BCC ITEM 7(J)(1)(A)
January 20, 2005

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING SETTLEMENT AGREEMENT IN THE AMOUNT OF $450,000 BETWEEN MIAMI-DADE COUNTY AND DMJM+HARRIS, INC., FOR ALLEGED ERRORS AND OMISSIONS UNDER CONTRACTS TA97-MR10-1R, TA97-MR10-2 AND TA97-MR10-4 METRORAIL EXTENSION TO THE PALMETTO EXPRESSWAY AND MULTI-MODAL FACILITY; AND AUTHORIZING COUNTY MANAGER TO EXECUTE SETTLEMENT AGREEMENT

Miami-Dade Transit

I. SUMMARY

This resolution requests approval of a Settlement Agreement between Miami-Dade County and **DMJM+Harris, Inc.**

This Settlement is a result of design omissions and (or) errors related to the Metrorail Extension to the Palmetto Expressway and Multi-modal Facility.

II. PRESENT SITUATION

The Metrorail Extension was completed and opened for operation and revenue service in the spring of 2003.

While under construction, the County contends that 11 Change Orders were the result of errors and omissions in the design of the project created by DMJM Harris.

On October 11, 2001, the County sent the first, of three, letters advising DMJM+Harris of the County's intent to recover back charges. This resulted in negotiation between the County and DMJM.

In September 2004, DMJM made a "Best and Final" offer of $450,000 in cash. The County Manager and the County Attorney's Offices are recommending acceptance.

III. POLICY CHANGE AND IMPLICATION

Settlement Agreements are consistent with County Policy in order recover damages without further litigation which can be an uncertain process.

On November 30, 2004 the BCC approved a similar Settlement Agreement with Post, Buckley, Shuh, & Jernigan (PBS&J) for approximately $500,000 resulting similar design omissions and errors related to PBS&J'S responsibility as design consultant on the Brickell People-Mover Extension Project.

IV. ECONOMIC IMPACT

The County would receive a $450,000 cash payment.

V. COMMENTS AND QUESTIONS

DMJM+Harris, Inc. and PBS&J are both Sub-contractors to the Super-consultant Contract for the Peoples Transportation Plan (PTP) being recommended to the BCC.

There are no direct prohibitions against companies in ongoing litigation with the County from being awarded other contracts with the County.

BCC ITEM 7(J)(1)(P)
January 20, 2005

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND PARSONS TRANSPORTATION GROUP, TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE NORTH CORRIDOR, CONTRACT NO. TR05-NCPE, IN AN AMOUNT NOT TO EXCEED $12,900,929.53

Miami-Dade Transit

I. SUMMARY

This resolution would approve a Professional Services Agreement (PSA) between Miami-Dade County and Parsons Transportation Group (Parsons) for the Preliminary Engineering Services associated with the North Corridor Metrorail project.

II. PRESENT SITUATION

On June 2, 1998, the Board of County Commissioners (BCC) approved an amendment (No. 8), to an ongoing PSA with Parsons, Brinkerhoff, Quade, & Douglas (PBQ&D), **(This is a totally different company than the Parsons Transportation Group)**, for Preliminary Engineering Services for a Locally Preferred Alternative (LPA) related to the North Corridor Mass Transit project.

The County entered into this agreement in the hopes that if the original "penny for transit" Surtax referendum passed, that the County would have the funding to move ahead with the North Corridor Metrorail project. When the referendum failed, MDT realized that a Heavy Rail (METRORAIL) project was not feasible and requested that PBQ&D come up with another alternative, give the lack of a dedicated local revenue source. The original Heavy Rail plans were put on hold and PBQ&D began to study Light-Rail, Dedicated Bus Rapid Transit (BRT) lanes, and other forms of mass transit along the corridor.

On November 5, 2002, the voters of Miami-Dade County approved the .5 cent Surtax and Peoples Transportation Plan (PTP) giving the County a dedicated revenue source to once again pursue a Heavy Rail Corridor along NW 27th Avenue.

Due to the length of time that had passed between the original Preliminary Designs created by PBQ&D and the present, not all the information derived from the former design could be used for the current corridor project. Thus MDT needs to procure another consultant to update the designs.

PBQ&D cannot be awarded the North Corridor project because they are the lead firm being recommended for the Master (or Superconsultant) project.

III. POLICY CHANGE AND IMPLICATION

None.

IV. ECONOMIC IMPACT

This portion of the agreement has a not to exceed ceiling of $12,900,929.

