



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

September 16, 2015
9:30 A.M.
Commission Chamber

Research Division

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111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

Board of County Commissioners
September 16, 2015 Meeting
Research Notes

Item No.	Research Notes		
4A 151995	ORDINANCE RELATING TO ROAD IMPACT FEES; PROVIDING FOR USE OF IMPACT FEES TO PAY FOR MASS TRANSIT PROJECTS THAT BENEFIT MULTIPLE IMPACT FEE DISTRICTS; AMENDING SECTION 33E-12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE		
Notes	The proposed ordinance, relating to road impact fees, provides for use of impact fees to pay for mass transit projects that benefit multiple impact fee districts.		
	Miami-Dade County Code Section 33E-12 Code Comparison		
	Section	Current	Proposed
	Sec. 33E-5. Definitions.	(23) Select Transit Capital Improvement means a specific transit capital project located inside the Urban Infill Area that has been determined by the Board of County Commissioners to be of strategic value in providing roadway capacity inside the Urban Infill Area pursuant to Section 33E-12(d).	(23) Select Transit Capital Improvement means a specific transit capital project that has been determined by the Board of County Commissioners to be of strategic value in providing roadway capacity pursuant to Section 33E-12(d).
	Sec. 33E-12. Impact fee expenditures.	(d) Roadway trust funds may be expended on select transit capital improvements provided that the Board of County Commissioners, after recommendation from the Mayor in consultation with the Public Works and Waste Management Director and after public hearing, determines that any such transit use of roadway trust funds would be effective as part of the county's strategy for providing roadway capacity within the Urban Infill Area. Roadway trust funds may only be used for select transit capital improvements within the Urban Infill Area. Only impact fees generated from within the Urban Infill Area may be used for select transit capital projects. Transit projects are to be selected for road way trust fund funding on the basis of their expected effectiveness as roadway capacity improvements.	(d) Roadway trust funds from one or more impact fee districts may be expended on select transit capital improvements provided that the Board of County Commissioners, after public hearing, determines that any such transit use of roadway trust funds would be effective as part of the county's strategy for providing roadway capacity and would provide a benefit to each of the impact fee districts contributing roadway trust funds to the transit improvement. Transit projects are to be selected for road way trust fund funding on the basis of their expected effectiveness as roadway capacity improvements, and road way trust funds shall not be used to address existing deficiencies.
4B 152038	ORDINANCE AMENDING SECTION 13-19 OF THE CODE OF MIAMI-DADE COUNTY FLORIDA; CREATING DISCLOSURE REQUIREMENT FOR THE SALE OF REAL PROPERTY ZONED OR OTHERWISE APPROVED FOR RESIDENTIAL USE WITHIN CERTAIN PROXIMITY TO A PERMITTED ROCK MINING OPERATION WHERE BLASTING IS PERMITTED; ESTABLISHING PENALTIES; PROVIDING DEFINITIONS, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE		
Notes	The proposed ordinance amends Section 13-19 of the Miami-Dade County Code, creating disclosure requirements for the sale of real property zoned or otherwise approved for residential use within certain proximity to a permitted rock mining operation where blasting is permitted.		
	Miami-Dade County Code Section 13-19 Code Comparison		
	Section	Current	Proposed
	Sec. 13-19. Notice to purchasers of residential property of rock mining operations where blasting is permitted.	(a) Any person constructing a residential structure located within two (2) miles of a permitted rock mining operation where blasting is permitted shall, prior to the issuance of the first development permit, record in the public records a notice that the proposed development is located within two (2) miles of a blasting site. The notice shall provide the location of the blasting site and that such blasting is regulated by Chapter 13 of the Code of Miami-Dade County. Notice shall be given to and signed by buyers contemporaneous with signing purchase contracts within said developments. (b) The Director of the Miami-Dade County Public Works Department and the	(a) Any person constructing a residential structure located within two (2) miles of a permitted rock mining operation where blasting is permitted shall, prior to the issuance of the first development permit, record in the public records a notice that the proposed development is located within two (2) miles of a blasting site. The notice shall provide the location of the blasting site and that such blasting is regulated by Chapter 552, Florida Statutes and Chapter 69A-2, Florida Administrative Code. Notice shall be given to and signed by buyers contemporaneous with signing purchase contracts within said developments. (b) Any person offering for sale any existing residential structure located within two (2) miles of a permitted rock mining operation where blasting is permitted shall provide a disclosure notice requiring signature by the prospective purchaser that the subject residential structure is located within two (2) miles of a blasting site. The required notice shall also provide the location of the blasting site. The required notice shall be set forth on a separate sheet of paper and signed by the prospective purchaser prior to or contemporaneous with the execution of any other

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		<p>Director of the Miami-Dade County Department of Planning and Zoning shall maintain detailed maps of all permitted rock mining operations where blasting is permitted within Miami-Dade County. Any developer may request a written opinion from the Director of Public Works as to whether his or her development is located within the two-mile area.</p> <p>(c) The Directors of the Miami-Dade County Public Works Department and Miami-Dade County Department of Planning and Zoning shall provide adequate notice of this section with the official application forms for development permits.</p>	<p>instrument committing the purchaser to acquire title or any other interest in such real property, whether created by deed, contract, mortgage, easement, covenant, or other instrument.</p> <p>(c) The Director of the Miami-Dade County Public Works and Waste Management Department and the Director of the Miami-Dade County Regulatory and Economic Resources Department shall maintain detailed maps of all permitted rock mining operations where blasting is permitted within Miami-Dade County. Any developer may request a written opinion from the Director of Public Works and Waste Management as to whether his or her development is located within the two-mile area.</p> <p>(d) The Directors of the Miami-Dade County Departments of Public Works and Waste Management and Regulatory and Economic Resources, shall provide adequate notice of this section with the official application forms for development permits.</p> <p>(e) Any seller of real property who fails to comply with the notice provisions of Section 13-19(b) shall be subject to penalties, civil liability, attorney's fees and enforcement proceedings as set forth in Section 8CC of the Code of Miami-Dade County and to any other such proceedings as may be provided by law. Miami-Dade County shall not be held liable for any damages or claims resulting from the seller's failure to comply with the provisions of this section.</p> <p>Code Section 13-19(b)</p> <p>Description of Violation Failure to provide rock mining disclosure notice</p> <p>Civil Penalty \$500.00</p>
<p>5B 151726</p>	<p>Sec. 8CC-10. <i>Schedule of civil penalties.</i></p>	<p>N/A</p>	<p>RESOLUTION APPROVING SIGNIFICANT MODIFICATIONS OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 10 - "PURCHASE OF DEVELOPMENT RIGHTS" TO REDUCE ITS ALLOCATION BY \$10,000,000.00, DECLARING THESE SURPLUS FUNDS, AND PROJECT NO. 52 - "BEACH EROSION MITIGATION AND RENOURISHMENT" IN ORDER TO INCREASE ITS ALLOCATION BY \$10,000,000.00 OF SURPLUS FUNDS FROM PROJECT NO. 10, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING AND IN ACCORDANCE WITH IMPLEMENTING ORDER 3-47; AND ESTABLISHING A POLICY TO ALLOCATE LEGALLY AVAILABLE FUNDS IN THE FUTURE TO RESTORE FUNDING TO THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM</p>
<p>Notes</p>			<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Approves a significant modification to Building Better Communities General Obligation Bond (BBC GOB) Program Project No. 10 – "Purchase of Development Rights" to reduce the original allocation of \$30,000,000 assigned to the project by \$10,000,000 to \$20,000,000; • Designates \$10,000,000 as surplus funds, pursuant to Implementing Order (IO) 3-47; • Approves a significant modification to Bond Program Project No. 52 - "Beach Erosion Mitigation and Renourishment Project" to increase its total allocation from \$17,500,000 to \$27,500,000 in order to address ongoing beach renourishment and shoreline protection needs; and • Establishes a policy that the Purchase of Development Rights program will be made whole through alternatively available funding sources in future fiscal years. <p><u>Fiscal Impact/Funding Source</u></p> <p>Project No. 10 has an original allocation of \$30,000,000 and an existing balance of \$22,452,090. This figure includes \$3,752,910 in expenditures since program inception in 2007, and planned commitments totaling approximately \$3,795,000. This item reallocates \$10,000,000 of those Project No. 10 funds to Project No. 52 to address ongoing beach renourishment needs in this community.</p> <p>Project No. 52 Beach Renourishment originally contained a \$17,500,000 allocation and has an existing balance of \$366,465. This figure includes \$16,712,799 in expenditures since program inception, and planned commitments totaling approximately \$420,736. Funding will be allocated to restore the balance available for the Purchase of Development Rights over a five year period beginning in FY 2019-20.</p> <p><u>Background</u></p> <p>Miami-Dade County manages 13 miles of beaches extending from Government Cut through Sunny Isles Beach. These areas are part of a federally authorized shore protection project administered by the U.S. Army Corps of Engineers (Corps), with the County serving as the local project sponsor. Project funding is generally cost shared 50/50 among federal (Corps), and non-federal (County & State) partners. The County and the State typically share the cost of the non-federal portion at a ratio of 50/50. Because of the federal and State cost sharing</p>

