



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

**Board of County Commissioners Meeting**

November 8, 2018  
9:30 A.M.  
Commission Chambers

Thomas B. Davis, Esq.  
Director, Policy and Legislation  
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**Research Notes**

**Item No. 5B**  
**File No. 182333**

**Researcher: IL Reviewer: PGE**

RESOLUTION REVISING THE INVENTORY LIST OF REAL PROPERTY, AFTER A PUBLIC HEARING, TO INCLUDE ONE COUNTY-OWNED PROPERTY LOCATED AT 6180 S.W. 63RD TERRACE, MIAMI, FLORIDA (FOLIO NO. 09-4025-009-0010), ON SUCH LIST IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF SUCH PROPERTY TO MIAMI ASSOCIATION OF REALTORS, INC., A 501(C)(6) NOT-FOR-PROFIT ORGANIZATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTY WITH AN AFFORDABLE SHIPPING CONTAINER HOME TO BE SOLD TO A LOW-INCOME HOUSEHOLD; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED AND TO ENSURE THAT ASPECTS OF THE MIAMI-DADE INFILL HOUSING INITIATIVE PROGRAM ARE APPLIED DURING THE DEVELOPMENT PHASE OF THE COUNTY PROPERTY AND THE SALE OF THE AFFORDABLE SHIPPING CONTAINER HOME TO A LOW-INCOME HOUSEHOLD; AND WAIVING THE REQUIREMENTS OF RESOLUTION NOS. R-525-10, R-61-12 AND R-145-17 AND IMPLEMENTING ORDER NO. 3-44 RELATED TO PLACEMENT OF APPROPRIATE COUNTY SIGNAGE THAT INCLUDES THE COUNTY LOGO, THE NAME OF THE DISTRICT COMMISSIONER AND THE TYPE OF HOUSING TO BE CONSTRUCTED ON THE COUNTY PROPERTY

**ISSUE/REQUESTED ACTION**

Whether the Board should 1.) authorize the conveyance of one County-owned property to the Miami Association of Realtors, Inc., a 501(C)(6) Not-For-Profit organization at a price of \$10.00, for the purpose of developing such properties with affordable shipping container home to be sold to a low-income household, 2.) authorize the County Mayor or County Mayor's designee to take all action necessary to enforce the provisions set forth in such County deed and to ensure that aspects of the Miami-Dade Infill Housing Initiative (Infill Program) are applied during the development phase of the County Property and the sale of the affordable shipping container home to a low-income household, and 3.) Waive the requirements of Resolution Nos. R-525-10, R-61-12 and R-145-17 and Implementing Order No. 3-44 related to placement of appropriate County signage that includes the County logo, the name of the district commissioner and the type of housing to be constructed on the County property.

**APPLICABLE LEGISLATION/POLICY**

Section 125.379(1) of the Florida Statutes, (Disposition of County property for affordable housing) requires each County to prepare an inventory list at least every three (3) years of all real County properties that are appropriate for use as affordable housing and further allows the governing body of the County to revise the inventory list upon conclusion of a public hearing held before the governing body.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.379&URL=0100-0199/0125/Sections/0125.379.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.379&URL=0100-0199/0125/Sections/0125.379.html)

Section 125.379(2), of the Florida Statutes, (Disposition of County property for affordable housing) Properties identified as appropriate for use as affordable housing on the inventory list may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.379&URL=0100-0199/0125/Sections/0125.379.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.379&URL=0100-0199/0125/Sections/0125.379.html)

Section 125.411, of the Florida Statutes, (Conveyance of land by County) relates to deeds of conveyance of lands.

<http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App>

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[mode=Display Statute&Search\\_String=125.411&URL=0100-0199/0125/Sections/0125.411.html](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.PUSALEREPR)

Section 2-8.6.5, of the Code of Miami-Dade County, 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.PUSALEREPR](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.PUSALEREPR)

Section 17-121, of the Code of Miami-Dade County, relates to the Infill Program, whose purpose is to increase the availability of affordable homes for very low, low and moderate income persons, maintain a stock of affordable housing, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, to equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH17HO\\_ARTVIINHAIN\\_S17-121TIPU](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH17HO_ARTVIINHAIN_S17-121TIPU)

Implementing Order No. 3-44, establishes the process for the implementation and management of the Infill Program for Miami-Dade County, whereby the procedures are established to carry out the goals of the Infill Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-44.pdf>

Administrative Order No. 8-4, states that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification, if applicable.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Resolution No. R-974-09, adopted on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

Resolution No. R-525-10, adopted on May 4, 2010, establishes a policy that persons or entities receiving County funding display the County logo or otherwise appropriately recognize the County in materials and signs related to the project and directing the County Mayor or his designee to include a provision so requiring in grant contracts.

<http://intra/gia/matter.asp?matter=100750&file=true&yearFolder=Y2010>

Resolution No. R-376-11, adopted on May 3, 2011, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2011/R-376-11.pdf>

Resolution No. R-333-15, adopted 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.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

Resolution No. R-450-15, adopted on May 19, 2015, declares surplus of 53 County-owned properties, authorizing the public sale of same to the highest bidder for each respective property, for no less than 75 percent of assessed market value as determined by the office of the Property Appraiser at the time of sale or 75 percent of appraised value as determined by an independent state certified appraiser for those properties with assessed market value greater than \$50,000.00.

<http://intra/gia/matter.asp?matter=151377&file=false&yearFolder=Y2015>

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Resolution No. R-145-17, adopted on February 2, 2017, amending Implementing Order No. 3-44 related to the administration of the Miami-Dade County infill housing initiative; program; revising definitions, establishing procedures, program fees and reporting requirements for the administration of the program; approving Infill Program guidelines.  
<http://intra/gia/matter.asp?matter=170776&file=false&yearFolder=Y2017>

Resolution No. R-380-17, adopted by the Board on April 4, 2017, established the policy requiring the County Mayor to provide written notification to the District Commissioner in which the County-owned property lies no less than four (4) weeks prior to placing any item on the agenda requesting approval of the sale, lease or surplus of County-owned property.  
<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

Resolution No. R-979-17, adopted on November 7, 2017, declared the County properties at issue in the proposed resolution surplus and added such properties to the County's inventory list of affordable housing sites.  
<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-979-17.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Xavier L. Suarez, District 7**

Forwarded to BCC with a favorable recommendation by Housing and Social Services Committee, prior to passing the following discussion took place:

Commissioner Joe Martinez: It's not affordable housing at \$180,000.00. A regular home with a yard is about \$72.00 sq ft. This at 70 is way too expensive and at \$180,000.00 is too much money. The idea is commendable but the cost is not affordable. This is not right for the people you are targeting.

Commissioner Xavier Suarez: \$70.00 sq ft is typically half of what I get from the department, I typically never get them to go below \$125.00 sq ft for affordable housing. It is \$70.00 sq ft if the unit is 600 sq ft you are talking \$45,000 dollars, that must be for the one that is much larger.

Commissioner Joe Martinez : If you are getting it for \$70.00, yet you are selling it for \$180,000.00

Daniel Blake, Miami Realtors: this is a prototype study, the land is included with this, and there is a deed restriction for income qualified to 80% restriction with three (3) 20 year renewable verification periods up to 60 years on the property. There are also landscaping costs. City is asking \$25,000.00 for landscaping costs. We are working on identifying the barriers and working through them/

Commissioner Joe Martinez: I don't need that, I just need the cost of the actual container. How big is it?

Daniel Blake, Miami Realtors: 480 sq ft, and the land is \$3,200.

Commissioner Joe Martinez: If I call the construction industry BASF and I ask them the average cost of sq ft including land and including landscaping is \$72.00 a sq ft for a small home and for a larger home its less, than what is this costing? 150/200 sq ft.

Daniel Blake, Miami Realtors: 480 Sq-ft you have sewer laterals, landscaping etc.

Commissioner Joe Martinez: When I buy a home now all of that is included don't separate it, it is bought turn key

Daniel Blake, Miami Realtors: That is why we are doing the study commissioner to identify these costs.

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Commissioner Joe Martinez: Yes but you are doing this study with Tax payer land because you are wanting us to donate the land. I think the idea is noble but this is not affordable.

Daniel Blake, Miami Realtors: commissioner we came up with that figure based on AMI if you work with me I can show you how we came up with that figure.

Commissioner Joe Martinez: regardless of the price, you are asking me to donate land for a container, to be sold at \$180,000.00 I think it's unreasonable.

Daniel Blake, Miami Realtors: remember that is market value, if it sells for less it could potentially sell for less.

Commissioner Joe Martinez: you are looking at \$375 sq ft at the current price of \$180,000.00.

Commissioner Levine Cava: This particular project, I am going to defer to the commissioner of the district that this project is taking place. What I am trying to get at is what is the base cost, without the landscaping and other factors, just basic home that can be used by people like folks in the farm community and how portable it is.

Commissioner Audrey Edmonson: if you were doing this in unincorporated Dade where the additional costs would not exist (UMSA).

Timothy Dunalp CPods: We design and build the container structures fabrication company and our price points are \$100,000.00 based on 640 sq ft property and this would be turn-key, including tie downs, concrete foundation, finishing, framing, insulation, sheet rock, plumbing, MEP, Structural, documentation and drawings.

Commissioner Levine Cava: \$100,000.00 for one bedroom units.

Timothy Dunalp CPods: it's actually for 640 sq ft we can be creative on how we setup the design

Commissioner Levine Cava: What is the smallest feasible unit?

Timothy Dunalp CPods: that would be half of that 48,000 sq ft and it would be 320 sq ft.

Commissioner Levine Cava: How portable are these units?

Timothy Dunalp CPods: very portable, low bed truck, 18 wheeler drives container to the location moves the unit with a hydraulic lift.

Commissioner Levine Cava: other than the fact that this is a piece of property that is going to be gifted by the County is there any other barrier other than that?

Timothy Dunalp CPods: as long as the City/County is a yes, that is the biggest hurdle.

Commissioner Levine Cava: What is the limitation on the use of this type of unit in the County?

County Attorney: There is no legal impediment related to shipping containers, however, it may be a zoning issue. There are other applications by which shipping containers are used (restaurant) throughout the County.

Commissioner Levine Cava: Do you have an unlimited amount of shipping containers.

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Miami Realtors: yes we have an abundant amount (3k-5k), we can also use

Commissioner Levine Cava: will we run out of containers.

Miami Realtors: no we are primarily an import Country,

Commissioner Levine Cava: the price point is for used containers we are not building new containers.

Miami Realtors: and we can either repurpose retired containers (that have had several trips) or use the runoff containers that come from other Countries and are newer. We can look for the best containers to do this fabrication of the Units.

