



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Government Operations Committee (GOC) Meeting

September 12, 2018
1:30 P.M.
Commission Chambers

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Research Notes**

**Item No. 1G1
File No. 181539**

Researcher: LE Reviewer: TD

ORDINANCE RELATING TO PUBLIC AND PRIVATE SWIMMING AND RECREATIONAL BATHING POOLS; AMENDING SECTION 8-31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTIONS OF THE FLORIDA BUILDING CODE 6TH EDITION (2017); REIMPOSING MAXIMUM VOLTAGE LIMITATIONS FOR UNDERWATER POOL LIGHTING FOR PRIVATE SWIMMING OR RECREATIONAL BATHING POOLS IN BOTH THE INCORPORATED AND UNINCORPORATED AREA; ADDING SIMILAR REQUIREMENTS FOR PUBLIC SWIMMING POOLS AND BATHING PLACES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 8-31 of the County Code and sections of the Florida Building Code 6th Edition (2017) to reimpose maximum voltage limitations for underwater pool lighting for private and recreational pools in incorporated and unincorporated areas of Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Ordinance No. 14-95, adopted on October 7, 2014, amended Chapter 8, Article III of the County Code to provide a local technical amendment to the 2010 edition of the Florida Building Code to require low voltage lighting newly built private and recreational swimming pools and existing private pools.

<http://intra/gia/matter.asp?matter=142365&file=false&yearFolder=Y2014>

Ordinance No. 15-27, adopted on May 5, 2015, amends Section 8-31 of the County Code relating to underwater pool lighting for private swimming and recreational bathing pools to conform to the provisions in the Florida Building Code 5th Edition.

<http://intra/gia/legistarfiles/Matters/Y2015/150297.pdf>

Chapter 64E – 9 of the Florida Administrative Code (F.A.C.) is the rule that contains the requirements for the permitting and operation of public swimming pools, spas, and bathing places. Section 64E-9.006: Construction Plan Approval Standards provides that the maximum voltage for each underwater light shall be 15 volts and the maximum incandescent lamp size shall be 300 watts.

<http://duval.floridahealth.gov/programs-and-services/environmental-health/swimming-pools-spas-and-bathing-places/>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey Edmonson, District 3

Requester/Department: None

The proposed ordinance was adopted on first reading at the Board meeting on July 10, 2018 and is set for public hearing before the Government Operations Committee meeting on September 12, 2018.

ANALYSIS

The proposed ordinance amends Section 8-31 of the Code of Miami-Dade County to reimpose maximum voltage limitations for underwater pool lighting in private and recreational pools while adding similar requirements for public swimming and bathing pools to ensure safety and minimize the potential risk of electrocution.

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

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In the Florida Building Code 6th Edition, provisions for the requirement for low voltage underwater lights in public pools were removed. A local technical amendment is proposed in the ordinance to require low voltage underwater lights in public and private pools, and permit construction of such lights in existing public and private pools.

The table below shows the original Section 8-31 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 8-31 of the County Code	Proposed changes to Section 8-31 of the County Code
<p>Sec. 8-31. – Local technical amendments to Florida Building Code.</p> <p>(A) The County hereby adopts the following local technical amendments to Chapter 6 (Plumbing) of the Florida Building Code.</p> <p style="text-align: center;">***</p> <p>(C) The County hereby adopts the following local technical amendment to Chapter 42 (Residential) of the Florida Building Code.</p> <p>E4206.4 Underwater luminaires. The design of an underwater luminaire supplied from a branch circuit either directly or by way of a transformer or power supply meeting the requirements of Section E4206.1, shall be such that, where the fixture is properly installed without a ground-fault circuit interrupter, there is no shock hazard with any likely combination of fault conditions during normal use (not relamping). In addition, a ground fault circuit-interrupter shall be installed in the branch circuit supplying luminaires operating at more than the low voltage contact limit, such that there is no shock hazard during relamping. The installation of the ground-fault circuit-interrupter shall be such that there is no shock hazard with any likely fault-condition combination that involves a person in a conductive path from any ungrounded part of the branch circuit of the luminaire to the ground. Compliance with this requirement shall be obtained by the use of a listed underwater luminaire and by installation of a listed ground fault circuit interrupter in the branch circuit or a listed transformer or power supply for luminaires operation at more than the low-voltage contact limit. Luminaires that depend on submersion for safe operation</p>	<p>Sec. 8-31. – Local technical amendments to Florida Building Code.</p> <p>(A) The County hereby adopts the following local technical amendments to Chapter 6 (Plumbing) of the Florida Building Code.</p> <p style="text-align: center;">***</p> <p>(C) The County hereby adopts the following local technical amendment to Chapter 42 (Residential) of the Florida Building Code.</p> <p>E4206.4 Underwater luminaires. The design of an underwater luminaire supplied from a branch circuit [[either directly or]] by way of a transformer or power supply meeting the requirements of Section E4206.1, shall be such that, where the fixture is properly installed without a ground-fault circuit interrupter, there is no shock hazard with any likely combination of fault conditions during normal use (not relamping). [[In addition, a ground fault circuit-interrupter shall be installed in the branch circuit supplying luminaires operating at more than the low voltage contact limit, such that there is no shock hazard during relamping.]] The installation of the ground-fault circuit-interrupter shall be such that there is no shock hazard with any likely fault-condition combination that involves a person in a conductive path from any ungrounded part of the branch circuit of the luminaire to the ground. Compliance with this requirement shall be obtained by the use of a listed underwater luminaire and by installation of [[a-listed ground fault circuit interrupter in the branch circuit or]] a listed transformer or power supply for luminaires operation at >><u>not</u><< more than the low-voltage contact limit. Luminaires that depend on submersion for safe</p>

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<p>shall be inherently protected against the hazards of overheating when not submerged. [680.23(A)(1),(A)(3), (A)(7) and (A)(8)]</p> <p>E4206.4.1 Maximum Voltage.</p> <p>The maximum voltage for each luminaire in any private swimming or recreational bathing pools shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:</p> <ul style="list-style-type: none"> (1) 15 volts (RMS) for sinusoidal alternating current (2) 21.2 volts peak for nonsinusoidal alternating current (3) 30 volts continuous direct current (4) 12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz <p>The maximum incandescent lamp size shall be 300 watts.</p> <p>E4206.4.1 Maximum voltage. Luminaires shall not be installed for operation on supply circuits over 150 volts between conductors. [680.23(A)(4)]</p> <p>4206.4.1.1 Lighting</p> <p>When artificial underwater lighting is utilized in any private swimming or recreational bathing pools, all portions of the pool, including the entire bottom and any and all drains, shall be readily seen without glare.</p> <p>(D) The County hereby adopts the following local technical amendment to Chapter 4 (Building) of the Florida Building Code.</p> <p>454.1.4.1 Electrical equipment and wiring. Electrical equipment wiring and installation, including the bonding and grounding of pool components shall comply with Chapter 27 of the Florida Building Code, Building. Outlets supplying pool pump motors connected to single-phase 120-volt through 240-volt branch circuits, whether by receptacle or by direct connection, and outlets supplying other electrical equipment and</p>	<p>operation shall be inherently protected against the hazards of overheating when not submerged. [680.23(A)(1),(A)(3), (A)(7) and (A)(8)]</p> <p>[[E4206.4.1 Maximum Voltage.</p> <p>The maximum voltage for each luminaire in any private swimming or recreational bathing pools shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:</p> <ul style="list-style-type: none"> (1) 15 volts (RMS) for sinusoidal alternating current (2) 21.2 volts peak for nonsinusoidal alternating current (3) 30 volts continuous direct current (4) 12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz <p>The maximum incandescent lamp size shall be 300 watts.]]</p> <p>E4206.4.1 Maximum voltage. [[Luminaires shall not be installed for operation on supply circuits over 150 volts between conductors. [680.23(A)(4)]] >><u>The maximum voltage for each luminaire in any private swimming or recreational bathing pools shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:</u></p> <ul style="list-style-type: none"> <u>(1) 15 volts (RMS) for sinusoidal alternating current</u> <u>(2) 21.2 volts peak for nonsinusoidal alternating current</u> <u>(3) 30 volts continuous direct current</u> <u>(4) 12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz</u> <p><u>The maximum incandescent lamp size shall be 300 watts.<<</u></p> <p>[[4206.4.1.1 Lighting</p> <p>When artificial underwater lighting is utilized in any private swimming or recreational bathing pools, all</p>
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<p>underwater luminaires operating at voltages greater than the low voltage contact limit, connected to single phase, 120 volt through 240 volt branch circuits, rated 15 or 20 amperes, whether by receptacle or by direct connection, shall be provided with ground-fault circuit interrupter protection for personnel.</p> <p>45.4.2.16 Electrical.</p> <p>Electrical wiring and equipment shall comply with Chapter 27 of the Florida Building Code, Building.</p> <p>45.4.16.1 Lighting</p> <p>When artificial underwater lighting is utilized in any private swimming or recreational bathing pools, all portions of the pool, including the entire bottom and any and all drains, shall be readily seen without glare.</p> <p>45.4.16.2 Underwater Lighting</p> <p>The maximum voltage for each luminaire shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:</p> <ol style="list-style-type: none"> (1) 15 volts (RMS) for sinusoidal alternating current (2) 21.2 volts peak for nonsinusoidal alternating current (3) 30 volts continuous direct current (4) 12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz <p>The maximum incandescent lamp size shall be 300 watts.</p> <p>454.2.16 Electrical. Electrical equipment wiring and installation, including the bonding and grounding of pool components, shall comply with Chapter 27 of the <i>Florida Building Code, Building</i>. Outlets supplying pool pump motors connected to single-phase 120-volt through 240-volt branch circuits, whether by receptacle or by direct connection, and outlets supplying other electrical equipment and underwater luminaires operating at voltages greater than the low voltage contact</p>	<p>portions of the pool, including the entire bottom and any and all drains, shall be readily seen without glare.]]</p> <p>(D) The County hereby adopts the following local technical amendment to Chapter 4 (Building) of the Florida Building Code.</p> <p>454.1.4.1 Electrical equipment and wiring. Electrical equipment wiring and installation, including the bonding and grounding of pool components shall comply with Chapter 27 of the Florida Building Code, Building. Outlets supplying pool pump motors connected to single-phase 120-volt through 240-volt branch circuits, whether by receptacle or by direct connection[[, and outlets supplying other electrical equipment and underwater luminaires operating at voltages greater than the low voltage contact limit, connected to single phase, 120 volt through 240 volt branch circuits, rated 15 or 20 amperes, whether by receptacle or by direct connection,]] shall be provided with ground-fault circuit interrupter protection for personnel.</p> <p><u>>>The maximum voltage for each underwater luminaire shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:</u></p> <ol style="list-style-type: none"> (1) <u>15 volts (RMS) for sinusoidal alternating current</u> (2) <u>21.2 volts peak for nonsinusoidal alternating current</u> (3) <u>30 volts continuous direct current</u> (4) <u>12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz</u> <p><u>The maximum incandescent lamp size shall be 300 watts.<<</u></p> <p>45.4.2.16 Electrical.</p> <p>Electrical wiring and equipment shall comply with Chapter 27 of the Florida Building Code, Building.</p> <p>[[45.4.16.1 Lighting</p> <p>When artificial underwater lighting is utilized in any private swimming or recreational bathing pools, all</p>
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limit, connected to single phase, 120 volt through 240 volt branch circuits, rated 15 or 20 amperes, whether by receptacle or by direct connection, shall be provided with ground-fault circuit interrupter protection for personnel.

