Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

December 15, 2015
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 15, 2015 Meeting
Research Notes

Item No.	Research Notes
4A **152886**	ORDINANCE AMENDING SECTION 8A-1.2 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING RENTAL CAR COMPANIES TO PROVIDE NOTICE TO THEIR CUSTOMERS OF ADMINISTRATIVE FEES ASSOCIATED WITH ANY TOLL CHARGES OR TOLL VIOLATIONS INCURRED BY THE CUSTOMERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance amends Section 8A-1.2 of the Miami-Dade County Code, requiring rental car companies to provide notice to their customers of administrative fees associated with any toll charges or toll violations incurred by the customers.

Code Comparison
Miami-Dade County Code
Sec. 8A-1.2.

Section	*Current*	*Proposed*
Sec. 8A-1.2. *Public Notices To Be Provided At Car Rental Facilities.*	(a) Definitions. (1) Rental Car Facility shall mean any physical location where cars, trucks, automobiles, motorcycles, or other vehicles suitable for travel on public highways are rented or leased to members of the public, if such Facility has three or more such vehicles customarily available for rent or lease. (2) Equipment Fees shall mean any surcharge, levy, extraction, tariff, or other monetary obligation imposed by a car rental company on any customer of a rental car facility for use of any Sunpass equipment provided with any rental vehicle, and for the administrative costs of processing tolls through such equipment. For the purposes of the Section, a fee shall not be construed to mean toll payments made through any such Sunpass equipment. (b) Posting of Equipment Fee. If the owner or operator of a Rental Car Facility imposes an Equipment Fee on customers renting cars, notice of all such fee must be provided at such Rental Car Facility. This notice shall be posted conspicuously in the public area of the Rental Car Facility in such location as to provide notice to customers prior to their entering into any contract for the leasing or renting of any vehicle, and written in a legible manner in English, Spanish and Creole. (c) Provisions Cumulative. The provisions of this section shall be cumulative and in addition to and not in derogation of any and all other provisions or laws prohibiting discrimination or regarding notification of tipping polices. (d) Applicability. The provisions of this ordinance shall apply throughout the incorporated and unincorporated area of Miami-Dade County, Florida.	(a) Definitions. (1) Rental Car Facility shall mean any physical location where cars, trucks, automobiles, motorcycles, or other vehicles suitable for travel on public highways are rented or leased to members of the public, if such Facility has three or more such vehicles customarily available for rent or lease. (2) **Toll** Fees shall mean any surcharge, levy, extraction, tariff, or other monetary obligation imposed by a car rental company on any customer of a rental car facility for **(i)** use of any Sunpass equipment provided with any rental vehicle, **(ii) any** administrative costs of processing tolls through such equipment**, and (iii) all administrative costs associated with the car rental company's payment of toll charges or toll violations that are registered directly to the vehicle by way of photographic license plate imaging or other process**. For the purposes of the Section, a fee shall not be construed to mean toll payments made through any such Sunpass equipment **or toll charges or toll violations that are registered directly to the vehicle**. (b) Posting of **Toll** Fee**s and Policy.** **(1)** If the owner or operator of a Rental Car Facility imposes **Toll Fees** on customers renting cars, notice of all such fee**s, including identification of the amount,** must be provided at such Rental Car Facility. **(2) If the owner or operator of a Rental Car Facility requires the customer to pay or reimburse the car rental company for any toll charges or toll violations, otherwise incurred by the customer during the use of the vehicle, that are registered directly to the vehicle by way of photographic license plate imaging or other process, notice of such policy must be provided at such Rental Car Facility.** **(3) This notice shall be posted conspicuously in the public area of the Rental Car Facility in such location as to provide notice to customers prior to their entering into any contract for the leasing or renting of any vehicle, and written in a legible manner in English, Spanish and Creole.** (c) Provisions Cumulative. The provisions of this section shall be cumulative and in addition to and not in derogation of any and all other provisions or laws prohibiting discrimination or regarding notification of tipping polices. (d) Applicability. The provisions of this ordinance shall apply throughout the incorporated and unincorporated area of Miami-Dade County, Florida.

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4B **152797**	ORDINANCE PERTAINING TO COUNTY MAYOR'S DELEGATED AUTHORITY; AMENDING SECTIONS 2-8.2.7, 2-8.2.7.01, AND 2-285 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REQUIRE CONTRACTS WITH SMALL BUSINESS MEASURES MEET AT LEAST EIGHTY-FIVE PERCENT OF THE SMALL BUSINESS GOALS APPLICABLE TO THE PORTION(S) OF THE CONTRACT WORK PERFORMED TO DATE BEFORE A CHANGE ORDER

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	OR CONTRACT AMENDMENT BE CONSIDERED FOR MAYORAL APPROVAL; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE
Notes	The proposed ordinance, pertaining to the County Mayor's delegated authority, amends Sections 2-8.2.7, 2-8.2.7.01, and 2-285 of the Miami-Dade County Code requiring that contracts with small business measures meet at least eighty-five percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for mayoral approval.

Background:
The Miami-Dade County (County) Small Business Development (SBD) provides business opportunities and technical assistance to aid small businesses in their growth and contribution to the County and South Florida economy. The goal of the SBD is to increase the participation of small businesses on County contracts and encourage the utilization of certified small businesses on County contracts, where applicable.

On November 3, 2015, the BCC adopted Resolution No. R-1001-15 which requires County contracts with small business measures meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for BCC approval.

Code Comparison
Sections 2-8.2.7, 2-8.2.7.01, and 2-285
Miami-Dade County Code

Section	*Current*	*Proposed*
Sec. 2-8.2.7. *Economic stimulus ordinance.*	(4) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or his/her designee shall have the following authority with respect to contracts within the scope of this Section: (e) For Capital Stimulus Projects negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements where: 1. The change order or claim does not increase the contract amount, including contingencies; and 2. The contingency allowance established in accordance with Section 2-8.1(h) shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and 3. The limitations provided in (4)(e)1 above shall not apply to any change order or amendment related to emergency actions impacting environmental remediation, public safety, health requirements or recovery from natural disaster.	(4) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or his/her designee shall have the following authority with respect to contracts within the scope of this Section: (e) For Capital Stimulus Projects negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements where: 1. The change order or claim does not increase the contract amount, including contingencies; and 2. The contingency allowance established in accordance with Section 2-8.1(h) shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and **3.** The limitations provided in (4)(e)1 above shall not apply to any change order or amendment related to emergency actions impacting environmental remediation, public safety, health requirements or recovery from natural disaster**; and** 4. **Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval.**
Sec. 2-8.2.7.01. *Miscellaneous Construction*	(5) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or Mayor's designee shall have the	(5) Notwithstanding any other provision of the Code of Miami-Dade County to the contrary, the Mayor or Mayor's designee shall have the following authority with respect to the Miscellaneous Construction Contracts Program:

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	Contracts Program.	following authority with respect to the Miscellaneous Construction Contracts Program: (e) To negotiate and settle contractual disputes, and issue change orders for additional work: and	(e) To negotiate and settle contractual disputes, and issue change orders for additional work. **Any County contract with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval.**
	Sec. 2-285. *County* ***Mayor's*** *Authority as to contracts for the Aviation Department.*	(3) The County Manager may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars ($500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County Manager may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder. (3.1) The provisions of subsection (3) above notwithstanding, the County Manager shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the County Commission for ratification within one hundred eighty (180) days. The County Manager shall report on a monthly basis to the Aviation Operations Committee of the County Commission on his actions taken in exercising the authority delegated to him hereunder. The County Manager shall not have delegated authority hereunder to issue any change order or amendment that is the result of design errors or omissions, and any such change order or amendment shall require prior County Commission approval.	(3) The County **Mayor** may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars ($500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County **Mayor** may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder. **Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval.** (3.1) The provisions of subsection (3) above notwithstanding, the County **Mayor** shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the **Board** for ratification within one hundred eighty (180) days. **Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. 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<tr><td>8A1
152484</td><td>RESOLUTION APPROVING THE NON-EXCLUSIVE PERMIT TO PROVIDE LIMITED GENERAL AERONAUTICAL SERVICES TO COMMERCIAL AIRCRAFT OPERATORS AT MIAMI INTERNATIONAL AIRPORT, RFQ NO. MDAD-15-02 BETWEEN MIAMI-DADE COUNTY AND ULTRA AVIATION SERVICES, INC., PROVIDING FOR PAYMENT OF 7% OF GROSS REVENUES TO THE COUNTY, AND FOR A TERM OF FIVE YEARS WITH TWO SEPARATE TWO YEAR EXTENSIONS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE PERMIT AND TO EXERCISE THE PROVISIONS THEREOF, INCLUDING RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN</td></tr>
<tr><td>Notes</td><td>The proposed resolution approves the award of a permit to Ultra Aviation Services, Inc., for a period of five (5) years with two (2) two-year options to renew, to provide Limited General Aeronautical Services to commercial aircraft operators and airlines at Miami International Airport (MIA). In accordance with Miami-Dade County Code Section 2-8.3 related to identifying delegation of BCC authority within the Permit, the Aviation Director or designee may exercise renewal options, termination, and all rights and privileges granted to the County.

The Permittee will pay the Miami-Dade Aviation Department (MDAD) seven (7) percent of gross revenues.

<u>Background</u>
MDAD issued a Request for Qualifications on May 26, 2015, to solicit Qualification Statements from interested parties for a qualified Local Developing Business (LDB) to provide at least three (3) of six (6) general aeronautical services to commercial aircraft operators and airlines operating at MIA through contractual arrangements among those entities.

On June 26, 2015, Qualification Statements were received from:
Ultra Aviation Services (Ultra);
ABC Aviation Business Corporation (ABC); and
Management Aviation Services (MAS).
The County Attorney's Office deemed ABC and MAS non-responsive because neither entity submitted a bid bond or other bid security with their statements. The Evaluation/Selection Committee held a Prescreening Meeting on August 13, 2015, reviewed the Qualification Statement submitted by Ultra, and on August 25, 2015 recommended award of the Non-Exclusive Permit to provide Limited General Aeronautical Services at MIA to the sole responsive and responsible firm Ultra Aviation Services, Inc.

Contract Measures: LDB Set-Aside

Contract Measures Achieved at Award: Ultra Aviation Services, Inc. is a 100% certified LDB</td></tr>
<tr><td>8F1
152866</td><td>RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN MIAMI-DADE COUNTY AND LYNX CONSTRUCTION MANAGEMENT, LLC FOR THE NEW MIAMI-DADE COUNTY ANIMAL SERVICES SHELTER, ISD PROJECT NO. A05-ASD-01 GOB ESP, ISD CONTRACT NO. Z000108-C, REPLENISHING THE CONTINGENCY ALLOWANCE IN THE AMOUNT OF $1,254,500.00 AND INCREASING THE CONTRACT TIME BY 127 CALENDAR DAYS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME</td></tr>
<tr><td>Notes</td><td>The proposed resolution authorizes Change Order No. 1 to the construction contract between Miami-Dade County and Lynx Construction Management, LLC for the New Miami-Dade County Animal Services Shelter. This change order will address two (2) issues:
Replenish the contingency reserve back to its original allocated amount of $1,254,500 by increasing the construction contract from $14,252,660 to $15,507,160 to cover a number of unforeseen conditions encountered on the site during construction.
This is an up-to amount that is required to complete the project and will be used as needed to address known and unknown conditions on the site.
Increase the contract time by 127 calendar days to March 13, 2016.
Per Resolution No. R-851-08, approved by the BCC on July 17, 2008, this project was added to the County's Economic Stimulus Plan (ESP) approved projects list and does not require committee review.

Approval of this change order is recommended in order to complete construction of the New Animal Services Shelter in March 2016.

<u>Fiscal Impact/Funding Source:</u>
This Change Order No. 1 will increase the overall project budget from $28.961 million to $30.215 million for the Animal Services Shelter (Project #1998460) as shown in Volume 3, page 21, of the FY 2015-16 Proposed Budget and Multi-Year Capital Plan. The $1,254,500 being requested for Change Order No. 1 will be funded with future financing proceeds.

<u>Background:</u>
On August 28, 2014, the County approved this project (ISD Project No. Z000108 GOB ESP) for the construction of the new Miami-Dade County Animal Services Shelter with a very aggressive, 12 month schedule. This project involves extensive renovations required to retrofit an</td></tr>
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existing tile warehouse into the new site for the Animal Services Shelter and multi-purpose facility. The shelter's principal use will be the protection and shelter of stray animals. In conjunction with numerous initiatives and County programs, the Animal Services Department provides pet adoption, medical, and counseling services to pet owners. To better care for the abandoned and stray pet population, the County is building this new facility that will provide best-practices in animal housing, care, and welfare. The new shelter will also provide a new public clinic, operating rooms, quarantine facilities, as well as an in-house clinic and operating room to address the new feline "Capture, Neuter and Release" County initiative.