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	<p>model, the allocation of this \$10 million to the beach renourishment program actually affords us between \$20 and \$40 million in renourishment projects.</p> <p>The County serves as the local sponsor for beach renourishment and has recently funded several small renourishment projects from nearly depleted funds. There is no substantial funding source available to undertake a full restoration effort for any significant portion of our beach, much less to repair any major damage that might be caused by a hurricane or significant weather event. It is estimated that the total cost of a major restoration effort would be in the neighborhood of \$80 million which, with federal and state assistance, would require an approximate \$20 million local contribution. Even in the absence of a major storm event, funding for ongoing projects to maintain the current shoreline in the face of erosion has been depleted. Project No. 52 funds were the final remaining allocated funds for beach renourishment and they are insufficient to undertake all of the beach renourishment that currently needs to be done. Project No. 52 has a budget shortfall. Over the next 10 years, it is projected that at least \$30 million will be needed to continue to renourish our beaches just to keep up with the impacts of erosion.</p> <p>The Purchase of Development Rights Program was adopted by the BCC on September 20, 2007, via Resolution No. R-1036-07, as a voluntary process allowing the County to acquire residential development rights associated with a particular piece of property through the purchase of conservation easements on agricultural land. The Program was revised in 2009 to accommodate compliance with the United States Department of Agriculture requirements that made the program eligible to receive matching funds. When coupled with the matching funds, the program has spent \$7,147,150 on easement acquisitions over the past 11 years and received grant reimbursements for half of that amount.</p> <p>It is anticipated that the program will continue to accommodate qualified, willing sellers for many years to come at its current spending rate even with this reduced initial allocation. Ultimately, the policy adopted through the proposed resolution will make the program whole through future allocations of alternatively available funds. This significant modification is recommended because tourism, and specifically beach-related tourism, stands as the preeminent economic driver of our region, and because of the globally recognized importance of shoreline resiliency for this community's ecological and economic future.</p> <p>IO 3-47, which governs the BBC GOB Program, requires that an application to use surplus funds for a project with a budget shortfall must be presented to the BBC GOB Citizens' Advisory Committee (CAC). This item was presented at the July 21, 2015 CAC meeting and received a favorable recommendation.</p>
<p>7A 151462</p>	<p>ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO DELETE THE GOODS PORTION OF THE PROGRAM IN ORDER TO CREATE A SERVICES-ONLY PROGRAM BASED UPON CERTIFICATION TIERS USING THREE YEAR AVERAGE GROSS REVENUES, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150784]</p>
<p>7B 151465</p>	<p>ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 2-8.1.1.1.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE A GOODS-ONLY PROGRAM BASED UPON CERTIFICATION TIERS, PROVIDE DEFINITIONS AND PROGRAM CRITERIA, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 150786]</p>
<p>Notes</p>	<p><u>7A-151462:</u> The proposed ordinance pertaining to the Small Business Enterprise Program, amends section 2-8.1.1.1.1 of the Miami-Dade County Code to delete the goods portion of the program in order to:</p> <ul style="list-style-type: none"> • Create a services-only program based upon certification tiers using three year average gross revenues; <ul style="list-style-type: none"> ○ Tier 1- \$0 to \$750,000; ○ Tier 2- \$750,000.01 to \$2,000,000; or ○ Tier 3- \$2,000,000.01 to \$5,000,000. • Provide virtual office definition; • Require one year doing business in Miami-Dade County prior to certification; • Require quarterly reporting of contracts to certified firms by the Public Health Trust; • Allow application for recertification after submittal of required documents; and • Contribution to the economic development and well-being of Miami-Dade County. <p><i>During the Economic Prosperity Committee meeting on June 11, 2015, the proposed ordinance was amended to provide that:</i></p> <ul style="list-style-type: none"> • <i>The applied bid preferences be implemented no later than 60 days from the effective date of the ordinance; and</i> • <i>Small Business Development prepare and report to the BCC after one year as to the impact of the ordinance.</i> <p><u>7B-151465:</u> The proposed ordinance pertaining to the Small Business Enterprise Program, creates section 2-8.1.1.1.2 of the Miami-Dade County Code to:</p> <ul style="list-style-type: none"> • Create a goods-only program based upon certification tiers; <ul style="list-style-type: none"> ○ Tier 1- \$0 to \$750,000;

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	<ul style="list-style-type: none"> ○ Tier 2- \$750,000.01 to \$2,000,000; or ○ Tier 3- \$2,000,000.01 to \$5,000,000. • Provide definitions and program criteria; • Require one year doing business in Miami-Dade County prior to certification; • Require quarterly reporting of contracts to certified firms by the Public Health Trust; • Allow application for recertification after submittal of required documents; and • Contribution to the economic development and well-being of Miami-Dade County. <p><i>During the Economic Prosperity Committee meeting on June 11, 2015, the proposed ordinance was amended to provide that:</i></p> <ul style="list-style-type: none"> • <i>The applied bid preferences be implemented no later than 60 days from the effective date of the ordinance; and</i> • <i>Small Business Development prepare and report to the BCC after one year as to the impact of the ordinance.</i> <p>The proposed ordinances separate the existing goods and services programs into two different programs.</p>
7C 151260	ORDINANCE ELIMINATING QUESTIONS REGARDING CRIMINAL HISTORY FROM ALL COUNTY EMPLOYMENT APPLICATIONS; ESTABLISHING SCREENING PRACTICES FOR THE USE OF CRIMINAL HISTORY INFORMATION IN COUNTY EMPLOYMENT DECISIONS; CREATING SECTION 2-31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance eliminates questions regarding criminal history from all County employment applications, establishes screening practices for the use of criminal history information in County employment decisions and creates Section 2-31 of the Miami-Dade County Code.</p> <p>Sec. 2-31. Criminal history screening practices.</p> <p>(a) Definitions. The following definitions shall apply.</p> <p><i>(1) Applicant means a person who applies for employment with Miami-Dade County.</i></p> <p><i>(2) Criminal history means any information related to criminal charges against the applicant, proceedings related to the applicant's criminal charges and disposition of the applicant's criminal charges.</i></p> <p><i>(3) Criminal history background check means the process of obtaining information about an applicant's criminal history through third party sources.</i></p> <p><i>(4) Finalist means an applicant conditionally selected for a position pending a criminal history background check.</i></p> <p><i>(5) Initial application for employment means any document, whether in paper or electronic form, that Miami-Dade County requires an applicant to submit prior to being selected as a finalist for a position.</i></p> <p><i>(6) Position means the particular job with Miami-Dade County sought by the applicant.</i></p> <p>(b) Criminal history background checks.</p> <p><i>(1) Except as otherwise provided by state or federal law, Miami-Dade County will not inquire about an applicant's criminal history and will not seek an applicant's authorization to conduct a criminal history background check unless and until the applicant is selected as a finalist for a position.</i></p> <p><i>(2) Except as otherwise provided by state or federal law, Miami-Dade County shall not advertise positions with a statement that an individual with a criminal record may not apply for the position or place on the application that a person with a criminal record may not apply.</i></p> <p><i>(3) Miami-Dade County will make the finalist a conditional offer of employment, contingent upon a successful criminal history background check, as determined by Miami-Dade County.</i></p> <p><i>(4) If, after making a conditional offer of employment to an applicant, Miami-Dade County determines that the applicant has been convicted of a crime, Miami-Dade County shall consider the following factors when determining whether the conviction disqualifies the applicant for the position:</i></p> <ul style="list-style-type: none"> <i>a. The nature of the conviction;</i> <i>b. The time that has elapsed since the conviction;</i> <i>c. Whether there is a relationship between the conviction and the position's duties and responsibilities and the bearing, if any, the conviction may have on the applicant's fitness or ability to perform one or more such duties and responsibilities and whether the duties of employment would place a co-worker or the public in potential danger; and</i> <i>d. Any information produced by the applicant or produced on his or her behalf regarding his or her rehabilitation and good conduct.</i> <p><i>(5) If, after making a conditional offer of employment, Miami-Dade County determines that the applicant has been arrested or charged but not convicted of a criminal offense and the criminal case is not actively pending, Miami-Dade County shall not use that information as a basis for declining to make an offer of employment or for withdrawing the conditional offer of employment.</i></p> <p><i>(6) If, after making a conditional offer of employment to an applicant, Miami-Dade County determines that the applicant has had a criminal conviction expunged or sealed from his or her record, received a pardon, or that charges were dismissed pursuant to successfully completing a pretrial intervention or pretrial diversion program, Miami-Dade County shall not use that information as a basis for declining to make an offer of employment or for withdrawing the conditional offer of employment.</i></p> <p><i>(7) If Miami-Dade County determines that the finalist's criminal history is cause for potential withdrawal of the conditional offer of employment, the finalist will be notified and given an opportunity to respond within five business days of notification</i></p>

