASD Acceleration Ordinance) for the funded projects identified below and in Exhibit A of the item.

APPLICABLE LEGISLATION/POLICY

The Consultants Competitive Negotiation Act, Section 287.055 of the Florida Statutes, governs the procurement of architectural, engineering, landscape architectural, surveying and mapping services. http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html

Section 2-8.2.12 of the County Code (Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance) authorizes the County Mayor to accelerate the processing, procurement and award of any contract and agreement of the County for Consent Decree Work and other capital improvements contracts to maintain the operational effectiveness and capacity of the water and sewer systems, including contracts related to the purchase of goods and services, construction and professional services. Any act undertaken pursuant to the authority set forth under this section is subject to ratification by the Board.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

Section 2-10.4 of the County Code establishes the County's policy relating to the acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services. https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4.01 of the County Code sets forth the Small Business Enterprise Architecture and Engineering Program. Under the program, subconsultant goals may be established and applied to a particular agreement based on estimates made prior to proposal advertisement of the quality, quantity and type of subconsulting opportunities provided by the agreement and of the availability of firms to afford effective subconsulting competition therefor. Proposal documents shall require proposers to submit a Letter of Agreement for each subconsultant to be utilized in satisfaction of a subconsultant goal.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR

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Under Section 2-8.1(h) of the County Code (Dedicated, Contingency and Additional Service Allowances), the contingency allowance for a professional service agreement is 10 percent of the contract price.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Implementing Order No. 3-32 sets forth procedures for the Community Business Enterprise Program for the purchase of professional architectural, landscape architectural, engineering or surveying and mapping services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

Administrative Order No. 3-39 sets forth the standard procedures for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting obligations.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Requestor: Water and Sewer Department

This item has no procedural history.

FISCAL IMPACT

This item requests ratification of a contract in the total amount of \$36,003,300.00, with a total contract term of 750 days to Poole & Kent Company of Florida.

ANALYSIS

This item is requesting Board ratification of Recommendation to Award: Construction Contract for CD 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements at the Central District Wastewater Treatment Plant (CDWWTP), Contract No. S-891 to contract Poole & Kent Company.

The contract was executed in accordance with WASD's Consent Decree and Capital Improvements Programs Acceleration Ordinance on June 29, 2017

This project consists of furnishing all materials, labor and equipment necessary for the construction of Consent Decree Project 2.19(2), Cogeneration (of Co-Gen) Facility, and Project 2.01(6) Electrical Improvements at the Central District Wastewater Treatment Plant which include:

- installing a new Biological Hydrogen Sulfide Biogas Treatment System including five bioreactor vessels and equipment containers;
- a new Co-Gen Switchgear Building that will replace the existing electrical rooms in the Co-Gen Building and Electrical Substation Nos. 17 and 18;
- a new Biogas Treatment Electrical Building, installation of biogas piping from the Plant 1 digesters to the Biological Hydrogen Sulfide Treatment System and from the Biological Hydrogen Sulfide Treatment System to the co-generation in the Co-Gen Building; and
- The replacement of eight rotary sliding vane compressor systems and appurtenances.

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The funding sources for this project include: Future WASD Revenue Bonds, WASD Revenue Bonds Sold, and Wastewater Renewal Fund.

SBE – Construction goal is set at 5.06%, and SBE – Good and Services goal is set at 1.12%. The project is located in Commissioner Suarez, District 7

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Research Notes**

**Item No. 9A1
File No. 172672**

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE MEMORANDA OF UNDERSTANDING, AND OTHER REQUIRED AGREEMENTS AND DOCUMENTS ON BEHALF OF MIAMI-DADE COUNTY WITH COMMUNITY PARTNERS FOR THE PROVISION OF SERVICES AT MIAMI-DADE COUNTY'S COMMUNITY ACTION AND HUMAN SERVICES COMMUNITY RESOURCE CENTERS; TO EXERCISE AMENDMENTS, EXTENSIONS, AND RENEWALS OF SUCH MEMORANDA OF UNDERSTANDING, AND OTHER REQUIRED AGREEMENTS AND DOCUMENTS FOR SUCH PURPOSE, AND TO EXERCISE CANCELLATION, TERMINATION, WAIVER, AND OTHER PROVISIONS SET FORTH THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or County Mayor's designee to negotiate and execute Memoranda of Understanding (MOU) between Miami-Dade County (County) and various community partners for the provision of services at Community Action and Human Services Department (CAHSD) Community Resource Centers (Centers).

APPLICABLE LEGISLATION/POLICY

PROCEDURAL HISTORY

**Prime Sponsor: Vice Chairwomen, Audrey M. Edmonson
Requester: Community Action and Human Services**

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its December 11, 2017 meeting without discussion.