Commissioner Levine Cava: are there other companies doing this type of work in Miami-Dade County at this time.

Miami Realtors: about 3 or 4 Little River being one of those.

Gail Zanduando: about 10 containers that come to this Country 4 leave, there is an abundance of containers will not be an issue. This project that we are doing in South Miami is a prototype, we have learned about the impediments, it is a learning process. We are currently working on a study on the affordability of this program.

Commissioner Levine Cava: we will contact you at a later time for the study.

Commissioner Barbara Jordan: I would think that the cost associated with the homes in South Miami have to do with location. Municipalities have their own zoning laws and qualifications costs, just to hear that they are tagging on a 25k landscaping costs lets me know that they don't want you there in the first place because you are getting a lot of obstacles to the development. The fact that you want to take it on has moved the project from affordable to more workforce. We should be open to the different types of housing period. People that are also in the workforce category also have a problem keeping up with the cost of housing. There is a need for affordable low income workforce housing. I do see it as a benefit, but the size and cost takes it out of the realm of affordable housing and puts it more to me in the workforce category, The other thing I think it was commissioner Raleigh, who set up a meeting with me and gave me a brochure for container homes, I have not gotten a chance to visit the site but now that I know you are doing something in Opa Locka I will visit that site. There is a need all across Miami-Dade County, the more innovative we can be and take away obstacles the better, I will be supporting the sponsor.

Commissioner Edmonson: I know this is a pilot project that will be testing feasibility, capacity wind storms, like I said to you all before, maybe try unincorporated Dade, because like I said to you before you should try unincorporated Dade, because when you hit some of these municipalities they don't want affordable housing and they hit you with permitting fees such as the landscaping fee and this causes the price to rise. I will support it but I need to see how this works out, how long will it take you to do the testing.

Miami Realtors: Our plans have been approved, if you were to grant us the land we have a question regarding waiving impact fees.

Commissioner Edmonson: we do not waive impact fees.

CAO: They may qualify for waiver of impact fees if they are selling property to low income buyer.

Commissioner Barbara Jordan: What is the value of the land?

Commissioner Edmonson: 133K that's what I was told in briefing.

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CAO: If you look at hand written page 15, Property appraisers, land is valued at \$70,400.00.

Commissioner Edmonson: Where did I get \$133k from?

CAO- The assess value according to property appraisers, \$30,921.00.

Commissioner Edmonson: On the South Miami Prototype page the value is \$133,699.00

Miami Realtors: That was our original estimate in April. The study will provide a timeline of documentation.

Commissioner Martinez: What is the difference between a 501 (c)(3) and a 501 (c)(6).

Miami Realtors: We are a 501 (c)(6) civic organization and that's a difference in code.

Commissioner Martinez: Can you donate to campaigns?

Miami Realtors: We have a separate PAC for that.

Commissioner Martinez: The lot is 3,200 sq ft, Madame chair what are they going to test?

Miami Realtors: These are constructed offsite in a warehouse.

Commissioner Martinez: But where are these units tested?

Miami Realtors: They will inspected offsite.

Commissioner Xavier Suarez: I would ask that Mr. Fantuer and Director Lieu take a microphones, Mr. Fantuer I believe you are the head of the CRA of South Miami?

Evan Fantuer: Yes Sir.

Commissioner Xavier Suarez: but you can answer questions regarding the City's involvement in the \$25k dollar landscaping.

Evan Fantuer: the landscaping plan is something the City manager and I have learned together. There are city advisory boards and they are the ones that required the landscaping plan, we are trying to get it waived.

Commissioner Xavier Suarez: Perhaps you can get me in touch with the leadership in South Miami so we can get it waived. Now commissioner Martinez is absolutely right to question the numbers, the number are just not lining up. The land is being given to you at a low cost (10 dollars). What had the cost been had it been sold at Market value?

CAO: it would have been sold at the market price based on the property appraisers office \$70,400.00 and if you were to bid it out under separate statute it would be to the highest bidder. Commissioner Martinez calculates these numbers the same way I do and the numbers don't make sense. I don't agree that 72 dollars is any kind of a market figure for sq ft.

Commissioner Joe Martinez: What I said is that is their cost.



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Commissioner Xavier Suarez: I have found one developer that says if you don't have an economy of scale maybe you can get at as low \$75.00. But in your calculations of affordable housing (subsidized housing) have you ever estimated anything below \$125.00 a sq ft,

Mr. Lieu: Only on rehabs but not on new construction.

Commissioner Xavier Suarez: Even if we were to estimate \$125.00 a sq ft this pilot unit is less than 480 sq ft, so at a 125.00 sq ft times 5 should be 62,500.00+ 25k for landscaping, how do you get to 180k?

Mr. Lieu: the idea was to work with them (Miami Realtors) to scale it based on AMI 80% affordability to see what the maximum price that could be charged.

Commissioner Xavier Suarez: But Mr. Director we are trying to go in the opposite direction. Is there any sense here that these folks are doing a market study that generates a soft costs? Typically a none profit has no profits but are they making some money because this is a unique prototype. You are saying no back there Ma'am can you put it on the record.

Daniel Blake Miami Realtors: I will submit letter for the record we have to provide a report back to the committees that oversee the grants we are applying for.

Commissioner Xavier Suarez: That is not our money, so you are going to make money on this project.

Daniel Blake, Miami Realtors: We are not making any money on this, on the low end we are estimating \$166,000 and on the high end, for engineering, the build out, sewer laterals.

Commissioner Xavier Suarez: What you are telling us is that for 480 sq ft pre-fab used containers, you are going to exceed the \$125 sq ft which is already \$50.00 which is more than what commissioner Martinez feels he can get in the market. WE cannot do this for \$62,500 if we get rid of the landscaping fee?

Daniel Blake, Miami Realtors: What commissioner Martinez is saying, I spoke with BASF and...

Commissioner Xavier Suarez: I'm not using that figure I'm using the \$125.00.00

Daniel Blake, Miami Realtors: The quote that the GC is giving us for what the City wants us to do is \$75,418.00, not including the container.

Commissioner Xavier Suarez: Now we are getting close to the figure we were looking for. I don't know where the 180,000.00 figure came from, and that is a nice figure because we can get a lot of tax exemption up to \$75k that fit the model of what it is we are trying to do in the County.

Commissioner Barbara Jordan: I recommend to defer based on discrepancies of the cost.

Commissioner Xavier Suarez: Don't we have enough flexibility going forward that we can pass the item and we can get clarification on these other issues prior to the next BCC meeting.

Commissioner Levine Cava: The deferral is not on the table at this time because they have a grant.

Commissioner Audrey Edmonson: By the time it gets to the BCC we need to have better figures, need to hear some figures that I can calculate in my head.

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**ANALYSIS**

On August 10, 2018, the Miami Association of Realtors (MAR) submitted an application to Commissioner Suarez requesting that the County convey one (1) County-owned vacant property located in District 7, in order to build affordable housing for sale to low income households. According to Section 17-121 of the Code of Miami-Dade County, “any County owned parcel or parcels of property identified as appropriate for infill housing may be transferred, sold or otherwise conveyed to a qualified developer through a competitive solicitation established by the County or in accordance with Section 125.379 (2), Florida Statutes, for the development of infill housing”. Section 125.379, Florida Statutes, provides that “the properties identified as appropriate for use as affordable housing on the inventory list adopted by the County may be offered for sale ... or may be donated to a non-profit housing organization for the construction of permanent affordable housing.”

The proposed resolution to authorize conveyance of said properties to MAR, at a price of \$10.00, would further the purpose of making affordable housing available to needy households in accordance with the Infill Program.

The proposed resolution’s Fiscal Impact will save the County the cost of monitoring the properties and maintaining the lawn at a cost of \$140.00. In addition, the new homes will generate real estate taxes for the County.

The purpose of the Infill Program is to increase the availability of affordable homes for very low, low, and moderate income persons and households; maintain a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; equitably distribute homeownership opportunities within the Infill Target Areas; and generate payment of ad valorem taxes. Between January 1, 2017 and December 12, 2017, 27 homes were sold under the Infill Program.

<https://www.miamidade.gov/housing/library/guidelines/infill/infill-housing.pdf>

According to the letter sent by MAR to Commissioner Suarez, the company is requesting to be conveyed the one property to develop container construction homes. The one lot will be developed into one living unit. The homes will include 1 bedroom with 1 bath, a living room, a dining room and a kitchen. The 1 bedroom unit will be around 480 Sq Ft and the price range for the 1 bedroom will be \$180,000.00 to meet the program guideline. The parcels will be developed within the next 12 to 18 months from the date of the conveyance.

Lot No.	Address	Land Value	Square Footage
09-4025-009-0010	6180 S.W. 63 <sup>rd</sup> Terrace	\$70,400.00	3,200

Pursuant to Administrative Order No. 8-4, Miami-Dade Internal Services Department previously announced availability of the one County property to all County departments and determined that there was no interest in the said properties.

The County property will be conveyed to MAR, subject to a riveter, on the condition that MAR develops the County property with affordable housing to be sold to a low income household within two (2) years of the effective date of the conveyance of the property, unless such time is extended at the discretion of the Board. If MAR does not develop the one home within 24 months, the Board may extend the time limit or exercise its reversionary interest. The main restrictions on the conveyance, as specified in the Deed, are as follows:

- Property shall be developed by MAR with affordable shipping container home (“Dwelling Unit”) and maintained as permanent affordable housing in accordance with Section 125.379, Florida Statutes. MAR shall sell such dwelling unit to a qualified homebuyer whose income range is established at 80% of the most recent median family income for the County as reported by the United States Department of Housing and Urban Development; Prior to such conveyance, a restrictive

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covenant, in a form approved by the County, in its sole discretion, shall be executed by such qualified homebuyer, and such restrictive covenant shall be recorded in the public records of Miami-Dade County.

- The property shall be developed within two (2) years of the recording of this Deed, as evidenced by the issuance of a final Certificate of Occupancy.
- The dwelling unit developed on the properties shall be sold to qualified households, but under no circumstances shall the sales price of the home exceed \$180,000.00; In the event MAR fails to sell the home to a qualified household or sell the Dwelling Unit above One Hundred Eighty Thousand and 00/100 (180,000).
- If the property is located within the HOPE IV Target Area, MAR shall comply with the requirements set forth in Resolution No. R-1416-08, including but not limited to providing former Scott/Carver residents the right of first refusal on all units to be sold within the Target Area.
- MAR shall not assign or transfer its interest in the property or in this Deed absent consent of the Miami-Dade County Board of County Commissioners, with the exception of any conveyance to qualified homebuyers.
- MAR shall require that the qualified household purchasing the Dwelling Unit execute and record simultaneously with the deed of conveyance from MAR to the qualified household the County's "Affordable Housing Restrictive Covenant."
- MAR shall pay real estate taxes and assessments on the properties or any part thereof when due.

