



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

**Government Operations Committee (GOC) Meeting**

February 13, 2018  
1:30 P.M.  
Commission Chambers

Thomas B. Davis, Esq.  
Director, Policy and Legislation  
Office of the Commission Auditor (OCA)  
111 N.W. First Street, Suite 1030  
Miami, FL 33128  
(305) 375-2524

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 1G1  
File No. 180053**

**Researcher: SM   Reviewer: PGE**

ORDINANCE RELATING TO CONTRACTOR CERTIFICATES OF COMPETENCY; AMENDING SECTION 10-13 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA; MODIFYING THE REQUIREMENTS FOR EXEMPTION FROM CONTINUING EDUCATION REQUIREMENTS FOR RENEWALS BY PERSONS WHO HAVE REACHED THE AGE OF 65 YEARS; MODIFYING THE CONDITION THAT THE PERSON HAS NEVER BEEN FOUND GUILTY OF CRIMINAL OR CIVIL VIOLATION OF LAWS GOVERNING THE CONTRACTING PROFESSION TO PROVIDE INSTEAD THAT THE PERSON NOT BE FOUND GUILTY OF SUCH VIOLATION DURING A CERTAIN PERIOD IMMEDIATELY PRECEDING THE APPLICATION FOR EXEMPTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether this Board should approve this Item which relates to contractor certificates of competency; amending Section 10-13 of the Code of Miami-Dade County.

**APPLICABLE LEGISLATION/POLICY**

Section 10-13 of the Code of Miami-Dade County governs certificates nontransferable; term; renewal; reactivation and status of certificates; conditions of renewal.

[https://library.municode.com/fl/miami -  
dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH10CO\\_ARTIINGE\\_S10-  
13CENOTERERESTCECORE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH10CO_ARTIINGE_S10-13CENOTERERESTCECORE)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioners Bruno A. Barreiro, District 5**

The item was adopted on first reading at the January 23, 2018 Board meeting.

**FISCAL IMPACT**

This Item, which refers to the amendment of the aforementioned Code Section, will not have a fiscal impact to the County since there will not be the need for an increase in additional staff or for future operational costs, as stated in the mayoral memo's Fiscal Impact section.

**GOC Meeting: February 13, 2018**  
**Research Notes**

**ANALYSIS**

This Item proffers Board approval to amend Section 10-13 of the Code of Miami-Dade County to modify the requirements for exemption from continuing education requirements for renewals by persons who have reached the age of 65 or older who have maintained a clear contracting record over their entire career.

The table below shows the proposed changes in **Bold**.

Original Ordinance	Proposed Amendment
<p>Sec. 10-13</p> <p>(b) Renewal, reactivation, reinstatement, and status of certificates.</p> <p>(8)-A qualifying agent who has reached the age of 65 may renew his/her certificate of competency at no cost and shall be excused from the continuing education requirement provided for in Section 10-13.1, provided that the qualifying agent has held the certificate of competency for at least 20 years, and has never been found guilty by the Construction Trades Qualifying Board, Board of Rules and Appeals, or a Special Master Appeal Hearing Officer, of a criminal/civil violation pertaining to this Code or Florida Statute 489. The qualifying agent shall apply in person for the subject renewal.</p>	<p>Sec. 10-13</p> <p>(b) Renewal, reactivation, reinstatement, and status of certificates.</p> <p>(8)-A qualifying agent who has reached the age of 65 may renew his/her certificate of competency at no cost and shall be excused from the continuing education requirement provided for in Section 10-13.1, provided that the qualifying agent has held the certificate of competency for at least 20 years, and has <b>not</b> been found guilty by the Construction Trades Qualifying Board, Board of Rules and Appeals, or a Special Master Appeal Hearing Officer, of a criminal/civil violation pertaining to this Code or Florida Statute 489. <b>During the 20 year period immediately preceding this application for exemption.</b> The qualifying agent shall apply in person for the subject renewal.</p>

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 1G2**

**File No. 180041**

**Researcher: MF Reviewer: PGE**

ORDINANCE RELATING TO ENVIRONMENT PROTECTION; AMENDING SECTIONS 24-5 AND 24-18 OF THE CODE; CREATING DEFINITION FOR WELL STIMULATION, WHICH INCLUDES BUT IS NOT LIMITED TO FRACKING; REVISING ENVIRONMENTAL OPERATING PERMIT CRITERIA; PROHIBITING CERTAIN FACILITIES FROM CONDUCTING WELL STIMULATION OR THE RECEIPT, STORAGE, TREATMENT, DISCHARGE, OR DISPOSAL OF WASTE OR WASTEWATER GENERATED FROM WELL STIMULATION OR ANCILLARY OR ASSOCIATED ACTIVITIES; PROHIBITING THE ISSUANCE OF CERTAIN PERMITS

**ISSUE/REQUESTED ACTION**

Whether the Board should amend certain sections of the Miami-Dade County Code to create a definition for well stimulation, which includes fracking; revise environmental operating permit criteria; prohibit certain facilities from conducting well stimulation or the receipt, storage, treatment, discharge, or disposal of waste or wastewater generated from well stimulation; and prohibit the issuance of certain permits.

**APPLICABLE LEGISLATION/POLICY**

Miami-Dade County Code, Section 24-5: Chapter 24 relates to environmental protection, Biscayne Bay and environs designated aquatic park and conservation area, the Biscayne Bay Environmental Enhancement Trust Fund, and the Environmentally Endangered Lands Program. Section 5 provides the definitions.

<http://miamidade.fl.elaws.us/code/cid10620/24-5/>

Miami-Dade County Code, Section 24-18: Chapter 24 relates to environmental protection, Biscayne Bay and environs designated aquatic park and conservation area, the Biscayne Bay Environmental Enhancement Trust Fund, and the Environmentally Endangered Lands Program. Section 18 relates to operating permits.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch24\\_arti\\_div1\\_sec24-18](http://miamidade.fl.elaws.us/code/coor_ptiii_ch24_arti_div1_sec24-18)

Senate Bill 462 regarding advanced well stimulation treatment; was last considered in the Senate on February 9, 2018; and will be considered by the Appropriations Subcommittee on the Environment and Natural Resources on February 14, 2018.

<https://www.flsenate.gov/Session/Bill/2018/00462>

Resolution No. R-1252-17 urges the Florida legislature to enact SB 462, HB 237, or similar legislation prohibiting advanced well stimulation techniques collectively known as “fracking” in the State of Florida.

<http://intra/gia/matter.asp?matter=172860&file=true&yearFolder=Y2017>

**PROCEDURAL HISTORY**

**Prime Sponsor: Daniella Levine Cava, District 8**

This item was adopted on first reading at the January 23, 2018 Board meeting.

**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.

**GOC Meeting: February 13, 2018**  
**Research Notes**

**ANALYSIS**

The proposed ordinance revises the County's criterion for issuance of environmental operating permits to explicitly prohibit well stimulation ("fracking") or the receipt, storage, treatment, discharge, or disposal of fracking waste or wastewater in Miami-Dade County. Drilling of oil wells is not conducted in the County; however, fracking waste generated elsewhere, such as neighboring counties, could potentially be transported into Miami-Dade County for disposal. The proposed ordinance would eliminate that possibility and potential contamination risks associated with fracking waste discharge/disposal.

The table below shows the proposed amendments to Sections 24-5 and 24-18 of the County Code.

Section 24-5 of the Code of Miami-Dade County as it currently reads:	Proposed amendment to Section 24-5 of the Code of Miami-Dade County:
<p><i>WTCS</i> shall mean Wastewater Collection and Transmission Systems, including all pipes, forces mains, gravity sewer lines, pump stations, manholes and appurtenances thereto, designed to collect and convey sewage (domestic, commercial and industrial) to a wastewater treatment plant.</p> <p><i>Wellfield</i> shall mean the surface and subsurface area surrounding a potable water supply well, through which water is likely to move toward and reach the potable water well.</p>	<p><i>WTCS</i> shall mean Wastewater Collection and Transmission Systems, including all pipes, forces mains, gravity sewer lines, pump stations, manholes and appurtenances thereto, designed to collect and convey sewage (domestic, commercial and industrial) to a wastewater treatment plant.</p> <p><u><i>Well Stimulation</i> shall mean a well intervention, exploration, operation, or maintenance procedure performed by injecting fluid, which may include additives, into a rock formation to increase the rate of production at an oil or gas well by increasing the flow of hydro-carbons from the formation into the wellbore. Well stimulation includes, but is not limited to, the processes known as hydraulic fracturing, acid fracturing, and cyclic steam injection, which are sometimes referred to as "fracking", as well as matrix acidizing and fracture acidizing. Well stimulation does not include routine well cleaning that does not affect the integrity of the well or the formation.</u></p> <p><i>Wellfield</i> shall mean the surface and subsurface area surrounding a potable water supply well, through which water is likely to move toward and reach the potable water well.</p>
Section 24-18 of the Code of Miami-Dade County as it currently reads:	Proposed amendment to Section 24-18 of the Code of Miami-Dade County:
<p>(A) <i>Permit Required</i> No person shall operate, maintain or permit, cause, allow, let or suffer the operation or maintenance of a public water system, public sewerage system, location at which a site rehabilitation action has been completed in accordance with the provisions set forth in Section 24-44(2)(k)(ii) or any of the following facilities, all of which will reasonably be expected to be a source of air pollution, ground pollution or water</p>	<p>(A) <u><i>Permit Required.</i></u> No person shall operate, maintain or permit, cause, allow, let or suffer the operation or maintenance of a public water system, public sewerage system, location at which a site rehabilitation action has been completed in accordance with the provisions set forth in Section 24-44(2)(k)(ii) or any of the following facilities, all of which will reasonably be expected to be a source of air pollution, ground pollution or water</p>

