



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

July 17, 2012

9:30 A.M.

Commission Chamber

Research Division

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**Miami-Dade County Board of County Commissioners
Meeting Agenda**

July 17, 2012

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Acknowledgements:

Bia Marsellos, Senior Legislative Analyst

Michael Amador-Gil, Senior Legislative Analyst

Elizabeth Owens, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 8L1 (Miami-Dade's Resource Recovery Facility)

File Number: 121117

Date of Analysis: July 13, 2012

Summary

This resolution authorizes execution of the Fourth Amended and Restated Operations and Management Agreement by and between Miami-Dade County and Covanta Dade Renewable Energy, LTD. (Covanta) for operation of the County's Resources Recovery Facility (RRF).

The proposed Agreement incorporates two prior amendments from 2000 and 2004; a series of prior letter agreements; the 2010 Consent Agreement that transferred equity interests from the prior operator, Montenay-Dade, LTD., to the current operator Covanta Dade Renewable Energy, LTD.; and other changes including the assumption by Covanta of responsibility for meeting federal reliability standards for the bulk power system due to a change-in-law.

Background

The County's RRF has been in existence since the early 1980's. The processing capacity of the RRF was increased in the mid 1990's to facilitate the production of biomass fuel for energy production elsewhere. A major air pollution control upgrade of the RRF to comply with the Federal Clean Air Act was completed in 1999. Many additional improvements have been made to the RRF over the years to improve its operational efficiency and otherwise enhance the Facility.

About Miami- Dade's Resource Recovery Facility

According to the County's website, the RRF is a waste-to-energy plant located in northwest Miami-Dade County. Beginning commercial operations in 1985, the 77-megawatt facility is operated by Covanta Energy through a contractual agreement with the County. The RRF is one of the most technologically advanced waste-to-energy facilities in the world, featuring a state-of-art air quality control system.

Approximately 1.2 million tons of wastes are processed annually, with 240,000 tons of the material being processed into a biomass fuel for export out of Miami-Dade County. The facility is a critical component of the County's integrated waste management system. The RRF is supported by two County-owned and operated landfills, a co-located ash monofill and three solid waste transfer stations.

Waste delivered to the plant is processed in two separate operations: one for garbage, which is food waste or other items that come out of the kitchen; and one for trash, which can include yard waste, furniture, fixtures and other similar waste items.

On the garbage side, ferrous and non-ferrous metals are recovered for recycling. These materials are sold to outside vendors and are a source of recycling credit for the County. The remaining garbage is shredded to produce refuse derived fuel, which is used to generate electricity. On the trash side, the material is sorted and shredded.

Magnets separate recyclable ferrous materials and high-grade soil is removed through a series of trommels. This process produces a biomass fuel, some of which is used on site to supplement the refuse-derived fuel. The remaining biomass fuel is sold to cogeneration facilities in Central Florida. The ash product resulting from the waste-to-energy process is 10% of the original waste-material volume delivered to the plant. This ash is placed in a monofill -- a specially constructed landfill used only for ash -- located adjacent to the plant.

Power generated at the facility is sold to a private company and supplied to the electrical grid. This amount of energy is sufficient to operate the plant and to supply the electrical needs of approximately 45,000 homes. Revenue generated from the sale of the electricity is shared equally between the County and the plant operator. *The County's portion of the revenue is used to offset the plant's operational costs and to meet the community's disposal needs.*

According to Covanta's website, the facility was designated as a Voluntary Protection Program (VPP) STAR by the Occupational Safety and Health Administration (OSHA) in 2005 and was recertified in 2008. The facility also holds an ISO-14001 certification (2003), an environmental management system standard offered by the International Organization for Standardization (ISO).

Historical Information of Waste-to-Energy Facilities in Florida

According to Florida's Department of Environmental Protection Agency website, Waste-to-Energy (WTE) facilities combust Municipal Solid Waste (MSW) to produce electrical energy. Florida has grown from having one small WTE plant in 1982 to 11 operating WTE facilities as of 2011. Florida has established the largest capacity to burn MSW of any state in the country. Standards for the handling, processing, disposal, and recycling of MSW combustor ash are contained in Chapter 62-702, Florida Administrative Code. Ash is required to be disposed in a lined MSW landfill or a lined ash monofill, since an Environmental Protection Agency study showed that ash from WTE facilities should not be classified as hazardous waste.¹

Solid Waste Management in Florida

According to a 2001-02 Report by the State of Florida Bureau of Solid and Hazardous Waste, a **primary factor** favoring the development of WTE in Florida was the adverse environmental and land use consequences of landfilling (the other major disposal option) and the failure of competing disposal technologies other than landfilling.

By the early 1980s, increasing ground water contamination from unlined landfills began to become apparent and many landfills ended up on the National Priority List as Superfund sites. Even when lined, because of Florida's generally high ground water conditions, landfills begin at ground level and go up, in a so-called "high rise" configuration.

While protective of ground water, these landfills can rise to as high as two hundred feet above ground level and are prominent features of the landscape in many Florida counties. The landfill is commonly the highest elevation in Florida coastal counties. In addition, as population density increases--particularly in the coastal counties--finding a suitable site for a landfill (where typically 1,000-4,000 acres of land are needed) at a suitable cost is becoming all but impossible.

A **second factor** spurring WTE development was the energy crisis of the mid-1970s, which led to increased interest in alternative energy technologies. Indeed, all alternative energy resource development planning of that era included WTE as a central element, although in retrospect it appears that the amount of energy available from this source was overestimated.

Thirdly, WTE was given a major boost in Florida in the late 1970s with the passage of several key pieces of State Legislation which created favorable legal and tax conditions for the construction of WTE facilities. The Florida Resource Recovery Act created the Resource Recovery Council to evaluate and promote resource recovery (which includes WTE). The Act further directed the 19 most populous Florida counties to draft resource recovery and management plans, to determine if WTE was a feasible option. As a consequence, through the remainder of the 1970s, comprehensive evaluations of WTE were conducted in all of Florida's most populous areas.

Moreover, in response to concerns from the finance community about the fiscal viability of resource recovery facilities without a guaranteed waste stream, the State Legislature enacted a flow control statute. This provision authorized counties which were undertaking resource recovery to direct the flow of municipal solid waste generated in the county to a designated solid waste disposal facility. WTE and other resource recovery facilities were given a further advantage when the legislature exempted resource recovery equipment owned by, or operated on behalf of, local governments from the state sales tax.