However, the agreement also includes an option to include an additional estimated $30-40 million for Final Design Services and $30-40 million for Post Design work. These options could be exercised as Supplemental Agreements with Parsons upon approval of the BCC.

If approved by the BCC, this contract could be for upwards of $70-80 million.

V. COMMENTS AND QUESTIONS

A similar contract for Preliminary Design and Engineering was awarded to HNTB Corp., at the November 30th meeting of the BCC for design work associated with the East/West Corridor.

HNTB is also a consultant on the North Corridor project. On January 13, 2005, the BCC Transportation Committee approved a 1 year extension to the HNTB contract for DEIS and FEIS services related to the North Corridor project.

Is there any conflict as it relates to HNTB being the Lead Consultant on the East/West Corridor as well as remaining a Sub-Consultant on the North Corridor project?

Another Sub-Contractor under this agreement, **BND Engineers** is currently under investigation by the Office of the Inspector General (OIG) as it relates to another County Contract.

Parsons Transportation Group also submitted a response for the Superconsultant Contract, but was ranked behind PBQ&D, who is being recommended to the BCC.

Attachment 1: Miami Herald Article from Dec. 2, 2004 on recommendation of Superconsultant Contract.

BCC ITEM 7(J)(1)(P)
January 20, 2005

Attachment 1

SUPERCONSULTANT' PICKED FOR METRORAIL

Miami Herald, The (FL)
December 2, 2004
Author: LARRY LEBOWITZ, llebowitz@herald.com

One of the nation's largest engineering firms Wednesday emerged victorious in the fight to become Miami-Dade County's Metrorail expansion ``**superconsultant**'' in a deal that could be worth up to $84 million over the next seven years.

A county selection committee Wednesday recommended a team of 15 firms headed by Parsons Brinckerhoff Quade & Douglas to help Miami-Dade Transit make the first substantive additions to the underperforming rail system since it opened two decades ago. Before they could win the package, however, Parsons Brinckerhoff executives had to assure committee members that high-profile problems they had suffered with public jobs in Boston, St. Louis and Los Angeles were isolated, complicated situations - and that no one who worked on those projects would wind up working in Miami-Dade.

COMMISSION VOTE

If the county commission agrees to the panel's choice, Parsons Brinkerhoff will provide Transit with additional staff to help engineer, design, inspect, acquire rights-of-way, mitigate environmental damage along the proposed new rail corridors and try to persuade federal bureaucrats to pony up billions of matching dollars to pay for the program.
The proposed Metrorail expansion - and the consulting contract - is made possible by the passage in 2002 of a half-cent sales tax for mass transit.
``Our team can help you tremendously in safeguarding the public trust,'' William Anido, Parsons Brinckerhoff's leading executive in Miami, said minutes before his firm was picked.

County Manager George Burgess will now negotiate the contract terms and bring them to the county commission for consideration by late spring.

ISSUE FOR ALVAREZ

The decision comes at a time when new Mayor Carlos Alvarez says his highest priority is taking power over contract awards away from the county commission.
Surface Transportation Manager Carlos Bonzon says he worked with the Inspector General's Office to keep overt lobbying out of the process.
Bonzon tried to structure the transit contract to assure that Miami-Dade maintains complete control over the consultants and avoids a repeat of the lobbying and minority set-aside controversies that have dogged a similarly large contract with Dade Aviation

BCC ITEM 7(J)(1)(P)
January 20, 2005

Consultants at the airport.

The eventual selection of Parsons Brinckerhoff - and its team members, including DMJM/Harris, Spillis Candela, PBS&J and EAC Consulting- was virtually uncontested. Three other teams originally competed for the contract. Two teams were eliminated by county staff at the outset, for failing to comply with the extensive proposal requirements, minority hiring thresholds and background checks.
The only other serious competitor, the second team of 22 firms headed by the similarly named but unrelated Parsons Transportation Group and engineering giant URS, bowed out Nov. 14 after both firms landed other lucrative Metrorail contracts.
Parsons Transportation will be lead designer on the proposed $1 billion North Corridor that would run up Northwest 27th Avenue from Martin Luther King station to the Broward line near Pro Player Stadium.
URS landed the same role for the already funded $260 million Metrorail spur that will be built from Earlington Heights station to the Miami Intermodal Center under construction near the airport.