A point of comparison with Item No. 11A10 (File No. 182290), the construction of 1,358 sq ft home has a proposed price of \$195,000.00 averaging \$143.60 per sq ft. Compared to the cost of \$375.00 a sq ft, the traditional construction approach can potentially yield a savings of \$231.40 per sq ft.

**ADDITIONAL INFORMATION**

The Public Housing and Community Development Department oversees the Infill Program and has developed guidelines for the administration of the program. The guidelines summarize the infill development process and requirements to be followed by developers.

<http://www.miamidade.gov/housing/library/guidelines/infill/infill-housing.pdf>

Infill Housing Homebuyer Requirements can be found at the below link:

<http://www.miamidade.gov/housing/infill-housing-homebuyers.asp>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Miami Association of Realtors, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 05/20/1994. The principal address registered is 700 S. Royal Poinciana Blvd, Suite 400 Miami, FL 33166. Its registered agent is King Kinney, Teresa, 700 S Royal Poinciana Blvd, Miami, FL 33166.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=MIAMIASSOCIATIONREALTORS%20N940000026952&aggregateId=domnp-n94000002695-345b8a15-61a3-4677-8751-ba438ace7b5e&searchTerm=Miami%20Association%20of%20Realtors&listNameOrder=MIAMIASSOCIATIONREALTORS%20N940000026952>

A newspaper article dated May 24, 2016, entitled "How poor is Miami? The rich earn \$40 for every \$1 earned by the poor," states that "Miami-Dade County has one of the least affordable housing markets in the nation. People are considered 'cost-burdened' by housing when more than 30 percent of income goes toward a place to live. By that measure, Miami-Dade has the third most cost-burdened housing market in the country, behind two counties in the New York area. In Miami-Dade, 51 percent of households are considered cost-burdened".

<http://www.miamiherald.com/news/local/community/miami-dade/article79670752.html>

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WPBF in West Palm Beach ran an exclusive report on how the Shipping Containers were being used in Jupiter Farms, Florida. The report was done on June 9, 2017.

<https://www.wpbf.com/article/affordable-housing-using-shipping-containers/9998105>

The Miami Herald published an article that showed a disparity between Ariovistus Lundy's Palmetto Homes which is building ,1500 square foot (Sq ft) homes and charging an average \$136.00 per Sq ft as oppose to the \$375.00 sq ft price for the container home. Other challenges mentioned in the news article included financing obstacles for since banks typically use square-footage prices for appraisals.

<https://www.miamiherald.com/news/business/real-estate-news/article220102605.html>

The Sun-Sentinel published an article on February 3, 2017, where Mr. Rick Clegg a Jupiter Real Estate agent stated that the average cost for the “modular homes was between \$80.00 and \$120.00 per square foot, in addition to costs for items such as permits and planning.”

<http://www.sun-sentinel.com/news/fl-shipyard-container-homes-uses-20170201-story.html>

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**Item No. 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q**

**File No. 182216, 182217, 182218, 182219, 182220, 182221, 182222, & 182239**

**Researcher: LE Reviewer: PGE**

RESOLUTION APPROVING APPLICATION FOR FOUR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO ZUNI TRANSPORTATION, INC. TO PROVIDE SEDAN AND COMBINATION WHEELCHAIR AND STRETCHER NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROFESSIONAL MEDICAL TRANSPORTATION CORP. TO PROVIDE SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

RESOLUTION APPROVING APPLICATION FOR 13 CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO UNITED HEALTH TRANSPORTATION, LLC D/B/A Y2GO TO PROVIDE SEDAN AND WHEELCHAIR NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

RESOLUTION APPROVING APPLICATION FOR EIGHT CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO READY 2 TRANSFER, INC. TO PROVIDE COMBINATION WHEELCHAIR/STRETCHER, AND SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

RESOLUTION APPROVING APPLICATION FOR 22 CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO MOBILITY MEDICAL TRANSPORT, INC. TO PROVIDE WHEELCHAIR, COMBINATION WHEELCHAIR/STRETCHER, AND SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ATC MEDICAL TRANSPORT CORP. TO PROVIDE WHEELCHAIR NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ERIC VITERI D/B/A GENTLE CARE TRANSPORTATION SYSTEM LLC TO PROVIDE SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

RESOLUTION APPROVING APPLICATION FOR TWO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO DEMARCO TRANSPORTATION, LLC TO PROVIDE WHEELCHAIR AND SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

**ISSUE/REQUESTED ACTION**

Whether the Board should approve several applications for certificates of public convenience and necessity to provide sedan, wheelchair, and stretcher non-emergency medical transportation services.

**APPLICABLE LEGISLATION/POLICY**

Chapter 4, Article III of the Miami-Dade County Code provides for the regulation of non-emergency medical transportation such as obtaining a certificate of public convenience and necessity, fares and rates, vehicle standards, and enforcement and penalties.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH4AMMETRVE\\_ARTIINOMETR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH4AMMETRVE_ARTIINOMETR)

Section 4-44 of the Miami-Dade County Code provides the procedures to be followed by the County in processing certificate applications.

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[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR\\_CH4AMMETRVE\\_ARTIINOMETR\\_S4-44OBCEPUCONE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-44OBCEPUCONE)

Section 4-49 of the Miami-Dade County Code establishes vehicle standards and vehicle inspection frequencies.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR\\_CH4AMMETRVE\\_ARTIINOMETR\\_S4-49SAEHST](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH4AMMETRVE_ARTIINOMETR_S4-49SAEHST)

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Requester/Department: Transportation and Public Works**

The proposed resolutions were forwarded to the BCC with a favorable recommendation before the Transportation and Public Works Committee meeting on October 19, 2018.

**ANALYSIS**

The proposed resolutions seek approval from the Board for several applications for certificates of public convenience and necessity to provide sedan, wheelchair, and stretcher non-emergency medical transportation services. Each company/applicant has a varying number of certificates.

The implementation of these resolutions will have a positive fiscal impact to Miami-Dade County. The licensing, operating, permit, and inspection fees will be collected by the Miami-Dade County Department of Transportation and Public Works (DTPW) to support regulatory activities.

The table below shows the company/applicant, annual regulatory fee, inspector fee, if the applicant holds other certificates, the commission district where it is located, the transportation rates, annual revenue, SunBiz status, and its corresponding Legistar and Item number.

Company/ Applicant	Annual Regulatory Fee	Inspector Fee	Does the applicant(s) hold other certificates?	Type of Service Offered	District Where Company is Located	Transportation Rates	Annual Revenue	Sunbiz Status
Zuni Transportation, Inc.  Legistar and Item Number: 182216, 5J	\$625 per certificate	\$38 per vehicle	Yes	Non- emergency medical transportation	8	Ambulatory: \$28 for 15 miles, \$2.50 per mile thereafter Wheelchair: \$50 for 15 miles, \$2.50 per mile thereafter Stretcher: \$75 for 15 miles, \$3 per mile thereafter	\$2,500	Active
Professional Medical	\$625 per certificate	\$38 per vehicle	Yes	Non- emergency	12	Ambulatory: \$25 one way	\$625	Active

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Transportation Corp.  Legistar and Item Number: 182217, 5K				medical transportation		plus \$1.75 per mile after 5 miles Wheelchair: \$60 one way plus \$2.75 per mile after 5 miles Stretcher: \$90 one way plus \$3.75 per mile after 5 miles		
United Health Transportation, LLC D/B/A Y2GO  Legistar and Item Number: 182218, 5L	\$625 per certificate	\$38 per vehicle	No	Non-emergency medical transportation	6	Ambulatory: \$20 for 10 miles, \$1.75 per mile thereafter Wheelchair: \$50 for 10 miles, \$2 per mile thereafter Stretcher: \$80 for 10 miles, \$2.75 per mile thereafter	\$8,125	Active
Ready 2 Transfer, Inc.  Legistar and Item Number: 182219, 5M	\$625 per certificate	\$38 per vehicle	Yes	Non-emergency medical transportation	11	Ambulatory: \$15.81 for 7-10 miles, plus \$1.63 per mile thereafter Wheelchair: \$25.46 for 7-10 miles, \$1.86 per mile thereafter Stretcher: \$70 for 7-10 miles, \$2.25 per mile thereafter	\$5,000	Active
Mobility Medical Transport, Inc.  Legistar and Item Number: 182220, 5N	\$625 per certificate	\$38 per vehicle	Yes	Non-emergency medical transportation	2	Ambulatory: \$22 for 12 miles, \$1.50 per mile thereafter Wheelchair: \$35 for 10 miles, \$1.75	\$13,750	Active

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						per mile thereafter Stretcher: \$50 for 10 miles, \$2.75 per mile thereafter		
ATC Medical Transport Corp.  Legistar and Item Number: 182221, 5O	\$625 per certificate	\$38 per vehicle	Yes	Non-emergency medical transportation	7	(Each trip) Wheelchair: \$25 for 10 miles, \$1.75 per mile thereafter Stretcher: \$45 for 10 miles, \$1.75 per mile thereafter	\$625	Active
Eric Viteri D/B/A Gentle Care Transportation System LLC  Legistar and Item Number: 182222, 5P	\$625 per certificate	\$38 per vehicle	No	Non-emergency medical transportation	11	Ambulatory Curb to Curb: \$15 for 10 miles, \$1.25 per mile thereafter Ambulatory Door to Door: \$18 for 10 miles, \$1.25 per mile thereafter	\$625	Inactive
Demarco Transportation, LLC  Legistar and Item Number: 182239, 5Q	\$625 per certificate	\$38 per vehicle	Yes	Non-emergency medical transportation	11	Within (Miami) Ambulatory: \$15 fee, \$2 per mile, \$25 flat Wheelchair: \$20 fee, \$2 per mile, \$25 flat, \$5 Pharmacy Stop, \$15 per hour/Wait time	\$1,250	Active

The commission districts with applications are 2, 6, 7, 8, 11, and 12.

The Certificates of Public Convenience and Necessity are valid countywide and allow the certificate holder to operate in both incorporated and unincorporated areas of the County. The applicants are seeking to transport patients to and from various medical facilities throughout the County and while non-emergency transportation rates are not regulated by the County, the certificate holder is required to file their rates with DTPW and post them in the passenger compartment section in the vehicle. The Board will consider the application under the following criteria:

1. The ability of the applicant to provide the proposed service;



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2. The adequacy of the management plan of the applicant; and
3. The benefits that will accrue to the public interest from the proposed service.