¹ http://www.dep.state.fl.us/waste/categories/solid_waste/pages/wte.htm

In the comprehensive Solid Waste Management Act of 1988, WTE received a further financial incentive. The Act directed that, when the utility industry purchased electricity from WTE facilities, the WTE facilities were to be assumed to have a 100% capacity factor (other cogeneration facilities selling to utilities are given a lower capacity factor, e.g., 80%).

This increased the revenues to the plants from energy production. However, at the time of the 1993 revisions to the Solid Waste Management Act, much of the early enthusiasm for WTE had cooled because of perceived conflicts with recycling and concerns about emissions. Regarding recycling, concerns began to be raised that WTE was in conflict with the State's burgeoning recycling program.

It was feared that if there was excess WTE capacity, materials which would have otherwise been recycled would be burned. To ensure that no excess capacity developed, the 1993 Amendments subjected WTE facilities to a series of new siting and need criteria affecting the siting of new facilities and expansion of existing facilities.

According to the report, key among these criteria are the requirement that WTE facilities cannot be built unless the county in which the facility was to be located had met the State's required thirty percent waste reduction goal, and the county can show that the facility is an integral component of the county's solid waste management program.

Florida Center for Investigative Reporting

According to an article, dated, November 7, 2011, by the Florida Center for Investigative Reporting (FCIR), *Florida Home to Seven Air Polluters on EPA Watch List*, discloses for the first time the air polluters in the Sunshine State that have most concerned federal regulators.

These sites were included on the **U.S. Environmental Protection Agency (EPA) Watch List** in July or September for having unresolved violations. Two of the most significant Florida polluters on the Facility Watch List represent an industry in which the Sunshine State leads the nation. Florida burns more trash than any other state, and much of that trash incineration is used to create energy.

The waste-to-energy plant in Miami-Dade County made the EPA Facility Watch List. The waste-to-energy facility in Miami-Dade County is one of the largest in the state.

The waste-to-energy industry solves two problems simultaneously — eliminating waste while creating energy largely independent of fossil fuels. But the tradeoff comes through invisible, potentially hazardous toxins released into the air.

According to FCIR, the Miami-Dade County Resource Recovery Facility burns 1.2 million tons of garbage annually and creates enough electricity for 40,000 homes. But it exemplifies the environmental dangers waste-to-energy plants pose and how ineffective regulators can be in reining in persistent polluters.

Mired in controversy since its opening in 1982, the county-owned facility has a long record of violating federal environmental standards and a history of being run by contractors. Once operated by Montenay Power Corporation, the Miami-Dade County Resource Recovery Facility was taken over by Covanta Energy Corporation in February 2010.² New Jersey-based Covanta is the nation's leading incinerator operator with 44 waste-to-energy facilities in the United States and Canada.

James Regan, a spokesman for Covanta, said the facility has been in full compliance since Covanta took over operations. "In the case of the Miami-Dade Resources Recovery Facility, a review of state and operational records confirms that the HPV (High Priority Violation) noted in Quarters 1 and 2 (October 2008 through March 2009) was under enforcement action. Penalties were assessed and paid by the former operator," Regan wrote on an e-mail response.

² See R-84-10 Execution Letter to Assign to Covanta Southeastern Florida Renewable Energy LLC.

State environmental regulators cited the Miami-Dade waste-to-energy facility after documenting 129 health, pollution and safety violations in 1990 and failing to report several explosions, including one that badly burned a worker. State inspectors found that smokestacks billowed heavy metal contaminants into the air. The State of Florida's Department of Environmental Protection (DEP) in 1991 issued Montenay with a record \$640,000 fine.

According to the article, facility upgrades followed but didn't curb the excess pollution. DEP cited the Miami-Dade County Resource Recovery Facility for violations in 2003, 2006 and 2007, issuing thousands in fines for spewing excess amounts of toxins into the air, caused "entirely or in part by poor maintenance, poor operation or equipment malfunction," among other problems. In 2008, the state fined the facility \$485,322 for, among other violations, failing to properly operate a system intended to reduce mercury and dioxin emissions.

Additional Reference Information (BCC Legislative Actions Regarding RRF Facility and Renewable Energy Initiatives)

The Office of the Commission Auditor conducted a review of the legislative actions pertaining to the County's RRF and renewable energy initiatives, and provides the following notes:

BCC Action	Legislative History
R-917-96 Final Action 7/18/96	RESOLUTION AUTHORIZING COUNTY MANAGER TO FINALIZE AND EXECUTE THIRD AMENDED AND RESTATED OPERATIONS AND MANAGEMENT AGREEMENT BETWEEN METROPOLITAN DADE COUNTY, FLORIDA AND MONTENAY-DADE LTD.
R-875-00 Final Action 7/25/20	RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE THIRD AMENDED AND RESTATED OPERATIONS AND MANAGEMENT AGREEMENT BETWEEN METROPOLITAN DADE COUNTY AND MONTENAY-DADE, LTD.
R-899-04 Final Action 7/13/04	RESOLUTION APPROVING SECOND AMENDMENT TO THE THIRD AMENDED AND RESTATED OPERATIONS AND MANAGEMENT AGREEMENT BETWEEN THE COUNTY AND MONTENAY-DADE, LTD. AND AUTHORIZING COUNTY MANAGER TO EXECUTE AND DELIVER SAID AMENDMENT UPON COUNTY ATTORNEY'S APPROVAL OF ANY MODIFICATIONS
R-737-07 Final Action 6/5/07	RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE POTENTIAL FOR SELLING RENEWABLE ENERGY CREDITS FROM LANDFILL GAS PROJECT, DEVELOP PROCESS FOR SELLING RENEWABLE ENERGY CREDITS, ESTABLISH FRAMEWORK FOR TRADING ADDITIONAL RENEWABLE ENERGY CREDITS FROM FUTURE COUNTY ALTERNATIVE ENERGY PROJECTS, AND CREATE A RENEWABLE ENERGY TRUST FUND FOR NEW ALTERNATIVE ENERGY PROJECTS FUNDED BY NOT LESS THAN 80% OF SALE PROCEEDS OF RENEWABLE ENERGY CREDITS [SEE ORIGINAL ITEM UNDER FILE NO. 071153]
R-124-09 Final Action 2/17/09	RESOLUTION ENDORING THE GOVERNOR'S GOAL OF HAVING FLORIDA DERIVE 20 PERCENT OF ITS ENERGY FROM RENEWABLE ENERGY SOURCES BY THE YEAR 2020 WITH AN EMPHASIS ON SOLAR AND WIND ENERGY; URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION CREATING AN AGGRESSIVE RENEWABLE PORTFOLIO STANDARD THAT WILL REQUIRE 20 PERCENT OF FLORIDA ENERGY TO BE GENERATED BY RENEWABLE RESOURCES BY 2020
R-84-10 Final Action 1/28/10	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE LETTER AGREEMENT TO ASSIGN THE THIRD AMENDED AND RESTATED OPERATIONS AND MANAGEMENT AGREEMENT (AS AMENDED) BETWEEN MIAMI-DADE COUNTY AND MONTENAY-DADE, LTD., TO COVANTA SOUTHEASTERN FLORIDA RENEWABLE ENERGY LLC. (SEE ORIGINAL ITEM UNDER FILE NO. 100085)