SOME CONTROVERSIES

Parsons Brinckerhoff has a solid local reputation, but has run into serious, well-documented controversies with the $14.6 billion Big Dig project in Boston, two transit projects in Los Angeles and a rail expansion in St. Louis that led to dueling lawsuits. Anido and Parsons Brinckerhoff President William D. Smith thoroughly defended the firm's reputation, giving the selection committee a detailed explanation of their version of exactly what went wrong in all three communities.

Bonzon and Miami-Dade Transit Director Roosevelt Bradley said they were satisfied. ``I have no problem recommending this firm to take us into the future," Bradley said.

BCC ITEM **<u>This Item has yet to receive an Item Number</u>**
January 13, 2005

LEGISLATIVE ANALYSIS

RESOLUTION APPROVING AN AMENDMENT TO THE PEOPLES TRANSPORTATION PLAN TO INCLUDE THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS FOR EXISTING MIAMI-DADE TRANSIT SERVICE FOR AN INTERGRATED SYSTEM

County Manager

I. SUMMARY

This item proposes an amendment to the Peoples Transportation Plan (PTP), allowing that revenues derived from the Charter County Transit Surtax (Surtax) may be utilized on projects and programs that were a part of the Countywide Transportation System as it existed prior to the passage of the Surtax.

The Manager feels these amendments are necessary in order to move forward with the plan in an expeditious manner.

Further, the report contains an attached "White Paper", developed by the Manager along with Surface Transportation Manager Carlos Bonzon. The White Paper details the need for PTP funds to be combined with all other revenue sources utilized by Miami-Dade Transit (MDT) in order to move the new projects forward while also maintaining a better level of service for programs that existed prior to the passage of the PTP and associated Surtax.

II. PRESENT SITUATION

On November 5, 2002 the voters of Miami-Dade County approved a .5 cent "Surtax" for transportation improvements in Miami-Dade County. This Surtax was anticipated to generate upwards of $150 million to be utilized for these improvements. Leading up to the referendum, employees of Miami-Dade County along with community leaders and citizens held a series of workshops to develop a plan that would meet the needs of the County. From these community meetings, the Peoples Transportation Plan was developed.

Subsequent to these community meetings, and prior to the referendum, the Board of County Commissioners (BCC) approved the PTP as the outline to follow in order to best utilize the monies derived from the proposed Surtax. This plan specified that all monies generated from this Transportation Surtax shall be held in an account separate from all other revenues utilized by the user Departments, to be used for transportation improvements contained in a long term plan developed in conjunction with Metropolitan Planning Organization (MPO).

Through a number of Agenda Items brought before the BCC since the passage of the Surtax, the issue has been raised as to whether Surtax monies should be used for solely

for the expansion projects related to the countywide transit and transportation infrastructure, or whether these funds could or should be utilized to subsidize programs that were in existence prior to the creation of the Surtax. The Commission has voted on at least two (2) occasions (Misc. Capital Improvements in October of 2003 and STS improvements in November of 2004) to utilize Surtax funds on pre-existing programs.

Some members of the community, as well as local media, have expressed that using the Surtax monies for existing programs and deficits was not how the PTP was sold to the citizens of Miami-Dade County. However, the County Manager and MDT contend that the existing transit infrastructure needed to be properly maintained with a series of "one time fixes" prior to expansion of the entire system.

The BCC also approved the creation of the Citizens Independent Transportation Trust (CITT) to oversee the expenditure of surtax funds. Any amendments to the original PTP would need to be approved by the CITT prior final approval by the BCC. If the CITT does not approve any amendment, the BCC could override the CITT decision with a 2/3 vote.

III. POLICY CHANGE AND IMPLICATION

This report recommends amendments to the PTP that would further allow that Surtax monies be utilized to subsidize the system as it existed prior to the passage of the PTP.

The White Paper associated with this report maintains that Surtax monies must be utilized in conjunction with all other monies in order to improve the existing infrastructure as well as expand the transportation system as a whole.

These proposed amendments were approved by the CITT Budget & Finance Committee on December 17, 2004.

There may be some public outcry with regards to how the PTP was presented to the citizens of Miami-Dade County prior to the vote on November 5, 2002.

IV. ECONOMIC IMPACT

One specific impact recommended in this report is $23.9 million in Surtax funds to be used to cover a FY 2001-2002 deficit on existing services. **This shortfall was prior to the passage of the PTP.**

Any monies utilized for existing programs or any expanded programs that were not explicitly contained in the original PTP and associated pro-forma, will necessitate an amendment to the plan to be presented to the BCC. The Board must consider that funds spent on unanticipated shortfalls to current programs, or unanticipated costs to the expansion of the Rail System, will have a direct negative effect on the County's ability to provide what was presented to the community prior to, and on, November 5, 2002.