~~portions of the pool, including the entire bottom and any and all drains, shall be readily seen without glare.~~

~~454.16.2 Underwater Lighting~~

~~The maximum voltage for each luminaire shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:~~

- ~~(1) 15 volts (RMS) for sinusoidal alternating current~~
- ~~(2) 21.2 volts peak for nonsinusoidal alternating current~~
- ~~(3) 30 volts continuous direct current~~
- ~~(4) 12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz~~

~~The maximum incandescent lamp size shall be 300 watts.]]~~

454.2.16 Electrical. Electrical equipment wiring and installation, including the bonding and grounding of pool components, shall comply with Chapter 27 of the *Florida Building Code, Building*. Outlets supplying pool pump motors connected to single-phase 120-volt through 240-volt branch circuits, whether by receptacle or by direct connection, and outlets supplying other electrical equipment ~~[[and underwater luminaires operating at voltages greater than the low voltage contact limit, connected to single phase, 120 volt through 240 volt branch circuits, rated 15 or 20 amperes, whether by receptacle or by direct connection,]]~~ shall be provided with ground-fault circuit interrupter protection for personnel.

>>The maximum voltage for each underwater luminaire shall not exceed the Low Voltage Contact Limit, which is defined as a voltage not exceeding the following values:

- (1) 5 volts (RMS) for sinusoidal alternating current
- (2) 21.2 volts peak for nonsinusoidal alternating current
- (3) 30 volts continuous direct current

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	(4) <u>12.4 volts peak for direct current that is interrupted at a rate of 10 to 200 Hertz.<<</u>
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**Item No. 1G2
File No. 181742**

Researcher: LE Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-284.99.42 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE MODEL CITY URBAN CENTER DISTRICT (MCUCD) REGULATIONS TO ELIMINATE MINIMUM HEIGHT AND FLOOR AREA RATIO REQUIREMENTS FOR CERTAIN GROCERY STORES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 33-284.99.42 of the County Code to revise the Model City Urban Center District (MCUCD) regulations to eliminate the minimum height and floor area ratio requirements for certain grocery stores.

APPLICABLE LEGISLATION/POLICY

Ordinance No. 10-13, adopted on February 2, 2010, establishes the Model City Urban Center District and its regulations.
<http://intra/gia/legistarfiles/Matters/Y2010/100144.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey Edmonson, District 3

Requester/Department: None

The proposed ordinance was adopted on first reading at the Board meeting on July 24, 2018 and is set for public hearing before the Government Operations Committee meeting on September 12, 2018.

ANALYSIS

The proposed ordinance amends Section 33-284.99.42 of the Code of Miami-Dade County to eliminate the minimum height and floor area ratio requirements for grocery stores with a minimum size of 25,000 square feet in the Model City Urban Center District (MCUCD).

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

The United States Department of Agriculture identified portions of District 3 such as Brownsville and the MCUCD as “Food Deserts” because they are areas of low income with difficulty in accessing food. Food deserts are urban areas where it is difficult to access and buy affordable, quality fresh food.

Through the approval of this ordinance, greater flexibility will be given for development of large-scale grocery stores in the district where Mixed-Use Corridor uses are allowed, therefore creating more access to food for the area. The area is bounded by State Road 112 to the south, NW 31 Avenue to the west, NW 62 Street/Martin Luther King Jr. Boulevard to the north, and NW 19 Avenue to the east. Mixed-Use Corridors are redevelopment areas in unincorporated Miami-Dade County.

The table below shows the original Section 33-284.99.42 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

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Section 33-284.99.42 of the County Code	Proposed changes to Section 33.284.99.42 of the County Code
<p>Sec. 33-284.99.42. Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the MCUCD shall comply with <i>Section 33-284.83</i> of this Code.</p> <p><i>A. Permitted uses.</i> In addition to the uses provided in <i>Section 33-284.83</i>, the following shall be permitted:</p> <p style="text-align: center;">***</p> <p>3. In the Mixed-Use Corridor area on lots adjoining Northwest 22nd Avenue between Northwest 54th and 62nd Streets hand car washes accessory to a permitted retail, food service, or office use shall be permitted subject to the following:</p> <p>(a) Parking spaces used for car washing and patrons waiting for car washing shall not occupy parking spaces required for the principal uses on the lot.</p> <p>(b) Attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering or spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.</p> <p>(c) All outdoor paging or speaker systems are prohibited.</p> <p>(d) The areas used for car washing shall not occupy required landscape areas.</p> <p>(e) Street trees and parking lot buffers required by Chapter 18A shall be provided.</p>	<p>Sec. 33-284.99.42. Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the MCUCD shall comply with <i>Section 33-284.83</i> of this Code.</p> <p><i>A. Permitted uses.</i> In addition to the uses provided in <i>Section 33-284.83</i>, the following shall be permitted:</p> <p style="text-align: center;">***</p> <p>3. In the Mixed-Use Corridor >>(MC)<< area >>, <u>the following uses:</u></p> <p><u>(a) Grocery stores with a minimum size of 25,000 square feet shall not be subject to any minimum height or minimum floor area ratio requirements set forth in this chapter.</u></p> <p><u>(b) On<< [[on]] lots adjoining Northwest 22nd Avenue between Northwest 54th and 62nd Streets >>,<< hand car washes accessory to a permitted retail, food service, or office use shall be permitted subject to the following:</u></p> <p><u>[[(a)]] >>(1)<< Parking spaces used for car washing and patrons waiting for car washing shall not occupy parking spaces required for the principal uses on the lot.</u></p> <p><u>[[(b)]] >>(2)<< Attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering or spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.</u></p> <p><u>[[(c)]] >>(3)<< All outdoor paging or speaker systems are prohibited.</u></p> <p><u>[[(d)]] >>(4)<< The areas used for car washing shall not occupy required landscape areas.</u></p> <p><u>[[(e)]] >>(5)<< Street trees and parking lot buffers required by Chapter 18A shall be provided.</u></p>

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**Item No. 1G3, 1G3 Subst.
File No. 181631, 181996**

Researcher: MF Reviewer: TD

ORDINANCE RELATING TO COMMUNITY COUNCILS; AMENDING SECTIONS 20-41 AND 20-44 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING COMMUNITY COUNCILS TO CARRY OUT RESPONSIBILITIES RELATING TO NON-ZONING FUNCTIONS; PROVIDING FOR SCHEDULING OF MEETINGS AT WHICH NON-ZONING FUNCTIONS WILL BE CONSIDERED AND FOR PRIORITIZATION OF ZONING FUNCTIONS; ESTABLISHING BOARD POLICY TO REINSTATE AND ANNUALLY FUND NON-ZONING FUNCTIONS OF COMMUNITY COUNCILS, SUBJECT TO APPROPRIATION; DIRECTING THE COUNTY MAYOR TO PROPOSE FUNDING SUFFICIENT FOR COMMUNITY COUNCILS TO CARRY OUT ALL ASSIGNED FUNCTIONS, INCLUDING NON-ZONING FUNCTIONS, COMMENCING IN FISCAL YEAR 2019-2020 AND FOR EACH FISCAL YEAR THEREAFTER; REQUIRING RESOLUTIONS FROM COMMUNITY COUNCILS TO BE DISTRIBUTED TO THE BOARD OF COUNTY COMMISSIONERS AND MADE AVAILABLE ONLINE; MAKING TECHNICAL CHANGES; PROVIDING FOR SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

The proposed ordinance seeks the Board's approval to amend Sections 20-41 and 20-44 of the Code of Miami-Dade County requiring Community Councils to carry out responsibilities relating to non-zoning functions, the prioritization and planning of those activities; and requiring the County Mayor to sufficiently fund the non-zoning functions of Community Councils.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 20-40 governs the creation of Community Councils and their purposes.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-40COCOCRPU

Miami-Dade County Code, Section 20-41 details the responsibilities of Community Councils.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-41COCORE

Miami-Dade County Code, Section 20-42 describes the configuration of Community Councils.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-42COCOCO

Miami-Dade County Code, Section 20-43 governs the membership of Community Councils.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-43COCOME

Miami-Dade County Code, Section 20-43.1 details the procedure for removal of Community Council members by members of the electors of the area.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-43.1COCORE

Miami-Dade County Code, Section 20-43.2 details the procedure for removal of Community Council members by the Board of County Commissioners.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-43.2COCORE

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Miami-Dade County Code, Section 20-44 governs the organization and new member orientation of Community Council members.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-44COCOORNEMEORCOCOWO

Miami-Dade County Code, Section 20-45 provides the instances in which Community Council members may face conflicts of interest, and must absent themselves during the council's deliberations.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH20MU_ARTIVCOCO_S20-45COCOCOIN

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

Department/Requester: None

The proposed ordinance was adopted on first reading at the July 10, 2018 BCC meeting; and was scheduled for a public hearing before the Government Operations Committee on September 12, 2018.

ANALYSIS

Miami-Dade County Code, Sections 20-40 through 20-45 established the Community Councils for the following purposes:

- Providing the residents of unincorporated Miami-Dade County with increased governmental accountability, and responsiveness in decision-making processes for the delivery of municipal-type services;
- Improving the effectiveness of services by making them more responsive to community desires and needs;
- Retaining efficiencies of services by maintaining economies of scale;
- Maintaining the ability to match unincorporated area needs with available resources; and
- Fostering a sense of community identity, inclusiveness and empowerment.

Miami-Dade County Code, Section 20-41 allows Community Councils, at their option, to perform the following non-zoning functions:

- Compile profiles of their respective community's social, physical and economic conditions to assist them in performing their duties;
- Prepare an annual statement of community needs including development patterns and regulations, public facilities and services to assist the Council;
- Recommend policies to coordinate the Fire Rescue District and Police Department in the enhancement of public safety and protection of property in the council area through improved communications and service needs assessments;
- Make recommendations to the County Manager and County Commission on priorities for community facilities and services and on community-based organization grants for the council area;
- Conduct forums on council area issues to facilitate the exchange of information between residents, property owners, businesses, institutions and Council Officials and Administrators; and
- Disseminate information about council area related organizations, programs and activities.

