Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

July 16, 2013
9:30 A.M.
Commission Chamber

Research Division

Charles Anderson, CPA
Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

Board of County Commissioners
July 16, 2013 Meeting
Research Notes

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td>4A
131277</td><td>ORDINANCE AMENDING SECTION 2-8.5 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO LOCAL PREFERENCE AND LOCALLY HEADQUARTERED PREFERENCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE</td></tr>
<tr><td>Notes</td><td>The proposed ordinance amends Section 2-8.5 of the Code of Miami-Dade County (Code), relating to Local Preference and Locally Headquartered Preference. The Proposed ordinance provides for the following:

Amends the definition for Locally Headquartered Business, adding the requirement the local business is not a subsidiary or affiliate of another business that is <u>not</u> a Locally Headquartered Business; and
Amends the low bid percentage requirement for competitive bids:

To five percent from the current ten percent – If the Low Bidder is not a Local Business, then any and all responsive and responsible Local Businesses may submit a price within five percent of the Low Bid.
To ten percent from the current five percent - If the Low Bidder is a Local Business which is not a Locally Headquartered Business, then any and all responsive and responsible Locally Headquartered Businesses submitting a price within ten percent of the Low Bid.

Adds the italicized language to revenue producing contracts, where award, if any, is to be made to the bidder returning the highest amount to the County, the same preferences set forth above will be applied by reference to the highest bid.

Request for proposals, qualifications or other qualitative submittals and competitive negotiation and selection. If, following the completion of final rankings (technical and price combined, if applicable) by the selection committee, a non-local business is the highest ranked proposer, and the ranking of a local proposer is within five percent of the ranking obtained by the non-local propose and no Locally Headquartered Business is within ten percent of the ranking obtained by the non-local proposer, then the highest ranked local proposer shall have the opportunity to proceed to negotiations or advance to the next step in the solicitation process with the County under the applicable sections of this Code. If, following the completion of final rankings (technical and price combined, if applicable) by the selection committee, a Locally Headquartered Business is within ten percent of the ranking obtained by the non-local proposer or within five percent of the ranking obtained by a local proposer, then the highest ranked Locally Headquartered Business shall have the opportunity to proceed to negotiations or advance to the next step in the solicitation process with the County under the applicable sections of this Code.

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<tr><td>4B
131401</td><td>ORDINANCE RELATING TO COMMERCIAL VEHICLE IDENTIFICATION; AMENDING SECTION 8A-276 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO ELIMINATE REQUIREMENT THAT COMMERCIAL VEHICLE MARKINGS INCLUDE THE ADDRESS OF THE OWNER; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE</td></tr>
<tr><td>Notes</td><td>The proposed ordinance amends Section 8A-276 of the Code of Miami-Dade County (Code), eliminating the requirement that commercial vehicle markings include the address of the owner.

Pursuant to Section 8A-276 of the Code, a commercial vehicle is any vehicle whether horse-drawn, motor-driven or towed, and used, constructed, or equipped for the transportation of goods, wares, merchandise, tools, or equipment in trade, commerce, or industry. The Code excludes the following vehicles as commercial vehicles: Passenger automobiles including station wagons, vehicles constructed for recreational purposes or other noncommercial purposes, vehicles used by governmental agencies for official business, and other vehicles which are or may be required to be similarly identified by State or federal law.</td></tr>
<tr><td>4C
131415</td><td>ORDINANCE AMENDING SECTION 30-388.2 OF THE MIAMI-DADE COUNTY CODE PROVIDING THAT, CONSISTENT WITH STATE LAW, PARKING CHARGES MAY BE IMPOSED ON VEHICLES DISPLAYING A DISABLED PARKING PERMIT OR LICENSE TAG AT ANY COUNTY AIRPORT OR SEAPORT UNDER SPECIFIED CIRCUMSTANCES, BUT THAT SUCH CHARGES MAY NOT BE IMPOSED FOR CERTAIN VEHICLES AS DEFINED IN SUCH STATE LAW; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE</td></tr>
<tr><td>Notes</td><td>The proposed ordinance amends Section 30-388.2 of the Miami-Dade County Code (Code) providing that, consistent with state law, parking charges may be imposed on vehicles displaying a disabled parking permit or license tag at any County Airport or Seaport under specified circumstances; however, such charges may not be imposed for certain vehicles as defined in such state law.

The amendment allows the Aviation and Seaport departments to charge parking fees to vehicles that display a disabled parking permit or license tag issued under Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845, or 320.0848, but no parking charges will be imposed by the Aviation or the Seaport upon any vehicle with specialized equipment, such as ramps, lifts, or foot or hand controls, or for utilization by a person who has a disability or whose vehicle is displaying the Florida Toll Exemption permit.

The proposed amendment will allow the Aviation and Seaport to charge and collect parking fees for vehicles displaying parking permits or license tags issued under the following sections of the Florida Statutes:

316.1958 - Out-of-state vehicles bearing identification of issuance to persons who have disabilities;
320.084 - Free motor vehicle license plate to certain disabled veterans;
320.0842 - Free motor vehicle license plates to veterans who use wheelchairs;
320.0843 - License plates for persons with disabilities eligible for permanent disabled parking permit;
320.0845 - License plates for members of Paralyzed Veterans of America; and
320.0848 - Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.

<u>Estimated Revenues</u>
Airport revenues would increase by approximately $3,700,000.00, if free parking at Miami International Airport was not offered to all disabled persons. Port revenues would increase by $800,000.00, if free parking at the Port of Miami was not offered to all disabled persons.</td></tr>
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	Office of the Inspector General Report In April 2008, the OIG completed an investigation into workers at Miami International Airport (MIA) abusing a county ordinance that provides free parking in public parking facilities to the disabled. A large number of the disabled parking spaces reserved for the traveling public were frequently occupied by airport workers who appeared to be able-bodied, and had employee parking provided to them at an off-site location. The OIG conducted an in-depth review of the designated disabled parking spaces at MIA, including those in the Flamingo and Dolphin garages and the short-term lot, which required an examination of thousands of fee waiver entries in electronic data format. The records reviewed determined that in a two-week period, approximately half (52%) of all the disabled fee waivers were generated by individuals holding security ID badges and credentials issued by the Miami-Dade Aviation Department. The fee waivers were attributable to over 200 such airport workers, only five of whom were Miami-Dade Aviation Department employees. **Additional Information** Law changes for disabled parking permit holders under the Florida Department of Highway Safety and Motor Vehicles: • Effective July 1, 2012, any person that loses or has their disabled parking permit stolen must provide form HSMV 83039, Application for Disabled Person Parking Permit, completed and signed by their certifying authority within the last 12 months. Once completed, the form has to be taken to the local county tax collector office or license plate agency for replacement. • Effective Oct. 1, 2012, any person renewing their disabled parking permit must have current certification. • Anyone with a disabled parking permit who parks on the street at a turnstile meter will continue to park for free; however, there are new time restrictions, 4 hours maximum. The law also allows local municipalities to exceed the 4 hours maximum by local ordinance.
4D **131426**	ORDINANCE AMENDING SECTIONS 8A-281, 8A-284-286, 11A-2, 33-1, 33-217 AND 33-247 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SUBSTITUTING THE TERM ''INTELLECTUAL DISABILITY'' FOR THE TERMS ''MENTAL RETARDATION'' AND ''RETARDATION'', AND SUBSTITUTING THE TERM ''PERSONS WITH INTELLECTUAL DISABILITIES'' FOR THE TERM ''THE MENTALLY RETARDED''; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE
Notes	The proposed ordinance amends sections of the Code of Miami-Dade County (Code), substituting the term ''intellectual disability'' for the terms ''mental retardation'' and ''retardation'', and substituting the term ''persons with intellectual disabilities'' for the term ''the mentally retarded''. **Additional Information** According to the County Attorney's Office, the proposed amendments will eliminate the outdated and often derogatory phrases (mentally retarded, mental retardation, and retardation) in most instances from the Code, except when applied to an engineering function (i.e. retard erosion, retarding or restraining traffic, etc.)
4E **131421**	ORDINANCE RELATING TO REDEVELOPMENT OF THE OPA-LOCKA COMMUNITY REDEVELOPMENT AREA GENERALLY BOUNDED ON THE NORTH BY NW 151 STREET, ON THE WEST BY THE OPA-LOCKA EXECUTIVE AIRPORT, ON THE SOUTH BY THE TRI-RAIL CORRIDOR, AND ON THE EAST BY A CONSTRUCTED STORM-WATER LAKE MANAGED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; ESTABLISHING REDEVELOPMENT TRUST FUND; PROVIDING FOR APPROPRIATION OF FUNDS AND CALCULATION OF INCREMENT FOR DEPOSIT INTO FUND; SETTING FORTH OBLIGATION TO APPROPRIATE TO FUND AND DURATION OF OBLIGATION; PROVIDING FOR LIMITED COUNTY APPROVAL OF DEBT; PROVIDING FOR REVIEW OF FINANCIAL RECORDS AND RIGHT OF AUDIT; PROVIDING FINDING OF PUBLIC PURPOSE; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance relates to redevelopment of the Opa-locka Community Redevelopment Area (CRA), providing for the following: • Establishment of a redevelopment trust fund; • Provides for appropriation of funds and calculation of increment for deposit into fund; • Sets forth obligation to appropriate to fund and duration of obligation; • Provides for limited County approval of debt; • Provides for review of financial records and right of audit; and • Provides finding of public purpose. The Opa-locka (CRA) is generally bounded on the north by NW 151 Street, on the west by the Opa-locka Executive Airport, on the south by the Tri-rail corridor, and on the east by a constructed storm-water lake managed by the South Florida Water Management district. Background and Relevant Legislation In 1969, the Florida Legislature enacted the Community Redevelopment Act of 1969, as it is presently contained in Part III of Chapter 163, Florida Statutes, as amended (the Act). The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies and to prepare redevelopment plans for certain defined areas within their boundaries designated as community development areas, within which community redevelopment projects may be undertaken to eliminate and prevent the development and spread of slum and blight. After a finding has been made, determining that slum and/or blight exist within a defined area, the Act authorizes the County to use and to delegate redevelopment powers at its discretion.[1] On April 14, 2010, the City of Opa-locka (City) approved Resolution No. 10-8043, accepting the FON Report from Carras Community Investment Inc.[2] Florida Statutes state that for CRAs, a community redevelopment area may not consist of more than 80 percent of the City[3]. Therefore, the City focused the FON Report on the Ali Baba Corridor, where much of the City's deterioration has occurred.

[1] *Section 163.335 Florida Statutes*
[2] *The City hired Carras Community Investment, Inc. (CCI) to examine the slum and blight conditions within the city boundaries, assess the need for a Community Redevelopment Area, and complete a FON Report.*
[3] *Section 163.340(10) Florida Statutes*

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	On April 28, 2010, the City approved Resolution No. 10-8054, finding the need for a Community Redevelopment Agency (CRA), directing the initiation and preparation of a Redevelopment Plan; further authorizing the City Manager to negotiate a contract with Carras Community Investment, Inc. for consulting services to develop a Master Plan for the geographic location within the City boundaries where community development will take place subject to City Commission approval. On June 8, 2011, the City approved Resolution No. 11-8238, to create a CRA naming the City Commission as the Board of the CRA. On February 20, 2012, the City submitted a Finding of Necessity (FON) Report to Miami-Dade County, requesting that the Miami-Dade Board of County Commissioners (BCC) consider approving the FON Report. On December 4, 2012, under Resolution No. 996-12, the BCC accepted the FON Study, declared to declare an area in the City of Opa-locka to be a slum or blighted area, pursuant to the Act; delegated certain community redevelopment powers to the City to create the Opa-Locka CRA and prepare a Community Redevelopment Plan, but reserves the right to delegate further powers to the CRA pursuant to an Interlocal Cooperation Agreement. <u>Opa-Locka Community Redevelopment and Revitalization Trust Fund (Fund)</u> Each taxing authority (as defined in the Act) will annually pay into the Fund, an amount not less than that increment in the income, proceeds, revenues and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment in accordance with the Act. The increment will be determined annually and will be that amount equal to 95 percent of the difference between: a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Redevelopment Area; and b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of this ordinance. The proposed ordinance is subject to a sunset review by the BCC, twenty (20) years from its effective date. **Additional Information** <u>Tax Increment Financing (TIF) Contribution Rate</u> Below is a list of the thirteen approved CRAs and their TIF contribution rate:

CRA	TIF Contribution Rate
7th Avenue Corridor	95%
Homestead	95%
City Center	95%
Southeast Overtown/Park West	95%
Omni	95% - County gets refund of 35% of the total TIF collected
Midtown Miami	95%
North Miami	95% - County gets a refund of all County TIF collected west of Biscayne Blvd.
North Miami Beach	95%
NW 79th Street	95%
South Miami	50%
Florida City	95%
Naranja Lakes	95%
West Perrine	95%

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4G **131444**	ORDINANCE CREATING SECTION 12-26 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO COSTS OF SPECIAL ELECTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance creates Section 12-26 of the Code of Miami-Dade County pertaining to costs for certain referendum elections. Sec. 12-26. Pre-payment of costs for certain referendum elections. *When permitted by state law, the costs of any referendum election shall be paid either by the County or by an interested party designated by the Board of County Commissioners upon a written recommendation by the Mayor. The Mayor shall include in such written recommendation the estimated costs for holding such election. Any referendum election costs pre-paid by an interested party shall not be refunded, in whole or in part, regardless of the outcome or the actual costs of the election.*

