



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

December 16, 2014
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
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
4A 142691	ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGARDING PREPARATION OF ORDINANCES AND RESOLUTIONS; ESTABLISHING A TIMEFRAME WITHIN WHICH A PRIME SPONSOR MUST REQUEST PLACEMENT OF AN ITEM ON AN AGENDA; PROHIBITING ANOTHER COUNTY COMMISSIONER FROM REQUESTING THAT THE SAME OR SIMILAR ITEM BE PLACED ON THE AGENDA DURING SUCH TIMEFRAME; ALLOWING ANOTHER COUNTY COMMISSIONER TO REQUEST THAT THE SAME OR SIMILAR ITEM BE PLACED ON THE AGENDA AFTER THE EXPIRATION OF SUCH TIMEFRAME; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance, relating to Rules of Procedure of the Board of County Commissioners, amends Section 2-1 of the Miami-Dade County Code regarding preparation of ordinances and resolutions providing for the following:</p> <ul style="list-style-type: none"> • Establishes a timeframe within which a prime sponsor must request placement of an item on an agenda; <ul style="list-style-type: none"> ○ <i>The prime sponsor will have six (6) months from the date of the request for legislation within which to submit the item to the Chairperson of the County Commission for placement on the appropriate agenda.</i> • Prohibits another County Commissioner from requesting that the same or similar item be placed on the agenda during such timeframe; and <ul style="list-style-type: none"> ○ <i>Prior to submission by the prime sponsor of the item to the Chairperson of the County Commission for placement on the appropriate agenda, no other Commissioner may request that the same or substantially similar item be placed on the agenda.</i> • Allows another County Commissioner to request that the same or similar item be placed on the agenda after the expiration of such timeframe. <ul style="list-style-type: none"> ○ <i>If a requested item is not submitted by the prime sponsor to the Chairperson of the County Commission for placement on the agenda within six months from the date of the request for the legislation, any other Commissioner may request that the same or substantially similar item be prepared for placement on the agenda.</i>
4B 142659	ORDINANCE RELATED TO THE COMMUNITY IMAGE ADVISORY BOARD; RENAMING THE COMMUNITY IMAGE ADVISORY BOARD AS "NEAT STREETS MIAMI"; AMENDING ARTICLE XCII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REPLACING REFERENCES TO "COMMUNITY IMAGE ADVISORY BOARD" WITH "NEAT STREETS MIAMI"; PROVIDING THAT ALL REFERENCES TO THE COMMUNITY IMAGE ADVISORY BOARD IN BOARD ENACTMENTS AND OTHER DOCUMENTS SHALL BE DEEMED TO BE REFERENCES TO NEAT STREETS MIAMI; DIRECTING THE MAYOR OR DESIGNEE TO DISCONTINUE THE USE OF THE NAME COMMUNITY IMAGE ADVISORY BOARD AND USE THE NAME THE NEAT STREETS MIAMI IN ALL DOCUMENTS, SIGNAGE, AND OTHER REFERENCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance renames the Community Image Advisory Board as "Neat Streets Miami" and amends Article XCII of the Miami-Dade County Code replacing references to "Community Image Advisory Board" with "Neat Streets Miami."</p> <p>The proposed ordinance also directs the Mayor to discontinue the use of the name Community Image Advisory Board and use the name the Neat Streets Miami in all documents, signage and other references.</p> <p><u>Additional Information</u></p> <p>The Community Image Advisory Board's (CIAB) mission is to develop partnerships, principles, and projects that support the sustainable beautification and greening of our community through scenic vistas, tree lined streets, lush landscaping in high-traffic areas and popular destinations, and livable neighborhoods that reflect a world class image of Miami-Dade County as a sub-tropical paradise.</p> <p>The CIAB is a multi-jurisdictional collaborative dedicated to creating beautiful gateways, corridors and connections through maintenance and aesthetic investments. Working with members, including the Florida Department of Transportation, the Miami-Dade Expressway Authority, the Greater Miami Convention and Visitors Bureau, PortMiami, Miami-Dade Parks, Recreation and Open Spaces and Public Works and Waste Management departments, non-profits, and municipalities, the CIAB's impact can be seen in efforts, such as:</p> <ul style="list-style-type: none"> • Litter reduction education programs • Treeplantings <ul style="list-style-type: none"> ○ <i>CIAB, launched Million Trees Miami in 2011, to plant one million trees by 2020, increasing Shade Canopy to 30 percent. As of end of 2013, they were at 162,000.</i> • Roadway landscaping projects • Master Plan for Street Trees and Aesthetics • Metrorail station landscape replacements and enhancements
5A 142262	ORDINANCE RELATING TO REDEVELOPMENT OF MIAMI BEACH CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA; AMENDING SECTION 30A-52 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO EXTEND THE PERIOD OF FUNDING THE TRUST FUND; CREATING SECTION 30A-55 OF THE CODE TO PROVIDE TERMINATION DATE; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE (SEE AGENDA ITEM NO. 5M)
Notes	<p>The proposed ordinance relating to Redevelopment of Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area, amends Section 30A-52 of the Code of Miami-Dade County (Code), to extend the period of funding the Trust Fund, creating Section 30A-55 of the Code to provide termination date.</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes			
	<p style="text-align: center;">Comparison of Current Code and the Proposed Amendments <i>Sections 30A-52 and 30A-55 of the Code</i> <i>Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area</i></p>			
	<p style="text-align: center;">Section of Code</p>	<p style="text-align: center;">Current Code</p>	<p style="text-align: center;">Proposed Amendments <i>Bold refers to proposed amendments.</i></p>	<p style="text-align: center;">Notes</p>
	<p>Sec. 30A-52</p> <p><i>Obligation to appropriate; duration of obligation; limitations on obligation, bond sales and refundings; accounting requirements for County increment.</i></p>	<p>Each taxing authority shall by January first of each year appropriate to the fund for so long as any indebtedness pledging the tax increment due the fund is outstanding (but not <i>to exceed thirty (30) years</i>), a sum not less than the increment as defined and determined by Section 30A-51. In no year shall the County's obligation to the fund exceed the amount of that year's tax increment as determined in Section 30A-51. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without <i>amending this article</i>. The County's obligation to fund the fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the community redevelopment agency incurred as a result of redevelopment in the redevelopment area have been paid. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.</p>	<p>Each taxing authority, including The Children's Trust, shall by January first of each year appropriate to the fund for so long as any indebtedness pledging the tax increment due the fund is outstanding (but not later than March 31, 2044), a sum not less than the increment as defined and determined by Section 30A-51; provided however, that The Children's Trust shall become exempt commencing on the earlier of (i) the date the Miami Beach Redevelopment Agency's bonds outstanding as of November 1, 2014 are no longer outstanding, or (ii) March 31, 2023. In no year shall the County's obligation to the fund exceed the amount of that year's tax increment as determined in Section 30A-51. Beginning with the twentieth year after the date of sale of the initial bonding or indebtedness pledging tax increment funds, no new sale of bonds or indebtedness supported by the County's tax increment may occur nor may existing indebtedness so supported be refunded without Board approval. The County's obligation to fund the fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of the community redevelopment agency incurred as a result of redevelopment in the redevelopment area have been paid provided however, the County's obligation to fund the fund shall not extend beyond March 31, 2044, unless the County's obligation to fund the fund has not been satisfied. The County's increment contribution is to be accounted for as a separate revenue within the fund but may be combined with other revenues for the purpose of paying debt service. The County must approve the amount, duration of the obligation and the purpose of any bond, note or other form of indebtedness, including advances, pledging or otherwise obligating tax increment funds.</p>	<p><i>Amends the Code to extend the period of funding the Trust Fund.</i></p>
	<p>Sec. 30A-55</p> <p><i>Termination.</i></p>	<p>N/A</p>	<p>The Agency and the City Center/Historic Convention Village Redevelopment and Revitalization Area shall terminate on the earlier of: (1) the date all loans, advances, and indebtedness, if any, are no longer outstanding; or (2) March 31, 2044.</p>	<p><i>Creates new section of the Code to provide termination date.</i></p>
5D SUB. 142649	ORDINANCE RELATING TO COUNTY STEVEDORE LICENSES AND SEAPORT STEVEDORE PERMITS; AMENDING SECTION 28A-6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DELETING STEVEDORING NEEDS ASSESSMENT REQUIREMENT; INCREASING LICENSE AND PERMIT DURATIONS; AUTHORIZING PORT DIRECTOR TO ISSUE COUNTY STEVEDORING LICENSES AND SEAPORT STEVEDORING PERMITS; EXPANDING EXISTING STEVEDORING LICENSE AND PERMIT ISSUANCE CRITERIA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 142595)			
Notes	The proposed ordinance amends Section 28A-6 (6.1-6.7) of the Code of Miami-Dade County providing for modifications to the stevedore permit renewal process enabling stevedoring firms to renew their business permits every three years instead of annually; deletes the stevedoring needs assessment requirement, allowing the PortMiami Director to expand the number of stevedoring providers on port;			

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>expands stevedoring license and permit criteria; and authorizes the PortMiami Director to issue County stevedoring licenses and PortMiami stevedoring permits.</p> <p>Fiscal Impact Permittees will now be required to pay for three years of stevedoring permit fees at the current PortMiami Terminal Tariff No. 010 annual stevedoring permit rate. Each stevedoring provider will pay the three year permit fee upfront valued at \$17,400 or, if deemed credit worthy by the Port Director, will pay the fee in annual installments (\$5,800 per year). PortMiami currently has a total of ten stevedoring companies licensed and permitted to do business at the port. Stevedoring licenses will continue to be processed at no charge.</p> <p>Background In an effort to streamline the permit renewal process for stevedoring firms, PortMiami proposes to change the duration of port stevedoring permits and County stevedoring licenses from one (1) year to three (3) years. Under this proposed ordinance, any Port stevedoring permit or County stevedoring license issued by the PortMiami Director after January 1, 2015 will expire three years after date of permit issuance unless earlier revoked or suspended by the PortMiami Director. Most port permitted stevedoring firms have been permitted and licensed for many years and the information currently required to be submitted annually seldom changes.</p> <p>Additionally, the proposed ordinance deletes the current stevedoring needs assessment requirement. Under the current ordinance, the PortMiami Director may limit the number of permitted stevedores based on a needs assessment. The recommended ordinance would delete the needs assessment requirement, thereby allowing for the PortMiami Director to permit any qualifying applicant. The issuance of additional permits may increase the number of available and competing stevedoring providers which could reduce stevedoring costs for the PortMiami's cruise and cargo line customers.</p> <p>The proposed ordinance also expands current stevedoring permit issuance criteria in order to address the importance of stevedoring firms having sufficient and suitable equipment to efficiently and safely meet the stevedoring needs of the PortMiami's cruise and cargo line customers. With the adoption of this ordinance, and the related proposed resolution amending Implementing Order 4-4 and Port Terminal Tariff No. 010, Item 714, stevedoring firms will be required to pay the three (3) year permit fee at the applicable Port Terminal Tariff No. 010 PortMiami stevedoring permit rate. However, stevedoring firms may request that their three-year permit fee be paid in three annual payments, provided that applicants remain obligated for the full three-year fee even if they withdraw or cease using the permit prior to the expiration of the three (3) year term.</p> <p>Additional Information The following questions were made to the Seaport Department, however responses had not been received at the time of printing:</p> <ul style="list-style-type: none"> • <i>The item states that the Port currently has a total of 10 stevedoring companies licensed and permitted to do business at the port. Please provide the name of each company and how many years each company has been operating at the Port?</i> • <i>What is the current approval process for obtaining a stevedore license (does the BCC currently approve the application for a stevedore license)?</i> • <i>Does the amendment (28A-6.4 (a) & (b)) remove the MDPD criminal background check for renewal applications? Are MDPD criminal background checks currently performed for renewal applications?</i> <p>http://www.law360.com/articles/446162/fla-county-takes-port-permit-case-to-supreme-court May 30, 2013 -- Miami-Dade County has asked the U.S. Supreme Court to overturn an Eleventh Circuit ruling that upheld a \$4 million judgment- The Eleventh Circuit said the county's repeated refusals to issue the Port of Miami permit violated the dormant commerce clause, which prohibits states and local governments from enacting legislation or practices that impact interstate commerce by discriminating against out-of-state companies.</p> <p><i>Between 1999 and 2005, FTS had a Miami-Dade stevedoring license allowing it to stevedore anywhere in the county except for the Port of Miami, which is owned by the county, according to the petition for writ of certiorari. Stevedores who wanted to provide services at the Port of Miami had to apply for and receive an annually issued permit. Miami-Dade limited the permits it issued because the port has limited land and facilities, and it wanted to prevent competition that might arise if there were too many stevedores at the port and too few customers. Once companies received the Port of Miami permit, the county automatically renewed the permit as long as the permit holder continued to meet requirements and pay annual fees.</i></p> <p><i>Miami-Dade says that between 1999 and 2005, the Port of Miami's eight to nine stevedores — which included out-of-state companies — fulfilled its needs, so it refused to hire additional stevedores. Within those years, FTS filed annual applications for a Port of Miami permit, but it was denied each time, as the county believed the port was saturated. In 2005, FTS sued Miami-Dade, claiming its denials violated the dormant commerce clause, and a district court in 2010 ruled in FTS' favor. U.S. District Judge Adalberto Jordan also called Miami-Dade's permit rule a "protectionist scheme" that insulated its approved stevedores from new competition. The Eleventh Circuit upheld the lower court ruling and a nearly \$4 million judgment against the county. The case is Miami-Dade County v. Florida Transportation Services Inc., case number 12-1387, in the Supreme Court of the United States.</i></p>