**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>pollution, without a valid operating permit issued by the Director or the Director's designee or in violation of any condition, limitation or restriction which is part of an operating permit:</p> <p>(1) Interim package sewage treatment plants;</p> <p>(2) Interim package water treatment plants;</p> <p>(3) Non-utility owned or operated sanitary sewer collection systems:</p> <p style="padding-left: 40px;">(a) Which include a sanitary sewer pump station that receives sewage from a building drain and conveys sewage to a utility or non-utility; or</p> <p style="padding-left: 40px;">(b) Which include a gravity collection system containing 1,000 or more feet of six (6) inch nominal size or larger pipe beyond the building drain(s).</p> <p>4) Facilities which generate, dispose of, store, use, discharge, handle or reclaim any liquid waste other than domestic sewage, any hazardous waste or any hazardous material (except factory prepackaged products intended primarily for domestic use or consumption), including, but not limited to, the following:</p> <p style="padding-left: 40px;">(a) Industrial and agricultural waste reclaim systems; waste or product holding tanks; or waste or product spill prevention control systems;</p> <p style="padding-left: 40px;">(b) Industrial and agricultural waste pretreatment facilities;</p> <p style="padding-left: 40px;">(c) Industrial and agricultural waste treatment facilities;</p> <p style="padding-left: 40px;">(d) The following industrial and agricultural liquid waste facilities:</p> <p style="padding-left: 80px;">(i) Aircraft, vehicle, construction equipment, and boat mechanical maintenance or repair facilities including, but not limited to, engine and electric motor maintenance and repair, and facilities which perform maintenance or repair</p>	<p>pollution, without a valid operating permit issued by the Director or the Director's designee or in violation of any condition, limitation or restriction which is part of an operating permit:</p> <p>(1) Interim package sewage treatment plants;</p> <p>(2) Interim package water treatment plants;</p> <p>(3) Non-utility owned or operated sanitary sewer collection systems:</p> <p style="padding-left: 40px;">(a) Which include a sanitary sewer pump station that receives sewage from a building drain and conveys sewage to a utility or non-utility; or</p> <p style="padding-left: 40px;">(b) Which include a gravity collection system containing 1,000 or more feet of six (6) inch nominal size or larger pipe beyond the building drain(s).</p> <p>(4) Facilities which generate, dispose of, store, use, discharge, handle or reclaim any liquid waste other than domestic sewage, any hazardous waste or any hazardous material (except factory prepackaged products intended primarily for domestic use or consumption), including, but not limited to, the following:</p> <p style="padding-left: 40px;">(a) Industrial and agricultural waste reclaim systems; waste or product holding tanks; or waste or product spill prevention control systems;</p> <p style="padding-left: 40px;">(b) Industrial and agricultural waste pretreatment facilities;</p> <p style="padding-left: 40px;">(c) Industrial and agricultural waste treatment facilities;</p> <p style="padding-left: 40px;">(d) The following industrial and agricultural liquid waste facilities:</p> <p style="padding-left: 80px;">(i) Aircraft, vehicle, construction equipment, and boat mechanical maintenance or repair facilities including, but not limited to, engine and electric motor maintenance and repair, and facilities which perform maintenance or repair</p>
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**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>of any component parts of aircraft, vehicles, boats, or construction equipment;</p> <p>(ii) Chemical manufacturing, packaging, repackaging, storage, or distribution facilities;</p> <p>(iii) Pest control facilities;</p> <p>(iv) Photographic processing facilities or laboratories;</p> <p>(v) Printing facilities;</p> <p>(vi) Paint manufacturing, distribution, and product testing; paint research laboratory facilities;</p> <p>(vii) Battery manufacturing; battery reclaiming facilities; battery refurbishing facilities;</p> <p>(viii) Hospitals;</p> <p>(ix) Medical, research or chemical laboratories;</p> <p>(x) Animal hospitals; animal clinics, and animal grooming facilities;</p> <p>(xi) Plastics manufacturing facilities;</p> <p>(xii) Anodizing facilities;</p> <p>(xiii) Silk screening and silk printing facilities;</p> <p>(xiv) Junk yards;</p> <p>(xv) Jewelry manufacturing and repair facilities;</p> <p>(xvi) Machine shops;</p> <p>(xvii) Construction contractor's facilities handling hazardous materials;</p> <p>(xviii) Funeral homes;</p> <p>(xix) Agricultural field packing facilities;</p>	<p>of any component parts of aircraft, vehicles, boats, or construction equipment;</p> <p>(ii) Chemical manufacturing, packaging, repackaging, storage, or distribution facilities;</p> <p>(iii) Pest control facilities;</p> <p>(iv) Photographic processing facilities or laboratories;</p> <p>(v) Printing facilities;</p> <p>(vi) Paint manufacturing, distribution, and product testing; paint research laboratory facilities;</p> <p>(vii) Battery manufacturing; battery reclaiming facilities; battery refurbishing facilities;</p> <p>(viii) Hospitals;</p> <p>(ix) Medical, research or chemical laboratories;</p> <p>(x) Animal hospitals; animal clinics, and animal grooming facilities;</p> <p>(xi) Plastics manufacturing facilities;</p> <p>(xii) Anodizing facilities;</p> <p>(xiii) Silk screening and silk printing facilities;</p> <p>(xiv) Junk yards;</p> <p>(xv) Jewelry manufacturing and repair facilities;</p> <p>(xvi) Machine shops;</p> <p>(xvii) Construction contractor's facilities handling hazardous materials;</p> <p>(xviii) Funeral homes;</p> <p>(xix) Agricultural field packing facilities;</p>
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**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>(xx) Stationary agricultural packinghouses;</p> <p>(xxi) Aerial pesticide applicators (crop-dusters);</p> <p>(xxii) Dry cleaning facilities;</p> <p>(xxiii) Textile dyeing facilities;</p> <p>(xxiv) Vehicle paint and body shops;</p> <p>(xxv) Metal recycling facilities;</p> <p>(5) Notwithstanding any provision of this Code, nonresidential land uses which are served or will be served by a liquid waste storage, disposal or treatment method or those nonresidential land uses which use, generate, handle, dispose of, discharge or store hazardous materials, on any portion of the property within the Northwest Wellfield protection area or within the West Wellfield Interim protection area;</p> <p>(6) Notwithstanding any provision of this Code, nonresidential land uses which are served or will be served by any liquid waste storage, disposal or treatment method (other than public sanitary sewers) or those nonresidential land uses which use, generate, handle, dispose of, discharge or store hazardous materials, on any portion of the property within the maximum day pumpage wellfield protection area of the Alexander Orr Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami Springs Lower Wellfield, Miami Springs Upper Wellfield, John E. Preston Wellfield, Hialeah Wellfield or within the outer protection zone of the South Miami Heights Wellfield Complex;</p> <p>(7) Resource recovery and management facilities;</p> <p>(8) Facilities that will reasonably be expected to be a source of air pollution; provided, however, the operation of heating equipment or comfort space heating within individual facility dwellings or multiple family dwellings of not more than four (4)</p>	<p>(xx) Stationary agricultural packinghouses;</p> <p>(xxi) Aerial pesticide applicators (crop-dusters);</p> <p>(xxii) Dry cleaning facilities;</p> <p>(xxiii) Textile dyeing facilities;</p> <p>(xxiv) Vehicle paint and body shops;</p> <p>(xxv) Metal recycling facilities;</p> <p>(5) Notwithstanding any provision of this Code, nonresidential land uses which are served or will be served by a liquid waste storage, disposal or treatment method or those nonresidential land uses which use, generate, handle, dispose of, discharge or store hazardous materials, on any portion of the property within the Northwest Wellfield protection area or within the West Wellfield Interim protection area;</p> <p>(6) Notwithstanding any provision of this Code, nonresidential land uses which are served or will be served by any liquid waste storage, disposal or treatment method (other than public sanitary sewers) or those nonresidential land uses which use, generate, handle, dispose of, discharge or store hazardous materials, on any portion of the property within the maximum day pumpage wellfield protection area of the Alexander Orr Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami Springs Lower Wellfield, Miami Springs Upper Wellfield, John E. Preston Wellfield, Hialeah Wellfield or within the outer protection zone of the South Miami Heights Wellfield Complex;</p> <p>(7) Resource recovery and management facilities;</p> <p>(8) Facilities that will reasonably be expected to be a source of air pollution; provided, however, the operation of heating equipment or comfort space heating within individual facility dwellings or multiple family dwellings of not more than four (4)</p>
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**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>units is exempt from the requirement of obtaining a permit pursuant to this section;</p> <p>(9) All commercial boat docking facilities. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(10) All boat storage facilities contiguous to the tidal waters of Miami-Dade County with a total of ten (10) or more dry storage spaces. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(11) All recreational boat docking facilities with a total of ten (10) or more boat slips, moorings, davit spaces, and vessel tieup spaces. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(12) Underground storage facilities;</p> <p>(13) Aboveground storage facilities;</p> <p>(14) Loading facilities;</p> <p>(15) Balanced systems utilized by motor vehicle fuel service stations;</p> <p>(16) Vacuum assist systems utilized by motor vehicle fuel service stations;</p> <p>(17) Any facility which sells or distributes or which offers to sell or distribute any refrigerant or which recharges or causes, lets, allows, permits, or suffers the recharging of refrigerant into any refrigeration system;</p> <p>(18) Any nonresidential facility, including, but not limited to, restaurants, bakeries, hotel and cafeteria kitchens, processing plants or such other nonresidential facilities discharging into a publicly or privately-owned or operated sanitary sewer collection system, if oil and grease can be introduced into a sewer by such nonresidential facility in quantities which have the potential to affect or hinder the</p>	<p>units is exempt from the requirement of obtaining a permit pursuant to this section;</p> <p>(9) All commercial boat docking facilities. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(10) All boat storage facilities contiguous to the tidal waters of Miami-Dade County with a total of ten (10) or more dry storage spaces. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(11) All recreational boat docking facilities with a total of ten (10) or more boat slips, moorings, davit spaces, and vessel tieup spaces. Operating permits shall be required for all such facilities no later than May 17, 1990;</p> <p>(12) Underground storage facilities;</p> <p>(13) Aboveground storage facilities;</p> <p>(14) Loading facilities;</p> <p>(15) Balanced systems utilized by motor vehicle fuel service stations;</p> <p>(16) Vacuum assist systems utilized by motor vehicle fuel service stations;</p> <p>(17) Any facility which sells or distributes or which offers to sell or distribute any refrigerant or which recharges or causes, lets, allows, permits, or suffers the recharging of refrigerant into any refrigeration system;</p> <p>(18) Any nonresidential facility, including, but not limited to, restaurants, bakeries, hotel and cafeteria kitchens, processing plants or such other nonresidential facilities discharging into a publicly or privately-owned or operated sanitary sewer collection system, if oil and grease can be introduced into a sewer by such nonresidential facility in quantities which have the potential to affect or hinder the</p>
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**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>operation of sewage collecting, transmission or treatment facilities.</p> <p>(19) Locations at which a site rehabilitation action has been completed in accordance with the provisions set forth in Section 24-44 (2)(k)(ii).</p> <p>The criterion for issuance of an operating permit pursuant to this section is compliance with Chapter 24, Miami-Dade County Code. Additionally, no resource recovery and management facility permit shall be granted without the written recommendation of approval of the Director of the Department of Solid Waste Management issued pursuant to the provisions of Chapter 15, Miami-Dade County Code. At the discretion of the Director or the Director's designee, conditions, limitations or restrictions may be required as part of the operating permit if said conditions, limitations and restrictions are consistent with the requirements of this chapter.</p> <p>The Director or the Director's designee may deny the issuance of an operating permit if the public water system, public sewerage system or pollution source does not comply with the provisions of this chapter.</p> <p>The Director or the Director's designee may suspend or revoke an operating permit if the public water system, public sewerage system or pollution source does not comply with the provisions of this chapter.</p> <p>Such operating permits shall not be required for the aforesaid facilities, systems, and plants existing on the effective date of this section until one hundred twenty (120) days from the effective date of this section.</p> <p>This section shall not be immediately applicable to air pollution sources with valid air pollution control operating permits on the effective date of this section. However, said air pollution sources shall comply with this section by obtaining the operating permit required by this section no later than one hundred eighty (180) days from the effective date of this section.</p> <p>Notwithstanding anything in this chapter to the contrary, such operating permits shall not be required for</p>	<p>operation of sewage collecting, transmission or treatment facilities.</p> <p>(19) Locations at which a site rehabilitation action has been completed in accordance with the provisions set forth in Section 24-44 (2)(k)(ii).</p> <p><u>B. Permit Criteria</u></p> <p>(1) The criterion for issuance of an operating permit pursuant to this section is compliance with Chapter 24, Miami-Dade County Code. Additionally, no resource recovery and management facility permit shall be granted without the written recommendation of approval of the Director of the Department of Solid Waste Management issued pursuant to the provisions of Chapter 15, Miami-Dade County Code. At the discretion of the Director or the Director's designee, conditions, limitations or restrictions may be required as part of the operating permit if said conditions, limitations and restrictions are consistent with the requirements of this chapter.</p> <p>(2) The Director or the Director's designee may deny the issuance of an operating permit if the public water system, public sewerage system or pollution source does not comply with the provisions of this chapter.</p> <p>(3) The Director or the Director's designee may suspend or revoke an operating permit if the public water system, public sewerage system or pollution source does not comply with the provisions of this chapter.</p> <p>(4) Such operating permits shall not be required for the aforesaid facilities, systems, and plants existing on the effective date of this section until one hundred twenty (120) days from the effective date of this section.</p> <p>(5) This section shall not be immediately applicable to air pollution sources with valid air pollution control operating permits on the effective date of this section. However, said air pollution sources shall comply with this section by obtaining the operating permit required by this section no later than one hundred eighty (180) days from the effective date of this section.</p>
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**GOC Meeting: February 13, 2018**  
**Research Notes**