Because of the downturn in the economy, the Fiscal Year 2009-2010 County Budget eliminated staff support for the non-zoning functions of Community Council meetings. This prevented the Community Councils from continuing to perform

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their non-zoning functions. In spite of the improvement in the economy, the necessary staff support for the community Councils' non-zoning functions has not been restored, and the functions have not resume.

The proposed ordinance seeks the Board's approval to amend Sections 20-41 and 20-44 of the Code of Miami-Dade County to:

- require Community Councils to carry out responsibilities relating to non-zoning functions;
- provide for scheduling of meetings at which non-zoning functions will be considered and for prioritization of zoning functions;
- establish Board policy to reinstate and annually fund non-zoning functions of Community Councils, subject to appropriation;
- direct the County Mayor to propose funding sufficient for Community Councils to carry out all assigned functions, including non-zoning functions, commencing in Fiscal Year 2019-2020 and for each fiscal year thereafter; and
- require resolutions from Community Councils to be distributed to the Board and made available online.

Restoring the Community Council's non-zoning functions will provide the residents of unincorporated Miami-Dade a greater voice and platform to express their needs and improve public perception that government is more responsive to local needs.

Agenda Item 1G3 Substitute differs from the original in that it replaces one of the whereas clauses with a new clause, which states that restoring the non-zoning functions of the Community Councils, which are advisory to the Board of County Commissioners, will provide greater representation to UMSA residents, thus furthering the ideals and goals of what a City of UMSA could provide. This substitute also deletes the provisions in the original which had required non-zoning meetings of Community Councils to be scheduled on the same evenings as their zoning meetings.

The table below shows the original Section 20-41 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 20-41 of the Code of Miami-Dade County	Proposed changes to Section 20-41 of the Code of Miami-Dade County
<p>Sec. 20-41. Community Councils; responsibilities.</p> <p>(A) Community Councils shall perform the duties and responsibilities of Community Zoning Appeals Boards as set forth in Section 33-306 of the Code of Miami-Dade County.</p> <p>(B) Community Councils may, at their option, perform the following duties and responsibilities:</p> <p style="padding-left: 40px;">(1) Planning.</p> <p style="padding-left: 80px;">(a) Compile profiles of their respective community's social, physical and economic conditions to assist them in performing their duties;</p>	<p>Sec. 20-41. Community Councils; responsibilities.</p> <p>(A) Community Councils shall perform the duties and responsibilities of Community Zoning Appeals Boards as set forth in Section 33-306 of the Code of Miami-Dade County.</p> <p>(B) Community Councils [[may, at their option,]] >>shall<< perform >>one or more of<< the following duties and responsibilities:</p> <p style="padding-left: 40px;">(1) Planning.</p> <p style="padding-left: 80px;">(a) Compile profiles of their respective community's social, physical and economic conditions to assist them in performing their duties;</p>

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<p>(b) Prepare an annual statement of community needs including development patterns and regulations, public facilities and services to assist the Council;</p> <p>(c) Make recommendations to the Planning Advisory Board and Board of County Commissioners on proposed Miami-Dade County Comprehensive Development Master Plan amendments that impact each Council's area; and</p> <p>(d) Make recommendations to the County Commission on the location and siting of specific public facility and infrastructure projects.</p> <p>(2) Protection of persons and property programming.</p> <p>(a) Recommend policies coordinate the Fire Rescue District and Police Department in the enhancement of public safety and protection of property in the council area through improved communications and service needs assessments.</p> <p>(3) Budgeting.</p> <p>(a) Make recommendations to the County Manager and County Commission on priorities for community facilities and services and on community based organization grants for the council area; and</p> <p>(b) Make recommendations to the County Manager and County Commission on revenue needs including unincorporated area property taxes millages and special taxing districts.</p> <p>(4) Communication.</p> <p>(a) Conduct forums on council area issues to facilitate the exchange of information between residents, property owners, businesses, institutions and County Officials and Administrators;</p>	<p>(b) Prepare an annual statement of community needs including development patterns and regulations, public facilities and services to assist the Council;</p> <p>(c) Make recommendations to the Planning Advisory Board and Board of County Commissioners on proposed Miami-Dade County Comprehensive Development Master Plan amendments that impact each Council's area; and</p> <p>(d) Make recommendations to the [[County Commission]] >>Board of County Commissioners<< on the location and siting of specific public facility and infrastructure projects>>, including but not limited to road and traffic related improvements<<.</p> <p>(2) Protection of persons and property programming.</p> <p>(a) Recommend policies to >>the Board of County Commissioners to enhance public safety measures and protect<< [[coordinate the Fire Rescue District and Police Department in the enhancement of public safety and protection of]] property in the council area, including but not limited to recommendations related to [[through]] improved communications and service needs [[assessments]].</p> <p>(3) Budgeting.</p> <p>(a) Make recommendations to the County [[Manager]]>>Mayor<< and >>the Board of County Commissioners<< [[County Commission]] on priorities for community facilities and services and on community based organization grants for the council area; and</p> <p>(b) Make recommendations to the County [[Manager]]>>Mayor<< and >>the Board of County Commissioners<< [[County Commission]] on revenue needs including unincorporated area property >>tax millage rates<<[[taxes millages]] and special taxing districts.</p> <p>(4) Communication.</p> <p>(a) Conduct forums on council area issues to facilitate the exchange of information between residents, property owners, businesses, institutions and County Officials and Administrators;</p>
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<p>(b) Disseminate information about council area related organizations, programs and activities; and</p> <p>(c) Coordinate with Miami-Dade County's Team Metro in the exercise of that agency's responsibilities within the council area.</p> <p>(C) No member of a Community Council shall appear at any public hearings or meetings before the Board of County Commissioners or any other federal, state, or local board or tribunal, to advocate concerning any zoning application that was heard by, or that could reasonably be expected to be heard by, any Community Council.</p>	<p>(b) Disseminate information about council area related organizations, programs and activities; and</p> <p>(c) [[Coordinate with Miami-Dade County's Team Metro in the exercise of that agency's responsibilities within the council area.</p> <p>(d)] No member of a Community Council shall appear at any public hearings or meetings before the Board of County Commissioners or any other federal, state, or local board or tribunal, to advocate concerning any zoning application that was heard by, or that could reasonably be expected to be heard by, any Community Council.</p> <p>>>Any non-zoning recommendation to the Board of County Commissioners which is approved by a Community Council shall be reduced to resolution form and transmitted to the Clerk of the Board. Notwithstanding Ordinance No. 14-65, the Clerk of the Board shall transmit any such resolution to the members of the Board of County Commissioners by email or hard copy for their information. In addition, the Department of Regulatory and Economic Resources or its successor department shall make such resolutions from Community Councils available online.<<</p>
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The table below shows the original Section 20-44 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 20-44 of the Code of Miami-Dade County	Proposed changes to Section 20-44 of the Code of Miami-Dade County
<p>Sec. 20-44. Community Councils; organization; new member orientation; Community Council workshop.</p> <p>(A) The County Manager shall assign existing County staff positions to provide support for the Community councils, to the fullest extent feasible. Such staff may include: a Community Council Administrator, an Administrative Assistant, clerical staff and others as the County Manager deems needed. Team Metro shall develop strong linkages to each Community Council.</p>	<p>Sec. 20-44. Community Councils; organization; new member orientation; Community Council workshop.</p> <p>(A) The County [[Manager]] >>Mayor or designee<< shall assign existing County staff positions to provide support for the Community councils, to the fullest extent feasible. Such staff may include: a Community Council Administrator, an Administrative Assistant, clerical staff and others as the County [[Manager]] >>Mayor or designee<< deems needed>>, such as Code Enforcement staff<<. [[Team Metro shall develop strong linkages to each Community Council.]]</p> <p>(B) The [[County Manager]] >>Mayor or designee<<</p>

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(B) The County Manager shall coordinate the activities and schedules of Community Councils with other County activities to ensure maximum effectiveness and efficiency. The County Manager may limit the total staff time available to each Community Council.

(C) Within parameters recommended by the County Manager and approved by the County Commission, Community Councils shall be empowered to establish their own procedures for conducting their business and to select from the activities described in Section 20-41(B) those in which it wishes to engage. It is provided however that zoning procedures shall be adopted pursuant to Sections 33-308 of the Code. It is further provided that no zoning or non-zoning meeting of a Community Council or Community Zoning Appeals Board shall extend beyond 11:00 p.m.

(D) Prior to serving on a Community Council, a Community Council member appointed or elected to a Council after the effective date of this ordinance shall attend a New Member Orientation Seminar conducted by the Department of Planning and Zoning, the Commission on Ethics, Team Metro and the County Attorney's Office. The seminar shall include, but shall not be limited to, review of the Comprehensive Development Master Plan and issues related thereto, review of zoning regulations, incorporation and annexation issues, workforce and affordable housing issues and applicable laws, rules and regulations pertaining to duties and responsibilities of Community Council members.

(E) All Community Council members shall attend in every even-numbered year a Community Council Workshop organized and conducted by the Department

shall coordinate the activities and schedules of Community Councils with other County activities to ensure maximum effectiveness and efficiency. The [[Manager]] >>Mayor or designee<< may limit the total staff time available to each Community Council.

(C) Within parameters recommended by the [[Manager]] >>Mayor<< and approved by the [[County Commission]] >>Board of County Commissioners<<, Community Councils shall be empowered to establish their own procedures for conducting their business and to select from the activities described in Section 20-41(B) those in which it wishes to engage. >>Notwithstanding any such procedures, the requirements in Rule 6.06 of the Board of County Commissioners' Rules of Procedure related to a reasonable opportunity for the public to be heard shall apply to the Community Councils.<< It is provided however that zoning procedures shall be adopted pursuant to Sections 33-308 of the Code.

>>(D)<< It is further provided that no zoning or [[non zoning]] >>non-zoning<< meeting of a Community Council or Community Zoning Appeals Board shall extend beyond 11:00 p.m. >>Any zoning matter on a Community Council agenda must be considered before any non-zoning matters on that agenda are considered. With the exception of proposed Comprehensive Development Master Plan amendments, all other non-zoning matters, as set forth in section 20-41(B):

(1) may only be scheduled for consideration at a Community Council meeting at which a zoning matter or matters will be considered;

(2) may be carried over to a date which is acceptable to the County Mayor or County Mayor's designee and the Community Council, if there is insufficient time to consider a non-zoning item on an agenda; and

(3) may be scheduled on an every-other-month basis, but in no event shall the number of meetings at which non-zoning matters, are to be considered exceed six meetings per year.<<

[[D]]>>(E)<< Prior to serving on a Community Council, a Community Council member appointed or elected to a Council after the effective date of this ordinance shall attend a New Member Orientation

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of Sustainability, Planning and Economic Enhancement, the Department of Permitting, Environment and Regulatory Affairs, the Commission on Ethics, and the County Attorney's Office. The Workshop shall include, but shall not be limited to, review of the Comprehensive Development Master Plan and issues related thereto, review of zoning regulations, incorporation and annexation issues, workforce and affordable housing issues and applicable laws, rules and regulations pertaining to duties and responsibilities of Community Council members.