<p>5M 142460</p>	<p>RESOLUTION APPROVING AMENDMENT TO MIAMI BEACH CITY CENTER/HISTORIC CONVENTION VILLAGE REDEVELOPMENT AND REVITALIZATION AREA PLAN; APPROVING THIRD AMENDMENT BETWEEN MIAMI-DADE COUNTY, CITY OF MIAMI BEACH, AND MIAMI BEACH REDEVELOPMENT AGENCY TO INTERLOCAL COOPERATION AGREEMENT DATED NOVEMBER 16, 1993 AND AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CITY OF MIAMI BEACH REGARDING CONVENTION DEVELOPMENT TAX, AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENTS SUBJECT TO</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>SATISFACTION OF CERTAIN CONDITIONS; WAIVING REQUIREMENTS OF SECTION 3 OF RESOLUTION NO. R-871-11 RELATING TO THE BOARD OF COUNTY COMMISSIONERS' PRIOR APPROVAL OF THE REDEVELOPMENT AGENCY'S BUDGET; AUTHORIZING ISSUANCE OF TAX INCREMENT REVENUE BONDS IN ONE OR MORE SERIES IN AN AMOUNT NOT TO EXCEED \$430,000,000.00 FOR PURPOSES OF REFUNDING OUTSTANDING TAX INCREMENT REVENUE BONDS TAXABLE SERIES 1998A, TAXABLE SERIES 2005A, AND SERIES 2005B, FUNDING ELIGIBLE COMMUNITY REDEVELOPMENT PROJECT COSTS AND ANY NECESSARY RESERVES, AND PAYING COSTS OF ISSUANCE, PROVIDED CERTAIN CONDITIONS ARE SATISFIED; AND APPROVING PROJECTS FOR FINANCING FROM PROCEEDS OF TAX INCREMENT REVENUE BONDS (SEE AGENDA ITEM NO. 5A)</p>
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Approves an amendment to the Redevelopment Plan for the Miami Beach City Center/Historic Convention Village Redevelopment and Revitalization Area (City Center Agency) that extends the life of the City Center Agency to March 31, 2044; • Approves the Third Amendment to the Interlocal Cooperation Agreement between the County, the City of Miami Beach (City), and the City Center Agency to, among other things, pay for debt issuances, and certain operating expenses; • Approves an Amended and Restated Interlocal Cooperation Agreement between Miami-Dade County and the City regarding Convention Development Tax (CDT) and payments associated with the South Pointe area; • Authorizes the County Mayor to execute all agreements, subject to satisfaction of certain conditions; and • Authorizes the issuance of tax increment revenue bonds in one or more series by the City Center Agency in an amount not to exceed \$430,000,000 for purposes of refunding current outstanding debt, funding eligible community redevelopment project costs, including the Miami Beach Convention Center (Convention Center) renovation, and any reserves and costs of issuance. <p>Fiscal Impact/Funding Source The recommended actions of the Board would increase County funding from CDT, as well as incremental tax financing revenues, to the City Center Agency from the Countywide General Fund. Total payments made from the Countywide General Fund associated with the South Pointe area would not change.</p> <p>In summary, based on current assumptions regarding property tax roll growth, debt issuance costs, the construction of a Convention Center headquarters hotel, eligible project costs, and City Center Agency operational costs, an additional \$754.5 million of tax increment financing revenue through FY 2043-44 and up to \$154 million of CDT will be paid from the County to the City through 2048. Those estimates are \$220 million less than originally proffered by the City when negotiations began. The Convention Center renovation is estimated at \$591 million. The County will provide approximately \$121 million through the City Center Agency and \$53.6 million in Building Better Communities General Obligation Bond proceeds, comprising approximately 30 percent of the total project cost.</p> <p>Background During the FY 2014-15 Proposed Budget development process, a payment required through a prior agreement with the City related to projects in the South Pointe area was identified. This agreement required that payments to the City continue to be made subsequent to the sunset of the South Pointe Community Redevelopment Agency in 2005. As of the end of FY 2013-14, the remaining payments based on projected property tax roll growth were estimated to total \$85.1 million through FY 2020-21. These payments were structured in such a way that earlier years required higher payments, with the obligation tapering off through the end of the payment schedule. In order to help mitigate a portion of the budget gap, the County Mayor approached the City leadership and requested the payment for FY 2014-15 be forgiven.</p> <p>Negotiations regarding the City's requests related to the Convention Center and County's request related to the South Pointe area payment ensued. Other mutually beneficial issues were raised, including the City's need for funding for sea level rise mitigation, continued funding of beach maintenance, operations of local bus and trolley routes, and the construction of a transit corridor linking downtown Miami to the Convention Center. After several meetings, a Memorandum of Intent (MOI) was drafted. The MOI outlines:</p> <ul style="list-style-type: none"> • An amendment to the interlocal agreement between the City and the County governing the payments related to the South Pointe Area projects and Resort Tax and CDT projects to change the payment schedule to be more in line with available revenues and release the limitations regarding the use of accumulated revenues by the City to allow for investment in sea level rise mitigation projects, as well as other City needs; • An amendment to the interlocal agreement between the City and the County governing the payment of CDT to support the Convention Center to allow for additional funding to be provided in the event a Convention Center hotel is constructed. These payments will be subordinate to existing CDT funding obligations; • An amendment to the interlocal agreement between the City and the County governing the payment of a new CDT subsidy to support on-going operating and maintenance support for the Convention Center once the City Center Agency expires or when sufficient excess funds are available from CDT, whichever occurs earlier; • An extension of the County's (and other taxing authorities') obligation to appropriate funds to the City Center Agency through FY 2043-44, to support an investment in the Convention Center renovation and the required issuance of debt; use of tax increment revenue to support on-going operating and maintenance support for the Convention Center for the life of the City Center Agency; and a return of a portion of the excess incremental revenue to the County; • Future discussions regarding the potential transfer of the responsibility for maintenance of city beaches from the County to the City in exchange for the transfer of the provision of local bus circulator services from the County to the City and approval to operate trolleys; • Potential discussions regarding future support for a transit connection between Miami Beach and downtown Miami (although the MOI referenced the ability to utilize available CDT for operating and maintenance costs of the connection, that is not currently an eligible use of CDT and instead future discussions would analyze the opportunity to utilize available CDT for acquisition and construction, which are legally allowable uses of CDT per statute).

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>The MOI was approved by the City Commission at a special meeting held on June 27, 2014. The FY 2014-15 Adopted Budget included the revised payments to the City pursuant to this MOI. The savings negotiated for FY 2014-15 has been used in its entirety to fund sworn positions originally slated to be eliminated in the Miami-Dade Police Department.</p> <p>The negotiated modifications have a positive impact on the County's budget in this fiscal year and next. In FY 2014-15, this allowed the County to preserve roughly half of the more than 400 police officers identified for reduction. While the balance of these payments were moved into future years, the total payments remain the same and these payments have been included in our Five-Year Forecast and will not require additional layoffs or tax rate increases in the future. Furthermore, the elements of this intent document include further discussions regarding issues that could be mutually beneficial to the City and the County in the future.</p> <p>The following is a breakdown on the specifics of each agreement:</p> <p>Third Amendment to the City Center Agency Interlocal Agreement</p> <ul style="list-style-type: none"> • Requires County approval of the annual budget, however the City will still have the ability to expend funds prior to County approval; • Allows for the Commissioner of District 5 to sit as a City Center Agency board member; • Allows the refinancing of existing debt of approximately \$60 million; • Allows for the issuance of new bonds of approximately \$350 million to fund \$275 million in Convention Center renovations and \$36 million in ancillary projects; • Provides yearly Convention Center operating and maintenance funding of \$1 million starting in FY 2017-18, escalating by \$750,000 each year until reaching \$4 million then adjusted by the Consumer Price Index; • Exempts the Children's Trust once the prior debt has been refinanced, as the Children's Trust was previously required to pay into the Trust Fund; • Limits the operating expenses to administration, community policing and capital project maintenance as specified in FY 2013-14 budget, as these expenses will escalate by the Consumer Price Index in future years; • Establishes that, from FY 2014-15 through FY 2021-22, any funding not used for debt service and operating expenses will go into a fund to be used for shortfalls and eventually prepayment of debt; • Establishes that, from FY 2022-23 until FY 2043-44, the County will receive a refund of City Center Agency operating expenses based on its proportion of revenues contributed to the Trust Fund; and • Any remaining funding will be used to retire debt early. <p>Convention Development Tax Amended and Restated Agreement</p> <ul style="list-style-type: none"> • The payments for the South Pointe Area will be completely deferred in FY 2014-15 and partially deferred FY 2015-16 and FY 2016-17. Future payments will include the deferred amounts and payments made based on calculations in the current agreement. The restrictions on the City's use of the funds has been deleted, therefore the City will be permitted to use the funding for sea level rise mitigation or other projects in the City; • Assumes additional Convention Center operations and maintenance subsidy beginning in 2026 or once the City Center Agency sunsets or there is sufficient revenue to provide the payment before it sunsets; • Includes \$1.5 million per year if a convention center hotel consisting of 800 rooms is built; and • Extends the life of the agreement until 2048, which coincides with the last debt service payment being made on current debt. <p>Additional Information</p> <p>The information provided below is from the July 3, 2014 Miami Herald article "Convention-center deal would briefly ease Miami-Dade budget gap - Plan backed by Mayor Carlos Gimenez extends key taxing district in Miami Beach to boost dollars for expo and headquarters hotel"</p> <ul style="list-style-type: none"> • <i>As part of a complicated swap with Miami Beach, Gimenez wants to delay paying \$18 million in property taxes to the resort city this year and another \$14 million in 2016. In exchange, Miami-Dade would add about 20 years to the life of a special taxing district around the Lincoln Road area - which is forecast to cost Miami-Dade about \$800 million in diverted property taxes during the extension through 2045.</i> • <i>By resetting the current 2023 retirement date of the City Center taxing-district, Miami-Dade would allow most of the diverted taxes to go toward a \$580 million redevelopment of the decades-old convention center.</i> • <i>But the deal also dramatically increases Miami-Dade's long-term obligations in Miami Beach, since the City Center taxing district (known as a CRA) is set to expire nine years from now.</i> • <i>The deal includes a number of sweeteners for Miami Beach, while rewriting restrictions on two special taxing districts in the city. The delayed payments totaling \$32 million come from the city's South Pointe taxing district, which allows Miami Beach to retain county property taxes from that area and spend them in the neighborhood. The agreement would lift county restrictions requiring the money be spent within the taxing district, which runs south from Fifth Street. Freed to spend the dollars citywide, Miami Beach plans to use at least part of the cash fortifying the city against rising sea levels, according to a draft proposal.</i> • <i>The deal also earmarks an additional \$1.5 million in hotel taxes for the city if it goes forward with plans for a headquarters hotel next to the convention center. Both sides also agreed to explore letting Miami Beach take over county beach-maintenance efforts in exchange for assuming control of a profitable county bus route in South Beach.</i> • <i>The revised payment schedule does not alter the amount of diverted county taxes from South Pointe; it's still slated to total \$85 million by 2022. The difference is that instead of paying out \$32 million in the next 24 months, Miami-Dade would pay it between</i>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>2017 and 2022. But while a payment schedule simply shifts in the South Pointe district, the City Center taxing district would continue as a revenue-drain for Miami-Dade through 2045.</p> <ul style="list-style-type: none"> Jorge Gonzalez, the former Miami Beach city manager, said the agreement highlights the legacy of the 2009 decision by Miami-Dade to spend hotel taxes on Marlins Park. By tying up hotel taxes for the stadium - ballpark debt is slated to take up \$9 million in hotel taxes this year - Miami-Dade can't dedicate tourist-generated dollars for the convention center. "Yes, we're using hotel taxes for the baseball stadium," said Gonzalez, now manager of Bal Harbour Village. "But we're using property taxes for the convention center."