Construction began on October 1, 2014 and, to date, the project has reached 85 percent completion. During the project's construction, numerous unforeseen conditions and regulatory changes have been encountered. In order to complete the project, the contingency allowance needs to be replenished to pay for additional work caused by unforeseen conditions, including but not limited to:

- Upon demolition, it was discovered that an area of the existing second floor was added after the building's original construction. This flooring was built with wood framing, without any reinforcements, and has caused the surrounding areas below to buckle under its weight. As a result, a number of areas require steel beam and additional concrete columns for reinforcement, including the second floor elevator lobby, the elevator shaft, and the front façade of the building;
- Additional micropiles were required for a number of areas below the foundation slab of the building in order to correct certain structural deficiencies;
- Removal and disposal of existing contaminated fill throughout the site;
- Additional limerock fill is needed to stabilize the site's foundation; multiple surveys found that the site has been sinking and stabilization is required to ensure the building and parking lot are operational in the long term;
- Relocation of a Water and Sewer Department vault box;
- Replacement of existing water meter line to allow for proper irrigation of the site; existing surveys showed the line was sufficiently sized but upon excavation the line was found to be too small in diameter to accommodate the amount of water required;
- Additional fire alarm devices required by the Fire Inspector; and
- Additional concrete reinforcement is required at the top of the building façade, where as-built drawings showed a beam existed; upon demolition it was found that there was no existing beam which is required for support of the façade.

Separately, other areas of this project have a funding gap of $1.6 million for technology infrastructure ($1 million), the entrance canopy ($300,000) and additional design services ($300,000) which will also require funding from future financing. The $300,000 for additional design services is still under review and negotiation, and may require BCC approval in the future to amend the existing design services contract for this project.

Additional Information – Historical Timeline of New Animal Services Shelter	
Background	In December 2005, the County hired LIVS Associates to perform a feasibility study which enumerated the facility's shortcomings, including site limitations that would preclude expansion, inefficient layout and design, sub-standard building construction and life safety issues. 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. The new facility would provide a vastly improved setting that would enable ASD to administer humane care to dogs and cats and better serve visitors. The premises would consist of a total of 69,718 square feet of office and shelter space and was accessible via the major arteries of State Road 836, NW 79th Avenue and NW 36th Street. In October, 2006, the County entered into a contract with LIVS Associates 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 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 now proposing to renovate an existing structure rather than construct a new facility, staff would present an amendment to the contract with LIVS next month to modify the scope accordingly.
R-236-11 *4/11/2011*	Resolution No. R-236-11 approved the 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). During the April 11, 2011 BCC meeting, the following was discussed: • *The Director of the General Services Administration (GSA) noted the design of the new facility would likely accommodate more animals. However, she would refer to the current number of animals in the existing facility and once she received the information from the specific design of the new facility, she would bring back that information to the Board. She further noted that based on the plans and design the additional space would accommodate the animals.* • *The Commission expressed concerns on relying on uncertain proceeds from the sale of the existing animal service facility, to which the GSA Director noted the $3 million sale amount was estimated based on an adjusted sale amount compared to the current market.* • *Discussion ensued between BCC members regarding the renegotiation on the price of the new facility, and the process that had taken place to consider other county property that was determined not to be more cost effective.*

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		• *The County Manager noted that the GSA Director would be managing this project from a project management prospective and that the different components of the project would be handled through bids or existing contractors.* • *The County Manager noted the pricing of the construction was favorable to the County and noted the process and time spent by staff on this project, in terms of location and accessibility, and noted that the proposed resolution included a negotiated price for the property that was based on a comparable appraised value. She noted her concerns on attempting to renegotiate the contract and its implications of being costly as well as the issue of delaying the project.* • *The Commission suggested that the extensive documentation noted two years ago regarding the release of bonds to retrofit the building be provided.* • *In response to Commission's inquiry on looking into outsourcing some of the animal services, and would it be cost effective, the County Manager noted this was part of an ongoing study for many existing services. She also noted this study was in the growing stage and had implications that need to be analyzed, which would be discussed during budget processing.*
	R-721-13 *9/4/2013*	Resolution No. R-721-13 directed the County Mayor or County Mayor's designee to immediately procure the necessary contracts for, and commence the construction of, the new Animal Services Shelter utilizing the delegated authority provided by the Economic Stimulus Ordinance, to place the new Animal Services Shelter at the top of the County construction projects under the Economic Stimulus Ordinance, and to expedite the review of all building plans, permitting and related required approvals for the new Animal Services Shelter. Resolution No. R-721-13 further directed the County Mayor or County Mayor's designee to provide a report to the BCC, within sixty (60) days, identifying all steps taken to commence construction of the new Animal Services Shelter and detail any additional authority or funding needed to complete the project.
	Discussion Item *11/19/2013*	During the BCC meeting on November 19, 2013, the following was discussed regarding the construction of the new Animal Services shelter: • *The Internal Services Department (ISD), noted the RFP would go out in January, 2014 and once Administration awarded the bid, the BCC gave the authority to expedite the project.* • *The Commission expressed a desire for construction to begin prior to July and that during construction, trailers be utilized. The Director of the Animal Services Department noted that was the department's intention and reported that a trailer was currently operating in Medley six days a week and goes out to the community one day per week. He also noted a clinic was set up at the South Dade Government Center.* • *The Commission asked ISD to look into the possibility of establishing a satellite spay/neuter clinic in Northwest Miami-Dade County.*
	Report *11/19/2013*	On November 19, 2013, the Mayor issued a report regarding the status of the new Animal Services Center in response to R-721-13 and a request made at the November 5, 2013 BCC meeting. According to the report, as part of the County's Economic Stimulus Program, the Administration has authority to expedite certain aspects of this project in accordance with Ordinance 08-92. Below is a summary of various actions that were taken to expedite this project: • **Design** – ISD aggressively negotiated with the Architect of Record to expedite completion of the design and construction documents. The design of the project was to be complete on December 18, 2013, when the architect would be providing all complete construction documents to the County. *This was an estimated time savings of two months from the original schedule.* o *The selection of an artist for the Art in Public Places feature had been expedited to ensure collaboration and integration of the public art among the architectural design of the building.* • **Permitting** – ISD had identified options to fast-track permitting of the project parallel with the advertisement and award process. The originally anticipated date to advertise for a general contractor was May 21, 2014. However, by fast-tracking the permitting, the administration believed it could advertise for the general contractor on December 9, 2013. *This was an estimated time savings of five months from the original project schedule.* • **Bidding & Award** – By conducting a parallel process for permitting during the bidding process, construction could begin earlier than planned. The award date for general contracting services was originally scheduled for June 28, 2014, but was then scheduled for May 5, 2014. *This was an estimated time savings of six weeks from the original project schedule.* • **Construction** – At the time, the current schedule showed that construction would begin on September 6, 2014. With the efforts to expedite this project described above, construction could have begun as early as July 22, 2014. A groundbreaking ceremony was to be held on the actual construction commencement date. Construction was planned to finish in August 2015. T*his was an estimated time savings of two months from the original project schedule.* A review of previous project schedules shows that construction at this location was to begin as early as September 2012. However, at the time that schedule was drafted (May 2012), the project was not fully funded and the scope of the project was very limited. Under the new scope, the construction start date was moved back in order to accommodate the redesign. With the parallel efforts described above, the administration believed that construction could begin as early as July 2014.

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Resolution No. R-721-13 further directed that any additional funds or delegation of authority needed be requested, but at the time of the report, the project was not in need of additional funds or delegation.</td></tr></table></td></tr>
<tr><td>8F2
152838</td><td>RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE FINAL ONE-YEAR OPTION-TO-RENEW PERIOD FOR PREQUALIFICATION POOL NO. 6327-9/16 IN AN AMOUNT UP TO $220,000 FOR THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE REFURBISHED TELECOMMUNICATIONS EQUIPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS</td></tr>
<tr><td>Notes</td><td>The proposed resolution authorizes the County Mayor or County Mayor's designee to exercise the final option-to-renew (OTR) period under Prequalification Pool No. 6327-9/16, Refurbished Telecommunications Equipment. The amount requested is $220,000 and covers a one-year period from January 1, 2016 to December 31, 2016. BCC approval is required as the aggregate value of the contract exceeds the Mayor's delegated authority. This item is exempt from Committee review per Ordinance No. 07-139, which permits contract renewals to be heard directly by the BCC.

<u>Background:</u>
This pool was awarded in January 2007 for a one-year term plus nine (9) one-year OTRs. The pool is used by the Field Services Division of the Information Technology Department to purchase refurbished Avaya, Cisco, Nortel, and Siemens telecommunications equipment to support countywide operations. This pool allows for savings by purchasing less expensive refurbished equipment and parts, as needed, where it is not necessary to purchase new equipment. The refurbished equipment often includes the same warranty terms as new equipment.

<u>Fiscal Impact/Funding Source:</u>
The pool, which is in its eighth, one-year OTR period, is valued at $264,000. The requested one-year OTR period is for $220,000 and renews the pool through December 31, 2016. If approved, the pool's cumulative value will be $3,024,000. The projected allocation for the ninth OTR is based on past usage.

Delegated Authority
If this item is approved, the County Mayor or the County Mayor's designee will have the authority to exercise the OTR. The County Mayor or the County Mayor's designee will also have the authority to (a) solicit pricing and award contracts up to the aggregate amount of the allocation authorized by the BCC, (b) exercise all provisions of the solicitation documents and any resulting contracts pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38, and (c) add vendors to the pool at any time, subject to ratification by the BCC on a bi-annual basis.

Prequalified Vendors
Prior to requesting to exercise this OTR, market research was conducted to ensure continuing this pool would be in the best interest of the County. Market research, which includes competitive factors such as pricing, quality, product features, technology and lead team, confirmed that this pool provides the County with a flexible means of obtaining telecom equipment efficiently and cost-effectively through spot market quotations. This pool will continue to be advertised on the County's Procurement Management Services website to encourage additional participation. The Internal Services Department, concurrently with exercising this renewal, will perform outreach to include notifying vendors registered under this commodity and certified small businesses of this opportunity. Going forward, the Internal Services Department will work collaboratively with the Information Technology Department to determine the best approach to procure these services, which may include a request to extend this pool.

Vendors
A-1 Teletronics, Inc. 2550 118 Avenue North St. Petersburg, FL
Cablexpress Corp. 5404 South Bay Road Syracuse, NY
Enterprise Systems Corp. 10901 W Sam Huston Parkway Suite 100 Houston, TX
KaiserComm, Inc. 4362 Round Lake Road West Saint Paul, MN
Miami Business Telephones,Corp. 4933 SW 74 Court Miami, FL
SoTel Systems, LLC 19 Worthington Access Drive Maryland Heights, MO
Teracai Corp. 217 Lawrence Road East North Syracuse, NY
Unify, Inc. 614 Marion Hill Lane Ruskin, FL
Vibes Technologies, Inc. 100 S 5 Street #1075 Maple Grove, MN
Applicable Ordinances and Contract Measures
The two percent User Access Program provision applies and will be collected on all purchases.
The Small Business Enterprise Bid Preference and Local Preference Ordinances will be applied at the time of spot market competition.
The Living Wage Ordinance does not apply.</td></tr>
</table>

Item No.	Research Notes
	Additional Information on Related Legislation

Term	*Legislation*	*Amount*	*Effective Dates*
Original Contract No. 6327-9-16	Contract No. 6327-9/16 was awarded under the Count Mayor or County Mayor's designee's delegated authority ($1 million for competitive procurements), pursuant to Section 2-8.1(b) of the Miami-Dade County Code and the Master Procurement Administrative Order, A.O. 3-38, to purchase refurbished telecommunications equipment for the Enterprise Technology Service Department (ETSD).	$500,000	1/4/2007-12/31/2007
First OTR	The contract allocation was reduced from $500,000 to $400,000 during the first OTR due to a decreased in spending.	$400,000	1/1/2008-12/31/2008
Second OTR	On October 7, 2008, the BCC, through Resolution No. R-1032-08, authorized the County Mayor or Mayor's designee to exercise the second OTR period to purchase refurbished telecommunications equipment for ETSD. *This contract required approval to exercise the second OTR because it brought the cumulative value of the contract over $1 million.*	$400,000	1/1/2009-12/31/2009
Third OTR	On December 15, 2009, the BCC, through Resolution No. R-1429-09, authorized the County Mayor or Mayor's designee to exercise the third OTR to purchase refurbished telecommunications equipment for ETSD. The contract allocation was reduced from $400,000 to $300,000 due to decreased need.	$300,000	1/1/2010-12/31/2010
Fourth OTR	On December 7, 2010, the BCC, through Resolution No. R-1231-10, authorized the County Mayor or Mayor's designee to exercise the fourth OTR to purchase refurbished telecommunications equipment for ETSD. *An increase of $30,000 per remaining OTR term was requested to meet the projected demand in refurbished telecommunications equipment.*	$220,000	1/1/2011-12/31/2011
Fifth OTR	On December 19, 2011, the BCC, through Resolution No. R-1112-11, authorized the County Mayor or Mayor's designee to exercise the fifth and sixth OTRs to purchase refurbished telecommunications equipment for the Information Technology Department (ITD). *An increase of $30,000 per remaining OTR term was requested to meet the projected demand in refurbished telecommunications equipment.*	$250,000	1/1/2012-12/31/2012
Sixth OTR	On December 19, 2011, the BCC, through Resolution No. R-1112-11, authorized the County Mayor or Mayor's designee to exercise the fifth and sixth OTRs to purchase refurbished telecommunications equipment for the Information Technology Department (ITD).	$250,000	1/1/2013-12/31/2013
Seventh OTR	On November 19, 2013, the BCC, through Resolution No. R-948-13, authorized the County Mayor or Mayor's designee to exercise the seventh and eighth OTRs to purchase refurbished telecommunications equipment for the Information Technology Department (ITD).	$220,000	1/1/2014-12/31/2014
Eighth OTR	On November 19, 2013, the BCC, through Resolution No. R-948-13, authorized the County Mayor or Mayor's designee to exercise the seventh and eighth OTRs to purchase refurbished telecommunications equipment for the Information Technology Department (ITD). *According to the Bid Tracking System, a modification was made on October 7, 2015 in the amount of $44,000.*	$220,000 +$44,000 $264,000	1/1/2015-12/31/2015

8F3 **152769**	RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; APPROVING THE EXERCISE BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF THE FIRST TWO-YEAR OPTION-TO-RENEW PERIOD IN AN AGGREGATE AMOUNT OF UP TO $360,000.00 FOR THE CLERK OF COURTS FOR PURCHASE OF CLOUD-HOSTED COMMUNICATIONS SYSTEM SERVICE AND MAINTENANCE SUPPORT AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38
Notes	The proposed resolution approves a designated purchase pursuant to Section 2-8.1(b)(3) of the County Code and authorizes the County Mayor or the County Mayor's designee to exercise the first option-to-renew period under Contract No. BW9754-5/25, Cloud-Hosted Communications System Service and Maintenance. BCC approval is required as the value of the requested renewal period exceeds the Mayor's delegated authority. This item is exempt from Committee review per Ordinance No. 07-139, which permits contract renewals to be heard directly by the BCC.