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	<p><i>of cause for potential withdrawal. Miami-Dade County will consider any additional information provided in writing by the finalist.</i></p> <p><i>(8) If, after review of additional information submitted by the finalist, Miami-Dade County determines that the applicant's criminal history is disqualifying and a cause for withdrawal of conditional offer of employment, the applicant will be provided with a written letter of rejection specifically stating the evidence presented and reasons for rejection.</i></p> <p><i>(9) Miami-Dade County's selection and hiring decisions are final and are not subject to appeal.</i></p> <p>(c) Limiting provisions.</p> <p><i>(1) Any of the practices outlined in subsection (b) shall not apply if additional or conflicting screening practices or requirements regarding criminal history are required by state or federal law.</i></p> <p><i>(2) Nothing in this section requires Miami-Dade County to hire an applicant with a criminal record, nor limits Miami-Dade County's ability to select the most qualified applicant for a position.</i></p> <p><i>(3) Nothing in this section prohibits Miami-Dade County from denying employment based on a criminal conviction determined in accordance with the practices outlined in this section to be relevant to the position sought.</i></p> <p><i>(4) Nothing in this section creates a cause of action for any applicant with regard to hiring or selection for employment.</i></p> <p>(d) Implementation. <i>The Miami-Dade County Human Resources Department, its successor department, and other applicable departments shall have 90 days from the effective date of this ordinance to develop and implement any policies necessary to ensure full compliance with this section.</i></p> <p><u>Additional Information</u></p> <p><i>During the discussion at the August 27, 2015, Economic Prosperity Committee meeting, it was clarified that the proposed ordinance does not eliminate the criminal background screening, it only eliminates the criminal history questions from the application process.</i></p>
<p>8C1 151347</p>	<p>RESOLUTION AUTHORIZING THE FUNDING OF A \$25,000 GRANT FROM THE DEPARTMENT OF CULTURAL AFFAIRS, ACTING AS FISCAL AGENT FOR THE SOUTH FLORIDA CULTURAL CONSORTIUM, TO FLORIDA ATLANTIC UNIVERSITY FOUNDATION, INC. FOR THE REGIONAL EXHIBITION OF THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2014-2015 VISUAL & MEDIA ARTISTS FELLOWSHIP PROGRAM, WAIVING RESOLUTION R-130-06, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE GRANT AGREEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution approves a grant from the South Florida Cultural Consortium's FY 2014-2015 general operating funds in the amount of \$25,000.00 to Florida Atlantic University Foundation, Inc. to present a regional art exhibition of the recipients of the Consortium's 2015 Visual & Media Artists Fellowship Program. <i>In addition, it is recommended that Resolution No. R-130-06 (requiring contracts with non-governmental entities be signed by the other parties before being submitted to the BCC) be waived in order to expedite the allocation of funding support for this time-sensitive exhibition.</i></p> <p><u>Fiscal Impact/Funding Source</u></p> <p>The source of funding for this grant is from the adopted FY 2014-2015 budget for the South Florida Cultural Consortium, an alliance of the local arts agencies of Martin, Palm Beach, Broward, Monroe and Miami-Dade counties. The Miami-Dade County Department of Cultural Affairs administers the fellowship program and serves as fiscal agent for the program's contributed funds from member counties for Consortium programs benefiting the South Florida region. Funding for the 2015 exhibition is supported in full by funds contributed by Broward and Palm Beach counties. Funding for this grant was approved by the Consortium's Board of Directors at its May 26, 2015 meeting.</p> <p><u>Background</u></p> <p>The Consortium conducted the 2015 Visual & Media Artists Fellowship Program, recommending the award of 12 fellowships to South Florida artists through a competitive process involving over 360 applications received from all five (5) member counties and reviewed by two (2) panels of arts experts. The Consortium's Board of Directors selects a major museum located in one of the participating counties, on a rotating basis, to present an annual exhibition of the recipients' works. The 2015 exhibition will be held at University Galleries, Florida Atlantic University, Boca Raton, FL in December 2015.</p>
<p>8C2 151642</p>	<p>RESOLUTION APPROVING THE FUNDING OF SIXTEEN GRANTS FOR A TOTAL OF \$128,800.00 FROM THE FISCAL YEAR 2014-2015 FOURTH QUARTER OF THE TOURIST DEVELOPMENT COUNCIL GRANTS PROGRAM ROOM TAX PLAN AND SURTAX CATEGORY TO PROMOTE MIAMI-DADE COUNTY TOURISM; WAIVING RESOLUTION NO. R-130-06, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS WITH VARIOUS ENTITIES AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution approves the funding of 16 grants for a total of \$128,800.00 from the FY 2014-15 Tourist Development Council Grants Program – Fourth Quarter. <i>In addition, it is recommended that Resolution No. R-130-06 (requiring contracts with non-governmental entities be signed by the other parties before being submitted to the Board of County Commissioners) be waived in order to expedite the allocation of funding support for these time-sensitive, tourism-oriented, and community events.</i></p> <p><u>Fiscal Impact/Funding Source</u></p> <p>Funding for the Tourist Development Council (TDC) Grants Program comes from the 2 percent Tourist Development Room Tax Revenue and the 2 percent Hotel/Motel Food and Beverage Surtax revenues. In addition, the Greater Miami Convention and Visitors Bureau provides \$25,000.00 to the TDC pursuant to a multi-year agreement. Further, a remaining balance of \$117,047.00 in unspent grant funds in FY 2013-14 was carried over and is being appropriated as part of the FY 2014-15 program.</p> <p><u>Background</u></p>