underground storage facilities until ninety (90) days from the effective date of this paragraph.

All applications for permits issued pursuant to this section shall be on a form prescribed by the Director and accompanied by a fee which shall be established by administrative order of the County Manager and approved by the Board of County Commissioners.

*(B) Disposition of Fees* The permit fee payable hereunder shall be deposited in a separate County fund and shall be used exclusively by the Department to pay for the costs of the following environmental services to, and environmental regulation of, the aforesaid facilities, systems and plants:

- (1) Monitoring and evaluating purification and disposal systems of said sources.
- (2) Responding to and attempting to resolve citizen complaints against said sources.
- (3) Investigation, preparation, and prosecution of enforcement actions, pursuant to Chapter 24 of this Code, to protect the groundwater, surface water, drinking water, and air quality.
- (4) Ambient monitoring of groundwater, surface water, and air quality.
- (5) Special studies of groundwater, drinking water, surface water, and air quality when deemed necessary by the Director to protect the groundwater, surface water, drinking water, and air quality.
- (6) Air quality and water supply protection, planning, and programming.
- (7) Laboratory analyses of groundwater, surface water, drinking water, waste water, ambient air, air emissions, and other effluents affecting air or water quality.

(6) Notwithstanding anything in this chapter to the contrary, such operating permits shall not be required for underground storage facilities until ninety (90) days from the effective date of this paragraph.

(7) All applications for permits issued pursuant to this section shall be on a form prescribed by the Director and accompanied by a fee which shall be established by administrative order of the County Manager and approved by the Board of County Commissioners.

(8) Facilities operating under the provisions of this chapter shall not conduct well stimulation activities and shall not receive, store, treat, discharge, or dispose of any waste or wastewater generated from well stimulation or any ancillary or associated activities.

(9) No permit shall be issued to allow well stimulation or the receipt, storage, treatment, discharge, or disposal of any waste or wastewater generated from well stimulation or any ancillary or associated activities.