FISCAL IMPACT

Collaborations between the County and community partners at all of the County's Community Resource Centers will not result in a fiscal impact to Miami-Dade County. The services to be provided by the community partners will supplement and expand the services currently offered in the Centers.

ANALYSIS

This item seeks the Board's approval to authorize the County Mayor County Mayor's designee to negotiate and execute MOU between the County and various community partners for the provision of services at CAHSD's Centers. The MOUs will permit community partners to deliver services to low-income persons and low-income communities throughout Miami-Dade County.

The purpose of this MOU is memorialize the relationship between the Partner and the County, through CAHSD. The Partner is authorized to operate and provide services to County residents seeking assistance at the Centers managed by CAHSD's Family and Community Services Division. Community partners will only occupy space that is not currently occupied or designated to be leased.

The MOU details are as follows:

- One year lease term and two, two-year renewal option periods;
- Commencing on the date the MOU is executed by the County and termination one year thereafter;
- The Partner agrees to maintain a working relationship and a principal point of contact with the County; and
- The Partner agrees to conduct operations and activities in accordance with its mission statement, purpose goals and objectives that are consistent with the policies and procedures of County and CAHSD.

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Research Notes

There are 13 CAHSD's Centers in the County (1) Accion, (2) Coconut Grove (Rolle Center), (3) Culmer, (4) Edison, (5) Florida City, (6) Hialeah, (7) Caleb/Liberty City, (8) South Beach, (9) Miami Gardens, (10) Naranja, (11) Perrine, (12) Homestead, and (13) Wynwood.

CAHSD's Centers provide a variety of social services to economically disadvantaged individuals and families interested in achieving self-sufficiency. The Centers and the services provided to low-income families are geared toward helping them reach economic self-sufficiency.

CAHSD Input (pending responses to questions posed by the OCA)

1. Who are the current partners and when does the existing MOU expire?
2. Are there any new partners under the proposed MOU?
3. What specific services does each partner under the proposed MOU deliver?
4. How does CAHSD measure successful service delivery from these community partners?

ADDITIONAL INFORMATION

The centers offer a variety of core services and the link below relates to the Center core services described as follows:

<http://www.miamidade.gov/socialservices/service-centers.asp>

Care to Share Program

The Care to Share Program is a private donor funded program that provides assistance to low income individuals with their FPL electric bill one time a year with final notices and/or disconnections. The Program will pay final notices and/or disconnections for eligible individuals during the time LIHEAP is not providing this service.

Immigration Citizenship Classes

CAHSD's Accion Center provides classes to prepare individuals going through the naturalization process for the Citizenship Test. The course covers American history, laws and the legal system, general knowledge, and Citizenship Test preparation.

Citizen Involvement & Participation

The Citizen Involvement Participation is designed to increase the capacity of the residents in 16 CAHSD's targeted areas to become more empowered as stakeholders in their communities. Structured activities and coordinated initiatives are implemented to promote and foster community improvement and revitalization in neighborhoods where low income citizens reside.

Computer Training

Low-income individuals who have a desire to learn about computers, or have an interest in entering the workforce in a computer-related field, are provided instruction and [training in the use of personal computers](#), as well as training to develop basic office skills.

Elderly Home Energy Assistance Program (EHEAP)

This program provides energy assistance to low income low-income households, with at least one person age 60 and older, when the households are experiencing a home energy emergency. A home energy emergency may result from a delinquent utility bill or the receipt of a disconnection notice.

Emergency Food & Shelter Program (EFSP)

The Emergency Food & Shelter Program provides assistance to customers experiencing a one-time crisis situation which interrupts their ability to pay utility bills/rent/mortgage or secure necessary food. The program also provides assistance for temporary shelter on a limited basis.

Employment Preparation & Training

The Employment Preparation & Training assistance is provided to low income individuals as they seek and retain employment in the public and private sector. This process includes job coaching, employability skills training, and job referrals.

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English for Speakers of Other Languages (ESOL)

CAHSD's Accion Center provides English speaking classes to non-English speaking low income individuals.

Family Development

The Family Development Project is a collaborative process between low income families and CAHSD's. Targeted families are provided with a family support system designed to identify, reduce and/or remove social barriers and promote economic independence and self-sufficiency within five years.

Food & Clothing Distribution

Provide customers with food and/or clothing based on availability. Food and clothing Gift Card(s) will be utilized for emergency food/clothing assistance to customers with documented emergencies.