<p>8F1 142534</p>	<p>RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES, APPROVING LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES FOR PREMISES LOCATED AT THE DR. MARTIN LUTHER KING, JR. PLAZA, 2525 N.W. 62 STREET, MIAMI, FLORIDA, WITH A TOTAL GROSS RENTAL REVENUE TO THE COUNTY IN THE AMOUNT OF \$391,766.00, FOR THE TWO YEAR TERM OF THE LEASE AGREEMENT AND THE ADDITIONAL ONE YEAR RENEWAL OPTION PERIOD; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE SAME AND EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN, WITH THE EXCEPTION OF APPROVAL OF SUBLEASES AND ASSIGNMENTS; AND DIRECTING THE COUNTY MAYOR OR DESIGNEE TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE</p>
<p>Notes</p>	<p>The proposed resolution authorizes the execution of a Lease Agreement between the County, as Landlord, and the State of Florida Department of Children and Families (Tenant). More specifically, the proposed resolution does the following:</p> <ul style="list-style-type: none"> Authorizes the leasing of approximately 4,633 net rentable square feet, and 21 non-exclusive parking spaces, located at the Dr. Martin Luther King, Jr. Plaza (MLK Jr. Plaza), 2525 N.W. 62 Street in unincorporated Miami-Dade County, Florida; and Authorizes an initial lease term of two (2) years, plus a one-year renewal option period. <p>The Joseph Caleb Community Center, where the Tenant is currently located, will be vacated in order to commence construction of a parking garage in early December 2014. The Internal Services Department has worked closely with the Tenant to identify and secure the proposed location during the construction period.</p> <p>Fiscal Impact/Funding Source</p> <p>The revenue to the County's General Fund for the first year of the Lease Agreement is estimated to be \$115,269 (\$24.88 per square foot), which will be paid in 12 equal monthly installments. In addition, there is a cost for parking at the MLK Jr. Plaza, which is operated by Miami-Dade Transit. The parking fee is to be paid by the Tenant to Miami-Dade Transit, and is estimated to generate \$12,741.00 annually (\$2.75 per square foot). The total amount for both rent and parking is approximately \$128,010.00 annually. The total projected revenue to the County for the two-year lease term, plus the additional one-year renewal option period, is estimated to be \$391,766, which takes a two (2) percent annual rental increase into account.</p> <p>The County is responsible for the cost of all utilities, janitorial, custodial services, and pest control used by the Tenant during the term of the Lease Agreement and the renewal option period.</p>
<p>8F2 142630</p>	<p>RESOLUTION AUTHORIZING AMENDMENT NO. 2 IN THE AMOUNT OF \$936,976.00 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LIVS ASSOCIATES FOR THE DESIGN OF A NEW ANIMAL SHELTER FOR THE ANIMAL SERVICES DEPARTMENT, ISD PROJECT NO. A05-ASD-01 GOB ESP; ISD CONTRACT NO. Z000108; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS CONTAINED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution authorizes Amendment No. 2 to the professional services agreement (PSA) between the County and LIVS Associates (LIVS) for the design of a New Animal Shelter Project (ISD Project No. A05-ASD-01 GOB ESP). The New Animal Shelter Project is being expedited under the County Mayor's delegated authority granted as part of the Economic Stimulus Program (ESP) pursuant to Section 2-8.2.7 of the Code and does not require Committee review. Furthermore, Resolution R-721-13, adopted by the Board on September 4, 2013, directed that this project be expedited under the Mayor's delegated authority pursuant to ESP.</p> <p>Amendment No. 2, totaling \$936,976, is necessary to accommodate the various design elements that evolved over the past year, as the scope of the project was recently finalized to ensure a fully functional, first-class Animal Services facility. With the approval of this amendment, the total design contract value will be \$1,844,208, which is funded within the current project budget. A summary of the project elements being addressed with this amendment are as follows:</p> <ul style="list-style-type: none"> \$134,400 to align construction administration services with the projected construction term of 12 months and to provide an onsite field representative, as requested by the Animal Services Department (ASD) to ensure adequate oversight of the project and address any issues in the field more expeditiously; \$50,000 to fund additional, specialized professional services by a third-party animal shelter consultant under contract with LIVS to allow for continued expert advice on the selection of all clinical equipment needs in order to finalize product selections in a timely manner; \$100,000 as a dedicated allowance account to fund LIVS's services at the sole discretion of the County in the event that the Office of Art in Public Places wishes to integrate design concepts by the Art in Public Places artist into the permitted construction documents; \$502,576 to bring the current basic services design contract amount of \$907,232 to \$1,409,808. This will bring the final design contract into line with the cost to construct this facility (\$14,252,660). It is important to note that the design contract is ten (10) percent of the construction contract award, well below the industry standard of 14 percent for both private sector and government projects; and \$150,000 to replenish the original contingency allowance account to ensure the ability to address any unforeseen conditions that

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes						
	<p>may arise during the completion of the project's construction and warranty administration period.</p> <p>Fiscal Impact/Funding Source The total project budget for the New Animal Shelter Project (Capital Project No. 1998460) is \$28.9 million, which is funded by the Building Better Communities General Obligation Bond proceeds (\$7 million), the sale of the existing surplus property (\$3 million), proceeds from the Capital Asset Series 2009B Bonds (\$4 million), and future financing (\$14.9 million).</p> <p>The total amount of this change order is \$936,976 and will be funded from the future financing revenue already included for this project in the FY 2014-15 Adopted Budget and Multi-Year Capital Plan.</p> <p>Delegated Authority The authority of the County Mayor or County Mayor's designee to execute and implement this contract is consistent with those authorities granted under the ESP pursuant to Section 2-8.2.7 of the Code of Miami-Dade County, and also includes all authorities specified in the Contract Documents such as Termination of the Contractor for Default or Convenience. The County Mayor or designee has the authority to execute, implement and exercise the one-year option to renew the term of this contract.</p> <p>Background On July 7, 2011, the Board approved Resolution R-527-11 to enter into a PSA with LIVS for the professional design services of a new animal shelter in the amount of \$457,897. The current PSA provides for the design and construction documents necessary to renovate an existing warehouse building, located at 3651 NW 79 Avenue, into an animal shelter facility that will replace the current Animal Services facility, located at 7401 NW 74 Street.</p> <p>At the time of award, LIVS' services were based on the estimated \$4.5 million construction cost of the new facility, which provided for the renovation of only half of the new warehouse space. As a result of a collaborative effort between the Internal Services and Animal Services departments and LIVS, it was determined that additional design elements were needed to maximize the use of the space and functionality of the future facility. Consequently, Amendment No. 1 was approved by the Board on December 4, 2012 to provide an additional 746 days and \$449,335 to LIVS given the change in location and scope of the project.</p> <p>Amendment No. 2 is now necessary to ensure the design consultant's contract is in line with the construction contract in order to provide sufficient oversight of this project.</p> <p>Construction bids were received on August 8, 2014 and award of the construction contract was filed on August 29, 2014 under the Mayor's authority as an ESP project. Construction began on October 1, 2014 and is expected to be substantially completed by early October 2015.</p> <p>Additional Information On October 10, 2006, a contract award was approved under the Expedite Ordinance, Section 2-8.2.7 of the Code, to LIVS to develop the architectural program and prepare construction plans, specifications and bid documents for a new facility. The contract amount for the original PSA was \$1,385,538 plus 10% contingency, for a total of \$1,524,091.80.</p> <table border="1" data-bbox="272 1255 1484 1900"> <thead> <tr> <th colspan="2" data-bbox="272 1255 418 1276">Legislative Research Notes</th></tr> </thead> <tbody> <tr> <td data-bbox="272 1276 418 1879"> <p>April 4, 2011</p> <p>R-236-11</p> </td><td data-bbox="418 1276 1484 1879"> <p>This Resolution authorized a Contract for Sale and Purchase in the amount of \$6,625,000 for the acquisition of approximately 69,718 square feet of warehouse/office space at 3651 NW 79th Avenue, Doral, for the purpose of relocation and expansion of the Animal Services Department (ASD).</p> <p>In December 2005, the County hired LIVS to perform a feasibility study which enumerated the facility's shortcomings. The study concluded that an expansion and renovation on the current site was not feasible. As a result, staff evaluated numerous parcels of vacant land and existing facilities.</p> <p>In October, 2006, the County entered into a contract with LIVS to develop the architectural program and prepare construction plans, specifications and bid documents for a new facility. Working directly with the Animal Services staff, they have developed a detailed program to address the current and future needs of the department, including the appropriate HVAC and plumbing systems, flow of animals and the public and all animal care areas. Because the County was proposing to renovate an existing structure rather than construct a new facility, an amendment to the contract with LIVS is forthcoming to modify the scope accordingly.</p> <p>During discussion of this item the following concern was raised:</p> <ul style="list-style-type: none"> • <i>Comments and concerns regarding relying on uncertain proceeds (\$3 million) from the sale of the existing animal service facility.</i> • <i>It was noted the purchase price was approximately \$6.625 million for the land and building of the new facility, the breakdown of that amount to include capital assets series 209B Bonds valued at \$4 million was non ad-valorem bonds; \$7 million of Building Better Communities General Obligation Bonds (GOB); and approximately \$3 million proceeds from the sale of the existing building.</i> </td></tr> <tr> <td data-bbox="272 1879 418 1900">Legislative</td><td data-bbox="418 1879 1484 1900">On June 14, 2011, this item went to the, Public Safety & Healthcare Committee and the Internal Management & Fiscal</td></tr> </tbody> </table>	Legislative Research Notes		<p>April 4, 2011</p> <p>R-236-11</p>	<p>This Resolution authorized a Contract for Sale and Purchase in the amount of \$6,625,000 for the acquisition of approximately 69,718 square feet of warehouse/office space at 3651 NW 79th Avenue, Doral, for the purpose of relocation and expansion of the Animal Services Department (ASD).</p> <p>In December 2005, the County hired LIVS to perform a feasibility study which enumerated the facility's shortcomings. The study concluded that an expansion and renovation on the current site was not feasible. As a result, staff evaluated numerous parcels of vacant land and existing facilities.</p> <p>In October, 2006, the County entered into a contract with LIVS to develop the architectural program and prepare construction plans, specifications and bid documents for a new facility. Working directly with the Animal Services staff, they have developed a detailed program to address the current and future needs of the department, including the appropriate HVAC and plumbing systems, flow of animals and the public and all animal care areas. Because the County was proposing to renovate an existing structure rather than construct a new facility, an amendment to the contract with LIVS is forthcoming to modify the scope accordingly.</p> <p>During discussion of this item the following concern was raised:</p> <ul style="list-style-type: none"> • <i>Comments and concerns regarding relying on uncertain proceeds (\$3 million) from the sale of the existing animal service facility.</i> • <i>It was noted the purchase price was approximately \$6.625 million for the land and building of the new facility, the breakdown of that amount to include capital assets series 209B Bonds valued at \$4 million was non ad-valorem bonds; \$7 million of Building Better Communities General Obligation Bonds (GOB); and approximately \$3 million proceeds from the sale of the existing building.</i> 	Legislative	On June 14, 2011, this item went to the, Public Safety & Healthcare Committee and the Internal Management & Fiscal
Legislative Research Notes							
<p>April 4, 2011</p> <p>R-236-11</p>	<p>This Resolution authorized a Contract for Sale and Purchase in the amount of \$6,625,000 for the acquisition of approximately 69,718 square feet of warehouse/office space at 3651 NW 79th Avenue, Doral, for the purpose of relocation and expansion of the Animal Services Department (ASD).</p> <p>In December 2005, the County hired LIVS to perform a feasibility study which enumerated the facility's shortcomings. The study concluded that an expansion and renovation on the current site was not feasible. As a result, staff evaluated numerous parcels of vacant land and existing facilities.</p> <p>In October, 2006, the County entered into a contract with LIVS to develop the architectural program and prepare construction plans, specifications and bid documents for a new facility. Working directly with the Animal Services staff, they have developed a detailed program to address the current and future needs of the department, including the appropriate HVAC and plumbing systems, flow of animals and the public and all animal care areas. Because the County was proposing to renovate an existing structure rather than construct a new facility, an amendment to the contract with LIVS is forthcoming to modify the scope accordingly.</p> <p>During discussion of this item the following concern was raised:</p> <ul style="list-style-type: none"> • <i>Comments and concerns regarding relying on uncertain proceeds (\$3 million) from the sale of the existing animal service facility.</i> • <i>It was noted the purchase price was approximately \$6.625 million for the land and building of the new facility, the breakdown of that amount to include capital assets series 209B Bonds valued at \$4 million was non ad-valorem bonds; \$7 million of Building Better Communities General Obligation Bonds (GOB); and approximately \$3 million proceeds from the sale of the existing building.</i> 						
Legislative	On June 14, 2011, this item went to the, Public Safety & Healthcare Committee and the Internal Management & Fiscal						

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes						