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 801, 802, and 14A3

File Number: 121375, 121376 & 121384

Date of Analysis: July 12, 2012

Item 801: This resolution approves *Amendment Number Two* to Miami-Dade Water & Sewer Department (WASD) Contract No. E07-WASD-09, a non-exclusive Professional Services Agreement with **AECOM Technical Services, Inc.**, formerly known as Earth Tech Consulting, Inc. The amendment increases total compensation by \$1,100,000 from \$7,150,000 to \$8,250,000 for additional engineering services to replace defective segments of the 54-inch sewer pipe installed from Virginia Key to Fisher Island.¹

Item 802: This resolution approves *Amendment Number One* to Contract DB10-WASD-01ESP with **Ric-Man Construction, Inc.** increasing total compensation by \$22,543,550.26, from \$54,892,728.57 to \$77,436,278.83; grants a time extension of 210 days to August 15, 2013; approves a Temporary Easement from the City of Miami Beach for construction, staging and ingress and egress; provides conditions to effective date of documents; and authorizes the County Mayor or Mayor's Designee to revise Amendment Number One and the Temporary Easement as necessary; and executes same following review and approval by County Attorney's Office.

The terms of Amendment Number One are subject to further revision and negotiation pending the finalization of the Temporary Easement with the City of Miami Beach, and agreement of the terms by the County, the City of Miami Beach and Ric-Man Construction, Inc. In addition, the City of Miami Beach is requiring that Ric-Man Construction, Inc. indemnify the City of Miami Beach for any claims and damages, and add the City to Ric-Man Construction's insurance policy and as a co-obligee on its Performance Bond for work performed at South Pointe Park.

Questions

- What difficulties is WASD experiencing obtaining the necessary easements?
- Why is the City of Miami Beach requesting they be included in Ric-Man's insurance policy?

Item 14A3: This resolution authorizes the execution of the Project Partnership Agreement between Miami-Dade County ("County") and the United States Department of the Army for the construction of the minus 50 feet below mean lower low water Miami Harbor Federal Navigation Project Phase III (Dredging Project) at PortMiami. The total cost of the Project, including the cost of construction, Army procurement and administration, environmental mitigation and monitoring, and an Army required contingency, is estimated to be \$180,000,000. This dredging project is a budgeted capital project to be paid from future anticipated Port revenue bond proceeds and State grants.

Question

- Why did the Dredging Project increase from \$150,000,000 to \$180,000,000?²

¹ AECOM is known as a Design Criteria Professional, which is to provide engineering services to establish a design/build criteria.

² See PortMiami press release titled, *Congressional Action on PortMiami Deep Dredge Construction Agreement*, dated October 7, 2011, stating that the State of Florida is contributing \$112.5 million towards the \$150 million project that will deepen the port's channel to minus 50-feet.

Background and Relevant Information on AECOM and Ric-Man

AECOM

On December 2, 2008, the Board of County Commissioners (BCC), through R-1349-08, awarded Contract No. E07-WASD-09 to AECOM to provide design criteria services for the replacement of a 20-inch water main from Port Island to Fisher Island and a 54-inch sewer force main from Miami Beach to the County's Central District Wastewater Treatment Plant. The term of this contract was for six years and totaled \$4,000,000.

On May 4, 2010, the BCC, through R- 511-10, approved *Amendment Number One* with AECOM which increased the maximum compensation from \$4,000,000 to \$6,500,000, and extended the contract term from six years to ten years to provide additional engineering services for the design criteria.

Pursuant to R-511-10, during 2009, AECOM completed most of the design services to relocate both pipelines by *constructing an underground utility tunnel*, in which the new cross-bay lines would be routed, to replace the existing 54-inch sewer force main.

- Miami-Dade Water and Sewer (MDWASD) staff decided to relocate the portion of the 54-inch sewer force main from Miami Beach to Fisher Island as an immediate *alternative* to the construction of the utility tunnel.
- The *alternatives* accommodated the schedule of the dredging project and ensured a portion of the 54-inch force main will be relocated prior to the start of the dredging project.

According to the July 11, 2011 Department of Small Business Development A&E Firm History Report, AECOM is subcontracting the following firms for the design criteria for the replacement of the 54-inch sewer force mains:

- *Cardozo Engineering, Inc.*
- *Consulting Engineering and Science, Inc.*
- *Corzo Castella Carballo Thompson Salman, P.A.*
- *Dr. G. Sauer Corporation; Geosol, Inc.*
- *Lockwood, Andrews & Newman, Inc.*
- *Machado Garcia-Serra, LLC.*
- *Metropolitan Consulting and Marketing, Inc.*
- *Robayna and Associates, Inc.*

Ric-Man

On April 4, 2011, the BCC, through R-246-11, awarded Ric-Man Construction, Inc. Project No. DB10-WASD-01 ESP in the amount of \$54,892,728.57 to replace an existing 20-inch water main from Port Island to Fisher Island under the Fisherman's Channel and an existing 54-inch sewer force main from Fisher Island to south of the City of Miami Beach under Government Cut Channel.