Item No.	Research Notes
	The contract provides the Clerk of Courts monthly phone support services through a Cloud-Hosted Communications System (System) for Interactive Voice Response (IVR), including Short Message Service (SMS) and Voice Over IP (VoIP) capabilities. The System is flexible and customizable, lowering telephone line cost while enhancing customer satisfaction. The IVRs are maintained internally, with no additional developer training required. The System also provides for automation and custom messaging to meet the operational needs of the Clerk of Courts, including, but not limited to, the delivery of jury pool notifications, notices to appear, and traffic and parking citation payments. **Background:** This contract was awarded in October 2013 to Twilio, Inc. (Twilio) for $240,000 for a two-year term under the Internal Services Department Director's delegated authority. The contract was modified in April 2015 to reflect a $10,000 allocation increase for additional funds needed for service due to increased call times in regards to answering questions and processing payments via the VoIP system. An additional modification was processed to allow for an administrative extension in October 2015 for two (2) months with a prorated allocation of $20,900 for continuity of services. **Fiscal Impact/Funding Source:** The current 26-month contract term is valued at $270,900 and expires on December 31, 2015. The total value of the first, two-year option-to-renew period is $360,000. The increase in allocation for the requested term is due to demands forecasted over the next term. If approved, the contracts cumulative value will be $630,900. Market research was conducted to assess competitive factors such as pricing, quality, product features, technology, and operational functionality. The research resulted in the determination that exercising the first of the five (5) available renewal periods is in the County's best interest as no other vendor is capable of providing the required hosting, maintenance, and support services for the System as it is proprietary to Twilio. Inc. **Awarded Vendor** Twilio, Inc. 645 Harrison Street, Third Floor, San Francisco, CA **Applicable Ordinances and Contract Measures** • The two (2) percent User Access Program provision applies. • There are no applicable contract measures as this is a bid waiver contract. • The Living Wage Ordinance does not apply.
8F4 **152566**	RESOLUTION AUTHORIZING ADDITIONAL TIME OF FIVE YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO $392,000.00 FOR PREQUALIFICATION POOL NO. ITB-4856-0/16 FOR PURCHASE OF BIRD CONTROL SERVICES FOR COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS
Notes	The proposed resolution extends Prequalification Pool No. ITB4856-0/16, Bird Control Services, for an additional five (5) years and increases expenditure authority by $392,000. This pool was established on January 1, 2011 for a five-year term for use by multiple County departments to purchase bird control services inclusive of all labor, materials and equipment. County departments will use the pool, as needed, during the extension period to purchase the covered services. Bird control services include the mitigation or deterrence of pest birds from landing, roosting and nesting in specific areas. These services are important as pest birds can create health-related hazards associated with their feces, such as histoplasmosis, cryptococcus and psittacosis diseases. If not controlled, these birds may also cause damage to property and equipment. Collisions between birds and airplanes, vehicles, powerlines, towers and wind turbines pose significant threats to health and safety. Bird control is also vital to transportation safety. Specifically, Miami-Dade Transit uses the bird control services to remove birds (i.e., pigeons) from the Metrorail stations, Metromover stations and other Transit facilities. The removal of these birds benefits the aesthetics of the stations and facilities while providing a healthier environment for County staff, patrons and the general public. The requirements and terms and conditions of the pool would not change if a replacement solicitation were to be issued. It is anticipated that the same vendors would prequalify for a replacement solicitation. Additional qualified vendors may be added to the pool at any time during the term of the pool, subject to bi-annual ratification by the BCC. This prequalification pool will remain advertised on the County's Procurement Management Services website to encourage additional participation. Outreach to registered firms was conducted to increase the number of prequalified firms. It is in the County's best interest to modify the existing pool for an additional five-year period so departments are able to continue purchasing bird control services. **Fiscal Impact/Funding Source:** This pool has an existing allocation of $488,000 and expires on December 31, 2015. The requested additional allocation of $392,000 is based on anticipated usage during the five-year extension period. The allocation for the extension period is less than the current contract due to a reduction in anticipated usage. **Awarded Vendors** • Beach Environmental Exterminating, Inc. 5490 Dexter Way Mangonia Park, FL • Bird and Bee Removal, Inc. 7740 West 2 Court, Suite 2 Hialeah, FL • Gulfshore Bird-A-Way Service Corp. 513 South Larry Circle Brandon, FL

Board of County Commissioners
December 15, 2015 Meeting
Research Notes

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td>J. C. Ehrlich Co., Inc. 1125 Berkshire Boulevard Suite 150Wyomissing, PA
Orange Pest Control & Services, Inc. 977 NW 31 Avenue Pompano Beach, FL
Southern Service Solutions, LLC 16278 SW 97 Terrace Miami, FL</td></tr>
<tr><td>8H1
152757</td><td>RESOLUTION APPROVING, PURSUANT TO SECTIONS 2-9 AND 2-10 OF THE CODE OF MIAMI-DADE COUNTY, A PARKING SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI PARKING AUTHORITY TO PROVIDE PARKING MANAGEMENT SERVICES AT CERTAIN MIAMI-DADE COUNTY PARKS AT AN ESTIMATED COST OF $4,418,496.00 DURING THE INITIAL FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ALL RIGHTS CONTAINED THEREIN, INCLUDING RENEWAL AND TERMINATION PROVISIONS (SEE ORIGINAL ITEM UNDER NO. 152477)</td></tr>
<tr><td>Notes</td><td>The proposed resolution approves a Parking Services Agreement (Agreement) between Miami-Dade County (County) and the City of Miami Department of Off-Street Parking, a/k/a Miami Parking Authority (MPA), an agency and instrumentality of the City of Miami, doing business from 40 NW 3 Street, Suite 1103, Miami, Florida, 33128, for management of parking at certain Miami-Dade County parks.

This Agreement does not authorize the collection of parking fees in parks other than those already authorized by the BCC. Under this Agreement, the BCC retains the authority to determine at which parks a County fee will be charged, including the modification or elimination of parking fees. Parking enforcement responsibilities will remain with the County.

The parks that currently charge a parking fee and to which this Agreement will apply are:
Amelia Earhart Park, 401 E 65 Street, Hialeah;
Black Point Park, 24775 SW 87 Avenue, Miami;
Crandon Park, 4000 Crandon Boulevard, Key Biscayne;
Greynolds Park, 17530 West Dixie Highway, North Miami;
Haulover Park, 10800 Collins Avenue, Miami Beach;
Homestead Bayfront Park, 9698 North Canal Drive, Homestead;
Matheson Hammock Park, 9610 Old Cutler Road, Miami; and
Pelican Harbour Marina, 1275 NE 79 Street, Miami.
The County retains the authority to add additional parks to the scope of the Agreement at an additional charge and provided that the BCC authorizes the collection of parking fees at that park, and to remove parks from the scope of this Agreement.

<u>Fiscal Impact/Funding Source:</u>
Anticipated expenditures for the initial five-year term of the Agreement are $483,515.00 in the purchase of signage and equipment for the parking system in the above-listed parks; $2,426,481.00 in payments to the MPA to offset the MPA’s additional overhead costs for providing services to the County under this Agreement; and $1,508,500.00 in revenue-sharing payment to the MPA, for a total of $4,418,496.00.

It is anticipated that the above expenditures will be completely off-set by operational savings and efficiencies attained through this Agreement, generating an expected savings to the County of $579,000.00 over the five-year term of the Agreement.

If this item is approved, the County Mayor or County Mayor’s designee will have the authority to exercise all provisions of the Agreement, including the renewal and termination provisions. The Agreement allows for one (1) additional five-year term and provides for termination by either party, for cause or convenience, upon 120 days notice.

<u>Background:</u>
On October 21, 2014, a report was distributed in response to Resolution No. R-349-14 that directed the County Mayor or County Mayor’s designee to study the feasibility of implementing an online fee collection program via the Miami-Dade County web portal which: (a) at a minimum, allows visitors to pay daily parking fees for County parks online and prints a receipt to be displayed on the vehicle’s dashboard; and (b) would allow visitors to purchase parking passes for PROS’s annual parking pass program.

As described in the report, the current best practice is a pay-by-phone system coupled with pay-by-plate through parking meters. This Agreement will implement that technology — which allows park patrons to pay the parking fee by phone, or with cash, credit/debit cards at a pay-by-plate pay station — at the above-referenced County parks. In exchange for an appropriate revenue share with the County and reimbursement for the MPA’s increased in overhead expenses stemming from the MPA’s management responsibilities under the Agreement, the MPA will utilize its expertise in parking management and its existing contractual relationship with the suppliers of the software and equipment necessary to administer the new parking system.

As part of the Agreement, the County will reimburse the MPA in installment payments over a period of five (5) years for the actual cost of the signage and equipment purchased by the MPA for the County park facilities, plus four (4) percent for the MPA’s financing of the signage and equipment expenses. The Agreement also requires the County to pay for the MPA’s actual increased operating expenses for the expense categories set forth in Exhibit B to the Agreement. The County’s liability to the MPA is capped at five (5) percent above the amounts set forth in Exhibit B to the Agreement. The management fee to the MPA will be five (5) percent of the collected revenue.

The initial term of the Agreement is for five (5) years, with one (1) five-year option to renew to be exercised by the County at its sole and exclusive discretion. Both parties to the Agreement have the right of termination, either for cause or convenience, upon 120 days notice. Regardless of the reason for termination, the County retains the signage and equipment provided to the County pursuant to the Agreement,</td></tr>
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<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td>and the MPA agrees to cooperate with the County's efforts to enter into an agreement for the continuation of the parking system provided under this Agreement.

With approval of this Agreement, PROS employees will no longer handle cash or dispense parking ticket receipts. Cash collection and ticket dispensing will be done automatically by the parking pay station equipment. The net benefit to the County is the reduction of overhead expense and an increase in revenue collection control and accountability. Exhibit C of the Agreement lists the parking pay station equipment implementation and timeline, in priority order, with Amelia Earhart Park as the first park scheduled for implementation.

Once the Agreement is implemented, the toll booths will discontinue operations. This will eliminate the bottlenecks and traffic delays that may develop at a park's entry point and speed up traffic entering the parks. PROS will make every effort to reassign toll booth attendant staff to other duties or will assist in filling vacant part-time positions; all toll booth attendants are part-time employees.

<u>Additional Information - Metropolitan Services Committee Meeting Discussion:</u>
During the Metropolitan Services Committee meeting on November 12, 2015, the proposed ordinance was amended to correct the figures provided in the Fiscal Impact/Funding section. Specifically, the anticipated savings over the term of the agreement are $579,000.00 and the anticipated expenditures total $4,418,496.00, including $2,426,481.00 in payments to the MPA to offset the MPA's additional overhead costs for providing services to the County under this Agreement.

During the Metropolitan Services Committee meeting, the following was discussed:
The Committee expressed concerns with venues whose populace using the park do not have iphones or electronic pay by phone applications. The Deputy Director of the Parks, Recreation and Open Spaces Department (PROS), and the CAO clarified that the new machines would also accept cash and credit card.
In response to the Committee's concerns, the CAO explained that the agreement provided that the BCC retain every power it has with respect to parking arrangements at individual parks and that the purposed of this agreement was to allow the MPA to install machines and collect revenue pursuant to what the BCC has specified should be done at each park.
The Deputy Director clarified that parking fees were not being added or raised, the method of collection was only being changed.
The MPA explained that the enforcement element was not park of the agreement since it lacked the authority to enforce parking laws. The County would have to determine whether law enforcement or park security officers would enforce parking laws.</td></tr>
<tr><td>8H1 SUPP
152805</td><td>SUPPLEMENT TO AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE DEPARTMENT OF OFF-STREET PARKING, A/K/A MIAMI PARKING AUTHORITY, AN AGENCY AND INSTRUMENTALITY OF THE CITY OF MIAMI, FOR MANAGEMENT OF PARKING AT CERTAIN MIAMI-DADE COUNTY PARKS</td></tr>
<tr><td>Notes</td><td>This supplement is in response to a request from the Metropolitan Services Committee at its November 12, 2015 meeting for additional information regarding the part-time positions that will be affected when the agreement with the Miami Parking Authority (MPA) is approved.