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	Additional Information On April 5, 2013, the Florida Department of State, Division of Elections issued advisory opinion DE 13-06 regarding the payment of costs of a non-bond referendum election by a private party. The opinion was issued in response to the Miami-Dade County Mayor's request. The Division of elections opined that Florida law did not prohibit Miami-Dade County from requiring a private party to pay the cost of a referendum election in the manner described in the Mayor's request. In a prior Division of Elections opinion, DE 83-11, dated May 24, 1983, the Division opined that all public elections must be financed by public funds. However, in light of subsequent Florida law allowing public elections to be financed by private sources, DE 83-11 was not applicable to the Mayor's request. Under current law, the method proposed in the Mayor's request was permissible. Advisory opinion DE 13-06 further states that to the extent a universal public policy might have existed prohibiting the financing of public elections from private sources, such a policy cannot be inferred from current law.
4H **131452**	ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-DADE COUNTY CODE, AMENDING SECTION 10-13 ESTABLISHING MANDATORY LAWS AND RULES TRAINING FOR CERTIFICATE HOLDERS, AND CREATING REINSTATEMENT PROCEDURES FOR NULL AND VOID LICENSES, AMENDING SECTION 10-20 REGARDING THE CONSTRUCTION TRADES QUALIFYING BOARD ''A'' DIVISION ORGANIZATION AND AMENDING QUORUM REQUIREMENTS FOR BOARD MEETINGS, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance amends Chapter 10 of the Miami-Dade County Code (Code), Contractors, to provide for the following: • Establish mandatory laws and rules training for certificate holders, and creating reinstatement procedures for null and void licenses; • Amends organization of the Construction Trades Qualifying Board – Division A; and • Amends quorum requirements for board meetings for the Construction Trades Qualifying Board (Board).
5B **131179** **5C** **131251**	ORDINANCE AUTHORIZING ISSUANCE OF NOT TO EXCEED $885,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA SEAPORT REVENUE BONDS, IN MULTIPLE SERIES, AS ADDITIONAL BONDS UNDER SECTION 207 OF ORDINANCE NO. 88-66, FOR PURPOSE OF FINANCING CERTAIN ADDITIONAL IMPROVEMENTS AND CAPITAL EXPENDITURES RELATING TO SEAPORT; PROVIDING THAT DETAILS, TERMS AND OTHER MATTERS RELATING TO NEW MONEY BONDS BE DETERMINED IN SERIES RESOLUTIONS; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE (SEE AGENDA ITEM NO. 5C)(Finance Department) RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED $360,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA SEAPORT REVENUE BONDS, IN ONE OR MORE SERIES, PURSUANT TO SECTION 207 OF MASTER ORDINANCE, TO PAY COSTS OF CERTAIN ADDITIONAL IMPROVEMENTS AND CAPITAL EXPENDITURES; AUTHORIZING ISSUANCE OF NOT TO EXCEED $35,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA SEAPORT REVENUE REFUNDING BONDS, IN ONE OR MORE SERIES, PURSUANT TO SECTION 208 OF MASTER ORDINANCE, TO REFUND ALL OR A PORTION OF OUTSTANDING SERIES 1995 BONDS AND SERIES 1996 BONDS, WITH ESTIMATED NET PRESENT VALUE SAVINGS OF 9.87%, ESTIMATED COSTS OF ISSUANCE OF $352,620.00 AND ESTIMATED FINAL MATURITY OF OCTOBER 1, 2026; APPROVING ISSUANCE OF BONDS AFTER PUBLIC HEARING AS REQUIRED BY SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FOR CERTAIN DETAILS OF BONDS AND THEIR SALE BY NEGOTIATION; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE, WITHIN CERTAIN LIMITATIONS AND RESTRICTIONS, TO FINALIZE DETAILS, TERMS AND OTHER PROVISIONS OF BONDS, THEIR NEGOTIATED SALE AND REFUNDING OF REFUNDED BONDS; APPROVING FORMS OF AND AUTHORIZING EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS; PROVIDING CERTAIN COVENANTS; AUTHORIZING COUNTY OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH ISSUANCE, SALE, EXECUTION AND DELIVERY OF BONDS AND REFUNDING OF REFUNDED BONDS; AND PROVIDING SEVERABILITY [SEE AGENDA ITEM NO. 5B](Finance Department)

Notes	<u>Item No. 5B</u>
	The proposed ordinance authorizes the issuance of $885 million of additional Miami-Dade County, Florida Seaport Revenue Bonds (Seaport Bonds) for Projects associated with the Seaport Infrastructure and the Seaport Tunnel. Pursuant to Sections 207 of the Master Ordinance (Ordinance No. 88-66), the Board of County Commissioners (BCC) is authorized from time to time to issue new money bonds.
	
	<u>Item No. 5C</u>
	The proposed resolution authorizes the issuance, in an aggregate principal amount of not to exceed:
	• $360 million in Seaport Revenue Bonds to finance projects that have been previously approved by the Board and are included in the Seaport Department's Capital Improvement Plan (CIP). The projects to be funded are in three major components as follows:
	    1. Seaport Dredge Project ($162.31 million), which will increase the depth of the south channel from 40 feet to 50 feet.
	    2. Seaport Infrastructure ($84.998 million), which include:
	        a. Improvements to terminals D,E, F, G and J;
	        b. Rehabilitation of the rail service to the Port;
	        c. Acquisition of additional super post-Panamax gantry cranes; and
	        d. Improvements and upgrades to Port-wide facilities.
	    3. Seaport Tunnel Project ($29.5 million), which will connect Dodge/Lummus Island with Watson Island via a tunnel.
	• $35 million in Seaport Revenue Refunding Bonds to refund all of the outstanding Seaport Revenue Refunding Bonds, Series 1995 and Seaport Revenue Bonds, Series 1996 for the purpose of generating economic savings on debt service payments through refunding the previously issued Series 1995 and 1996 Bonds. The Seaport Revenue Refunding Bonds maturities will not exceed the maturities of the Series 1995 and 1996 Bonds and savings is estimated to exceed five percent as required pursuant to Resolution R-1313-09.
	
	The proposed resolution also authorizes Closing Costs: (i) funding capitalized interest ($48.6 million), if advisable (ii) if in the best interest of the county, a deposit to the Reserve Account for the 2013 Bonds ($23.2 million), including the deposit of a Reserve Facility or Facilities, if any; and (iii) paying costs of issuance ($2.5 million) relating to the Series 2013 Bonds, including the premium cost of any Reserve Facilities. Included in the Resolution is $8.9 million to cover for upward movement in interest rates at time of pricing, if necessary.

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	Fiscal Impact The principal and interest on the Series 2013 Bonds will be payable from Seaport Net Revenues. Net Revenues are the excess of Revenues over Operating Expenses (Seaport Operations). Based on market conditions of June 5, 2013, the aggregate principal amount of the Seaport Revenue Bonds is estimated to be $354.28 million and the County would pay interest in the amount of $320.86 million over the 30 year life of the Seaport Revenue Bonds. Based on market conditions as of June 5, 2013, the estimated debt service savings over the 14 year life of the Seaport Revenue Refunding Bonds is approximately $3.5 million (net present value savings of $3.0 million). Net present value savings is 9.9 percent of the par amount of the Outstanding Series 1995 and 1996 Bonds. A portion of the savings will be used to pay the cost associated with a settlement with the Internal Revenue Service related to the Seaport Revenue Bonds, Series 1996 as previously approved by the Resolution R-1005-12. The Seaport Series 2013 Bonds are anticipated to be issued in September 2013.
5L **131436**	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 PROFESSIONAL EMPLOYEES UNIT(Internal Services)
Notes	The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100 Professional Employees Unit (GSAF), by approving the County Mayor's recommendation for the continuation of a one (1) pay step reduction to the Night Shift Differential negotiated into the parties' 2011-2014 Collective Bargaining Agreement. The parties are at impasse over the continuation of the one (1) pay step reduction to the Night Shift Differential through the third year of the Collective Bargaining Agreement. The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board of County Commissioners for resolution. As such, the Administration is presenting to the Board its recommendation to continue this employee concession through September 30, 2014. The five percent (5%) contribution to the cost of group health remains a negotiable item, which must be resolved by January 2014. If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one year. **Fiscal Impact** If this concession does not continue, specific to GSAF Local 100 Professional employees, the fiscal impact to the FY 2013-14 Proposed Budget is $144,000. **Additional Information**

Legislative History	
December 19, 2011 R-1106-11	RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 PROFESSIONAL UNIT • *Article 34 of the contract, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.*
January 5, 2012 R-03-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 PROFESSIONAL EMPLOYEES UNIT (SEE ORIGINAL ITEM UNDER FILE NO. 112585) • *Adopted as Amended. The Board of County Commissioners adopted as amended the foregoing resolution to approve zero percent (0%) contribution of employees' base wages towards the County's cost of healthcare for the 2011-14 Collective Bargaining Agreement between Miami-Dade County and the Government Supervisors Association of Florida (GSAF), OPEIU, Local 100, Professional Unit, in lieu of the additional five percent (5%) contribution recommended by the Mayor.*
January 11, 2012	Mayor Gimenez presented a Veto Message to the Clerk of the Board.
January 24, 2012 R-12-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 PROFESSIONAL EMPLOYEES UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112585, 120029] • *Adopted as Amended. The Board adopted the foregoing proposed resolution as amended to require the Government Supervisors Association of Florida, and OPEIU, Local 100 Professional Employees Unit to contribute an additional 4 percent of their salary toward the cost of their health care in order to resolve the impasse.*
October 23, 2012 R-852-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 34 WAGES AND ARTICLE 38 GROUP HEALTH INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100

	PROFESSIONAL EMPLOYEES UNIT • *On December 19, 2012, the Board ratified the successor 2011-14 Agreement between GSAF, Local 100, Professional Unit and the County. Article 34, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of health-care. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.* • *Additionally, the terms of Article 38 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and the GSAF, Local 100, Professional Unit met and negotiated changes to co-pays for provider services and prescription drug benefits. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.*

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5M **131437**	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, SOLID WASTE EMPLOYEES, LOCAL 3292(Internal Services)

Notes

The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the American Federation of State, County and Municipal Employees, Solid Waste Employees (AFSCME), Local 3292 (Union), by approving the County Mayor's recommendation for the continuation of the following concessions in the form of:

- Suspension of Leadworker pay;
- Change in the calculation of overtime from daily to weekly;
- Suspension of Safety Incentive/Bonus Plan;
- Reduction in the annual Uniform Allowance from $250 to $125;
- One (1) pay step reduction to the Night Shift Differential;
- Suspension of Safe Driving Awards;
- Suspension of a one (1) pay step supplement for Trash Truck Driver 1 – Roll Off Vehicle and the $20 flat rate for Waste Equipment Operators negotiated into the parties' 2011-2014 Collective Bargaining Agreement.

The parties are at impasse over the continuation of the employees' five percent (5%) healthcare contribution effective January 1, 2014 and the other above-described concessions through the third year of the 2011-14 Collective Bargaining Agreement. The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board for resolution. As such, the Administration is presenting to the Board its recommendation to continue these employee concessions through September 30, 2014.

The five percent (5%) contribution to the cost of group health remains a negotiable item, which must be resolved by January 2014.

If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one year.

Fiscal Impact

If these concessions do not continue, specific to AFSCME Local 3292, the fiscal impact to the FY 2013-14 Proposed Budget is $1.3 million; $1.1 million for the five percent (5%) employee base wage contribution and $303,000.

Additional Information

Legislative History	
January 12, 2012 R-08-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, SOLID WASTE EMPLOYEES, LOCAL 3292 • *Article 41 of the contract, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.*
January 24, 2012 R-18-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, SOLID WASTE EMPLOYEES, LOCAL 3292 [SEE ORIGINAL ITEM UNDER FILE NO. 120010] • *Adopted as Amended. The Board adopted the foregoing proposed resolution as amended to require the American Federation of State, County and Municipal employees Solid Waste Employees, Local 3292, to contribute an additional 4 percent of their salary toward the cost of their health care until September 30, 2012, and 2.67 percent thereafter.*
October 2, 2012 R-759-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 41 WAGES AND ARTICLE 51 GROUP HEALTH INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td><table><tr><td></td><td>AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), MIAMI-DADE COUNTY SOLID WASTE EMPLOYEES LOCAL 3292
• On January 12, 2012, the Board ratified the successor 2011-14 Agreement between AFSCME, 3292 and the County. Article 41, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of health-care. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.

Additionally, the terms of Article 51 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and AFSCME, Local 3292 met and negotiated changes to co-pays for provider services and prescription drug benefits, as detailed in Attachment 1. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.</td></tr></table></td></tr>
<tr><td>5N
131438</td><td>RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 SUPERVISORY EMPLOYEES UNIT(Internal Services)</td></tr>
<tr><td>Notes</td><td>The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100 Supervisory Employees Unit (GSAF), by approving the County Mayor's recommendation for the continuation of a one (1) pay step reduction to the Night Shift Differential negotiated into the parties' 2011-2014 Collective Bargaining Agreement.

The parties are at impasse over the continuation of the one (1) pay step reduction to the Night Shift Differential through the third year of the 2011-14 Collective Bargaining Agreement. The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board of County Commissioners for resolution. As such, the Administration is presenting to the Board its recommendation to continue this employee concession through September 30, 2014.

If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one year.

The five percent (5%) contribution to the cost of group health remains a negotiable item, which must be resolved by January 2014.

Fiscal Impact
If this concession does not continue, specific to GSAF Local 100 Supervisory employees, the fiscal impact to the FY 2013-14 Proposed Budget is $753,239.

Additional Information
<table>
<tr><th colspan="2">Legislative History</th></tr>
<tr><td>December 19, 2011
R-1106-11</td><td>RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 PROFESSIONAL UNIT
• Article 34 of the contract, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.</td></tr>
<tr><td>January 5, 2012
R-04-12</td><td>RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 SUPERVISORY EMPLOYEES UNIT (SEE ORIGINAL ITEM UNDER FILE NO. 112588)
• Adopted as Amended. The Board of County Commissioners adopted as amended the foregoing resolution to approve zero percent (0%) contribution of employees' base wages towards the County's cost of healthcare for the 2011-14 Collective Bargaining Agreement between Miami-Dade County and the Government Supervisors Association of Florida (GSAF), OPEIU, Local 100, Supervisory Unit, in lieu of the additional five percent (5%) contribution recommended by the Mayor.</td></tr>
<tr><td>January 11, 2012</td><td>Mayor Gimenez presented a Veto Message to the Clerk of the Board.</td></tr>
<tr><td>January 24, 2012
R-13-12</td><td>RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 SUPERVISORY EMPLOYEES UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112588, 120030]
• Adopted as Amended. The Board adopted the foregoing proposed resolution as amended to require the Government Supervisors Association of Florida, and OPEIU, Local 100 Supervisory Employees Unit to</td></tr>
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Board of County Commissioners
July 16, 2013 Meeting
Research Notes

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<tr><th>Item No.</th><th>Research Notes</th></tr>
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<tr><td></td><td>contribute an additional 4 percent of their salary toward the cost of their health care in order to resolve the impasse.</td></tr>
<tr><td>October 23, 2012
R-853-12</td><td>RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 34 WAGES AND ARTICLE 38 GROUP HEALTH INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 SUPERVISORY UNIT
• On December 19, 2012, the Board ratified the successor 2011-14 Agreement between GSAF, Local 100, Supervisory Unit and the County. Article 34, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of health-care. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.
• Additionally, the terms of Article 38 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and GSAF, Local 100, Supervisory Unit met and negotiated changes to co-pays for provider services and prescription drug benefits, as detailed in Attachment 2. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.</td></tr>
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<tr><td>5O
131439</td><td>RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, GENERAL EMPLOYEES, LOCAL 199(Internal Services)</td></tr>
<tr><td>Notes</td><td>The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the American Federation of State, County and Municipal Employees, General Employees (AFSCME), Local 199 (Union) by approving the County Mayor's recommendation for the continuation of the following concessions in the form of:
• A one percent reduction in all 199 bargaining unit employee's base pay;
• Reduction in Call-Back guaranteed hours from four hours pay to three hours pay; and
• Reduction in On-Call pay steps from two steps to one step.