*(C) Disposition of Fees.* The permit fee payable hereunder shall be deposited in a separate County fund and shall be used exclusively by the Department to pay for the costs of the following environmental services to, and environmental regulation of, the aforesaid facilities, systems and plants:

- (1) Monitoring and evaluating purification and disposal systems of said sources.
- (2) Responding to and attempting to resolve citizen complaints against said sources.
- (3) Investigation, preparation, and prosecution of enforcement actions, pursuant to Chapter 24 of this Code, to protect the groundwater, surface water, drinking water, and air quality.
- (4) Ambient monitoring of groundwater, surface water, and air quality.
- (5) Special studies of groundwater, drinking water, surface water, and air quality when deemed necessary

**GOC Meeting: February 13, 2018**  
**Research Notes**

<p>(8) Restoration of the air, water, property, animal life, aquatic life, and plant life to their condition prior to any violation of this chapter.</p> <p>(9) Prevention of any imminent threat of any violation of this chapter.</p> <p>No part of said fund shall be used for purposes other than the aforesaid.</p>	<p>by the Director to protect the groundwater, surface water, drinking water, and air quality.</p> <p>(6) Air quality and water supply protection, planning, and programming.</p> <p>(7) Laboratory analyses of groundwater, surface water, drinking water, waste water, ambient air, air emissions, and other effluents affecting air or water quality.</p> <p>(8) Restoration of the air, water, property, animal life, aquatic life, and plant life to their condition prior to any violation of this chapter.</p> <p>(9) Prevention of any imminent threat of any violation of this chapter.</p> <p>No part of said fund shall be used for purposes other than the aforesaid.</p>
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**ADDITIONAL INFORMATION**

Elected officials in dozens of municipalities and counties throughout Florida (e.g., Indian River, Martin and St. Lucie) have passed resolutions opposing hydraulic fracturing.

Broward County Commissioners outlawed fracking on January 26, 2016. The new county law was prompted by a proposal for an exploratory oil well on Florida Everglades land in Broward. For more information, please refer to the following article entitled “Broward outlaws fracking”.

<http://www.sun-sentinel.com/local/broward/fl-broward-anti-fracking-20160125-story.html>

The oil and gas industry has been expanding consistently for decades due, in part, to the advances in technology in the processes of extracting, transporting and delivering the resources to consumers. One of the most controversial technological advances is hydraulic fracturing, also known as “fracking”. This extraction process combines often dangerous chemicals with large amounts of water and sand at high rates of pressure into rock formations to fracture surrounding material for the purpose of extracting oil and gas. Fracking is controversial because of the amount of natural resources needed to complete its process, and more notably because of the negative effects it can have on the air, water and soil in the areas where fracking has taken place. For more information, please refer to the following article entitled “What are the effects of fracking on the environment?”

<https://www.investopedia.com/ask/answers/011915/what-are-effects-fracking-environment.asp>

Hydraulic fracturing, also known as fracking, is a method of oil and natural gas extraction that involves injecting fluid into subterranean rock formations at high pressure. As of May 2017, Florida did not have wells stimulated by hydraulic fracturing primarily because Florida’s oil and gas formation did not require fracking technology to produce oil or gas. For more information, please refer to the following article entitled “Fracking in Florida”, which can be found on Ballotpedia.

[https://ballotpedia.org/Fracking\\_in\\_Florida](https://ballotpedia.org/Fracking_in_Florida)

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 2A  
File No. 180093**

**Researcher: MF Reviewer: PGE**

RESOLUTION APPROVING PURSUANT TO SECTION 125.045, FLORIDA STATUTES, LEASE AND DEVELOPMENT AGREEMENT (“AGREEMENT”) BETWEEN COUNTY AND 13 PISTA, LLC (“DEVELOPER”), FOR LEASE OF APPROXIMATELY 140 ACRES, POTENTIALLY INCREASED BY 10-15 ADDITIONAL ACRES, OF COUNTY LAND AT 20000 NW 47<sup>TH</sup> AVENUE FOR INITIAL TERM OF 30 YEARS FOR RENT OF NO LESS THAN \$33,382,655.07, AND FOR DEVELOPMENT OF COMMUNITY CENTER, POTENTIALLY THREE FACILITIES TO BE LEASED TO NON-PROFIT AGENCIES, AND NORTH DADE GOVERNMENT CENTER, WHICH GOVERNMENT CENTER WILL BE FUNDED USING \$7,500,000.00 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; ESTABLISHING LANDMARK TRUST FUND FOR DEPOSIT OF RENTS FROM DEVELOPER; WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE PURSUANT TO SECTION 5.03 (D) OF HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE TO SELECT DEVELOPER AS THE DEVELOPER OF GOVERNMENT CENTER, COMMUNITY CENTER, AND POTENTIALLY THREE OTHER FACILITIES; WAIVING SECTION 2-10.4.2 OF COUNTY CODE, ADMINISTRATIVE ORDER 8-4 AND RESOLUTION NO. R-130-06; DECLARING SURPLUS APPROXIMATELY 12 ACRES OF COUNTY-OWNED PROPERTY AT 11025 S.W. 84<sup>TH</sup> STREET AND 16345 N.W. 25<sup>TH</sup> AVENUE, AND APPROVING, PURSUANT TO 125.38, FLORIDA STATUTES, LEASE OF SAID PROPERTY WITH AN INITIAL 5-YEAR TERM TO HIS HOUSE, INC., THE CENTER FOR FAMILY AND CHILD ENRICHMENT, INC., AND THE ASSOCIATION FOR RETARDED CITIZENS, SOUTH FLORIDA, INC., ALL FLORIDA NON-PROFIT CORPORATIONS AND ALL FOR INITIAL TERMS OF 5 YEARS EACH; AUTHORIZING COUNTY MAYOR OR MAYOR’S DESIGNEE TO EXECUTE AGREEMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a Lease and Development Agreement (Agreement) between the County and 13 Pista, LLC (Developer), for: (1) lease of approximately 140 acres, potentially increased by 10-15 additional acres, of County land located at 20000 N.W. 47<sup>th</sup> Ave (demised property); (2) creation by Developer of no less than 220 permanent new jobs at the demised property; (3) rent for an initial term of 30 years at no less than \$33,382,655.07; (4) development and construction, at the sole cost of the developer, of a 16,000 square foot community center at the Landmark Property and three new facilities for the nonprofits; (5) development and construction of a North Dade Government Center at the Landmark Property to be built using \$7,500,000 of the Bond Program’s Project No. 323 funds; (6) establishment of the Landmark Trust Fund for deposit of rents from the developer; (7) waive competitive bidding by a two-thirds vote to select the Developer as the developer of the Government Center, the Community Center and potentially three other facilities; (8) declare surplus approximately 12 acres of County-owned property located at 11025 S.W. 84<sup>th</sup> Street and 16345 N.W. 25<sup>th</sup> Avenue; and (9) approve the lease of the above properties to His House, Inc., the Center for Family and Child Enrichment, Inc., and the Association for Retarded Citizens, South Florida, Inc., all Florida non-profit corporations for initial terms of five years each.

**APPLICABLE LEGISLATION/POLICY**

Section 125.045, Florida Statutes, declares that it is necessary and in the public interest to facilitate the growth and creation of business enterprises in the counties of the State.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.045.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.045.html)

Section 125.38, Florida Statutes, provides that if ... any corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners ... then the state or any political

**GOC Meeting: February 13, 2018**  
**Research Notes**

subdivision or agency thereof ... may apply to the board of county commissioners for a conveyance or lease of such property.

[http://leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.38.html](http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.38.html)

Section 5.03 (D) of Home Rule Charter provides that 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.

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

Section 2-8.1 of the Miami-Dade County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which competitive bidding may be waived; establishes requirements for legacy purchases, 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](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 2-10.4.2 of County Code pertains to the Community Business Enterprise Program for architectural, landscape, engineering, surveying and mapping professional services.

<http://www.miamidade.gov/smallbusiness/library/reports/cbe-code.pdf>

Administrative Order 8-4 provides that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Resolution No. R-784-05 authorized the acceptance of a Quit Claim Deed for 185.20 acres of land and improvements located on the N.W. quadrant of N.W. 47<sup>th</sup> Ave., and N.W. 199<sup>th</sup> St.; authorized the Mayor to execute the release of deed restriction on the entire property; and authorized the execution of an interim management agreement with the State of Florida, Agency for Disabled Persons.

<http://intra/gia/matter.asp?matter=051884&file=true&yearFolder=Y2005>

Resolution No. R-130-06 amended Resolution No. R-1198-05 to clarify that proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties.

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>

Resolution No. R-454-17 approved the designation of land located at 20000 N.W. 47<sup>th</sup> Ave., commonly known as the "Landmark" Property, as the site for the North Dade Government Center, and approved the allocation of \$7,500,000.00 of Building Better Communities General Bond Funds Project No. 323 – "North Dade Government Center" for the development of the North Dade Government Center at such site.