The Parks, Recreation, and Open Spaces Department (PROS) currently has 60 part-time staff working at 17 toll booths at various parks. All are classified as Park Service Aides at a rate of $11.39 per hour. PROS currently has 101 part-time Park Service Aide vacancies. Staff that are assigned to toll booth operations will be eligible to backfill the part-time vacant positions throughout the department, and will be eligible to interview for other part-time or full-time positions if they meet the minimum qualifications.

Staff that will be affected when the agreement with the MPA is approved may be placed in a vacant Park Service Aide position or will be provided the opportunity to interview for a position with a higher hourly rate; therefore staff will have the opportunity to apply for positions of equal or a higher hourly rate of pay. With a projected 39-week timetable for implementation and installation of the new parking machines and with the current monthly turnover in Park Service Aide positions, PROS will have sufficient part-time vacancies to absorb all part-time toll both operations staff that are willing to transition to a new part-time position.</td></tr>
<tr><td>8J1
152589</td><td>RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND T.Y. LIN INTERNATIONAL FOR CIVIL INFRASTRUCTURE ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED $2,200,000.00, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF $200,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME; TO EXERCISE ANY CANCELLATION AND OTHER PROVISIONS CONTAINED THEREIN; AND TO APPROVE THE CONTINGENCY TIME EXTENSION AND CONTINGENCY EXPENDITURE LIMITED TO TEN PERCENT OF THE BASE CONTACT AMOUNT</td></tr>
<tr><td>Notes</td><td>The proposed resolution approves the Award for Professional Services Agreement Contract Number E13-SEA-02 between T.Y. Lin International and Miami-Dade County (County) in the total contract amount not to exceed $2,200,000.00, inclusive of a contingency allowance amount of $200,000.00 for Civil Infrastructure Engineering Services. The term of the Agreement consists of five (5) years for professional services requested during the term of the contract or until the money is depleted, whichever comes first.

The Consultant will provide non-exclusive comprehensive engineering services for the infrastructure and operational needs of PortMiami, including engineering design and design criteria services for the repair and rehabilitation, removal and replacement, and new construction of PortMiami's ancillary civil (i.e. water, sewer, mechanical, electrical, telecommunications, etc.) infrastructure. The scope of services will consist of the design phase services in support of the construction document development for the program of improvements. This may also include design; system implementation/integration; and commissioning support to implement civil infrastructure improvements to final acceptance.

SUB-CONSULTANTS:</td></tr>
</table>

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Automated Port Solutions, Inc.; Avino & Associates, Inc.; Commonground/MGS; NV5, Inc. DBA Kaco; Nifah and Partners Consulting Engineers, Inc.; Ross & Baruzzini, Inc.; The Corradino Group, Inc.; and Underwater Engineering Services, Inc.

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:
CBE- 18.00%- $396,000.00

Additional Information
On December 1, 2015, the BCC deferred this item after discussion pertaining to ownership of T.Y. Lin International and whether a loophole exists in the selection process preventing small businesses from acquiring work. More specifically, the deferral directed the Administration to provide a supplement for this item on the December 15, 2015 BCC agenda to:

- Identify discussions at the Selection Committee regarding scoring and evaluations of the vendors;
- Provide further analysis as to the corporate structure of the proposed vendor by asking the vendor to provide additional information regarding corporate structure and assets of the two corporations; and
- Conduct independent research as well.

During the discussion it was asked whether the scoring process was impacted by a change of one person's score resulting in a recommendation that otherwise would have been different.

The total ordinal score ranking of respondents selection for negotiation:

	T.Y. Lin International	EAC Consulting, Inc.	Bermello, Ajamil & Partners, Inc.
Qualitative Points	426	426	415
Ordinal Score	1	2	3
Final Ranking	1	2	3

Additional Information- Similar Legislation
On January 21, 2015, the BCC, through Resolution No. R-24-15, approved the Professional Services Agreement, Contract Number E13-SEA-01, Civil Engineering Services, between Parsons Brinckerhoff, Inc. (Parsons) and Miami-Dade County (County) in the amount of $2,200,000.00, for a contract term of three (3) years plus two (2), one-year options to extend for professional services requested during the initial term, or until the money is depleted, whichever comes first.

The PSA is necessary to provide PortMiami with a qualified consultant for comprehensive engineering consulting services for the infrastructure and operational needs of PortMiami, including engineering design and design criteria services. The scope will consist of design phase services in support of the construction document development and management for future capital improvement projects to develop the Port's civil and transportation infrastructure in support of commercial, cargo and cruise growth throughout PortMiami

The following concerns were discussed by during consideration of Resolution No. R-24-15:

- *Responding to the BCC's inquiry regarding the contract, the Seaport Director, noted this was a new contract that was competitively bid and the selected firm was ranked at level one throughout the process. He explained that these contracts were used in the event that assistance was needed during a capital project that would require the services listed under this scope, such as the small capital development division within the Port. He noted there was no obligation to spend the full amount of the contract, but it was on an as needed basis.*
- *Discussion ensued among the EDPMC members regarding the process in determining the use of these contracts, which was based on the needs of the Port divisions. Further discussion ensued regarding the process of spending the full amount of the contracts to meet the needs of the different divisions within the Port.*
- *The Seaport Director, offered to provide a report that would reflect the number of times the divisions within the Port reached the full amount of these contracts.*
- *Following a series of questions by the BCC, the Seaport Director noted that in terms of this proposed contract, a list reflecting specific work was not included in the packet presented in today's (12/11) EDPMC meeting and stated that the Port could provide this information and he noted that the spending of revenue by the Port was carefully processed through work orders and the funds were appropriated for those projects, which was a reflection on how this department has increased its reserve budget over the past years that has reached over $34 million.*
- *The BCC requested that the Seaport Director provide a report reflecting the open-ended contracts, the approved amount, the actual net amount, and how it was managed. Discussion ensued among the EDPMC members regarding the different ways to address this procurement process, such as an RFP or an Invitation to Bid (ITB) that could come back with change orders, and the need to possibly discuss the terms of these policies due to changes that have occurred. Further discussion ensued regarding the need to track the change orders, which would provide a certain level of transparency moving forward.*

Item No.	Research Notes
8L1 **152218**	RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR STORMWATER MANAGEMENT SERVICES BETWEEN THE CITY OF DORAL AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR A TERM OF FIVE YEARS AND PROVIDING THAT THE CITY OF DORAL SHALL REIMBURSE THE COUNTY IN AN AMOUNT UP TO $1,990,780.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY TERMINATION PROVISIONS AND ALL RIGHTS CONTAINED THEREIN
Notes	The proposed resolution authorizes the execution of an Interlocal Agreement (Agreement) for stormwater management between the City of Doral (City) and the Miami-Dade County (County) Stormwater Utility. The term of this five-year Agreement is from October 1, 2015 to September 30, 2020. This Agreement allows the County to be reimbursed for canal maintenance services.

Item No.	Research Notes
	Fiscal Impact/Funding Source: Pursuant to this Agreement, the total cost of routine canal maintenance work to be performed by the County on canals that serve the City is estimated at $526,200.00 per year of which, the City will reimburse the County up to $389,876.00 per year. Additionally, the Agreement includes a one-time provision over the five-year term of the Agreement for the performance of one (1) task: Preventative Mitigation/Emergency Repair. The estimated total cost of one (1) cycle of Preventative Mitigation/Emergency Repair is $60,000.00. If this service is performed, the City will reimburse the County for $41,400.00 of those costs. **Over five (5) years, the City will reimburse the County up to $1,990,780.00.** The County's cost is to be funded through the County's Stormwater Utility pursuant to Sections 24-51 through 24-51.5 of the County Code. **Background:** On June 18, 1991, the BCC adopted Ordinance No. 91-66, creating the County Stormwater Utility, establishing a uniform countywide approach to stormwater management. Stormwater Utility fees collected in the County provide funding for the construction, operation, and maintenance of stormwater conveyance systems. On September 8, 2005, the BCC adopted Resolution No. R-988-05, exempting the City from the provisions of the County Stormwater Utility. This allowed the City to create stormwater management regulations within their municipal code, establish the City's stormwater utility, and stormwater utility funding source. County-owned canals that provide drainage service to its residents remain the property and responsibility of the County. On September 10, 2010, the BCC adopted Resolution No. R-876-10, approving an Interlocal Agreement between the City and the County that established the responsibilities for the operation, maintenance, and cost-sharing of stormwater systems within the City's boundaries. This five-year Agreement expires on September 30, 2015, thus requiring a new Agreement. On May 13, 2015, the City's Council approved Resolution No. 15-100, authorizing the City Mayor to enter into and execute a new five-year Interlocal Agreement for Shared Stormwater Management between the City and the County. Similar Interlocal Agreements are currently in place between the County and nine (9) other municipalities. At this time, there are also negotiations with five (5) other municipalities to finalize similar agreements.
8L2 **152223**	RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR STORMWATER MANAGEMENT; PROVIDING THAT THE CITY OF NORTH MIAMI SHALL REIMBURSE THE COUNTY IN AN AMOUNT UP TO $482,055.00 OVER A FIVE YEAR PERIOD; PROVIDING THAT THE COUNTY WILL PERFORM STORMWATER MANAGEMENT SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN
Notes	The proposed resolution authorizes the execution of an Interlocal Agreement (Agreement) for stormwater management between the City of North Miami (City) and the Miami-Dade County (County) Stormwater Utility. The term of this five-year Agreement is from October 1, 2015 to September 30, 2020. This Agreement allows the County to be reimbursed for canal, salinity control structure and pump station maintenance services performed by the County. **Fiscal Impact/Funding Source:** Pursuant to this Agreement, the total annual cost of routine stormwater maintenance work to be performed by the County on canals, salinity control structures and pump stations that serve the City is estimated at $161,348.00 per year of which, the City will reimburse the County up to $96,411.00 per year. **Over five (5) years, the City will reimburse the County up to $482,055.00.** The County's net five-year cost will be $324,685.00. Without this Agreement, the total five-year cost to the County would be $806,740.00. The County's cost is to be funded through the County's Stormwater Utility pursuant to Sections 24-51 through 24-51.5 of the County Code. **Background:** On June 18, 1991, the BCC adopted Ordinance No. 91-66, creating the County Stormwater Utility, establishing a uniform countywide approach to stormwater management. Stormwater Utility fees collected in the County provide funding for the construction, operation, and maintenance of stormwater conveyance systems. On December 2, 1997, the BCC adopted Resolution No. R-1417-97, exempting the City from the provisions of the County Stormwater Utility. This allowed the City to create stormwater management regulations within their municipal code, establish the City's stormwater utility, and stormwater utility funding source. County-owned or operated canals that provide drainage service to the City's residents remain the property and responsibility of the County. On September 10, 2010, the BCC adopted Resolution R-878-10, approving an Interlocal Agreement between the City and the County that established the responsibilities for the operation, maintenance, and cost-sharing of stormwater systems within the City's boundaries. This five-year Agreement expires on September 30, 2015, thus requiring a new Agreement. On April 28, 2015, the City's Council approved Resolution No. 2015-R-44, authorizing the City Manager to enter into and execute a new five-year Interlocal Agreement for Stormwater Management between the City and the County.