	<table border="1"> <tr> <td data-bbox="272 247 418 688"> File No. 111088 </td><td data-bbox="418 247 1484 688"> <p>Responsibility Committee, both Committees forwarded the item to BCC with a favorable recommendation.</p> <p>However, at the July 7, 2011, BCC meeting the item was amended and adopted by the BCC, as amended, as Resolution No. R-527-11.</p> <p>During the committee meetings the following discussions occurred:</p> <ul style="list-style-type: none"> • <i>Commissioner questioned the total budget for the new animal shelter. GSA Director noted the total budget was \$14 million.</i> • <i>Commissioner questioned the rationale for awarding a contract in 2006, without identifying a location for the animal shelter. GSA Director, noted a location was identified and that a contract was awarded for a freestanding building; however, it was later determined that renovating an existing facility would be more cost effective. She noted that the Board had previously approved the acquisition of a warehouse facility and that the proposed contract would provide funding to design the build out requirements for that facility.</i> • <i>Commissioner questioned whether an analysis was performed on the warehouse structure under consideration and the costs to renovate that facility. GSA Director noted that an analysis was conducted and the building was determined to be structurally sound.</i> </td></tr> <tr> <td data-bbox="272 688 418 1024"> July 7, 2011 R-527-11 </td><td data-bbox="418 688 1484 1024"> <p>This resolution approved the Professional Services Agreement with LIVS Associates (LIVS) in the amount of \$457,897.00 for the design of a new Animal Services Department (ASD) Shelter. On November 7, 2009, the original agreement between the County and LIVS expired.</p> <p>At the July 7, 2011, BCC meeting the item was adopted as amended, the following amendment, adding a new paragraph to the resolution, was read into the record by the County Attorney to read as follows:</p> <p><i>"This Board reserves the right to approve the programmatic and schematic plans for the new facility to accomplish that purpose. The County Mayor or the County Mayor's designee is directed not to expend any monies under the contract beyond those necessary to complete programmatic and schematic plans. The County Mayor or the Mayor's designee is further directed to present the same for approval by this Board upon completion, as a condition of further expenditures under the contract."</i></p> </td></tr> <tr> <td data-bbox="272 1024 418 1669"> Dec. 4, 2012 R-1006-12 </td><td data-bbox="418 1024 1484 1669"> <p>This Resolution provided for the following:</p> <ul style="list-style-type: none"> • Authorized Amendment #1 to increase the PSA for design services of the new Animal Shelter facility between LIVS and Miami-Dade County by \$449,335 and increased the contract time by 746 days. The additional funding was necessary to incorporate the appropriate scope needed to accommodate the demand and health standards for sheltering of abandoned animals and to include recommendations given by animal shelter professionals for inclusion into the design of the new facility. • Authorized to proceed with the design development/construction documents phase, which the Board reserved the right to grant pursuant to R-527-11. More specifically, the Board reserved the right to approve the programmatic and schematic plans for the new facility prior to authorizing LIVS to proceed to the next phase. • The County Mayor or designee has the authority to execute, implement and exercise the one-year option to renew period for this contract. <p>At the September 20, 2012 second budget hearing, the Board directed that this project be expedited to the extent possible. As a result of modifications in scope and redesign efforts, which are discussed further below, this item requests an increase of \$449,335 to the original contract value of \$457,897, bringing the total contract for design services to \$907,232. It is important to point out that the original work performed by LIVS, prior to this amendment, was done for the original site that was being considered in South Dade, and the additional funds are necessary given the change in location and scope.</p> <p>Additionally, at the September 20, 2012 second budget hearing, an amendment of \$6.1 million was approved by the Board for the design and construction of the new Animal Shelter, bringing the total project design and construction budget to \$20.6 million. The total project will be funded by a future borrowing and general fund subsidies to repay the debt over time.</p> </td></tr> </table>	File No. 111088	<p>Responsibility Committee, both Committees forwarded the item to BCC with a favorable recommendation.</p> <p>However, at the July 7, 2011, BCC meeting the item was amended and adopted by the BCC, as amended, as Resolution No. R-527-11.</p> <p>During the committee meetings the following discussions occurred:</p> <ul style="list-style-type: none"> • <i>Commissioner questioned the total budget for the new animal shelter. GSA Director noted the total budget was \$14 million.</i> • <i>Commissioner questioned the rationale for awarding a contract in 2006, without identifying a location for the animal shelter. GSA Director, noted a location was identified and that a contract was awarded for a freestanding building; however, it was later determined that renovating an existing facility would be more cost effective. She noted that the Board had previously approved the acquisition of a warehouse facility and that the proposed contract would provide funding to design the build out requirements for that facility.</i> • <i>Commissioner questioned whether an analysis was performed on the warehouse structure under consideration and the costs to renovate that facility. GSA Director noted that an analysis was conducted and the building was determined to be structurally sound.</i> 	July 7, 2011 R-527-11	<p>This resolution approved the Professional Services Agreement with LIVS Associates (LIVS) in the amount of \$457,897.00 for the design of a new Animal Services Department (ASD) Shelter. On November 7, 2009, the original agreement between the County and LIVS expired.</p> <p>At the July 7, 2011, BCC meeting the item was adopted as amended, the following amendment, adding a new paragraph to the resolution, was read into the record by the County Attorney to read as follows:</p> <p><i>"This Board reserves the right to approve the programmatic and schematic plans for the new facility to accomplish that purpose. The County Mayor or the County Mayor's designee is directed not to expend any monies under the contract beyond those necessary to complete programmatic and schematic plans. The County Mayor or the Mayor's designee is further directed to present the same for approval by this Board upon completion, as a condition of further expenditures under the contract."</i></p>	Dec. 4, 2012 R-1006-12	<p>This Resolution provided for the following:</p> <ul style="list-style-type: none"> • Authorized Amendment #1 to increase the PSA for design services of the new Animal Shelter facility between LIVS and Miami-Dade County by \$449,335 and increased the contract time by 746 days. The additional funding was necessary to incorporate the appropriate scope needed to accommodate the demand and health standards for sheltering of abandoned animals and to include recommendations given by animal shelter professionals for inclusion into the design of the new facility. • Authorized to proceed with the design development/construction documents phase, which the Board reserved the right to grant pursuant to R-527-11. More specifically, the Board reserved the right to approve the programmatic and schematic plans for the new facility prior to authorizing LIVS to proceed to the next phase. • The County Mayor or designee has the authority to execute, implement and exercise the one-year option to renew period for this contract. <p>At the September 20, 2012 second budget hearing, the Board directed that this project be expedited to the extent possible. As a result of modifications in scope and redesign efforts, which are discussed further below, this item requests an increase of \$449,335 to the original contract value of \$457,897, bringing the total contract for design services to \$907,232. It is important to point out that the original work performed by LIVS, prior to this amendment, was done for the original site that was being considered in South Dade, and the additional funds are necessary given the change in location and scope.</p> <p>Additionally, at the September 20, 2012 second budget hearing, an amendment of \$6.1 million was approved by the Board for the design and construction of the new Animal Shelter, bringing the total project design and construction budget to \$20.6 million. The total project will be funded by a future borrowing and general fund subsidies to repay the debt over time.</p>
File No. 111088	<p>Responsibility Committee, both Committees forwarded the item to BCC with a favorable recommendation.</p> <p>However, at the July 7, 2011, BCC meeting the item was amended and adopted by the BCC, as amended, as Resolution No. R-527-11.</p> <p>During the committee meetings the following discussions occurred:</p> <ul style="list-style-type: none"> • <i>Commissioner questioned the total budget for the new animal shelter. GSA Director noted the total budget was \$14 million.</i> • <i>Commissioner questioned the rationale for awarding a contract in 2006, without identifying a location for the animal shelter. GSA Director, noted a location was identified and that a contract was awarded for a freestanding building; however, it was later determined that renovating an existing facility would be more cost effective. She noted that the Board had previously approved the acquisition of a warehouse facility and that the proposed contract would provide funding to design the build out requirements for that facility.</i> • <i>Commissioner questioned whether an analysis was performed on the warehouse structure under consideration and the costs to renovate that facility. GSA Director noted that an analysis was conducted and the building was determined to be structurally sound.</i> 						
July 7, 2011 R-527-11	<p>This resolution approved the Professional Services Agreement with LIVS Associates (LIVS) in the amount of \$457,897.00 for the design of a new Animal Services Department (ASD) Shelter. On November 7, 2009, the original agreement between the County and LIVS expired.</p> <p>At the July 7, 2011, BCC meeting the item was adopted as amended, the following amendment, adding a new paragraph to the resolution, was read into the record by the County Attorney to read as follows:</p> <p><i>"This Board reserves the right to approve the programmatic and schematic plans for the new facility to accomplish that purpose. The County Mayor or the County Mayor's designee is directed not to expend any monies under the contract beyond those necessary to complete programmatic and schematic plans. The County Mayor or the Mayor's designee is further directed to present the same for approval by this Board upon completion, as a condition of further expenditures under the contract."</i></p>						
Dec. 4, 2012 R-1006-12	<p>This Resolution provided for the following:</p> <ul style="list-style-type: none"> • Authorized Amendment #1 to increase the PSA for design services of the new Animal Shelter facility between LIVS and Miami-Dade County by \$449,335 and increased the contract time by 746 days. The additional funding was necessary to incorporate the appropriate scope needed to accommodate the demand and health standards for sheltering of abandoned animals and to include recommendations given by animal shelter professionals for inclusion into the design of the new facility. • Authorized to proceed with the design development/construction documents phase, which the Board reserved the right to grant pursuant to R-527-11. More specifically, the Board reserved the right to approve the programmatic and schematic plans for the new facility prior to authorizing LIVS to proceed to the next phase. • The County Mayor or designee has the authority to execute, implement and exercise the one-year option to renew period for this contract. <p>At the September 20, 2012 second budget hearing, the Board directed that this project be expedited to the extent possible. As a result of modifications in scope and redesign efforts, which are discussed further below, this item requests an increase of \$449,335 to the original contract value of \$457,897, bringing the total contract for design services to \$907,232. It is important to point out that the original work performed by LIVS, prior to this amendment, was done for the original site that was being considered in South Dade, and the additional funds are necessary given the change in location and scope.</p> <p>Additionally, at the September 20, 2012 second budget hearing, an amendment of \$6.1 million was approved by the Board for the design and construction of the new Animal Shelter, bringing the total project design and construction budget to \$20.6 million. The total project will be funded by a future borrowing and general fund subsidies to repay the debt over time.</p>						
8G1 142717	<p>RESOLUTION AMENDING THE COUNTY'S FISCAL YEAR 2014-15 COUNTYWIDE GENERAL FUND, UNINCORPORATED MUNICIPAL SERVICE AREA GENERAL FUND, PROPRIETARY AND OTHER BUDGETS; REQUESTING THAT PROPERTY APPRAISER SUBMIT BUDGET AMENDMENTS TO STATE OF FLORIDA DEPARTMENT OF REVENUE FOR REVIEW AND APPROVAL; AND APPROVING REALLOCATION OF LINE ITEM APPROPRIATIONS FOR EXPENDITURES IN EXCESS OF TEN PERCENT OF THAT FUND'S TOTAL APPROPRIATION TO THE DEPARTMENT AND REALLOCATION OF LINE ITEM APPROPRIATIONS FROM PERSONNEL SERVICES TO OTHER LINE ITEMS IN ACCORDANCE WITH SECTION 2-1796(D) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA [SEE ORIGINAL ITEM UNDER FILE NO. 142395]</p>						
Notes	<p>The proposed resolution approves a budget amendment in accordance with the Home Rule Charter and Section 129.06 of the Florida Statutes. These amendments reflect adjustments associated with the approval of the labor agreements as well as the suspension of the five percent health care contribution for non-bargaining unit employees under the purview of the Mayor for FY 2014-15 as directed by the Board</p>						

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>at the September 26, 2014 Board meeting.</p> <p>Background Through the Board's approval of the labor agreements for American Federation of State, County and Municipal Employees, General Employees (AFSCME), Local 199, 1542 and 3292 and Government Supervisors Association of Florida (GSAF), OPEIU, Local 100 Professional and Supervisory Employees units, and the suspension of the five percent health care contribution for non-bargaining unit employees under the purview of the Mayor for fiscal year 2014-15, departmental budgets will require a budget amendment.</p> <p>As part of this amendment, a total of 125 positions will be restored amongst the Community Action and Human Services; Community Information and Outreach; Corrections and Rehabilitation; Human Resources; Parks, Recreation and Open Spaces; Police; and Public Works and Waste Management departments. The adjustments included in this item equal \$15.049 million all of which is offset by the reduction in the departmental group health contribution rate, therefore, no additional appropriation is required. For proprietary departments, any savings remaining after ensuring that position restorations and other concessions are funded will be put into reserves within the respective departments.</p> <p>The Property Appraiser's budget must be amended as noted in the schedules attached to the proposed resolution. Accordingly, through this item the Board is requesting that, in accordance with the process set forth in Florida Statutes Section 195.087, the Property Appraiser submit its budget amendment to the State of Florida Department of Revenue for its review and approval.</p> <p>Also, after further review of the Public Housing and Community Development's (PHCD's) on-going reorganization plan, it is recommended that 12 PHCD Site Managers be reinstated in the Asset Management Division and nine Assistant Site Managers be added by reclassifying existing vacancies in an effort to improve the management to unit ratio and allow for increased monitoring of approximately 9,300 units. To correct a scrivener's error one position will be eliminated in PHCD's Administration Division. Including both the adjustments to PHCD and the positions restored as a result of the collective bargaining negotiations, the total number of authorized positions for FY 2014-15 will be 25,391.</p> <p>Attachment B, to the item, is the updated community-based organization (CBO) funding list that reflects the reinstatement of the ten percent reduction to the CBOs that provide elderly services. As stated during the September 18, 2014 budget hearing, funding for this adjustment was taken from savings in the Office of the Mayor's and the Office of Management and Budget's FY 2013-14 budgets.</p> <p>Through the approval of this item, the Board authorizes the Office of Management and Budget to process all budget transactions required to execute the amendments.</p> <p>Additional Information <i>This item was amended at the November 10, 2014 meeting of the Finance Committee to reflect the restoration of the In-Kind Reserve, using funding from six CBOs (Declined: Sweet Vine Inc.; The Association for Retarded Citizens of South Florida, Inc.; and City of Miami Homeless Assistance Program) (Rescinded: Micro Loan Technical Assistance Program from the CAMACOL Loan Fund; Haitian American Alliance Youth Foundation, Inc.; and Re-capturing the Vision International, Inc.) that either declined allocations or had funding rescinded for FY 2014-15 (\$150,000). The balance of \$40,125 will remain in the General Fund for any legally permitted purpose, including the restoration of CBO funding as part of the FY 2015-16 budget development process.</i></p>