The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board of County Commissioners for resolution.

The five percent (5%) contribution to the cost of group health remains a negotiable item, which must be resolved by January 2014.

If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one year.

Fiscal Impact
If these concessions do not continue specific to AFSCME Local 199, the fiscal impact to the FY 2013-14 Proposed Budget is $5.438 million.

Additional Information
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<tr><th colspan="2">Legislative History</th></tr>
<tr><td>January 24, 2012
R-26-12</td><td>RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, GENERAL EMPLOYEES, LOCAL 199 (SEE AGENDA ITEM NOS. 5D, 5E, 5F)
• Following an unsuccessful Union contract ratification vote on December 16, 2011, the County and the Union continued to negotiate to develop a revised agreement. This contract represents a fair and equitable agreement with the bargaining unit and is the product of good faith negotiations between the parties. It recognizes the services provided by these public servants while ensuring the continued delivery of quality services to the public in a fiscally responsible manner.
• Article 42 of the agreement, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.</td></tr>
<tr><td>January 24, 2012
R-16-12</td><td>RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, GENERAL EMPLOYEES, LOCAL 199 [SEE ORIGINAL ITEM UNDER FILE NO. 120006]
• Adopted as Amended. The Board adopted as amended to require the American Federation of State, County and Municipal employees, General Employees, Local 199, to contribute an additional 4 percent of their salary toward the cost of their health care until September 30, 2012, and 2.67 percent thereafter.</td></tr>
<tr><td>October 2, 2012
R-762-12</td><td>RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 42 WAGES AND ARTICLE 56 GROUP HEALTH INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), MIAMI-DADE COUNTY</td></tr>
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	GENERAL EMPLOYEES LOCAL 199 • *On January 24, 2012, the Board ratified the successor 2011-14 Agreement between AFSCME, Local 199 and the County. Article 42, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of healthcare. The Board resolved the impasse by voting to impose an additional four percent (4%) of contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.* • *Additionally, the terms of Article 56 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and AFSCME, Local 199 met and negotiated changes to co-pays for provider services and prescription drug benefits, as detailed in Attachment 1. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.*
5P **131440**	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION - (PBA) SUPERVISORY UNIT(Internal Services)
Notes	The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the Dade County Police Benevolent Association - Supervisory Unit (Union), by approving the County Mayor's recommendation for the continuation of the following concessions, in the form of: • Reducing Call Back to a minimum guarantee of one hour instead of four hours; • Reducing Court Time to a minimum guarantee of two hours instead of four hours; and • A one pay step reduction in Night Shift Differential negotiated into the parties' 2011-2014 Collective Bargaining Agreement. The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board of County Commissioners for resolution. If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one (1) year. The five percent (5%) contribution to group health remains a negotiable item, which must be resolved by January 2014. **Fiscal Impact** If these concessions do not continue, specific to the Dade County Police Benevolent Association - Supervisory Unit employees, the fiscal impact to the FY 2013-14 Proposed Budget is $2.270 million. **Additional Information**

Legislative History	
December 6, 2012 R-1030-11	RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – LAW ENFORCEMENT SUPERVISORY UNIT (PBA) • *Article 35 of the contract, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.*
December 19, 2012 Carried Over to January 5, 2012 R-01-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – LAW ENFORCEMENT SUPERVISORY UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112484] • *Adopted as Amended. The Board proceeded to vote, and upon being put to a vote, the motion to set the percentage of employee contribution towards healthcare at zero percent (0%) passed.*
January 11, 2012	Mayor Gimenez presented a Veto Message to the Clerk of the Board.
January 24, 2012 R-10-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – LAW ENFORCEMENT SUPERVISORY UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112484, 120033] • *Adopted as Amended. The Board proceeded to vote on this proposed resolution as amended to require the Dade County PBA- Law Enforcement Supervisory Unit to contribute an additional 4 percent of their salary toward the cost of their health care.*
October 2, 2012 R-758-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 35 WAGES OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA), SUPERVISORY UNIT • *On January 5, 2012, the Board ratified the 2011-14 successor Agreement between the PBA, Supervisory Unit and the County. Article 35, Wages, of this Agreement contained an impasse issue of whether employees*

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	would be required to contribute an additional amount towards the County's cost of healthcare. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.
November 8, 2012 R-974-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 50 GROUP HEALTH/LIFE INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA), SUPERVISORY UNIT • *On January 5, 2012, the Board ratified the successor 2011-14 Agreement between the PBA Supervisory Unit and the County. The terms of Article 50 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and the PBA met and negotiated changes to co-pays for provider services and prescription drug benefits. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.* • *Effective January 1, 2013, the group health insurance plan benefits will remain the same as stipulated in calendar year 2012, with the exception of legislatively mandated changes and co-pays for provider services and prescription drug benefits. The 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.* • *The County has committed to implement a competitive selection process to obtain proposals from qualified insurance carriers to provide other health insurance options to bargaining unit members. If this process produces one or more carriers qualified to offer an equivalent plan to employees, at a cost advantage to employees, the County will offer at least one such plan as an alternative to the County's self-insured plan. This plan option would be available countywide.*

5Q **131441**	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION - (PBA) RANK AND FILE UNIT(Internal Services)
Notes	The proposed resolution resolves the Collective Bargaining Impasse between Miami-Dade County and the Dade County Police Benevolent Association - Rank and File Unit (Union), by approving the County Mayor's recommendation for the continuation of the following concessions, in the form of:

- Reducing Call Back to a minimum guarantee of one hour instead of four hours;
- Reducing Court Time to a minimum guarantee of two hours instead of four hours; and
- A one pay step reduction in Night Shift Differential negotiated into the parties' 2011-2014 Collective Bargaining Agreement.

The parties have agreed to waive the Special Magistrate process and submit their dispute directly to the Board of County Commissioners for resolution.

If the bargaining unit fails to ratify the action taken by the Board at impasse, the decision of the Board will be imposed for one year.

The five percent (5%) contribution to the cost of group health remains a negotiable item, which must be resolved by January 2014.

Fiscal Impact
If these concessions do not continue, specific to the Dade County Police Benevolent Association - Rank and File Unit employees, the fiscal impact to the FY 2013-14 Proposed Budget is $12 million.

Additional Information

Legislative History	
December 6, 2011 R-1031-11	RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – RANK AND FILE UNIT (PBA) • *Article 35 of the contract, Wages, contains an impasse issue which is being submitted directly to the Board for final resolution. The matter in question is whether employees will be required to contribute an additional amount, not to exceed five percent (5%) of base wages, towards the County's cost of health care. If approved, the employees' contribution will be increased to ten percent (10%) of base wages. This matter will be presented as a separate item, following the Board's consideration of the balance of this agreement.*
January 5, 2012 R-02-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – RANK AND FILE UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112482] • *Adopted as Amended. The Board adopted as amended the foregoing resolution to approve zero percent (0%) contribution of employees' base wages towards the County's cost of healthcare for the 2011-14 Collective Bargaining Agreement between Miami-Dade County and the Dade County Police Benevolent Association (PBA) – Rank and File Unit, in lieu of the additional five percent (5%) contribution recommended by the Mayor.*

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	January 11, 2012	Mayor Gimenez presented a Veto Message to the Clerk of the Board.
	January 24, 2012 R-11-12	RESOLUTION RESOLVING COLLECTIVE BARGAINING IMPASSE BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION – RANK AND FILE UNIT [SEE ORIGINAL ITEM UNDER FILE NO. 112482, 120031] • *Adopted as amended. The Board adopted the foregoing proposed resolution as amended to require the Dade County Police Benevolent Association-Rank and File Unit to contribute an additional 4 percent of their salary toward the cost of their health care.*
	October 2, 2012 R-760-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 35 WAGES OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA), RANK AND FILE UNIT • *On January 5, 2012, the Board ratified the 2011-14 successor Agreement between the PBA, Rank and File Unit and the County. Article 35, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of health care. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution.*
	November 8, 2012 R-975-12	RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 50 GROUP HEALTH/LIFE INSURANCE OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA), RANK AND FILE UNIT • *On January 5, 2012, the Board ratified the successor 2011-14 Agreement between the PBA Rank and File Unit and the County. The terms of Article 50 of this ratified Agreement, gave the County the right to re-open the Agreement to discuss the redesign of the County's health plan for plan year 2013, prior to establishing premium contributions. The County and the PBA met and negotiated changes to co-pays for provider services and prescription drug benefits. As a result of the negotiated and agreed upon changes, the 2012 calendar year group health insurance premium rates will remain in effect for the 2013 calendar year.* • *Effective January 1, 2013, the group health insurance plan benefits will remain the same as stipulated in calendar year 2012, with the exception of legislatively mandated changes and co-pays for provider services and prescription drug benefits.* • *The County has committed to implement a competitive selection process to obtain proposals from qualified insurance carriers to provide other health insurance options to bargaining unit members. If this process produces one or more carriers qualified to offer an equivalent plan to employees, at a cost advantage to employees, the County will offer at least one such plan as an alternative to the County's self-insured plan. This plan option would be available countywide.*
7A **130911**	ORDINANCE AMENDING SECTION 10-38 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO DEBARMENT OF CONTRACTORS FROM COUNTY WORK INCREASING THE PERMITTED PERIOD OF DEBARMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE	

Notes

The proposed ordinance amends Section 10-38 of the Code of Miami-Dade County (Code), Debarment of Contractors from County Work, increasing the permitted period of debarment.

The proposed amendments to the Code:

Sec. 10-38. Debarment of contractors from County work.

- Under subsection (j)(1), the timeframe for which a debarment period cannot exceed is increased from **5 to 10 years, adding the following language:**
  - No event shall exceed *ten (10) years for a Contractor which is not an individual. Officers, directors, shareholders, partners, agents, employees, or other individual associated with a Contractor or Contractor who is an individual may be permanently debarred as set forth below*.
- Under subsection (j)(2), the guidelines for specific offenses are all increased to 10 years. For the following offenses which are described specifically ***in subsection (h)(1) – Causes for Debarment: The Debarment Committee may debar a contractor for a conviction or civil judgment:***
  - o For commission of a fraud or a criminal offense in connection with obtaining, attempting to obtain, performing, or making a claim upon a public contract or subcontract, or a contract or subcontract funded in whole or in part with public funds, the debarment timeframe is increased **from five (5) years to ten (10) years.**
  - o For violation of federal or State antitrust statutes relating to the submission of offers, the debarment timeframe is increased from **five (5) years to ten (10) years.**
  - o For commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, the debarment timeframe is increased **from five (5) years to ten (10) years.**
  - o Which makes the County the prevailing party in a legal proceeding, and a court determines that the lawsuit between the contractor and the County was frivolous or filed in bad faith, the timeframe for which a debarment period cannot exceed is increased from **five (5) years to ten (10) years.**
- Under subsection (j)(2), the guidelines for specific offenses are all increased to 10 years. For the following offenses which are described