(F) Notwithstanding Section 20-43.2, failure of any elected or appointed member of a Community Council to attend a Community Council Workshop shall be deemed sufficient cause for removal.

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Seminar conducted by the Department of [[Planning and Zoning]] >>Regulatory and Economic Resources or its successor department<<, the Commission on Ethics, [[Team Metro]] and the County Attorney's Office. The seminar shall include, but shall not be limited to, review of the Comprehensive Development Master Plan and issues related thereto, review of zoning regulations, incorporation and annexation issues, workforce and affordable housing issues and applicable laws, rules and regulations pertaining to duties and responsibilities of Community Council members.

[[E]]>>(F)<< All Community Council members shall attend in every even-numbered year a Community Council Workshop organized and conducted by the Department of [[Sustainability, Planning and Economic Enhancement, the Department of Permitting, Environment and Regulatory Affairs]] >>Regulatory and Economic Resources or its successor department<<, the Commission on Ethics, and the County Attorney's Office. The Workshop shall include, but shall not be limited to, review of the Comprehensive Development Master Plan and issues related thereto, review of zoning regulations, incorporation and annexation issues, workforce and affordable housing issues and applicable laws, rules and regulations pertaining to duties and responsibilities of Community Council members.

[[F]]>>(G)<< Notwithstanding Section 20-43.2, failure of any elected or appointed member of a Community Council to attend a Community Council Workshop shall be deemed sufficient cause for removal.

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**Item No. 1G4
File No. 181421**

Researcher: MF Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-311, 33-314, 33-247, 33-255, AND 33-284.83 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING MINIMUM SPACING BETWEEN SELF-SERVICE MINI-WAREHOUSE STORAGE FACILITIES; REQUIRING SUCH FACILITIES TO BE VERTICALLY INTEGRATED WITH, SCREENED BY, OR LOCATED TO THE REAR OF HABITABLE SPACES IN URBAN CENTER ZONING DISTRICTS; REQUIRING APPLICATIONS FOR SUCH FACILITIES IN THE BU-1A AND URBAN CENTER ZONING DISTRICTS TO BE APPROVED AT PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS; MAKING TECHNICAL REVISIONS TO HARMONIZE REQUIREMENTS FOR SELF-SERVICE MINI-WAREHOUSE STORAGE FACILITIES IN BU-1A AND BU-3 ZONING DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Sections 33-311, 33-314, 33-247, 33-255, and 33-284.83 of the Code of Miami-Dade County to require minimum spacing between self-service mini-warehouse storage facilities; require that such facilities be vertically integrated with, screened by, or located to the rear of habitable spaces in Urban Center Zoning Districts; require applications for such facilities in the BU-1A and Urban Center Zoning Districts to be approved at a public hearing by the BCC; and make technical revisions to harmonize requirements for self-service mini-warehouse storage facilities in BU-1A and BU-3 Zoning Districts.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code Section 33-311 authorizes the Community Zoning Appeals Boards and Board of County Commissioners to consider and act upon applications, after first considering the written recommendations from the Director or Developmental Impact Committee and grants the Community Zoning Appeals Board and BCC the authority over various zoning applications except where the BCC has direct jurisdiction.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-311COZOAPBOUTDU

Miami-Dade County Code Section 33-314 provides that the County Commission has jurisdiction to directly hear various applications and appeals.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-314DIAPAPCOCO

Miami-Dade County Code Section 33-247 delineates land, body of water, and/or structure use in the BU-1A District.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXVLIBUDI_S33-247USPE

Miami-Dade County Code Section 33-255 delineates land, body of water, and/or structure use in the BU-3 District.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXVILIBUDI_S33-255.1RE

Miami-Dade County Code Section 33-284.83 delineates land, body of water, and structure use in the Urban Center (UC) and Urban Area (UA) Districts and outlines permitted uses in the R (Residential), RM (Residential Modified), MC (Mixed-Use Corridor), MM (Mixed-Use Main Street), MO (Mixed-Use Optional), MCS (Mixed-Use Special), MCI (Mixed-Use Industrial), ID (Industrial District) and I (Institutional) Land Use Areas.

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https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_K_STURCEDIRE_S33-284.83US

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime, District 2

Department/Requester: None

The proposed ordinance was adopted on first reading at the Board meeting on June 19, 2018; and set for public hearing before the Government Operations Committee meeting on July 16, 2018.

At the July 16, 2018 Government Operations Committee meeting, the proposed resolution was deferred to the next GOC meeting scheduled for September 12, 2018.

ANALYSIS

The proposed ordinance seeks the Board's approval to amend Sections 33-311, 33-314, 33-247, 33-255, and 33-284.83 of the County Code to:

- require minimum spacing between self-service mini-warehouse storage facilities;
- require that such facilities be vertically integrated with, screened by, or located to the rear of habitable spaces in Urban Center Zoning Districts;
- require applications for such facilities in the BU-1A and Urban Center Zoning Districts to be approved at a public hearing by the BCC; and
- make technical revisions to harmonize requirements for self-service mini-warehouse storage facilities in BU-1A and BU-3 Zoning Districts.

A self-service mini-warehouse storage facility is defined as a fully enclosed space used for warehousing that contains individual storage units not exceeding a certain size, and where business activity within individual storage units is prohibited. Under the current County Code, such facilities are permitted in the BU-3 zoning district and the Urban Center Zoning districts in the MCS and MCI categories. Such facilities are considered passive commercial uses. They tend to not include a retail sales component nor to generate commercial activity. If approved at a public hearing, they are also permitted in the BU-1A zoning district.

According to the Fiscal Impact Statement, the implementation of this ordinance will not have a fiscal impact to Miami-Dade County as it will not result in additional staffing needs or future operational costs. Activities relating to the implementation of the ordinance would be absorbed as part of on-going activities.

The Social Equity Statement notes that the proposed ordinance seeks to protect the livelihood of the commercial and mixed-use corridors in unincorporated Miami-Dade. The County wishes to encourage more economic activity through more active mixed-use and retail uses in the commercial corridors.

Therefore, the proposed Ordinance requires that self-service mini-warehouse storage facilities are appropriately spaced from one another and only permitted in Urban Center Zoning Districts when integrated with, screened by, or located to the rear of other more active commercial uses. The proposed ordinance also requires that applications for such passive facilities in the BU-1A and Urban Center Districts be approved at a public hearing before the Board.

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The table below shows the original Section 33-311 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 33-311 of the Code of Miami-Dade County	Proposed changes to Section 33-311 of the Code of Miami-Dade County
<p>Sec. 33-311. Community Zoning Appeals Board – Authority and duties.</p> <p>(A) Except as otherwise provided by this chapter, the Community Zoning Appeals Boards and Board of County Commissioners shall have the authority and duty to consider and act upon applications, as hereinafter set forth, after first considering the written recommendations thereon of the Director or Developmental Impact Committee. Provided, however, no such action shall be taken until notice of time and place of the hearing at which the Community Zoning Appeals Boards will consider the application has been first published as provided in <i>Section 33-310.2</i>. The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County. The Community Zoning Appeals Board and Board of County Commissioners or any of their members may inspect the premises and area under consideration. The Community Zoning Appeals Boards shall have authority over the following zoning applications except where the Board of County Commissioners has direct jurisdiction.</p> <p style="text-align: center;">* * *</p> <p>(3) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear</p>	<p>Sec. 33-311. Community Zoning Appeals Board – Authority and duties.</p> <p>(A) Except as otherwise provided by this chapter, the Community Zoning Appeals Boards and Board of County Commissioners shall have the authority and duty to consider and act upon applications, as hereinafter set forth, after first considering the written recommendations thereon of the Director or Developmental Impact Committee. Provided, however, no such action shall be taken until notice of time and place of the hearing at which the Community Zoning Appeals Boards will consider the application has been first published as provided in <i>Section 33-310.2</i>. The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County. The Community Zoning Appeals Board and Board of County Commissioners or any of their members may inspect the premises and area under consideration. The Community Zoning Appeals Boards shall have authority over the following zoning applications except where the Board of County Commissioners has direct jurisdiction.</p> <p style="text-align: center;">* * *</p> <p>(3) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear</p>

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application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

application for and grant or deny special exceptions, except applications for >>(i)<< public charter schools >>and (ii) approval of self-service mini-warehouse storage facilities as provided in section 33-314<<; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

The table below shows the original Section 33-314 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 33-314 of the Code of Miami-Dade County	Proposed changes to Section 33-314 of the Code of Miami-Dade County
<p>Sec. 33-314. Direct applications and appeals to the County Commission.</p> <p style="text-align: center;">* * *</p> <p>(C) The County Commission shall have jurisdiction to directly hear other applications as follows:</p> <p style="text-align: center;">* * *</p>	<p>Sec. 33-314. Direct applications and appeals to the County Commission.</p> <p style="text-align: center;">* * *</p> <p>(C) The County Commission shall have jurisdiction to directly hear other applications as follows:</p> <p style="text-align: center;">* * *</p> <p>>>(20) <u>Applications for approval of self-service mini-warehouse storage facilities</u><<</p> <p style="text-align: center;">* * *</p>