<p>8J1 142622</p>	<p>RESOLUTION APPROVING AMENDMENTS TO IMPLEMENTING ORDER 4-4 AND ITEM NUMBER 714 OF PORT OF MIAMI TERMINAL TARIFF NUMBER 010, EXTENDING STEVEDORING LICENSE AND PERMIT DURATIONS AND AUTHORIZING PERMIT FEE PAYMENT OPTIONS (SEE AGENDA ITEM NO. 5D SUBSTITUTE)</p>
<p>Notes</p>	<p>The proposed resolution amends Implementing Order 4-4 and PortMiami Terminal Tariff No. 010, Item 714, extending port stevedoring permits and licenses from one (1) year to three (3) years, and authorizing certain permit fee payment options.</p> <p>Fiscal Impact Permittees will now be required to pay for three (3) years of stevedoring permit fees at the current PortMiami Terminal Tariff No. 010 annual stevedoring renewal rate. Each stevedoring provider will pay the three (3) year renewal fee upfront (\$17,400) or, if deemed credit worthy by the PortMiami Director, pay the renewal fee in annual installments (\$5,800 per year). PortMiami currently has a total of ten stevedoring companies licensed and permitted to do business at the port. Stevedoring licenses will continue to be processed at no charge.</p> <p>Background In an effort to streamline the permit renewal system for all stevedoring firms, PortMiami proposes to change the duration of port stevedoring permits and County stevedoring licenses from one (1) year to three (3) years. To implement this change, the annual one-year stevedoring permit fee currently set forth in PortMiami Terminal Tariff No. 010, Item 714, will be amended to reflect the new three-year permit period, adjusting the current \$5,800 annual fee to a \$17,400 three-year permit fee. The proposed amendment to Port Tariff Item 714 will also authorize the Director to approve a stevedore permit applicant's request to make three annual payments of \$5,800 each provided the applicant agrees to pay the entire three-year permit fee even if the applicant returns the permit or elects not to use the permit prior to the expiration of the three year permit period..</p> <p>The PortMiami Director may rescind, revoke or suspend a permit for reasons relating to non-compliance with any terms of Ordinance 28A-6 of the Code of Miami-Dade County or Port Terminal Tariff No. 10.</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
<p>8K1 142652</p>	<p>RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A MASTER DEVELOPMENT AGREEMENT, ALL NECESSARY MIXED-FINANCE AGREEMENTS AND OTHER DOCUMENTS WITH RUDG, LLC OR ITS SUBSIDIARIES OR DESIGNEES FOR THE DEVELOPMENT OF PHASE TWO OF THE SMATHERS PLAZA PUBLIC HOUSING DEVELOPMENT (SMATHERS PHASE TWO), SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A GROUND LEASE AND ANY ADDITIONAL GROUND LEASES THAT MAY BE NECESSARY TO PRESERVE SITE CONTROL OF THE DEVELOPMENT WITH SMATHERS PHASE TWO, LLC; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT A DISPOSITION AND/OR DEMOLITION APPLICATION AND AMENDMENTS TO SUCH APPLICATION, AS MAY BE REQUIRED, TO UNITED STATES HOUSING AND URBAN DEVELOPMENT FOR SMATHERS PHASE TWO; AND EXECUTE AMENDMENT(S) TO ANNUAL CONTRIBUTION CONTRACT(S), SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-130-06; AND DIRECTING COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE EXECUTED COPIES OF GROUND LEASES AND OPERATING AGREEMENTS TO THE PROPERTY APPRAISER'S OFFICE, AND TO RECORD IN THE PUBLIC RECORD ALL INSTRUMENTS CREATING OR RESERVING A REAL PROPERTY INTEREST IN FAVOR OF THE COUNTY</p>
<p>Notes</p>	<p>The proposed resolution authorizes the County Mayor or designee to:</p> <ul style="list-style-type: none"> • Execute a Master Development Agreement with RUDG, LLC (Related Urban) or its subsidiaries or designees, subject to the United States Department of Housing and Urban Development's (HUD) approval, for the development of phase two of the Smathers Plaza Public Housing Development (Smathers Phase Two); • Execute all necessary mixed-finance agreements and all other documents with Related Urban or its subsidiaries or designees, including but not limited to amendments, agreements, ground leases and amendments, subject to HUD approval; • Execute a ground lease and any additional ground leases that may be necessary to preserve site control with Smathers Phase Two, LLC for Smathers Phase Two, subject to HUD; • Submit a disposition and/or demolition application to HUD for Smathers Phase Two and any amendments to such application that may be required by HUD; and • Execute amendment(s) to the Annual Contribution Contract(s), which provide for the County's receipt of public housing subsidy, subject to HUD approval; <p>Additionally, the proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Waives the requirements of Resolution No. R-130-06, which requires that all contracts must be fully negotiated and executed by a non-County party, since neither the County, Related Urban nor Smathers Phase Two, LLC can execute any mixed finance agreements, including but limited to the Master Development Agreement and the ground lease for Smathers Phase Two, without HUD's prior approval; • Directs the County Mayor or designee to provide an executed copy of the ground lease and operating agreement to the Property Appraiser's Office pursuant to Resolution No. R-791-14; and • Directs the County Mayor or designee to comply with the requirements of Resolution No. R-974-09. <p>Subject to the approval of this resolution and approval of the mixed-finance documents by HUD, the County Mayor or designee will have the authority, at County Mayor's or designee's discretion, to execute all necessary mixed-finance agreements, contracts, and other related documents, including but not limited to a master development agreement, ground leases, and amendments. The County Mayor or designee will also have the authority to submit a demolition and/disposition application to HUD and any amendments to such application that may be required by HUD. The County Mayor or the designee will be further authorized to amend the Annual Contribution Contract(s) with HUD, and exercise subsequent amendments and/or extensions in accordance with the terms and conditions of the contract.</p> <p>Smathers Phase Two consists of 133 units; comprised of 82 public housing units and 51 affordable units.</p> <p>Background</p> <p>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 and vacant land 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.</p> <p>On November 23, 2011, the Board, pursuant to Resolution No. R-1026-11, awarded site control through ground leases to six (6) developers for 28 project sites, including award of the Smathers Plaza redevelopment to Related Urban. The County and Related Urban will work on additional mixed-finance documents that are required by HUD. The County and Smathers Phase Two, LLC, a subsidiary of Related Urban, intend to execute a permanent ground lease for Smathers Phase Two.</p> <p>Related Urban is starting with phase two (new construction) of the development of Smathers Phase One, which is a subsequent phase and that will be brought to the Board at a later date, will include the rehabilitation of the existing buildings and the temporary relocation of the residents. The Developer may contemplate a Phase 3 in the future consisting on new PHA-Assisted units and other affordable units, subject to negotiations.</p> <p>In order to proceed with the development of public housing sites, the County, as a public housing authority, must seek prior approval from</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	HUD. This requires a disposition and/or demolition application to HUD for the development site. However, the County cannot submit its applications to HUD without first obtaining approval from the Board.
8K2 142653	RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A MASTER DEVELOPMENT AGREEMENT, ALL NECESSARY MIXED-FINANCE AGREEMENTS, AND ALL OTHER NECESSARY DOCUMENTS WITH RUDG, LLC OR ITS SUBSIDIARIES OR DESIGNEES FOR THE DEVELOPMENT OF STIRRUP PLAZA PHASE TWO, SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL; APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A GROUND LEASE AND ANY ADDITIONAL GROUND LEASES THAT MAY BE NECESSARY TO PRESERVE SITE CONTROL OF THE DEVELOPMENT WITH STIRRUP PLAZA PHASE TWO, LLC; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT AN AMENDMENT TO THE COUNTY'S DISPOSITION APPLICATION TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INCLUDE THE CONSTRUCTION OF A NEW 68 UNIT, MIXED-INCOME, ELDERLY BUILDING, EXECUTE AMENDMENT(S) TO ANNUAL CONTRIBUTION CONTRACT(S), SUBJECT TO UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL, AND EXECUTE CONSENT TO ACCESS AND PARKING AGREEMENT AND EASEMENT BETWEEN STIRRUP PLAZA PRESERVATION PHASE ONE, LLC AND STIRRUP PLAZA PHASE TWO, LLC; WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-130-06; AND DIRECTING COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE EXECUTED COPIES OF GROUND LEASES AND OPERATING AGREEMENTS TO THE PROPERTY APPRAISER'S OFFICE AND TO RECORD IN THE PUBLIC RECORD ALL INSTRUMENTS CREATING OR RESERVING A REAL PROPERTY INTEREST IN FAVOR OF THE COUNTY
Notes	<p>The proposed resolution authorizes the County Mayor or designee to:</p> <ul style="list-style-type: none"> • Execute a master development agreement with RUDG, LLC (Related Urban) or its subsidiaries or designees, subject to the United States Department of Housing and Urban Development's (HUD) approval, for the development of Stirrup Plaza Phase Two; • Execute all necessary mixed-finance agreements and all other documents including but not limited to amendments, agreements, and ground leases, subject to HUD's approval; • Execute a ground lease with Stirrup Plaza Phase Two, LLC and any additional ground leases that may be necessary to preserve Stirrup Plaza Phase Two, LLC's site control of Stirrup Plaza Phase Two, subject to HUD's approval; • Submit an amendment to the County's disposition application to HUD for the purpose of utilizing vacant land on the existing Stirrup Plaza Public Housing Development site to construct a new 68 unit, mixed-income elderly building consisting of seven (7) public housing units, 37 HOME-assisted units, and 24 low-income housing tax credit units; • Execute an amendment to the Annual Contribution Contract which provides for the County's receipt of public housing subsidy, subject to HUD's approval; and • Execute a consent to the Access and Parking Agreement and Easement between Stirrup Plaza Preservation Phase One, LLC and Stirrup Plaza Phase Two, LLC; <p>Additionally, the proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Waives the requirements of Resolution No. R-130-06, which requires that all contracts must be fully negotiated and executed by a non-County party, since neither the County, Stirrup Plaza Phase Two, LLC nor Related Urban can execute any mixed finance agreements, including but limited to the Master Development Agreement and the ground lease for Stirrup Plaza Phase Two, without HUD's prior approval; • Directs the County Mayor or designee to provide an executed copy of the ground lease to the Property Appraiser's Office pursuant to Resolution No. R-791-14; and • Directs the County Mayor or designee to comply with the requirements of Resolution No. R-974-09. <p>Subject to the approval of this resolution and approval of the mixed-finance documents by HUD, the County Mayor or designee will have the authority, at County Mayor's or designee's discretion, to execute all necessary mixed-finance agreements, contracts, and other related documents, including but not limited to a master development agreement, ground leases, and amendments. The County Mayor or designee will also have the authority to submit an amendment to the County's current disposition application to HUD. The County Mayor or designee will be further authorized to amend the Annual Contribution Contract with HUD, and exercise subsequent amendments and/or extensions in accordance with the terms and conditions of the contract. Finally, the County Mayor or designee will also have the authority to execute a consent to the Access and Parking Agreement and Easement between Stirrup Plaza Preservation Phase One, LLC and Stirrup Plaza Phase Two, LLC, which is needed to permit the two entity owners to have access to the entire property.</p> <p>Related Urban's proposal for Stirrup Plaza Phase Two is to utilize vacant land on the existing site to construct a new building consisting of 68 new 1-bedroom units, which includes seven (7) public housing units, 37 HOME-assisted units, and 24 units low-income housing tax credit units.</p> <p>Background</p> <p>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 and vacant land 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 and incorporate creative and sustainable design solutions.</p> <p>On November 23, 2011, the Board, pursuant to Resolution No. R-1026-11, awarded site control through ground leases to six (6) developers</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>for twenty-eight (28) project sites, including award of the Stirrup Plaza redevelopment to Related Urban. Related Urban completed Phase One of the Stirrup Plaza redevelopment, which included the rehabilitation of 100 public housing units and corresponding site improvements. Related Urban now proposes to move forward with the second phase of the project, Stirrup Plaza Phase Two.</p> <p>On June 19, 2012, the Board adopted Resolution No. R-512-12 which authorized the County Mayor or designee to submit a disposition application to HUD. On December 21, 2012, HUD approved the County's disposition application. The inclusion of non-public housing units will introduce a broader mix of incomes on the site and create much needed affordable housing opportunities on the site. In order to effectuate this proposed use of the public housing site, the County must amend its prior disposition application and seek further approval from HUD.</p>
<p>8M1 141543</p>	<p>RESOLUTION WAIVING ADMINISTRATIVE RULES FOR ECONOMIC DEVELOPMENT FUND PROJECT 124 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM AND APPROVING ALLOCATION OF \$5,000,000.00 FROM PROJECT 124 TO LARKIN HEALTH SCIENCE EDUCATION CAMPUS TO FUND CERTAIN ECONOMIC DEVELOPMENT PROJECTS</p>