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	<p>The Tourist Development Council convened on June 24, 2015 to review 20 applications requesting \$282,000.00 for the Fourth Quarter of the program. The TDC recommended funding 16 applicants for a total of \$128,800.00.</p> <p><u>Additional Information</u></p> <p>For FY 2014-15, the BCC waived the requirements of Resolution No. R-130-06, expediting and approving the funding of the Tourist Development Council Grants Program-Room Tax Plan and Surtax Category to promote Miami-Dade County tourism by funding tourist-oriented cultural, sporting, television and special event/promotions.</p> <ul style="list-style-type: none"> January 21, 2015- Resolution No. R-14-15- authorized the funding of 35 grants for a total of \$456,650.00- First Quarter; March 3, 2015- Resolution No. R-202-15- authorized the funding of 32 grants for a total of \$399,850.00- Second Quarter; and June 2, 2015- Resolution No. R- 476-15- authorized the funding of 30 grants for a total of \$277,450.00- Third Quarter. <p>For FY 2013-2014, the BCC waived the requirements of Resolution No. R-130-06, expediting and approving the funding of the following grants of the Tourist Development Council Grants Program-Room Tax Plan and Surtax Category to promote Miami-Dade County tourism by funding tourist-oriented cultural, sporting, television and special event/promotions.</p> <ul style="list-style-type: none"> December 3, 2013- Resolution No. R-968-13- First Quarter- 36 grants for a total of \$452,900; April 8, 2014- Resolution No. R-321-14- Second Quarter- 25 grants for a total of \$301,350; May 6, 2014- Resolution No. R-407-14- Third Quarter- 28 grants for a total of \$244,750.00; and July 17, 2014- Resolution No. R-689-14- Fourth Quarter- 19 grants for a total of \$161,500.
<p>8C3 151805</p>	<p>RESOLUTION APPROVING \$165,000.00 IN FUNDING SUPPORT FOR 12 FELLOWSHIP AWARDS TO SOUTH FLORIDA ARTISTS FROM THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2014-2015 GENERAL OPERATING FUNDS FOR THE VISUAL AND MEDIA ARTISTS FELLOWSHIP PROGRAM; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, TO EXECUTE AMENDMENTS FOR TIME EXTENSIONS, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution approves \$165,000.00 in funding support for 12 fellowship awards to South Florida artists from the South Florida Cultural Consortium's FY 2014-15 general operating funds for the Visual & Media Artists Fellowship Program. <i>In addition, it is recommended that Resolution No. R-130-06 (requiring contracts with non-governmental entities be signed by the other parties before being submitted to the Board of County Commissioners) be waived in order to expedite the allocation of funding support for these time-sensitive fellowship awards.</i></p> <p><u>Fiscal Impact/Funding Source</u></p> <p>The funding for each of the 12 Visual & Media Artists Fellowship Awards is from the adopted FY 2014-15 budget for the Department of Cultural Affairs. The Miami-Dade County Department of Cultural Affairs administers the Fellowship Program and serves as fiscal agent for the South Florida Cultural Consortium's contributed funds from member counties for Consortium programs benefiting the South Florida region. Funds contributed from each county are allocated to cover its respective fellowship awards.</p> <p><u>Background</u></p> <p>The South Florida Cultural Consortium conducted the 2015 Visual & Media Artists Fellowship Program, recommending the award of 12 fellowships to outstanding South Florida artists. Each member county of the South Florida Cultural Consortium receives benefits at least equivalent to its respective cash contribution. Grant funds secured by the South Florida Cultural Consortium provide additional financial and programmatic benefits to each of the participating counties. The following provides an account of the total amount in fellowships recommended in FY 2014-15 to artists in each county:</p> <ul style="list-style-type: none"> Miami-Dade County \$90,000.00; Broward County \$45,000.00; Palm Beach County \$15,000.00 ; Martin County -0-; and Monroe County \$15,000.00 <p>The 12 artists were chosen through a competitive process involving over 360 applicants received from all five member counties and reviewed by two (2) panels. One panel, consisting of regional arts experts, met on February 6, 2015 to review all of the submissions and to select a pool of finalists. This regional panel's recommendations were forwarded to a national panel of three (3) out-of-state arts experts that met on March 27, 2015. The national panel's recommendations were approved by the Consortium's Board of Directors on July 2, 2015.</p>
<p>8F1 151730</p>	<p>RESOLUTION RETROACTIVELY APPROVING TERMS, AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY, A PUBLIC INSTRUMENTALITY AND AGENCY OF THE STATE OF FLORIDA EXISTING UNDER THE FLORIDA EXPRESSWAY AUTHORITY ACT, FOR LAND LOCATED NORTH OF SUNSET DRIVE AND EAST OF FLORIDA STATE ROAD 874, MIAMI, FLORIDA, REFERRED TO AS PARCEL 874-500-CD, TO BE UTILIZED BY THE MIAMI-DADE FIRE RESCUE DEPARTMENT AS A STORAGE SITE FOR ITS FLEET OF VEHICLES AND ASSOCIATED EQUIPMENT, WITH A TOTAL FISCAL IMPACT TO THE FIRE RESCUE DEPARTMENT ESTIMATED TO BE \$5,004.00 FOR THE THREE-YEAR TERM OF THE LEASE, EFFECTIVE RETROACTIVELY ON AUGUST 1, 2015, AND THE ADDITIONAL ONE-YEAR RENEWAL OPTION PERIOD; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution retroactively approves a Lease Agreement between Miami-Dade County (County) and the Miami-Dade County Expressway Authority (Expressway Authority) for land to be used by the Fire Rescue Department to store the department's fleet of vehicles and associated equipment. More specifically, the resolution does the following:</p> <ul style="list-style-type: none"> Authorizes the lease of 1.05 acres (44,545 square feet) of vacant land referred to as Parcel 874-500-CD; and

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	<ul style="list-style-type: none">• Authorizes a lease term of three (3) years, effective retroactively on August 1, 2015, plus an optional extended lease term of one (1) year. <p>The leased land is a portion of Parent Tract 874-500, which lies east of State Road 874 and north of Sunset Drive and is divided into two (2) sections.</p> <p><u>Fiscal Impact/Funding Source:</u> The County will pay the Expressway Authority \$1.00 annually to rent the property for the initial lease term, and the rent will remain the same during the one-year optional renewal period. The fiscal impact to the County for the initial lease term and the one-year optional renewal period is estimated to be \$5,004.00, which is comprised of \$4.00 in rent and \$5,000.00 in estimated expenses for improvements to the parcel (i.e., installation of barbed wire fencing and security cameras). The County does not anticipate any annual costs for operations and maintenance of the land as the land is a paved vacant lot. Fire Rescue District Funds will cover the lease expenses.</p> <p><u>Background:</u> The Florida Department of Transportation is the owner of Parcel 874-500-CD. In December 1996, the Florida Department of Transportation transferred operational and financial control of the parcel to the Expressway Authority pursuant to a Transfer Agreement. In September 2005, the Board approved Resolution No. R-1090-05, which authorized the execution of a Lease Agreement between the County and the Expressway Authority for the County’s use of Parcel 874-500-CD to store the Fire Rescue Department’s fleet. That Lease expired in March 2008 and the Department remained on the land until December 31, 2010 as a result of the Lease Agreement’s holdover provision. Since that time, the Fire Rescue Department’s fleet has been stored at its Doral-based headquarters. However, there is a need to lease Parcel 874-500-CD again as the Department has outgrown the current storage site (i.e., the site is at full capacity with no room for the addition of new vehicles).</p>															
8F2 151725	RESOLUTION AUTHORIZING APPROVAL OF A LEGACY PURCHASE FOR ONGOING MAINTENANCE AND SUPPORT SERVICES FOR THE COUNTY’S JUVENILE/ADULT PHOTO IMAGING SYSTEM, CONTRACT NO. RFP403, TO DATAWORKS PLUS, LLC, FOR AN ADDITIONAL TWO-YEAR TERM IN A TOTAL AMOUNT NOT TO EXCEED \$445,000.00 AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38															
Notes	<p>The proposed resolution approves a request for a legacy purchase under Contract No. RFP403, Juvenile/Adult Photo Imaging System for the Information Technology Department. This purchase is for two (2) years and \$445,000 in expenditure authority. The Photo Imaging System (System) is utilized by various County departments to digitize mugshots, populate arrest data and share criminal background history with law enforcement agencies. It enables the expeditious processing of inmates (in a minute or less) by capturing front and side images without entering booking information.</p> <p>A legacy purchase is recommended to provide the Information Technology Department the time required to complete a full requirements review and consider a long-term solution that best meets the County’s needs. During this period, the Information Technology Department will continue to research if the best option for the County is to recommend a successor legacy contract award or issue a solicitation for a System not proprietary to and customized by the current vendor, if it is determined that such competition exists. The requested allocation will ensure continuity of services for ongoing maintenance and support for user departments, including required software and hardware upgrades.</p> <p><u>Background:</u> The contract was competitively established in March 2005 and awarded to DataWorks Plus, LLC. Since then, the System has been customized by the vendor (e.g., the addition of applications, databases and investigative functionalities) to meet the County’s needs. The current System is highly complex and can only be maintained and supported by DataWorks as it is the vendor’s proprietary product. Accordingly, competition is unavailable and impracticable for the current System.</p> <p><u>Fiscal Impact/Funding Source:</u> The requested allocation of \$445,000 is based on the services to be delivered under the legacy purchase during the two-year term for the departments in the table below.</p> <table><tr><th>Department</th><th>Allocation</th><th>Funding Source</th></tr><tr><td>Corrections and Rehabilitation</td><td>\$47,000</td><td>General Fund</td></tr><tr><td>Juvenile Services</td><td>\$17,000</td><td>General Fund</td></tr><tr><td>Police</td><td>\$381,000</td><td>General Fund</td></tr><tr><td>TOTAL</td><td>\$445,000</td><td></td></tr></table> <p><i>As a result of the countywide information technology consolidation, which includes the merging of information technology contracts, the Information Technology Department manages the operational needs under Contract No. RFP403 on behalf of the PortMiami, Police, Corrections and Rehabilitation, and Juvenile Services departments. Currently, these user departments each have an allocation under the contract. Upon approval of this item by the Board, the various department allocations under Contract No. RFP 403, including this legacy</i></p>	Department	Allocation	Funding Source	Corrections and Rehabilitation	\$47,000	General Fund	Juvenile Services	\$17,000	General Fund	Police	\$381,000	General Fund	TOTAL	\$445,000	
Department	Allocation	Funding Source														
Corrections and Rehabilitation	\$47,000	General Fund														
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	<p><i>purchase, will be consolidated under one (1) allocation for the Information Technology Department. The one (1) countywide allocation will allow the Information Technology Department to better utilize resources under the contract.</i></p> <p>Additional Information: The following information regarding Contract No. 403 was provided by staff from the Internal Services Department.</p>				
	Timeline of Modifications and Options-to-Renew (OTR) for Contract No. 403				
	Term/Contract No.	Explanation	Effective date	Expiration Date	Value
	Initial Term RFP 403	Juvenile/Adult Photo Imaging System and Related Components	4/1/2005	3/31/2010	\$1,399,065
	Modification No. 1	Approved by the BCC on 6/6/05 through R-680-06 for increased spending authority to complete the last phase of system implementation for MDPD and MDCR	N/A	N/A	\$192,215
	Modification No. 2	Approved by the BCC on 4/7/09 through R-351-09 for increased funding to MDPD to purchase an upgrade to the software and associated equipment for prisoner booking facilities managed by MDCR	N/A	N/A	\$210,000
	Total Modifications Processed				\$402,215
	OTR 1 RFP 403-1(5)	Juvenile/Adult Photo Imaging System and Related Components	4/1/10	3/31/11	\$277,486.09
	OTR 2 RFP 403-2(5)	Juvenile/Adult Photo Imaging System and Related Components	4/1/11	3/31/12	\$277,486.09
	OTR 3 RFP 403-3(5)	Juvenile/Adult Photo Imaging System and Related Components	4/1/12	3/31/13	\$314,290.62
	Modification No. 1	Approved under administrative authority on 9/20/12 to increase spending authority for MDCR for \$150,000 and \$28,000 to provide Seaport access to this contract. The funds were used to purchase an enhancement within the MDCR system functionally to tie it to the inmate mug shot system. Seaport required access to the contract to purchase the software license and associated equipment to process background checks and process visitors requiring entry and access to top level security areas throughout the Port of Miami.	N/A	N/A	\$178,000
	Total Modifications Processed				\$178,000
	OTR 4 RFP 403-4(5)	Juvenile/Adult Photo Imaging System and Related Components	4/1/13	3/31/14	\$269,450
	Modification No. 1	Approved under administrative authority on 11/4/13 to provide the Juvenile Services Department (JSD) access to this contract to purchase required software, equipment and associated maintenance support services. The existing equipment was beyond the useful lifecycle and reached the threshold of replacement.	N/A	N/A	\$30,000
	Modification No. 2	Approved under administrative authority on 11/20/13 to provide MDCR with increased allocation to purchase "Armband." Due to the implementation of the automated Arrest Form ("A" Form), the usage of armbands has been increased. The armbands are part of the new booking that integrates with MDPD, CJIS and Mugshot systems. These funds were necessary to purchase armbands to facilitate and expedite the booking process and reduce the waiting time of Police Officers of Miami-Dade County and other cities.	N/A	N/A	\$75,000