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The table below shows the original Section 33-247 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 33-247 of the Code of Miami-Dade County	Proposed changes to Section 33-247 of the Code of Miami-Dade County
<p>Sec. 33-247. Uses permitted.</p> <p>No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, maintained or occupied for any purpose in any BU-1A District, except for one (1) or more of the following uses:</p> <p style="text-align: center;">* * *</p> <p>(38) Self-service storage facility. Use will only be permitted upon the submission of a site plan which shall be approved at public hearing. "Self-service storage facility" shall be defined as a fully enclosed space used for warehousing which contains individual storage units with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet. No wholesale or retail sales are permitted.</p> <p style="text-align: center;">* * *</p> <p>(46) Rentals of trucks other than light trucks are allowed in conjunction with and ancillary to self-storage facilities, providing the following conditions are met in addition to those specified in sub-articles (4)(a) and (4)(c)—(f) above:</p> <p>(i) That a decorative masonry wall at least eight (8) feet in height shall enclose the vehicle storage area and repair area. The placement of said wall and openings through same shall comply with the requirements contained elsewhere in this article. Prior to the granting of any building permit for such wall, the permit applicant shall post with the director a bond in the amount of two thousand five hundred dollars (\$2,500.00) to provide for the costs of removal of graffiti from the wall by the department as provided in <i>Section 21-30.1(d)(6)</i>, Code of</p>	<p>Sec. 33-247. Uses permitted.</p> <p>No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, maintained or occupied for any purpose in any BU-1A District, except for one (1) or more of the following uses:</p> <p style="text-align: center;">* * *</p> <p>(38) >><u>Self-service mini-warehouse storage facility only upon approval at public hearing and in accordance with the conditions set forth in section 33-255 of the code.</u><< [[Self-service storage facility. Use will only be permitted upon the submission of a site plan which shall be approved at public hearing. "Self-service storage facility" shall be defined as a fully enclosed space used for warehousing which contains individual storage units with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet. No wholesale or retail sales are permitted.]]</p> <p style="text-align: center;">* * *</p> <p>[[(46) Rentals of trucks other than light trucks are allowed in conjunction with and ancillary to self-storage facilities, providing the following conditions are met in addition to those specified in sub-articles (4)(a) and (4)(c)—(f) above:</p> <p>(i) That a decorative masonry wall at least eight (8) feet in height shall enclose the vehicle storage area and repair area. The placement of said wall and openings through same shall comply with the requirements contained elsewhere in this article. Prior to the granting of any building permit for such wall, the permit applicant shall post with the director a bond in the amount of two thousand five hundred dollars (\$2,500.00) to provide for the costs of removal of graffiti from the wall by the department as provided in Section 21-30.1(d)(6), Code of</p>

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<p>Miami-Dade County, as amended, should the applicant fail after notice to remove such graffiti.</p> <p>(ii) There shall be a landscaped buffer between the masonry wall and any abutting roads which may be a hedge, and/or trees at least forty-eight (48) inches high at the time of planting, or other reasonable landscape plans acceptable to the department.</p> <p>(iii) That there be no rental of any truck having a net vehicle weight exceeding twelve thousand six hundred pounds (12,600) pounds.</p> <p>(iv) That for each one hundred (100) self-storage units there shall be no more than one (1) rental truck stored, e.g., 1—100 units: 1 rental truck; 101—200 units; 2 rental trucks, etc.; provided however, no more than eight (8) rental trucks may be stored on the premises.</p> <p>(v) That no building in the area enclosed by the wall shall exceed two (2) stories in height.</p> <p>(vi) That no loading or unloading of trucks is permitted outside the enclosed area and all trucks must be stored inside the enclosed area at all times.</p> <p>(vii) That there shall be no repairs or maintenance work on vehicles on the premises of the self-storage facility.</p> <p>(viii) That the area of self-storage facilities be not less than 2.5 acres.</p>	<p>Miami Dade County, as amended, should the applicant fail after notice to remove such graffiti.</p> <p>(ii) There shall be a landscaped buffer between the masonry wall and any abutting roads which may be a hedge, and/or trees at least forty eight (48) inches high at the time of planting, or other reasonable landscape plans acceptable to the department.</p> <p>(iii) That there be no rental of any truck having a net vehicle weight exceeding twelve thousand six hundred pounds (12,600) pounds.</p> <p>(iv) That for each one hundred (100) self storage units there shall be no more than one (1) rental truck stored, e.g., 1—100 units: 1 rental truck; 101—200 units; 2 rental trucks, etc.; provided however, no more than eight (8) rental trucks may be stored on the premises.</p> <p>(v) That no building in the area enclosed by the wall shall exceed two (2) stories in height.</p> <p>(vi) That no loading or unloading of trucks is permitted outside the enclosed area and all trucks must be stored inside the enclosed area at all times.</p> <p>(vii) That there shall be no repairs or maintenance work on vehicles on the premises of the self storage facility.</p> <p>(viii) That the area of self storage facilities be not less than 2.5 acres.]]</p>
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The table below shows the original Section 33-255 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 33-255 of the County Code	Proposed changes to Section 33-255 of the County Code
<p>Sec. 33-255. Uses permitted.</p> <p>No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any</p>	<p>Sec. 33-255. Uses permitted.</p> <p>No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any</p>

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<p>purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:</p> <p style="text-align: center;">* * *</p> <p>(23.1) Self-service mini-warehouse storage facility. "Self-service mini-warehouse storage facility" shall be defined as a fully enclosed space used for warehousing which contains individual storage units with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet. No business or business activity, and no wholesale or retail sales are permitted in an individual storage area within a self-service mini-warehouse storage facility.</p> <p>(a) Ancillary rentals of trucks other than light trucks are permitted in conjunction with a self-service mini-warehouse storage facility, providing such facility is situated on a site containing not less than 2.5 acres gross, subject to compliance with the following requirements:</p> <p style="text-align: center;">* * *</p> <p>(b) Ancillary storage of recreational vehicles and boats is permitted in conjunction with a self-service mini-warehouse storage facility, subject to compliance with the following requirements:</p> <p style="text-align: center;">* * *</p>	<p>purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:</p> <p style="text-align: center;">* * *</p> <p>(23.1) Self-service mini-warehouse storage facility. "Self-service mini-warehouse storage facility" shall be defined as a fully enclosed space used for warehousing which contains individual storage units [[with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet]]. <u>>>This use shall only be permitted subject to the following conditions:</u></p> <p><u>(a) Each individual storage unit shall have a floor area no greater than 400 square feet and an interior height not to exceed 12 feet.</u></p> <p><u>(b) No such facility shall be located less than 2,500 feet from any other such facility, measured by following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.</u></p> <p><u>(c)<< No business or business activity, and no wholesale or retail sales are permitted in an individual storage area within a self-service mini-warehouse storage facility.</u></p> <p><u>>>(d)<< [[(a)]] Ancillary rentals of trucks other than light trucks are permitted in conjunction with a self-service mini-warehouse storage facility, providing such facility is situated on a site containing not less than 2.5 acres gross, subject to compliance with the following requirements:</u></p> <p style="text-align: center;">* * *</p> <p><u>>>(e)<< [[(b)]] Ancillary storage of recreational vehicles and boats is permitted in conjunction with a self-service mini-warehouse storage facility, subject to compliance with the following requirements:</u></p> <p style="text-align: center;">* * *</p>
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The table below shows the original Section 33-284.33 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

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Section 33-284.83 of the County Code	Proposed changes to Section 33-284.83 of the County Code																																				
<p>Sec. 33-248.83. Uses.</p> <p>No land, body of water, or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered, or maintained for any purpose in the Urban Center (UC) or Urban Area (UA) Districts, except as provided in this article. The uses delineated herein shall be permitted only in compliance with the Regulating Plans and standards provided in this article. The following regulations outline permitted uses in the R (Residential), RM (Residential Modified), MC (Mixed-Use Corridor), MM (Mixed-Use Main Street), MO (Mixed-Use Optional), MCS (Mixed-Use Special), MCI (Mixed-Use Industrial), ID (Industrial District) and I (Institutional) Land Use Areas.</p> <p>* * *</p> <p>C. Table of Permitted Uses. Unless the regulations for a specific urban center district provide otherwise, the Land Use Groups in paragraph (B) of this <i>section</i> shall be permitted in the R (Residential), RM (Residential Modified), MC (Mixed-Use Corridor), MM (Mixed-Use Main Street), MO (Mixed-Use Optional), MCS (Mixed-Use Special), MCI (Mixed-Use Industrial), ID (Industrial District) and I (Institutional) land use categories in accordance with the following table:</p> <table><tr><th rowspan="2">LAND USE GROUP</th><th colspan="8">LAND USE CATEGORY</th></tr><tr><th>R [3][4]</th><th>RM [3][4]</th><th>MC [1][3]</th><th>MM [1][3]</th><th>MO [1][3]</th><th>MCS [1][3]</th><th>MCI [1][3]</th><th>ID</th><th>I</th></tr></table> <p>* * *</p> <p>[#] Footnote (as provided below)</p> <p><i>Footnotes:</i></p> <p>1. The vertical integration of uses shall be required in the MM category and shall be encouraged in the MC, MO, MCS, and MCI categories. When residential uses are</p>	LAND USE GROUP	LAND USE CATEGORY								R [3][4]	RM [3][4]	MC [1][3]	MM [1][3]	MO [1][3]	MCS [1][3]	MCI [1][3]	ID	I	<p>Sec. 33-248.83. Uses.</p> <p>No land, body of water, or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered, or maintained for any purpose in the Urban Center (UC) or Urban Area (UA) Districts, except as provided in this article. The uses delineated herein shall be permitted only in compliance with the Regulating Plans and standards provided in this article. The following regulations outline permitted uses in the R (Residential), RM (Residential Modified), MC (Mixed-Use Corridor), MM (Mixed-Use Main Street), MO (Mixed-Use Optional), MCS (Mixed-Use Special), MCI (Mixed-Use Industrial), ID (Industrial District) and I (Institutional) Land Use Areas.</p> <p>* * *</p> <p>C. Table of Permitted Uses. Unless the regulations for a specific urban center district provide otherwise, the Land Use Groups in paragraph (B) of this <i>section</i> shall be permitted in the R (Residential), RM (Residential Modified), MC (Mixed-Use Corridor), MM (Mixed-Use Main Street), MO (Mixed-Use Optional), MCS (Mixed-Use Special), MCI (Mixed-Use Industrial), ID (Industrial District) and I (Institutional) land use categories in accordance with the following table:</p> <table><tr><th rowspan="2">LAND USE GROUP</th><th colspan="8">LAND USE CATEGORY</th></tr><tr><th>R [3][4]</th><th>RM [3][4]</th><th>MC [1][3]</th><th>MM [1][3]</th><th>MO [1][3]</th><th>MCS [1][3]</th><th>MCI [1][3]</th><th>ID</th><th>I</th></tr></table> <p>* * *</p> <p>[#] Footnote (as provided below)</p> <p><i>Footnotes:</i></p> <p>1. The vertical integration of uses shall be required in the MM category and shall be encouraged in the MC, MO, MCS, and MCI categories. When residential uses are provided in the MM category, uses other than residential</p>	LAND USE GROUP	LAND USE CATEGORY								R [3][4]	RM [3][4]	MC [1][3]	MM [1][3]	MO [1][3]	MCS [1][3]	MCI [1][3]	ID	I
LAND USE GROUP		LAND USE CATEGORY																																			
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provided in the MM category, uses other than residential shall be required on the first floor.