<p>Notes</p>	<p>The proposed resolution allocates \$5,000,000.00 of funding from the Building Better Communities General Obligation Bond (BBC GOB) Program, Economic Development Fund (EDF) Project 124 to the Larkin Health Science Campus, LLC project. The resolution directs the Mayor or designee to begin negotiating the terms of a grant agreement that will be presented to the Board for approval at a future date. Prior to entering into a grant agreement, a final determination as to the Project's qualification to receive the funds will be made. If an agreement for a project cannot be finalized, the funding may be reallocated by the Board. If the allocation to a project is greater than the amount of eligible public infrastructure expenditures needed, the difference will be available for reallocation by the Board.</p> <p><i>Additionally, the proposed resolution requires the BCC to waive the, \$10,000,000 minimum grant level for projects, per the Administrative Rules for the Economic Development Fund Project 124, to allow for this allocation.</i></p> <p>Larkin Health Science Campus, LLC proposes development of a for-profit university of health sciences focused on graduate schools (an osteopathic medical school, a school of pharmacy, a school of nursing and a school of dentistry). The educational campus will also contain a charter high school for the life sciences, and the proposed development includes student housing and ancillary uses typically found on a university campus. This development is aligned with the Life Sciences target industry and is consistent with the One Community One Goal initiative.</p> <p>The university projects 600 graduates per year from 2-year and 4-year programs when all programs are in operation, and the average annual enrollment is projected at 2000 students when all programs are in operation. LHSC plans to employ 245 faculty, administrative and support staff at full operations. The private investment to construct four university buildings, a charter high school for life sciences and ancillary use buildings for administrative offices, student center, fitness center, student housing, professional services for the public, and public parking buildings, is estimated at \$215 million. The development of the campus will require public road construction and improvements, as well as utilities (water, sewers, electricity).</p> <p>Background</p> <p>In November 2004, Miami-Dade County voters approved the issuance of \$352.182 million in general obligation bonds to, among other things, construct and improve bridges, public infrastructure, and neighborhood improvements as part of the BBC GOB Program. A total of \$75 million was allocated towards the EDF Project 124. The Administrative Rules for the BBC GOB Program that govern EDF were adopted by the Board under Resolution No. R-668-10 on June 15, 2010.</p> <p>Funding from grant awards under EDF Project 124 must be used for public infrastructure improvements to spur economic development and attract new businesses to the community in order to create jobs. Public infrastructure includes road improvements, water and sewer networks, public parking structures, public facilities and other improvements subject to certain limitations and evaluated on a case-by-case basis. Ineligible uses of the grant awards from EDF Project 124 include, but are not limited to, working capital, furniture and fixtures, business equipment, and non-capital related expenses.</p> <p>In addition to stimulating private investment and job growth, one of the primary objectives of EDF Project 124 is the strengthening the economy's capacity for innovation and commercialization of scientific advancements and expanding leadership in local industry clusters such as: Aviation and Aerospace; Financial and Professional Services; Homeland Security and Defense; Information Technology; Life Sciences; and International Trade and Global Commerce. The Administrative Rules also recognized that industry clusters were growing or had the potential to emerge in certain strategic areas of the County: namely, the Civic Center/Medical District; Homestead Air Reserve Base; Opa-Locka Executive Airport; Port of Miami; and Kendall Tamiami Executive Airport.</p> <p><u>Additional Information- Larkin Community Hospital</u></p> <p>The applicant has had a history of past legal issues which have currently been resolved. On June 30, 2004, the Department of Justice filed a civil lawsuit against Larkin Community Hospital (the developer) and its owners (S.D. Fla. No. 04-CIV-21579) stemming from allegations made from 1997-1999. Dr. Jack J. Michel, the current President and Chairman of the Board, had 20 percent ownership in the hospital but was not on the Board of Directors at the time. The primary allegation was that in 1997 while Dr. James H. Desnick had controlling ownership, Larkin Community Hospital and/or Dr. Desnick and his associates paid kickbacks to doctors who referred patients. Dr. Michel was named in this allegation. The second allegation was that referrals from Assisted Living Facilities (that were jointly owned by Dr. Michel and Morris Esformes) from 1998-1999 were in violation of the False Claims Act because certain patients did not meet the criteria for medical treatment. Dr. Michel was also named in this allegation. Dr. Michel and Larkin Community Hospital denied these allegations and considered them to be completely unfounded and without merit. Dr. Desnick, who was no longer a shareholder of Larkin Community Hospital at the time of the</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>settlement, offered to contribute \$5,000,000 towards a settlement. Mr. Esformes offered to sell his 45% interest to Dr. Michel if Dr. Michel covered the remaining funds necessary to obtain a successful settlement. In 2006, Dr. Michel acquired 100 percent ownership of the hospital and a successful resolution to the settlement. He negotiated a Settlement Agreement to dismiss this case with prejudice in exchange for a \$15,400,000 payment.</p> <p>As part of the settlement, the Civil Division and the Department of Justice represented that they did not have any further investigations pending against the defendants. The settlement agreement was executed on November 20, 2006.</p> <p>The hospital and Dr. Michel entered into a five year Integrity Agreement with the Office of the Inspector General as part of the 2006 settlement. This agreement was satisfactorily concluded in 2012 and neither Dr. Michel nor Larkin Community Hospital has any remaining obligations pertaining to the Integrity Agreement. Both the hospital and Dr. Michel are in good standing with the Medicare program and have an exclusive agreement to provide services to the Department of Justice, Division of Immigration Customs Enforcement, Federal Detention Center, and the Federal Correctional Institution."</p> <ul style="list-style-type: none"> • 1998- Dr. Jack Michel purchased Larkin Community Hospital from Dr. James Desnick. • 2004- Federal prosecutors accuse Michel, Desnick and others at Larkin Community Hospital of using "an astonishing array of kickbacks and interconnected seniors living facilities to bring elderly patients who frequently had little or nothing wrong with them." • 2006- Dr. Michel, Dr. Desnick and others agreed to pay \$15.4 million to settle federal health care fraud claims. The settlement (page 15) mentions that the original claim was over \$33 million. • 2008- Federal jury in Miami convicted Dr. Ana Caos of medicare fraud and sentenced her to three years of supervised release and payment of \$294,614. Caos practiced at Larkin Community Hospital. • 2013- Dr. Christopher Wayne was arrested at Larkin Community Hospital on Medicare Fraud Charges. In June 2014 Wayne was sentenced to more than six years in prison. • 2013- Larkin Community Hospital (LCH), one of Florida's twelve statutory teaching hospitals and the largest osteopathic teaching hospital in the nation, was named Top Urban Hospital by The Leapfrog Group. The Top Hospitals award is widely recognized as the nation's most competitive hospital quality awards. <p>On March 5, 2013, the BCC approved R-170-13 which supports "the approval of Larkin Health Sciences University Campus for a State of Florida Brownfield Redevelopment Bonus Refund and request that the State waive the required County match". According to the Mayor's memorandum, the project "will create 150 new jobs in primarily District 9." Pre-approved applicants receive tax refunds of up to \$2,500 for each new job created.</p> <p>On October 21, 2014, the BCC accepted the Naranja Lakes Community Redevelopment Agency's Resolution No. 2014-03 expressing support for the proposed development of a portion of the Mandarin Lakes property as a Health Sciences Campus by Larkin Community Hospital, Inc.</p> <p><u>Additional Information-Economic Development Fund</u></p> <p>Several resolutions pertaining to the Economic Development Fund, were deferred during the July 10 and August 28, 2014, Economic Development and Port Miami Committee (EDPC) meetings. At the August 28, 2014, EDPC meeting, following the vote to defer the resolutions, the Committee referred the items to a workshop to be held in conjunction with the October 16, 2014 EDPC meeting. However, the workshop did not take place.</p> <p>On July 10, 2014, the EDPC raised concerns regarding recommended project allocations for BBC GOB EDF Project 124 and Project 320. The Mayor's Memo dated August 28, 2014, addressed some of the concerns:</p> <p style="padding-left: 40px;"><i>The EDF is divided into two segments, Project 124, totaling \$75 million, and Project 320 totaling, \$15 million. Project 124 funds were focused on stimulating economic growth Countywide, and Project 320 funds were aimed at projects within the County's Targeted Urban Areas (TUA). Issues and concerns were brought up during the EDPC meeting that the committee felt that Project 124 allocations did not meet the game-changer requirement set forth by the Administrative Rules. Given the concerns raised by committee members, the Administration requested deferral of all Project 124 items in order for staff to work with the Chair of EDPC to schedule a committee workshop.</i></p> <p>However, the Administration moved forward with Project 320 allocations in the TUAs. The intended purpose of Project 320 is to enhance economic development and attract new businesses in order to create jobs in the TUAs.</p> <p>On October 7, 2014, the BCC, approved various resolutions allocating \$13,200,000.00 in funding from the BBC GOB, EDF Fund Project 320. Those resolutions also, directed the Mayor or his designee to begin negotiating the terms of grant agreements that will be presented to the BCC for approval at a future date. The following projects were approved by the BCC on October, 7, 2014:</p> <ul style="list-style-type: none"> • R-900-14- Wynwood Plaza Project- District 3- \$3,000,000; • R-901-14- Miami Design District NE 2nd Avenue Project- District 3- \$2,000,000; • R-902-14- Regional Health and Wellness Center and the Culinary Enterprise Center- District 1- \$3,000,000; • R-903-14- Sunshine Plaza Project- District 2- \$2,000,000; • R-904-14- St. James Smokehouse- District 2- \$200,000; and • R-905-14- Grove Village on Grand- District 7- \$3,000,000.

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p><u>Additional Information- Economic Development Fund Project 124</u></p> <p>On July 1, 2014, the BCC approved R-616-14, waiving administrative rules for BBC GOB, EDF, Project 124, approving the allocation of \$6,000,000.00 from Project 124 to Flagler Street Reconstruction and Economic Development to fund certain economic development projects.</p> <p>On November 5, 2014, the BCC approved \$24,000,000 in allocations from the EDF Project 124 fund for the following projects:</p> <ul style="list-style-type: none"> • R-986-14- Allocating \$5,000,000.00 to the Carrie Meek International Business Park project. • R-987-14- Allocating \$500,000.00 to the Aviation Corporate Hangar project. • R-988-14- Allocating \$5,000,000.00 to the Orion Jet Center Development project. • R-1015-14- Allocating up to \$13,500,000.00 to Miami Wilds, LLC for the Miami Wilds project. <p>On December 11, 2014, the EDPMC forwarded, Legislative File No. 142516, a resolution allocating \$10,000,000.00 from Project 124 to Miami Ocean Studios, LLC for the Miami Ocean Studio Project to the BCC with a favorable recommendation.</p> <p>The following list provides other projects that have been considered:</p> <ul style="list-style-type: none"> • October 16, 2014- Legislative File No. 141535- Failed in EDPMC- \$5,000,000- AVE Aviation Commerce Center project. • October 16, 2014- Legislative File No. 141866- No Action Taken at EDPMC- \$18,500,000- Beach Re-nourishment Reserve Fund project. • November 5, 2014- Legislative File No. 141539- Failed in BCC- \$5,000,000- Parkside at Palmetto Bay project. • December 2, 2014- Legislative File No. 142271- BCC- Deferred to no date certain- \$7,500,000- Neuroscience Centers of Florida Foundation, Inc. to fund Project Mercy.
<p>11A1 142242</p>	<p>RESOLUTION WAIVING ADMINISTRATIVE RULES FOR ECONOMIC DEVELOPMENT FUND PROJECT 124 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; APPROVING ALLOCATION OF \$9,000,000.00 FROM PROJECT 124 TO SKYRISE MIAMI, LLC TO FUND SKYRISE MIAMI PROJECT; AND DIRECTING COUNTY MAYOR OR DESIGNEE TO NEGOTIATE THE TERMS OF A GRANT AGREEMENT WITH SKYRISE MIAMI, LLC PURSUANT TO BOND PROGRAM'S ADMINISTRATIVE RULES AND PRESENT SUCH GRANT AGREEMENT OR, ALTERNATIVELY, A REPORT FOR CONSIDERATION BY BOARD</p>
<p>Notes</p>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Waives Administrative Rules for Economic Development Fund (EDF) Project 124 of the BBC GOB Program; • Approves an allocation of \$9,000,000 from EDF Project 124 to Skyrise Miami, LLC to fund the Skyrise Miami Project; • Directs the County Mayor or his designee to negotiate the terms of a grant agreement with Skyrise Miami, LLC, pursuant to the Administrative Rules; • Directs the County Mayor or his designee to prepare and present a grant agreement to the Board for its consideration within one hundred and twenty (120) days from the effective date of this resolution; provided, however, if the County Mayor or designee is unable to successfully negotiate the terms of such grant agreement within the requisite time period, a report detailing the status of the negotiations will be presented to this Board instead. The County Mayor or designee shall provide the report to the Board within one hundred and twenty (120) days from the effective date of this resolution and will place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. <p><u>Additional Information</u></p> <p>On February 19, 2014, the BCC, through R-176-14, approved a resolution urging the Florida Legislature to provide funding for Skyrise Miami.</p> <p>Although receiving City of Miami voter approval, in August 2014, SkyRise Miami has been facing criticism regarding the possible use of public funds for a project that was stated to be about private financing. The following wording is how the question was posed to the voters:</p> <p style="text-align: center;"><i>Proposed Amendment to Existing Leases of City –Owned Waterfront Land at Bayside Marketplace</i></p> <p style="text-align: center;"><i>Should the City extend the existing leases from 46 to 99 years with Bayside Marketplace LLC on the 16.85 acres of waterfront land (Bayside Marketplace) conditioned on the City receiving: upfront payment of \$10,000,000; minimum guaranteed yearly rent of approximately \$3,516,002 (which escalates); percentage rent; minimum \$27,000,000 improvements to Bayside Marketplace including additional parking; increased contribution to Miami Bayside Foundation; and development of a \$400,000,000 privately funded 1,000 foot observation and entertainment tower (Skyrise Miami)?</i></p> <p>In a letter published in The Miami Herald, On October 27, 2014, Skyrise Developer, Jeff Berkowitz, states the following:</p> <p style="text-align: center;"><i>There have been unjustified and unwarranted accusations in the media that I "misled" the community as to SkyRise Miami's intentions to seek public funds for public infrastructure from existing economic development incentive programs. Nothing could be further from the truth. We have consistently stated that the SkyRise Miami Tower itself would be built using private funds, and it will. I am not seeking subsidies or any funding directly from the City of Miami. We have never kept our intentions secret. In December 2013, with the assistance of the Beacon Council, we filed our application, making it a public record, for public infrastructure funding under the existing Economic Development Fund Program (EDF).</i></p> <p style="text-align: center;"><i>The city of Miami was well aware of our request for county funding, as well as our state request. On April 8, we provided the city, prior to the City Commission approval of the project and the scheduling of August referendum, with a document clearly describing</i></p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p><i>our pending requests for public infrastructure assistance from the county and state for the extension of the bay walk connecting Bayfront Park and surrounding the SkyRise tower, public plaza areas and traffic improvements on and around Biscayne Boulevard. No one was misled.</i></p> <p><i>Our request to the state (which does not recognize tourism as a target industry) to help with public infrastructure costs has been in the sunshine from Day One. The Miami-Dade Legislative Delegation unanimously made funding part of our public infrastructure one of its top priorities. The Miami-Dade County Commission, unanimously passed a resolution asking the Legislature to make an investment in SkyRise Miami.</i></p> <p>In a letter to Miami-Dade County Commissioners, dated October 29, 2014, the City of Miami Mayor urged the County to reject SkyRise's request.</p>