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	specifically in ***subsection (h)(2) – Causes for Debarment: The committee may debar a contractor, based upon a preponderance of the evidence:*** o Violation of the terms of a County contract or subcontract, or a contract or subcontract funded in whole or in part by County funds, such as willful failure to perform in accordance with the terms of one (1) or more contracts; or the failure to perform, or unsatisfactory performance of one (1) or more contracts; or violation of a County ordinance or administrative order which lists debarment as a potential penalty, the timeframe for which a debarment period cannot exceed is increased from **five (5) years to ten (10) years.** • Subsection (j)(2)(viii) **is added:** *Notwithstanding the foregoing, in the event that the Debarment Committee finds that an individual (i.e., officers, directors, shareholders, partners, agents, employees, or other persons associated with a Contractor or a Contractor who is a person) has knowingly and willfully committed an offence described in subsection (h) such individual may be permanently debarred upon a unanimous vote of the Debarment Committee.*
8C1 **131285**	RESOLUTION AUTHORIZING FUNDING OF FOURTEEN (14) FELLOWSHIP AWARDS IN THE AMOUNT OF $165,000.00 TO SOUTH FLORIDA ARTISTS FROM THE DEPARTMENT OF CULTURAL AFFAIRS AS FISCAL AGENT FOR THE FY 2012-2013 SOUTH FLORIDA CULTURAL CONSORTIUM VISUAL & MEDIA ARTISTS FELLOWSHIP PROGRAM, WAIVING RESOLUTION R-130-06, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN(Department of Cultural Affairs)
Notes	The proposed resolution waives the requirements of Resolution No. 130-06 in order to expedite the allocation of funding support, and approves funding of fourteen (14) fellowship awards in the total amount of $165,000 to South Florida Artists from the Department of Cultural Affairs as fiscal agent for the FY 2012-13 South Florida Cultural Consortium Visual and Media Artists Fellowship Program. *Resolution No. 130-06 requires that contracts with non-governmental entities be signed by the other parties before being submitted to the Board of County Commissioners (BCC).* The South Florida Cultural Consortium (an alliance of the local arts agencies of Martin, Palm Beach, Broward, Monroe and Miami-Dade counties) conducted the 2013 Visual & Media Artists Fellowship Program, recommending the award of fourteen fellowships to outstanding South Florida artists. The South Florida Cultural Consortium Visual and Media Artists Fellowship Program is regional; and the awards reflect the five-county membership of the South Florida Cultural Consortium - Martin, Palm Beach, Broward, Monroe and Miami-Dade counties. During the program's twenty six-year history, all fellowship recipients have complied with their contractual requirements. Each member county of the South Florida Cultural Consortium receives benefits at least equivalent to its respective cash contribution. Grant funds secured by the South Florida Cultural Consortium provide additional financial and programmatic benefits to each of the participating counties. <u>Fiscal Impact</u> The funding for each of the fourteen Visual & Media Artists Fellowship Awards is from the adopted FY 2012-2013 budget for the Department of Cultural Affairs. The Miami-Dade County Department of Cultural Affairs administers the Fellowship Program and serves as fiscal agent for the South Florida Cultural Consortium's contributed funds from member counties and from state grants secured for Consortium programs benefiting the South Florida region. Funds contributed from each county are allocated to cover its respective fellowship awards. The following provides an account of the total amount in fellowships recommended in FY 2012-2013 to artists in each county: • Miami-Dade County - $90,000.00 • Broward County - $45,000.00 • Palm Beach County - $15,000.00 • Martin County - $0 • Monroe County - $15,000 .00 The fourteen artists were chosen through a competitive process involving over 300 applicants received from all five member counties and reviewed by two panels. One panel, consisting of regional arts experts, met on January 18, 2013 to review all of the submissions and to select a pool of finalists. This regional panel's recommendations were forwarded to a national panel of three out-of-state arts experts that met on April 18, 2013. The national panel's recommendations were approved by the Consortium's Board of Directors on May 22, 2013.
8C2 **131308**	RESOLUTION APPROVING FUNDING OF A $20,000 GRANT FROM THE DEPARTMENT OF CULTURAL AFFAIRS AS FISCAL AGENT FOR THE SOUTH FLORIDA CULTURAL CONSORTIUM TO NOVA SOUTHEASTERN UNIVERSITY ON BEHALF OF IT'S MUSEUM OF ART FORT LAUDERDALE FOR THE REGIONAL EXHIBITION OF THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2012-2013 VISUAL & MEDIA ARTISTS FELLOWSHIP PROGRAM, WAIVING RESOLUTION R-130-06, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE GRANT AGREEMENT AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN(Department of Cultural Affairs)
Notes	The proposed resolution waives the requirements of Resolution No. 130-06 in order to expedite the allocation of funding support, and approves funding of a $20,000 grant to Nova Southeastern University on behalf of it's Museum of Art Fort Lauderdale from the Department of Cultural Affairs (DCA) as fiscal agent for the FY 2012-13 South Florida Cultural Consortium Visual and Media Artists Fellowship Program. *Resolution No. 130-06 requires that contracts with non-governmental entities be signed by the other parties before being submitted to the Board of County Commissioners (BCC).*

Board of County Commissioners
July 16, 2013 Meeting
Research Notes

Item No.	Research Notes
	The impact of this agenda item is regional, reflecting the five-county membership of the South Florida Cultural Consortium (Martin, Palm Beach, Broward, Monroe and Miami-Dade counties). <u>Background</u> The Consortium conducted the 2013 Visual & Media Artists Fellowship Program, recommending the award of 14 fellowships to South Florida artists (Agenda Item No. 8C1). The Consortium's Board of Directors selects a major museum located in one of the participating counties, on a rotating basis, to present an annual exhibition of the recipients' works. The 2013 exhibition will be held at the Museum of Art Fort Lauderdale. This grant will be used by the Museum of Art Fort Lauderdale for all aspects of presenting the exhibition. Funding for this grant was approved by the Consortium's Board of Directors at its May 22, 2013 meeting. <u>Fiscal Impact</u> The source of funding for this grant is from the adopted FY 2012-2013 budget for the South Florida Cultural Consortium, an alliance of the local arts agencies of Martin, Palm Beach, Broward, Monroe and Miami-Dade counties. The Miami-Dade County Department of Cultural Affairs administers the fellowship program and serves as fiscal agent for the program's contributed funds from member counties, and from state grants secured for Consortium programs benefiting the South Florida region. Funding for the 2013 exhibition is supported in full by funds contributed by Broward and Palm Beach counties.
8C3 **131332**	RESOLUTION APPROVING A LEASE BETWEEN THE STATE OF FLORIDA (STATE) AND CO-LESSEES, MIAMI-DADE COUNTY (COUNTY) AND FLORIDA INTERNATIONAL UNIVERSITY (FIU) AT THE COCONUT GROVE PLAYHOUSE, 3500 MAIN HIGHWAY, COCONUT GROVE, FL 33133 AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE LEASE, SUBJECT TO CERTAIN CONDITIONS AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN(Department of Cultural Affairs)
Notes	The proposed resolution approves a Lease of the Coconut Grove Playhouse property between the State of Florida (State) and co-lessees, Miami-Dade County (County) and Florida International University (FIU). Pursuant to the State's requirement, the Lease will not become effective until there has been satisfactory resolution of the encumbrances affecting the title of the Coconut Grove Playhouse property. The Lease is contingent upon the approval of the Board of Trustees of Internal Improvement Trust Fund of the State of Florida; FIU's Board of Trustees already has approved delegation of authority to execute a Lease. **Fiscal Impact/Funding Source** Any funding that may be required to satisfy State or other prerequisites for the execution of the Lease must first be reviewed and approved by the Board. Funding for the eventual capital project to re-establish regional theater on the Coconut Grove Playhouse site comes from two sources: • $15 million from project number 299 of the Building Better Communities-General Obligation Bond (BBC-GOB) program; and • $5 million from Series 2005 of Convention Development Tax (CDT) bond proceeds. In addition, the Coconut Grove Playhouse Business Plan commits the net revenue that will be generated by the operation of the Playhouse's surface parking lot toward defraying the cost of theater operations and programming. **Background** In October 2012, the State exercised the reverter provision contained in the deed to the Coconut Grove Playhouse, LLC, and took back ownership and possession of the Playhouse. The State instituted its surplus property process on March 1, 2013, and pursuant to same, offered the property for lease to State colleges, universities or agencies, subject to ultimate approval by the State's Board of Trustees – i.e., the Governor and Cabinet. In response to the State's solicitation, and after discussions with the County regarding potential partnership opportunities for the re-establishment of a professional regional theater on the site, FIU submitted a proposal to the State for development of the Playhouse property on April 15, 2013. This proposal was in the form of a Business Plan that was developed in consultation with the County. The State's surplus property process requires that a lease be executed within six months of the beginning date of the surplus property process, in this case a deadline of October 15, 2013. The following are highlighted business terms of the Lease agreement and the Business Plan: • FIU and the County are co-lessees in the Lease agreement with their respective rights and responsibilities defined in the Business Plan. • A separate agreement between FIU and the County will codify the rights and responsibilities of FIU and the County in regard to the property, its operation and programming, and this separate agreement will be submitted to the Board for review and approval before the Lease becomes effective. This agreement will include the provisions essential to the FIU-County partnership that are included in the Business Plan which is attached as Exhibit B to the Lease. • The State requires that any encumbrances affecting the property's title must be resolved within three months of the full execution of the Lease, which is by January 15, 2014, assuming the Lease is executed on the deadline of October 15, 2013. It should be noted that we are working with the State to explore the possibility of having additional time to resolve the encumbrances and the attached draft Lease reflects this approach, by including a date of May 15, 2014 for the County to resolve all encumbrances or terminate the Lease.

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	• Consequently, approval of the Lease by the County and FIU is subject to successful resolution of the encumbrances affecting the title of the Coconut Grove Playhouse through collaborative efforts by the State, FIU and the County (see section below, Encumbrances Affecting the Property Title). • The County assumes responsibility for any costs associated with resolving these encumbrances. Prior to the deadline for resolving the encumbrances, the Board would be provided with an update and recommendation regarding any expenses that may be necessary in order for the County to satisfy State or other prerequisites for the execution of the Lease. • The proposed term of the Lease is a minimum of 50 years with the State considering a request for up to two renewals of 25-years each; the Board's authority is requested to execute the Lease whether or not the State agrees to any renewal terms. • The County has the sole rights and responsibilities in regard to the implementation, decision-making and funding necessary to develop a regional theater on the site. • The County has the right to manage the surface parking lot and the net revenue from its operation will be dedicated to the operations and programming of the theater, subject to confirmation regarding application of funding. • The County will have the financial responsibility for the implementation of the Playhouse capital plan, for the theater's operations and programming, or for any other costs associated with the property after the Lease is executed. • Subject to review and approval of a bid waiver by the Board, the County will enter into an Operating Agreement with GableStage to operate, program and maintain the theater. GableStage will be responsible for all costs associated with the operations and programming of the theater. **Encumbrances Affecting the Property Title** Given the State's current requirements, the County will be required to satisfy and/or obtain releases of the property title encumbrances identified by the State. The County also will be responsible for resolving any subsequent issues that may arise affecting the property's title. The following is a summarized update regarding the currently known encumbrances and related issues: **City of Miami** The City of Miami has issued numerous Final Administrative Enforcement Orders which are referenced in the title work provided, as follows: 1. Case No. CE2008013495 – Citing failure to maintain exterior of property. Requiring correction by March 3, 2009 or providing for fines of $250 per day until compliance. 2. Case No. 0525914 – Citing nonconforming parking lot. Requiring correction by December 28, 2005 or providing for fines of $250 per day until compliance. 3. Case No. CE2010010661 – Citing parking lot nonconformance regarding off-street parking standards. Requiring correction by July 15, 2010 or providing for fines of $250 per day until compliance. 4. Case No. FF2010012659 – Citing vacant and unsecured structure. Requiring correction by September 23, 2010 or providing for fines of $250 per day until compliance. 5. Order of the Office of Hearing Boards dated February 18, 2011. Requiring payment of $4,500 for vacant structure. 6. Municipal Special Assessment in the amount of $6,881.25. The total amount claimed by the City arising from the enforcement orders is not currently quantified. To date, the City has not responded to the State's requests for the total amount claimed by the City under these cases. In addition, the City of Miami filed a lawsuit to foreclose upon another Final Administrative Enforcement Notice dated July 23, 2010 issued for graffiti on the property. Additionally, in the lawsuit, the City requested an assumption of the leasehold interest previously held by Coconut Grove Playhouse in order to recover for its code enforcement liens. The State was not a party to this lawsuit. On February 21, 2013, a Circuit Court judge entered a Final Judgment against Coconut Grove Playhouse in the amount of $216,250 (the amount of the liens as of the date of the judgment) plus interest at a rate of 4.75% per year after Coconut Grove Playhouse, LLC failed to appear at the hearing for entry of final judgment. The Court also has granted the City's motion to appoint a receiver. The State has now filed a motion to intervene in this case, contending that the leasehold being sought by the City no longer exists after the State's exercise of the reverter and its assumption of ownership and possession. To date, the City has not agreed to withdraw its lawsuit, or to relinquish its judgment or efforts to enforce its liens, or to take control of the leasehold interest, if any. **Aries (GH Mortgage, LLC)** The State has contacted Aries and requested that Aries remove references in its $1.5 million mortgage for the separate Bicycle Shop property that come up as exceptions in the title work on the Playhouse property. ***It should be noted that the Bicycle Shop property did not revert to the State and that certain assignments of leases, rents and profits from the Playhouse property were used to secure the mortgage on the Bicycle Shop property between GH Mortgage, LLC and the Coconut Grove Playhouse, LLC.*** On May 14, 2013, Aries responded to the State that they had referred this matter to Aries' attorney. The State's position continues to be that the Aries mortgage on the Bicycle Shop property does not constitute an encumbrance on the title of the Coconut Grove Playhouse property, although prior to the reverter, Aries asserted that its mortgage was secured by the Playhouse property. *In a separate but related matter, in January 2013, Aries filed a five count lawsuit against the County. This suit does not appear to affect title of the Playhouse property, but instead, seeks monetary damages. The County filed a motion to dismiss the complaint. In response, Aries dismissed three of the five counts. The remaining counts against the County allege that the County tortuously interfered with Aries' contract*

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<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td>and business relationship with the Coconut Grove Playhouse. The County will continue to defend against this action. In this same suit, Aries also asserted claims against Coconut Grove Playhouse, LLC for breach of contract.

Other Judgments and Encumbrances
A number of other judgments are recorded as encumbrances in the title work of the Playhouse Property. These include:
• Judgment held by Best Wholesale Office Products, Corp. in the amount of $1,957.74, plus 11% annual interest running from February 2007 as recorded at O.R. Book 25478, Page 4836;
• Judgment held by Andri Chemical of America, Inc. in the amount of $2,052.63 plus 9% annual interest running from July 2006 as recorded in O.R. Book 24787, Page 3085;
• Judgment held by Premier Printing Solution, Inc. in the amount of $49,942.34 plus statutory interest running from September 2010 as recorded in O.R. Book 27429, Page 674;
• State of Florida Department of Revenue Tax Lien in the amount of $6,654.64 plus 12% annual interest yearly running from July 2007 as recorded at O.R. Book 25875, Page 1165; and
• State of Florida Department of Revenue Tax Lien in the amount of $466.29 plus 12% annual interest running from June 2008 as recorded at O.R. Book 26427, Page 1848.

Additionally, the County holds tax certificates for special assessments which are currently unpaid as follows:
• Folio No. 01-4121-045-0140 – Amount currently due - $25,308.60; and
• Folio No. 01-4121-056-0031 – Amount currently due - $1,039.42.

On May 24, 2013, the State sent a letter to FIU expressing its appreciation and support for FIU’s and the County‘s work regarding the Playhouse property. As a contingency, in the event that FIU and the County did not execute a lease with the State by October 15, 2013, the State is planning to proceed with advertising the property for sale through a competitive bid process.</td></tr>
<tr><td>8F1
131344</td><td>RESOLUTION AUTHORIZING MODIFICATION OF COMPETITIVE CONTRACTS FOR PURCHASE OF GOODS AND SERVICES IN A TOTAL AMOUNT UP TO $497,000.00 IN ADDITIONAL SPENDING AUTHORITY(Internal Services)</td></tr>
<tr><td>Notes</td><td>The proposed Procurement Package includes a total of three (3) procurement actions providing for the following:
• Authorizes the modification of competitive contracts for an additional $497,000.00 of spending authority for the purchase of goods and services; and
• Authorizes the County Mayor or his designee to execute contracts for the items approved and to exercise contract modifications, options-to-renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of such contracts.

