



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

Board of County Commissioners (BCC) Meeting

February 21, 2018
9:30 A.M.
Commission Chambers

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The following research note item 5E (180210) has been edited to include departmental responses that were received on 2/20/18, regarding the proposed and current Miami-Dade Police Department Academy Building and the funding sources. The answers provided by the department can be found under the 'Departmental Input' section.

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Research Notes**

**Item No. 5E
File No. 180210**

Researcher: BM Reviewer: TD

RESOLUTION APPROVING THE PLAN FOR THE MIAMI-DADE POLICE DEPARTMENT ACADEMY BUILDING TO BE LOCATED AT 9601 NW 58 STREET IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve the plan for a new Academy Building for the Miami-Dade Police Department at 9601 NW 58th Street in compliance with Section 303 of the Code of Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

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

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPRZOUNARWHCOREZOJUINAREXAPGOFA

Resolution R-451-14, adopted by the Board on May 6, 2014, set the policy for the County directing the Mayor to require all infrastructure projects to consider potential impacts to the sea level rise during all project phases.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-451-14.pdf>

Ordinance No. 14-79, adopted by the Board on June 3, 2014, amended Section 2-1 of the County Code requiring that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2014/14-79.pdf>

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Jose "Pepe" Diaz, District 12
Requester/Department: Regulatory and Economic Resources**

This item has no procedural history.

FISCAL IMPACT

If this resolution is approved by the Board, it will not have a fiscal impact to the County. The estimated project cost amount of \$3,456,986 will be funded by the Capital Outlay Reserve and Police Impact Fees.

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ANALYSIS

The resolution approves a plan to construct a new Academy Building for the Miami-Dade Police Department. The new building will provide a training center for police cadets. The construction of the Academy Building is expected to commence in spring 2018 and to be mostly completed by August 201. The Site review Committee reviewed and approved the project in October 2017.

The Miami-Dade Public Safety Training Institute is located on a 35-acre campus in the City of Doral. A vision of a multi-agency public safety training center that could meet the needs of local, state, and federal safety employees became a reality on May 18, 2009, when the Miami-Dade Police Department's Training Bureau was officially transformed into the Miami-Dade Public Safety Training Institute. Based on unified shared-training initiatives with Institute partners, the Institute now houses staff from all three partner agencies: Miami-Dade Police Department, Miami-Dade Corrections and Rehabilitation Department (MDCR), and the Federal Bureau of Investigation (FBI). The proposed Academy was designed to obtain a Silver LEED (Leadership in Energy and Environmental Design) Certification.

LEED is a rating system devised by the United States Green Building Council (USGBC) to evaluate the environmental performance of a building and encourage market transformation towards sustainable design. The system is credit-based, allowing projects to earn points for environmentally friendly actions taken during construction and use of a building. LEED was launched in an effort to develop a "consensus-based, market-driven rating system to accelerate the development and implementation of green building practices." The program is not rigidly structured; not every project must meet identical requirements to qualify. The LEED certifications levels are provided below:

- Certified 40 - 49 Points
- Silver 50 - 59 Points
- Gold 60 - 79 Points
- Platinum 80-110 Points

ADDITIONAL INFORMATION

Below are several links providing further details as it relates to the LEED certification:

<http://www.concretethinker.com/solutions/LEED-Certification.aspx>

DEPARTMENTAL INPUT

OCA sent the following questions to the Miami-Dade Police Department and received the following answers:

1. The request is for a new Academy for training cadets, is the current facility not meeting the training capacity to train cadets; will the new training facility be used concurrently with the current facility or will it replace the current training facility; if so, what will happen to the current training facility?

The current facility was built in the early 1980's, when staffing levels and training demands were not as great. It is not possible to conduct recruit training and meet the needs of the Department's in-service training without the new building. Additionally, over the last ten years, the Miami-Dade Police Department (MDPD) has been conducting recruit training for the Miami-Dade Corrections and Rehabilitation Department (recruits/laterals). The new building will be used concurrently with the current facility and provide the additional space to meet the community's demands of training a disciplined law enforcement agency.

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2. Will increase in training capabilities from the new facility lead to upgrades at the law enforcement training locations like firing range or driving range?

The Miami-Dade Public Safety Training Institute (MDPSTI) does not have a driving range, the firearms ranges require regular maintenance and work is done as needed. Since the facility already exceeds its intended use, general upgrades such as parking and facilities (restrooms) will become an issue. Regular maintenance already takes place and some upgrades will be needed to meet the needs of our growing community.

3. When was the current training facility constructed and has the current facility reached its useful lifespan?

The classroom building was constructed in the early 1980's. It contains four regular classrooms and two smaller auditoriums. The training needs of the Department have long since exceeded the capacity of the building and of the entire facility. The training space shortage became critical over a decade ago. Additionally, the facility is one of three training centers in Miami-Dade County and provides elective law enforcement training to our partner agencies. Although the facility is still useful and invaluable, the need for professional training and the requirements of such training will require the MDPD to continue to use the MDPSTI to its full extent.