<http://intra/gia/matter.asp?matter=170846&file=true&yearFolder=Y2017>

Miami-Dade County Code, Section 2-8.6.5 provides that prior to the County's entering into any contract, agreement or lease relating to the purchase, sale or leasing of real property by, or to the County, all individuals, corporations, partnerships, joint ventures or other legal entities having any interest of any kind in the property to be purchases, sold or leased, shall file with the County a document identifying the extent of its ownership interest in the subject real property.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_arti\\_sec2-8.6.5](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.6.5)



**GOC Meeting: February 13, 2018  
Research Notes**

Resolution No. R-333-15 adopted on April 21, 2015, establishes 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://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Barbara J. Jordan, District 1**

There is no procedural history.

**FISCAL IMPACT**

This transaction is structured such that the County will not use public funds in the development of the property and the other facilities, with the exception of the \$7,500,000.00 General Obligation Bond which will be used for the construction of the North Dade Government Center.

The Landmark Trust Fund will be created to be used to deposit all of the rents received from the Developer from lease years 2-30. The funds on deposit in the Landmark Trust Fund will be used exclusively for the operation and maintenance of the community Center to be located at the Landmark Property.

The Developer has agreed and is obligated to (i) pay rent to the County in no less than the amount of \$33,382.655.07 over the 30-year initial rental term, which rent will increase if additional acres are added to the property and (ii) pay \$140,000.00 to the Miami-Dade Fire Rescue Department to assist with renovations to its Fire Station located adjacent to the property. The Developer will lease the property for an initial term of 30 years with two additional 30-year options to extend the lease.

Rent for the 140 acres is to commence on the effective date and shall be no less than the following: \$171,826.26 for the first year. Starting in the eleventh year, the annual rent escalates from \$1,229,817.33 at the rate of approximately 2 percent per year until the 30<sup>th</sup> year when the annual rent is \$1,938,198.04. Commencing with the 31<sup>st</sup> year and at each 15<sup>th</sup> year thereafter, the rent will be recalculated by multiplying the then fair market value of the land established by a Member of the Appraisal Institute Appraiser chosen by the County by the then prevailing interest rate of the 30-year US Treasury Note plus 2 percent.

The Kendall Property will be leased to His House, Inc., for an initial term of 5 years, at an annual rental rate of \$870,000 for the first years which amounts to \$8.70 per square foot.

A portion of the PHCD Property will be leased to the Association of Retarded citizens, South Florida, Inc., for an initial term of 5 years, at an annual rental rate of \$84,500.00 for the first year, which amounts to \$8.45 per square foot.

A portion of the PHCD Property will be leased to the Center for Family and Child Enrichment, Inc., for an initial term of 5 years, at an annual rental rate of \$94,830.00 for the first year, which amounts to \$8.70 per square foot.

**GOC Meeting: February 13, 2018  
Research Notes**

**ANALYSIS**

On June 21, 2005, the Board approved Resolution No. R-784-05 for the purpose of purchasing approximately 185 acres of land located at 20000 N.W. 47<sup>th</sup> Avenue, Miami, from the State of Florida. This property is commonly known as the Landmark property. There were two social service agencies occupying the site: His House, providing foster care services; and the Association for Retarded Citizens, providing training to severely disabled adults and children. In addition, this property also housed Miami-Dade Fire Rescue (MDFR) Station 51, and had an additional approximately 150 acres of land which could accommodate further development.

From June 2012 until January 2016, the County worked with Miami Ocean Studios (MOS), which was proposing to build a motion picture studio, office, hotel and retail complex at the Landmark. However, this proposal did not materialize, and in January 2014, Mr. Carlos De Narvaez Steuer approached the County with an automobile-centric project that he wished to develop at the Landmark. In January, 2016, staff communicated with Mr. De Narvaez Steuer that MOS was no longer seeking the use of the property and that the County could entertain a proposal from him.

Since then, County staff has negotiated with 13 Pista, LLC (the entity designated by Mr. De Narvaez Steuer) the Agreement for the lease of the Landmark property with the following Phase I minimum development requirements:

- on- and off-site publicly owned infrastructure;
- payment to MDFR for improvements to the Fire Station and infrastructure roadways and equipment;
- on- and off-site improvement for the relocation of three community-based organizations (His House, Inc., the Center for Family and Child Enrichment, Inc., and the Association for Retarded Citizens, Inc.)
- a new Community Center;
- a public cycling track and other community recreation or meeting facilities;
- a driving course of approximately 2 miles in length;
- a fully integrated Pit Lane Clubhouse;
- vehicle maintenance inspection facilities and facilities for public vocational instruction;
- a paddock area;
- vehicle storage facilities; and
- public retail and restaurant space.

The Phase II minimum development shall consist of:

- a public hotel of at least 50 rooms
- hospitality facilities including a restaurant, bar, and spa;
- an expansion of the vehicle storage area; and
- approximately 12000 additional square feet of public retail space.

For Drivers Club Miami, Mr. De Narvaez Steuer has partnered with the leading experts in the industry, including UK-based Driven International, the leading driving course designer; Aaron Weiss, who has previously managed similar facilities in the United States; and the world's premier purveyor of classic-car shows and events. This proposed project by 13 Pista, LLC, is anticipated to have long-term substantial economic, employment and fiscal impacts when completed.

The three social service, non-profit agencies, His House, Inc., the Association of Retarded Citizens, South Florida, Inc. (ARC), and the Center for Family and Child Enrichment, Inc. (CFCE) currently are tenants within buildings on land adjacent to the property to be leased to the Developer. In exchange for the lease of the property to the Developer, the Developer will pay for and design, develop and construct new facilities to be leased by the three non-profits.



**GOC Meeting: February 13, 2018**  
**Research Notes**

The facilities to be leased to the non-profits will be (i) owned by the Community Action and Human Services Department on property known at the Kendall Complex located at 11025 S.W. 84<sup>th</sup> Street; and (ii) owned by the County's Public Housing and Community Development Department (PHCD) on property located at 16345 N.W. 25<sup>th</sup> Ave, Miami Gardens. For this purpose, approximately 7 acres of land at the Kendall Property and approximately 5 acres of land at the PHCD Property will be declared as County surplus property. However, the Developer also has the option of offering to the non-profits, and if they accept, of building such new facilities on non-County property located with Miami-Dade County.

Upon relocation of the three non-profits, the County will lease that additional land to the Developer, such land will constitute part of the property to be leased by the Developer, and the Developer will thereafter pay rent to the County for such additional land based on acreage.

The Board approved, via Resolution No. R-454-17, the designation of the Landmark property as the site for the development of the North Dade Government Center and approved the allocation of \$7,500,000.00 for this purpose at this location. Section 125.045(3) of the Florida Statutes provides that it "constitutes a public purpose to expend public funds for economic development activities, including leasing or conveying real property ... to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community".

It is in the best interest of the County to waive competitive bidding to select the Developer to develop the Community Center, the North Dade Government Center and the new facilities on the Kendall property and the PHCD property, because, with the exception of the Government Center, the Developer is designing and constructing these facilities at no cost to the County, and will be donating them to the County once construction is completed. With regard to the Government Center, it will be more efficient and cost effective if the developer building all the other facilities on the project is also tasked with building the Government Center.

**ADDITIONAL INFORMATION**

13 Pista LLC is a Delaware limited liability company which has one member, Skylé Assets, S.A. Skylé Assets, S.A. is a company incorporated in the British Virgin Islands with one shareholder, Quirihue, S.A., owning all of its shares; and has Mr. Carlos De Narvaez Steuer, an Argentina-based real estate developer, as its sole director. Quirihue, S.A., is a company incorporated in Uruguay and all of its shares are owned by Mr. De Narvaez Steuer, who was recently ranked by Forbes magazine as the number-two developer in Argentina.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), 13 Pista, LLC, has an active status as a Foreign Limited Liability Company and first filed and registered on 01/19/2017. The principal address is registered as 21500 Biscayne Blvd, Suite 401, Aventura, FL 33180.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

His House Children's Home is a private non-profit, faith-based organization dedicated to restoring the lives of children from newborn to 18 years of age. For over 28 years, His House has brought stability to the lives of over 14,000 foster children.

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

A search for His House Children's Home in the Florida Department of State Division of Corporations website (Sunbiz.org), revealed that the organization is not currently registered.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

**GOC Meeting: February 13, 2018**  
**Research Notes**

The Association of Retarded Citizens, South Florida, Inc., has for mission to ensure the rights of all persons with developmental disabilities through on-going advocacy, and to provide specialized programs and services to help individuals lead meaningful and fulfilling lives.

[https://www.volunteermatch.org/search/org49016.jsp#more\\_info\\_tab](https://www.volunteermatch.org/search/org49016.jsp#more_info_tab)

A search for the Association of Retarded Citizens, South Florida, Inc., in the Florida Department of State Division of Corporations website (Sunbiz.org), revealed that the organization is not currently registered.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

The Center for Family and Child Enrichment, Inc., is Miami Garden's largest child welfare agency, serving more than 5000 children and families annually. It serves children in foster care. It also provides behavioral and prevention services, such as counselling and case management for run-away, truant and ungovernable youth.