Grandparents Raising Grandchildren Initiative

The Grandparents Raising Grandchildren Initiative in conjunction with Miami-Dade County Public Schools (MDCPS) Office of Community Services provides support services to grandparent caregivers in the South Dade County areas. A variety of activities designed to assist grandparent caregivers with special challenges including physical problems, emotional issues and difficulties obtaining benefits and services are provided. In addition, a monthly support group is also held in the Naranja Community Service Center

Information & Referrals

Assist customers with direction on how to seek services in the areas of housing/shelters, education, employment, childcare, homelessness, nutrition, mental health, food stamps, and any other information as needed or requested.

Low Income Home Energy Assistance Program (LIHEAP)

[LIHEAP](#) provides assistance to low-income individuals and families who are experiencing financial difficulty with paying their electric and gas utility bills.

Volunteer Income Tax Assistance (VITA)

Low-income individuals can have their [taxes prepared](#) and filed electronically at select CAHSD Service Centers.

Voter Registration

Provides applications for customers who are U.S. citizens to obtain a voter's registration card, in an effort to make sure all citizens of Miami-Dade County including those in low-income areas have the opportunity to vote.

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Research Notes**

**Item Nos. 11A6 and 11A7
File NoS. 172749 and 172751**

Researcher: SAP Reviewer: TD

RESOLUTION DECLARING CERTAIN FIREFIGHTING EQUIPMENT SURPLUS PROPERTY; WAIVING, BY A TWO-THIRDS VOTE OF BOARD MEMBERS PRESENT, THE PROCEDURE FOR DISPOSITION OF SURPLUS PROPERTY; AUTHORIZING THE DONATION OF SUCH EQUIPMENT TO THE **GOVERNMENT OF THE COUNTRY OF SAINT LUCIA**; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A FOREIGN GOVERNMENTAL ENTITY DONATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

RESOLUTION DECLARING CERTAIN FIREFIGHTING EQUIPMENT SURPLUS PROPERTY; WAIVING, BY A TWO-THIRDS VOTE OF BOARD MEMBERS PRESENT, THE PROCEDURE FOR DISPOSITION OF SURPLUS PROPERTY; AUTHORIZING THE DONATION OF SUCH EQUIPMENT TO THE **MUNICIPALITY OF SUTATENZA BOYACA, COLOMBIA**; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A FOREIGN GOVERNMENTAL ENTITY DONATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

ISSUE/REQUESTED ACTION:

Whether the Board should:

- 1) Declare certain firefighting equipment surplus property to the Government of the Country of Saint Lucia and to the Municipality of Sutatenza Boyaca, Colombia, waiving by a two-thirds vote of Board members present the procedure of disposition of surplus property; and
- 2) Authorize the County Mayor or his designee to execute a foreign governmental entity donation agreement.

APPLICABLE LEGISLATION/POLICY

Chapter 274 of the Florida Statutes governing Public Lands and Property: Tangible personal property owned by Local Governments. *Surplus property.*—A governmental unit shall have discretion to classify as surplus any of its property, which property is not otherwise lawfully disposed of, that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0274/0274.html

Section 2-11-2.1(b) of the County Code subsection governing sale, donation or other disposition of surplus property. To the extent not inconsistent with state or federal law, surplus property may be sold, donated or otherwise disposed of only in the manner set forth in this section.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-11.2.1

Section 2-11.2.2(d) of the County Code governing the disposition of County surplus property. *Exception for foreign governmental entities.* Notwithstanding the foregoing, the Board of County Commissioners may waive the procedure set forth in subsection (b) above by a two-thirds (2/3) vote of members present and may donate surplus property to a foreign governmental entity upon a finding that the property is obsolete and cannot legally be used by another County department, a municipality in Miami-Dade County or an eligible community based organization.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-11.2.1

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally A. Heyman, District 4

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Research Notes

Both items were forwarded to the Board with a favorable recommendation by the Public Safety & Health Committee at its December 13, 2017 meeting.

ANALYSIS

This item seeks authority to donate firefighting equipment surplus property to the Country of Saint Lucia and to the Municipality of Sutatenza Boyaca in Colombia. Both countries have expressed an interest in the property and desire to use the equipment within their Countries. The November 17, 2017 letter from the Fire Chief to the Chairman specifically stated that the fire protection clothing has been declared obsolete by the Miami-Dade Fire Rescue Department and cannot be legally used by another County department, municipality, or an eligible Community-Based Organization (CBO) in the County. These decommissioned fire protective clothing turn-out gear (helmets, boots, coats, and pants) may not be used for live fire service and can only be used for training without live burns.

The Consul General of Saint Lucia stated in the July 17, 2017 letter to the Board that Saint Lucia provides firefighting services to the entire island and is currently under-equipped and the Bunker Gear donations would be helpful to the Island. The Mayor of Sutatenza Boyaca stated in the June 29, 2017 letter to the Board that the donations of fire equipment will be used for training purposes in the Municipality of Sutatenza Fire Department. The Foreign Entity Donation Agreement between the County and the parties noted that the receiving Countries agree that they shall utilize the donated surplus property for the intended use specified in the Surplus Property Allocation Application.