A total of 176 packets were downloaded, and five proposals were received. On February 16, 2011, a bid protest was filed with the Clerk of the Board by Lanzo Construction (Lanzo). On March 15, 2011, the assigned hearing examiner recommended that the bid protest filed by Lanzo be denied.

This project is a critical component of a time sensitive project (dredging project) to improve PortMiami's competitiveness. PortMiami will implement a dredging project along Government Cut Channel to deepen and widen the channel to accommodate larger vessels.

According to the July 11, 2011 Department of Small Business Development A&E Firm History Report, Ric-Man is subcontracting the following firms for the replacement of the existing 20-inch water main from Port island to Fisher Island and existing 54-inch sewer force main from fisher island to South of the City of Miami Beach:

- *ABCO Electric, Inc.*

- *Cobalt Construction Group, LLC.*
- *Homestead Concrete and Drainage, Inc. Jacobs Associates Corp.*
- *Michels Corporation; Superior Landscaping and Lawn Service, Inc.*
- *TDW Services, Inc.*

Background and Relevant Information on the Dredging Project

On March 3, 2009, the BCC, through R-203-09, authorized a Design Agreement between the County and the Department of the Army. The project to deepen the PortMiami harbor to minus 50 feet was approved by the United States Congress as part of the Water Resource Development Act of 2007. However, Congress did not set aside the funding to fully complete the project at that time.

On March 4, 2011, Governor Rick Scott directed the Florida Department of Transportation to amend their work plan to include \$77 million for the dredging project.

On April 4, 2011, County staff circulated Dredge Project information during the BCC meeting stating that PortMiami had substantially invested in its infrastructure, much of it timed with and in anticipation of the 2014 expansion of the Panama Canal. The most time-critical component of these investments, which include the Port of Miami Tunnel and on-dock rail, was the Port's Deep Dredge program.

The information included the following: (1) that the Deep Dredge program is a top priority of the Board of County Commissioners, Miami-Dade Legislative Delegation, the Greater Miami Chamber of Commerce, and the Florida Chamber of Commerce; (2) the project has a very challenging schedule, with the WASD utility relocation in the critical path. *Both its water and sewer mains are at too willow a depth to allow for the dredging of Government Cut to commence under federal standards; and (3) the Army Corps of Engineers is allowing an exemption from these standards to accommodate the County's aggressive schedule.*

Importance of Project Schedule

According to the information circulated by staff at the April 4, 2011 BCC meeting, to maintain schedule, not only does the WASD relocation need to be completed on-time, but the PortMiami must work with the Army Corps to complete environmental permitting, develop a Project Participation Agreement (PPA), and conduct a dredging contractor selection.

Subsequent to this, dredging must be accomplished without major delay for the PortMiami to be ready for the opening of the Panama Canal's new lock system in 2014.

- *According to County staff, the utility relocation project and the dredging schedule are interwoven, and work on both aspects of this project will proceed concurrently such that dredging may begin even before the utility work is totally completed.*

Information on Environmental Impact and Mitigation Process

In response to questions from the Office of the Commission Auditor pertaining to the pipeline project and potential impact to the surrounding marine environment; anticipated commencement date of the dredge project; and maritime impact, staff from the Port of Miami provided the information below:

The Deep Dredge is a 2.5 mile long project that goes from the outer entrance to the port (seabuooy) to the Lummus Turning Basin. In the course of preparing a Federal Environmental Impact Statement (EIS) the following two potential environmental impacts have been identified with the removal of sand/limestone (dredge materials):

Impacts

- Seagrass: 7.9 acres (0.2 direct impact/7.7 secondary impact)
- Coral relief (hardbottom): 4.5 acres

Mitigation

- Seagrass: 16.6 acres
- Artificial Reef Creation: 9.28 acres Coral Relocation - all hard coral colonies greater than 25 cm and up to 1300 hard coral colonies between 10 and 25 cm will be relocated outside of the project impact area, to the natural reef system and to the newly created artificial reef

With a dredge project, typically the US Army Corps of Engineers will not issue a Notice to Proceed (NTP) until all utility relocations are completed; substantial completion, however, will suffice.

- Based on progress made by the MDWASD contractor, the US Army Corps of Engineers will allow construction for the Deep Dredge to commence prior to substantial completion of the WASD relocation project. The area of the WASD relocation project has been placed in its own phase to allow coordination.
- Keeping the utility relocation on schedule is directly linked to keeping the Deep Dredge on schedule. Major global shipping lines are investing in new Post-Panamax mega ships and the State of Florida has invested \$112.5 million in the deep dredge, agreeing to advance the \$75 million federal share for this project.
- (Dredge Project Timeline) The RFQ is anticipated to be advertised in August 2012, and the contract to be awarded in December 2012; Notice to Proceed January 2013; and construction (dredge in the water) to begin in spring 2013.
- (Maritime Impact) The dredge contractor will be required to work around traffic at the Port of Miami and shall not interfere with maritime traffic. This is a standard requirement of the US Army Corps of Engineers. The US Coast Guard and US Army Corps of Engineers will monitor daily and enforce.

Additional Information Regarding Dredging Project

BCC Date	Legislation	Item Highlights
3/3/09 Final Action: R-203-09	RESOLUTION AUTHORIZING <i>EXECUTION OF DESIGN AGREEMENT</i> BETWEEN MIAMI-DADE COUNTY AND THE U.S. DEPARTMENT OF THE ARMY FOR THE DESIGN OF MIAMI HARBOR FEDERAL NAVIGATION PROJECT PHASE III; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, TO SPEND UP TO \$1,220,000 PURSUANT TO THE DESIGN AGREEMENT AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS	On April 25, 2005, the U.S. Department of Army completed its General Reevaluation Report for this project. The GRR's findings recommended a 49-foot deepening of the channel as well as the option to deepen the channel by an additional foot as the Locally Preferred Plan.
2/15/11 Final Action: R-121-11	RESOLUTION <i>URGING THE PRESIDENT</i> AND THE U.S. CONGRESS TO BUDGET AND APPROPRIATE \$75 MILLION IN FEDERAL CONSTRUCTION FUNDING FOR THE DEEP DREDGE PROJECT AT THE PORT OF MIAMI; URGING THE GOVERNOR AND FLORIDA LEGISLATURE TO IDENTIFY STATE FUNDING SOURCES TO ASSIST IN THE TIMELY COMPLETION OF THE DEEP DREDGE PROJECT	<p>Several issues were raised during the discussions at the BCC meeting <i>relating to the</i> projections for additional activity generated by the 50 foot Deep Dredge Project (Dredge Project) including the number of jobs and the amount of revenue to be realized by the Port.</p> <p>Staff explained that the <u>County was not</u> pursuing the \$75 million being requested for the Dredge Project from the federal government. Staff wanted to have a dollar amount included in the budget in order to be creative in securing State or other funding to begin the project and to obtain reimbursement later.</p> <p>PortMiami staff noted a preliminary analysis</p>