<https://www.cfcecares.org/>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), the Center for Family and Child Enrichment, Inc., has an active status as a not-for-profit corporation. It first filed and registered on 3/18/1977, and was reinstated on 12/11/1984. Its principal address is 1825 N.W. 167<sup>th</sup> Street, Suite 102, Miami Gardens, FL 33056. Its registered agent is Ms. Delores Dunn, 1825 N.W. 167<sup>th</sup> Street, Suite 102, Miami Gardens, FL 33169.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3A  
File No. 172932**

**Researcher: PGE   Reviewer: TD**

RESOLUTION APPROVING AWARD OF CONTRACT NOS. RFP-00572A AND RFP-00572B, POLYGRAPH EXAMINATION SERVICES, TO JURNEY & ASSOCIATES, INC. AND SLATTERY ASSOCIATES, INC. WITH AN ESTIMATED FISCAL IMPACT TO THE COUNTY IN A TOTAL AMOUNT UP TO \$1,242,000.00 FOR THE FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a five-year contract in the amount of \$1,242,000 for polygraph examination services for the Corrections and Rehabilitation, Police and Transportation and Public Works departments.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) 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 No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, 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 include that information in contract award memoranda before the Board.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to reprocurement of replacement contracts for goods and services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County and to include that information in contract award memoranda before the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**GOC Meeting: February 13, 2018  
Research Notes**

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

The item was deferred at the request of the Administration at the January 17, 2018 GOC meeting.

**FISCAL IMPACT**

The fiscal impact for the five-year term is \$1,242,000. It is unclear from the mayoral memorandum if this is a cumulative sum for both contracts or the sum for each individual award for polygraph examination services. The contract's Price Schedule for Journey and Associates, Inc. shows a flat rate per exam or appearance for testimony of \$109; this flat fee specifically applies to the following service types: (1) pre-employment polygraph examination; (2) repeat examination for pre-employment polygraph examination; and (3) specific area of inquiry polygraph examination. The flat rate per exam or appearance for testimony under the contract with Slattery Associates, Inc. is \$115.

The current contract (RFP831), originally valued at \$1,354,200, had an original expiration date of December 31, 2017 but was administratively extended through March 31, 2018. That value includes a prorated amount of \$27,583 and a modification valued at \$55,000, resulting in a current rounded value of \$1,437,000.

As of February 12, 2018, the Black Purchase Order for the current contract shows that \$1,436,318 was allocated to it, of which \$1,070,668 was released, leaving a balance of \$365,650.

**ANALYSIS**

This item is recommending the award of two contracts for polygraph examination services for a single five-year term. One contract is to Journey & Associates, Inc. (RFP-00572A), the highest-ranked proposer, and the other to Slattery Associates, Inc. (RFP-00572B), the second-highest ranked proposer. Assignments under the contract will be driven by a Work Order process, as the need arises, with the highest-ranked proposer receiving the first assignment. The second Work Order will be issued to the second highest-ranked proposer, and subsequent Work Orders will be issued on a rotational basis. The contract requires the vendors to be certified graduates of an American Polygraph Association (APA) accredited school and/or Certified Polygraphist by the Florida Polygraph Association. The polygraph examiners shall maintain active memberships in the APA, Florida Polygraph Association and/or American Association of Police Polygraphists for the duration of the contract.

Services under the contract include pre-employment polygraph examinations, specific area of inquiry polygraph examinations and re-examination of applicants with inconclusive results. The examinations will include pre-test questions, such as application background information, falsification of application, residency history, driving record, arrests/convictions, use of marijuana, theft from employers, excessive debt, gang and social media affiliations, and inmate association.

Only three vendors responded to the solicitation despite Market Research indicating there are over 25 members of the Florida Polygraph Association in Miami-Dade County. A search of the Small Business Enterprise Goods and Services Certified Firms List, as of February 12, 2018, under the trade code for polygraph testing services (99070) revealed that the following firms are certified:

- Journey & Associates, Inc.
- Integrity International Security
- Masdeu Five Corporation

**GOC Meeting: February 13, 2018**  
**Research Notes**

**ADDITIONAL INFORMATION**

Note that the recommended vendors are the incumbents under the current contract, RFP 831. Both vendors are active under the Florida Department of State Division of Corporations. Journey & Associates is a professional investigative agency established in 1976, specializing in polygraph testing, insurance claims and a variety of corporate due diligence and security consulting services. See link to its website below.

<http://teamjai.com/>

Slattery Associates, Inc. provides polygraph testing services for private and government clients as well as examinations for criminal and civil cases. The firm's chief examiner has over 30 years of experience as a forensic and research polygraph examiner. See link to its website below.

<http://www.polygraphexperts.com/>

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3B**

**File No. 180110**

**Researcher: PGE Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$800,000.00 FOR CONTRACT NO. RFP-00199 FOR THE PURCHASE OF FINANCIAL AND P3 ADVISORY SERVICES FOR THE INTERNAL SERVICES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR 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

**ISSUE/REQUESTED ACTION**

Whether the Board should approve additional expenditure of \$800,000 under Contract No. RFP-00199, Financial and P3 Advisory Services, for KPMG, LLP to continue delivering financial and public-private partnership (P3) consulting services related to the development of a new civil and probate courthouse.

**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](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_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>

Resolution No. R-26-18, adopted by the Board on January 23, 2018, authorized the use of Contract No. RFP-00199, Financial and P3 Advisory Services, for the Department of Transportation and Public Works' LED Roadway Lighting Development and Installation Project in an amount of up to \$150,000.

<http://intra/gia/matter.asp?matter=172456&file=true&yearFolder=Y2017>

**GOC Meeting: February 13, 2018**  
**Research Notes**

**PROCEDURAL HISTORY**

This item has no procedural history.

**FISCAL IMPACT**

The Financial and P3 Advisory Services contract has an effective date of October 3, 2016 and expires on October 31, 2018, including a current allocation of \$1,350,000. However, the Blanket Purchase Order shows that \$1,000,000 was allocated to it, of which \$710,000 has been released, leaving a balance of \$290,000. This information was pulled from the Bid Tracking System on February 12, 2018.

This request for \$800,000, if approved, would result in a cumulative contract allocation of \$2,150,000. The mayoral memorandum does not explain how the requested increase in allocation was determined. 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. Accordingly, this modification request is based on a Work Order submitted by KPMG.

**ANALYSIS**

This item seeks Board approval for ISD to increase the allocation under the County's Financial and P3 Advisory Services contract by \$800,000 to support ongoing efforts to develop a new civil and probate courthouse.

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.

This specific modification for \$800,000 will cover the costs of technical assistance related to the drafting of the Request for Proposals, the evaluation of proposals, negotiations with the recommended developer and achievement of financial close for the civil and probate courthouse project. Based on the current timeline for the project, the County will commence finalizing RFP documents and evaluating proposals during the summer and fall of 2018.

No entry for KPMG, LLP was found during a February 12, 2018 sunbiz search (i.e., State of Florida, Division of Corporations website), indicating the firm has not filed the required documents for doing business in the state.

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3C**

**File No. 180139**

**Researcher: PGE Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FIVE YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$21,351,000.00 FOR PREQUALIFICATION POOL NO. 8446-5/17-1 FOR PURCHASE OF CONSTRUCTION EQUIPMENT RENTALS FOR VARIOUS COUNTY DEPARTMENTS; 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 approve a five-year extension of the County's prequalification pool for construction equipment rental in an amount of \$21,351,000.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami\\_-](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 No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-228-08, adopted by the Board on March 4, 2008, established an award for the rental of light and heavy equipment and equipment operators in an amount of \$14,537,328.

<http://intra/gia/legistarfiles/MinMatters/Y2008/080315min.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

This item has no procedural history.



**GOC Meeting: February 13, 2018**  
**Research Notes**

**FISCAL IMPACT**

The pool is currently valued at \$38,968,000 for a 10-year term, cumulatively. The pool is currently in its option to renew term, which commenced on April 1, 2013 and expires on March 31, 2018 and is valued at \$23,468,000. Per information found in the Bid Tracking System on February 13, 2018, the Blanket Purchase Order for this pool for the current option term has an allocated amount of \$23,467,999, of which \$16,153,278 has been released, leaving a balance of \$7,314,721.

If the requested increase in spending of \$21,351,000 is approved, the modified allocation for this pool would be \$60,319,000, cumulatively.