The Donee will take possession of the equipment within 60 days of the effective date of this resolution and will be responsible for any and all costs of transferring the equipment. If, for any reason, the Donee fails to take possession of the equipment within 60 days of the effective date of this resolution, then this resolution will be null and void, and the ownership rights to the equipment will revert back to the County.

2C – 172749

The following firefighting equipment is obsolete and cannot legally be used by another County department, a municipality in Miami-Dade County or an eligible community based organization. The Country of Saint Lucia (Donee) has expressed an interest in the following property and desires to use the equipment within the Country:

- 200 Sets of Turnout Gear: Coats & Pants; Est. Value \$200,000;
- 200 Fire Helmets; Est. Value \$20,000; and
- 200 Sets of Fire Boots; Est. Value \$2,000.

2D - 172751

The Municipality of Sutatenza Boyaca, Colombia (Donee) has expressed an interest in the following property and desires to use the equipment within the Country of Colombia.

- 40 Sets of Turnout Gear: Coats & Pants; Est. Value \$40,000;
- 40 Fire Helmets; Est. Value \$4,000; and
- 40 Sets of Fire Boots; Est. Value \$400.

Additional Information

- On April 4, 2017, the Board approved Resolutions R-385-17, R-386-17, 387-17 and R-388-17 for donations of firefighting equipment surplus property to the following international Fire Departments: City of Roatan, Honduras, City of Palin Guatemala, City of Asuncion, Paraguay and City of Chichigalpa, Nicaragua.
- St. Lucia Times, *Press Release, June 7, 2017* - The Saint Lucia Fire Service is continuing efforts to build capacity in specialized areas of firefighting. Two officers recently completed training in Fire Investigation at the Florida State Fire College in the United States. The subject areas covered included Accelerant Detection, Human Factors and Indicators, Weather factors, Documenting the fire scene, Fire scene sketching, Evidence, Reporting, Vehicle fires "Wild land fires, Electrical considerations and more.

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<https://stluciatimes.com/2017/06/07/saint-lucia-fire-service-continues-build-capacity>

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Research Notes**

**Item No. 11A8 (Substitute)
File No. 180066 (172825)**

Researcher: BM Reviewer: TD

RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH FOR THE TRANSFER OF THE EASTERN SHORES SECURITY GUARD SPECIAL TAXING DISTRICT AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores Security Guard Special Taxing District.

APPLICABLE LEGISLATION/POLICY

Resolution No. R2017-99 was adopted and passed by the City of North Miami Beach October 17, 2017, which ratified and accepted the resolution passed by the Board of Miami-Dade County to approve the agreement. This resolution is not available at this time online.

Resolution No. R-854-17 adopted October 3, 2017 approved the transfer of the Eastern Shores Security Guard Special Taxing District to the City of North Miami Beach.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-854-17.pdf>

Section 18-3.1 of the Code of Miami-Dade County governs Municipal special taxing districts.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH18IMSPRPDI_ARTISPTADI_S18-3.1MUSPTADI

Section 197.3632 of the Florida Statutes governs uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0197/Sections/0197.3632.html

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally Heyman, District 4

12/19/17: The item was deferred to the 01/23/17 BCC meeting at the request of the City of North Miami Beach.

FISCAL IMPACT

If approved by the Board, the plan under the proposed resolution will have no fiscal impact to the County budget.

ANALYSIS

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores Security Guard Special Taxing District.

The substitute differs from the original in that the resolution and the agreement are updated to reflect a new transfer date of February 2, 2018.

As stated in the mayoral memo, on October 3, 2017 the Board adopted resolution No. R-854-17 which approved the transfer of Eastern Shores Security Guard Special Taxing District to the City of North Miami Beach, approving an inter-local agreement to effectuate the transfer.

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The purpose of the amended Inter-local agreement is to complete the transfer of the Special Taxing District on February 2, 2018.

The resolution that was adopted on October 3, 2017 authorized the transfer of the Special Taxing District. The City of North Miami Beach will be the new governing body for the Special Taxing District, and the property owners within the Special Taxing District will continue to pay special assessments appropriately according to the special benefit they receive from the Special Taxing District's services.

The amended agreement which is included as an attachment with the mayoral memo states that 30 days after the effective date, the Board will no longer be the governing body of the Special Taxing District and the City Commission of North Miami Beach will be the governing board of the Special Taxing District.