Further this report recommend that the General Fund Subsidy allocated to MDT, know as the Maintenance of Effort (MOE) increase by 3.5 percent annually to cover the rising costs of existing programs. This increase would begin after a $2 million baseline increase is added to the MOE subsidy for FY 2004-05. **However, this increase is not reflected in the pro-forma provided to you today as an attachment to this item. (SEE Attach. A pg1, line 3 under revenues)**

V. COMMENTS AND QUESTIONS

Attachment A, handwritten pg. 19, contains a list of Rail Improvement Costs. These figures do not seem consistent with previous cost assumptions that have been presented to this Board.

On the same page (Attach. A pg. 2) there are also projections related to "Fare Box Recovery" rations. These assumptions also do not seem consistent with the reality of current ridership.

Further, the current pro-forma relies on a 50% Federal and 25% State funding agreement on all major corridor projects.

Attachment 1 details the Capital Improvement projects approved to be funded by the Surtax on October 7, 2003.

Attachment 1

Projects to be funded by the PTP
(in thousands)

Mover Veh. Rehab	15,400
Bus Washers & Vac. Repl	4,619
TestTrack for Metrorail	4,000
Station Refurbisments	12,000
Paint Facilities	4,061
Replace Escalators	4,686
Replace Elevators	2,930
Guideway Painting	5,500
Replac Hydraulic Lift	2,600
Replace Piston lift	1,000
Metrorail Piers Coating	5,000
Metrorail Piers Grounding	250
Bus Preventive Maintenance	2,164
Replacement of Accoustical Barrier	2,500
Replace Rail Vehicle Wash	1,000
Rail F & G Inspections	2,700
Facilities Roof Proj.	6,484
Fare Collection Replac	50,000
Upgrade Illumination	2,982
Rail Midlife Rehab.	188,830
Enhancements	14,514
Additional Pedestrian overpass (4)	10,000
Additional Metrorail Crossovers	10,000
Additional Bus Garage	44,000
Total	397,220

BCC ITEM 7(M)(2)(D)
January 20, 2005

LEGISLATIVE ANALYSIS

RESOLUTION TO REPLACE CHAIN LINK FENCING WITH TWO-RAIL WOOD FENCING AT COUNTY PARKS

Senator Javier D. Souto

I. SUMMARY

This resolution directs the County Manager to replace chain-link fencing at certain County parks with two-rail wood fencing, except where chain-link fencing is needed for operational, storage or security reasons.

II. PRESENT SITUATION

Historically, chain-link fencing has been used where practical and sufficient, due in large part to the cost-effectiveness compared to other types of fencing.

III. POLICY CHANGE AND IMPLICATIONS

This would require replacing existing chain-link fencing at County parks with two-rail wood fencing, within the given budget constraints, at County parks where determined feasible. Note that fencing may be changed in some parks where the existing fencing is not scheduled for repair or replacement. *To minimize this possibility, the scheduling of replacement should consider the age and condition of the fence.*

IV. ECONOMIC IMPACT

According to the Park and Recreation Department, the estimate of replacing the current chain-link fencing with the two-rail wood fencing is $750,512, which represents what it would cost to immediately begin fence replacement at those parks where it is deemed appropriate to do so.

When this item was heard in Committee, the Department stated that it would undertake each of these projects in due time as part of the Department's capital renovation and improvement program, and therefore there was ***no immediate fiscal impact.***

The funding would eventually come from capital improvement funds such as impact fees, SNP, QNIP, CORF and GOB.

Staff indicates that, due to the recent rising cost of steel, the cost for chain-link fencing and two-rail wood fencing costs are comparable ($24 to $30/linear square foot). The fiscal impact includes the removal and installation (by P&R staff). The wood fencing needs to be treated and painted on a regular basis to extend its life. The life span of both types of fence is about 20 years.

V. COMMENTS AND QUESTIONS

There are over 400 County parks; however, not all these parks would be affected because not all have fences. Additionally, parks with historic rock fencing will not be affected. It is expected that the replacement fencing will be phased in over a period of time.

This resolution would also set a precedent for future County parks or fencing needs of parks. While it would not apply to non-County parks, they could be encouraged to do the same.