BCC Date	Legislation	Item Highlights
		<p>to fund and obtain subsequent reimbursement had already been compiled and this report data would be provided to the BCC.</p> <p>Pursuant to the request made at the February 15, 2011, BCC meeting, information regarding the PortMiami Deep Dredge was provided to the BCC on March 22, 2011 regarding jobs, additional revenue and activity.</p>
<p>4/4/11</p> <p>Final Action: R-268-11</p>	<p>RESOLUTION <i>URGING THE FLORIDA LEGISLATURE</i> TO APPROVE ADDITIONAL FUNDING FOR THE PORT OF MIAMI DEEP DREDGE PROJECT; IDENTIFYING THE DEEP DREDGE PROJECT AS A CRITICAL PRIORITY FOR THE 2011 STATE LEGISLATIVE SESSION</p>	<p>When President Barack Obama released his federal proposed budget in February 2011, it did not include funding for PortMiami Deep Dredge despite the fact that the Deep Dredge Project had received Congressional authorization.</p> <p>On March 4, 2011, the State of Florida Governor announced that he would pledge \$77 million in FDOT Strategic Intermodal System funds for the Deep Dredge Project.</p>
<p>Final Action: R-684-11</p>	<p>RESOLUTION AWARDING, APPROVING AND AUTHORIZING THE EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A CONTRACT IN THE AMOUNT OF \$57,120,637.81 BETWEEN MIAMI-DADE COUNTY AND <i>ODEBRECHT CONSTRUCTION, INC. FOR THE WHARVES STRENGTHENING PROGRAM</i>, CONTRACT NO. 2007-022; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS CONTAINED THEREIN</p>	<p>On September 21, 2011, the BCC, through R-684-11, approved a contract between the County and Odebrecht Construction, Inc. in the amount of \$57,120,500 to strengthen cargo wharves ("Wharves Strengthening Project") at PortMiami to accommodate berths to be dredged to a depth of minus 50 feet below mean lower low water.</p>
<p>September Monthly Report</p> <p>Memo</p>	<p>A memo, titled, <i>September Monthly Report</i>, from Alcalde & Fay to the Chairman of the BCC, states that while the Office of Management and Budget (OMB) and the Senate Appropriations Committee have each approved the Department of the Army's plans to move forward with the Miami Harbor deep dredge project, approval is still pending before the House Appropriations Committee. The House committee is the very last federal approval needed to enable the Army Corps to move forward into the next stage which is the Project Partnership Agreement (PPA).</p> <p>At the request of Alcalde and Fay, on September 22, 2011, Congressman Bill Young (R-FL), also spoke personally with Chairman Frelinghuysen. At that time, the Chairman advised Congressman Young that the committee could not approve the project because, despite the assumption of the entire construction cost by the non-federal sponsor, it was his understanding that a deeper draft would result in additional federal maintenance costs.</p> <p>According to the memo, Alcalde and Fay immediately moved to correct this misunderstanding. They worked with the Seaport Department and the Army Corps Jacksonville District Office staff to prepare a letter. The final letter signed by the Army Corps Jacksonville District, dated September 23, 2011 stated:</p> <p><i>"Maintenance dredging is typically performed on a ten year cycle at the Port of Miami, which has one of the lowest average annual maintenance costs along the east coast, and is on average \$350,000 per year. Any increase in shoaling of the newly authorized channel, once constructed, is expected to be negligible."</i></p>	

BCC Date	Legislation	Item Highlights
	<p>The letter went on to state that future federal maintenance costs could actually decrease over time, as cost sharing “kicks in” after 48 feet.</p> <p>Additional Information According to Alcalde and Fay’s memo, in May 2011, the House and Senate Appropriations Committees approved the Army Corps’ Accelerated Funds Agreement for the Preconstruction, Engineering and Design (PED) stage of the project. Also during the month of May, the Army Corps’ FY 2011 work plan was released.</p> <p>For the Port of Miami, the Corps included \$1 million for completion of the PED and \$200,000 for regular Operation and Maintenance needs in the Miami federal channel. These allocations by the Army Corps were significant, as neither had been included within the original FY 2011 Corps budget introduced in February of 2010. These initiatives on the part of the Corps are indicative of the agency’s growing support for the deep dredge project.</p>	
1/5/12 Final Action: R-06-12	<p>RESOLUTION <i>URGING THE ARMY CORP. OF ENGINEERS AND THE STATE OF FLORIDA</i> TO EXPEDITIOUSLY RESOLVE PENDING OBJECTIONS TO PERMITS PROPOSED TO BE ISSUED TO THE CORP. IN CONNECTION WITH THE PROJECT TO DREDGE CHANNELS USED BY THE PORT OF MIAMI TO A CONTROLLING DEPTH OF MINUS 50 FEET BELOW MEAN LOWER LOW WATER AND AUTHORIZING THE COUNTY MAYOR TO APPLY FOR ANY PERMITS NEEDED FOR THE DREDGING PROJECT</p>	
5/1/12 Final Action: R-422-12	<p>RESOLUTION AUTHORIZING EXECUTION OF <i>SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE PETITIONERS DAN KIPNIS, TROPICAL AUDUBON SOCIETY, INC. ("TAS"), AND BISCAYNE BAY WATERKEEPER, INC. ("BBW") (COLLECTIVELY, "PETITIONERS)</i> IN CONNECTION WITH THE US ARMY CORPS OF ENGINEERS’ FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT TO DREDGE CHANNELS USED BY THE PORT OF MIAMI TO A CONTROLLING DEPTH OF MINUS 50 FEET BELOW MEAN LOWER LOW WATER; AUTHORIZING PLACEMENT OF \$1,310,000 INTO THE MIAMI-DADE COUNTY BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO BE UTILIZED FOR THE TASKS AND PROJECTS IDENTIFIED IN SCHEDULE A OF THE SETTLEMENT AGREEMENT AND AUTHORIZING THE DISBURSEMENT OF THOSE FUNDS FOR THE IDENTIFIED PROJECTS; AUTHORIZING \$50,000 DONATION TO TROPICAL AUDUBON SOCIETY, INC. ACCORDING TO TERMS OF THE SETTLEMENT AGREEMENT; AUTHORIZING \$50,000 DONATION TO BISCAYNE BAY WATERKEEPER, INC. ACCORDING TO TERMS OF THE SETTLEMENT AGREEMENT; AND AUTHORIZING EXECUTION OF THE LOCAL SPONSOR AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN CONNECTION WITH THE US ARMY CORPS OF ENGINEERS FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT TO DREDGE CHANNELS; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY</p>	<p>This resolution authorized the execution of the Settlement Agreement between Miami-Dade County and the Petitioners Dan Kipnis, Tropical Audubon Society, Inc., and Biscayne Bay Waterkeeper, Inc. (collectively, “Petitioners”) and authorizing execution of the Local Sponsor Agreement between Miami-Dade County and the Florida Department of Environmental Protection to settle all outstanding items related to the petition and all post-construction monitoring required for the Florida DEP environmental permit for construction of the minus 50 feet Miami Harbor Federal Navigation Project Phase III.</p>