On the transfer date, Miami-Dade County will cease all involvement, including all operations and maintenance for the Special Taxing District and the City of North Miami Beach will be exclusively responsible for the Special Taxing District.

The City of North Miami Beach will be responsible for establishing assessment rates and collecting assessments for the Special Taxing District beginning with the 2018 tax year. If the City of North Miami Beach intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the City shall comply with the requirements of Section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector. The amended agreement has much more information in detail.

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**Item No. 172830, 180067
File No. 11A9, 11A9 Sub.**

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH FOR THE TRANSFER OF THE EASTERN SHORES FIRST ADDITION SECURITY GUARD SPECIAL TAXING DISTRICT AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve this resolution amending Inter-local agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores First Addition Security Guard Special Taxing District.

APPLICABLE LEGISLATION/POLICY

Resolution No. R2017-99 was adopted and passed by the City of North Miami Beach October 17, 2017, which ratified and accepted the resolution passed by the Board of Miami-Dade County to approve the agreement. Copy of the resolution is not available at this time online.

Resolution No. R-852-17 adopted October 3, 2017 approved the transfer of the Eastern Shores First Addition Security Guard Special Taxing District to the City of North Miami Beach.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-852-17.pdf>

Section 18-3.1 of the Code of Miami-Dade County governs Municipal special taxing districts.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH18IMSPRPDI_ARTISPTADI_S18-3.1MUSPTADI

Section 197.3632 of the Florida Statutes governs uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0197/Sections/0197.3632.html

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally A. Heyman, District 4

This Item was deferred at the Board of County Commissioners meeting December 19, 2017

FISCAL IMPACT

Resolution No. R-852-17 adopted October 3, 2017 states that the transfer of the Special Taxing District will not result in an economic impact to Miami-Dade County.

ANALYSIS

This item proffers an Amended Interlocal Agreement between Miami-Dade County and the City of North Miami Beach for the transfer of the Eastern Shores First Addition Security Guard Special Taxing District. The Substitute Item differs from the original in that the resolution and the agreement are updated to reflect a new transfer date of February 2, 2018, if passed by both the Board and the City Commission before that date.

A **Special Taxing District** is a designated area where a majority of property owners agree to allow Miami-Dade County, through Chapter 18 of Miami-Dade Code, to levy a **special** property **tax** in exchange for a specific service. Special Taxing Districts gives communities the opportunity to make improvements in the public areas of their neighborhoods which could not

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be conveniently or equitably done otherwise. Improvements include: street lighting; security guard services; guardhouses; multipurpose maintenance and capital improvements/road maintenance

As stated in resolution, on October 3, 2017 the Board adopted resolution No. R-852-17 which approved the transfer of Eastern Shores First Addition Security Guard Special Taxing District to the City of North Miami Beach, approving an inter-local agreement to effectuate the transfer.

The purpose of the amended Inter-local agreement is to complete the transfer of the Special Taxing District 30 days after the favorable election by the qualified electors residing in the Special Taxing Districts, which was held December 5, 2017.

The resolution that was adopted on October 3, 2017 authorized the transfer of the Special Taxing District. The City of North Miami Beach will be the new governing body for the Special Taxing District, and the property owners within the Special Taxing District will continue to pay special assessments appropriately, according to the special benefit they receive from the Special Taxing District's services.

The amended agreement which is included as an attachment with the mayoral memo states that 30 days after the effective date, the Board will no longer be the governing body of the Special Taxing District and the City Commission of North Miami Beach will be the governing board of the Special Taxing District.

On the transfer date, Miami-Dade County will cease all involvement, including all operations and maintenance for the Special Taxing District and the City of North Miami Beach will be exclusively responsible for the Special Taxing District.

The City of North Miami Beach will be responsible for establishing assessment rates and collecting assessments for the Special Taxing District beginning with the 2018 tax year. If the City of North Miami Beach intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the City shall comply with the requirements of Section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector. The amended agreement has more information in detail.

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**Item No. 11A12
File No. 172721**

Researcher: BM Reviewer: PGE

RESOLUTION DECLARING SURPLUS TWO COUNTY-OWNED REAL PROPERTIES LOCATED ADJACENT TO NW 22ND AVENUE AND SOUTH OF NW 143RD STREET IN OPA-LOCKA, FLORIDA (FOLIO NOS. 08-2122-005-1380 AND 08-2122-005-1390); AUTHORIZING THE LEASE OF THE PROPERTIES FOR USE AS A NON-COMMERCIAL PARKING LOT TO THE HIGHEST AND BEST BIDDER IN ACCORDANCE WITH SECTION 125.35(1)(A), FLORIDA STATUTES, FOR A TERM NOT TO EXCEED 30 YEARS AND FOR NO LESS THAN \$1,700.00 ANNUALLY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A LEASE AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE LEASING OF SUCH PROPERTIES; AND WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD

ISSUE/REQUESTED ACTION

Whether the Board should:

- Declare two County-owned real properties as surplus (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390);
- Authorize the lease of properties for use as a non-commercial parking lot to the highest/best bidder pursuant to Section 125.35(1)(a), Florida Statutes, not to exceed 30 years for no less than \$1,700 annually;
- Authorize the County Mayor or County Mayor's designee to execute a Lease Agreement and take all actions necessary to effectuate the leasing of such properties; and
- Waive Administrative Order No. 8-4 as it relates to the review by the Planning Advisory Board.