It is anticipated that a report by the Park and Recreation Department on the feasibility and cost of replacing chain-link fences with wooden fences will be added to Thursday's agenda.

BCC ITEM 7(O)(1)(C)
January 20, 2005

LEGISLATIVE ANALYSIS

INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE)

Procurement Management Department

I. SUMMARY

- It is recommended that the BCC approve this Intergovernmental Agreement with the Florida Dept. of Law Enforcement (FDLE) for the FDLE to provide fingerprint based criminal background checks for County Employees.

- This FDLE Agreement will allow the County to expand their existing process with the ability to perform more extensive criminal background checks using fingerprints from State and Federal database(s).

- FDLE along with the assistance of the Federal Bureau of Investigation (FBI) will provide the Volunteer and Employee Criminal History System (VECHS) for background checks on Applicants, Employees, and Volunteers.

II. PRESENT SITUATION

- Currently, fingerprint based criminal background checks are made by the Miami – Dade Police Department by electronically transmitting their local Miami –Dade Fingerprint Database(s).

- This search does not include searches of fingerprint databases outside of Miami-Dade County.

- Although, the County is currently prohibited from doing the State and Nation wide fingerprint based background checks some may volunteer that we can access FDLE name searches for warrants (fugitive information) and other public information.

III. POLICY IMPLICATIONS

- Miami-Dade County would like to have a system that allows for more extensive background checks.

- With Miami being an "International City" that makes up the furthest southeastern border of the United States we should encourage proactive opportunities to protect our communities and halt crime.

- This Agreement will allow Miami-Dade Police Department the opportunity to access more resources allowing them to take a more progressive role during times of world terrorism threats in addition to everyday crime.

- This agreement will allow for any criminal background check for any position within the County.

IV. ECONOMIC IMPACT

- The current fees for conducting the criminal history background checks:

FOR APPLICANTS AND EMPLOYEES (BOTH)
- $23.00 (State of Florida Record Search)
- $24.00 (Federal Record Search)

FOR VOLUNTEERS
- $18.00 (FDLE)
- $18.00 (FBI)

- The Employees Relations Department anticipates approximately 3,000 background checks for new potential hires per year which amounts to an estimated $250,000 per year.
- The FDLE and FBI are required to return background checks information within 15 business days. ** FDLE is currently processing and returning the information within 5 business days.

V. COMMENTS AND QUESTIONS

- What do we anticipate the estimated cost will be for background checks on Volunteers?

- Does the estimated cost for "new potential hires" account for full-time, part-time, and temporary workers?

BCC ITEM 7(P)(1)(E)
January 20, 2005

LEGISLATIVE ANALYSIS

REQUEST FIR WAIVER OF COMPETITIVE BIDS AND APPROVAL OF CHANGE ORDER NO. ONE (1) ANNUAL TRAFFIC SIGNAL SAFETY IMPROVEMENTS CONTRACT NO. 18 PROJECT NO. 671811

Public Works Department

I. SUMMARY

This resolution would approve a 100% Change Order to a Countywide contract with Signal Service Industries, Inc., for installation of Traffic Signals and/or Street Lighting within Miami-Dade County.

II. PRESENT SITUATION

Miami-Dade County currently contracts with three (3) vendors to provide this service Countywide.

- Horsepower Electric
- Raydan Electric
- Signal Service Industries, Inc.

As more work is needed, the County utilizes Change Orders to increase the contract capacity for these three companies.

According to Handwritten page 11, of this item, this contract was awarded on February 10, 2004. As of August 3, 2004, only $34,455 had been expended.

III. POLICY CHANGE AND IMPLICATION

None.

Change Orders are routinely used in "Open Contracts" in order to increase contract capacity and complete work expeditiously.

IV. ECONOMIC IMPACT

$1,000,000 from the Peoples Transportation Plan (PTP) Surtax.

V. COMMENTS AND QUESTIONS

Does utilization of Change Orders in this manner circumvent the competitive bidding process?

BCC ITEM 7(P)(1)(E)
January 20, 2005

If one of the three contractors providing this service is no longer able to provide said service, would the additional work be divided up between the two (2) remaining companies, of would the Public Works Department go back out to bid for that work?

If the Department realized from the beginning that these contracts would require more than $1,000,000 worth of work, why didn't the original contracts request a higher amount?