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	<i>Total Modifications Processed</i>				
	OTR 5	Juvenile/Adult Photo Imaging System and Related Components	4/1/14	9/30/15	\$105,000
	RFP 403-5(5)				\$404,175
8G1 150759	RESOLUTION APPROVING NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY'S FISCAL YEAR 2014-15 BUDGET TOTALING \$2,272,286.00				
Notes	<p>The proposed resolution approves the North Miami Community Redevelopment Agency's (Agency) FY 2014-15 Budget totaling \$2,272,286.00.</p> <p><u>Fiscal Impact / Funding Source</u> Miami-Dade County's (County) tax increment financing revenue payment into the Agency's Trust Fund for FY 2014-15 is \$233,289.00 and the City of North Miami's (City) tax increment financing revenue payment into the Trust Fund is \$621,904.00. The County and the City will continue to make annual payments to the Agency through 2016, which is when the Agency will sunset.</p> <p><u>Background:</u> On July 13, 2004, the Board adopted Resolution No. R-837-04, which approved the Finding of Necessity and established the Agency. On June 7, 2005, the Board adopted Resolution No. R-610-05 approving the Redevelopment Plan (Plan) and Interlocal Cooperation Agreement (Interlocal Agreement). The Board approved the funding of the Plan when it enacted Ordinance No. 05-109 on June 7, 2005, which created the Agency's Trust Fund. The Interlocal Agreement among the County, City and Agency requires, among other things, that the Agency will refund the County's tax increment financing payment for the redevelopment area west of Biscayne Boulevard and that the Agency will submit for County approval an annual budget for the implementation of the Plan prior to expending any funds. The County adjusts each year's payment for any prior year final tax roll. Because of an adjustment to the Agency's final 2012 tax roll, the amount of the refund to the County was greater than it should have been; therefore, the County will not receive a refund for the area for FY 2014-15 and will pay the Agency \$69,986.00 to address the tax roll adjustment.</p> <p>The Agency's FY 2014-15 budget totaling \$2,272,286.00 was approved by the Agency and the City on March 10, 2015.</p> <ul style="list-style-type: none"> • County TIF revenue payments - \$621,904.00; • City's TIF revenue payments - \$233,289.00; • Carryover from prior years - \$1,344,107.00; • An adjustment to the County refund - \$69,986.00; • Interest earnings - \$3,000.00; and • Administrative expenditures - \$72,766.00 (excluding the 1.5 percent County Administrative Charge (\$3,499.00), and represent 3.2 percent of total expenditures, which satisfies the 20 percent cap in administrative expenditures required by the Interlocal Agreement). 				
8J1 151961	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO DIRECT THE SEAPORT DEPARTMENT TO ESTABLISH A TRUST FUND FOR EXPENDITURES ASSOCIATED WITH HOSTING THE AMERICAN ASSOCIATION OF PORT AUTHORITIES ("AAPA") ANNUAL CONVENTION; AUTHORIZING THE TRANSFER OF \$31,466.51 IN FUNDS FROM THE INTERNATIONAL PORT FEST TRUST FUND BALANCE TO THE AAPA TRUST FUND; AUTHORIZING DESIGNATED PURCHASES PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 2-8.1(B)(3) FROM THE AAPA TRUST FUND IN THE APPROXIMATE AMOUNT OF \$848,466.00 AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF IMPLEMENTING ORDER 3-38 FOR ALL PURCHASES FROM THE AAPA TRUST FUND; AND FINDING IT IN THE BEST INTEREST OF THE COUNTY TO WAIVE THE REQUIREMENTS OF RESOLUTION NO R-130-06 WHICH REQUIRES CONTRACTS TO BE PREVIOUSLY SIGNED BEFORE PRESENTATION TO THE BOARD FOR APPROVAL				
Notes	<p>The proposed resolution authorizes the Seaport Department to do the following:</p> <ul style="list-style-type: none"> • Establish of a Trust Fund by PortMiami (AAPA Trust Fund) to raise funds for and pay expenses associated with hosting the American Association of Port Authorities Annual Convention (Convention) to be held in Miami-Dade County on November 2-4, 2015; • Transfer \$31,466.51 from the "International Port Festival Trust Fund" to the AAPA Trust Fund; • Designate purchases pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County for goods and services for the convention from the AAPA Trust Fund of approximately \$848,466.00; and • Waive the competitive bidding requirements of Implementing Order 3-38 for all expenditures of funds from the AAPA Trust Fund. <p><u>Fiscal Impact/Funding Source</u> The purpose of the AAPA Trust Fund is for the Port to deposit and withdraw funds associated with the AAPA Annual Convention. It is anticipated the Port will receive approximately \$580,000.00 from conference registration fees, \$225,000.00 from sponsorships, \$12,000.00 from exhibit sales, and \$31,466.00 from the International Port Festival Trust Fund totaling \$848,466.00 to allocate towards convention expenses. With these funds, the Port will pay for convention host port responsibilities.</p> <p>It is the intent to have the Convention "break-even" financially, meaning that funds raised and deposited in the AAPA Trust Fund are planned to cover all Convention expenses for which the Port has responsibility. However, should event revenues not suffice to cover event expenses, the Port has set-aside funding in the department's non-operating budget to cover any such shortfall. Conversely, if event revenues exceed expenses, the remaining balance will be transferred to the Port to reimburse its non-operating budget for any Convention-related expenses and to support future business development activities.</p> <p><u>Background</u></p>				