APPLICABLE LEGISLATION/POLICY

Pursuant to Administrative Order No. 8-4, County-owned properties that are deemed to be suitable for development, and which are no longer needed for County or municipal purposes, must be declared surplus by the Board before they can be offered to qualified developers.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Resolution No. R-791-14, Directs the Mayor or designee to provide Miami-Dade County Property Appraiser with a copy of all leases and operating agreements involving County-owned property.

This resolution was adopted by the Board on September 3, 2014.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-791-14.pdf>

Resolution No. R-974-09, Directs the Mayor or designee to provide the Property Appraiser's Office, a copy of the Ground Lease within 30 days of its execution.

This resolution was adopted by the Board on July 21, 2009.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

Section 125.5(1)(a), Florida Statutes, County authorized to sell real and personal property and to lease real property, the Board is authorized to a sell, or lease real proper, belonging to the County, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.35.html

PROCEDURAL HISTORY

Prime Sponsor: Barbara J. Jordan, District 1

BCC Meeting: January 23, 2018
Research Notes

12/12/17: Forwarded to BCC with a favorable recommendation by the Government Operations Committee.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the Lease Agreement would provide the county with \$1,700 annually for the 30 year term.

ANALYSIS

If approved by the Board, the proposed resolution declares two County-owned properties as surplus, authorizes the lease of properties for use as a non-commercial parking lot to the highest/best bidder, authorizes the County Mayor or County Mayor's designee to execute a Lease Agreement, and waive Administrative Order 8-4, requiring review by the Planning Advisory Board.

The two proposed surplus properties (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390) are located in District 1, represented by Commissioner Barbara J. Jordan. The combined market rental value of the County properties are approximately \$1,700 annually.

The Lease Agreement is to be awarded through competitive bid the highest and best bidder for a term no to exceed 30 years for use as a non-commercial parking lot.

ADDITIONAL INFORMATION

Below is a link relating to the proposed surplus properties (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390):

[NW 22nd Avenue and South of NW 143rd Street](#)

**BCC Meeting: January 23, 2018
Research Notes**

Item No. TBD
File No. 172717

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CP LOGISTICS WESTVIEW, LLC FOR SANITARY SEWER FACILITIES, INCLUDING CONSTRUCTION OF NEW SEWER INFRASTRUCTURE, FOR A PERIOD OF 365 DAYS; APPROVING ALLOCATION OF \$3,224,304.00 FUNDED BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS PROGRAM PROJECT NO. 17 – “COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS” FOR CONSTRUCTION OF OFFSITE SEWER IMPROVEMENTS AND A NEW SEWAGE PUMP STATION; WAIVING FORMAL COMPETITIVE BIDDING REQUIREMENTS OF SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE, SECTION 5.03(D) OF THE HOME RULE CHARTER, AND SECTION 255.20, FLORIDA STATUTES; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a New Business Agreement I.D. No. 23064 entitled: Agreement for Sanitary Sewer Facilities between the County and CP Logistics Westview, LLC. for sanitary sewer facilities, and approve allocation of \$3,224,304.00 funded by Better Building Communities-General Obligation Bond (BBC-GOB) Project Program No. 17 for construction of offsite sewer improvements and a new sewage pump station.

APPLICABLE LEGISLATION/POLICY

Resolution No. 912-04, adopted July 20, 2004, providing for holding of General Obligation Bond Special Election in Miami-Dade County, FL, with respect to authorization of not exceeding \$378,183,000 General Obligation Bonds to construct and improve Water, Sewer and Flood Control systems

<http://intra/gia/matter.asp?matter=042284&file=false&yearFolder=Y2004>

Resolution No. R-597-13, adopted July 2, 2013, directing County Mayor or County Mayor’s designee to provide plan to extend sewer service to commercial and industrial areas.