11A2 142314	<p>RESOLUTION WAIVING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM ADMINISTRATIVE RULES REGARDING MINIMUM ALLOCATION TO PROJECT NO. 124 ELIGIBLE PROJECTS; APPROVING ALLOCATION OF \$6,000,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124 - ECONOMIC DEVELOPMENT FUND TO OVERTOWN GATEWAY PARTNERS, LLC TO FUND OVERTOWN GATEWAY PROJECT; AND DIRECTING COUNTY MAYOR OR DESIGNEE TO NEGOTIATE TERMS OF GRANT AGREEMENT WITH OVERTOWN GATEWAY PARTNERS, LLC PURSUANT TO COUNTY POLICY AND PRESENT SUCH GRANT AGREEMENT, OR, ALTERNATIVELY, REPORT ON NEGOTIATIONS FOR THE BOARD'S CONSIDERATION</p>
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Waives Building Better Communities General Obligation Bond (BBC GOB) Program Administrative Rules regarding minimum allocation to Project No. 124 eligible projects; • Approves allocation of \$6,000,000 from BBC GOB Program Project No. 124 – Economic Development Fund to Overtown Gateway Partners, LLC to fund Overtown Gateway Project; and • Directs the County Mayor or designee to commence negotiations with Overtown Gateway Partners, LLC pursuant to County Policy. • The County Mayor or designee will prepare and present a grant agreement to the BCC for its consideration within one hundred twenty (120) days from the effective date of this resolution, provided, however, if the County Mayor or designee is unable to successfully negotiate the terms of said grant agreement within the requisite time period, a report detailing the negotiations will be submitted instead. • The County Mayor or designee will provide the completed report to the BCC within one hundred twenty (120) days from the effective date of this resolution on an agenda of the BCC pursuant to Ordinance No. 14-65. <p>Overtown Gateway Partners, LLC proposes the development of a \$295 million mixed use private sector project consisting of rental housing, entertainment and retail uses, office space and a hotel which is anticipated to result in 423 employment positions (part-time and full-time) with an average annual salary of \$42,000.00 from businesses operating within Overtown Gateway.</p> <p>Overtown Gateway is located in the Historic Overtown neighborhood and within the County's Enterprise Zone with the potential to be an important economic catalyst for the development of the immediately surrounding properties which, along with job creation, is the purpose of the Project 124 fund.</p> <p>The Overtown Gateway project has support from the Mayor of the City of Miami, the Beacon Council and the Greater Miami Convention and Visitors Bureau. Overtown Gateway Partners, LLC submitted an application to the County requesting a Project 124 grant in the amount of \$6,000,000.00 to fund certain public infrastructure needs including, street and sidewalk improvements, landscaping, public structured parking and other eligible infrastructure improvements that will also serve the surrounding businesses.</p>
11A3 142616	<p>RESOLUTION AUTHORIZING CAPITAL TRUST AGENCY TO OPERATE WITHIN JURISDICTIONAL BOUNDARIES OF MIAMI-DADE COUNTY FOR PURPOSE OF ISSUING BONDS IN AN AMOUNT NOT TO EXCEED \$9,000,000 ON BEHALF OF MIAMI COMMUNITY CHARTER SCHOOL, INC.; APPROVING ISSUANCE OF BONDS FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING THAT SUCH BONDS SHALL NOT CONSTITUTE DEBT OR OBLIGATION OF MIAMI-DADE COUNTY; APPROVING FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN CAPITAL TRUST AGENCY AND MIAMI-DADE COUNTY; AND AUTHORIZING COUNTY MAYOR OR DESIGNEE TO EXECUTE SUCH FIRST AMENDMENT AND EXERCISE PROVISIONS CONTAINED THEREIN</p>
Notes	<p>The proposed resolution authorizes Capital Trust Agency to operate within jurisdictional boundaries of Miami-Dade County for purpose of issuing bonds in an amount not to exceed \$9,000,000.00 on behalf of Miami Community Charter School, Inc. Additionally, the proposed resolution approves the First Amendment to Interlocal Agreement between Capital trust Agency and the County.</p> <p>The Bonds will not constitute a debt, liability or obligation of the County or the State of Florida or any political subdivision or public agency of each, but will be payable solely from the revenues provided by the Interlocal Borrower for the repayment of the Bonds, and neither the faith and credit nor any taxing power of the County, the State of Florida or any political subdivision or public agency of each is pledged to the payment of the principal of, premium, if any, and interest on the Bonds. The County will have no obligation with respect to the Bonds other than its obligation to enter into the related First Amendment to Interlocal Agreement.</p>
11A4 142637	<p>RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND WEST KENDALL BAPTIST HOSPITAL, INC. FOR ENROLLMENT AND PARTICIPATION IN THE 340B DRUG PRICING PROGRAM TO MAKE THE HOSPITAL ELIGIBLE FOR DISCOUNT OUTPATIENT DRUG PRICING BENEFITING LOW INCOME MIAMI-DADE COUNTY RESIDENTS WHO ARE NOT ELIGIBLE FOR MEDICARE OR</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	MEDICAID; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN
Notes	<p>The proposed resolution approves the Memorandum of Understanding (MOU) between Miami-Dade County and West Kendall Baptist Hospital, Inc. and authorizes the County Mayor or designee to execute MOU for and on behalf of Miami-Dade County to provide for West Kendall Baptist Hospital Inc.'s enrollment in the 340B Drug Pricing Program for discount outpatient drug pricing to benefit low income Miami-Dade County residents who are not eligible for Medicare or Medicaid, and to exercise any of the termination and other provisions contained therein.</p> <p>The 340B Drug Pricing Program resulted from the enactment of Public Law 102-585, the Veteran's Health Care Act of 1992 and provides for discount outpatient drug pricing for covered entities enrolled in the 340B Program.</p> <p><u>Additional Information</u></p> <p>The following information was found on the U.S. Department of Health and Human Services website pertaining to the Health Resources and Services Administration (HRSA): The 340B Program offers eligible safety net health care providers access to low-cost medications, which allows them to expand the type and volume of care they provide to the most vulnerable patient populations. HRSA places the highest priority on the integrity of the 340B Program and continually works to strengthen the oversight of this program. In 2015, HRSA plans to issue a proposed guidance for notice and comment that will address key policy issues raised by various stakeholders committed to the integrity of the 340B program. HRSA is also planning to issue proposed rules pertaining to civil monetary penalties for manufacturers, calculation of the 340B ceiling price, and administrative dispute resolution.</p> <p>Eligible health care organizations/covered entities are defined in statute and include HRSA-supported health centers and look-alikes, Ryan White clinics and State AIDS Drug Assistance programs, Medicare/Medicaid Disproportionate Share Hospitals, children's hospitals, and other safety net providers.</p> <p>The 340B Drug Pricing Program provides for the following:</p> <ul style="list-style-type: none"> • Requires drug manufacturers to provide outpatient drugs to eligible health care organizations/covered entities at significantly reduced prices. • Enables covered entities to stretch scarce Federal resources as far as possible, reaching more eligible patients and providing more comprehensive services. <p>To participate in the 340B Program, eligible organizations/covered entities must register and be enrolled with the 340B program and comply with all 340B Program requirements. Once enrolled, covered entities are assigned a 340B identification number that vendors verify before allowing an organization to purchase 340B discounted drugs.</p> <p>New registrations are accepted October 1-15, January 1-15, April 1-15 and July 1-15.</p>
11A5 142686	RESOLUTION SUPPORTING THE CREATION OF A MARINE RESERVE WITHIN BISCAYNE NATIONAL PARK IN ORDER TO BETTER ENSURE THE CONSERVATION AND PROTECTION OF THE MARINE RESOURCES IN BISCAYNE NATIONAL PARK; URGING THE DIRECTOR OF THE NATIONAL PARK SERVICE, THE REGIONAL DIRECTOR OF THE SOUTH EAST REGION OF THE NATIONAL PARK SERVICE, AND THE SUPERINTENDENT OF BISCAYNE NATIONAL PARK TO CREATE SUCH A MARINE RESERVE WITHIN BISCAYNE NATIONAL PARK
Notes	<p>The proposed resolution supports the creation of a marine reserve within Biscayne Bay National Park in order to better ensure the conservation and protection of the marine resources in Biscayne National Park and urges the Director of the National Park Service, the Regional Director of the South East Region of the National Park Service and the Superintendent of Biscayne National Park to create a marine reserve within Biscayne National Park through the Park's General Management Plan.</p> <p>Additionally, the proposed resolution directs the County's federal lobbyists to advocate for the passage of legislation and promulgation of rules accomplishing these goals, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 federal legislative package to include this item.</p>
11A6 142660	RESOLUTION SUPPORTING MEDICAID EXPANSION IN FLORIDA PURSUANT TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010; URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION EXPANDING MEDICAID IN FLORIDA
Notes	<p>The proposed resolution supports Medicaid expansion in Florida pursuant to the Affordable Care Act and urges the Florida Legislature to pass legislation expanding Medicaid in Florida.</p> <p>The proposed resolution, also, directs the County's state lobbyists to advocate for the passage of legislation and funding, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2015 State Legislative Package when it is presented to the Board.</p>
11A7 142683	RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND THE FLORIDA BAN ON TEXTING WHILE DRIVING LAW TO MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE
Notes	<p>The proposed resolution urges the Florida Legislature to amend the Florida Ban on Texting While Driving Law to make texting while driving a primary offense, directs the County's state lobbyists to advocate for the passage of this legislation, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2015 Legislative Package when it is presented to the Board.</p> <p>Additional information</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<p>The following statistics are provided on the official U.S. Government Website for Distracted Driving:</p> <ul style="list-style-type: none"> • The number of people killed in distraction-affected crashes decreased slightly from 3,360 in 2011 to 3,328 in 2012. An estimated 421,000 people were injured in motor vehicle crashes involving a distracted driver, this was a nine percent increase from the estimated 387,000 people injured in 2011. • 10% of all drivers under the age of 20 involved in fatal crashes were reported as distracted at the time of the crash. This age group has the largest proportion of drivers who were distracted. Drivers in their 20s make up 27 percent of the distracted drivers in fatal crashes. • At any given daylight moment across America, approximately 660,000 drivers are using cell phones or manipulating electronic devices while driving, a number that has held steady since 2010. • Engaging in visual-manual subtasks (such as reaching for a phone, dialing and texting) associated with the use of hand-held phones and other portable devices increased the risk of getting into a crash by three times. • Five seconds is the average time your eyes are off the road while texting. When traveling at 55mph, that's enough time to cover the length of a football field blindfolded.
11A8 142696	RESOLUTION SUPPORTING HOUSE SPEAKER STEVE CRISAFULLI'S SETTING OF FUNDING FILM, TELEVISION AND ENTERTAINMENT INCENTIVES AS ONE OF HIS LEGISLATIVE PRIORITIES; URGING ALL FLORIDA COUNTIES TO JOIN IN THIS INITIATIVE
Notes	<p>The proposed resolution supports House Speaker Steve Crisafulli's setting of funding film, television and entertainment incentives as one of his legislative priorities and urges all Florida counties to join in this initiative.</p> <p>Since the funding was depleted, Miami-Dade County and the state have been operating at a competitive disadvantage to the roughly 40 states that offer incentives to attract film, television, commercials and other production companies; and</p> <p>This Board has adopted a number of resolutions urging the Florida Legislature to make a long-term commitment to fund film, television and entertainment incentives that foster economic development and create jobs, including Resolution No. R-602-13, Resolution No. R-366-14 and Resolution No. R-824-14. Resolution No. R-824-14 preliminarily identified the funding of film, entertainment and television incentives that foster economic development and create jobs as a critical County priority for the 2015 state legislative session</p> <p>Additional Information</p> <p>The following information was found in the Florida Office of Film and Entertainment (OFE) Fiscal Year 2013-14 Annual Report. According to data provided by the Department of Economic Opportunity (DEO) Bureau of Labor Market Statistics:</p> <ul style="list-style-type: none"> • In 2013, there were 4,446 established businesses in Florida's film and entertainment industry employing 22,545 individuals. • In 2013, the average annual wage for the Florida film and entertainment industry was \$70,996, exceeding the state's annual average wage for all industries of \$43,651 by 62.6 percent. • The largest sector of the film and entertainment industry was television broadcasting with 8,212 Floridians employed. • The sector of the film and entertainment industry with the highest annual average wage (\$98,764) was motion picture and video distribution. <p>The Florida Entertainment Industry Financial Incentive Program was created to encourage the use of Florida as a site for filming, for the digital production of films, and to develop and sustain the workforce and infrastructure for film, digital media, and entertainment production in the state. This program is administered by OFE. The Financial Incentive Program began on July 1, 2010 and is scheduled to sunset on June 30, 2016. The Florida Legislature allocated \$242 million in tax credits for the program in 2010, and an additional \$12 million in 2011. Effective March 2012, the Legislature allocated an additional \$42 million in tax credits, totaling \$296 million.</p> <p>Section 288.1254(4)(a), Fla. Stat., requires OFE to qualify projects on a first-come, first-served basis. Once a project is qualified, it is then certified based on its anticipated Florida expenditures. Qualified expenditures include payments to Florida vendors for products and services as well as wages paid to Floridians working on the production. Non-resident wages and purchases from non-Florida based companies do not qualify for the program.</p> <p>The OFE awards tax credits to a certified production company upon completion of its project. As a basis for the award, OFE reviews an audit performed by a third-party Florida Certified Public Accountant for each project. The final tax credit awards are calculated as a percentage (20-30%) of each certified project's final qualified Florida expenditures. The award cannot exceed \$8 million in total tax credits per project.</p> <p>Entertainment Industry Financial Incentive Fiscal Year 2013-14 Data- Completed OFE Final Review-</p> <ul style="list-style-type: none"> • Tax Credits Awarded- 40 Projects in Miami-Dade County • Tax Credits Pending- 24 Projects in Miami-Dade County • CPA Audit/Report Submitted- OFE Review in Progress- 19 Projects in Miami-Dade County • Wrapped Production- Awaiting CPA Audit/Final Report- 7 Projects in Miami-Dade County
11A9 142697	RESOLUTION URGING THE GOVERNOR AND FLORIDA LEGISLATURE TO FULLY FUND ELDER MEAL PROGRAMS/LOCAL SERVICE PROVIDERS IN MIAMI-DADE COUNTY AND OPPOSING LEGISLATION THAT MIGHT RESULT IN REDUCTIONS FOR FUNDING OF ELDER MEAL PROGRAMS AND LOCAL SERVICE PROVIDERS IN MIAMI-DADE COUNTY
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Urges the Governor and Florida Legislature to fully fund elder meal programs/Local Service Providers in Miami-Dade County for state fiscal year 2015-2016.