* * *

shall be required on the first floor. >>Self-service mini-warehouse storage facilities located in the MCS and MCI categories shall only be permitted upon approval at public hearing and when vertically integrated with, screened by, or located to the rear of habitable space, as defined in section 33-284.82, and shall only be established in accordance with the conditions set forth in section 33-255.<<

* * *

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**Item No. 2A
File No. 182117**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF PALMETTO BAY, A MUNICIPAL CORPORATION, FOR THE PROPERTY LOCATED AT 900 PERRINE AVENUE, PALMETTO BAY, FLORIDA, TO BE UTILIZED TO PROVIDE PROGRAMMING AVAILABLE TO THE SENIOR AND ELDERLY POPULATION OF MIAMI-DADE COUNTY (INCLUDING BUT NOT LIMITED TO THE RESIDENTS OF THE VILLAGE OF PALMETTO BAY), WITH A TOTAL RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE \$66,475.56 FOR THE INITIAL FIVE-YEAR TERM OF THE LEASE AND THE ADDITIONAL FIVE (5) ONE-YEAR RENEWAL OPTION PERIODS; DECLARING SUCH PROPERTY SURPLUS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution by the County Mayor of a Lease Agreement between Miami-Dade County and the Village of Palmetto Bay for the property located at 900 Perrine Avenue, Palmetto Bay, to be utilized to provide programming to the senior and elderly population of Miami-Dade County with a total rental revenue to the County estimated by be \$66,475.56 for the initial five-year term of the lease and the additional five one-year renewal option periods.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Section 125.38, pertains to the requirements that must be fulfilled by any municipality of the State of Florida that desires any real or personal property that may be owned by any County of the State or its board of county commissioners for public or community interest and welfare.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.38.html

Miami-Dade County Code, Section 2-8.6.5, governs the purchase, sale and lease of real property.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Resolution No. R-1264-75, adopted by the Board on December 2, 1975, approves a Lease Agreement between Miami-Dade County and the South Dade Chamber of Commerce for the property located at 900 Perrine Avenue, Palmetto Bay, to be utilized for its executive offices and meeting hall.

(As this resolution is not in Legistar, a copy is attached to this note).

Resolution No. R-333-15, adopted by the Board on April 21, 2015, establishes County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cave, District 8

Department/Requester: None

The proposed resolution has no procedural history.

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ANALYSIS

Since 1975, pursuant to Resolution No. 1264-75, the County has leased the subject property to the Greater South Dade/South Miami/Kendall Chamber of Commerce (Chambers South). The current lease expired on December 31, 2017, and Chambers South has remained a tenant on a month-to-month basis. However, due to financial constraints, Chambers South has requested to terminate its existing lease agreement with the County.

The Village of Palmetto Bay is interested in leasing the property to provide various programs for the senior and elderly population of the County (including, but not limited to the residents of the municipality). The proposed resolution seeks the Board's approval of the execution by the County Mayor of a Lease Agreement between Miami-Dade County and the Village of Palmetto Bay for the property located at 900 Perrine Avenue, Palmetto Bay, to be utilized to provide programming to the senior and elderly population of Miami-Dade County for an initial five-year term with an additional five one-year renewal option periods.

According to the Fiscal Impact Statement, the rental revenue to the County for the initial five years of the lease will be \$31,594 (\$2.91 per square foot annually), which includes an annual increase of two percent after the second year of the lease. The total rental revenue to the County for the initial five-year term, plus the five, one-year renewal option periods, will be \$66,475.56, which includes an annual increase of two percent.

The Fiscal Impact Statement specifies that the rent for the initial year is \$6,071. It explains that the rental rate has been discounted from the market rate, which ranges between \$22 and \$26 per square foot, as the Tenant is providing necessary services intended to promote community interest and welfare. During the term of the lease, the Tenant will be responsible for maintaining the property including paying for utilities, maintenance, cleaning, security, landscaping, repair and replacement of furniture, fixtures and equipment, and any and all other costs and expenses relating to the property. The Tenant is also responsible for phone and data-related installation and services.

Florida Statutes, Section 125.38, provides that " ... if any municipality of this State, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any County of this State or by its board of county commissioners, for public or community interest and welfare, then this ... agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for County purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property."

The proposed resolution seeks the Board's approval because the Village of Palmetto Bay requires the property for a use that would promote public or community interest and welfare; and such property is not otherwise needed for County purposes.

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Below is an aerial view of the property. Folio No. 33-5032-004-2610:



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**Item No. 2C
File No. 181434**

Researcher: JFP Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1 AND 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REGULATIONS PERTAINING TO ACCESSORY BUILDINGS; LIMITING THE SIZE AND NUMBER OF UTILITY SHEDS PERMITTED ON RESIDENTIAL LOTS; REVISING DEFINITION OF UTILITY SHED; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Sections 33-1 and 33-20 of the County Code to revise regulations pertaining to accessory buildings, limiting the size and number of utility sheds permitted on residential lots, and revising the definition of utility shed.

APPLICABLE LEGISLATION/POLICY

Section 33-1 of the Miami-Dade County Code provides applicable definitions, defining *utility shed* as an accessory detached storage building.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTIINGE_S33-1DE

Section 33-20 of the Miami-Dade County Code governs accessory buildings, defined as a secondary residence, garage, or other building or structure on a lot or parcel subordinate to and not forming an integral part of the main or principal building but pertaining to the use of the main building. An accessory building may include servant's quarters unless prohibited by existing deed restrictions.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTIINGE_S33-20ACBUUTSHSWPOFASHBOSTDEEL

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Javier D. Souto

Department/Requester: None

The proposed ordinance was deferred to no date certain at the July 16, 2018 Government Operations Committee meeting following a public hearing in which no members of the public elected to participate. Prior to deferral at his request, Commissioner Martinez inquired about the size of a standard shed and asked if there were any set back requirements or issues. Ms. Lourdes Gomez, Deputy Director for Miami-Dade County's Department of Regulatory and Economic Resources estimated the standard shed size permitted under the existing building code to be between 700 to 750 square feet and explained that the proposed ordinance sought to reduce the current zoning allowance.

ANALYSIS

The proposed ordinance amends Sections 33-1 and 33-20 of the Code of Miami-Dade County to reflect revised regulations pertaining to accessory buildings, new limitations in the size and number of utility sheds permitted on residential lots, and revisions to the definition of utility shed. The proposed ordinance seeks to enhance and protect the character of residential, single-family neighborhoods throughout unincorporated Miami-Dade County in response to the proliferation of the number, size, and scale of utility sheds in some residential areas of Miami-Dade County. The changes will not have a fiscal impact on the County as activities related to the implementation of the ordinance would be absorbed as part of ongoing activities.

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The table below shows the original sections of the Code of Miami-Dade County and the proposed changes to these sections of the Code underlined and in **bold**.

Section 33-1 of the County Code	Proposed changes to Section 33-1 of the County Code
<p>Sec. 33.1. - Definitions.</p> <p>For the purpose of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:</p> <p>(1) <i>Accessory building</i>. A secondary residence, garage, or other building or structure on a lot or parcel subordinate to and not forming an integral part of the main or principal building but pertaining to the use of the main building. An accessory building may include servant's quarters unless prohibited by existing deed restrictions. Also see <i>Guesthouse</i>.</p> <p style="text-align: center;">* * *</p> <p>(112.1) <i>Utility shed</i>. An accessory detached storage building.</p>	<p>Sec. 33.1. - Definitions.</p> <p>For the purpose of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:</p> <p>(1) <i>Accessory building</i>. A secondary residence, garage, or other building or structure on a lot or parcel subordinate to and not forming an integral part of the main or principal building but pertaining to the use of the main building. An accessory building may include servant's quarters unless prohibited by existing deed restrictions. Also see <i>Guesthouse</i>.</p> <p style="text-align: center;">* * *</p> <p>(112.1) <i>Utility shed</i>. A <u>single-story, non-habitable</u> detached storage building <u>that is accessory to the primary or principal building and designed and used primarily for storing tools, mechanical equipment, lawn and garden equipment, home accessories, personal belongings, and other similar objects.</u></p>

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**Item No. 3A
File No. 181989**

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00914 IN A TOTAL AMOUNT UP TO \$8,517,000.00 FOR THE PURCHASE OF PAINT AND PAINT RELATED PRODUCTS FOR VARIOUS COUNTY DEPARTMENTS FOR A TERM OF FIVE YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize establishment of *Prequalification Pool RTQ-00914* for the purchase of paint and paint related products for various County department for a term of five years, in a total amount up to \$8,517,000.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The proposed resolution has no procedural history.

ANALYSIS

The proposed resolution authorizes establishment of Prequalification Pool RTQ-00914, in a total amount up to \$8,517,000, for the purchase of paint and paint related products for various County department for a term of five years. Several departments would utilize this pool to maintain structures such as buildings, cruise terminals, offices, guard shacks, parking lots, public housing facilities, and railings, as the pool provides paint and related products.

The current pool's cumulative value is \$16,180,068 (for 11 years) and expires on November 30, 2018. A total of \$8,872,957.89 was allocated to the current pool's fifth and final OTR's Blanket Purchase Order; of that amount \$7,627,819.92 has been released (as of September 11, 2018), leaving a balance of \$1,245,137.97.

Six vendors responded to a Request to Qualify advertised under full and open competition. All vendors (listed below) are being recommended for inclusion in the pool.

Vendor	Principal Address	Local Address
Belzona Florida, LLC	14300 NW 60 Avenue, Miami Lakes, FL	Same
Caribbean Paint Company, Inc.	5295 NW 79 Avenue, Miami, FL	Same
Peggie B. Schulz, Inc. dba O-Gee Paint Company	6995 Bird Road, Miami, FL	Same
PPG Architectural Finishes, Inc. dba PPG Paints	One PPG Place, Pittsburgh, PA	1901-1903 NW 82 Street, Miami, FL
Sherwin-Williams Company	101 Prospect Avenue NW, Cleveland, OH	6232 South Dixie Highway, Miami, FL
Stein Paint Company (SBE)	545 W Flagler Street, Miami, FL	Same

OCA was unable to verify the local addresses in the Florida Department of State Division of Corporations website (Sunbiz.org). It is unclear from the item if Sherwin-Williams Company and PPG Architectural Finishes, Inc. dba PPG Paints do, in fact, qualify as local vendors under the County's Local Preference Ordinance, and if the 75 percent local vendor requirement prescribed by Resolution No. R-477-18 is being met.