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	<p>Founded in 1912, the AAPA is a trade association representing more than 160 leading port authorities in the United States, Canada, the Caribbean, and Latin America. Members also include more than 300 firms and individuals with interest in the seaports of the Western Hemisphere. AAPA is dedicated to serving deep draft public ports by promoting the common interests of port communities and providing leadership on trade, transportation, environmental and other issues related to port development and operations. The AAPA also works to educate the public, media, local, state, and federal legislators about the essential role ports play within the global transportation system. The Port regularly participates in AAPA activities including committee meetings, technical workshops, and seminars/conferences.</p> <p>The AAPA's largest membership gathering is its annual convention which rotates to different port communities. This event includes technical and policy committee meetings, business sessions, exhibition/trade show, and social/networking opportunities. Annual conventions are hosted by member ports offering a range of activities reflecting the unique features of the host community. The Port has been selected as the host port for the 2015 AAPA Annual Convention scheduled for November 2-4, 2015 in Miami, Florida.</p> <p>Similar to the AAPA Trust Fund, the Port previously utilized a trust fund to raise funds associated with hosting the International Port Festival in September 2002. The BCC passed Resolution No. R-71-02 on January 29, 2002 granting the Port the authority to establish the trust fund. The International Port Festival Trust Fund account currently holds a surplus of \$31,466.51. The Department requests approval to transfer the remaining funds from the International Port Festival Trust Fund to the AAPA Trust Fund.</p> <p><u>Additional Information- Standard Meetings Contract with the InterContinental Miami:</u> On July 15, 2014, the BCC, through Resolution No. R-666-14, supported PortMiami in hosting the American Association of Port Authorities Annual Convention (AAPA Convention) in October 2015; approved and authorized the Execution of a Standard Meetings Contract (Contract) with InterContinental Miami in an amount not to exceed \$400,992; and recognized the Host Port responsibilities.</p> <p>The Contract consists of a room block with revenues totaling \$313,740, which will be payable by the individual conference delegates (1,260 room nights at \$249 per night). However, the Port will have a financial responsibility towards the room block guarantee if 80% of these room nights (\$250,992) is not achieved. Additionally, there is a food and beverage minimum of \$150,000. Thus, the Port's total financial responsibility to the Contract is up to \$400,992, which is 80% of room revenues plus the food and beverage minimum. However, should the room nights actually booked by conference delegates be less than 80% of the total room nights committed per day, the Port will pay the difference between 80% of the total room nights and the actual usage of rooms, multiplied by the average group room rate.</p> <p>The Port will be budgeting, subject to BCC approval as part of the annual budget process, promotional funds for Fiscal Years 2015 and 2016 from its non-operating budget. These promotional funds will be used in the event conference-generated revenues are not sufficient to meet the Port's financial obligations in support of the conference.</p> <p>It is anticipated that these hotel expenses, along with other host port conference responsibilities, will be offset by a percentage of conference delegate registration fees and other convention-generated revenues such as exhibition rentals, advertisements and sponsorship dollars. The Port will receive approximately \$1,300 per paid conference registration and \$75 per exhibitor registration (maximum two per company). The Port will also receive 100% of all revenues raised from sponsorships and program advertisements to allocate towards conference expenses.</p> <p><u>Standard Meetings Contract with the InterContinental Miami:</u> The Port issued a competitive bid process, via the Greater Miami Convention & Visitors Bureau, for a conference headquarter hotel seeking a facility for necessary meeting space, exhibition hall and room accommodations. Proposals were received from four local hotels: Hyatt Regency Miami, InterContinental Miami, Loews Miami Beach, and Hilton Miami. It was determined the InterContinental Miami was the best fit for this conference based on hotel space, concessions, available dates, site visits and price.</p> <p>The total contract value is \$463,740 with the Port potentially responsible for up to \$400,992.</p> <p>The Port will receive particular hotel concessions based on the achievement of 80% room block and meeting food and beverage minimums. These concessions include: one complimentary room for every 45 paid rooms, one royal suite complimentary to be used by AAPA Chairman, one upgrade to a one-bedroom suite at the group rate, twelve complimentary upgrades to deluxe suites at regular conference rate, group rate will be offered three days pre and post-convention dates, a five percent discount to printed 2015 catering menus, discounted parking for up to ten staff cars, and complimentary Wi-Fi in all guest rooms, exhibit hall and meeting spaces. These hotel concessions may be used by the Port to increase revenues associated with sponsorship packages.</p> <p><u>Additional Information- AAPA Convention Guidelines:</u> In addition to the hotel venue, PortMiami will be responsible for the management and financial responsibility of the Annual Conference including, but not limited to, marketing material, website development, registration, social activities/entertainment, translation services and photography. AAPA will be directly responsible for planning the business sessions including general sessions, luncheon programs, committee meetings, and exhibit sales and management.</p> <p>The Port will be responsible for establishing conference registration fees, which require approval from AAPA's Board of Directors during their fall meeting prior to the annual conference. While the majority of registration fees will be utilized by the Port to offset conference expenses, AAPA will receive a small amount from each paid registration. In past years, delegate registration fees averaged \$1,450. AAPA's share of conference fees averaged \$110 for each paid AAPA member registration and \$135 for each AAPA non-member registration. Based on this</p>

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	<p>formula, the Port would receive approximately \$1,300 for each registered delegate. Approximately 400 delegates are expected to attend the Miami conference, which would equate to approximately \$520,000 to the Port from registration fees alone to offset conference expenses.</p> <p>Additionally, the Port will receive \$75 per person from exhibit sales to offset conference expenses (maximum 2 people per company) and an additional 15% commission for any new exhibit sales generated by the Port. Such exhibition revenues to the Port are expected to be potentially in the range of \$10,000 - \$12,000. Also, full revenues raised by the Port for sponsorships and advertisements will be utilized by the Port to offset convention costs.</p> <p>Pursuant to their website, the 4-day long Annual Convention is AAPA's largest membership meeting of the year. It includes technical and policy committee meetings, business sessions and social networking opportunities for port professionals and others in the marine transportation industry. The 2014 Annual Convention was hosted by the Port of Houston Authority on November 9-13, 2014 at the Hyatt Regency Houston. The following are future Annual Convention schedules:</p> <ul style="list-style-type: none"> • 2015 - October 5-9, 2015 (tentative), hosted by the Port of Miami; • 2016 - October 23-27 (tentative), hosted by the Port of New Orleans; and • 2017 - October 1-4, 2017 (tentative), hosted by the Port of Long Beach.
<p>8J2 152072</p>	<p>RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A NON BINDING MEMORANDUM OF UNDERSTANDING WITH ROYAL CARIBBEAN CRUISES, LTD. FOR THE LEASE OF LAND FOR, AND THE DESIGN, CONSTRUCTION, FINANCE, AND OPERATION OF, A CRUISE TERMINAL AND RELATED IMPROVEMENTS; DIRECTING THAT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE NEGOTIATE ANY AND ALL CONTRACTS NECESSARY TO GIVE EFFECT TO THE INTENT OF THE MEMORANDUM OF UNDERSTANDING AND TO PRESENT THEM TO THE BOARD FOR APPROVAL WITHIN 120 DAYS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXTEND TIME PERIODS IF REASONABLY NECESSARY TO FINALIZE NEGOTIATIONS UPON WRITTEN REPORT TO THE BOARD</p>
<p>Notes</p>	<p>The proposed resolution approves and authorizes the execution of a non- binding Memorandum of Understanding (MOU) between Miami-Dade County (County) and Royal Caribbean Cruises, Ltd (RCL) for the lease of land for the financing, designing, building, operating, and maintaining of a cruise terminal and related infrastructure.</p> <p>The proposed MOU outlines a public-private partnership, which provides for RCL to expand its cruise facilities in Miami-Dade County by allowing for RCL to finance, design, build, operate, and maintain Cruise Terminal A on the north-east quadrant of the Port. The land allocation for Cruise Terminal A is partially located in the Port's cargo area (under the Port's control) and is currently generating approximately \$1.2 million in revenue to the County, but much less than what is expected under the MOU.</p> <p>The MOU lays out certain pre-contract responsibilities for RCL and PortMiami, while summarizing the basic terms under which future binding documents will be developed for BCC approval. Although much work remains to determine the cost ranges for various elements of the program, RCL will bear the full cost for constructing the cruise terminal, parking garage, ancillary facilities, and any bulkhead work. PortMiami will be responsible for environmental testing and remediation (if any), the provision of utilities to the development envelope, and providing suitable maintenance dredging of the channel and water depth between the channel and the berth. The Port anticipates the RCL investment entity will invest well over \$100 million during the construction phase of the project and that PortMiami will invest several million. PortMiami's estimated costs will be fully outlined in the binding contracts presented to the BCC. The present value of the guaranteed portion of this long-term agreement should be approximately \$250 million for PortMiami after taking into consideration its up-front costs.</p> <p><u>Fiscal Impact/Funding Source</u></p> <p>Although this MOU is non-binding, the parties have agreed in good faith to undertake certain pre-contract activities. The County will continue to work on the planning and permitting of the bulkhead work necessary for the Terminal A cruise berth. It also agrees to undertake environmental Phase I and Phase II testing and to produce plans that would be used for utility connections. The County will also transmit the most recent bathymetric chart, which is being completed and certified as part of our maintenance dredge program of the main cruise channel. These commitments may require PortMiami to spend about \$500,000, much of which the Port has already incurred as part of its planning efforts. These funds will initially be provided through operating costs and may be capitalized later if the project is constructed.</p> <p>The binding Agreements that are intended to be presented for BCC approval several months from now will contain substantial financial analysis. The Port anticipates that RCL will invest well over \$100 million during the construction phase of the project and that PortMiami will invest several million. The present value of the guaranteed portion of this long-term agreement is estimated to be \$250 million for PortMiami after taking the port's up-front costs and approximately \$1.2 million in annual rent if used for cargo purposes. In the Port's financial projections provided to the bond rating agencies, the revenue from this acreage was estimated at \$1.2 million annually from cargo activity. The revenues derived from this proposed deal from the same acreage is higher at \$9.5 million annually (rent base minimum, escalated at no less than 1.5 percent annually, subject to two (2) formula adjustments described within the MOU).</p> <p><u>Background</u></p> <p>RCL and several of its brands have successfully homeported in PortMiami for more than 45 years. RCL passenger volumes and vessel sizes have fluctuated throughout these years. Prior to 2009, the Port averaged more than 1.6 million RCL passengers annually. Unfortunately, Miami lost a majority of RCL's business when RCL announced that its then-largest vessels, the Oasis of the Seas and Allure of the Seas, would homeport year-round in Port Everglades. Currently, the Port welcomes approximately 730,000 RCL passengers annually, representing approximately 15 percent of the Port's overall passenger traffic. Despite this volume, RCL's contractual guarantee to the County is only 325,000 annual passengers for the preferential use of Cruise Terminal G.</p>