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	Similar Interlocal Agreements are currently in place between the County and nine (9) other municipalities. At this time, there are also negotiations with five (5) other municipalities to finalize similar agreements.
11A1 **152810**	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT (1) CREATES A STATEWIDE EMERGENCY ALERT NOTIFICATION SYSTEM, SIMILAR TO THE AMBER ALERT AND SILVER ALERT, FOR MISSING PERSONS 18 YEARS OF AGE OR OLDER WHO ARE BELIEVED TO BE ENDANGERED AND WOULD NOT OTHERWISE QUALIFY FOR ANY OTHER STATEWIDE EMERGENCY ALERT, AND (2) TASKS AN AGENCY WITH ENFORCING AND ENSURING THAT LAW ENFORCEMENT AGENCIES ARE COMPLYING WITH THE REQUIREMENTS ESTABLISHED IN CHAPTER 937, FLORIDA STATUTES
Notes	The proposed resolution: • Urges the Florida Legislature to enact legislation that creates a statewide emergency alert notification system, similar to the AMBER Alert and Silver Alert, for missing persons 18 years of age or older who are believed to be endangered and would not otherwise qualify for any other statewide emergency alert; • Urges the Florida Legislature to enact legislation that tasks an agency with enforcing and ensuring that law enforcement agencies are complying with the requirements established in Chapter 937, Florida Statutes, with particular attention to the requirements of section 937.021, and creating enforcement mechanisms to ensure compliance; • 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 the action and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item. **Background:** The Florida Missing Child Alert is a media-focused emergency broadcast program designed to engage the public in the search for a missing child when the child is believed to be in life-threatening danger, but there is no indication that the child has been abducted. The America's Missing: Broadcast Emergency Response Alert (AMBER Alert) is a partnership between law-enforcement agencies and local radio and television broadcasters to broadcast an emergency bulletin to the public when a child has been abducted and it is believed that the child is in danger of serious bodily harm or death. A Missing Child Alert may evolve into an AMBER Alert if the law enforcement investigation later reveals an indication that the child has been abducted. The statewide Silver Alert program is a similar emergency bulletin to the public when a person over the age of 60 goes missing, or when a person who is between the ages of 18 and 59 who suffers from an irreversible deterioration of intellectual faculties goes missing. Out of the 184 Florida AMBER Alerts issued between the time the program began and January of 2014, 55 children have been located as a direct result of the AMBER Alert. Out of the 162 Florida Silver Alerts issued in 2013, 98 of those cases were resolved, with 73 persons recovered as a direct result of the Florida Silver Alert. The Missing Endangered Persons Information Clearinghouse (MEPIC) is the central repository of information regarding missing endangered persons in Florida. The MEPIC assists law enforcement agencies and Florida residents in finding missing persons by providing analytical services and engaging the public in the search and has worked with partner agencies to develop the Florida AMBER Plan and Florida Silver Alert Plan and is responsible for issuing all Missing Child Alerts, AMBER Alerts, and Silver Alerts. There are no programs similar to the AMBER Alerts or Silver Alerts that broadcast an emergency bulletin to the public when a non-cognitively impaired adult or an adult under the age of 60 goes missing and is believed to be in life-threatening danger. Section 937.021, Florida Statutes, requires that law enforcement agencies in this state adopt written policies that specify the procedures to be used to investigate reports of missing children and missing adults. The policies must include: • Requirements for accepting missing child and missing adult reports; • Procedures for initiating, maintaining, closing, or referring a missing child or missing adult investigation; and • Standards for maintaining and clearing computer data of information concerning a missing child or missing adult which is stored in the Florida Crime Information Center and the National Crime Information Center. The standards must require, at a minimum, a monthly review of each case and a determination of whether the case should be maintained in the database. Section 937.021, Florida Statutes also requires that upon the filing of a credible police report that an adult is missing, the law enforcement agency receiving the report will, within 2 hours after receipt of the report, transmit the report for inclusion within the Florida Crime Information Center and the National Crime Information Center databases.
11A2 **152843**	RESOLUTION URGING CONGRESS TO INCREASE FUNDING FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM AND TO ALLOCATE SUCH FUNDS TO STATES IN ACCORDANCE WITH THE PROGRAM'S ENABLING LEGISLATION
Notes	The proposed resolution: • Urges Congress to increase funding for the Low Income Home Energy Assistance Program; • Urges Congress to allocate all Low Income Home Energy Assistance Program funds to states in accordance with the program's enabling legislation; • Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the United States Secretary of Health & Human Services; and • Directs the County's federal lobbyists to advocate for action and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2016 Federal Legislative Package when it is presented to the BCC. **Background:**

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	Low-income families spend about three times more of their income on basic energy services than middle-income families. Additionally, homes in low-income and economically disadvantaged communities severely lack the energy efficiency features that enable lower energy bills. The Low Income Home Energy Assistance Program (LIHEAP) provides federally funded assistance to low-income families in managing the costs associated with home energy bills (heating and cooling), energy crises, weatherization and energy-related minor home repairs. Many low-income families, including working poor households, the elderly, persons with disabilities, and veterans, rely on LIHEAP to pay high heating and/or cooling bills each year. LIHEAP has been an effective and successful program in meeting the basic energy needs of low-income families throughout the United States and the State of Florida. Nevertheless, despite a growing need for the program, federal funding for LIHEAP has declined from $5.1 billion in 2010 to $3.4 billion in 2015 and if federal funding for LIHEAP continues to decline, many low-income families may be forced to cut back on other household necessities such as food, medicine, and clothing. Additionally, since 2009, federal appropriations bills have declined to follow the statutory formula in LIHEAP's enabling legislation for allocating LIHEAP funds to states, with the vast majority of funding being allocated based on historical allocation levels and a much smaller amount based on dynamic factors such as the number of low-income households and the average home heating and cooling costs per state. As a result, many warm weather and higher poverty states such as Florida have seen their share of LIHEAP funding decrease more than that of other states. The United States Congressional Research Service recently estimated that even if Congress appropriates the same total funding for LIHEAP in 2016 as in 2015, if Congress allocates such funds to states in accordance with LIHEAP's enabling legislation, Florida will gain an additional $38.5 million in LIHEAP funding in 2016, a 55 percent increase from 2015. More than 2 million Florida households qualified for LIHEAP funding in 2014, yet only 7 percent of these eligible households actually received assistance due to a lack of LIHEAP funds. With warm-weather averages reaching an all-time high in July 2015, and with Florida's poverty rate increasing from 12.1 percent in 2007 to 16.5 percent in 2014, Florida's need for increased LIHEAP funding is more critical than ever.
11A3 **152867**	RESOLUTION URGING THE FLORIDA LEGISLATURE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING FOR THE ACQUISITION OF THE 35-MILE HOMESTEAD SUBDIVISION RAIL LINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE CSX EAST-WEST RAIL PROJECT; WAIVING REQUIREMENTS OF RESOLUTION NO. R-764-13 LIMITING NUMBER OF STATE LEGISLATIVE PRIORITIES; AMENDING RESOLUTION NO. R-911-15 TO INCLUDE THIS ISSUE AS AN ADDITIONAL STATE LEGISLATIVE PRIORITY FOR THE 2016 SESSION
Notes	The proposed resolution: • Urges the Florida Legislature and the Florida Department of Transportation to provide funding for the acquisition from CSX of the 35-mile Homestead Subdivision rail line for the development and implementation of the CSX East-West Rail project; • Waives requirements of Resolution No. R-764-13 and amends Resolution No. R-911-15 to include this issue as an additional state legislative priority for the 2016 session; • 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, the Secretary of the Florida Department of Transportation, and the President and Executive Director of the Miami-Dade County League of Cities; and • Directs the County's state lobbyists to advocate for the appropriation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 state legislative package to include this issue as a priority. **Background:** According to a report released by the American Public Transportation Association, Americans took 10.8 billion trips on public transportation in 2014, which is the highest annual public transit ridership number in 58 years. The report revealed that in Miami-Dade County, ridership on heavy rail systems such as Metrorail increased by 2.1 percent from 2013 to 2014. The President of the American Public Transportation Association noted that despite the recent decline in gas prices, public transit ridership has increased, and across the nation more people are demanding an increase in public transit services. Additionally, nearly 60 percent of the trips taken on public transportation are for work commutes. South Florida, however, has consistently ranked as one of the most heavily congested regions in the country for automobile traffic, and in 2010 was ranked as the worst east coast metropolitan area for traffic. In addition, according to a 2015 study by the American Highway Users Alliance, three of the nation's worst traffic bottlenecks are in Miami-Dade County on the Dolphin and Palmetto Expressways, the Dolphin Expressway in particular, as the County's only complete east-west throughway, is relied upon heavily by commuters and as such is often extremely congested around and during rush hour. Adding more cars to the already gridlocked roads in Miami-Dade County is an unsustainable solution, both environmentally and economically, to the County's growing transportation needs. An east-west commuter rail along the Dolphin Expressway would likely help alleviate the County's serious traffic congestion and improve transportation services in this area. In December 2014, the Miami-Dade Metropolitan Planning Organization requested a feasibility study on the proposed implementation of a passenger rail service along 11 miles of existing freight track owned by CSX Corporation (CSX) extending from Miami International Airport west along the Dolphin Expressway (SR 836) to NW 137th Avenue and beyond (CSX East-West Rail). CSX East-West Rail would connect to the Miami Intermodal Center near the Miami International Airport, where it would offer additional connectivity to the airport, Metrorail, Tri-Rail, Amtrak, Metrobus routes, and other transportation services. CSX, a private rail company, has indicated it would be willing to sell to the Florida Department of Transportation (FDOT) the 11 miles of east-west track where the CSX East-West Rail would operate, but only if FDOT would also agree to purchase 24 miles of additional CSX-owned track extending south to Homestead, with the entire 35-mile stretch of track known as the "Homestead Subdivision."

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	Tri-Rail, the county and state-funded commuter line that runs between Miami-Dade and Palm Beach counties, also runs on former CSX track now owned by the state. Using existing freight tracks for passenger rail is a fiscally conservative way to expand mass transit and alleviate traffic congestion. **<u>Additional Information - A costly piece for Miami-Dade's east-west route: CSX tracks – Miami Herald, August 3, 2015[1]:</u>** • *Miami-Dade County's low-budget solution to an east-west rail line may get hung up on a big-ticket necessity: spending hundreds of millions to purchase tracks now used for cargo.* • *In a letter to the county's transportation board, the CSX cargo company outlined a framework for considering a plan to run passenger rail on its tracks between Miami International Airport and the county's western suburbs. CSX's primary condition could prove costly: It wants Florida to purchase about 35 miles of track the company operates in western and southern Miami-Dade.* • *CSX negotiated a similar deal for Orlando's commuter line, SunRail. The 61-mile line — Central Florida's version of Tri-Rail — launched in 2014 after Florida acquired the CSX tracks for about $430 million. That price would translate to about $245 million for a 35-mile track.* • *The commission's Transportation Committee, is considering a plan to finally deliver the east-west commuter rail promised to voters in 2002 when they approved a half-percent transit sales tax. While the initial promise contemplated an extension of the county's Metrorail service on a new line, the new plan is considered a bargain because it would utilize existing cargo tracks.* • *The July 23 letter from CSX executive to the county's Metropolitan Planning Organization is the first time CSX has publicly laid out how it might consider participating in the proposed plan.* • *The letter did not say the company wanted to sell. But it said CSX would only consider the plan for an 11-mile passenger rail if Florida's Department of Transportation agreed to purchase not just the east-west route but a much larger stretch of track running south to Homestead.* • *Local officials involved in the talks emphasize discussions are in such an early stage that it's too soon to try to pencil out what CSX's demands might cost or whether the financials of the Orlando deal would apply in Miami-Dade.* • *But the letter revealed a potential deal breaker if the state isn't interested in accommodating CSX's request that it own the rail line that Miami-Dade wants to use. Miami-Dade leaders pursued a similar deal with CSX about a decade ago, but it fizzled once securing the tracks appeared to be out of reach.* • *A spokeswoman for Florida's Transportation Department said Monday the agency was not yet involved in any talks on the project. A CSX spokeswoman said the company had nothing to say beyond what is in its letter.* • *Key to the project will be how much CSX values the tracks in question. The east-west line runs parallel to the Dolphin Expressway, and mostly services rock quarries in western Miami-Dade. Should a government entity purchase the tracks, CSX could negotiate for its own permanent usage without having to invest in maintenance and improvements.* • *In CSX's letter to the MPO, CSX lays out a string of requirements that revolve around state ownership of the line. It wants the state agency to be in charge of maintenance and operations, and would insist on exclusive and perpetual freight rights on the track. While the concept of county ownership isn't off the table, the state provides far deeper pockets and security for CSX as it considers future operations.* • *Tri-Rail, the county- and state-funded commuter line that runs between Miami-Dade and Palm Beach counties, also runs on former CSX track now owned by the state. Tri-Rail may end up the operator of the new east-west line under the new plan, so the concept wouldn't be new. In the letter, CSX noted the past deals in laying out the company's requirements.*
11A4 **152812**	RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT RECENTLY FILED LEGISLATION TO CREATE UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS
Notes	The proposed resolution: • Urges the United States Congress to pass legislation to adopt the recently filed legislation to create universal Children's Savings Accounts, USAccounts; • Directs the Clerk of the Board to transmit a certified copy of this resolution to U.S. Representative Joseph Crowley, U.S. Representative Keith Ellison, and the members of the Miami-Dade County Congressional Delegation; and • Directs the County's federal lobbyists to advocate for the legislative action and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2016 Federal Legislative Package when it is presented to the Board. **<u>Background:</u>** On Tuesday November 17, 2015, U.S. Representative Joseph Crowley (D-NY) and U.S. Representative Keith Ellison (D-MN) introduced legislation to create universal Children's Savings Accounts, named USAccounts, which are long-term savings account, at birth for all children in the United States. If adopted, a USAccount would automatically be opened for every newborn, in the child's name, with a deposit of $500 from the federal government, thereafter, annual deposits of up to $500 would be matched for children from lower-income families and families eligible for Child Tax Credits who contribute to their children's account would also be entitled to an additional annual match up to $500. USAccounts will be funded through a combination of federal seed money, matching funds and annual family contributions of up to $2,000 and the funds deposited into USAccounts will be tax free and available to pay for postsecondary educational expenses, roll over into an Individual Retirement Account for retirement savings, purchase a home or start a business. The proposal to create USAccounts is a critical step toward establishing a dedicated source of savings, encouraging families to save and providing tangible means for several finite expenditures for all eligible children when they reach adulthood and would also increase the savings of low and moderate income families, in number and quantity, advance the goal that all children have savings accounts and ensure

[1] http://www.miamiherald.com/news/local/community/miami-dade/article29895181.html

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<tr><td></td><td>that children will be able to build an investment for their futures. Research shows that having a dedicated source of savings for postsecondary education can have a powerful impact on a child's future aspirations and their educational attainment.</td></tr>
<tr><td>11A5
152849</td><td>RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 248, HB 89 OR SIMILAR LEGISLATION THAT WOULD ELIMINATE THE FIVE-YEAR WAITING PERIOD FOR LAWFULLY RESIDING IMMIGRANT CHILDREN TO BECOME ELIGIBLE FOR THE FLORIDA KIDCARE PROGRAM</td></tr>
<tr><td>Notes</td><td>The proposed Resolution:
• Urges the Florida Legislature to enact Senate Bill 248, House Bill 89 or similar legislation that would eliminate the five-year waiting period for lawfully residing immigrant children to become eligible for the Florida Kidcare Program;
• Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Rene Garcia, Representative Jose Felix Diaz and the remaining Members of the Miami-Dade County State Legislative Delegation; and
• Directs the County's state lobbyists to advocate for the passage of the legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

<u>Background:</u>
The Florida KidCare Program is a federally subsidized children's health insurance program that provides subsidized health insurance to uninsured children who do not qualify for Medicaid but who have family incomes under 200 percent of the federal poverty level (FPL) and meet other eligibility criteria. Florida Kidcare provides affordable health insurance and access to healthcare for children of families with lower incomes. In Florida, children who are not citizens or "qualified aliens" are not eligible for the KidCare program until they have legally resided in the country for five years. The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), provides states with the option of extending health coverage in programs like KidCare to immigrant children lawfully residing in the United States without requiring the five-year waiting period.