BCC ITEM 10(A)(6) Substitute
January 20, 2005

LEGISLATIVE ANALYSIS

RESOLUTION REQUESTING MATCHING FUNDS OF $12,500 TO MIAMI FREE ZONE FOR AGENCIA DE PROMOCAO DE EXPORTACOES DO BRASIL.

Commissioner Jose "Pepe" Diaz

I. SUMMARY

- Agencia de Promocao de Exportacoes do Brasil (APEX) and Miami Free Zone have indicated that an incentive package in the amount of $12,500 and an equal match from the State of Florida Closing Fund *"may be"* enough to offset the costs of this project.
- This would be a one-time payment as an incentive to establish a permanent office in Miami-Dade County.
- According to the International Trade Consortium (ITC), APEX's establishment will enable approximately 300 Brazilian companies to launch Brazilian products into the U.S. within a three (3) year period.

II. PRESENT SITUATION

- APEX is the official export promotion agency of Brazil. Brazil's national objective is to increase exports to the United States from $28 billion dollars to $100 billion dollars annually.
- Brazil is Miami-Dade County's largest trade partner with a $9.2 billion dollar impact to our economy in 2003.
- APEX is currently considering Miami and Atlanta to establish a distribution center. Reportedly, Atlanta has offered APEX a package of incentives that would include: reduced rent of $6.50 per square foot vs. an at-cost rate of $9.00 at the Miami Free Zone and funds for relocation.

III. POLICY IMPLICATIONS

- Other companies may follow this example and seek incentives from the County when other incentives (e.g. QTI, etc.) are not available or instead of The Beacon Council whose purpose is to bring new businesses to Miami-Dade County.

IV. ECONOMIC IMPACT

- According to ITC staff, this project has the possibility of creating hundreds of jobs and company incorporations as well as, millions of dollars in trade.
- APEX's interest in Miami-Dade County emphasizes Miami as the "Gateway of the Americas" and could help the County's goal of acquiring the FTAA Permanent Secretariat.
- The County Manager is directed to identify a funding source.

V. COMMENTS

QUESTIONS:

- If the $12,500 equal match from the State of Florida Closing Fund doesn't come through, is the County going to be liable for the full amount? If yes, will there be a back-up funding source identified?

BCC ITEM 10(A)(7) and Supplement
January 20, 2005

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION DIRECTING COUNTY MANAGER TO PROVIDE LIVE WEBCASTS OF COMMISSION AND COMMITTEE MEETINGS

Commissioner Dennis C. Moss

I. SUMMARY

This directs the County Manager to provide live webcasts of Board of County Commissioners (Board) meetings and Committee meetings.

II. PRESENT SITUATION

Currently, the only way to view Miami-Dade County Board or Committee meetings is on the Government Access Cable channels (usually Channel 34) or by purchasing tapes of the meetings after the fact. Broward County and Palm Beach County already provide live webcasts of its respective Board meetings.

III. POLICY CHANGE AND IMPLICATION

This would provide an alternate way for the public to view these meetings.

While the County currently has infrastructure in place to support webcasting for approx. 2,000 concurrent Internet users, adjustments to this capacity would have to be addressed once usage statistics are available.

IV. ECONOMIC IMPACT

Enterprise Technology Services Department (ETSD) indicates that the start-up cost would be approx. $285,000, plus recurring costs of approx. 20% of this cost ($60,000 to $70,000 annually). In addition, a full-time equivalent (FTE) would be required to administer the program ($76,000 per year). The Manager has identified Capital Outlay Reserve Funds to cover these costs.

For information only, as the technical capabilities may not be comparable, Broward County incurred start-up costs of $70,000 and has recurring costs of approximately $10,000 per year to provide continuous streams ("multi-casts") of its meetings. Broward indicated that it did extensive market research and decided to operate the webcast internally. Palm Beach also does it in-house (the cost was not available). The South Florida Water Management District uses an outside company to do its webcasts.

V. COMMENTS AND QUESTIONS

In the past, the County has done studies on offering other venues of at least *listening* to live meetings. The Communications Department indicates that financial obstacles have generally prevented, for example, telecast of meetings on non-cable channels or on the radio.

BCC ITEM 10(A)(7) and Supplement
January 20, 2005

There is no time frame specified by which webcasts would need to be provided by. ETSD estimates a three (3) month procurement timeline and a three (3) month implementation timeframe.

The Nov. 16, 2004 Installation Ceremonies for the County Commissioners and the Mayor were webcast from the James L. Knight Center and were available for viewing on-line on the County's website.