Additional Information

According to an article by USA Today, dated, June 18, 2012, *East Coast Ports Scramble to Dig Deep, for Supersize Ships*, states that a growing number of supersize freighters, which up to now have relied mostly on West Coast ports to deliver goods from Asia to the USA because they couldn't fit through the Panama Canal, will be able to make the trip to the East Coast economically when an expansion of the canal is completed in 2014.

Ports on the Atlantic and the Gulf of Mexico, whose harbors have been too shallow to accommodate these behemoths, are gearing up to spend more than \$40 billion over the next five years to deepen their shipping channels and make other upgrades, to the Director of Communications for the American Association of Port Authorities.

According to the Director of Communications for the American Association of Port Authorities, the ports of Norfolk, Va., and Baltimore have completed projects that put them in position to be the first to receive the big ships, some of them 1,110 feet long with the capacity to haul up to 13,000 boxcar-size freight containers.

Elsewhere, the work is in varying stages:

- The Army Corps of Engineers is expected to finish dredging a 50-foot deep channel to three terminals in New York Harbor by the end of the year and to the main New York terminal by 2014. The authority has committed \$1 billion to raise the Bayonne Bridge by 64 feet to allow the bigger ships to pass under.
- The Corps of Engineers completed a study in April finding that Savannah, GA's proposed \$652-million channel deepening project is viable.
- The Corps is in the midst of a study of Charleston Harbor, said the President and CEO of the South Carolina Ports Authority.
- Philadelphia and Corpus Christi are currently involved in dredging projects. Boston, Jacksonville, Canaveral and Freeport, Texas, are among other ports pursuing deeper channels.
- South Carolina's Legislature this month designated \$300 million to the Charleston project — enough to do the job even if the federal government doesn't come up with its 40% match.

Meanwhile, West Coast ports that have had the big-ship business to themselves for the most part are pointing out their advantages in a fight to keep from losing their largest customers.

According to the Director of Business and Trade Development for the Port of Los Angeles, it takes 17 days to ship goods from Shanghai to New York by transferring to rail in Los Angeles. On the other hand, using the all-water route takes 26 days. Ships also must pay a toll of about \$375,000 to pass through the Panama Canal.

In response to questions posed by the Office of the Commission Auditor, WASD staff provided the following information:

1. The intent of the Economic Stimulus Plan (ESP) is to fast-track the process of contracts for County Capital Projects. Why is Contract DB10-WASD-01 ESP being presented to the BCC? *It should be noted that the original contract awarded under R-246-11 was also presented to the BCC due to the stipulated limitations of the ESP Ordinance (Ordinance No. 08-92), a bid protest was filed, as such, the original contract required BCC review and approval. (See Section 2-8.2.7(4)(d)(4) of the Code) In the case of Amendment Number One (See Section 2-8.2.7 (4)(e)(1)), the amendment increases the contract amount, including contingencies, therefore, it requires BCC review and approval.*
2. Does the contract b/w Miami-Dade County and Ric-Man include incentives for Ric-Man to complete the project before the dredging begins? *This contract does not include any incentives, it expires on August 15, 2013. The Dredging Project is not scheduled to begin until 2014.*
3. What is the lifespan of the existing infrastructure in this area? *The 54-inch sewer force main was inspected and it was determined that there are several segments of pipe between the Retrieval Shaft and the interconnection to Miami Beach's sewer system that are at high risk of failure.*

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: Charter Review Task Force

Item Numbers: 1(F)2 and 10(A)1- 10(A)15

Date of Analysis: July 12, 2012

Summary

The 2012 Charter Review Task Force (CRTF) Final Report (*Item 1(F)2*) includes 16 recommendations regarding the Miami-Dade Home Rule Charter. Only four (4) of the recommendations were approved by 2/3 of the membership of the task force and twelve (12) recommendations were approved by a simple majority. Additionally, the Final Report provides for dissenting and concurring opinions from three (3) CRTF members pertaining to recommendations 4, 5, 15 & 16.

- On March 8, 2012, the Board of County Commissioners (BCC) adopted R-253-12 creating the CRTF, pursuant to that resolution the BCC intends to forward any item approved by at least 2/3 of the membership of the CRTF for placement on the ballot at the next available countywide election; and
- The BCC will consider and may place any written recommendations forwarded by a simple majority of the CRTF on the General Election ballot that the BCC deems to be in the best interest of the residents of Miami-Dade County.