Senate Bill (SB) 248, sponsored by Senator Rene Garcia (R-Hialeah) and House Bill (HB) 89, sponsored by Representative Jose Felix Diaz (R-Miami), has been filed for consideration during the 2016 session of the Florida Legislature. SB 248 and HB 89 would eliminate the five-year waiting period for lawfully residing immigrant children to become eligible for the Florida KidCare Program. The Agency for Health Care Administration (AHCA) for the State of Florida estimates that 2,077 Floridian children will be eligible for the Florida KidCare Program if the five-year waiting period is eliminated and that eliminating the five-year waiting would have an overall positive fiscal impact because low-income legally residing children would be more likely to receive preventative care and less likely to use emergency medical assistance and expensive hospital rooms. Emergency medical assistance for state Fiscal Year 2015 for uninsured children in Florida totaled over $7 million in expenditures.

CHIPRA allows states to claim an enhanced federal match rate of 95.83 percent for Children's Health Insurance Program Coverage and Medicaid children and is projected by AHCA to result in an increase of $1,336,537 in general revenue, $30,714,717 in federal funding and $298,811 in family premiums. According to AHCA, the increase in revenue, federal funding and family premiums would offset the $7,790,967 spent on emergency medical assistance for uninsured Floridian children in Fiscal Year 2015.

<u>Additional Information – Florida KidCare General Program Requirements[2]:</u>
In order to qualify for this benefit program, you must be a resident of Florida, under 19 years of age or be a primary care giver with a child under the age of 19, not covered by health insurance (including Medicaid), and a U.S. national, citizen, legal alien, or permanent resident.

In order to qualify, you must have an annual household income (before taxes) that is below the following amounts:

<table>
<tr><th>Household Size</th><th>Maximum Income Level (Per Year)</th></tr>
<tr><td>1</td><td>$23,340</td></tr>
<tr><td>2</td><td>$31,460</td></tr>
<tr><td>3</td><td>$39,580</td></tr>
<tr><td>4</td><td>$47,700</td></tr>
<tr><td>5</td><td>$55,820</td></tr>
<tr><td>6</td><td>$63,940</td></tr>
<tr><td>7</td><td>$72,060</td></tr>
<tr><td>8</td><td>$80,180</td></tr>
</table>

For households with more than eight people, add $8,120 per additional person.</td></tr>
<tr><td>11A6
152872</td><td>RESOLUTION URGING THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO SUPPORT THE CLEAN POWER PLAN FINAL RULE TO REDUCE GREENHOUSE GASES AND THE EFFECTS OF CLIMATE CHANGE; AND TO IMPLEMENT THE FINAL RULE WITHOUT DELAY</td></tr>
<tr><td>Notes</td><td>The proposed resolution:
• Supports the federal Clean Power Plan and the U.S. Environmental Protection Agency's Final Rule;
• Urges the U.S. Environmental Protection Agency to not delay in the implementation of the Clean Power Plan Final Rule;</td></tr>
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[2] http://www.benefits.gov/benefits/benefit-details/1599

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	• Directs the Clerk of the Board to transmit certified copies of this resolution to the members of the Florida Congressional Delegation and U.S. Environmental Protection Agency Administrator Gina McCarthy; • Directs the County's federal lobbyists to advocate for the implementation of the Final Rule and directs the Office of Intergovernmental Affairs to include this item in the 2016 Federal Legislative Package when it is presented to the BCC. **Background**: On August 3, 2015, President Obama and the U.S. Environmental Protection Agency (EPA) announced the Clean Power Plan which is a historic and important step in reducing greenhouse gas emissions from power plants. To accomplish the goals of the Clean Power Plan, the EPA established final emission guidelines requiring existing power plants to reduce greenhouse gas emissions (Final Rule). The purpose of the Final Rule, which becomes effective on December 22, 2015, is to protect human health and the environment by reducing greenhouse gas emissions from power plants, the largest domestic stationary source of greenhouse gas emissions. The Final Rule, when fully implemented, will achieve significant reductions in greenhouse gas emissions by 2030. A federal lawsuit challenging the Clean Power Plan has requested a stay of the implementation of the Final Rule pending litigation. The Final Rule offers states and utilities substantial flexibility and latitude in achieving reductions in greenhouse gas emissions, and will not compromise the reliability of the electric system or the affordability of electricity for consumers. The Clean Power Plan will lead to significant reductions in greenhouse gas emissions released directly from power plants and will protect human health and the environment from the impacts of climate change.
11A7 **152881**	RESOLUTION SUPPORTING HB 687, OR SIMILAR LEGISLATION THAT WOULD FACILITATE NET METERING FOR RENEWABLE ENERGY AND ENCOURAGE THE USE OF RENEWABLE ENERGY DEVICES; PROVIDED, HOWEVER, THAT PROVISIONS OF HB 687 THAT WOULD PREEMPT LOCAL GOVERNMENT REGULATION OF RENEWABLE ENERGY DEVICES ARE REMOVED
Notes	The proposed resolution: • Supports House Bill (HB) 687, or similar legislation that would facilitate net metering for renewable energy and encourage the use of renewable energy devices; provided, however, that provisions of HB 687 that would preempt local government regulation of renewable energy devices are removed; • Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, Representative Fred Costello, and the Chair and 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 amend the 2016 State Legislative Package to include this item. **Background:** Renewable energy sources, such as solar and wind power, offer a clean and naturally replenishing alternative to fuel-based power sources and provide the potential to improve our environment and reduce our dependence on imported oil and fossil fuels. "Net metering" allows homeowners and businesses who connect approved, renewable generation systems, such as solar panels, to the electric grid to buy and sell electricity to others and is used, any excess energy that is produced can be sold back to the grid, with that amount of energy deducted from the person's monthly bill or credited toward a future bill in the same calendar year. HB 687 would, among other things, deregulate several aspects of Florida's renewable energy industry and allow homeowners and businesses that generate up to two megawatts of renewable power to sell energy to their neighbors and sell any excess energy back to the grid. HB 687 shares some similarities with the ballot initiative put forth by the Floridians for Solar Choice, which would allow Florida voters to decide if the Florida Constitution should be amended to allow non-utility companies to provide solar energy directly to customers. One difference is that HB 687 proposes to open the market to multiple forms of renewable energy – including, for example, solar energy, geothermal energy, wind energy, ocean energy, and hydroelectric power – while the Floridians for Solar Choice initiative focuses exclusively on opening the market to solar power. According to the Southern Alliance for Clean Energy, both HB 687 and the proposed ballot initiative are intended to achieve common aims, including opening the market for solar and renewable energy, overcoming barriers to competition, and preventing discriminatory actions by the utility companies, however, HB 687 also contains some provisions that would preempt local governments from regulating, or from entering into a covenant to regulate, the design, specification, type, location, and appearance of devices that produce local renewable energy in a manner more stringent than the Florida Building Code. **Additional Information – Relevant Legislation:** During the Unincorporated Municipal Service Area Committee meeting on December 8, 2015, File No. 152794 passed favorably. File No. 152794 supports the Floridians for Solar Choice ballot initiative which, if successful, would present before the voters of Florida the opportunity to decide if the Florida Constitution should be amended to allow non-utility companies to provide solar energy directly to customers. According to the Florida Solar Energy Association, the State of Florida has the third greatest solar rooftop energy generation potential, but is 13th in installed capacity. Florida is one of only four states that prohibits residents from buying electricity from anyone other than a utility company and this prohibition limits customer choice and restricts the growth of solar energy. A Solar Power Purchase Agreement (SPPA) is a financial arrangement in which a third-party developer owns, operates and maintains a solar power system, and a host customer agrees to site the system on its roof or elsewhere on its property and purchases the system's electric output from the solar services provider for a predetermined period. Permitting non-utility solar energy providers to enter into SPPAs with

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The Floridians for Solar Choice Coalition was founded by Christian Coalition of America, Conservatives for Energy Freedom, Florida Alliance for Renewable Energy, Florida Retail Federation, Florida Solar Energy Industries Association, Libertarian Party of Florida, Republican Liberty Caucus of Florida, Republican Liberty Caucus of Tampa Bay, Southern Alliance for Clean Energy, and WTEC, and is supported by at least 53 environmental, civic, religious, and business organizations. The Floridians for Solar Choice ballot initiative seeks to place a question on the 2016 general election ballot asking voters to decide on expanding solar choice to Florida's families and businesses. The municipalities of North Bay Village, Pinecrest, South Miami, and Surfside in Miami-Dade County have passed supporting resolutions for the Floridians for Solar Choice ballot initiative. The petition, if passed, will expand solar choice by allowing Floridians the option to power their homes or businesses with solar power and decide who provides it to them.

According to the Environmental and Energy Study Institute and the Solar Foundation, more than 173,000 Americans are employed in the solar energy industry, which is experiencing greater than 20 percent growth with nearly 90 percent of the new jobs in the installation sector and United States Military Veterans comprise 10 percent of the solar energy workforce in this country. A significant source of industry growth is due to third-party financing and lease arrangements now prohibited in Florida.

Fact and Fiction: Understanding Misinformation and Deception[3]
Floridians for Solar Choice provided the following information regarding the ballot initiative:
The Florida government's current policy is to make commerce in solar energy illegal, which puts solar energy at an unfair disadvantage by denying customers the right to buy solar products available in most state markets.
This initiative will not create any subsidies, incentives, mandates, or tax breaks for solar companies, solar customers, or anyone else. There is nothing in the language to suggest otherwise. The initiative doesn't require the State of Florida to spend any taxpayer dollars to prop up solar energy. AFP is confusing this initiative with other issues that aren't relevant to this ballot initiative.
It simply legalizes free- market options for financing or purchasing solar energy that would otherwise remain illegal in Florida. There is currently no free market in energy, and the government-protected monopolies have all the advantage to make choices for customers about what types of energy they are required to pay for.
The Amendment limits the size and scope to 2MW and further only allows the sale of excess energy to be sold to contiguous properties. Thus a large retailer could not becoming a utility company nor could anyone else.
The cost of solar is plummeting across the country, and is now price-competitive with utility power in many states. The claims that solar is too expensive aren't supported by recent facts. And if it does prove to be too expensive, customers don't have to buy it. Floridians should be allowed to decide for themselves whether or not they can save money on their power bill with solar, without the state telling them they can't.
Mississippi to Maine have studied the question of whether solar forces other customers to pay more, and they concluded that solar customers actually provide a net benefit to the utility's system. In neighboring Georgia, the Public Service Commission determined that solar power would not put upward pressure on rates. Southern Company's Georgia Power pledged their full support to a third party sales and leasing bill that was signed into law in May 2015.
The government gives utilities the exclusive right to sell any energy to customers in their territories. The government has ruled that right excludes companies from offering customers an option to pay for energy from solar panels without paying the up- front costs required to buy the panels themselves, an option that is popular with customers in other states. This ballot initiative removes that regulatory barrier.</td></tr>
<tr><td>11A8
152863</td><td>RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE UNIFORM TIME ACT AND MAKE DAYLIGHT SAVINGS TIME PERMANENT</td></tr>
<tr><td>Notes</td><td>The proposed resolution:
Urges the United States Congress to amend the Uniform Time Act and make Daylight Savings Time permanent;
Directs the Clerk of the Board to transmit certified copies of this resolution to the members of the Florida Congressional Delegation; and
Directs the County's federal lobbyists to advocate for the issues and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2016 federal legislative package when it is presented to the BCC.
<u>Background:</u>
Daylight Savings Time was first adopted by areas within the United States during World War I and World War II to help preserve fuel for the nation's war effort. In 1966, the United States Congress passed the Uniform Time Act, 15 U.S.C. 260a(a), to standardize the implementation and length of Daylight Savings Time across the country. In 2005, Congress passed the Energy Policy Act of 2005 (Pub. L. 109-58) which amended the Uniform Time Act and extended Daylight Savings Time so that it now ran four weeks longer (i.e., from the second Sunday of March to the first Sunday of November rather than from the first Sunday of April to the last Sunday of October). As a result, the United States already spends approximately eight months of the year in Daylight Savings Time. There is considerable evidence showing that making Daylight Savings Time permanent would provide numerous benefits. The Energy Policy Act of 2005 also required the United States Department of Energy to evaluate the impact of extending Daylight Savings Time on energy consumption in the United States.</td></tr>
</table>