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<tr><th>Item No.</th><th>Contract Title and Modification Reason</th></tr>
<tr><td>1</td><td>Transportation Services – Motor Coach Rentals

<u>Reason for Modification</u>
Additional spending authority in the amount of $175,000 and six (6) months of additional time to allow the Seaport department to continue to purchase motor coach rental services. Currently, the using departments include Fire Rescue, Miami-Dade Public Housing Agency, Human Services, Medical Examiner, Metro Miami Action Plan and Seaport.

This contract became effective on March 1, 2010 for a term of 12 months, with two, 12-month Option-to-Renew (OTR) periods. Both OTR periods were exercised; therefore, the expiration date was February 28, 2013. However, the expiration date has been modified (see Previous Modifications below), and is currently August 31, 2013. The requested additional time will extend the expiration date to February 28, 2014.

<u>Previous Modifications</u>
• Dec. 7, 2012 – Additional six (6) months extension to ensure continuity of service while a successor contract is established, amending expiration date to Aug. 31, 2013.
• Feb. 14, 2013 – Additional spending authority in the amount of $125,000 due to an increase in demand for shuttle bus services as parking and staging areas for cruise line passengers have been reassigned as a result of various construction and renovation projects underway at the Seaport. Because of these reassignments, the department has to use remote parking areas which are not close to passenger terminals. To alleviate this situation and to provide convenience to cruise line passengers and other Port users, the department has employed extra shuttle bus services to meet the increased demand.
• June 7, 2013 – additional spending authority in the amount of $125,000.

Under the Local Preference Ordinance, both vendors, International Limo of South Florida LLC and Safeguard America Inc., are local. Safeguard America, Inc., is also certified as a Disadvantaged Business Enterprise (DBE).</td></tr>
<tr><td>2</td><td>Transportation Services – School Bus Rentals

<u>Reason for Modification</u>
Additional spending authority in the amount of $67,000, and an additional six (6) months to allow the Park, Recreation and Open Spaces (PROS) department to continue to purchase school bus rental services. Currently, the using departments</td></tr>
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<tr><th>Item No.</th><th colspan="2">Research Notes</th></tr>
<tr><td></td><td></td><td>include Fire Rescue, Miami-Dade Public Housing Agency, Human Services, Medical Examiner, Metro Miami Action Plan, PROS, and Viscaya Museum and Gardens.

This contract became effective on March 1, 2010 for a term of 12 months, with two, 12-month OTR periods. Both OTR periods were exercised; therefore, the expiration date was February 28, 2013. However, the expiration date has been modified (see Previous Modifications below), and is currently August 31, 2013. The requested additional time will extend the expiration date to February 28, 2014.

<u>Previous Modifications</u>
• Dec. 7, 2012 – Additional six (6) months extension to ensure continuity of service while a successor contract is established, amending expiration date to Aug. 31, 2013.

Under the Local Preference Ordinance, the vendor, Franmar Corporation, is local. However, Franmar Corporation is not a Small Business Enterprise (SBE) certified firm.

Additional Information
<u>Successor Contract</u>
Currently, there is a contract under the Cone of Silence, Bid No. 9749-0/18, establishing the successor contract as a five-year contract with a pool of qualified bidders for the purchase of transportation services. The successor contract would consolidate four (4) existing contracts for transportation services; including sub-item Nos. 1 and 2, under this Procurement Package. The consolidated contract is expected to be in place early 2014. The four (4) contracts consolidated under the successor contract includes:
• 6468-2/13-2, Transportation Services for Parks & Recreation – expired 4/30/13, as the transportation services are only utilized during the annual March – April Sony Ericson Tennis Tournament;
• 8810-2/13-2, Transportation Services Motor Coach Rentals (sub-item No. 1 in this procurement package) – expires August 31, 2013;
• 9235-2/13-2, Transportation Services – School Bus Rentals (this sub-item) – expires August 31, 2013; and
• RFQ83, Route Work and Group Travel Services - expires November 30, 2013.</td></tr>
<tr><td></td><td>3</td><td>Landscaping and Lawn Maintenance

<u>Reason for Modification</u>
Additional spending authority in the amount of $255,000 and an additional four (4) months to allow the Aviation department to continue to purchase landscaping services for the west side of Miami International Airport (MIA).

This contract became effective on June 1, 2007 for a term of 12 months, with four, 12-month OTR periods. Under Resolution No. 432-08, and/or the County Mayor’s authority, the OTR periods were exercised; therefore, the expiration date was July 31, 2012. However, the expiration date has been modified (see Previous Modifications below), and is currently August 31, 2013. The requested additional time will extend the expiration date to December 31, 2013.

<u>Previous Modifications</u>
• Nov. 19, 2010 – Additional spending authority in the amount of $41,884 to cover the extended area transferred from the State to the County.
• Jan. 2011 – Additional spending authority in the amount of $23,275.
• Mar. 22, 2012 – Additional spending authority in the amount of $115,849 and an additional two (2) months, extending the expiration date to July 31, 2012.
• June 5, 2012 – Under Resolution No. 457-12, additional spending authority in the amount of $499,000 and an additional seven (7) months, extending the expiration date to February 28, 2013, to ensure continuity of services until a long-term successor contract is established by January 2013.
• Dec. 19, 2012 – Additional spending authority in the amount of $220,000 and an additional six (6) months, extending the expiration date to August 31, 2013 to ensure continuity of services while the replacement contract is solicited and awarded, which is expected to occur by Sept. 2013.

The local vendor, Able Business Services Inc., is a SBE certified firm.

On December 21, 2012, Superior Landscaping and Lawn Services, Inc. was terminated as the other vendor due to default for failure to perform under the terms and conditions of this contract. According to ISD, they are currently not awarded any other contract with Miami-Dade County.</td></tr>
<tr><td>8F2
131451</td><td colspan="2">RESOLUTION AUTHORIZING MODIFICATION OF COMPETITIVE CONTRACT FOR GOODS AND SERVICES AND APPROXIMATELY $2,150,000.00 IN REVENUE [SEE ORIGINAL ITEM UNDER FILE NO. 131368]</td></tr>
<tr><td>Notes</td><td colspan="2">The proposed Procurement Package includes only one (1) item, providing for the following:
• Authorizes the modification of a competitive contract for goods and services, Payphone Services and Payphone Subscription Services (long distance) for Various County Locations, and approximately $2,150,000.00 in revenue; and
    o Modifies this revenue-generating contract for 12 months so the Information Technology Department may continue to obtain payphone services. Anticipated revenue for the 12 months is approximately $2,150,000.</td></tr>
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- o This will be the third modification to this contract.
- Authorizes the County Mayor or his designee to execute a contract for the item approved and to exercise contract modifications, options-to-renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of such contract.

At the June 11, 2013 Finance Committee meeting, the proposed contract modification was bifurcated from the procurement package, and deferred to the July 9, 2013 Finance Committee meeting.

Subsequently, at the July 9, 2013 Finance Committee meeting, the proposed resolution was amended as follows:

- ***The modification to the existing contract will be for 12 months and eliminates the cancellation clause; and***
- ***The vendor agreed to a 5 percent increase in revenues to the County. The value of the 5 percent increase is estimated to be an additional $250,000 to the County during this 12-month modification period in addition. This would increase the total estimated revenues to $2,150,000 from the originally proposed $1,900,000.***

Contract Measures

The proposed modification includes 25% of gross local service revenues for payphones at Miami International Airport for a Certified Disadvantage Business. On January 20, 2012, Kellee Communications, the DBE providing this service advised the County that it went out of business. Currently, there are no DBEs offering this service; however, GTL is actively seeking to find a replacement DBE.

Replacement Contract Solicitation

On July 3, 2012, under Resolution No. 578-12, the Board of County Commissioners (BCC) approved the second modification to this contract (see below). In addition, the second modification allowed the County time to review and assess an unsolicited proposal from GTL to incorporate the payphone system with a jail management system. The review was performed by Miami-Dade Corrections and Rehabilitation (MDCR). Staff also issued a Request for Information (RFI), to see if other vendors would be interested in providing a jail management system as part of the pay phone agreement. GTL, along with three additional firms responded to the RFI, advising that they would be interested in submitting such proposals. Subsequently, MDCR, in coordination with the Information Technology Department (ITD), initiated work to prepare a Request for Proposals (RFP) for the combined services. The proposed third modification will allow additional time to complete the solicitation process.

According to ISD at the July 9, 2012 Finance Committee meeting, the RFP will go out for solicitations as soon as Friday, July 26, 2013; however, the procurement process can take up to seven (7) months before a recommendation will come before the BCC for approval on the condition that unexpected occurrences do not happen.

Background and Relevant Legislation

History of the Original Contract Contract 104[4] - Payphone Services and Payphone Presubscription Services	
Date and Reso. No.	**Legislative Information**
3/31/98	The BCC approved the issuance of a Request for Proposals (RFP) for Payphone Services and Payphone Presubscription Services for approximately 3,188 payphones at County sites. The RFP allowed proposers to submit proposals in one or more of the following ways: a single proposal for payphones and local service (Part A); a single proposal for long distance service (Part B); a combined proposal for payphones and local service, and long distance service. The RFP stipulated that for purposes of evaluation and award, combined proposals would not be split up, and that single proposals for Part A would be combined with single proposals for Part B.
8/7/98	The RFP closed. Proposals were received from three (3) companies: BellSouth Public Communications, Sprint and TCG/AT&T. The three companies submitted proposals in the following ways: • Bellsouth: A combined proposal for Part A and B o *Subsequently, they received an Evaluation Committee score of 824.03.* • Sprint: A combined proposal for Part A and B o *Subsequently, they received an Evaluation Committee score of 948.7.* • TCG/AT&T: A combined proposal for Part A and B o *Subsequently, they received an Evaluation Committee score of 970.8.* • BellSouth: A single proposal for Part A / AT&T: A single proposal for Part B o *Subsequently, they received an Evaluation Committee score of 749.93.* The Selection Committee ranked TCG/AT&T the highest with an Evaluation Committee score of 970.8 and recommended them for award.
2/2/99 to 2/10/99	Staff negotiations with TCG/AT&T produced the following contract highlights: • $50 million Minimum Guaranteed Commission payment to the County for the five-year term of the contract ($10 million per year minimum). • Creation of job opportunities in Miami-Dade County, including use of DBE firms.

[4] *Resolution No. 494-00*

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		• Increase of DBE participation from a goal of 25% as required by the RFP to AT&T's voluntary commitment of 30% (work which will be performed by a Miami-Dade County certified DBE), plus 100% of the initial installation of payphones (work which will be performed by a Miami-Dade County certified DBE). • Requirement that the payphones and enclosures be maintained graffiti-free. • Installation of all new, state-of-the-art payphones at County sites, for the installation base of payphones of 3,188 and any additional payphones which exceed the amount of phones. • Additional revenue-generating possibilities from sale of pre-paid phone cards, advertising, speed dial buttons, business centers that include internet terminals and kiosks at the airport and at other facilities that attract business travelers, cellular rentals, and voice messaging.
	3/99	BellSouth Public Communications, the unsuccessful, third ranked proposer filed a formal bid protest.
	6/2/99	BellSouth filed an addendum to their formal bid protest, including an allegation that the meeting (held April 1999) of the Cuba Affidavit Waiver Review Committee was not given proper public notice. Meeting re-held on July 7, 1999.
	8/31/99	Cuba Affidavit Waiver Review Committee report approved.
	3/9/00	Hearing Examiner issues Findings and Recommendations upholding the County Manager's recommendation to award the payphone contract to AT&T, and denying BellSouth's bid protest. • The County Manager estimated that the County lost at least $5,222,529 plus interest in slightly over one year due to the delays in awarding this contract.
	5/9/00 *R- 494-00*	Contract No. 104, Payphone Services and Payphone Presubscription Services, was approved by the BCC for a five-year term with two (2) one-year OTR periods to TCG Payphones USA, a wholly-owned subsidiary of AT&T Corporation. The projected revenue to the County was $50,000,000. Subsequently, TCG Payphones USA was acquired by GTL.
	6/6/06 *R-679-06*	The BCC approved the first modification to Contract No. 104, Payphone Services and Payphone Presubscription Services, extending the contract for an additional five (5) years with projected revenue to the County in the amount of $29,309,720. Additionally, the contractor, GTL, was to provide various enhancements. <u>Contract Modification No. 1</u> Pursuant to the request of the Office of Strategic Business Management (OSBM), the Department of Procurement Management conducted market research on payphone service providers throughout the nation in order to obtain a better understanding of the then current market conditions and the benefits of exercising the final OTR. According to the findings from Market Research conducted by Procurement in May 2011: *The payphone industry has undergone considerable change since the County originally awarded Contract 104 (May 2000). With advances in cellular telephone technology and increased affordability and usage of cellular telephone service, the payphone service industry has become less profitable in general public areas. The payphone industry does continue to have a strong presence within the more profitable corrections related facilities.* As part of the first contract modification, the Contractor was to install new telephone systems in existing Correctional facilities, as well as in all future Correctional facilities that may be opened in the County during the five year period of the extension. **According to ISD, the contractor fulfilled this obligation.** The new equipment under the first modification was to include features to allow law enforcement agencies to monitor and record all phone calls placed on the system. The system would also have the capability to search and identify calls made by any particular inmate in addition to include the latest in biometric related security features. Additionally, at the end of the extension, the County would have the option to purchase the new telephone equipment at a significantly discounted price. **According to ISD, the Contractor fulfilled this obligation and the County still has the option to purchase the equipment at a discounted price –the County has not done so.**
	7/3/12 *R-578-12*	The BCC approved the second modification to Contact No. 104, Payphone Services and Payphone Presubscription Services, with GTL for an additional 12 months with projected revenue to the County in the amount of $1,800,000. <u>Contract Modification No. 2</u> The second modification was similar to the first modification in that it includes similar enhancements like the addition of biometric features to the system with the intent of being able to use multifactor biometric authentication of inmate identity. • ***Questions: Did Modification No. 2 provide for the same biometric feature enhancement as Modification No. 1; and are these the same voice biometric features mentioned as enhancements for Modification No. 3?*** ***According to ISD, Mod 1 implemented the system. Through Mod 2 the system software was upgraded. Mod 3 – which was amended at the Finance Committee to <u>not</u> include the upgrade would have upgraded the voice biometrics. Mod 3 as amended will increase the revenues from 40% to 45% instead.*** In addition, the second modification allowed the County time to review and assess an unsolicited proposal from GTL to incorporate the payphone system with a jail management system.
8H1 **131331**	RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AN ACCESS AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR HAMMOCKS MIDDLE SCHOOL PROPERTY AT 9885 HAMMOCKS BOULEVARD(Parks, Recreation and Open Spaces)	