4. Will the new facility have the capacity to provide training for new cadet classes?

The new facility has six dedicated classrooms for the new cadet classes. The MDPD and Miami-Dade Corrections and Rehabilitation Department will both train their recruits in this facility. The new building will allow the MDPSTI to reclaim classroom space for in-service and Region 14 Training. Recruit training will be held exclusively in the newly constructed building.

5. Capital Outlay Reserve and Police Impact fees will be used to fund this project, has this project been considered in the County's budget; what is the breakdown of the funding type between Capital Outlay and Police Impact Fees for this project? As there will be other municipal and state personnel training in the new facility, will said departments be required to pay any fees for use of the facility?

The construction of the Academy Building is part of an approved capital project in the Fiscal Year 17-18 Adopted Budget, Project #323440, MDPSTI - Improvements. The \$3,465,986 cited on the item going before the BCC represents the amount of total vendor costs as detailed on the approved Recommendation for Award. This entire value is included in the total Academy Building cost contained in ISD Work Order #W150000, which totals \$5,363,882. The distribution of funding for that Work Order is as follows:

**Police Impact Fees - \$2,950,000
Capital Outlay- \$2,413,882**

There will be no fees for other agencies to train in approved MDPSTI courses. The MDPSTI is a state approved training center, and as such, receives money from the state of Florida to provide training to Region 14 partner agencies.

The following research note item 8K1 (180169) has been edited to include departmental responses that were received on 2/16/18, regarding the approximate number of residents that the 140 proposed units would provide housing for; and the approximate number of construction jobs this project would create. These answers can be found under the ‘Departmental Input’ Section.

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Item No. 8K1
File No. 180169 **Researcher: AIP** **Reviewer: TD**

RESOLUTION APPROVING AWARD OF A GROUND LEASE TO ATLANTIC PACIFIC COMMUNITIES, LLC, PURSUANT TO REQUEST FOR PROPOSAL NUMBER 2017-01, FOR THE PURPOSE OF DESIGNING AND BUILDING A MIXED-USE HOUSING AND COMMERCIAL TRANSIT-ORIENTED DEVELOPMENT KNOWN AS QUAIL ROOST TRANSIT VILLAGE WITH ANNUAL PAYMENTS BY ATLANTIC PACIFIC COMMUNITIES, LLC TO MIAMI-DADE COUNTY INCLUDING A GROUND LEASE PAYMENT OF \$1.00 ANNUALLY AND A BASE RENT PAYMENT IN THE TOTAL AMOUNT OF \$700,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SUCH GROUND LEASE AGREEMENT TO PROVIDE SITE CONTROL OF THE DEVELOPMENT WITH ATLANTIC PACIFIC COMMUNITIES, LLC, OR ITS SUBSIDIARIES, TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN, AND TO CONSENT TO ATLANTIC PACIFIC COMMUNITIES, LLC EXECUTION OF ANY SUB-GROUND LEASES, AS MAY BE NECESSARY; REQUIRING THE BOARD’S APPROVALS OF LONG-TERM GROUND LEASE(S) AND OTHER AGREEMENTS; AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO SUBMIT A REPORT, IF NECESSARY

ISSUE/REQUESTED ACTION

Whether the Board should approve the request for a ground lease to Atlantic Pacific Communities, LLC to build a Transit-Oriented Development at Quail Roost.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 (k) of the Miami-Dade County Code (*Unsolicited Proposals*) [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)

Ordinance No. 14-65 (*Reports for Studies Rules of Procedures*), which was adopted by the Board on July 1, 2014, which related to the rules of procedures, requiring reports to be prepared at the request of the Board.
<http://intra/gia/matter.asp?matter=141471&file=true&yearFolder=Y2014>

Resolution No. R-1151-16 (*Proposal by Atlantic Pacific Communities, LLC*) Adopted by the Board on December 6, 2016, which approved an unsolicited proposal by Atlantic Pacific Communities, LLC for the construction of a mixed use and transit-oriented development at Quail Roost.
<http://intra/gia/matter.asp?matter=162540&file=true&yearFolder=Y2016>

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

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PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: Public Housing and Community Development

2/12/18: This item went before the Housing and Social Services Committee, there was no discussion, and it was approved with a favorable recommendation, and waived onto the February 21, 2018 BCC meeting.