[3] http://www.flsolarchoice.org/fact-fiction/

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	The Department of Energy's report found that there was a net savings in total electricity use and energy consumption as a result of extending Daylight Savings Time. A study from researchers at the Brookings Institution and Cornell University (Brookings/Cornell study) that analyzed the impact of extending Daylight Savings Time found that the additional three weeks of Daylight Savings Time in the Spring resulted in more daylight during typical high-crime hours and, in 2007 alone, produced a net reduction of crime including an average 7 percent reduction in robbery rates. The reduction in crime during the three weeks examined in the Brookings/Cornell study amounted to an estimated savings to the country of $246 million. The Brookings/Cornell study concluded that the possible reduction in crime produced by a year-round expansion of Daylight Savings Time could yield social savings of several billion dollars annually. Other studies have found that a year-long Daylight Savings Time could also result in an increase in daily exercise by children and a reduction in traffic-related deaths, especially for pedestrians. **Additional Information - A bunch of states want to get rid of daylight saving time. Is your state one of them?[4]:** • *Elected officials in a dozen states are currently considering legislation to opt out of changing the clocks, either by remaining permanently on daylight saving time or standard time. Standard time is in place from November to mid-March, after which time clocks move one hour ahead to daylight saving time, leaving eight months with later sunrises and sunsets.* • *Time can be quite a controversial issue. In 2005, then Indiana Gov. Mitch Daniels (R) suffered some political blowback after he pushed hard for the state to universally adopt daylight saving time. Opponents to daylight saving time say that it causes a major disruption to sleep and that the switch is associated with an increase in workplace accidents and other health risks.* • *The Uniform Act of 1966 established daylight saving time throughout the United States, but states can opt out, and two already have: Hawaii and Arizona. Here's a look at states that are considering opting out or otherwise changing how they observe time:* • ***Arizona**: The state is permanently on standard time. A Republican representative has proposed putting the state on daylight saving time year-round instead, but it appears Arizonians like their clocks as they are and the lawmaker withdrew the bill.* • ***Alaska**: This state may very well be on its way to opting out of daylight saving time. The Alaska Senate approved a bill ending daylight saving time, which comes years after a similar, less successful, effort. But a group of lawmakers from the southeastern corner of the state voted against the measure. If the bill makes it through the state house and to the governor's desk, the Transportation Department could approve an exemption request for southeast Alaska, reports NBC affiliate KTUU.* • ***Florida**: The "Sunshine Protection Act" has made a comeback in the Florida State Senate. The bill would put Florida on daylight saving time year-round.* • ***Idaho**: House Majority Leader had to withdraw his bill to put Idaho permanently on daylight saving time over legality concerns. He has also tried in the past to get Idaho on standard time year-round.* • ***Illinois**: State Representative was inspired to introduce a bill to end daylight saving time in Illinois after a newspaper ran that lamented the clock change. Then, an 80-year-old retiree contacted him, saying she wanted it gone.* • ***Michigan**: Democratic state Representative has introduced a measure that would have the state permanently observe standard time.* • ***Missouri**: The proposal in Missouri would put the decision to the voters. A House committee hearing in Missouri took up a constitutional amendment that would ask voters whether to permanently put the state on daylight saving time. If approved, clocks would change one last time in May 2017.* • ***New Mexico**: A proposal to keep the state on daylight saving time for good made it through the State Senate's Public Affairs Committee and is now waiting in the Judiciary Committee, the Albuquerque Journal reported.* • ***Oregon**: A Senate bill introduced in January would have voters decide whether to abolish daylight saving time by 2021.* • ***Texas**: This report from the NBC Dallas affiliate about a bill to exempt Texas from daylight saving time is outstanding.* • ***Utah**: A proposal to end daylight saving time is languishing in a state House committee.* • ***Washington**: Washington came to daylight saving time by a razor-thin margin in 1960, when about 51 percent of voters approved a measure to join 14 other states in observing the time switch. A pair of state House and Senate bills would do away with that ballot measure and put Washington on standard time year-round. Proponents say it will reduce car crashes and heart attacks. The Senate bill died in committee last month.*
11A9 **152277**	RESOLUTION AUTHORIZING, BY A TWO-THIRDS VOTE OF THE BOARD, AN AMENDMENT TO CITY OF MIAMI GARDENS' CHARTER WHICH WOULD DELETE SECTION 9.6 OF THE CITY'S CHARTER, RESULTING IN THE TRANSFER FROM MIAMI-DADE COUNTY TO THE CITY OF MIAMI GARDENS OF ZONING, PERMITTING, AND OTHER LAND USE JURISDICTION OVER THE AREA KNOWN AS STADIUM PROPERTIES AND DOLPHIN CENTER SUBJECT TO A VOTE OF THE ELECTORS OF THE CITY OF MIAMI GARDENS
Notes	The proposed resolution authorizes, by a two-thirds vote of the BCC, an amendment to the Charter of the City of Miami Gardens as set forth in City of Miami Gardens Resolution No. 2014-125-2104 which would delete Section 9.6 of the City's Charter, so that the City would have jurisdiction over such matters as building, zoning and other land use decisions regarding the properties described in Appendix C and Appendix D to the City's Charter. **Additional Information – Joint Public Conflict Resolution Meeting between Miami-Dade County BCC and the City Council of the City of Miami Gardens:** On December 1, 2015, a Joint Public Conflict Resolution Meeting was held between Miami-Dade County BCC and the City Council of the City of Miami Gardens, regarding the lawsuit entitled City of Miami Gardens vs. Miami-Dade County., Circuit Court Case No. 2014-017408 CA 01, as part of the conflict assessment process that is required by Florida law.

[4] https://www.washingtonpost.com/news/the-fix/wp/2015/03/12/a-bunch-of-states-want-to-get-rid-of-daylight-saving-time-is-your-state-one-of-them/

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	As required by Florida law after a lawsuit is file by one government entity against another, the City Council of the City of Miami Gardens and the BCC are required to have a joint public meeting. In this meeting, governing bodies of these entities are required to: • Consider the statement of issues; • Seek an Agreement; and • Schedule additional meetings of the entities in conflict or of their designees to continue to seek resolution of the conflict. In its lawsuit, the City of Miami Gardens (City) is asking the court to interpret Section 9. Of their municipal charter, which was required by the BCC as a condition of the City's incorporation in 2003. **On December 1, 2015, File No. 152830 was accepted to eliminate Section 9.6 of the City of Miami Gardens (City) Charter, to allow the City to have full jurisdiction over those properties; to have a resolution to effectuate this action; and come back to the BCC at the soonest opportunity.**
11A10 **152798**	RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD AUTHORIZE COUNTIES TO IMPOSE, FOLLOWING APPROVAL IN A VOTER REFERENDUM, A SALES TAX SURCHARGE ON PET FOOD AND OTHER PET ITEMS FOR THE PURPOSE OF FUNDING ANIMAL SERVICES AND NO KILL POLICIES
Notes	The proposed resolution: • Urges the Florida Legislature to enact legislation that would authorize counties to impose, following approval in a voter referendum, a sales tax surcharge on pet food and other pet items for the purpose of funding animal services and No Kill policies; • Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item. **<u>Background:</u>** According to the American Society for the Prevention of Cruelty to Animals, approximately 2.7 million animals are euthanized each year nationwide. Responsible pet ownership is one way to help lower the high rate of euthanized animals, animal overpopulation, and stray animals and according to the American Pet Products Association, many stray animals are lost pets who were not kept properly indoors or provided with identification by their owners. Unless provided by general law, counties have no authority to levy taxes other than ad valorem taxes and counties do not currently have the authority to tax pet food and other pet items. **<u>Additional Information on Spay and Neuter Legislation:</u>** On July 3, 2012, the BCC, through R-583-12, directed the Mayor to develop a program with the goal of the County's Animal Services Department (ASD) becoming a "No Kill" shelter. At the forefront of the No Kill strategy is the critical, unmet need for free and low cost sterilization services for privately owned dogs and cats, as well as free-roaming community cats and ASD's rescued animals. On June 4, 2013, the BCC adopted the No Kill Implementation report developed by ASD at the direction of the Mayor. The FY 2013-14 budget included an additional $4 million for ASD to continue its development of No Kill initiatives. During the policy discussion for use of the funding, staff was directed to work with the private veterinary community in implementing one of the most critical components of the No Kill plan by increasing access to spay and neuter services in our community. On May 6, 2014, the BCC, through R-441-14, directed the Mayor to implement, within existing funding, a program for qualified, low-income County residents to obtain a voucher for spay/neuter services from the local veterinary community for their pet dogs or cats. On July 1, 2014, the BCC, through Resolution No. R-623-14, approved the execution of the Partner Program Agreement (Agreement) between Miami-Dade County and the Dade County Veterinary Foundation, Inc. d/b/a The South Florida Veterinary Foundation (Foundation), establishing the first-ever voucher program with local veterinarians to increase community spay/neuter surgeries by providing income qualified individuals with low cost pet sterilization. The SFVF was to work with all veterinary clinics and hospitals in Miami-Dade County through a voucher system that will provide a reimbursement to veterinarians performing sterilization surgeries. R-623-14 also directed the Mayor to enter into an agreement with the SFVF to provide up to $200,000 in support of this program to meet the unmet demand for low cost spay/neuter surgery by utilizing a network of qualified local veterinarians. Funding for this grant was to be provided by the ASD. The initial grant award was recommended at $100,000. Authority was also requested for an additional grant of $100,000 to be approved by the Mayor upon completion of the initial grant award. On December 2, 2014, the BCC, through R-1045-14, waived competitive bidding procedures for purchase of goods and services pursuant to Section 5.03(D) of the Home Rule Charter and approved the award of Contract No. BW9805-0/15 Operations of the County's South Dade Animal Services Clinic (Clinic) with the Humane Society of Greater Miami, Dade County Society for Prevention of Cruelty to Animals, Adopt-A-Pet and Pet Rescue, Inc. (Humane Society), a Florida not-for-profit corporation, for the County-owned property located at the South Dade Government Center. In accordance with R-583-12, this Contract will increase ASD's surgical capacity and allow for strategic use of the Clinic to offer free high-volume spay/neuter services exclusively for income-qualified owners of privately-owned dogs and cats as well as free-roaming community cats and ASD rescued animals. • *The Humane Society has been providing services at the South Dade Government Center for over six years. The Humane Society had a lease that covered the use of the land and trailer at this location. In addition to the surgical services to be provided, this*