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	<p>The Port has been working with RCL in developing a creative structure that will allow for RCL to grow its volume in Miami-Dade County. The proposed model differs from the traditional Port model and makes Miami-Dade County more attractive in a competitive environment. A public-private partnership has been agreed upon between the Port and RCL (Parties).</p> <p>At the time that PortMiami failed to secure the Oasis of the Seas and the Allure of the Seas, the Port did not have facilities capable of hosting these vessels nor did it have suitable expansion plans. In December 2010, the BCC adopted the PortMiami 2035 Master Plan, which envisioned a total of eight (8) cruise berths on its north channel – six (6) existing, plus two (2) new berths. Once these two (2) new berths are allocated, there will be no other opportunities to build along the Port’s north channel. Such future berths are being named Cruise Terminal A and Cruise Terminal AA.</p>
<p>8K1 152058</p>	<p>RESOLUTION APPROVING, IN ACCORDANCE WITH 24 C.F.R. PART 990 AND OTHER APPLICABLE FEDERAL REGULATIONS, TERMS AND CONDITIONS OF AN ENERGY SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AMERESCO, INC. TO IMPLEMENT ENERGY CONSERVATION MEASURES AT VARIOUS PUBLIC HOUSING SITES, WHICH SAID AGREEMENT REQUIRES THE COUNTY TO BORROW AN AMOUNT NOT TO EXCEED \$26,000,000.00, INCLUSIVE OF FINANCING COSTS, FROM A THIRD PARTY FINANCIAL INSTITUTION, REQUIRES THE COUNTY TO PAY AN AMOUNT EQUAL TO \$2,606,127.00 TO AMERESCO, INC. FROM THE ENERGY SAVINGS OVER THE 14 YEAR TERM OF THE AGREEMENT FOR ITS ANNUAL SERVICES, AND REQUIRES AMERESCO, INC. TO GUARANTEE PAYMENT TO THE COUNTY IF OPERATING AND ENERGY COST SAVINGS ARE LESS THAN THE ANNUAL PAYMENTS DUE TO THE FINANCIAL INSTITUTION; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE, SUBJECT TO UNITED STATES HOUSING AND URBAN DEVELOPMENT’S APPROVAL, TO EXECUTE THE ENERGY SERVICES AGREEMENT, TO NEGOTIATE THE FINAL TERMS AND EXECUTE THE THIRD PARTY EQUIPMENT LEASE/FINANCING AGREEMENT WITH THE ENTITY SOLICITED BY AMERESCO, TO NEGOTIATE AND EXECUTE ANY OTHER AGREEMENTS NECESSARY TO EFFECTUATE THE TERMS OF THIS CONTRACT, AND TO EXERCISE ALL PROVISIONS OF THE CONTRACTS, AND SUBMIT REQUIRED PLANS, AGREEMENTS AND RELATED DOCUMENTS TO UNITED STATES HOUSING AND URBAN DEVELOPMENT FOR THEIR APPROVAL; AND WAIVING PROVISIONS OF SECTION 2-10.7(B) OF THE MIAMI-DADE COUNTY CODE RELATED TO THE SALES TAX EXEMPTION PROGRAM AND RESOLUTION NO. R-130-06 [SEE ORIGINAL ITEM UNDER FILE NO. 151809]</p>
<p>Notes</p>	<p>The proposed resolution provides for the following:</p> <ol style="list-style-type: none"> 1. Approves in accordance with 24 C.F.R. part 990 and other applicable federal regulations, the terms and conditions of an Energy Services Agreement (Energy Agreement) for the implementation of the Energy Savings Project at public housing development sites (Energy Savings Project), which said agreement requires the County to borrow an amount not to exceed \$26,000,000.00, inclusive of financing costs, from a third party financial institution, requires the County to pay Ameresco a total amount of \$2,606,127.00 from energy savings over the 14 year term of the agreement for its annual services, and requires Ameresco to pay the County any difference between the projected annual savings on operating and energy costs and the annual payment amount due to the financial institution; 2. Authorizes the County Mayor or designee, subject to United States Department of Housing and Urban Development’s (Housing and Urban Development) approval, to execute the Energy Agreement, to negotiate the final terms and execute the Third Party Equipment Lease/Financing Agreement to fund the project costs and any other related financing costs (the Financing Agreement), and to negotiate and execute any related documents and agreements in connection with the acquisition, purchase, financing, and leasing of certain equipment for the public benefit; 3. Authorizes the County Mayor or designee to exercise all terms and conditions of the agreements, including the termination and extension provisions, determine substantial completion of projects, and approve modifications to the Energy Savings Project’s scope of work so long as the project cost is not exceeded; 4. Authorizes the County Mayor or designee to submit plans, agreements and other related documents to Housing and Urban Development for their review and approval; and 5. Waives Section 2-10.7 of the Code of Miami-Dade County (the Code) related to the Sales Tax Exemption Program and Resolution No. R-130-06. <p><u>Fiscal Impact/Funding Source</u></p> <p>The Energy Agreement is budget neutral meaning that all costs payable by the County from anticipated energy savings associated with the project will be covered by energy cost savings guaranteed by Ameresco. This project will be completed within 24 months after the County has obtained the appropriate third party financing and will guarantee the Department savings of an estimated amount of \$31,619,824.00 over the 14 years following the implementation period, which savings will be used to fully repay the financing institution and pay Ameresco its fixed annual services fees equaling a total amount of \$2,606,127.00 over the 14 year term of the Agreement. Third party financing obtained will fund the Energy Savings Project’s costs of \$18,594,069.00, capitalized interest during construction of the project, and a \$500,000.00 contingency, for a total amount of not to exceed \$26 million.</p> <p><u>Background</u></p> <p>The Energy Performance Contracting Program (Program) is an innovative financing technique that uses cost savings from reduced energy consumption to repay the cost of installing energy conservation measures. The Program is widely utilized by public housing agencies and other governmental entities across the United States. The Program provides an invaluable tool for local, state, and federal governmental agencies to identify, finance, and perform energy conservation improvements and provide:</p> <ul style="list-style-type: none"> • An efficient system-wide approach to necessary life-cycle replacement of equipment that results in lower capital and long-term operating and maintenance costs;