Item No.	Research Notes
Notes	The proposed resolution authorizes the Mayor or his designee to execute the Access Agreement between the School Board of Miami-Dade County and Miami-Dade County to allow remediation activities at the Hammocks Middle School property. Hammocks Community Park is located at 9885 Hammocks Boulevard and Hammocks Middle School is located at 9889 Hammocks Boulevard. Both the school and park are in District 11. <u>Fiscal Impact</u> There is no fiscal impact for the access agreement; however, the funding for the work contemplated under this item will come from $779,145 from BBC/GOB Project #113, Wild Lime Park and $1,470,855 from BBC/GOB Project #115, Olympic Park contingent upon approval by the Board of a significant modification and approximately $291,000 from impact fees. <u>Background</u> Hammocks Community Park is a heavily used 15-acre community park, serving not only students of the adjacent Hammocks Middle School, but all those who live in the surrounding West Kendall neighborhood and families throughout the County who come to Hammocks Park for sport and recreation. PROS has been using and operating the park property and a portion of the adjacent School Board property under a joint use agreement with the School Board since 1990. In August 2012, random testing by Miami-Dade County's Regulatory and Economic Resources Department (RER) revealed that the park and a portion of the middle school field had elevated levels of arsenic in the soil. The documented arsenic levels were on average 20 times higher than background for the surrounding areas. Although the park remains open for all regular activities, it is RER's position that mitigation of the arsenic is necessary and the Miami-Dade Health Department supports that position. On November 8, 2012, a public meeting was held where representatives of PROS, RER, the Health Department and School Board made themselves available to answer questions. In addition to the public meeting, notice of Hammocks Community Park's contamination issue was sent to the parents of Hammocks Middle School students. Upon discovery of the arsenic impacts to the soils at the park, in the abundance of caution, RER required immediate action be taken to minimize any risk to the public. In early November 2012, PROS conducted Phase I of the mitigation project by spreading one inch of clean material over the portion of the affected areas owned by PROS. The Phase II of the mitigation project is to place 12 inches of clean soil on the affected areas covering the arsenic impacted soils at an estimated cost of $2.54 million. In some cases, to properly contour the site, the contaminated soil will have to be excavated and properly disposed of and new clean soil imported to the site. This plan also includes the preservation of all existing buildings and structures including drainage, irrigation and lighting during construction. The construction work will be coordinated with the school administrative staff and the Optimist Club of Kendall Hammocks to minimize disruption to their needs. However, relocating the baseball program during the construction phase will most likely be necessary. In November of 2012, PROS contracted a consultant through the E08-DERM-01 contract to design and provide construction documents for Phase II of the mitigation project. In April 2013, 100% completion of Phase II mitigation construction documents were received by RER and PROS. RER and PROS are working closely with the School Board on the review of the construction documents and on the planning of the actual field work. The mitigation construction work is scheduled for late summer of 2013 during school recess. The necessary construction activities by a contractor to be hired by the County on the Hammocks Middle School property will require access permission from the School Board.
8H2 **131406**	RESOLUTION APPROVING CHANGE ORDER NO. ONE (1) FOR A CONSTRUCTION CONTRACT BETWEEN MIAMI-DADE COUNTY AND LEMARTEC ENGINEERING & CONSTRUCTION CORPORATION FOR CONSTRUCTION OF TROPICAL PARK - EQUESTRIAN COMPLEX - PROJECT NO: 402202-05-005 GOB ESP; CONTRACT NO: 402202-05-005 GOB ESP, INCREASING THE CONTRACT AMOUNT BY $354,110.57(Parks, Recreation and Open Spaces)
Notes	The proposed resolution approves Change Order No.1 to the construction contract No. 402202-05-005 GOB ESP between Lemartec Engineering & Construction Corporation and Miami-Dade County for the Tropical Park Equestrian Complex, increasing the contract amount by $354,110.57. On October 2, 2012, under Resolution No. 837-12, the Board of County Commissioners (BCC) approved the award of the construction contract for Project No. 402202-05-005 GOB ESP to Lemartec Engineering and Construction Corporation (Lemartec) in the amount of $5,496,584 for the construction of the Tropical Park Equestrian Complex, including Alternates One (1), Two(2), and Three (3). <u>Fiscal Impact</u> • BBC GOB Prior Series 937040 #70765 $74,802.48 • BBC GOB Financing 937040 #70765 $6,229,885.23 • **Total Funding: $6,304,687.71** <u>Project Description</u> Under Resolution No. 837-12, the awarded scope consists of new covered practice ring(s), parking lot improvement and other related site and existing stable improvements. The Base Bid includes the new covered practice ring with a pre-engineered structure, fire sprinkler system, fence, clay, irrigation, lighting and sound system; a new uncovered warm up ring with fence, clay, irrigation and lighting; site grading and drainage; landscaping; and parking lot striping.

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- Alternate One (1) includes a second new covered ring with a pre-engineered structure and covered connecting walkways between the new ring and the existing stable D;
- Alternate Two (2) consists of a new covered connecting walkway between the existing ring and the covered connection between stables C and D; and
- Alternate Three (3) includes three (3) connecting covered walkways between stables.

Under Resolution No. 837-12, this project is to be substantially completed by September 15th, 2013. Currently, the Project is approximately 57% complete and on schedule.

Change Order No. 1 – Description and Cost Breakdown
Change Order No. 1 will include the following changes:

- **Improvements to Main Arena gathering area ($162,770.97)**
- **Access Control Fence ($22,457.15)**
- **Concrete Apron around Center Ring ($103,842.44)**
- **Electrical infrastructure for 16 large capacity fans - eight for each new arena ($65,040.01)**
- **Additional Recommendation ($38,003.38)**

Additional Information

Date	**Background and Legislative History – Tropical Park Equestrian Complex** *Project No. 402202-05-005 GOB ESP*
Mar. 21, 2012	An invitation to bid on Project No. 402202-05-005 GOB ESP for the expansion of the Tropical Park Equestrian Complex was issued.
May 17, 2012	Bids were opened with Lemartec as the apparent low bidder with a bid of $5,496,584, inclusive of Alternates One (1), Two (2), and Three (3).
June 2012	PROS received correspondence from counsel representing four other bidders raising objections and claiming that PROS had specified the use of a sole source in its bid documents for the pre-engineered steel roof structure. PROS consulted with the County Attorney's Office and confirmed that applicable law (Section 255.04, Florida Statutes) sets forth certain findings and justifications that need to be made by the Board in order to specify a sole source system. PROS ultimately concluded that the bid documents did not specify a sole source system and that more than one manufacturer could provide the pre-engineered steel roof structure. In fact, several of the bids received specified competing systems. The bids received were significantly (36%) below the County estimate. However, PROS recognized that multiple bidders had raised questions and concerns both before and after bids were due that the bid documents appeared to bidders to create a sole source specification.
June 2012	PROS became aware of the possibility of hosting an international horse show at the Tropical Park Equestrian Center in the fall of 2013. This event would be an economic development catalyst for the Equestrian Center and the County as a whole and PROS had great interest in completing the new addition in time for the event. Under the bid documents, PROS determined that the project, with all components, would not be completed in time for the 2013 international horse show.
Aug. 6, 2012	In light of the need to accelerate completion of the project in order to host the international horse show, and the need to address any concerns that were raised regarding the specifications in the bid documents, it was recommended that all bids be rejected and the project be re-advertised as soon as possible with modifications to the bid documents. ***The recommendation was filed with the Clerk on August 17, 2012.***
Aug. 24, 2012	The project was re-advertised in a newspaper of general circulation.
Aug. 22, 2012	Lemartec protested the County's recommendation to reject all bids and asked that the contract be awarded to Lemartec because the County had received 13 bids, the lows bids were within percentage points of each other and more than 30% below the County's estimate, and the County had therefore received extremely competitive prices.
Sept. 11, 2012	The protest hearing was held. At the hearing, the County argued, presented evidence, and provided case law in support of its argument that the County was well within its discretion to reject all bids to clarify its specifications, to ensure the best prices and to seek bids so as to provide for an expedited construction schedule. Although the hearing was publicly noticed and the attorney for the four bidders that raised concerns was informed of the hearing, none of the contractors other than Lemartec attended or presented arguments or evidence in support of their position. ***The Special Hearing Examiner disagreed with the recommendation to reject all bids, determining that any potential ambiguity which might have been perceived was clarified and recommended that the County award the contract to Lemartec.***
Sept. 20, 2012	At a "duly-noticed public meeting", following the Hearing Examiner's recommendation, Lemartec offered to reduce the contract time, from the original 410 calendar days to approximately 300 calendar days, effectively accelerating the completion of the work to allow for the completion of the project by September 30, 2013 in time for the international horse event, at no additional cost to the County. **Provided that Lemartec receives authorization to proceed no later than November 15, 2012, Lemartec agreed to have the project substantially completed by September 15, 2013.**
Oct. 2, 2012 R-837-12	Resolution No. 837-12approved, awarding Project No. 402202-05-005GOB, Tropical Park Equestrian Complex, to Lemartec Engineering and Construction Corporation for the Base Bid scope and Alternates 1, 2 and 3 in the amount of

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td><table><tr><td></td><td>$5,496,584 with the project to be completed no later than September 30, 2013.</td></tr><tr><td>Oct. 29, 2012</td><td>Date of Notice to Proceed.</td></tr></table></td></tr>
<tr><td>8K1
131450</td><td>RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AMEND THE FY 1994 THROUGH FY 2013 ACTION PLANS TO RECAPTURE AND REALLOCATE $6,461,803.03 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND $180,517.52 OF HOME INVESTMENT PARTNERSHIP (HOME) FUNDS; ALLOCATE $1,149,797.88 OF CDBG PROGRAM INCOME; AMEND SIX PROJECT SCOPES; AMEND THE FY 2013 ACTION PLAN TO ADJUST ALLOCATIONS TO REFLECT U.S. HUD ALLOCATIONS FOR CDBG, HOME AND ESG FUNDS AMOUNTS; RECAPTURE $5,956,531.00 OF DOCUMENTARY STAMP SURTAX (SURTAX) FUNDS FROM HOUSING PROJECTS; AND AMEND THE FY 2013 ACTION PLAN TO INCLUDE LANGUAGE TO REFLECT CONTINUUM OF CARE STRATEGIC PLANNING COORDINATION WITH THE HOMELESS TRUST FOR EMERGENCY SOLUTIONS GRANT (ESG) FUNDS(Public Housing and Community Development)</td></tr>
<tr><td>Notes</td><td>The proposed resolution authorizes the County Mayor or the County Mayor's designee to substantially amend the FY 1994 through FY 2013 Action Plans to:

Recapture and reallocate $6,461,803.03 of current and prior years Community Development Block Grant (CDBG) funds and $180,517.52 of Home Investment Partnership (HOME) funds. The detailed recapture and proposed reallocation of the CDBG funds is itemized in Exhibit I.
Allocate $1,149,797.88 of Community Development Block Grant Program Income (CDBG PI) funds to fund projects on the reallocation list (Exhibit II) in the amount of $1,149,797.88.
Amend six (6) project scopes for existing CDBG-funded activities as a Substantial Amendment to the FY 1994 through FY 2007, and FY 2013 Action Plans.
Authorize the County Mayor or County Mayor's designee to waive the requirement of Resolution No. R-596-12 that requires the County to target fifty percent (50%) of recaptured and new allocation of CDBG funds to Neighborhood Revitalization Strategy Areas (NRSAs) for Economic Development.
Amend the FY 2013 Action Plan to increase the award of CDBG funds from $10,611,175.00 to $11,001,601.00; reduce the amount of HOME Investment Partnerships (HOME) funds from $3,507,000.00 to $3,324,357.00; and reduce the amount of Emergency Solutions Grant (ESG) funds from $1,410.000.00 to $774,117.00. The increase/decrease matches the actual award amount received from the U.S. Department of Housing and Urban Development (U.S. HUD).
Recapture $5,956,531.00 of Documentary Stamp Surtax (Surtax) funds from previously funded Low Income Housing Tax Credit (LIHTC) projects.
Amend the FY 2013 Action Plan to include language to reflect Continuum of Care Strategic Planning Coordination with the Homeless Trust for Emergency Solutions Grant (ESG) funds.

This item was amended at the July 8, 2013, Health and Social Services Committee meeting to remove the following allocations:

#5 Miami-Dade Internal Services Department (ISD);
#17 and #18 Miami-Dade Public Works and Waste Management (PWWM);
#19 Miami-Dade Regulatory and Economic Resources (RER);
#40 Coalition of Florida Farmworker Organizations (COFFO) as reflected in Exhibit I on pages 19, 21, 24, and 25, respectively; and
Correct the allocation year and dollar amount for #36 City of Opa-locka Rehabilitation of Lift Station 8 from 2011 to 2013 and $250,000 to $202,000 as in Exhibit I on page 24.

The total recapture and reallocation amount will be reduced from $7,611,600.91 to $6,461,803.03 in the County Mayor's Memo and in the accompanying resolution. Additionally, the Board also authorizes the County Mayor or County Mayor's designee to use Community Development Block Grant Program Income (CDBG PI) funds to fund projects on the reallocation list in the amount of $1,149,797.88. The title has also been amended to reflect these changes.