The proposed services will increase the availability and competition of licensed non-emergency medical transportation in the County.

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**Item No. 7A  
File No. 181998**

**Researcher: MF Reviewer: TD**

ORDINANCE RELATING TO THE BUILDING BETTER COMMUNITIES CITIZENS' ADVISORY COMMITTEE; AMENDING SECTION 2-1802 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REMOVING REQUIREMENT THAT THE COMMITTEE HOLD REGULAR MEETINGS NO LESS THAN FOUR TIMES A YEAR; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Section 2-1802 of the Code of Miami-Dade County (Advisory Committee) to remove the requirement that the Building Better Communities Citizens' Advisory Committee hold regular meetings no less than four times a year.

**APPLICABLE LEGISLATION/POLICY**

Miami-Dade County Code Section 2-1802 sets forth the requirements for advisory committees, including membership, qualifications, term and organization. The Advisory Committee shall hold regular meetings no less than four times a year and such other meetings as it deems necessary.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTCXIXBUBECOCIADCO\\_S2-1802ADCO](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTCXIXBUBECOCIADCO_S2-1802ADCO)

Ordinance No. 05-70, adopted by the Board on April 5, 2005, established the Building Better Communities Citizens' Advisory Committee for the purpose of advising the Mayor, the Board of County Commissioners and the County Manager on the Building Better Communities General Obligation Bond Program.

<http://www.miamidade.gov/govaction/matter.asp?matter=050586&file=true&yearFolder=Y2005>

**PROCEDURAL HISTORY**

**Prime Sponsor: Daniella Levine Cava, District 8**

**Department/Requester: None**

The proposed ordinance was considered at the September 5, 2018 BCC meeting. It was adopted on first reading and scheduled for a public hearing before the Infrastructure and Utilities Committee on October 17, 2018.

The proposed ordinance was considered at the October 17, 2018 Infrastructure and Utilities Committee meeting.

Former Miami-Dade County Commissioner Katie Sorensen stated that she was attending the meeting as the Chair of the Citizens' Advisory Committee for the Building Better Communities General Obligation Bond Program. She expressed her pride in the program, noting many projects had been accomplished in a timely fashion, and within budget through this program. However, she pointed out that as most of the funds had been spent, there were not as many projects to now approve, and sometimes members of the Citizens' Advisory Committee met just to approve the minutes of the preceding meeting. Commissioner Sorensen stated that the members wished to continue to schedule four meetings per year, but if there was nothing of substance to discuss, the meetings would be cancelled.

The proposed ordinance was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

On November 2, 2004, the voters of Miami-Dade County approved the \$2.9 billion Building Better Communities Bond Program, which allows the County to issue long-term bonds to fund more than 300 neighborhood and regional capital projects for completion

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over the next 15 years. The 21-member Citizens’ Advisory Committee (CAC) was created in 2005 by the BCC to provide the residents of Miami-Dade County a means to participate in the implementation of the Building Better Communities Bond program.

The duties of the CAC include:

- Review and monitor the performance and program achievements related to the BBC Bond program;
- Periodically advise the Mayor and the County Commission, and assist in informing the community regarding the BBC General Obligation Bond (GOB) program’s accomplishments;
- Assist in the preparation of quarterly reports to the Mayor and the County Commission, and annual written reports to the community describing the progress of the BBC-GOB program. The CAC may also periodically provide advice, by either a written resolution or oral presentation, as may be requested by the County Commission, at regularly scheduled Commission meetings;
- Advise on the use of any surplus bond project funds or unspent allocations; and
- Participate, along with County staff, in citizen outreach efforts related to the BBC Bond program.

The CAC members have expressed the view that it is not always necessary for them to meet at least four times a year as mandated by Section 2-1802 of the Code of Miami-Dade County. Therefore, the proposed ordinance requests the Board to amend Section 2-1802, removing the requirement that the Building Better Communities Citizens’ Advisory Committee hold regular meetings no less than four times a year. The proposed language allows the Advisory Committee to convene meetings as it deems necessary.

The implementation of the proposed ordinance will not have a fiscal impact for Miami-Dade County as it will neither change staffing needs nor incur future operational costs. According to the Social Equity Statement, the proposed ordinance is not anticipated to have any measurable social equity benefit or burden. The purpose of the committee remains to provide the residents of Miami-Dade a means to participate in the implementation of the Building Better Communities Bond Program and advise officials on the implementation of the \$2.9 billion bond program.

The table below shows the original Section 2-1802 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.

<b>Section 2-1802 (current language)</b>	<b>Section 2-1802 (proposed changes)</b>
(1) Membership and Appointment. The Advisory Committee shall be comprised of twenty-one (21) members. The Mayor shall appoint three (3) members, each Commissioner shall appoint one member and the remaining five (5) at-large members shall be selected by the County Manager.	(1) Membership and Appointment. The Advisory Committee shall be comprised of twenty-one (21) members. The Mayor shall appoint three (3) members, each Commissioner shall appoint one member and the remaining five (5) at-large members shall be selected by the County Manager.
(2) Qualifications. Each member shall be a resident of Miami-Dade County; shall possess an outstanding reputation for civic pride, integrity, responsibility and business or professional ability; and shall have no financial interest, direct or indirect, in any of the programs or projects that are part of the Bond Program. The membership of the Advisory Committee should generally reflect the geographic, ethnic, racial and gender make-up of the County.	(2) Qualifications. Each member shall be a resident of Miami-Dade County; shall possess an outstanding reputation for civic pride, integrity, responsibility and business or professional ability; and shall have no financial interest, direct or indirect, in any of the programs or projects that are part of the Bond Program. The membership of the Advisory Committee should generally reflect the geographic, ethnic, racial and gender make-up of the County.
(3) Term. Mayoral appointed and District members of the Advisory Committee shall serve until the respective	(3) Term. Mayoral appointed and District members of the Advisory Committee shall serve until the respective

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<p>appointing authority, Mayor or Commissioner, leaves office, or until resignation, whichever occurs first. All such members may be reappointed or may continue to serve until resignation or their successors have been appointed.</p>	<p>appointing authority, Mayor or Commissioner, leaves office, or until resignation, whichever occurs first. All such members may be reappointed or may continue to serve until resignation or their successors have been appointed.</p>
<p>The five (5) at-large members selected by the County Manager shall hold office for a term of five (5) years, or until resignation, whichever comes first and may be reappointed for up to two (2) additional five (5) year terms.</p>	<p>The five (5) at-large members selected by the County Manager shall hold office for a term of five (5) years, or until resignation, whichever comes first and may be reappointed for up to two (2) additional five (5) year terms.</p>
<p>(4) Vacancies. The Mayor and each Commissioner shall appoint or re-appoint a member within forty-five (45) days of taking office or in the event of their appointee's resignation. All at-large member vacancies shall be filled by the County Manager within forty-five (45) days of the resignation of the member.</p>	<p>(4) Vacancies. The Mayor and each Commissioner shall appoint or re-appoint a member within forty-five (45) days of taking office or in the event of their appointee's resignation. All at-large member vacancies shall be filled by the County Manager within forty-five (45) days of the resignation of the member.</p>
<p>(5) Modified applicability of Conflict of Interest and Code of Ethics Ordinance. The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (the "Conflict of Interest Ordinance"), Section 2-11.1 of the Code of Miami-Dade County, Florida, shall be applicable to the members of the Advisory Committee only in the manner and to the extent provided in the next sentence. It is declared to be the intent of the Commission, as expressed in this subsection, to provide that the Conflict of Interest Ordinance shall not operate to preclude individuals from serving as Advisory Committee members on the basis of interests relating to Miami-Dade County when such interests do not conflict, directly or indirectly, with the Bond Program.</p>	<p>(5) Modified applicability of Conflict of Interest and Code of Ethics Ordinance. The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (the "Conflict of Interest Ordinance"), Section 2-11.1 of the Code of Miami-Dade County, Florida, shall be applicable to the members of the Advisory Committee only in the manner and to the extent provided in the next sentence. It is declared to be the intent of the Commission, as expressed in this subsection, to provide that the Conflict of Interest Ordinance shall not operate to preclude individuals from serving as Advisory Committee members on the basis of interests relating to Miami-Dade County when such interests do not conflict, directly or indirectly, with the Bond Program.</p>
<p>(6) Organization and Procedure. The members shall elect a chairperson and a vice-chairperson and both shall serve a term of two (2) years. The members shall also elect other officers as the members determine to be necessary and such officers shall also serve a term of two (2) years.</p>	<p>(6) Organization and Procedure. The members shall elect a chairperson and a vice-chairperson and both shall serve a term of two (2) years. The members shall also elect other officers as the members determine to be necessary and such officers shall also serve a term of two (2) years.</p>
<p>The Advisory Committee shall hold regular meetings no less than four (4) times a year and such other meetings, as it deems necessary. A majority of the members of the board of directors shall constitute a quorum. All meetings of the Advisory Committee shall be public and the Advisory Committee shall maintain written minutes of all proceedings that shall be promptly prepared and recorded. Copies of all minutes and resolutions of the Advisory Committee shall be forwarded to the Clerk of the Board of County Commissioners no later than thirty</p>	<p>The Advisory Committee shall hold [[regular]] meetings [[no less than four (4) times a year and such other meetings,]] as it deems necessary. A majority of the members of the board of directors shall constitute a quorum. All meetings of the Advisory Committee shall be public and the Advisory Committee shall maintain written minutes of all proceedings that shall be promptly prepared and recorded. Copies of all minutes and resolutions of the Advisory Committee shall be forwarded to the Clerk of the Board of County</p>

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(30) days subsequent to any meeting of the Advisory Committee.	Commissioners no later than thirty (30) days subsequent to any meeting of the Advisory Committee.
(7) Compensation. Members of the Advisory Board shall serve without compensation.	(7) Compensation. Members of the Advisory Board shall serve without compensation.

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**Item No. 7B  
File No. 182467 (181898)**

**Researcher: LE Reviewer: TD**

ORDINANCE RELATING TO MINIMUM SPACE REQUIREMENTS FOR STORAGE AND COLLECTION OF RECYCLABLE MATERIALS; AMENDING SECTION 15-4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THAT BUILDING PLANS FOR COMMERCIAL ESTABLISHMENTS, MULTI-FAMILY RESIDENTIAL ESTABLISHMENTS, AND RESIDENTIAL UNITS IN THE UNINCORPORATED AREA INCLUDE SUFFICIENT SPACE FOR STORAGE AND COLLECTION OF RECYCLABLE MATERIALS AS A PREDICATE FOR ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY; REQUESTING THAT MUNICIPALITIES IMPOSE THE SAME REQUIREMENTS; AMENDING SECTIONS 33-202.3, 33-202.10, 33-203.1, 33-203.7, 33-207.2.1, 33-207.4, 33-208.1, 33-217.1, 33-223.5.1, 33-223.11, 33-245.2, 33-253.9, 33-256.8, 33-284.38, AND 33-470; REQUIRING SITE PLANS TO INCLUDE SUFFICIENT SPACE FOR STORAGE AND COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS IN THE UNINCORPORATED AREA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 181898]

**ISSUE/REQUESTED ACTION**

Whether the Board should amend the County Code to require that building plans for commercial establishments, multi-family residential establishments, and residential units in the unincorporated area include sufficient space for storage and collection of recyclable materials.