BCC ITEM 10(A)(23) & 11(A)(4)
January 20, 2005

LEGISLATIVE ANALYSIS

Agenda Item 11(A) (4) - AGREEMENTS WITH PARI-MUTUEL REGARDING SLOT MACHINES

County Manager

Agenda Item 10(A) (23) - RESOLUTION CALLING A SPECIAL ELECTION RELATING TO SLOT MACHINES

Commissioner Bruno Barreiro
Commissioner Carlos A. Gimenez
Commissioner Sally A. Heyman
Commissioner Dennis C. Moss

I. SUMMARY

- It is recommended that the BCC approve this Agreement between Miami-Dade County and the three Pari-mutuel facilities that reside in Miami-Dade County (Calder Racecourse, Flagler Greyhound Track, and Miami Jai Alai. ***(Agenda Item 11(A) (4))***

- If this agreement (agenda item 11(A) (4)) were to pass by a majority of the vote of the BCC, the BCC may also entertain this proposal, calling for a special election on March 8th, 2005. The special election will allow the constituents of Miami-Dade to decide whether to authorize the use of slot machines in Miami-Dade County at the three Pari-mutuel facilities (listed above). ***(Agenda Item 10(A) (23))***

II. PRESENT SITUATION

(SEE ATTACHMENT)

III. POLICY IMPLICATIONS

(SEE ATTACHMENT)

IV. ECONOMIC IMPACT

(SEE ATTACHMENT)

V. COMMENTS AND QUESTIONS

BCC ITEM 10(A)(23) & 11(A)(4)
January 20, 2005

1. Why are we only asking our Miami-Dade Pari-mutuels to put up a bond of $100,000/each to secure their obligations?

    - Broward is requiring their Pari-mutuels to put up a bond for $2.5 million to secure their obligations.

2. The BCC may want to consider a friendly amendment to narrowly tailor the ballot language in ***Agenda Item 10(A)(23):***

    Shall slot machines be authorized within "the three" existing licensed pari-mutuel facilities in Miami-Dade County . . ."

3. Why should we (the BCC) rush to have a vote on this agreement on March 8th, 2005, when the State Legislatures have not yet set the parameters for the final agreement?

4. When will the first payment of $4 million by the Pari-mutuel facilities be made to Miami-Dade County?

BCC ITEM 10(A)(23)
and 11(A)(4)

How do we compare to our neighboring county?
(comparison of the two pending agreements)

	Miami-Dade County	Broward County
How many Pari-mutuels does this Agreement Include?	3	4
Where are the Pari-mutuels located in the County?	Miami Jai Alai	Dania Jai Alai
	Flagler Greyhound Track	Hollywood Greyhound Track
	Calder Rececourse	Gulfstream Park
		Pompano Park Racing
What municipalities will be involved in the agreement?	City of Miami	Dania Beach
	City of Miami Gardens	Hollywood Beach
		Hallandale Beach
		Pompano Beach
When will the County BCC be voting to approve this agreement?	January 20,2005	January 18,2005
The projected date this agreement will be before the Constituents?	March 8th, 2005	March 8th, 2005
	**Early voting February 21, 2005 @ approximately 20 sites	
Initial Fiscal Impact- "to vote":	Approximately $3.7 million	N/A
The "Actual Agreement":	First payment from facilities: $4 million	First payment from facilities: $2.5 million made by September 30, 2005
	Year 1-3: 1.25% of the Gross Income	Between 1% and 1.50% of the Gross Income
	Year 4: 1.50% of the Gross Income	
	*2% of Gross Revenue over $250 mill./ per site	
The bond agreement to secure their obligations.	$100,000 bond to secure agreement	$2.5 million bond to secure agreement
	property liens are permitted within the agreement	property liens are permitted within the agreement
What agreements have the municipalities agreed to?	negogiations pending	County will collect 2% of the Gross Income while negotiations pending
Miscellaneous:	30 year term agreement (three 10 year options) with "Me Too" clause	N/A

BCC ITEM 10(A)(24) and Alternates
January 20, 2005

LEGISLATIVE ANALYSIS

Item 10(A)(24)
RESOLUTION CALLING SPECIAL ELECTION TO SUBMIT QUESTION TO ELECTORS WHETHER TO AMEND HOME RULE CHARTER PROVIDING COUNTY COMMISSIONERS WITH ANNUAL SALARY PROVIDED BY A STATE STATUTORY FORMULA