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<ul style="list-style-type: none"> • Opposes legislation that might result in reductions for funding of elder meal programs/Local Service Providers in Miami-Dade County. • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, and the Secretary of the Florida Department of Elder Affairs. • Directs the County's state lobbyists to advocate for this funding. • Directs the County's state lobbyists to advocate against the passage of the legislation that might result in reductions for funding of elder meal programs/Local Service Providers in Miami-Dade County. • Authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 State Legislative Package to include this item.
11A10 142698	RESOLUTION APPROVING 2015 STATE LEGISLATIVE PRIORITIES
11A11 142699	RESOLUTION APPROVING 2015 STATE LEGISLATIVE GUIDING PRINCIPLES, "URGING" RESOLUTIONS ADOPTED BY THE BOARD TO DATE AND DEPARTMENTAL LEGISLATIVE REQUESTS
Notes	<p><u>11A10</u> The proposed resolution approves the state legislative priorities for the 2015 session and directs the County's state lobbyists to advocate for the state legislative priorities for the 2015 session.</p> <p><u>11A11</u> The proposed resolution approves state legislative guiding principles, "urging" resolutions adopted by the Board to date and departmental legislative requests for the 2015 session and directs the County's state lobbyists to advocate for the state legislative priorities for the 2015 session.</p> <p>Background The 2015 session of the Florida Legislature will begin on March 3, 2015.</p> <p>On January 24, 2012, this Board approved Resolution No. R-59-12, which directed the Office of Intergovernmental Affairs, when it presents the proposed federal or state legislative agenda respectively to the Board, to include all "urging" resolutions and other resolutions related to federal or state legislation passed by the Board of County Commissioners to date for the current Congress or session.</p> <p>On September 17, 2013, this Board approved Resolution No. R-764-13, which directed that the federal and state legislative packages each be presented to the Board in two separate companion items, one consisting of no more than ten priorities for distribution to the Miami-Dade Legislative Delegation and the other to include guiding principles, Board "urging" resolutions enacted to date and departmental items for approval by the Board.</p>
11A12 142700	RESOLUTION APPROVING 2015 FEDERAL LEGISLATIVE PRIORITIES
11A13 142701	RESOLUTION APPROVING 2015 FEDERAL LEGISLATIVE GUIDING PRINCIPLES, "URGING" RESOLUTIONS ADOPTED BY THE BOARD TO DATE AND DEPARTMENTAL LEGISLATIVE REQUESTS
Notes	<p><u>11A12</u> The proposed resolution approves the federal legislative priorities for the 2015 session and directs the County's federal lobbyists to advocate for the federal legislative priorities for the 2015 session.</p> <p><u>11A13</u> The proposed resolution approves the federal legislative guiding principles, "urging" resolutions adopted by the Board to date and departmental legislative requests for the 2015 session and directs the County's federal lobbyists to advocate for the federal legislative priorities for the 2015 session.</p> <p>Background The first session of the 114th United States Congress is scheduled to convene on January 3, 2015.</p> <p>On January 24, 2012, this Board approved Resolution No. R-59-12, which directed the Office of Intergovernmental Affairs, when it presents the proposed federal or state legislative agenda respectively to the Board, to include all "urging" resolutions and other resolutions related to federal or state legislation passed by the Board of County Commissioners to date for the current Congress or session.</p> <p>On September 17, 2013, this Board approved Resolution No. R-764-13, which directed that the federal and state legislative packages each be presented to the Board in two separate companion items, one consisting of no more than ten priorities for distribution to the Miami-Dade Legislative Delegation and the other to include guiding principles, Board "urging" resolutions enacted to date and departmental items for approval by the Board.</p>
11A14	RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROVIDE FUNDING FOR THE ACQUISITION AND IMPROVEMENT OF THE PROPOSED

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
142718	LUDLAM TRAIL CORRIDOR PURSUANT TO THE FLORIDA WATER AND LAND CONSERVATION INITIATIVE, FLORIDA CONSTITUTIONAL AMENDMENT 1; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2015 SESSION
Notes	<p>The proposed resolution urges the Florida Legislature to provide funding for the acquisition and improvement of the proposed Ludlam Trail corridor pursuant to the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1 and preliminarily identifies this issue as a critical priority for the 2015 state legislative session.</p> <p>Additionally, the proposed resolution, directs the County's state lobbyists to advocate for this issue, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 State Legislative Package to include this item and to preliminarily identify this item as a critical priority when the Board determines priorities for the 2015 session as provided in Resolution No. R-764-13.</p> <p>On November 4, 2014, Florida voters overwhelmingly approved Florida Constitutional Amendment 1, the Florida Water and Land Conservation Initiative, which authorizes no less than 33 percent of net revenues collected from the existing excise tax on real estate documents to be used to acquire, restore, and manage conservation and recreation lands throughout Florida for a period of 20 years.</p> <p>The revenues collected pursuant to this amendment may be used to finance the acquisition and improvement of land and outdoor recreation areas, including recreational trails, parks, and urban open space</p> <p>Miami-Dade County commissioned the Miami-Dade County Trail Design Guidelines and Standards: Ludlam Trail Case Study to investigate the design and implementation of the Ludlam Trail (the "trail"), a 6.2-mile linear track of land stretching from Miami International Airport at its northern terminus to Downtown Kendall at its southernmost point. The land comprising the 6.2-mile trail, including right-of-ways, is currently owned by Florida East Coast Industries, LLC.</p>
11A15 142681	RESOLUTION ESTABLISHING COUNTY POLICY TO FUND THE ORANGE BOWL COMMITTEE, INC. IN AN AMOUNT NOT TO EXCEED \$1.35 MILLION FOR THE 2014-15, 2015-16, 2016-17 AND 2017-18 FISCAL YEARS IN ORDER TO SUPPORT ITS EFFORTS TO PARTICIPATE IN THE COLLEGE FOOTBALL PLAYOFF BY HOSTING A SEMIFINAL GAME, BY COMPETING FOR THE OPPORTUNITY TO HOST CHAMPIONSHIP GAME, AND BY HOSTING TIER-ONE POST-SEASON BOWL GAMES, SUBJECT TO ANNUAL APPROPRIATION BY THE BOARD; AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE FUNDING AGREEMENT(S) FOR SUCH PURPOSES
Notes	<p>The proposed resolution establishes County policy to fund The Orange Bowl Committee, Inc. in an amount not to exceed \$1.35 million for the 2014-15, 2015-16, 2016-17 and 2017-18 fiscal years to support its efforts to participate in the College Football Playoff by hosting a Semifinal Game for the 2015 College Football seasons, by competing for the opportunity to host a College Football Championship Game, and by hosting tier-one post-season bowl games.</p> <p>The Orange Bowl Committee, Inc. will receive \$100,000 in cash from the Countywide General Fund and up to \$150,000 in game and event related in-kind services from the Miami-Dade Police Department and Miami-Dade Fire Rescue Department for fiscal year 2014-15.</p> <p>Subject to annual appropriation by the Board, the funds for subsequent fiscal years will be disbursed to The Orange Bowl Committee, Inc. as follows:</p> <ul style="list-style-type: none"> • \$350,000 in cash from the Countywide General Fund and up to \$250,000 in game and event related in-kind services from the Miami-Dade Police Department and Miami-Dade Fire Rescue Department in fiscal year 2015-16; • \$100,000 in cash from the Countywide General Fund and up to \$150,000 in game and event related in-kind services from the Miami-Dade Police Department and Miami-Dade Fire Rescue Department in fiscal year 2016-17; and • \$100,000 in cash from the Countywide General Fund and up to \$150,000 in game and event related in-kind services from the Miami-Dade Police Department and Miami-Dade Fire Rescue Department in fiscal year 2017-18. <p><u>Additional Information- Prior Funding</u></p> <p>On July 7, 2011, the BCC, through R-562-11, established County policy to fund the Orange Bowl Committee in an amount not to exceed \$1.2 million for the next three prospective fiscal years in support of its efforts to continue membership in the College Football Bowl Championship Series as follows: FY 2011-12, \$150,000 in cash from the Countywide General Fund; and up to \$100,000 in in-kind services from MDPD and MDFR; In FY 2012-13, \$500,000 in cash from the Countywide General Fund; and up to \$200,000 in in-kind services from MDPD and MDFR; In FY 2013-14, \$150,000 in cash from the Countywide General Fund; and up to \$100,000 in in-kind services from MDPD and MDFR.</p> <ul style="list-style-type: none"> • <i>During consideration of R-562-11, the BCC questioned whether the Orange Bowl Committee received funding from Broward County and whether Orange Bowl was becoming more of a Broward County event. It was stated that the Orange Bowl Committee received contributions from the City of Hollywood and from Convention and Visitors Bureau. A request was made to provide data on hotels in Miami-Dade or Broward County that accommodated teams competing in Orange Bowl games; and data on activities and other expenditures from Orange Bowl funds. It was noted that the Orange Bowl game and the Orange Bowl Parade in Downtown Miami was previously considered a Miami-Dade County event; however, the Orange Bowl expanded into a regional activity after the game was moved to Sun Life Stadium, close to the Broward County line and Miami-Dade County youth and schools benefited through the activities associated with Orange Bowl events.</i> <p>On February 21, 2006, the BCC, through R-220-06, approved a multi-year funding strategy to support the Orange Bowl Committee's efforts to retain Bowl Championship Series (BCS) games in Miami-Dade County. The four year funding commitment beginning in FY 2006-07 through FY 2009-10 totals \$950,000 in cash, plus \$100,000 per game event of Miami-Dade Police Department and the Fire Department services.</p>

**Board of County Commissioners
December 16, 2014 Meeting
Research Notes**

Item No.	Research Notes
	<ul style="list-style-type: none"> During consideration of R-220-06, the BCC requested a report identifying the total amount of contributions made to the Orange Bowl Committee from individuals/organizations outside Miami-Dade County. A report was provided by the County Manager on February 21, 2006 reflecting FY2003-04 through FY 2005-06, Broward County contributed a total of \$360,500.00 to the Orange Bowl Committee and the Greater Miami Convention and Visitors Bureau contributed a total of \$55,000.00 for FY 2004-05 and FY 2005-06. <p><u>Additional information- College Football Championships</u> On June 17, 2014, the BCC, through R-560-14, authorized the Mayor to execute a Performance Based Marquee Event Grant Agreement with Miami Dolphins, Ltd. (the Dolphins) and its affiliate, South Florida Stadium, LLC to:</p> <ul style="list-style-type: none"> Incentivize, on a performance basis, the attraction of major tourist generating sporting events to Sun Life Stadium such as the Super Bowl, College Football Championships, etc.; and Ensure that the Dolphins continue to play in Miami-Dade County for the next 30 years. The grants are capped to a maximum \$5 million per year and payable solely from certain Convention Development Tax (CDT) funds. There is no impact to the County's General Fund.
11A16 142687	RESOLUTION APPROVING A PERMIT AND IMPROVEMENTS AGREEMENT IN THE AMOUNT OF \$22,200.00 WITH ANDRETTI SPORTS MARKETING FLORIDA, LLC FOR THE 2015 MIAMI EPRIX FIA FORMULA E CHAMPIONSHIP AUTO RACE; ACCEPTING A \$5,000.00 DONATION FROM ANDRETTI SPORTS MARKETING FLORIDA, LLC; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAID AGREEMENT AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN
Notes	<p>The proposed resolution approves the Permit and Improvements Agreement in the amount of \$22,200 with Andretti Sports Marketing Florida, LLC, for the use of Parcel B for the March 14, 2015 Miami ePrix FIA Formula E Championship auto race, accepts a \$5,000 donation from Andretti Sports Marketing Florida, LLC and authorizes the County Mayor or designee to execute said agreement and to exercise any and all rights conferred therein.</p> <p><u>Additional Information</u> On February 4, 2014, the BCC, through R-146-14, directed the Mayor to report, within 90 days, on the advisability and feasibility of bringing Formula One and Formula E racing to downtown Miami.</p> <p>Andretti Sports Marketing to host Miami Formula E race - Dec 13, 2013- Andretti Sports Marketing has been appointed by Formula E to be the official event organizers for the Miami Formula E race - a new fully-electric racing championship taking place on the streets of Downtown Miami on March 14, 2015. Based in Indianapolis, Andretti Sports Marketing is a sports, entertainment, event and experiential marketing company that has successfully managed and operated several large scale urban events around the world, including IndyCar and sports car races. Earlier this year, Andretti Sports Marketing partnered with Global Rallycross to promote and manage their ESPN X Games global events in Spain, Brazil, Germany and the United States, including the championship finale held on the strip in Las Vegas, Nevada.</p> <p>The Miami Formula E race will be one of two races in the US alongside Los Angeles on February 14, 2015.</p>