**APPLICABLE LEGISLATION/POLICY**

Section 15-2.2 of the Miami-Dade County Code requires every multi-family residential establishment to provide for a recycling program which shall be serviced by a permitted hauler or appropriate governmental agency.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH15SOWAMA\\_S15-2.2REPRREMUMIREES](https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH15SOWAMA_S15-2.2REPRREMUMIREES)

Section 15-4 of the Miami-Dade County Code requires prior to the issuance of building permits for commercial or multi-family residential establishments, the Director must approve plans for storage and collection of solid waste pertaining to the location, accessibility, number or adequacy.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH15SOWAMA\\_S15-4REPRREMUMIREES](https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR_CH15SOWAMA_S15-4REPRREMUMIREES)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Daniella Levine Cava, District 8**

**Requester/Department: None**

The proposed ordinance was forwarded to the BCC with a favorable recommendation before the Infrastructure and Utilities Committee meeting on October 17, 2018.

**ANALYSIS**

The proposed ordinance amends Section 15-4, Sections 33-202.3, 33-202.10, 33-203.1, 33-203.7, 33-207.2.1, 33-207.4, 33-208.1, 33-217.1, 33-223.5.1, 33-223.11, 33-245.2, 33-253.9, 33-256.8, 33-284.38 and 33-470 of the County Code to require that building plans for future commercial establishments, multi-family residential establishments, and residential units in the unincorporated area include sufficient space for storage and collection of recyclable materials; and require site plans to include sufficient space for storage and collection of solid waste and recyclable materials in the unincorporated area.

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

A number of constituents who reside mostly in small condominiums or townhouses expressed the lack of recycling at their respective properties. Through the approval of this ordinance, future building plans in the unincorporated area that are not considered multi-family residential units and commercial properties will have a requirement to include space for storage and collection of recyclable materials. Currently, small condominiums and townhouses are not subject to the requirements of Section 15-2.2 and 15-4 of the Code. The proposed amendments are intended to encourage recycling in the community and will not require recycling under penalty.

The table below shows the original Section 15-4 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 15-4 of the County Code	Proposed changes to Section 15-4 of the County Code
<p><b>Sec. 15-4. Plans for solid waste storage and collection for commercial and multi-family residential establishments to be approved before issuance of building permit.</b></p> <p>Before building permits may be issued for construction of commercial or multi-family residential establishments, in areas not served by municipal collection agencies, plans for storage and collection of solid waste must be approved by the Director as to location, accessibility, number or adequacy. No certificate of occupancy shall be issued for said premises until plans are approved by the Director for compliance with the terms of this <i>section</i>.</p>	<p><b>Sec. 15-4. &gt;&gt;Requirements for certain building&lt;&lt; [[Plans]] &gt;&gt;plans relating to space for solid waste and recyclable materials storage and collection.&lt;&lt; [[for solid waste storage and collection for commercial and multi-family residential establishments to be approved before issuance of building permit.]]</b></p> <p>&gt;&gt;(1)&lt;&lt; Before building permits may be issued for construction of commercial or multi-family residential establishments, in areas not served by municipal collection agencies, plans for storage and collection of solid waste must be approved by the Director as to location, accessibility, number or adequacy. No certificate of occupancy shall be issued for said premises until plans are approved by the Director for compliance with the terms of this section.</p> <p>&gt;&gt;(2)(a) <u>Before building permits may be issued for construction of commercial establishments, multi-family residential establishments, and residential units located in the unincorporated area, building plans for storage and collection recyclable materials must be approved by the Director as to location, accessibility, number or adequacy. No certificate of occupancy shall be issued for said premises until plans are approved by the Director for compliance with the terms of this section.</u></p> <p><u>(b) For properties in incorporated areas, municipalities are requested to require that building plans for commercial establishments, multi-family residential establishments, and residential units be prepared so as to include sufficient space for storage and collection of</u></p>

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recyclable materials, but not to prohibit curbside collection of recyclable materials where otherwise permitted in residential districts.<<

The table below shows the original Section 33-202.3 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 33-202.3 of the County Code	Proposed changes to Section 33-202.3 of the County Code
<p><b>Sec. 33-202.3. - Uses permitted.</b></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, moved, or reconstructed, structurally altered or maintained for any purpose in a townhouse district (RU-TH) which is designed, arranged or intended to be used or occupied for any reason or purpose, except for one (1) of the following uses:</p> <p align="center">* * *</p> <p>(2) Townhouses, subject to the following restrictions:</p> <p>(a) <i>Densities.</i> The maximum number of units per net acre shall not exceed eight and one-half (8.5).</p> <p align="center">* * *</p> <p>(r) <i>Site plan review.</i> The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to</p>	<p><b>Sec. 33-202.3. - Uses permitted.</b></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, moved, or reconstructed, structurally altered or maintained for any purpose in a townhouse district (RU-TH) which is designed, arranged or intended to be used or occupied for any reason or purpose, except for one (1) of the following uses:</p> <p align="center">* * *</p> <p>(2) Townhouses, subject to the following restrictions:</p> <p>(a) <i>Densities.</i> The maximum number of units per net acre shall not exceed eight and one-half (8.5).</p> <p align="center">* * *</p> <p>(r) <i>Site plan review.</i> The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to</p>



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<p>process the site plan. Denials should be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to the following:</p> <p>1. Site plan including the following information:</p> <p>a. Lot lines and setbacks.</p> <p align="center">* * *</p> <p>d. Location of all parking spaces and waste collection area(s).</p> <p>e. Indication of exterior graphics, as required.</p> <p>f. Indication of any site design methods used to conserve energy.</p> <p>g. Common open space areas and common use amenities.</p> <p align="center">* * *</p>	<p>process the site plan. Denials should be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to the following:</p> <p>1. Site plan including the following information:</p> <p>a. Lot lines and setbacks.</p> <p align="center">* * *</p> <p>d. Location of all parking spaces &gt;&gt;_&lt;&lt; and [<del>waste collection area(s)- ] ] &gt;&gt;<u>space for storage and collection of solid waste and recyclable materials.</u>&lt;&lt;</del></p> <p>e. Indication of exterior graphics, as required.</p> <p>f. Indication of any site design methods used to conserve energy.</p> <p>g. Common open space areas and common use amenities.</p> <p align="center">* * *</p>
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The table below shows the original Section 33-202.10 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 33-202.10 of the County Code	Proposed changes to Section 33-202.10 of the County Code
<p><b>Sec. 33-202.10. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. Requirements shall include conformance with the standards contained in regulations, herein. Substantial conformance with the Urban Design Guidelines and Policies of the</p>	<p><b>Sec. 33-202.10. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. Requirements shall include conformance with the standards contained in regulations, herein. Substantial conformance with the Urban Design Guidelines and Policies of the</p>

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Comprehensive Development Master Plan shall be incorporated. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within twenty-one (21) days from the date of submission. The applicant shall have the right to extend the twenty-one (21) day period by an additional twenty-one (21) days upon timely request made in writing to the Department. The Department shall have the right to extend the twenty-one (21) day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.

(1) *Exhibits* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to the following:

(a) Site plan(s) and architectural drawings at a scale of not less than one (1) inch equals one hundred (100) feet shall contain the following information:

(1) Location, shape, size and height of existing and proposed buildings, green(s) and open spaces, fencing and walls;

\* \* \*

(5) Development phase lines.

\* \* \*

Comprehensive Development Master Plan shall be incorporated. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within twenty-one (21) days from the date of submission. The applicant shall have the right to extend the twenty-one (21) day period by an additional twenty-one (21) days upon timely request made in writing to the Department. The Department shall have the right to extend the twenty-one (21) day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.

(1) *Exhibits* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to the following:

(a) Site plan(s) and architectural drawings at a scale of not less than one (1) inch equals one hundred (100) feet shall contain the following information:

(1) Location, shape, size and height of existing and proposed buildings, green(s) and open spaces, fencing and walls;

\* \* \*

>>(5) Location of space for storage and collection of solid waste and recyclable materials.<<

[[~~(5)~~]] >>(6)<< Development phase lines.

\* \* \*

The table below shows the original Section 33-203.1 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 33-203.1 of the County Code	Proposed changes to Section 33-203.1 of the County Code
<p><b>Sec. 33-203.1. – Site plan review.</b></p> <p>Multi-family housing developments, as permitted by Section 33-203(6.1) of this Code, shall be subject to administrative site plan review as specified herein. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. The Department shall review proposed plans for compliance with zoning regulations and for compliance with the site plan review criteria. All plans submitted to the Department shall be reviewed and approved or denied within 30 days from the date of submission. The applicant shall have the right to extend the 30 day period by an additional 30 days upon timely request made in writing to the Department. The Department shall have the right to extend the 30 day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. Decisions of the Director may be appealed to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to, the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking and loading facilities and waste collection areas.</p> <p>(e) Indication of exterior graphics, as required.</p>	<p><b>Sec. 33-203.1. – Site plan review.</b></p> <p>Multi-family housing developments, as permitted by Section 33-203(6.1) of this Code, shall be subject to administrative site plan review as specified herein. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. The Department shall review proposed plans for compliance with zoning regulations and for compliance with the site plan review criteria. All plans submitted to the Department shall be reviewed and approved or denied within 30 days from the date of submission. The applicant shall have the right to extend the 30 day period by an additional 30 days upon timely request made in writing to the Department. The Department shall have the right to extend the 30 day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. Decisions of the Director may be appealed to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to, the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking &gt;&gt;<sub>2</sub>&lt;&lt; <del>[[and]]</del> loading facilities &gt;&gt;<sub>2</sub>&lt;&lt; and &gt;&gt;<u>space for storage and collection of solid waste and recyclable materials</u>&lt;&lt; <del>[[waste collection areas]]</del>.</p>

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<p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>	<p>(e) Indication of exterior graphics, as required.</p> <p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>
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The table below shows the original Section 33-203.7 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 33-203.7 of the County Code	Proposed changes to Section 33-203.7 of the County Code
<p><b>Sec. 33-203.7. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to Department. The Departments shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p>	<p><b>Sec. 33-203.7. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to Department. The Departments shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p>

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* * *	* * *
(d) Location of off-street parking and loading facilities and waste collection areas.	(d) Location of off-street parking >> <sub>2</sub> << <del>[[and]]</del> loading facilities >> <sub>2</sub> << and >> <u>space for storage and collection of solid waste and recyclable materials</u> << <del>[[waste collection areas]]</del> .
(e) Indication of exterior graphics, as required.	(e) Indication of exterior graphics, as required.
(f) Indication of any site design methods used to conserve energy.	(f) Indication of any site design methods used to conserve energy.
* * *	* * *

The table below shows the original Section 33-207.2.1 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 33-207.2.1 of the County Code	Proposed changes to Section 33-207.2.1 of the County Code
<p><b>Sec. 33-207.2.1. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p>	<p><b>Sec. 33-207.2.1. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p>

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<p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking and loading facilities and waste collection areas.</p> <p>(e) Indication of exterior graphics, as required.</p> <p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>	<p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking &gt;&gt;<sub>2</sub>&lt;&lt; <del>[[and]]</del> loading facilities &gt;&gt;<sub>2</sub>&lt;&lt; and &gt;&gt;space for storage and collection of solid waste and recyclable materials&lt;&lt; <del>[[waste collection areas]]</del>.</p> <p>(e) Indication of exterior graphics, as required.</p> <p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>
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The table below shows the original Section 33-207.4 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.