FISCAL IMPACT

According to the mayoral memo, there is no fiscal impact to the County related to general funds. Furthermore, this item has no known impact to performance or compliance, as found in Resolution No. R-1151-16. Atlantic Pacific Communities, LLC will pay the County \$1 for every year for the rental of the land, and the lease term is for 75 years, so that would bring in \$75 total. In addition to this, Atlantic Pacific Communities, LLC will pay \$5,000 per unit, and there will be a total of 140 units, resulting in a total amount of \$700,000 to be paid to the County.

Payment to the County is demonstrated in the table below:

Per Year/Unit	Total Years/Units in the Agreement	Total
\$1 per year	Total of 75 years	\$75
\$5,000 per unit	Total of 140 units	\$700,000

ANALYSIS

This item seeks to approve a lease agreement between the County and Atlantic Pacific Communities, LLC. The Ground lease term is for 75 years. The land will be used for a housing and park-and-ride mixed-use development project along the South Dade Transitway Corridor. Atlantic Pacific Communities was chosen as the winning bid in a competitive solicitation back in 2016, based on a point system.

The item mentions on handwritten page 12 (Ground Lease) that the land consists of approximately 2.88 acres of land, “East parcel” (Folio No. 30-6006-001-0140) OR 2.46 acres of land “west parcel” (Folio Nos. 30-6005-001-0290 & 30-6005-001-0292). Furthermore, as per handwritten page 42 (Exhibit A), all 3 land folios (east and west parcels) are listed under the “Legal Description of the Land”, so they appear to be under one Ground Lease.

However, the item also states that both the east and west parcels will be leased under separate ground leases, however it appears that all 3 land folios are being leased under the same ground less, as per, handwritten page 12, “Ground Lease”. OCA received clarification on this in question 1, below.

DEPARTMENTAL INPUT:

1. OCA reached out to the Public Housing and Community Development Department (PHCD) to clarify on the total amount of land being leased in this resolution, to which the department responded:

The land that would be subject to a ground lease, if item 8K1 is approved by the Board of County Commissioners, is owned by Public Housing and Community Development (5.3 acres). See page 42, Exhibit A of Item 8K1 for legal descriptions.

This is part of a larger county owned site known as the Quail Roost Drive Site (totaling 8.4 acres). A brief description of the folios that comprise the Quail Roost Drive site follows below:

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Public Housing and Community Development (5.3 acres)

- **30-6005-001-0140: 2.88 acres of vacant land located west of Homestead Avenue and north of SW 184th Street/Eureka Drive**
- **30-6005-001-0290: 2.02 acres of land with a 14,024 square foot industrial building and paved parking lot and entrance/exit road located east of Homestead Avenue and north of SW 184th Street/Eureka Drive**
- **30-6005-001-0292: 0.44 acre of vacant land located north of the industrial building and south of the Miami-Dade Transit parcels**

Department of Transportation and Public Works (3.1 acres)

- **30-6005-001-0291: 2.34 acres of vacant land located at the southeast corner of SW 184th Street/Eureka Drive and Homestead Avenue**
- **30-6005-001-0090: 0.83 acre of vacant land located south of SW 184th Street/Eureka Drive and west of the South Miami-Dade Transitway**

2. OCA reached out to the Public Housing and Community Development (PHCD) Department to get an estimate of how many residents will live in the 140 units, as well as how many construction jobs this project will create, and received the following answer:

At the current time, exact numbers have not been provided by the proposed vendor. However, the following estimated number ranges are being provided for the first phase of the proposed development of the Quail Roost site:

- **140 - 420 people living on the site (* see below)**
- **13 – 20 individuals hired to work at the site, to comply with Section 3 regulations (** see below)**

*** This estimate provides for 1 – 3 persons per apartment unit. The midpoint of this range is 280 people, which is based on the National Multifamily Housing Council’s mean number of 2 household members per multi-family apartment unit (multiplied by 140, the number of proposed units).**

**** This estimate is based on the vendor’s proposal to complete of approximately 25 – 40% of the housing units and associated parking of the total proposed site development as part of the first phase. The range of 13 – 20 individuals hired is arrived at by applying multipliers of .25 (25%) and .40 (40%) to the vendor’s commitment to hire 50 Section 3 individuals.**

ADDITIONAL INFORMATION

According to the Florida Department of State website (Sunbiz), Atlantic Pacific Communities, LLC is a foreign limited liability company that has been active since September 18, 2013. A corporate filing is called a foreign filing when an existing corporate entity files in a state other than the state they originally filed in. This does not necessarily mean that they are from outside the United States. According to Corporation Wiki.com, and data from the Texas Department of State, Atlantic Pacific Communities, LLC is also active in the state of Texas.

Sunbiz Link to Atlantic Pacific Communities, LLC: (shortened URL): <https://goo.gl/2Z8sP9>

Corporation Wiki Link to Atlantic Pacific Communities, LLC: <https://www.corporationwiki.com/p/2dxqyg/atlantic-pacific-communities-llc>