The CRTF convened for the first meeting on April 19, 2012, and held a total of 14 meetings, including six (6) public hearings and one (1) sunshine meeting, concluding with their last meeting on June 26, 2012. *According to the minutes, although the Task Force consisted of 20 members, there was typically an average of 12 members present at meetings. However, two (2) members had not been not appointed for several weeks following the first meeting.*

Of the 16 recommendations in the Final Report, there are 15 proposed resolutions (*Items 10A1- 10A15*) placed on the July 17, 2012 BCC Agenda by the County Attorney's Office, per R-253-12, calling for a countywide special election in conjunction with the General Election on Tuesday, November 6, 2012 for the purpose of submitting to the qualified electors of Miami-Dade County the proposals for amending the Home Rule Charter.

The CRTF Final Report Recommendation No. 2, regarding Term Limits was adopted by the BCC on March 8, 2012 through R-254-12, prior to the CRTF convening.

The following table lists the proposed resolutions that were approved by 2/3 vote of the CRTF:

BCC Item	Title	2012 CRTF Final Recommendation
10A3	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE	No. 4 – Incorporation That the Charter be amended to provide that changes in municipal boundaries require a 2/3 vote of the Board of County Commissioners; and that the Board no longer has the sole authority to create new municipalities and that Incorporation By Initiatory Petition, modeled after the initiatory petition for ordinances and Charter amendments be added to the Charter.

	COUNTY THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO CHANGES IN MUNICIPAL BOUNDARIES AND CREATION OF NEW MUNICIPALITIES	<p>(Motion Passed: 15-1)</p> <p><i>Concurring Opinion of CRTF Member Don Slesnick provides several specific points which should be addressed before finalizing certain ballot questions for the electorate to consider. See pages 26-27 of the CRTF Final report, Item 1F2.</i></p>
10A6	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND HOME RULE CHARTER PROVISIONS PERTAINING TO SALARIES OF COUNTY COMMISSIONERS	<p>No. 7 – Salary for Commissioners</p> <p>That the Charter be amended to set the salary for Commissioners at the median income in Miami-Dade County, computed annually, to commence November 22, 2016.</p> <p>(Motion Passed: 14-0)</p> <p><i>*See Attachment with Prior Election Results Regarding Salary Amendments.</i></p>
10A14	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROHIBIT COMMISSIONER RELATIONSHIPS WITH FIRMS DOING BUSINESS WITH THE COUNTY	<p>No. 15 – Conflicting Outside Employment</p> <p>That the Charter be amended to provide that Commissioners may not take, or hold office, if they are employed by any entity that does business with the County or any entity or agency controlled by the County; and that no entity may bid for or be awarded a County contract if a member of the Commissioners' immediate family is an owner, director, board member, or consultant of the entity or a subcontractor of the entity or has any financial relationship with the entity or a subcontractor of the entity. (Motion Passed: 16-0)</p> <p><i>Concurring Opinion of CRTF Member Pamela Perry respectfully submits that Property Appraiser and Mayor should be included in this provision as well. See pages 29-30 of the CRTF Final report, Item 1F2.</i></p>
10A15	RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO PROVIDE THAT THE MAYOR NOT PARTICIPATE IN COUNTY PROCUREMENTS WHEN THE MAYOR HAS A CONFLICT OF INTEREST	<p>No. 16 – Mayoral Conflict of Interest in Procurement</p> <p>That the Charter be amended to provide that in circumstances where the Mayor, in writing, informs the Clerk of the Courts that he or she has a conflict of interest in the solicitation, evaluation, award or recommendation of award of a contract, that the Clerk of the Courts, and not the Mayor, shall have all authority provided by the Board or Charter in those instances including the authority to recommend a bid waiver.</p> <p>(Motion Passed: 16-0)</p> <p><i>Concurring Opinion of CRTF Member Don Slesnick provides several specific points which should be addressed before finalizing certain ballot questions for the electorate to consider. See pages 26-27 of the CRTF Final report, Item 1F2.</i></p>

Provisions for the Creation of a Charter Review Task Force

Pursuant to Section 9.08 of the Charter: *at least once in every five (5) year period, the BCC will review the Charter and determine whether or not there is a need for revision. If the BCC determines that a revision is needed, the BCC is required to establish a procedure for the preparation of a proposed revision of the Charter. If the BCC approves such proposed revision, either with or without modification, it will present such proposed revision to the electorate in accordance with the provisions of Section 9.07(C) and (D) of the Charter.*

Pursuant to Section 9.07 of the Charter, Charter amendments may be proposed utilizing two different methods:

1. A resolution adopted by the BCC, or
2. Initiatory petitions by electors numbering not less than 10 percent of the total number of electors registered in Miami-Dade County at the time the petition is submitted.

According to Section 9.07(C) of the Charter, amendments may be proposed by the BCC at any time. Elections on Charter amendments proposed by the BCC are to be held not less than 60 nor more than 120 days after the BCC adopts a resolution proposing any amendment.

Furthermore, as stated in Section 9.09 of the Charter, the amended Charter will become effective 60 days after it is ratified by a majority of the qualified electors of the county voting on the Charter.

Previous Charter Review Task Force

On April 24, 2007, through R-462-07, the BCC created a Charter Review Task Force (CRTF) consisting of 21 members.

The 2007 Task Force convened for the first meeting on July 9, 2007, and held a total of 20 meetings, including four (4) public hearings, concluding with their last meeting on January 23, 2008. According to the minutes, although the Task Force consisted of 21 members there were typically an average of 14 members present at meetings.

The Final Report, *including the 18 Task Force recommendations*, was presented to the BCC on January 29, 2008.

Of the 18 Final Recommendations presented to the BCC in the Final report, eight (8) recommendations were addressed in the following manner listed below and the remaining items were presented on the November 3, 2011 BCC agenda.

- **#3 Property Appraiser becomes elected position;** Adopted by the voters in the 2008 Presidential Preference Primary Election;
- **#4 Commission Salary, Term and Outside Employment;** was on the 2008 General Election ballot and on the January 2012 Presidential Primary Election but was not approved by the voters on both occasions;
- **#5 & #6 recommended maintaining the current Charter structure, therefore no BCC action was necessary;**
- **#9 Initiative petitions and Elections for Charter Amendments;** Adopted by the voters in the January 2012 Presidential Primary Election;
- **#11 Public Hearing for Initiative Petitions;** Adopted by the voters in the 2008 General Election;
- **#14 Clerk, instead of BCC, approve as to form Petition;** Adopted by the voters in the 2008 General Election; and
- **#16 CDMP/UDB issue;** was Pre-empted by subsequent State legislation.