<b>Section 33-207.4 of the County Code</b>	<b>Proposed changes to Section 33-207.4 of the County Code</b>
<p><b>Sec. 33-207.4. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Departments shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to</p>	<p><b>Sec. 33-207.4. – Site plan review.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Departments shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to</p>

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<p>process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking and loading facilities and waste collection areas.</p> <p>(e) Indication of exterior graphics, as required.</p> <p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>	<p>process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.</p> <p><i>Procedure.</i> Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include but not be limited to the following:</p> <p>(1) Site plan including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking &gt;&gt;<sub>2</sub>&lt;&lt; <del>[[and]]</del> loading facilities &gt;&gt;<sub>2</sub>&lt;&lt; and &gt;&gt;<u>space for storage and collection of solid waste and recyclable materials</u>&lt;&lt; <del>[[waste collection areas]]</del>.</p> <p>(e) Indication of exterior graphics, as required.</p> <p>(f) Indication of any site design methods used to conserve energy.</p> <p align="center">* * *</p>
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The table below shows the original Section 33-208.1 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 33-208.1 of the County Code	Proposed changes to Section 33-208.1 of the County Code
<p><b>Sec. 33-208.1. - Site plan review—Generally.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and</p>	<p><b>Sec. 33-208.1. - Site plan review—Generally.</b></p> <p>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and</p>

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approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.

*Procedure.* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:

(1) Site plan including the following information:

(a) Lot lines and setbacks.

\* \* \*

(d) Location of off-street parking and loading facilities and waste collection areas.

(e) Indication of exterior graphics, as required.

(f) Indication of any site design methods used to conserve energy.

\* \* \*

approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved, the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.

*Procedure.* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:

(1) Site plan including the following information:

(a) Lot lines and setbacks.

\* \* \*

(d) Location of off-street parking >><sub>1</sub><< ~~[[and]]~~ loading facilities >><sub>1</sub><< and >>space for storage and collection of solid waste and recyclable materials<< ~~[[waste collection areas]]~~.

(e) Indication of exterior graphics, as required.

(f) Indication of any site design methods used to conserve energy.

\* \* \*

The table below shows the original Section 33-217.1 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 33-217.1 of the County Code	Proposed changes to Section 33-217.1 of the County Code
Sec. 33-217.1. - Site plan review—Generally.	Sec. 33-217.1. - Site plan review—Generally.



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The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.

*Procedure.* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:

(1) Site plan including the following information:

(a) Lot lines and setbacks.

\* \* \*

(d) Location of off-street parking and loading facilities and waste collection areas.

(e) Indication of exterior graphics, as required.

(f) Indication of any site design methods used to conserve energy.

\* \* \*

The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby ensure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decision.

*Procedure.* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited to the following:

(1) Site plan including the following information:

(a) Lot lines and setbacks.

\* \* \*

(d) Location of off-street parking >><sub>2</sub><< ~~[[and]]~~ loading facilities >><sub>2</sub><< and >>space for storage and collection of solid waste and recyclable materials<< ~~[[waste collection areas]]~~.

(e) Indication of exterior graphics, as required.

(f) Indication of any site design methods used to conserve energy.

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The table below shows the original Section 33-223.5.1 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 33-223.5.1 of the County Code	Proposed changes to Section 33-223.5.1 of the County Code
<p><b>Sec. 33-223.5.1. - Site plan review.</b></p> <p>(a) Required; purpose. The Department shall, prior to issuance of any permits, review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If requested approval is denied, proposed project may be appealed to the appropriate Community Zoning Appeals Board, in accordance with regulations as provided in Chapter 33 of the Code of Miami-Dade County governing appeals from administrative decisions.</p> <p>(b) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department:</p> <p>(1) Site plan, including the following information:</p> <p>a. Lot lines and setbacks.</p> <p align="center">* * *</p> <p>d. Location of off-street parking and loading facilities and waste collection areas.</p> <p>e. Indication of exterior graphics.</p> <p>f. Indication of any design methods used to conserve energy.</p> <p align="center">* * *</p>	<p><b>Sec. 33-223.5.1. - Site plan review.</b></p> <p>(a) Required; purpose. The Department shall, prior to issuance of any permits, review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If requested approval is denied, proposed project may be appealed to the appropriate Community Zoning Appeals Board, in accordance with regulations as provided in Chapter 33 of the Code of Miami-Dade County governing appeals from administrative decisions.</p> <p>(b) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department:</p> <p>(1) Site plan, including the following information:</p> <p>a. Lot lines and setbacks.</p> <p align="center">* * *</p> <p>d. Location of off-street parking &gt;&gt;_&lt;&lt; [[<del>and</del>]] loading facilities &gt;&gt;_&lt;&lt; and &gt;&gt;<u>space for storage and collection of solid waste and recyclable materials</u>&lt;&lt; [[<del>waste collection areas</del>]].</p> <p>e. Indication of exterior graphics.</p> <p>f. Indication of any design methods used to conserve energy.</p> <p align="center">* * *</p>

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The table below shows the original Section 33-223.11 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 33-223.11 of the County Code	Proposed changes to Section 33-223.11 of the County Code
<p><b>Sec. 33-223.11. - Site plan review.</b></p> <p>(A) [ Required; purpose. ] The Department shall, prior to issuance of any permits, review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If requested approval is denied, the proposed project may be appealed to the appropriate Community Zoning Appeals Board, in accordance with regulations as provided in Chapter 33 governing appeals from administrative decisions contained in the Code of Miami-Dade County.</p> <p>(B) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:</p> <p>(1) Site plan, including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking and loading facilities and waste collection areas.</p> <p>(e) Indication of exterior graphics.</p> <p>(f) Indication of any design methods used to conserve energy.</p> <p align="center">* * *</p>	<p><b>Sec. 33-223.11. - Site plan review.</b></p> <p>(A) [ Required; purpose. ] The Department shall, prior to issuance of any permits, review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If requested approval is denied, the proposed project may be appealed to the appropriate Community Zoning Appeals Board, in accordance with regulations as provided in Chapter 33 governing appeals from administrative decisions contained in the Code of Miami-Dade County.</p> <p>(B) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:</p> <p>(1) Site plan, including the following information:</p> <p>(a) Lot lines and setbacks.</p> <p align="center">* * *</p> <p>(d) Location of off-street parking &gt;&gt;<sub>1</sub>&lt;&lt; <del>[[and]]</del> loading facilities &gt;&gt;<sub>2</sub>&lt;&lt; and &gt;&gt;<u>space for storage and collection of solid waste and recyclable materials</u>&lt;&lt; <del>[[waste collection areas]]</del>.</p> <p>(e) Indication of exterior graphics.</p> <p>(f) Indication of any design methods used to conserve energy.</p> <p align="center">* * *</p>

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The table below shows the original Section 33-245.2 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 33-245.2 of the County Code	Proposed changes to Section 33-245.2 of the County Code
<p><b>Sec. 33-245.2. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department of Planning and Zoning shall include, but not be limited to the following:</p> <p>(1) Schematic site plans at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p align="center">* * *</p>	<p><b>Sec. 33-245.2. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department of Planning and Zoning shall include, but not be limited to the following:</p> <p>(1) Schematic site plans at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p>&gt;&gt;(g) <u>Location of spaces for storage and collection of solid waste and recyclable materials.</u>&lt;&lt;</p> <p align="center">* * *</p>

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The table below shows the original Section 33-253.9 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.

<b>Section 33-253.9 of the County Code</b>	<b>Proposed changes to Section 33-253.9 of the County Code</b>
<p><b>Sec. 33-253.9. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department of Planning and Zoning shall include, but not be limited to the following:</p> <p>(1) Schematic site plans at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p align="center">* * *</p>	<p><b>Sec. 33-253.9. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department of Planning and Zoning shall include, but not be limited to the following:</p> <p>(1) Schematic site plans at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p>&gt;&gt;<u>(g) Location of spaces for storage and collection of solid waste and recyclable materials.</u>&lt;&lt;</p> <p align="center">* * *</p>

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The table below shows the original Section 33-256.8 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 33-256.8 of the County Code	Proposed changes to Section 33-256.8 of the County Code
<p><b>Sec. 33-256.8. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed developments and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department shall include, but not be limited to the following:</p> <p>(1) Schematic site plan at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p align="center">* * *</p>	<p><b>Sec. 33-256.8. - Plan review standards.</b></p> <p>(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed developments and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.</p> <p>(B) Exhibits which the applicant shall submit to the Department shall include, but not be limited to the following:</p> <p>(1) Schematic site plan at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:</p> <p>(a) Proposed commercial floor area.</p> <p align="center">* * *</p> <p>(f) Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.</p> <p align="center">&gt;&gt;(g) <u>Location of spaces for storage and collection of solid waste and recyclable materials.</u>&lt;&lt;</p> <p align="center">* * *</p>