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**Item No. 3B
File No. 181991**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00843 IN A TOTAL AMOUNT UP TO \$1,663,000.00 FOR THE PURCHASE OF FENCE MATERIALS FOR VARIOUS COUNTY DEPARTMENTS FOR A TERM OF EIGHT YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority to *Prequalification Pool No. RTQ-00843, Fence Materials*, in the amount of \$1,663,000 in order to replace fences surrounding County property such as fire stations, parks, and parking lots and to protect vehicles, buildings, and supplies from vandalism and/or theft.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs The County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development division regarding solicitation and contract language.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and

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services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

ANALYSIS

The proposed resolution is requesting Board authorizes the establishment of *Prequalification Pool No. RTQ-00843, Fence Materials*, in the amount of \$1,663,000 to replace fences surrounding County property such as fire stations, parks, and parking lots and to protect vehicles, buildings, and supplies from vandalism and/or theft

The specific allocation requests, for each user department is summarized below:

- The Aviation Department, funding source: Proprietary Funds, Amount \$326,000;
- Corrections and Rehabilitation, Funding Source: General Fund, Amount \$24,000;
- Miami-Dade Fire Rescue, Funding Source: Fire District, Amount \$40,000;
- Internal Services Department, Funding Source: Internal Service Funds, Amount \$47,000;
- Parks and Recreation and Open Spaces, Funding Source: General Fund, Amount \$680,000;
- Port Miami, Funding Source: Proprietary Funds, Amount \$10,000;
- Solid Waste Management, Funding Source: Proprietary Funds & General Funds, Amount \$261,000
- Transportation and Public Works, Funding Source: Operating- No PTP Funds, Amount \$275,000
- Total: \$1,663,000

The chart below illustrates the distribution of the cumulative and requested additional allocations by department.

Pre-Qualified Vendor	Principal Address	Sunbiz Status	DBPR Certificate Status	SBE	Local Vendor Status
Fence Masters Inc.	3550 NW 54 Street, Miami, FL 33142	Active	Active	Yes	Yes
SGA Management Inc.	1709 NW 79 Avenue, Doral, FL 33126	Active	Active	No	Yes
Total Connection Inc.	20451 NW 2 Avenue Number 120, Miami, FL 33169	Active	N/A	Yes	Yes

Of the three vendors currently in the pool, three are local (100%), which is above the 75% threshold required by Resolution No. R-477-18. The Mayoral Memorandum states that, to increase participation in the pool, an invitation to bid was sent to 1,555 vendors through the County's BidSync online bidding system. Additionally, an email blast was also sent to 307

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vendors registered under the applicable commodity codes and capable of providing fence materials to the county in order to notify them of the County's intention to advertise a solicitation to replace the current contract. The solicitation was also posted on the County's future solicitation website to garner industry feedback. The pool remains open to allow additional vendors that meet the prequalification criteria to be added.

OCA performed a search for commodity code 33095: (Recycled Fencing and Supplies) on the Business Management Workforce System's Certified Vendor Directory on September 06, 2018. Listed below are the local SBEs identified:

- CONWELL & ASSOCIATES CONSULTING COMPANY Miami, FL
SBE-G&S

ADDITIONAL INFORMATION.

CARR SMITH & ASSOCIATES, INC., Appellant, v. FENCE MASTERS, INC., Donald C. Ernst and C. Oliver Troutman, Donald O. McIntosh and Associates, After Fence Masters completed its construction, Florida East Coast Railway Company, the owner of adjoining property, sued Fence Masters, Ernst and Troutman for encroachment upon the railway's property. Fence Masters, Ernst and Troutman then filed a third party action against Smith and the subsequent surveyor. The trial court granted the railway company's motion for final summary judgment against Fence Masters, Ernst and Troutman, who in turn filed a motion for summary judgment against the surveyors. The trial court granted a partial summary judgment against Smith on the issue of liability. Smith then filed this appeal of the non-final order. The Court of appeals reversed and remanded on the theory that there were still material issues in dispute and the summary judgment should not have been levied against Smith

[https://www.westlaw.com/Document/14ef2f97b0dad11d9821e9512eb7d7b26/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/14ef2f97b0dad11d9821e9512eb7d7b26/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

Fence Masters, Inc. has been used by Immigration and Customs Enforcement, the GSA Department for the City of Miramar.
<http://fencemastersinc.net/high-security/>

SGA Management, Inc. has done work for the City of Hollywood and the City of Boynton Beach.
<http://steelbeamscolumns.com/what-we-do/>

**GOC Meeting: Sept 12, 2018
Research Notes**

**Item No. 3C
File No. 181994**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00564 FOR PURCHASE OF EMPLOYEE GROUP LEGAL SERVICES FOR THE HUMAN RESOURCES DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$15,400,000.00 OVER THE INITIAL FIVE-YEAR TERM AND ONE, TWO-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize the award of a contract to ARAG Insurance Company., for the purchase of employee group legal services for the Human Resources Department for an initial five-year term and one, two-year option to renew in an amount of up to \$15,400,000.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and

purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

<https://library.municode.com/fl/miami>

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[dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directed The County Mayor to disclose to the Board the reasons Goods and Services are not being procured through local businesses when recommendation is to award contracts to non-local vendor or establish a pre-qualification pool of vendors where less than 75% of the pool members are local business.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-943-10, adopted by the Board on September 21, 2010, authorized the execution of an agreement in the amount of \$12,392,000 with ARAG Insurance company to obtain an employee group legal services program.

<http://intra/gia/matter.asp?matter=101610&file=true&yearFolder=Y2010>

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Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

ANALYSIS

This item is requesting Board authorization for award of a contract to ARAG Insurance Company., a non-local vendor located at 500 Grand Avenue, Suite 100 Des Moines, IA 50309, for the purchase of employee group legal services for the Human Resources Department for an initial five-year term and one, two-year option to renew in an amount of up to \$15,400,000. The solicitation was submitted to 4,855 vendors through the County's online bidding system, BidSync, and 63 vendors viewed the solicitation. The Small Business Development (SBD) division was contacted in an effort to identify local vendors that could provide this service. SBD identified 7 local vendors, which were notified of the solicitation via email. The additional efforts resulted in five proposal, of which none were local vendors.

Per the Project Administration module of the County's e-Procurement System, the fiscal impact to WASD for the initial five-year term and one, two-year option to renew is \$15,400,000. The funding source for this contract is the Self Insurance Fund. Pricing for the Employee Group Legal Services for the Human Resources department, is inclusive of voluntary group prepaid legal services offered to County employees and their eligible dependents. The plan provides in-network and non-network attorney fees. For in-network attorneys, the full cost of the attorney fees for covered services is paid by the plan. For non-network attorney, the participant will be reimbursed for the attorney fees for covered services up to the established amounts.

The plan benefits include: Professional legal assistance with Wills, Estate Planning, Real-Estate matters, Bankruptcy, Financial Education and Counseling, Identity Theft, and Legal Document preparation, among other services. The plan provides the services through telephone advice and office consultations, however, the plan cannot be used by its members for actions or disputes against their employer, the plan underwriter, or any party when coverage is prohibited by law, or for matters arising out of the employee's employment.

The previous contract (RFP724) was effective on October 06, 2010 and is scheduled to expire on December 31, 2018. The previous contract was valued at \$19,448,800 for an eight-year term. The recommended contract is for approximately \$4,000,000 less, but also for 3 years less as well. The current contract has a yearly rate of \$2,431,100, while the recommended contract has a yearly rate of \$3,080,000.

The Market Research for this procurement indicates that the initial contract was awarded to ARAG Insurance Company, on October 06, 2010, to provide Employee Group Legal Services. Over the years a contract renewal was exercised and supported by the following contract: RFP724-1 option to renew.

The contract's Commodity Code is 96172 (Transcription Services: Academic, Braille, Legal, Medical, Electronic Duplication, etc.). The following SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned code.

- CLAIMS AND LITIGATION MANAGEMENT CONSULTANTS, LLC, Miami, FL
SBE-G&S

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ADDITIONAL INFORMATION.

Per the Market Research, Lake County, FL disqualified ARAG Insurance Company from their Request for Proposal (RFP) 17-0010 because ARAG had items that they continued to want to be “proprietary and confidential”. Per the Lake County Attorney’s Office, any information that is proprietary and confidential shall not be made public knowledge. Due to the extent of their proprietary and confidential information that directly relates to the evaluation criteria, it is determined that ARAG Insurance Company responses cannot be evaluated during the public meeting. Please note that Lake County’s evaluation criteria was based on the followings qualifications and pricing:

Benefit Provisions –

1. Ability to provide the requested benefit plan designs;
2. Administrative Services including simplicity of administration, reporting capabilities, flexibility and accessibility in working with the client, and electronic capabilities;
3. Net Cost Considerations – Competitive program costs
4. Reports from direct and indirect references.
5. Responsiveness and completeness of the written proposal to these instructions with regard to the Scope of Services.

<https://lakecountyfl.civicclerk.com/Web/GenFile.aspx?ad=8744>

Miami-Dade County Public Schools uses ARAG Insurance Company to provide legal services for their employees.

<http://pdfs.dadeschools.net/RiskMgmt/ARAGLegal-SrAdvocate.pdf>

**GOC Meeting: Sept 12, 2018
Research Notes**

**Item No. 3D
File No. 182051**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00880 IN A TOTAL AMOUNT UP TO \$5,691,000.00 FOR THE PURCHASE OF SPECIAL EVENT EQUIPMENT RENTAL FOR VARIOUS COUNTY DEPARTMENTS FOR A TERM OF EIGHT YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority to *Prequalification Pool No. RTQ-00880*, for the purchase of special event equipment rental, in the amount of \$5,691,00.00 for a term of eight years, in order to have tents, tables and chairs, linens, lights, stage equipment, podiums and microphones.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs The County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development division regarding solicitation and contract language.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Resolution No. R-397-18, adopted by the Board on May 1, 2018, approving additional expenditure authority in a total amount up to \$575,000.00 for pre-qualification Pool No. 8341-1/18-1 for purchase of equipment rentals for Port Miami.

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<http://www.miamidade.gov/govaction/matter.asp?matter=180330&file=true&fileAnalysis=true&yearFolder=Y2018>

Resolution 1425-08 introduced to the Board on December 1, 2008, authorizing award of competitive contracts, and authorize the county mayor or county mayor's designee, authority to exercise options-to-renew established thereunder, a bid rejection, contract modifications and award of competitively bid contracts of other governmental entities for the purchase of goods and services [see original item under file no. 083427].

<http://intra/gia/matter.asp?matter=083571&file=true&yearFolder=Y2008>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

ANALYSIS

The proposed resolution is requesting Board authorization, for the establishment of *Prequalification Pool No. RTQ-00880, for the purchase of special event equipment rental*, in the amount of \$5,691,000.00 in have available tents, tables and chairs, linens, lights, stage equipment, podiums and microphones.

The Fiscal impact is in the amount of \$5,691,000.00 with a term of 8 years. The current pool, 8341-1/18-1, is valued at \$6,225,000 for a 10- year term and expires on January 31, 2019. The allocation under the replacement pool is higher than the previous pool because of an operational need for tents that serve as temporary cruse terminals when a terminal or berth is unavailable. Failure to provide areas to service these vessels can equate to hundreds of thousands of dollars in lost revenue to the County per vessel.