Recent Miami-Dade County Charter Amendment Elections			
Election	Charter Amendment Question	Total Ballots Cast	Percent
1/31/12	Initiative Petitions and Elections for Charter Amendments	Yes- 88,194 No- 63,995	Yes- 57.95% No- 42.05%
1/31/12	Commission Salaries, Service and Term Limits	Yes- 70,918 No- 83,601	Yes- 45.90% No- 54.10%
5/24/11	Commission Salaries, Service and Term Limits	Yes- 52,950 No- 129,554	Yes- 29.01% No- 70.99%
5/24/11	Prohibiting Lobbying by Elected County Officer after Leaving Office	Yes- 87,107 No- 87,036	Yes- 50.02% No- 49.98%
5/24/11	Creation, Appointment and Power of the Charter review Task Force	Yes- 69,903 No- 106,297	Yes- 39.67% No- 60.33%
5/24/11	Establishing Independent Inspector General	Yes- 84,675 No- 92,957	Yes- 47.67% No- 52.33%
5/24/11	Powers of County Commission, County Mayor and County Manager	Yes- 64,339 No- 111,343	Yes- 36.62% No- 63.38%
5/24/11	Regarding Petitions	Yes- 50,751 No- 124,321	Yes- 28.99% No- 71.01%
11/2/10	County Commissioner and Administrative Staff Communications	Yes- 253,115 No- 149,298	Yes- 62.90% No- 37.10%
8/24/10	Eliminating the Office of County Manager	Yes-108,522 No- 77,646	Yes- 58.29% No- 41.71%
8/24/10	Abolish Municipalities of Twenty or Fewer Electors	Yes-114,270 No- 65,056	Yes- 63.72% No- 36.28%
8/24/10	Relating to Franchises	Yes- 57,227 No- 114,567	Yes- 33.31% No- 66.69%

Prepared By: Bia Marsellos

Prior Election Results Regarding Salary Amendments			
Election	Charter Amendment Question	Total Ballots Cast	Percent
1/31/12	Devote full-time service to the office of Commissioner and hold no other employment; No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state formula, adjusted annually (currently approximately \$92, 097); and Serve no more than two consecutive four-year terms in office excluding all terms of service prior to 2012?	Yes- 70,918 No- 83,601	Yes- 45.90% No- 54.10%
5/24/11	Devote full-time service to the office of Commissioner and hold no other employment; No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the county's population (currently approximately \$92, 097); and Serve no more than three consecutive four-year terms in office excluding all terms prior to 2012?	Yes- 52,950 No- 129,554	Yes- 29.01% No- 70.99%
11/4/08	Devote full-time service to the office of Commissioner and hold no other employment; and No longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by state statutory formula, adjusted annually by the county's population (currently approximately \$91, 995), used by other Florida counties, including Broward County?	Yes- 336,273 No- 357,515	Yes- 48% No- 52%
9/5/06	Shall the Charter be amended to provide that County Commissioners no longer receive the \$6,000 annual salary established in 1957, but shall receive instead the population based salary provided by State statutory formula (currently approximately \$88,919) and used by other Florida counties, including Broward County?	Yes- 65,150 No- 90,424	Yes- 42% No- 58%
8/31/04	In an effort to encourage more persons who are dedicated to good government to run for office, shall County Commissioners no longer receive the \$6,000 annual salary established in 1957, but receive instead the salary provided by a State statutory formula based on population used by other Florida counties, including Broward County (currently approximately \$84,213), and Commencing with the election of County Commissioners in 2006, shall Commissioners be limited to four consecutive four-year terms?	Yes- 125,634 No- 131,162	Yes- 49% No- 51%
9/10/02	Shall the Charter be amended so that county commissioners no longer receive the \$6,000 annual salary established in 1957, and they commence receiving as of the effective date of this amendment, the salary provided by a state formula based on population used by other Florida counties, including Broward County (currently approximately \$80,500)?	Yes- 121,997 No- 147,891	Yes- 45% No- 55%

5/8/90	Shall the Charter be revised to – Increase Commission salaries to statutory amount for non-charter county commissioners (currently approximately \$51,600)?	Yes- 22,867 No- 82,214	Yes- 22% No- 78%
3/11/80	Shall Section 1.06 of the Home Rule Charter be amended to provide that the Mayor and County Commissioners receive a salary of \$12,000 per year instead of the current \$6,000 per year?	Yes- 68,029 No- 113,171	Yes- 38% No- 62%
3/9/76	Shall the Charter be amended to provide annual salaries for the Mayor and County Commissioners, in accordance with State Law instead of \$6,000 per year?	Yes- 43,706 No- 206,693	Yes- 17% No- 83%
3/14/72	A Full Time Strong Mayor with a minimum salary of \$40,000, a Full Time Vice-Mayor with a salary of \$12,000, a Chairman of the Board of County Commissioners with a salary of \$14,000 and Commissioners with a Salary of \$10,000.	Yes-66,998 No- 144,274	Yes- 32% No- 68%
11/7/67	Whether Section 1.06 of the Home Rule Charter shall be amended to provide that after June 10, 1968, each member of the Board of County Commissioners shall receive, in addition to the \$6,000 annual salary, \$50 for each day's attendance at official board meetings, such per diem payments not to exceed \$9,000 annually for each member of the Commission?	Yes-17,034 No- 46,248	Yes- 36% No- 64%
11/5/63	Amendment to Section 1.06 of The Home Rule Charter to provide a salary of \$15,000 for the Mayor and a salary of \$10,000 for other County Commissioners.	Yes- 47,010 No- 76,645	Yes- 38% No- 62%
10/17/61	Shall the Home Rule Charter of Government for Dade County, Florida be amended by adoption of an amended Charter, which limits and redefines the powers of the County Commission, reduces the number of County Commissioners to five, fixes Commissioner's salaries at \$15,000 per annum, provides such revised Charter shall become effective immediately upon adoption, prescribes method by which such revised Charter may be abolished and contains other provisions as set forth in the initiatory petitions on file with Clerk of the County Commission.	Yes- 97,170 No- 105,097	Yes- 48% No- 52%

Chart compiled from information provided by the Elections Department and election results found on the Election Department website.