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The table below shows the original Section 33-284.38 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 33-284.38 of the County Code	Proposed changes to Section 33-284.38 of the County Code
<p><b>Sec. 33-284.38. - Site plan review.</b></p> <p>(A) [ Generally. ] The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If plan(s) are denied, the applicant may appeal to the appropriate Community Zoning Appeals Board for action.</p> <p>(B) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:</p> <p>(1) The overall site plan shall indicate existing zoning on the site and adjacent areas.</p> <p align="center">* * *</p> <p>(9) Parking layouts and drives.</p> <p>(10) Figures indicating the following:</p> <p align="center">* * *</p>	<p><b>Sec. 33-284.38. - Site plan review.</b></p> <p>(A) <del>[[+ Generally.+ ]]</del>The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the congruity of the proposed development and its compatibility with the surrounding area. If plan(s) are denied, the applicant may appeal to the appropriate Community Zoning Appeals Board for action.</p> <p>(B) Required exhibits. The following exhibits shall be prepared by design professionals such as architects and landscape architects and submitted to the Department of Planning and Zoning:</p> <p>(1) The overall site plan shall indicate existing zoning on the site and adjacent areas.</p> <p align="center">* * *</p> <p>(9) Parking layouts and drives.</p> <p>&gt;&gt;<u>(10) Location of spaces for storage and collection of solid waste and recyclable materials.</u>&lt;&lt;</p> <p><del>[[+40]]</del> &gt;&gt;(11)&lt;&lt; Figures indicating the following:</p> <p align="center">* * *</p>

The table below shows the original Section 33-470 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 33-470 of the County Code	Proposed changes to Section 33-470 of the County Code
<b>Sec. 33-470. - Review and Approval Procedures.</b>	<b>Sec. 33-470. - Review and Approval Procedures.</b>

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The review procedure for a CD is divided into two steps: (A) Initial development plan *review* (including public hearing *approval* for the rezoning to CD) *and* (B) Final plan *review*/Administrative Site Plan *Review* (ASPR). It is provided, however, that where a publicly-accessible Recreational Trail Segment is owned or operated by Miami-Dade County, development of that segment may instead be *approved* in accordance with the governmental facilities *procedures* set forth in section 33-303.

(A) Initial Development Plan *Review*.

\* \* \*

(B) Final Development Plan *Review* for Development Areas. After a property has been rezoned to CD in accordance with subsection (A) above, development plans shall be subject to administrative *review* as provided herein.

(1) Administrative Site Plan *Review* (ASPR).

(a) Application *Review*. Upon submittal of an ASPR application, the Department shall review plans, including the exhibits listed below, for completeness and compliance with the provisions of this article and the design and site plan review criteria provided herein. Additionally, all applications shall be reviewed by the following County departments and other public entities for potential impacts on infrastructure and other services resulting from the application: Department of Transportation and Public Works, Department of Waste Management, Department of Regulatory and Economic Resources - Division of Environmental Resources Management, Water and Sewer Department, Miami-Dade Fire Rescue Department, *and* the Miami-Dade County School Board. In the event the application indicates impacts on services *and* infrastructure provided by any of the foregoing, the applicant shall meet with the affected department or entity to discuss potential mitigation of the impacts *and* shall submit evidence to the Department of such discussion.

The review procedure for a CD is divided into two steps: (A) Initial development plan *review* (including public hearing *approval* for the rezoning to CD) *and* (B) Final plan *review*/Administrative Site Plan *Review* (ASPR). It is provided, however, that where a publicly-accessible Recreational Trail Segment is owned or operated by Miami-Dade County, development of that segment may instead be *approved* in accordance with the governmental facilities *procedures* set forth in section 33-303.

(A) Initial Development Plan *Review*.

\* \* \*

(B) Final Development Plan *Review* for Development Areas. After a property has been rezoned to CD in accordance with subsection (A) above, development plans shall be subject to administrative *review* as provided herein.

(1) Administrative Site Plan *Review* (ASPR).

(a) Application *Review*. Upon submittal of an ASPR application, the Department shall review plans, including the exhibits listed below, for completeness and compliance with the provisions of this article and the design and site plan review criteria provided herein. Additionally, all applications shall be reviewed by the following County departments and other public entities for potential impacts on infrastructure and other services resulting from the application: Department of Transportation and Public Works, Department of Waste Management, Department of Regulatory and Economic Resources - Division of Environmental Resources Management, Water and Sewer Department, Miami-Dade Fire Rescue Department, *and* the Miami-Dade County School Board. In the event the application indicates impacts on services *and* infrastructure provided by any of the foregoing, the applicant shall meet with the affected department or entity to discuss potential mitigation of the impacts *and* shall submit evidence to the Department of such discussion.



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(b) Required Exhibits. The documents and site plan(s) to be reviewed and approved administratively during ASPR shall comply with the following:

(1) A plan indicating existing zoning on site and adjacent areas.

\* \* \*

(4) Site plan at no less than 1"=100' feet, which shall include the following information:

\* \* \*

(vii) Location and size of additional open spaces;

(viii) Location of on-street and off-street parking including type of permeable materials if uses on parking lots, loading facilities and waste collection areas;

\* \* \*

(b) Required Exhibits. The documents and site plan(s) to be reviewed and approved administratively during ASPR shall comply with the following:

(1) A plan indicating existing zoning on site and adjacent areas.

\* \* \*

(4) Site plan at no less than 1"=100' feet, which shall include the following information:

\* \* \*

(vii) Location and size of additional open spaces;

(viii) Location of on-street and off-street parking including type of permeable materials if uses on parking lots, loading facilities and waste collection areas >>, and for commercial establishments, multi-family residential establishments, and residential units, as defined in Chapter 15 of the Code, location of space for storage and collection of recyclable materials<<;

\* \* \*

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**Item No. 7C**

**File No. 182546 (182021)**

**Researcher: MF Reviewer: TD**

ORDINANCE RELATING TO THE MILITARY AFFAIRS BOARD; AMENDING SECTION 2-2105 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING THE POSITION OF EXECUTIVE DIRECTOR OF THE MILITARY AFFAIRS BOARD AND PROVIDING FOR DUTIES, APPOINTMENT AND REMOVAL; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE A FISCAL YEAR 2018-19 MID-YEAR BUDGET AMENDMENT SO AS TO REMOVE APPROPRIATED FUNDING, REVENUE AND POSITIONS FOR THE MILITARY AFFAIRS BOARD FROM THE OFFICE OF COMMUNITY ADVOCACY UNDER THE BOARD OF COUNTY COMMISSIONERS FUND AND APPROPRIATE SAME FUNDING, REVENUE AND POSITIONS TO THE BUDGET OF THE MILITARY AFFAIRS BOARD IN ITS MILITARY AFFAIRS TRUST FUND; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Section 2-2105 of the Code of Miami-Dade County, relating to the Military Affairs Board (MAB), creating the position of Executive Director of the Military Affairs Board, providing for the director's duties, appointment and removal.

**APPLICABLE LEGISLATION/POLICY**

Miami Dade County Code, Article CXL, created and established the Military Affairs Board.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTCXMLIAFBO\\_S2-2101CRMIAFBO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTCXMLIAFBO_S2-2101CRMIAFBO)

Miami-Dade County Code, Section 2-2105 states that “[t]he Mayor shall provide the Board with adequate staff to perform its powers and duties. The Board shall utilize the County Attorney’s Office for legal services. The Clerk of the Board of County Commissioners shall take and keep the minutes of the Military Affairs Board.”

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTCXMLIAFBO\\_S2-2105STSUCO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTCXMLIAFBO_S2-2105STSUCO)

Ordinance 12-37, adopted by the Board on May 15, 2012, created the Military Affairs Board; provided for the powers and duties, composition and appointment of the Board members; and provided for qualifications, organization, financial support, staff and counsel.

<http://intra/gia/matter.asp?matter=121007&file=false&yearFolder=Y2012>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Jose Diaz, District 12**

**Department/Requester: Military Affairs Board**

The proposed ordinance was considered at the September 5, 2018 BCC meeting. It was adopted on first reading, and scheduled for a public hearing before the Government Operations Committee on October 17, 2018.

The proposed ordinance was considered at the October 17, 2018 GOC meeting with the following activity:

Assistant County Attorney Miguel Gonzalez read into the record the following proposed amendments:

- Delete the last two “Whereas Clauses” and delete Section 2 of the proposed Code changes relating to the preparation of the mid-year budget amendment.

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- Amend the first sentence of the proposed Code changes to read “Upon receiving a recommendation from the Board, the Mayor may hire an individual to serve as its Executive Director.”
- Amend the third sentence of the proposed Code changes to read “The Executive Director may be removed by the Mayor.”

In response to Commissioner Martinez’ question as to whether the proposed ordinance was removing the Military Affairs Board from the Office of Community Advocacy and placing it directly under the Board of County Commissioners, Assistant County Attorney Gonzalez noted this was originally proposed in Section 2, but that section was now to be removed, as per the amendment which he read into the record. He added that for the time being, it would remain under the Office of Community Advocacy.

Commissioner Diaz recalled that when the Military Affairs Board was created, the BCC’s intent was to temporarily house the MAB under the Office of Community Advocacy. However, he noted, the work of the MAB had grown tremendously over the past few years, and military affairs had become one of the major economic engines of growth in the County. He expressed belief that housing the MAB under the Office of the Mayor within the Administration would be beneficial for the veterans, of whom there were 77,000 residing in the community. Commissioner Diaz pointed out that currently the MAB already had a director; however, in the future the MAB would recommend several candidates for the position of Executive Director. The Mayor would select one of the candidates to fill the position.

Commissioner Martinez said he would have preferred to place the MAB directly under the Board of County Commissioners, rather than under the Office of the Mayor.

Commissioner Sosa noted under the proposed amendment, the Mayor will have the authority to remove the MAB Executive Director. She suggested that the proposed amendment require the BCC to ratify that action before it becomes effective.

Commissioner Diaz said that he would prepare a resolution to reflect the balance of power suggested by Commissioner Sosa.

Commissioner Monestime indicated that he would prefer for the MAB to be placed under the Board of County Commissioners. However, he noted, if the Board decided to give the Mayor the power to hire the MAB Executive Director, it should not seek to retain some power by requiring the BCC to ratify his decision to fire the MAB Director.

Commissioner Diaz reiterated that placing the MAB under the Office of the Mayor would be beneficial for the veterans; however, he would consult with the Assistant County Attorney to find the best means to reflect the balance of power suggested by Commissioner Sosa.

The proposed ordinance was forwarded to the BCC as amended with a favorable recommendation.

**ANALYSIS**

The US Military directly or indirectly contributes at least \$5.1 billion economic impact to Miami-Dade County. Miami-Dade County is unlike other counties in other states where a major military installation dominates the local economy. For example Killeen, Texas is tied almost exclusively to the Army’s Ft. Hood for jobs and economic impact. As Ft. Hood goes, so does Killeen. We in Miami-Dade County are much more diverse, where our considerable but more diverse military interests are paired with Miami International Airport, Port of Miami, agriculture, tourism and others creating a much more sustainable economic foundation.