BACKGROUND
In accordance with U.S. HUD's Community Planning and Development's timeliness policy, a grantee such as the County may have its future grant reduced when the grantee continues to be untimely in its expenditure of funds. The 60-day ratio for Miami-Dade County, as measured on November 2, 2011, was 1.82. The last 60-day test measured on November 2, 2012, indicated a balance remaining in the County's line-of credit amounting to 2.8 times its FY 2012 grant. Based on this new ratio, the amount of the potential reduction was $13,794,527.
Under the provisions of 24 CFR 570.911, the County's future entitlement may be subject to reduction, withdrawal, or adjustment or other appropriate action. On December 6, 2012, PHCD staff participated in an informal consultation with Yolanda Chavez, Deputy Assistant Secretary for Grant Programs, to discuss reasons the County was not in compliance. In addition to assessing the merits of the County's presentation and in consideration of the body of evidence presented, the Deputy Assistant Secretary determined that Miami-Dade County qualified for an exception to the timeliness policy and the County's FY 2013 grant was not reduced.

It is important to note that the County has not met the timeliness test in two consecutive years.

The Administration's recommendation to the Board is an aggressive approach and an unconventional but necessary strategy as the County faces losing its valuable community resources should we not meet the CDBG 1.5 Timeliness Ratio test by November 2013, for a third consecutive year.</td></tr>
<tr><td>8K2
131376</td><td>RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT A DEMOLITION AND DISPOSITION APPLICATION TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE VACANT MODELLO PUBLIC HOUSING DEVELOPMENT SITE; AUTHORIZING THE DEMOLITION OF SAID SITE SUBJECT TO APPROVAL BY UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS TO</td></tr>
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Item No.	Research Notes
	ANNUAL CONTRIBUTION CONTRACTS, AGREEMENTS, RELEASES, AND ANY OTHER DOCUMENTS THAT MAY BE REQUIRED BY UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT(Public Housing and Community Development)
Notes	The proposed resolution authorizes the County Mayor or County Mayor's designee to submit a demolition and disposition application to the United States Department of Housing and Urban Development (HUD) for the vacant Modello public housing development site, which the Board previously approved for development pursuant to Request for Proposals No. 794. The County cannot submit its application without first obtaining approval from the Board of County Commissioners (BCC). The BCC further authorizes the demolition of the Modello site, subject to HUD approval. **Background** Request for Proposals No. 794 (RFP 794) was issued on July 14, 2011 to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites administered by the Department. RFP 794 sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions. The Department has incurred costs at the Modello site pursuant to various citations requiring repairs to the perimeter fence and boarding up of units, in order to secure the buildings, as well as the disconnection of electrical power. The issues indicated in the citations may continue to be problematic while the buildings remain vacant. Additionally, the empty site has been vandalized and occupied by squatters at various times. This situation is a potential liability for the County; therefore, it is in the County's best interest to demolish this site.
8K3 **131455**	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A MASTER DEVELOPMENT AGREEMENT, AN AMENDED AND RESTATED GROUND LEASE IN THE AMOUNT OF $1.00, AND 100% OF THE CASH FLOW OF THE PUBLIC HOUSING UNITS, AND ALL OTHER NECESSARY MIXED-FINANCE CONTRACTS, AGREEMENTS AND RELATED DOCUMENTS WITH CARLISLE DEVELOPMENT GROUP, LLC, OR ITS ASSIGNEE, GREEN TURNKEY PLAZA, LTD (LOCAL), FOR REHABILITATION/REDEVELOPMENT OF EXISTING PUBLIC HOUSING UNITS AT THE GREEN TURNKEY PUBLIC HOUSING DEVELOPMENT, SUBJECT TO APPROVAL BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY CANCELLATION, TERMINATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN; AUTHORIZING AMENDMENTS TO ANNUAL CONTRIBUTION CONTRACT, SUBJECT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL(Public Housing and Community Development)
Notes	The proposed resolution authorizes the County Mayor or County Mayor's designee to execute all necessary mixed-finance agreements and documents, including but not limited to the Master Development Agreement and an Amended and Restated Ground Lease with the developer, the Carlisle Development Group, LLC or its assignee, Green Turnkey Plaza, LTD (Local) (Developer), for the rehabilitation/redevelopment of existing public housing units at the Green Turnkey public housing development, subject to approval by the United States Department of Housing and Urban Development (Housing and Urban Development). *Unrelated to this project, the Developer is under investigation for alleged inappropriate financial transactions regarding other housing developments. The County is aware that a subpoena regarding this matter was issued to the Developer July 2012. Notwithstanding the above, there are sufficient layers of compliance in place to protect the County's interest in this project. Additionally, Article VIII (Default and Termination) and Article XII (Default; Remedies) of the attached Ground Lease include default and termination provisions.* **FUNDING SOURCE/ FISCAL IMPACT** The proposed action will not have a fiscal impact on the County since the development will be performed and funded solely by the developers, with sources that include Low Income Housing Tax Credits (Housing Tax Credits). **Background** Request for Proposals No. 794 was issued on July 14, 2011 to solicit offers from developers to maximize and expedite the development potential of over 100 existing public housing sites administered by the Department. The solicitation sought to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, develop vacant land owned by the County, and also incorporate commercial and other special purpose uses, where appropriate, at particular public housing sites or vacant land sites. Additionally, the Department sought to replace its older units with new contemporary designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and incorporate creative and sustainable design solutions. As a result of Request for Proposals No. 794, the Board, pursuant to Resolution No. R-1026-11, awarded a ground lease for the Green Turnkey site to the Developer on November 23, 2011, and approved submittal of a disposition application for this site to Housing and Urban Development on February 7, 2012 pursuant to Resolution No. R-152-12. Green Turnkey Residents will be temporarily relocated to a comparable unit until the rehabilitation/redevelopment of the existing public housing units is completed. Residents will be provided with first right of refusal to return to the completed public housing units. Meetings have been held with all residents to discuss general information about the re-development. Additional meetings with residents will be held to review and obtain resident input on all aspects of the development process including plans for temporary relocation.
11A1 **130971**	RESOLUTION REQUIRING A DETAILED PROJECT BUDGET, SOURCES AND USES STATEMENT, CERTIFICATIONS AS TO PAST DEFAULTS ON AGREEMENTS WITH NON-COUNTY FUNDING SOURCES, AND DUE DILIGENCE CHECK PRIOR TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RECOMMENDING A COMMITMENT OF COUNTY FUNDS TO SOCIAL SERVICES, ECONOMIC DEVELOPMENT, COMMUNITY

Item No.	Research Notes
	DEVELOPMENT, AND AFFORDABLE HOUSING AGENCIES AND PROVIDERS; REQUIRING CERTAIN TERMS TO BE INCLUDED IN CONTRACTS

Notes

The proposed resolution directs the County Mayor of his designee, prior to making a recommendation for funding, awarding, entering into a contract for or otherwise issuing any form of commitment of Housing and Community Development (HCD) funds, to require that Agencies submit to the County Mayor or designee the following:

- An affidavit certifying that, within the past five (5) years, neither the Agency nor its directors, partners, principals, members or board members
  - Have been sued by a funding source for breach of contract or failure to perform obligations under a contract;
  - Have been cited by a funding source for non-compliance or default under a contract; or
  - Have been a defendant in a lawsuit based upon a contract with a funding source; and
- A detailed project budget and Sources and Uses Statement which will be sufficiently detailed to show:
  - The total project cost;
  - The amount of funds to be used for administrative and overhead costs;
  - Whether the HCD Funds will be ''gap'' funds, meaning that they would be the last remaining funds needed to ensure funding for the total project cost;
  - Any profit to be made by the person or agency; and
  - Amount of funds devoted toward the provision of the desired services or activities. The County Mayor or County Mayor's designee is directed to create a form of the affidavit described above, which will include a section for the Agency to explain any matters which prohibit the Agency from making the certifications required and a section to explain if and how any of the matters disclosed were resolved.
- Prior to the County Mayor or County Mayor's designee making a recommendation for funding, entering into a contract for, or otherwise issuing any form of commitment of HCD Funds to any person or entity, the County Mayor or County Mayor's designee will engage in a due diligence checklist and ensure that the person or entity is not in non-compliance on other contracts involving HCD Funds.
- The County Mayor or County Mayor's designee is directed to incorporate the policies above, into its competitive and non-competitive processes for selecting persons or agencies to receive HCD Funds, including but not limited to the annual Request for Application (RFA) process administered by the Public Housing and Community Development Department, or its successor department, and the annual Community-Based Organization funding process.
- The County Mayor or County Mayor's designee is further directed to include with any recommendation for funding or award of any contract for HCD Funds a description of the due diligence investigation performed in a section of the justification memorandum called ''Due Diligence'' and to report to the Board any instance where the research conducted pursuant to the sections above, revealed information which affected, either positively or negatively, the County Mayor or County Mayor's designee's decision to recommend a particular agency for funding or which may adversely affect the Board's decision to approve said recommendations.
- The County Mayor or County Mayor's designee is directed to include a provision in contracts negotiated and executed between the County and Agencies receiving Housing and Community Development Funds to permit the County Mayor or County Mayor's designee to make unannounced, on-site visits during normal working hours to the Agency's headquarters and/or any location or site where the services contracted for are performed.

This resolution is intended to apply only to contracts or recommendations by the County Mayor or County Mayor's designee which are submitted to the Board after the adoption date of this resolution.

Additional Information

Prior Due Diligence Legislation	
February 21, 2012 R-187-12	RESOLUTION DIRECTING THE COUNTY MAYOR TO INCLUDE DUE DILIGENCE INFORMATION IN MEMORANDA RECOMMENDING CERTAIN CONTRACT AWARDS
January 10, 2008 R-64-08	RESOLUTION DIRECTING THE COUNTY MANAGER TO CREATE INDEMNITY AND INSURANCE REQUIREMENTS FOR AGREEMENTS WITH NOT-FOR-PROFIT ENTITIES; DEVELOP AND IMPLEMENT A STANDARDIZED PROCESS FOR CONDUCTING DUE DILIGENCE OF NOT-FOR-PROFIT ENTITIES AND THEIR PRINCIPALS; AND SUBMIT A PROPOSED IMPLEMENTING ORDER
October 2, 2007 File No. 072188	*This item was deferred at the October 2, 2007 Board of County Commissioners meeting.* RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP AND IMPLEMENT A DUE DILIGENCE PROGRAM TO ENSURE THAT BEFORE MIAMI-DADE COUNTY AWARDS A CONTRACT OR ENTERS INTO A BUSINESS TRANSACTION IT HAS PERFORMED THE NECESSARY AND APPROPRIATE INQUIRIES TO ALLOW THE COUNTY TO MAKE AN INFORMED DECISION

11A2
131111

RESOLUTION PROVIDING THAT NO MORE THAN TWENTY-FIVE PERCENT OF A COMMUNITY BASED ORGANIZATION'S ADMINISTRATIVE BUDGET MAY BE PAID FROM MIAMI-DADE COUNTY GENERAL FUNDS

Notes

The proposed resolution provides that no more than twenty-five percent (25%) of a Community Based Organization's administrative budget may be paid from Miami-Dade County General Funds.

The proposed resolution establishes a cap on the amount that any single Community Based Organization (CBO) may receive from the County's General Fund for its administrative budget. This cap will apply to the administrative budget of a CBO, including but not limited to:

- Salaries, benefits and fringes of the CBO's management personnel (i.e. executive directors, agency heads);
- Overhead costs; and
- Clerical or other administrative personnel who do not directly provide the services required pursuant to the CBO's contract with the

Board of County Commissioners
July 16, 2013 Meeting
Research Notes

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	County. **Additional Information** Discussion ensued at the June 11, 2013, Finance Committee meeting, regarding the percentage of the cap and unintended consequences from implementing a cap for smaller CBOs with respect to required audits and the cost of the audits. Office of Management and Budget stated that the use of funds had been the subject of previous policy discussions for CBO's funded through the General Fund; however, the County never imposed any limitations on the percentage spent and that different restrictions on overhead and administrative costs existed depending on the source of funds. Current contracts contained a fifteen percent limitation.
11A3 **131015** **11A9** **131367**	RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE WITH THE COLLECTIVE BARGAINING AGENTS REPRESENTING COUNTY EMPLOYEES FOR THE PURPOSE OF IMPLEMENTING RECOMMENDATION NUMBER FIVE AND SUGGESTION NUMBER ONE FROM THE FINAL REPORT OF THE COMPENSATION AND BENEFITS REVIEW AD HOC COMMITTEE WHICH WOULD LIMIT THE PAYOUT OF SICK LEAVE FOR NEWLY-HIRED COUNTY EMPLOYEES TO A MAXIMUM OF 600 HOURS WITH THE PAYOUT TO BE CALCULATED AT THE AVERAGE RATE OF AN EMPLOYEE'S EARNINGS AND WOULD REDUCE THE MAXIMUM LIMIT FOR ACCRUAL OF ANNUAL LEAVE FOR NEWLY-HIRED EMPLOYEES FROM 500 HOURS TO 300 HOURS RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE WITH THE COLLECTIVE BARGAINING AGENTS REPRESENTING COUNTY EMPLOYEES FOR THE PURPOSE OF IMPLEMENTING THE RECOMMENDATIONS OF THE COMPENSATION AND BENEFITS REVIEW AD HOC COMMITTEE
Notes	**11A3** The proposed resolution directs the Mayor or Mayor's designee to negotiate with the collective bargaining agents representing County employees for the purpose of implementing recommendation number five and suggestion number one from the March 20, 2013 Final Report of the Compensation and Benefits Review Ad Hoc Committee which would limit the payout of sick leave for newly-hired County employees to a maximum of 600 hours with the payout to be calculated at the average rate of an employee's earnings and would reduce the maximum accrual limit for annual leave from 500 hours to 300 hours for newly-hired employees only. **11A9** The proposed resolution directs the Mayor or his designee to negotiate with the collective bargaining agents representing County employees for the purpose of implementing the following recommendations from the March 20, 2013 Final Report of the Compensation and Benefits Review Ad Hoc Committee: • Reduce the number of job classifications in the County Pay Plan; • Combine the merit and cost of living adjustment (COLA) to a maximum of 5% annually; • Evaluate long-term part-time employees to determine if eligible for full-time conversion; • Restructure the Pay Plan with open ranges and reduce the new hire rate by approximately 9-10% (2 steps), thus implementing an additional tier to the Pay Plan; • For new hires only limit sick leave payments to a maximum of 600 unused sick leave hours and calculate the payout rate at a weighted average of the employee's total earnings, rather than at the rate earned at separation. **Additional Information** The Board of County Commissioners created the Compensation and Benefits Review Ad Hoc Committee (Ad Hoc Committee) to review employment and benefits policies and practices of County employees. The Ad Hoc Committee held numerous meetings and analyzed a voluminous amount of information and on March 20, 2013 submitted to the Board its Final Report containing suggestions and recommendations.The Ad Hoc Committee held nine (9) meetings from May 1, 2012 through December 13, 2012.The issues discussed included, pay plan design, pay supplements, executive benefits, temporary and part-time employees and leave provisions. The final report included the following five (5) recommendations: • Reduce the number of job classifications. • Cap yearly salary increases (attributed to merit increases and Cost of Living (COLA) increases to a maximum of five percent (5%) annually. • Evaluate long-term, part-time, employees on an annual basis to determine whether a full-time position would be more cost effective, unless otherwise prohibited by collective bargaining agreements. • Restructure the pay plan with open ranges and reduce the new hire rate by approximately 9-10% (2 steps), thus implementing an additional tier to the County's already existing multi tier pay plan. • For New Hires Only- Limit sick leave payouts to a maximum of 600 hours and calculate the payout rate at an average of the employee's total earnings, rather than at the rate earned at separation. Additionally, the final report included the following four (4) Suggestions/Menu items: • For New Hires Only- Reduce bankable annual leave from 500 to 300 hours. • Provide employees with one-time bonus, in lieu of a COLA and/or merit increase, during times of fiscal hardships and/or once the maximum rate of the pay plan is reached. • Negotiate changes to the current layoff policy, to provide civil service credit for exempt service. • Review the pay plan every three (3) years with comparable governments/entities to remain competitive and/or conduct market research.