<http://intra/gia/matter.asp?matter=132022&file=false&yearFolder=Y2013>

Resolution R-537-14, adopted June 3, 2014, approving allocation of \$126,000,000.00 from BBC-GOB Program Project No. 17 – “Countywide Water and Sewer System Enhancements” to fund extension of sewer system to developed commercial and industrial corridors of County

<http://intra/gia/matter.asp?matter=140987&file=true&yearFolder=Y2014>

Section 2-8.1 of the County Code which expands on the “bid requirement for certain purchases; delegation of authority to advertise, award and reject bids or proposals for certain purchases.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Section 5.03(d) of the Home Rule Charter. The Board upon written recommendation of the Mayor, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the County.

<http://www.miamidade.gov/charter/library/charter.pdf>

Section 255.20(10)(d) of the Florida Statutes governing local bids and contracts for public construction works; specification of state-produced lumber. The project is to be awarded by a method other than a competitive selection process, and the architect or engineer of record has provided a written recommendation that the project be awarded to the private sector contractor without competitive selection

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http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0255/Sections/0255.20.html

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime, District 2

Department/Requester: Water & Sewer Department

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee at its January 17, 2018, meeting. The Clerk of the Board received the appropriate memorandum requesting Chairman Bovo to waive the Board's Rules of Procedure to allow the foregoing proposed resolution to be heard at the Board of County Commissioners (BCC) meeting on January 23, 2018.

At that meeting, the following discussion took place.

- The Department Director requested a waiver to the next Board meeting in order to allow the developer to continue the construction of the pump station.
- Commissioner Martinez expressed his concerns regarding the process. He had a problem that CP Logistics Westview, LLC approached the department, they prepared the documents and bid, they offered the cost/estimate and then they got a "no bid".
- The Department Director stated that this is a pump station that the department is going to have to build but will not be able to build at this time; however, this development is ongoing in this area, along with the direction by the Board to bring sewers to certain commercial areas.
- Commissioner Martinez informed the Director that he was familiar with the item and that he was also aware of the incentive to the Company for building the pump station; however, the Commissioner expressed that the deal seemed self-serving by CP Logistics and although the Department reviewed and agreed with the estimate, the Commissioner would like to see other estimates for building similar pump stations.
- The Director added that the item includes several protections to the County in that the maximum compensation based on what the Department has estimated the pump station to be, is the County's protection so if the project is a \$1 more, the County is protected. The Director promised to provide the Committee, by the next Board meeting, with validation of the estimates provided by the contractor the County worked with and also other comparable estimates if they are available. The Director concluded that the Department is comfortable that the County's interest and/or exposure to maximum compensation is correct.
- Commissioner Martinez felt like a "no bid" offer is patently unfair and against what the Board stands for and he cannot support the item at this time.
- Commissioner Suarez inquired if the contract was a part of the pool.
- The Director informed the Commissioner that yes it was and that the contractor was already on site and construction was in progress for infrastructure for water and waste water. He noted that the company needs a pump station and provided an estimate of the cost that the County's engineers have reviewed and approved. Also, the company is already paying their share of the utilization of the pump station which normally if the County had to build, the County would have to assume 100% of the cost.
- Commissioner Monestime inquired about similar items recently passed by the Board.
- The Department Director concurred that the Board has taken actions with the entire Capital Improvement Program (CIP), in that the County should partner with developers building any infrastructure that the County had planned to build, up to a compensation of 50% or higher depending on the situation. The fact that CP Logistics is paying 3% of the development cost of this pump station shows basic participation of that legislation of the Board.

FISCAL IMPACT

BCC Meeting: January 23, 2018
Research Notes

There is a fiscal impact to the County. The total project estimate for the sewer improvements is \$3,466,994.00. This estimate which includes design and construction costs, was prepared by CP Logistics Westview, LLC and was reviewed, validated and approved by WASD. Additional cost payables submittals by CP Logistics Westview, LLC beyond the maximum of \$3,224,304 are non-negotiable and will not be subject to cost sharing by the County.

ANALYSIS

This item seeks approval of an agreement with CP Logistics Westview, LLC for construction of a new sewage pump station for a period of 365 days; and approval of allocation of \$3,224,304.00 funded by BBC-GOB Project Program No. 17 for construction of offsite sewer improvements. According to the Mayor's memo, CP Logistics Westview, LLC approached the Department about the lack of sewer infrastructure in the proposed project area, as the Company is planning to construct an industrial warehouse and an office building inside the project boundaries. As part of its development, once built, the offsite sewer improvements and pump station will become County property and will serve CP Logistics Westview, LLC's development as well as other developments in the area.