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	Operations and Management agreement will continue to allow the Humane Society to utilize the land and trailer on the site under similar requirements as the now expired lease. The Humane Society will continue to offer spay and neuter services for paying customers at the Clinic. While this Contract was submitted as a bid waiver, a Request for Information (RFI) process was conducted to acquire information and feedback from animal care organizations. • *The fiscal impact to ASD for the one-year agreement term for the spay-neuter services is $600,000; however, the Humane Society will pay an annual operations and management fee to Miami-Dade County for facility maintenance of $24,516. The funding from this agreement will only support the income-qualified spay and neuter services. The County funding will provide for approximately 7,400 surgeries, of which cats will be 45% and dogs 55%, exclusively to income-qualified pet owners. The Humane Society will continue to perform approximately 5,600 surgeries for an overall goal of 13,000 surgeries. The remaining balance of funds will be utilized for additional surgeries.* On May 5, 2015, the BCC, through Resolution No. R-417-15, approved an amendment to Resolution No. R-623-14 to include fee waived sterilization services for community cats and establishing the authority of the Animal Services Department (ASD) to prohibit participation of subcontractors not meeting standards of performance. The amendment related to manner of performance provided the right to rescind, revoke or refuse subcontractor participation based on failure to perform in a satisfactory manner. On July 14, 2015, the BCC, through Resolution No. R- 637-15, authorizing the County Mayor or Mayor's designee to execute the Second Amended Partner Program Agreement with the South Florida Veterinary Foundation (Foundation), on behalf of Miami-Dade County, in order to increase the maximum amount of funding available for reimbursement from the County for services rendered by the Foundation under the Agreement from $200,000.00 to $300,000.00, and to exercise any and all provisions contained therein. The County Mayor or the County Mayor's designee was further directed to immediately identify and allocate sufficient additional funding from the Animal Services Budget, in an amount up to $100,000.00, for the purpose of ensuring the continuation of services performed under the Agreement.
11A11 **152811**	RESOLUTION SUPPORTING SB 510 OR SIMILAR LEGISLATION THAT WOULD PROVIDE CRIMINAL PENALTIES FOR CONVICTED SEXUAL PREDATORS WHO USE OR OPERATE A DRONE TO VIEW OR RECORD AN IMAGE OF A MINOR UNDER CERTAIN CIRCUMSTANCES
Notes	The proposed resolution: • Supports Senate Bill 510 or similar legislation that would provide criminal penalties for convicted sexual predators who use or operate a drone to view or record an image of a minor under certain circumstances; • Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, Senator Dorothy L. Hukill and the Chair and Members of the Miami-Dade State Legislative Delegation; • Directs the County's state lobbyists to advocate for the passage of legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item. **Background:** Senate Bill (SB) 510 has been filed for consideration during the Florida Legislature's 2016 session by Senator Dorothy Hukill (R – Port Orange) and would provide criminal penalties for convicted sexual predators who use or operate a drone to view or record an image of a minor under certain circumstances. Specifically, it would be a third degree felony for a convicted sexual predator to use a drone to view or record an image of a minor at the minor's home, or at a business, school, child care facility, park, playground, or other place where children regularly congregate. Miami-Dade County has already taken efforts to address this issue by prohibiting sexual predators and sexual offenders from establishing temporary or permanent residency in certain areas where children are known to regularly congregate, by prohibiting the renting or leasing of certain property to sexual predators or sexual offenders if such property is located where children are known to regularly congregate, and by restricting access of sexual predators and sexual offenders to parks and child care facilities. Florida law also prohibits sexual predators from being in areas where minors generally assemble. A drone is a powered, aerial vehicle that does not carry a human operator and can fly autonomously or be piloted remotely and some drones have the ability to capture and transmit images from one location to a person remotely piloting the aerial vehicle in another location. Technological advances in the field of drones, coupled with their increased availability, have led to new privacy concerns, one such concern is that by using drones, sexual predators could attempt to circumvent current laws that restrict where they may be present. The State Legislature has already restricted the use of drones in a number of ways to protect individuals' privacy, including limiting law enforcement agencies' use of the technology. **Additional Information - Bird-sized drones could record you inside your home, Chris Taylor says[5] – Politifact Wisconsin:** • *Taking pictures of people inside their home is possible with a drone, various law enforcement officials told us. Image quality would be a major challenge though.* • *A pilot for the Houston Police and executive director of the Airborne Law Enforcement Association, said police could film people through their windows after getting a search warrant but he doesn't recall that happening or police being interested in it.* • *"Doing what she is afraid of would be difficult at best, it would be illegal under peeping Tom laws, and it's not on the agenda of law enforcement," said Gregory McNeal, a national security and criminal law expert at Pepperdine University law school.*

[5] http://www.politifact.com/wisconsin/statements/2014/apr/09/chris-taylor/bird-sized-drones-could-record-you-inside-your-hom/

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	• *The privacy issue is not about unmanned aircraft, it is about image capture and retention, in the view of a University of North Dakota aviation professor and former Grand Forks County sheriff's deputy. "Agencies need to have a robust policy in place regarding appropriate uses of all types of image capture devices," he said.* • *An advocacy and policy strategist at the American Civil Liberties Union, said a hobbyist could buy a drone size of a large bird and put a camera on it and get video and put it on the Internet.* • *Public entities seeking to fly drones must get FAA approval. More than 1,800 have done so since 2007, including law enforcement, firefighting, border patrol, disaster relief, search and rescue, military training, and other government operational missions, the FAA says. (The Milwaukee Police Department does not own or use drones).* • *Under current FAA rules, a drone must be flown within the line of sight of the operator, less than 400 feet above the ground, during daylight conditions, inside uncontrolled airspace and more than five miles from any airport or other location with aviation activities.*
11A12 **152813**	RESOLUTION SUPPORTING GOVERNOR RICK SCOTT'S ENTERPRISE FLORIDA REFORMS, INCLUDING CREATION OF THE FLORIDA ENTERPRISE FUND
Notes	The proposed resolution: • Supports Governor Rick Scott's Enterprise Florida Fund reforms, including creation of the Florida Enterprise Fund; • 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 remaining Members of the Miami-Dade State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the passage of the legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item. **Background:** Florida Governor Rick Scott has recently proposed creation of a $250 million competitive fund to be used to attract companies to Florida in an effort to create a more robust economy and generate new jobs. A $250 million grant-incentive fund would be larger than the analogous fund programs in the state of New York and in all states neighboring Florida. The fund, known as the "Florida Enterprise Fund," incorporates suggestions from several legislators and provides much-needed reforms to the existing Quick Action Closing Fund, one of Florida's grant-incentive programs. The Florida Enterprise Fund would set aside $250 million in the state treasury as a trust fund to accrue interest as legislative policymakers seek out business deals and is designed to streamline the approval of projects by allowing the Governor to approve any project receiving less than $1 million in fund incentives while permitting the Senate President and the House Speaker to approve projects totaling more than $1 million, thereby reducing the need for special legislative committee meetings. The reforms proposed by Governor Scott would also impose investment provisions requiring a 10 percent annualized return on top of the original amount invested in a company through the Florida Enterprise Fund and has generated support from 13 Florida Mayors, County commissioners in seven counties, as well as a City of Miami Commissioner.
11A13 **152845**	RESOLUTION SUPPORTING SB 90, HB 285 OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO RECEIVE ADDITIONAL APPLICATIONS AND AWARD ADDITIONAL REBATES AS PART OF THE NATURAL GAS FUEL FLEET VEHICLE REBATE PROGRAM; SUPPORTING LEGISLATION THAT WOULD INCENTIVIZE THE USE OF NATURAL GAS VEHICLES
Notes	The proposed resolution: • Supports Senate Bill 90, House Bill 285 or similar legislation that would authorize the Florida Department of Agriculture and Consumer Services to receive additional applications and award additional rebates as part of the Natural Gas Fuel Fleet Vehicle Rebate Program; • Supports legislation that would incentivize the use of natural gas vehicles; • Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, Senator Wilton Simpson, Representative Lake Ray and the Chair and Members of the Miami-Dade State Legislative Delegation; and • Directs the County's state lobbyists to advocate for the passage of legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item. **Background:** During the past several years, exploration has uncovered a supply of natural gas in the United States, resulting in a reduction in the price of natural gas and an increased interest in natural-gas-powered vehicles, fuel plants, and refueling infrastructure. Pollutants emitted from the combustion of fossil fuels have led to the development of many pressing environmental concerns, and natural gas can help to mitigate some of those environmental issues. Natural gas is the cleanest of the fossil fuels and is less expensive per gallon than traditional fuels. In 2013, the State Legislature created the Natural Gas Fuel Fleet Vehicle Rebate Program (Program) within the Department of Agriculture and Consumer Services (DACS) to help reduce transportation costs and encourage freight mobility investments that contribute to economic growth. DACS is appropriated $6 million in recurring funds from the General Revenue Fund to award rebates for the eligible costs of conversion or retrofitting of a diesel or gasoline powered motor vehicle to a natural gas fuel powered motor vehicle or the incremental costs associated with the purchase or lease of a natural gas fuel fleet motor vehicle. Currently, an applicant is eligible to receive a maximum rebate of $25,000 per vehicle up to a total of $250,000 per applicant per fiscal year. In each year since the Program's inception, there has been an unencumbered balance of at least $1.7 million. Senate Bill (SB) 90 and House Bill (HB) 285 have been filed for consideration during the Florida Legislature's 2016 session by Senator Wilton Simpson (R – Trilby) and Representative Lake Ray (R – Jacksonville), respectively, and would allow any unencumbered funds remaining after June 30th of each fiscal year to be used by DACS to award additional rebates of $25,000 for each vehicle up to an additional $250,000 per applicant. Pursuant to the bills, between June 1st and June 30th of each fiscal year, eligible applicants may apply for additional funds for

<table>
<tr><th>Item No.</th><th>Research Notes</th></tr>
<tr><td></td><td>vehicles that have not already received a rebate. The additional rebates will be awarded on a first-come, first-served basis, determined by the date the application is received.</td></tr>
<tr><td>11A14
152846</td><td>RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SJR 492, HJR 275, SB 488, HB 277, OR SIMILAR LEGISLATION THAT WOULD LIMIT THE JUST VALUE DETERMINATION, FOR PURPOSES OF THE ADDITIONAL HOMESTEAD EXEMPTION FOR LOW-INCOME SENIORS, TO THE VALUE AS DETERMINED AT THE TIME OF THE OWNER'S INITIAL APPLICATION FOR THE EXEMPTION</td></tr>
<tr><td>Notes</td><td>The proposed resolution:
Urges the Florida Legislature to enact Senate Joint Resolution 492, House Joint Resolution 275, Senate Bill 488, House Bill 277, or similar legislation that would limit the just value determination, for purposes of the additional homestead exemption for low-income seniors, to the value as determined at the time of the owner's initial application for the exemption;
Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Anitere Flores, Representative Bryan Avila, and the Chair and remaining members of the Miami-Dade State Legislative Delegation; and
Directs the County's state lobbyists to advocate for the passage of the legislation and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.
<u>Background:</u>
Article VII, Section 6(d)(2) of the Florida Constitution provides that counties and municipalities, if authorized by general law, may by ordinance grant an additional homestead exemption equal to the assessed value of property to any person who:
Has legal or equitable title to real estate with a just value less than $250,000.00;
Has maintained thereon the permanent residence of the owner for not less than 25 years;
Has attained age 65; and
Whose household income does not exceed $20,000.
Section 196.075(2)(b) of the Florida Statutes is the implementing legislation for this additional homestead exemption for low-income seniors. As these constitutional and statutory provisions are currently written, however, if the property's just value subsequently rises above $250,000.00, whether due to quickly rising or volatile real estate markets or otherwise, the person becomes ineligible for—and may lose—such additional exemption, likely resulting in a severe hardship for many low-income seniors throughout the state. Currently, 21 counties, including Miami-Dade County, have passed ordinances granting the additional homestead exemption for low income seniors.

Joint resolutions in both the Senate and House, Senate Joint Resolution 492 (SJR 492) by Senator Anitere Flores (R–Miami) and House Joint Resolution 275 (HJR 275) by Representative Bryan Avila (R–Hialeah), have been filed for consideration during the 2016 session of the Florida Legislature and would propose an amendment to Article VII, Section 6 of the Florida Constitution that, if approved by the electors of the state, would revise the additional homestead exemption for low-income seniors to specify that the just value determination, for purposes of the exemption, will be limited to the time of the owner's initial application for the exemption. Additionally, Senator Flores and Representative Avila have filed companion bills, Senate Bill 488 (SB 488) and House Bill 277 (HB 277), respectively, that would implement SJR 492 and/or HJR 275 by amending Section 196.075(2) of the Florida Statutes to limit the just value determination, for purposes of the additional homestead exemption for low-income seniors, to the value as determined at the time of the owner's initial application for the exemption. By limiting the just value determination to the time of the owner's initial application, such legislation would allow low-income seniors to maintain their additional homestead exemption in the face of quickly appreciating or volatile real estate markets.</td></tr>
<tr><td>11A15
152777</td><td>RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO INVESTIGATE AND PURSUE OPPORTUNITIES FOR COOPERATIVE VENTURES AND PUBLIC PRIVATE PARTNERSHIPS, INCLUDING BUT NOT LIMITED TO, A PARTNERSHIP WITH THE MIAMI-DADE COUNTY SCHOOL BOARD, IN ORDER TO DEVELOP AND OPERATE PARKING FACILITIES FOR THE ADRIENNE ARSHT CENTER FOR THE PERFORMING ARTS OF MIAMI-DADE COUNTY</td></tr>
<tr><td>Notes</td><td>The proposed resolution directs the County Mayor or Mayor's designee to investigate and pursue opportunities for cooperative ventures and public private partnerships, including but not limited to, a partnership with the School Board for Parcel 7, in order to develop and operate parking facilities for the Adrienne Arsht Center for the Performing Arts of Miami-Dade County (PAC).

<u>Background:</u>
The construction of the Adrienne Arsht Center for the Performing Arts of Miami-Dade County (PAC) has spurred economic development and revitalization of the area surrounding the PAC, however, a consequence of the booming development surrounding the PAC has been a progressive reduction in the parking available for PAC patrons. The Miami-Dade County School Board (School Board) owns a one-acre parcel of property immediately west of the PAC at the southwest corner of NE 2nd Avenue and NE 14th Street (Parcel 7) and is preparing to issue a solicitation for development opportunities on School Board properties in downtown Miami. The School Board has indicated that if the County were to express interest in Parcel 7, it would refrain from including Parcel 7 in its impending solicitation in order to explore a partnership with the County and private entities on the development of facilities on Parcel 7 to benefit the PAC and the School Board, inclusive of a parking facility for the PAC.

<u>Additional Information – Strategic Planning and Government Operations Committee Meeting Discussion:</u>
During the Strategic Planning and Government Operations Committee meeting on December 8, 2015, the following was discussed:
The Committee expressed concern that the proposed resolution did not request a report back mechanism.
The CAO clarified that any contract would have to be approved at a later date.</td></tr>
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