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	<ul style="list-style-type: none"> • Projected savings from projects guaranteed to cover all County costs with the energy services companies, such as Ameresco, guaranteeing that it will pay the difference if savings fall short; • Reduced financing costs since projects qualify for tax-exempt municipal lease rates; • Consistency of performance from the installation of high-quality parts and equipment under the direction of highly qualified firms with specialized expertise that provide a turnkey service, such as all of the services provided by an energy service company to design and implement a comprehensive project at the public housing agency's facilities, from the initial energy audit through long-term monitoring and verification of project savings; and • A guarantee by energy service companies contractually that the equipment procured and installed will achieve the promised energy savings. <p>On March 1, 2012, an Energy Performance Contracting Services Agreement was awarded under the County Mayor's delegated authority to Ameresco, which proceeded with Phase 1 of the Energy Savings Project which consisted of conducting an energy performance audit (the Audit) to identify various areas in which the Department may potentially save money on energy usage and to identify energy conservation measures to be recommended for implementation as part of the Energy Savings Project.</p> <p>As a result of the Audit, the Department worked with Ameresco to identify 14 energy conservation measures to be implemented across 37 elderly and 52 family public housing sites. The main energy conservation measures being implemented include installation of high efficiency toilets, low-flow shower heads and faucets, and upgrading of common area, apartment, and exterior area lighting.</p> <p>In order to finance these cost savings measures, Ameresco will be required to assist in obtaining third party financing from a financial institution. Initially, Ameresco will competitively solicit quotes from several financial institutions to find the most favorable financing terms and conditions to fund the cost of the Energy Savings Project. Since the County is expected to obtain better interest rates than those typically received by an energy services company, Ameresco will not be required to finance the project. Instead, the County will arrange for the financing directly with the bank selected from the list of respondents to the financing solicitation identified by Ameresco. If the operating and energy cost savings fall short of any annual payment due to the bank, Ameresco has guaranteed that it will pay the County the difference. The third-party financing costs will be included in the payment made by the County pursuant to the Financing Agreement.</p> <p>An initial plan must be submitted to the Housing and Urban Development's field office for review and approval to proceed. After a detailed engineering study is completed, the County will submit its detailed project plan for field office review and approval. The detailed study will be based on actual quotes for construction, finance, maintenance, and other costs. The County must also identify how it will complete design and construction and integrate the energy project with its ongoing modernization program. Included in its Energy Savings Project plan the County will include a detailed description of its construction management practices and associated financial controls. The description must include protocols for design, construction inspections, construction draws, and requisition approvals. Additionally, the County is required to submit the proposed Energy Agreement, the Energy Performance Contracting Services Agreement initially entered into with Ameresco to perform the Audit, the Audit, and other related documents to Housing and Urban Development for their approval.</p>
10A1 151736	RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$25,600,000.00 AND IN ONE OR MORE SERIES TO FINANCE AND REFINANCE ALL OR A PART OF THE COSTS OF CERTAIN CAPITAL PROJECTS BENEFITTING PALMER TRINITY PRIVATE SCHOOL, INC., A FLORIDA NOT FOR PROFIT CORPORATION, FOR PURPOSES OF AND PURSUANT TO SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED
Notes	<p>The proposed resolution is being placed before the BCC at the request of the Miami-Dade County Industrial Development Authority (IDA). This item approves the issuance of industrial development revenue bonds (Bonds) by the IDA for Palmer Trinity Private School, Inc. (Company) in a principal amount not to exceed \$25,600,000. Neither the IDA nor Miami-Dade County has any liability with respect to the repayment of the Bonds.</p> <p>TEFRA requires that the BCC approve the issuance of industrial development revenue bonds by the IDA after a public hearing has been held either by the IDA or by the BCC. For efficiency, the BCC has allowed the IDA to conduct the public hearing subject to review and ratification by the BCC.</p>
11A1 151817	RESOLUTION URGING THE FLORIDA LEGISLATURE TO DESIGNATE THE SECOND MONDAY IN OCTOBER OF EACH CALENDAR YEAR AS "SIR LANCELOT JONES DAY" IN THE STATE OF FLORIDA (SEE AGENDA ITEM NO. 11A3)
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to designate the second Monday in October of each calendar year as "Sir Lancelot Jones Day" in the State of Florida; • Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Dwight Bullard, Representative Holly Raschein, the Chair and remaining members of the Miami-Dade State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the legislative action and authorizes and directs the Office of Intergovernmental Affairs to add this item to the 2016 State Legislative Package when it is presented to the Board. <p>Background: Sir Jones was a Bahamian-American entrepreneur, educator, conservationist, farmer, and fisherman whose life and work fostered the preservation of Biscayne Bay and establishment of Biscayne National Park. Sir Jones grew up on Porgy Key, a small island in Miami-Dade County that his father, an ex-slave, purchased after the end of the Civil War. He preserved the land by opposing the development of high</p>

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	<p>rises, shopping centers, and beach front homes on the land and sold his acreage to the United States National Park Service in 1970, which led to the creation of the Biscayne National Park.</p> <p>On April 22, 2015, the Florida House of Representatives passed Resolution No. 9119, designating October 12, 2015 as “Sir Lancelot Jones Day” in Florida however, during the 2015 legislative session, the Florida Legislature failed to pass legislation that would permanently designate a date in remembrance of Sir Lancelot Garfield Jones. Senator Dwight Bullard (D – Miami) has filed Senate Bill 946 and Representative Holly Rashein (R – Key Largo) has filed House Bill 585 designating the second Monday in October of each year as “Sir Lancelot Jones Day” and encouraging public officials, schools, private organizations, and citizens to commemorate the occasion.</p> <p><u>Additional Information:</u> Included in the BCC agenda for September 16, 2015 is File No. 151808 which designates the second Monday in October of each calendar year as “Sir Lancelot Jones Day” in Miami-Dade County beginning on October 12, 2015.</p>
11A2 152010	RESOLUTION URGING THE FLORIDA LEGISLATURE TO APPROPRIATE \$35 MILLION IN FUNDING FOR THE STATE AID TO LIBRARIES PROGRAM
Notes	<p>The proposed resolution:</p> <ul style="list-style-type: none"> • Urges the Florida Legislature to appropriate \$35 million in funding for the State Aid to Libraries Program; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation; and • Directs the County’s state lobbyists to advocate for action and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2016 State Legislative Package when it is presented to the BCC. <p><u>Background:</u> The Florida’s State Aid to Libraries Program, enacted in 1961, is a continuing state grant program authorized by Chapter 257, Florida Statutes that provides state moneys to eligible local governments maintaining a free library or free library service. The purpose of the State Aid to Libraries Program is to assist local governments in developing, providing and maintaining free professional public library service for all Florida residents and is administered by the Florida Department of State, Division of Library and Information Services, and is funded through annual legislative appropriations within the Division’s budget.</p> <p>The Miami-Dade Public Library System operates 48 library facilities, including six regional libraries and additional local branches that collectively serve approximately 6 million patrons and, as the state’s largest public library system, benefits greatly from State Aid to Libraries grant funds. In recent years, funding for the State Aid to Libraries Program has been drastically cut, adversely impacting the ability of local governments, including Miami-Dade County, to provide such essential library services to residents. The continued funding of the State Aid to Libraries Program is vital to ensuring the continued provision of essential library services to all Florida residents, including those in Miami-Dade County.</p>
11A5 151798	RESOLUTION CREATING IMPLEMENTING ORDER NO. 3-60 FOR THE ADMINISTRATION OF THE WORKFORCE HOUSING PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO EXERCISE RIGHTS CONTAINED THEREIN AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO PREPARE AND SUBMIT REPORTS IN ACCORDANCE WITH IMPLEMENTING ORDER NO. 3-60
Notes	<p>The proposed resolution approves Implementing Order No. 3-60 for the administration of the Workforce Housing Development Program. Additionally, the proposed resolution directs the County Mayor or designee to prepare and submit reports in accordance with Implementing Order No. 3-60 relating to the purchase of workforce housing units. The County Mayor or designee will provide the reports to the BCC at the next available BCC meeting following the purchase of workforce housing units and place the completed reports on an agenda of the BCC pursuant to Ordinance No. 14-65.</p> <p><i>The Workforce Housing Ordinance requires, in part, that Miami-Dade Public Housing and Community Development Department or its successor agency or department will be responsible for administering the program, including but not limited to determining the eligibility of households who wish to purchase or rent workforce housing units developed as a result of this program.</i></p>