The specific allocation requests, for each user department is shown below:

Department	Funding Source	Allocation
Animal Services Department	General Fund	\$ 232,000
Aviation Department	Proprietary Funds	\$ 48,000
Corrections and Rehabilitation	General Fund	\$ 12,000
Elections, Funding Source	General Fund	\$ 160,000
Medical Examiner	General Fund	\$ 48,000
Parks and Recreation and Open Spaces	General Fund	\$ 458,000
Port Miami	Proprietary Funds	\$4,480,000
Public Housing and Community Development	Federal Funds	\$ 16,000
Regulatory and Economic Resources	Proprietary Funds	\$ 42,000
Solid Waste Management	Proprietary Funds & General Funds	\$ 71,000
Transportation and Public Works	DTPW Operating- No CITT Funds	\$ 124,000
Total		\$5,691,000

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The chart below illustrates the current vendors in the pool.

Pre-Qualified Vendor	Principal Address	Sunbiz Status	DBPR Certificate Status	SBE	Local Vendor Status
FIESTA CAROUSEL INC	991 W 22 Street, Hialeah, FL 33010	Active	No	No	Yes
Sunshine Tents and Event Rentals, LLC	2322 SW 58 Terrace, West Park, FL 33023	Active	No	No	Yes

Below is the list of the local vendors under review from the most recent solicitation.

Vendor	Principal Address	Local Vendor
A 2 nd Chance Party Rental, Inc. dba Genair Event of South Florida- Local (SBE)	18309 SW 152 Avenue, Miami, FL	Yes
Glens Tent and Table Rental Service Inc. -Local (SBE)	8000 NW 56 Street, Doral, FL	Yes
SBS Investment of Dade County dba Christina's Party Rentals	9740 E. Evergreen Street, Miami, FL	Yes

Of the two vendors currently in the pool, two are local (100%), which is above the 75% threshold required by Resolution No. R-477-18. The Mayoral Memorandum states that 2,927 vendors were notified through the County's BidSync online bidding system. To increase participation in the pool all current pool vendors were notified by email before the solicitation was advertised and after it closed. As a result of these efforts three new applications were received, of which are all local and are currently under review. The pool will remain open to allow additional vendors that meet the prequalification criteria to be added.

OCA performed a search for commodity code 98172: (Tents, Tarpaulins and Supplies Rental or Lease) on the Business Management Workforce System's Certified Vendor Directory on September 06, 2018. Listed below are the local SBEs identified:

- A 2nd Chance Party Rental, Inc., dba Genair Event of South Florida Miami, FL
SBE-G&S (Which is currently under review)

**GOC Meeting: Sept 12, 2018
Research Notes**

**Item No. 3E
File No. 182052**

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00888 IN A TOTAL AMOUNT UP TO \$97,058,000.00 FOR THE PURCHASE OF ELECTRICAL AND ELECTRONIC COMPONENTS, TOOLS, PARTS, AND SUPPLIES FOR VARIOUS COUNTY DEPARTMENTS FOR A TERM OF EIGHT YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of a prequalification pool for the purchase of electrical and electronic components, tools, parts and supplies for various County departments in a total amount of up to \$97,058,000 for a term of eight years.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami -
dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 29-124 of the County Code sets forth the role of the Citizens' Independent Transportation Trust and provides that where no surtax proceeds are used to fund a contract, no County funds may be used to pay the costs of a contract where the portion procured by or on behalf of Miami-Dade Transit or for transit-related procurements is valued at over one million dollars unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a majority vote. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

[https://library.municode.com/fl/miami -
dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUS
E212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUS_E212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

GOC Meeting: Sept 12, 2018
Research Notes

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods or services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

This item has no procedural history.

ANALYSIS

This item is requesting Board authorization to approve a replacement pool for purchase of electric and electronic components, tools, parts and supplies for multiple County departments for a value of \$97,058,000 for a term of eight years. The pool includes two groups: (1) Electrical components, tools, parts and supplies and (2) Electronic components, tools, parts and supplies. Prequalified vendors will be invited to participate in spot market competitions as needed by a user department. Such spot market competition shall be in the form of an ITQ or WOPR and include the specific solicited goods and/or services.

Per the solicitation, electrical components may include, but not be limited to, conduit fittings, raceways, boxes, ducts, wiring devices, service equipment, panel boards, emergency lighting, capacitors, relays, fans and circuit breakers. Electronic components may include, but not be limited to, adapters, specialized electronic cables, jacks, plugs, static controls, terminal clocks, surge protectors and filters.

The Transportation and Public Works and Water and Sewer departments have requested the largest allocations for the replacement term, i.e., \$20,000,000 and \$41,078,000, respectively. Note that the Regulatory and Economic Resources Department does not have an allocation under the replacement pool though it has an allocation under the current pool.

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The fiscal impact for the eight-year term is \$97,058,000, which is based on estimated usage. The current pool (#8757-1/18) is valued at \$120,000,000 for a term of 10 years, expiring on March 31, 2019. The annual allocation under the replacement pool is \$12,132,250 while the annual allocation under the current pool is \$12,000,000.

The solicitation was advertised on April 26, 2018. Twelve vendors responded to the solicitation, of which seven are being recommended for inclusion in the pool. Of that seven, four are SBEs. Moreover, of the recommended vendors, all are incumbents from the current pool except Romaine Electric Corporation. Note that Romaine Electric Corporation has an “Inactive” status on sunbiz.org, the official State of Florida Division of Corporations website. The event date filed is March 28, 2008.

According to the Market Research, the current pool has 60 active prequalified vendors. The mayoral memorandum attributes the significant decline in pool membership to the replacement pool’s updated requirements, yet those requirements are neither explained nor set forth in the agenda item.

The commodity codes for the solicitation are: 06037, 17549, 28534, 28561 and 28569. The solicitation includes a SBE set-aside for spot market competition where there are three or more certified firms available. A September 11, 2018 search of the Business Management Workforce System found the following vendors per referenced commodity code:

- 06037 (Electrical Parts, Not Ignition): Global Caribe, Inc.; Paramount Electric and Lighting, Inc.; and PER CAR, Inc.
- 28534 (Fuses, Fuse Blocks and Holders, Links): B & R Electronics Supply, Inc.; Electropower Utility Sales Company; Miami Breaker, Inc.; Ready Components, Inc.; Rock International Distributors, Inc.; and World Security & Electric, LLC
- 28561 (Meters, Indicating and Recording of Power Consumption, Hand Held, Voltage, Amperage): B & R Electronics Supply, Inc.; Electropower Utility Sales Company; Generating Systems, Inc.; Green-Energy-Products.com, LLC; and Ready Components
- 28569 (Misc. Electrical Equipment and Supplies): CMS International Group, Corp.; Condo Electric Industrial Supply, Inc.; Go Green Document Solutions, Inc.; Green-Energy-Products.com, LLC; Lighting Warehouse Corp.; Pro Electric Solutions, Inc.; Ready Components, Inc.; Systems Integration & Maintenance, Inc.; and Sytec-USA, Inc.

Nothing was found under Commodity Code 17549.

**GOC Meeting: Sept 12, 2018
Research Notes**

**Item No. 3F
File No. 182054**

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00862 IN A TOTAL AMOUNT UP TO \$21,693,000.00 FOR FIRE SUPPRESSION SYSTEMS SERVICES FOR VARIOUS DEPARTMENTS FOR A TERM OF EIGHT YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of a prequalification pool for purchase of fire suppression systems services for various County departments in a total amount of up to \$21,693,000 for a term of eight years.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 29-124 of the County Code sets forth the role of the Citizens' Independent Transportation Trust and provides that where no surtax proceeds are used to fund a contract, no County funds may be used to pay the costs of a contract where the portion procured by or on behalf of Miami-Dade Transit or for transit-related procurements is valued at over one million dollars unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a majority vote. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUS_E212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**GOC Meeting: Sept 12, 2018
Research Notes**

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods or services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

This item has no procedural history.

ANALYSIS

This item is requesting Board authorization to approve the establishment of a prequalification pool for fire suppression systems services for multiple County departments for a term of eight years in an amount of up to \$21,693,000. The solicitation includes three groups: (1) Wet Agent Systems; (2) Dry Agent Systems; and (3) Pre-Engineered Systems.

To qualify for Group 1, the vendor shall be certified by the State of Florida as a Contractor I or II. To qualify for Group 2, the vendor shall be certified by the State of Florida as a Contractor I or III. To qualify for Group 3, the vendor shall hold a Class D license issued by the State Fire Marshal. Prequalified vendors will be invited to participate in spot market competitions as needed in the form of a RFQ or WOPR that will include the solicited goods and/or services.

Per the solicitation, a fire suppression system controls and extinguishes fires without human intervention protecting the interior and/or exterior of a building. Such systems and their components include, but are not limited to, control panels; cylinders; pre-action, dry-pipe, wet-pipe, and deluge sprinklers; chemical agents; fire pumps and kitchen hoods. The scope of services consists of fabricating, installing, inspecting, altering, repairing and servicing fire suppression systems. All work to be issued under the pool must be submitted to SBD prior to advertisement for review for applicability of SBE construction measures, CWP and responsible wages. According to the Market Research, the County conforms to the National Fire Protection Association and Florida Fire Prevention standards for the inspection, testing, and maintenance of water-based fire protection systems.

GOC Meeting: Sept 12, 2018
Research Notes

The fiscal impact for the eight-year term is \$21,693,000. In an effort to promote administrative efficiency, this pool consolidates two contracts covering similar services: Contract No. 0751-0/18 is valued at \$6,798,714 for a term of five years and three months, expiring on January 31, 2019, and Contract No. 5870-0/15 is valued at \$10,559,197 for a term of seven years, expiring on May 31, 2018. The Aviation and Internal Services departments have requested the largest allocations for the pool term, i.e., \$12,000,000 and \$2,360,000, respectively.

The solicitation was advertised on April 2, 2018. Seven vendors are being recommended for inclusion in the pool. Two of those vendors were awardees under Contract No. 0751-0/18 – All Fire Services, Inc. and National Fire Protection, LLC. National Fire Protection, LLC was also an awardee under Contract No. 5870-0/15.

The commodity code for the solicitation is 99042 (Fire Alarm and Safety Services, Including Installation of Equipment). A September 11, 2018 search of the Business Management Workforce System found the following SBE-G&S firms under that code:

- Active Fire Sprinklers, Inc.
- All Quality Electrical Services, Inc.
- All Star Electrical Services, Inc.
- Ampstrong Electric, Inc.
- Canesco Electrical Contractors, Inc.
- Central Fire Sprinkler System, Inc.
- CHI Alarms, Inc.
- CJ Fire Protection, Inc.
- Done Wright A/C and Electric Service, Inc.
- Florida Fire Alarm, Inc.
- Generation Electrical Services, Corp.
- J.P. Morgan, Inc.
- Metro Dade Security System, Inc.
- Nicola Electric, Inc.
- Protective Security Solutions, Inc.
- Quality Wiring, Inc.
- Speedy Fire Protection, Inc.
- World Security & Electric, LLC