The item also seeks a waiver of formal competitive bidding requirements. As required by Section 255.20(10)(d), the Engineer of Record for Miami-Dade WASD has provided a written recommendation that CP Logistics Westview, LLC and its contractors be awarded the project without competitive solicitation. A memorandum dated December 12, 2017 from the WASD Director of Planning and Regulatory Compliance Division to the Director of WASD outlined the following recommendations for the waiver of competitive solicitation:

1. CP Logistics Westview, LLC is uniquely qualified to undertake the project because the contractor is currently working under contract constructing sewer infrastructure at a site adjacent to the proposed project site; and
2. The time to competitively award the project would delay construction of sewer infrastructure in the NW 27th Corridor which is currently without sewer service, creating an undue hardship on the public welfare. Postponement of the project would increase costs of the project and delay the economic development of the area.

The Agreement for Sanitary Sewer Facilities states that:

Payment for Offsite Sewer Improvements and New Public Sewage Pumping Station - All construction costs will be shared by CP Logistics Westview, LLC and the County as follows:

- a. The County will be responsible for reimbursing ninety three percent (93%) of the cost of such construction and new public sewage pumping station; which amount shall not exceed \$3,224,304.00; and
- b. CP Logistics Westview, LLC will be responsible for the seven percent (7%) of the total cost or approximately \$242,690.00 which amount represents 7% of the flow contribution of the Project to the total flow of the new public sewage pumping station as determined by the Hydraulic modeling flow analysis.

General Obligation Bond (GOB) Funds Payments - The Department has allocated GOB funds for the cost sharing of the new infrastructure and new public sewage pumping station that will be utilized for Wastewater Commercial Corridors Economic Development: Project 1047 for Gravity and Force Mains and Project 1047 for Pump Stations. CP Logistics Westview, LLC acknowledges and agrees that, in accordance with the GOB requirements, only 17% of the GOB money allocation for this Project can be spent on soft costs, including design and administration of the Project.

Service Charges – CP Logistics Westview, LLC agrees to pay to the County the prevailing service charges for sewage collection and disposal within the property as may be applicable until the responsibility for payment of said charges is properly transferred in accordance with the County's regulations.

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Research Notes

Facilities Easements – If the facilities are installed within private property outside of public right-of-way, the facilities shall be installed in the center of a fifteen (15) foot wide easement for sewer facilities, with a twenty-five (25) foot minimum vertical clearance above the finished grade.

The property is located in District 2 Unincorporated Miami-Dade.

ADDITIONAL INFORMATION

As of November 5, 2017, Sunbiz lists CP Logistics Westview LLC's principal address located in Sacramento, California. There is no local address recorded for this company.

**BCC Meeting: January 23, 2018
Research Notes**

Item No. – (Waived item)

File No. 172748

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING AMENDMENT TO LICENSE AGREEMENT BETWEEN THE COUNTY AND FLORIDA POWER & LIGHT COMPANY TO OMIT THE REQUIREMENT THAT THE COUNTY PURCHASE INSURANCE IN CONNECTION WITH THE USE OF THE PROPOSED LINEAR PARK LOCATED ALONG NORTHWEST 136TH COURT; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID AMENDED LICENSE AGREEMENT FOR AND ON BEHALF OF THE COUNTY AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

ISSUE/REQUESTED ACTION

Whether the Board should approve the amendment to omit the insurance requirement in the adopted FPL agreement.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-709-17 (*License Agreement Right of Entry Florida Power & Light Co*) adopted by the Board on June 6, 2017 approved a license agreement and right of entry agreement between the County and Florida Power & Light Company (FPL) for the development and use of property owned by FPL, located along Northwest 136th Court, as a recreational trail.: <http://intra/gia/matter.asp?matter=172122&file=false&yearFolder=Y2017>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jose “Pepe” Diaz, District 12

Department/Requester: None

1/18/18: The item was forwarded to the BCC by the Parks and Cultural Affairs Committee with a favorable recommendation, and a request for it to be waived to the 1/23/18 BCC was made.

FISCAL IMPACT

This amendment has no fiscal impact. The original license agreement, adopted by the Board on has an estimated fiscal impact of \$700,000 in development costs funded from park impact fees, and \$1,606,500 in operational costs and fees, (exclusive of insurance costs), for the 27 year term of the license agreement.

ANALYSIS

As approved, the County was required to purchase and maintain insurance in connection with the County’s use of the proposed linear park located along Northwest 136th Court; and FPL subsequently agreed to amend the Agreement to delete the insurance requirement, substituting instead a requirement that the County maintain a self-insurance program for any and all claims arising out of or in connection with the County’s use of the linear park.

The County has such a self-insurance program in place, and relief from the previously included insurance requirement would generate a substantial savings to the County. This item seeks to approve the amendment to the license and right-of-entry agreement between the County and FPL, in substantially the form attached hereto as Exhibit “A,” to omit the requirement that the County purchase insurance in connection with the use of the proposed linear park located along Northwest 136th Court.