Item 10(A)(24) Alternate No. 1
RESOLUTION CALLING SPECIAL ELECTION TO SUBMIT QUESTION TO ELECTORS WHETHER TO AMEND HOME RULE CHARTER SO THAT COUNTY COMMISSIONERS NO LONGER RECEIVE THE $6,000 ANNUAL SALARY BUT RECEIVE SALARY ESTABLISHED BY ORDINANCE OF THE COUNTY COMMISSION

Item 10(A)(24) Alternate No. 2
RESOLUTION CALLING SPECIAL ELECTION TO SUBMIT QUESTION TO ELECTORS WHETHER TO AMEND THE HOME RULE CHARTER SO THAT COUNTY COMMISSIONERS NO LONGER RECEIVE THE $6,000 ANNUAL SALARY ESTABLISHED BY ORDINANCE OF THE COUNTY COMMISSION BUT RECEIVE SALARY ESTABLISHED BY ORDINANCE OF THE COUNTY COMMISSION AFTER RECEIVING RECOMMENDATIONS FROM A CITIZENS ADVISORY BOARD

Commissioner Dennis C. Moss

I. SUMMARY

- These items propose ballot language to allow electors to decide whether to amend the County Charter so that Miami-Dade County Commissioners would no longer receive the $6,000 annual salary originally established in 1957. The proposed alternate methods of determining the salary are:
  - Calculate based on state statute (based on population) – currently approx. $85,383.
  - Establish via ordinance of the County Commission.
  - Establish via ordinance of the County Commission, based on recommendations from a Citizen's Advisory Board.

- These proposals make no reference to term limits.

II. PRESENT SITUATION

- The question of increasing Miami-Dade County Commissioners salaries has been before electors seven times since 1957 and has never been approved.
- Of the 10 largest counties in Florida, Miami-Dade Commissioners are paid the least, while Miami-Dade has the largest population. The second lowest paid Commissioners are in Polk County with a salary of $35,000. (see attached survey results, based on FY03-04 salaries)

III. POLICY IMPLICATIONS

- See Comments.

IV. ECONOMIC IMPACT

- See Comments.

V. COMMENTS

- This ballot question cannot be on the March 8, 2005 special election already proposed for the parimutuel facilities question because a Charter change requires a sixty (60) day notice. Thus, either a special election would be needed just for this item OR the question can be on the ballot of a future election. The next election with a fairly large number of potential voters will be in November 2005. The cost of a special election on March 8 is estimated to be $3.7 million.
  - The State Legislative Session is scheduled to begin on March 8 as well.

Table 1. Salaries of County Commissioners for 10 Largest Counties in Miami-Dade County for FY03-04

Jurisdiction	Census 2000 Population	Actual County Commissioner Annual Salary	Salary based on State formula	Salary Calculation Basis	Term Limits
Miami-Dade County	2,253,362	$6,000	$84,213	County Charter	none
Broward County	1,623,018	$84,213	$84,213	State formula	3 consecutive 4 year terms
Palm Beach County	1,131,184	$84,213	$84,213	State formula	8 consecutive years
Hillsborough County	998,948	$84,213	$84,213	County Charter - Commissioners are paid 75% or more of the salary determined by state formula. The Chairperson is paid an additional 10% of the basic salary for the term of the chair.	2 consecutive 3 year terms
Pinellas County	921,482	$82,978	$82,978	State formula	none
Orange County	896,344	$63,384	$83,387	County Charter - Effec. Jan. 1997, commissioner salary was $56,083 and county chairman salary was $112,500. Subsequent increases the lesser of CPI or the % increase of County employees' salary.	2 consecutive 4 year terms
Duval County/Jacksonville	778,879	$40,323	$80,646	County Charter - Commissioners are paid 50% of the salary per state formula and the Council President recieves that salary and an additional one-third of the salary per state formula.	2 consecutive 4 year terms
Polk County	483,924	$35,659	$74,901	County Charter - Effec. Nov. 2000, the salary was $33,500. Any subsequent increases must be approved unanimously by Board via ordinance. Increase cannot be more than CPI.	2 consecutive 4 year terms
Brevard County	476,230	$58,308	$74,746	County Charter - salary is set by ordinance every two years. The increase in salary cannot exceed the average percentage increase in the salaries of County employees.	2 consecutive 4 year terms
Volusia County	443,343	$37,051	$74,102	County Charter - 50% of the salary per state formula. The Chair is paid 60%.	2 consecutive 4 year terms