**ANALYSIS**

This pool is used by multiple County departments to rent construction equipment and to contract equipment operator services. Note that the County's Living Wage Ordinance applies to equipment operator services. The item proposes extending the term of the pool by five years. Market Research conducted by ISD concluded that it was preferable to extend the pool for five years rather than to re-solicit it as doing so prevents unnecessary administrative expenses as the same bidders would prequalify.

The three departments requesting the largest allocations for the extension period are DTPW (\$5,520,000), RER (\$5,280,000) and WASD (\$5,200,000). There are 25 prequalified vendors, of which 14 have a local address. The Market Research claims there are over 100 vendors registered under this commodity code. However, a search of the SBD Trade Code List on February 12, 2018 revealed no registered firms under the commodity code for this solicitation – 98120 (rental or lease of construction equipment).

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3D**

**File No. 180189**

**Researcher: BM Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00593 IN A TOTAL AMOUNT UP TO \$1,260,000.00 FOR THE PURCHASE OF STORAGE CONTAINERS FOR VARIOUS COUNTY DEPARTMENTS FOR AN INITIAL TERM OF FIVE YEARS AND ONE, FIVE-YEAR OPTION TO RENEW TERM; 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-00593, Storage Containers (portable steel, refrigerated, freezer trailers, tri-door, and others) for multiple County departments at a value of \$630,000 for an initial five-year term.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami\\_-](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 No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to reprocurement of replacement contracts for goods and services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County and to include that information in contract award memoranda before the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item has no procedural history.

**GOC Meeting: February 13, 2018  
Research Notes**

**FISCAL IMPACT**

The fiscal impact for the replacement Prequalification Pool RTQ-00593, Storage Containers, for the initial five-year term is \$630,000. The fiscal impact of the one, five-year option to renew is also \$630,000. The total fiscal impact of this item would be an estimated cumulative value of \$1,260,000.

Per information found in the Bid Tracking System on February 12, 2018, relating to the current prequalification pool RTQ-00353, the Water and Sewer Department has been allocated \$500,000 to the contract's Blanket Purchase Order, of which \$196,495 has been released leaving a balance of \$303,505. The Transportation and Public Works Department has been allocated \$75,000 to the contract's Blanket Purchase Order, none of which has been released leaving a balance of \$75,000.

**ANALYSIS**

The proposed Prequalification Pool RTQ-00593, Storage Containers, is a replacement prequalification pool for the current pool RTQ-00353 which expires on June 30, 2018 and is valued at \$575,000. The proposed pool would be for a five-year term with one, five-year option to renew. It provides various departments with temporary storage options for their tools and equipment during construction or infrastructure upgrades as well as temporary food storage. This is an open pool and will remain open, allowing qualified vendors to be added once they have completed the prequalification criteria.

One of the current approved vendors, Tropical Trailer Leasing, LLC., is recommended for the proposed prequalification pool. Newly recommended Mobile Mini, Inc., has also been recommended for inclusion to the proposed prequalification pool. These were the only two vendors to respond to the Request to Qualify.

A search of the Miami-Dade County Small Business Enterprise Certified Firms resulted in the following firms:

- AV UNIVERSAL IMPORT EXPORT, LLC
- TOTALPACK INC.

The table below provides a detail for the proposed allocation by department and funding source:

<b>Department</b>	<b>Allocation</b>	<b>Funding Source</b>
Corrections and Rehabilitation	\$30,000	General Fund
Regulatory and Economic Resources	\$25,000	Proprietary Funds
Transportation and Public Works	\$75,000	DTPW Operating
Water and Sewer Department	\$500,000	Proprietary Funds
<b>Total:</b>	<b>\$630,000</b>	

The Corrections and Rehabilitation Department and the Regulatory and Economic Resources Department are added to the proposed prequalification pool. The current prequalification pool includes only the transportation and Public Works and the Water and Sewer Department.

**GOC Meeting: February 13, 2018**  
**Research Notes**

**ADDITIONAL INFORMATION**

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Tropical Trailer Leasing, LLC., has an active status as a Florida Limited Liability Company and first filed and registered on 02/02/2002.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=TROPICALTRAILERLEASING%20L050000110350&aggregateId=fla-l05000011035-9bbd707a-7cee-491b-b697-f9b6bf6fa5f3&searchTerm=Tropical%20Trailer%20Leasing%2C%20LLC&listNameOrder=TROPICALTRAILERLEASING%204457940>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Mobile Mini, Inc., has an active status as a Foreign Profit Corporation, based out of Arizona, and first filed and registered on 02/25/2000.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=MOBILEMINI%20F000000010330&aggregateId=forp-f00000001033-21b654b5-acb5-4870-850d-ce87ee47704b&searchTerm=Mobile%20Mini%2C%20Inc.&listNameOrder=MOBILEMINI%20F000000010330>

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3E  
File No. 180191**

**Researcher: MF    Reviewer: PGE**

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE EXECUTION BY COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, PURSUANT TO FLORIDA STATUTES SECTION 125.38, THE TERMS OF THE RETROACTIVE AGREEMENT FOR MODIFICATION BETWEEN MIAMI-DADE COUNTY AND THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, FOR PREMISES LOCATED AT THE DR. MARTIN LUTHER KING, JR. PLAZA 2525 NW 62 STREET, MIAMI, FLORIDA WITH AN ANNUAL RENTAL REVENUE TO THE COUNTY ESTIMATED AT \$135,885.89 FOR A ONE YEAR TERM; DECLARING SUCH PROPERTY SURPLUS; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR MODIFICATION, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME, AND TO PROVIDE AN EXECUTED COPY OF THE AGREEMENT FOR MODIFICATION TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a retroactive agreement for modification of the lease agreement between Miami-Dade County and the State of Florida Department of Children of Families (DCF) for property located at the Dr. Martin Luther King, Jr. Plaza, 2525 NW 62 Street, extending the agreement currently in place for an additional one-year term at an increased annual rental rate of \$135,885.89.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-1111-14, adopted on December 16, 2014, authorizes the lease agreement currently in place between the County and DCF for property located at Dr. Martin Luther King, Jr. Plaza.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-1111-14.pdf>

Resolution No. R-333-15, adopted on April 21, 2015, establishes County policy to require disclosure of market value or market rental when authorizing the conveyance or lease of County-owned property.

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

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

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.38&URL=0100-0199/0125/Sections/0125.38.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html)

Resolution No. R-791-14, adopted on September 3, 2014, directs the Mayor or Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and 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: Audrey M. Edmonson (District 3)**

**Department/Requester: Internal Services**

This item has no procedural history.

**GOC Meeting: February 13, 2018  
Research Notes**

**FISCAL IMPACT**

The County would benefit financially from modification of the lease agreement as the tenant's annual rent would be increased by \$15,427.85, from \$120,458.04 to \$135,885.89 for an additional one-year term. The revenue pertains to the County's General Fund.

There is also a parking fee associated with the property, \$12,741.00 for 21 parking spaces, to be paid by the tenant through the Internal Services Department to the Department of Transportation and Public Works.

**ANALYSIS**

The proposed resolution amends a lease agreement between the County and DCF for property located at 2525 NW 62<sup>nd</sup> Street in District 3, Vice Chairwoman Audrey M. Edmonson's district. The modified agreement, specifying a rent increase of \$15,427.85, would retroactively commence January 1, 2018 and terminate December 31, 2018, modifying price terms and extending the period of the lease agreement currently in place by one year. All other terms are to remain the same. This modified agreement requires retroactive approval as the current lease has expired.

**Survey of Comparable Rental Values in the Surrounding Area of 2525 NW 62<sup>nd</sup> Street  
Pursuant to Resolution No. R-333-15**

<b>Address</b>	<b>Cost Per Square Foot (Annually)</b>
2525 NW 62 <sup>nd</sup> Street (Subject Property)	\$29.33
1900 NW 36 <sup>th</sup> Street	\$25.53
64 NW 54 <sup>th</sup> Street	\$26.00

The comparable rental values demonstrate that the County would be receiving a larger rental income from DCF than seen in nearby comparable properties.

DCF has been a tenant at the Joseph Caleb Community Center since 1987, and relocated to the MLK Jr. Plaza location when DCF was displaced by construction at the Caleb Center in 2014. DCF intends to return to the Caleb Center location upon expiration of the extended lease agreement at the end of the year, as construction is expected to be completed by December 2018.

DCF provides services to Florida's most vulnerable families and works to rehabilitate parents and promote child welfare. The authorization of the retroactive lease of the approximate 4,633 square feet of space consisting of Suite 4132 located within the Dr. Martin Luther King, Jr. Plaza would aid DCF in carrying out its mission while the Caleb Center is undergoing construction.