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td>11A4
131269</td><td>RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION TO REQUIRE ELECTROCARDIOGRAMS OF FLORIDA HIGH SCHOOL STUDENT ATHLETES AS PART OF THEIR PREPARTICIPATION PHYSICAL EVALUATIONS</td></tr>
<tr><td>Notes</td><td>The proposed resolution urges the Florida Legislature to enact legislation to require electrocardiograms of Florida high school student athletes as part of their pre-participation physical evaluations.

Section 1006.20, Florida Statutes, requires the Florida High School Athletic Association (FSAA) to mandate that all student athletes satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic activity. Furthermore, Section 1006.20 requires that such medical evaluations incorporate the recommendations of the American Heart Association for cardiovascular screening and that students be advised to complete a cardiovascular assessment. Although student athletes are advised to undergo a cardiovascular assessment, which may include diagnostic tests, an EKG is not strictly required as part of a student athlete’s pre-participation physical evaluations.

Additional Information
According the Miami Children’s Hospital website, under the Heart Program, Miami Children's Hospital is reaching out to the region’s young athletes by offering free EKG screening to middle and high school sports participants. The leading cause of sudden death among young athletes is sudden cardiac death (SCD). Every three days in the U.S., a student athlete dies of SCD. Usually there are no advance signs or symptoms.</td></tr>
<tr><td>11A5
131408</td><td>RESOLUTION URGING PET SHOP OWNERS TO INSTALL A FIRE ALARM SYSTEM OR UPGRADE AN EXISTING STAND ALONE SECURITY MONITORING SYSTEM FOR INCLUSION OF FIRE ALARM SYSTEM TO PROVIDE EARLY WARNING NOTIFICATION OF AN IMMINENT FIRE; TO ENHANCE THE SAFETY OF PET STORE ANIMALS</td></tr>
<tr><td>Notes</td><td>The proposed resolution urges retail pet shop owners to install a monitored fire alarm system or install or upgrade a stand-alone security monitoring system for inclusion of a fire/smoke detection device to provide early warning of an incipient fire; to enhance the safety of pet store animals.

In addition, the proposed resolution directs the Clerk of the Board to transmit certified copies of this Resolution to all retail pet shop owners within Miami-Dade County.</td></tr>
<tr><td>11A6
131366</td><td>RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ISSUE REGULATIONS TO BAN COMMERCIAL VEHICLES FROM THE LEFT LANE OF FLORIDA’S TURNPIKE AND OTHER EXPRESSWAYS IN MIAMI-DADE COUNTY EXCEPT IN DESIGNATED ZONES TO ALLOW SUCH COMMERCIAL VEHICLES SAFE ACCESS TO LEFT-LANE EXITS OR OTHER TURNPIKE OR EXPRESSWAY FACILITIES</td></tr>
<tr><td>Notes</td><td>The proposed resolution does the following:
Urges the Florida Legislature to pass legislation to ban Commercial Vehicles from the left lane of Florida’s Turnpike and other expressways in Miami-Dade County except in designated zones to allow such Commercial Vehicles safe access to left-lane exits or other Turnpike or expressway facilities; and
Urges the Florida Department of Transportation to issue rules and regulations to ban Commercial Vehicles from the left lane of Florida’s Turnpike and other expressways in Miami-Dade County except in designated zones to allow such Commercial Vehicles safe access to left-lane exits or other Turnpike or expressway facilities.
Commercial Vehicles include but are not limited to large truck-tractor vehicles, truck semitrailers, concrete mixing/transportation trucks, large delivery/box trucks, and large three-axle or more commercial trucks.

Additional Information
According to an article in the South Florida Business Journal, on February 1, 2008, commercial trucks were banned from traveling on the left lane of the Florida Turnpike between Miami-Dade County’s Golden Glades interchange and the Lantana toll plaza, a 40-mile stretch. The ban expanded the successful pilot program originally executed in the spring of 2005, on the Homestead Extension of the turnpike. Violations could result in fines up to $130.

A cursory review of other jurisdictions and their ban on commercial trucks on turnpikes include the following:
On February 25, 2010, Pennsylvania banned tractor-trailers, box trucks, and any other type or class of vehicle pulling a trailer on the entire Northeastern Extension, Interstate 476, from mid-county to Clarks Summit during a storm. Exemptions were made for buses, tow trucks and other emergency vehicles. (source: Lehighballeylive.com)
April 18, 2011, the New Jersey Transportation Commissioner announced that they were looking into what would happen if they lifted the Garden State Parkway truck ban. Officials were comparing the differences between the additional wear and tear on the limited access toll roadway and how much money commercial trucks could generate for the state. One state transportation expert stated that commercial traffic is a real breadwinner because trucks pay proportionally more than cars do because of their weight. (source: CBS NewYork, New Jersey Looks at Lifting Garden State Parkway Truck Ban)</td></tr>
<tr><td>11A7
131319</td><td>RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY COUNTY MAYOR OR MAYOR’S DESIGNEE OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FOR DEVELOPMENT OF A DISTRICT 11 STRATEGIC PLAN; DELEGATING TO COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE AUTHORITY TO EXERCISE CERTAIN CANCELLATION AND TERMINATION PROVISIONS; AND WAIVING APPLICATION OF USER ACCESS PROGRAM TO THE AGREEMENT IN ACCORDANCE WITH SECTION 2-8.10 OF THE CODE OF MIAMI-DADE COUNTY</td></tr>
<tr><td>Notes</td><td>The proposed resolution approves the terms of and authorizes the execution by the County Mayor or his designee of the Agreement between Miami-Dade County and the Florida International University Board of Trustees for development of a District 11 strategic plan.</td></tr>
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	The strategic plan will include, at a minimum, economic analysis, development recommendations, a general assessment of physical conditions, and development guidelines that would assist the County in determining how best to spur economic development and maximize public resources and private investment in Commission District 11. The services provided by the Florida International University Board of Trustees pursuant to the Agreement will be funded by Commission District 11 office funds in an amount not to exceed the lesser of: • $89,800; or • The difference between $89,800 and the aggregate amount of donations, grants, gifts or other amounts received by the Contractor or any of its affiliated entities, including non-profit corporations, which are directly attributable or properly allocable to fund the Services. *Pursuant to Section 2-8.10 of the Code of Miami-Dade County, the proposed resolution also waives application of the User Access Program to the Agreement.*
11A8 **131314**	RESOLUTION APPROVING AMENDMENT TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM GRANT AGREEMENT BETWEEN COUNTY AND UDG III OASIS, LLC REGARDING CONSTRUCTION OF LAKE VUE OASIS AFFORDABLE SINGLE FAMILY RESIDENCES; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND DELIVER AMENDMENT
Notes	The proposed resolution approves Amendment 1 to the Building Better Communities General Obligation Bond Program Grant Agreement between the County and UDG III Oasis, LLC regarding the Lake Vue Oasis Project. The amendment provides for the following: • Increases the Phase 1 Grant proceeds to $2,000,000; • Reduces the Phase II Grant proceeds to $1,092,307; • Extends the completion date for Phase I to December 31, 2013; and • Amends the milestone for the disbursement of Phase II Grant proceeds.
11A10 **131447**	RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE VIETNAM WAR; EXPRESSING SUPPORT FOR THE NOVEMBER 8, 2013 PARADE SPONSORED BY THE MIAMI-DADE COUNTY MILITARY AFFAIRS BOARD WELCOMING HOME AND REMEMBERING VIETNAM VETERANS; DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PROVIDE THE NECESSARY STAFF AND IN-KIND SUPPORT TO COORDINATE THE PARADE WHEN THE COMMISSION APPROVES THE SOURCE OF THE FUNDS AND THE NECESSARY AMOUNT AT A LATER DATE; AND ALLOCATING $50,000.00 TO THE MILITARY AFFAIRS TRUST FUND FOR THE PARADE WHEN THE COMMISSION APPROVES THE SOURCE OF THE FUNDS AT A LATER DATE
Notes	The proposed resolution provides for the following: • Joins in the Commemoration of the 50th anniversary of the Vietnam War; • Supports the November 8, 2013 parade sponsored by the Military Affairs Board welcoming home and remembering our Vietnam veterans and Bay of Pigs veterans; • Directs the Mayor or Mayor's designee to provide the necessary staff and in-kind support to coordinate the parade when the Commission approves the source of the funds and the necessary amount at a later date; and • Authorizes the allocation of $50,000.00 to the Military Affairs Trust Fund for the parade when the Commission approves the source of the funds at a later date. These funds will be augmented by private contributions. <u>Background</u> Beginning on Memorial Day 2012, the Federal government initiated a partnership with local governments, private organizations, and communities across America to participate in the Commemoration of the 50th Anniversary of the Vietnam War. The Commemoration of the 50th Anniversary of the Vietnam War is a 13-year program to honor and thank the generation of proud Americans who served our country during one of the most challenging missions ever faced by our nation. The Military Affairs Board is sponsoring a parade, scheduled for November 8, 2013, commemorating the 50th Anniversary of the Vietnam War, and welcoming home and remembering our Vietnam veterans.
11A11 **131456**	RESOLUTION OPPOSING ANY FURTHER COST SHIFTS BY THE FLORIDA LEGISLATURE TO MIAMI-DADE COUNTY RELATED TO COUNTY MEDICAID CONTRIBUTIONS AND OPPOSING ANY DELAY OR ELIMINATION OF THE TRANSITION TO A MEDICAID ENROLLEES FORMULA; IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2014 AND 2015 SESSIONS; URGING THE FLORIDA ASSOCIATION OF COUNTIES TO IDENTIFY THIS ISSUE AS ONE OF ITS PRIORITIES FOR THE 2014 AND 2015 SESSIONS
Notes	The proposed resolution provides for the following: • Opposes any further cost shifts by the Florida Legislature to Miami-Dade County related to County Medicaid Contributions and opposes any delay or elimination of the transition to a formula based on Medicaid enrollees; • Identifies the issue above as a critical County priority for the 2014 and 2015 state legislative sessions; • Urges the Florida Association of Counties to include this issue as one of its critical priorities for the 2014 and 2015 sessions; • Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, President of the Florida Association of Counties/Leon County Commissioner Bryan Desloge, and the Executive Director of the Florida Association of Counties; and • Directs the County's state lobbyists to oppose any further cost shifts related to County Medicaid Contributions to Miami-Dade County by the Florida Legislature as set forth above, and authorizes and directs the Office of Intergovernmental Affairs to include this item as a critical County priority in the 2014 and 2015 State Legislative Packages when they are presented to the B
12A1 **131446**	RESOLUTION EXPRESSING INTENT TO DEVELOP A FORMALIZED PARTNERSHIP WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY TO ESTABLISH AND ENHANCE MAGNET SCHOOLS IN DIRECT ALIGNMENT WITH TARGETED INDUSTRIES INCLUDED WITHIN THE BEACON COUNCIL'S ONE COMMUNITY, ONE GOAL PLAN(Mayor)

Board of County Commissioners
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Notes	The proposed resolution expresses the County's intent to develop a formalized partnership with the School Board of Miami-Dade County to establish and enhance industry-focused Schools of Choice in direct alignment with the One Community, One Goal Plan to include the development of an entrepreneurial high school, logistics and international trade magnet school, performing arts industry high school in collaboration with the Adrienne Arsht Center for the Performing Arts; and the expansion of the science-based magnet middle school at Zoo Miami to include a Science, Technology, Engineering, and Math (STEM) magnet high school. All necessary agreements will be brought back to the Board for approval, including details on fiscal impacts.
15A1 **131435**	RESOLUTION APPROVING REQUEST OF PROPERTY APPRAISER TO RETAIN OUTSIDE LEGAL COUNSEL TO FILE A LAWSUIT AGAINST MIAMI-DADE COUNTY SEEKING DECLARATORY JUDGMENT REGARDING THE POWERS OF THE PROPERTY APPRAISER AND AUTHORIZING THE PROPERTY APPRAISER TO EXECUTE AN AGREEMENT FOR SUCH SERVICES, WITH PAYMENT IN AN AMOUNT NOT TO EXCEED $50,000.00 AND TO EXERCISE ANY EXTENSION, RENEWAL AND CANCELLATION PROVISIONS(Office of Property Appraiser)
Notes	The proposed resolution approves the request of the Property Appraiser to retain Gelber, Schachter & Greenberg, PA as outside legal counsel to file a lawsuit against Miami-Dade County seeking declaratory judgment regarding the powers of the Property Appraiser. The Board further authorizes the Property Appraiser to execute the agreement, for and on behalf of the County in an aggregate amount of not to exceed $50,000.00 and to exercise any extension, renewal and cancellation provisions.