**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3F**

**File No. 180194**

**Researcher: BM Reviewer: TD**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE FIVE-YEAR OPTION TO RENEW PERIOD UNDER PREQUALIFICATION POOL NO. 9176-1/23 FOR THE PURCHASE OF RECREATIONAL ITEMS FOR VARIOUS COUNTY DEPARTMENTS IN AN AMOUNT NOT TO EXCEED \$999,000.00; 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 exercise the five-year option to renew period under Prequalification Pool No. 9176-1/23, Recreation Items, to allow the County to continue purchasing various recreational items. This would extend the prequalification pool until April 30, 2023 and increase the cumulative value to \$2,032,000.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami\\_-](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 No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review, prior to reprocurement of replacement contracts for goods and services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County and to include that information in contract award memoranda before the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

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/legistarfiles/MinMatters/Y2012/120287min.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item has no procedural history.

**GOC Meeting: February 13, 2018**  
**Research Notes**

**FISCAL IMPACT**

The existing cumulative allocation of Prequalification Pool No. 9176-1/23, Recreational Items, is \$1,032,283 and expires on April 30, 2018. This would extend the prequalification pool until April 30, 2023 and increase the cumulative value to \$2,032,000.

Per information found in the Bid Tracking System (BTS) on February 12, 2018, relating to the current prequalification pool No. 9176-1/23, \$1,032,283 has been allocated to the contract's Blanket Purchase Order, of which \$973,796 has been released leaving a balance of \$58,487.

**ANALYSIS**

If the proposed resolution is approved by the Board, it will exercise the one, five-year option to renew terms under Prequalification Pool No. 9176-1/23, Recreational Items, for several Departments until April 30, 2023 and increase the cumulative value to \$2,032,000. The current prequalification pool is in its initial term. The pool will be open so that other vendors that complete the prequalification criteria can be added to the pool. A search of the Miami-Dade County Small Business Enterprise Certified Firms resulted in one vendor (PRO-GROUNDS PRODUCTS, INC) under commodity code 99891 – Sale of Sporting Equipment.

The awarded vendors are to provide the Corrections and Rehabilitation, Fire Rescue, and Parks, Recreation, and Open Spaces Departments with items such as playing cards, dominos, board games, agility ladders, punching bags, and playground equipment. Of the additional allocation of \$999,000 for the five-year option to renew period Parks, Recreation, and Open Spaces is requesting \$894,000 to be funded from the General Fund. The Correction and Rehabilitation Department is requesting \$75,000 to be funded by the inmate Welfare Fund. The Fire Rescue Department is requesting \$30,000 to be funded by the Fire District. Below is list of awarded vendors per BTS as of February 12, 2018.

- 1 S & S WORLDWIDE INC
- 2 ADVANCED RECREATIONAL CONCEPTS LLC
- 3 USA SHADE & FABRIC STRUCTURES INC
- 4 D & J COMMERCE SOLUTIONS INC
- 5 BSN SPORTS INC
- 6 RECREATION SPORTS INC
- 7 PLAYCORE WISCONSIN INC
- 8 VARSITY BRANDS HOLDING CO., INC
- 9 ALPHA PLAYGROUND SERVICES INC
- 10 POWER SYSTEMS INC
- 11 ZIPP SPORTING GOODS INC
- 12 PYRAMID PAPER COMPANY
- 13 AGILE COURTS CONSTRUCTION COMPANY INC
- 14 FAST DRY CORP
- 15 BLISS PRODUCTS & SERVICES INC
- 16 REP SERVICES INC
- 17 LEADEX CORP
- 18 PLAYMORE WEST INC
- 19 KOMPAN INC
- 20 MASARTI INTERNATIONAL ENTERPRISE LLC



**GOC Meeting: February 13, 2018  
Research Notes**

**Item No. 3G  
File No. 180113**

**Researcher: JFP   Reviewer: PGE**

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF 239 SARTO AVENUE, CORAL GABLES, 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 ad valorem tax exemption for the property located at 239 Sarto Avenue, Coral Gables, Florida, pursuant to the provisions of Florida Statutes 196.1997 and Section 16A-18 of the Code of Miami-Dade County, as the property is of architectural significance and is a local historic site.

**APPLICABLE LEGISLATION/POLICY**

Florida Statutes Section 196.1997 (Ad valorem tax exemptions for historic properties) states that the board of county commissioners of any county or the governing authority of any municipality may adopt an ordinance to allow ad valorem tax exemptions (under s. 3, Art. VII of the State Constitution) to historic properties if the owners are engaging in the restoration, rehabilitation, or renovation of such properties in accordance with guidelines established in this section.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=196.1997&URL=0100-0199/0196/Sections/0196.1997.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=196.1997&URL=0100-0199/0196/Sections/0196.1997.html)

Section 16 of the Code of Miami-Dade County declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archaeological, paleontological, aesthetic and architectural merit are in the interests of the health, prosperity and welfare of the people of the County.

Section 16A-18 of the Code of Miami-Dade County states:

- a) Scope of tax exemptions. A method is hereby created for the Board of County Commissioners, at its discretion, to allow tax exemptions for the restoration, renovation, or rehabilitation of historic properties. The exemption shall apply to one hundred (100) percent of the assessed value of all improvements to historic properties which result from restoration, renovation, or rehabilitation made on or after the effective date of this ordinance. The exemption applies only to taxes levied by Metropolitan Miami-Dade County.
- b) Duration of tax exemptions. Any exemption granted under this section to a particular property shall remain in effect for ten (10) years. The Board of County Commissioners shall have the discretion to set a lesser term if requested by the property owner in its original application and covenant. The term of the exemption shall be specified in the resolution approving the exemption.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH16AHIPR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH16AHIPR)

Resolution No. R-974-09, adopted by the Board on July 21, 2009, 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>

**GOC Meeting: February 13, 2018  
Research Notes**

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Rebeca Sosa, District 6**

**Department/Requester: Regulatory and Economic Resources**

This item has no procedural history.

**FISCAL IMPACT**

Based on the Property Appraiser's calculation using the ad valorem tax exemption methodology, the estimated tax exemption for one year for this property is \$411. The annual amount of ad valorem taxes to be exempted for the ten-year period is determined by applying countywide operating millage against the taxable value of the qualifying improvements of the property. However, the annual value of the tax exemption during the ten-year period may fluctuate based on adjustments to either the countywide operating millage or the Property Appraiser's taxable value of the qualifying improvements to the property. Countywide operating ad valorem property taxes will still be assessed and collected on the remaining taxable value that did not qualify for the exemption. Following the ten-year incentive period, the County will begin to assess and collect the countywide operating millage on the full value of the property, inclusive of the previous exempt improvements.

**ANALYSIS**

The property that is the focus of this resolution is a historic single-family residence located at 239 Sarto Avenue, Coral Gables. Originally constructed in 1941, it was designed by local prominent architect H. George Fink. It has been deemed to be of architectural and historic significance, earning the designation as a local historic landmark by the City of Coral Gables in 2014. The Miami-Dade County Historic Preservation Board recommended the 239 Sarto Avenue property for receipt of the historic preservation ad valorem tax exemption in its November 15, 2017 resolution.

Restoration work completed on the property by the current owners, Robert and Ilene Kobert, includes:

- installation of historically appropriate windows and shutters;
- restoration of the screen porch and decorative wrought iron panels;
- restoration of architectural detailing, such as cornice moldings;
- refinishing of the interior, including doors, moldings, trim, fireplace mantle, oak floors, and door hardware;
- replacement of interior fixtures and cabinetry with historically appropriate materials;
- installation of landscape improvements; and
- construction of a rear bedroom addition.

The application indicates that the amount spent by the property owner on the total renovation was \$340,000, of which \$200,000 was attributed to work on this historic structure. The Property Appraiser's office determined that the taxable value of the qualifying improvements was \$88,002.

Although the property is located within Commission District 6, represented by Commissioner Rebeca Sosa, the impact of the tax exemption is countywide. The tax exemption would run for 10 years beginning on January 1<sup>st</sup> of the year that the Property Appraiser prepares and signs the revenue implication form, which for this property began on January 1, 2016 and would end on December 31, 2025.

**GOC Meeting: February 13, 2018**  
**Research Notes**

**ADDITIONAL INFORMATION**

In 1993, the State of Florida legislature approved tax exemptions for historic properties that give local governments the option to provide this property tax exemption for eligible historic properties.

The purpose of this legislation is to encourage the preservation of historic buildings by offering an economic incentive to those property owners that take on the responsibility of restoring and maintaining a designated historic structure. The exemption is not for the entire assessed value of the property. The tax exemptions are calculated from what the value of the renovations to the historic property were, and only apply to the countywide portion of the property's tax bill.

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; and
- A determination that the planned improvements are consistent with the Secretary of the Interior's Standards for Rehabilitation