It’s important to think of Miami-Dade County’s relationship with the military in this way. Miami-Dade County does not have a one dimensional relationship as exemplified above but rather a complex relationship between the various components comprising the spectrum of what we commonly refer to as “The Military”. This tapestry consists of active duty, traditional reservist (both reserve and national guard), retirees, separated Veterans and business whose product supplies Military needs. This tapestry is also

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comprised of all five sister services. It's important to remember that veteran distribution and economic impact are distributed throughout each of our 13 commission districts.

Major military units in Miami-Dade County include US Southcom, Special Operations Command-South, Homestead Air Reserve Base, U.S. Coast Guard 7th District, Florida National Guard and Miami Veterans Administration. They support 56,476 jobs averaging \$70,300 in salary. Our Veteran population, including retirees, exceeds 65,000 spread throughout our 13 commission districts. There is no data available for private industry supplying military.

Several pressing needs require resolution within the South Florida Military community. Those including joint use airfield and international air show at Homestead Air Reserve Base; ongoing housing issues for Southcom, and infrastructure needs for the Coast Guard. These are all high dollar endeavors each providing support for our military units and economic impact for Miami-Dade County.

Several boards or other like organizations already reside within Miami-Dade County government. Below is a list boards already organized.

Organizations falling under the Administration purview:

- Illegal Dumping Task Force
- Jackson Health System GOB Citizens' Advisory Committee
- Millennial Task Force
- Military Affairs Board
- Opioid Addiction Task Force
- Public Health Trust Board of Trustees
- Small Business Enterprise Architecture & Engineering Program (Advisory Board)
- South Municipal Advisory Committee (MAC-B)

Organizations falling under Office of Community Advocacy purview:

(Each board is staffed by a Program Officer/Director who is responsible for the board's functionality and effectiveness. Currently seven advisory boards make up the Office of Community Advocacy)

- Asian American Advisory Board (AAAB)
- Black Affairs Advisory Board (BAAB)
- Commission for Women (CFW)
- Community Relation Board (CRB)
- Elder Affairs Advisory Board (EAAB)
- Hispanic Affairs Advisory Board (HAAB)
- Military Affairs Board (MAB).

The proposed ordinance requests the Board to amend Section 2-2105 of the Code of Miami-Dade County to create the position of Executive Director of the Military Affairs Board and to provide for the director's duties, appointment and removal. It also requests the Board to direct the County Mayor to prepare a Fiscal Year 2018-19 mid-year budget amendment so as to remove appropriated funding, revenue and positions for the Military Affairs Board from the Office of Community Advocacy under the Board of County Commissioners Fund and appropriate the same funding, revenue and positions to the budget of the Military Affairs Board in its Military Affairs Trust Fund.

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The Military Affairs Board was created in 2013 and codified in Article CXL of the Code of Miami-Dade County. According to Section 2-2102 of the Code of Miami-Dade County, the Military Affairs Board shall have the following powers and duties (among others):

- Provide the BCC with recommendations regarding military affairs in Miami-Dade County involving the Marine Corps, Army, Navy, Air Force, National Guard and Coast Guard and active, reserve, retired, disabled and deceased military personnel in Miami-Dade County;
- Promote measures to enhance the quality of life for active, reserve, retired and disabled military personnel and their families, and families of deceased military personnel in Miami-Dade County;
- Advocate on behalf of military personnel in Miami-Dade County regarding, among other matters: health care, housing, housing and business loans, pension benefits, education, employment, incarceration, reintegration, unemployment benefits, disability claims, vocational training, and insurance;
- Coordinate Miami-Dade County’s activities regarding Veteran’s Day, Memorial Day and the 4<sup>th</sup> of July; and
- Submit annually to the Board of County Commissioners a report summarizing and evaluating all programs and activities undertaken by the Board during the previous fiscal year.

Section 2-2104 of the Code of Miami-Dade County states that “subject to Miami-Dade County’s budgetary process and the availability of funds, the Mayor shall include in the County’s annual budget, administrative costs and additional funds for the implementation of the Board’s powers and duties.” It also creates the Military Affairs Trust Fund for the public purposes provided for in the ordinance.

Since the creation of the Military Affairs Board, the Office of Community Advocacy has provided the Military Affairs Board with the administrative support and an executive director to assist the Military Affairs Board in fulfilling its mission. The proposed ordinance seeks to correct this *de facto* state of affairs by creating the position of Executive Director of the Military Affairs Board, having this position filled directly by the Military Affairs Board, and allocating sufficient funding to the Military Affairs Board to allow it to pay the salary and expenses of its executive director. The item is silent as to this dollar amount.

The proposed language reads as follows:

- “The Board may by a majority vote of its membership hire an Executive Director, whose salary and benefits shall be fixed by the Board of County Commissioners. The Executive Director shall provide the Board with adequate support services to enable the Board to perform its powers and duties. The Executive Director may be removed by a two-thirds vote of the Board members present. The Mayor shall provide the Board with any additional staff necessary for the Board to perform its powers and duties.”

According to the Social Equity Statement, the creation of the Executive Director position will allow the Military Affairs Board to continue providing liaison services and expand access to programs and services for Miami-Dade County’s veteran community. Additionally, it will provide tailored legislative and budgeting recommendations to the Mayor and the Board of County Commissioners with respect to this body.

The table below shows the original Section 2-2105 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 2-2105 (current language)	Section 2-2105 (proposed changes)
Staff Support and Counsel.	>>Section 1.<< Staff Support and Counsel.

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The Mayor shall provide the Board with adequate staff to perform its powers and duties. The Board shall utilize the County Attorney's Office for legal services. The Clerk of the Board of County Commissioners shall take and keep the minutes of the Military Affairs Board.

[[The Mayor]] >>The Board may by a majority vote of its membership hire an Executive Director, whose salary and benefits shall be fixed by the Board of County Commissioners. The Executive Director<< shall provide the Board with adequate [[staff]] >>support services to enable the Board<< to perform its powers and duties. >>The Executive Director may be removed by a two-thirds vote of the Board members present. The Mayor shall provide the Board with any additional staff necessary for the Board to perform its powers and duties. << The Board shall utilize the County Attorney's Office for legal services. The Clerk of the Board of County Commissioners shall take and keep the minutes of the Military Affairs Board.

>>Section 2. The County Mayor or County Mayor's designee shall prepare a Fiscal Year 2018-19 mid-year budget amendment so as to remove appropriated funding, revenue, and positions for the Military Affairs Board from the Office of Community Advocacy under the Board of County Commissioners Fund and appropriating same funding, revenue, and positions to the Military Affairs Board Trust Fund under the administration of the Military Affairs Board to be used for the same purpose.<<

On November 2, 2018 the following requests for information were sent to the Administration and Office of Community Advocacy. The responses are incorporated into the analysis.

- Over the last five years, provide a list of all boards, committees, subcommittees, task forces or like bodies under the Mayor's purview; include purpose, date established and term, selection and removal process for the Chair and Vice-Chairperson and the selection and removal process the Executive Director or administrative liaison overseeing such body.

Over the last five years, provide a list of all boards, committees, subcommittees, task forces or like bodies under the Mayor's purview; include purpose, date established and term, selection and removal process for the Chair and Vice-Chairperson and the selection and removal process the Executive Director or administrative liaison overseeing such body.

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**Item No. 7E**

**File No. 182433 (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](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](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](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](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.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH33ZO\\_ARTXXXIII\\_K\\_STURCEDIRE\\_S33-284.83US](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_K_STURCEDIRE_S33-284.83US)

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**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 ordinance was deferred to the next GOC meeting scheduled for September 12, 2018.

At the September 12, 2018 Government Operations Committee meeting, the proposed ordinance was deferred to the next GOC meeting scheduled for October 17, 2018.

The proposed ordinance was considered at the October 17, 2018 GOC meeting. The original Agenda Item was withdrawn, and its Substitute was forwarded to the BCC with a favorable recommendation.

**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 containing 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 MCS and MCI categories. Such facilities are considered passive commercial uses. They tend to not include a retail sales component or 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 for 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.

To that end, 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 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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Agenda Item 1G3 Substitute differs from the original in that it:

- Removes the proposed spacing requirement between self-service mini-warehouse storage facilities in the BU-3 zoning district where such uses are allowed as of right;
- Clarifies that the Board of County Commissioners shall have jurisdiction to hear applications for self-storage mini-warehouse storage facilities in those instances where the Code requires a public hearing for approval; and
- Corrects the numbering for the new sub-paragraph in Section 33-314 (C) providing that the Board of County Commissioners shall have jurisdiction to hear applications for self-storage mini-warehouse storage facilities.

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/or [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

<b>Section 33-311 of the Code of Miami-Dade County</b>	<b>Proposed changes to Section 33-311 of the Code of Miami-Dade County</b>
<p><b>Sec. 33-311. Community Zoning Appeals Board – Authority and duties.</b></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</p>	<p><b>Sec. 33-311. Community Zoning Appeals Board – Authority and duties.</b></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</p>

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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.

\* \* \*

(3) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear 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.

\* \* \*

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.

\* \* \*

(3) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear 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.

\* \* \*

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

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><b>Sec. 33-247. Uses permitted.</b></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 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><b>Sec. 33-247. Uses permitted.</b></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 align="center">* * *</p> <p>(38) &gt;&gt;<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>&lt;&lt; <del>[[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)</del></p>

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\* \* \*

(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:

(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 Miami-Dade County, as amended, should the applicant fail after notice to remove such graffiti.

(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.

(iii) That there be no rental of any truck having a net vehicle weight exceeding twelve thousand six hundred pounds (12,600) pounds.

(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.

(v) That no building in the area enclosed by the wall shall exceed two (2) stories in height.

(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.

square feet and an interior height not to exceed twelve (12) feet. No wholesale or retail sales are permitted.]]

\* \* \*

~~[(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:~~

~~(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 Miami-Dade County, as amended, should the applicant fail after notice to remove such graffiti.~~

~~(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.~~

~~(iii) That there be no rental of any truck having a net vehicle weight exceeding twelve thousand six hundred pounds (12,600) pounds.~~

~~(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.~~

~~(v) That no building in the area enclosed by the wall shall exceed two (2) stories in height.~~

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(vii) That there shall be no repairs or maintenance work on vehicles on the premises of the self-storage facility.

(viii) That the area of self-storage facilities be not less than 2.5 acres.

~~(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.~~

~~(vii) That there shall be no repairs or maintenance work on vehicles on the premises of the self storage facility.~~

~~(viii) That the area of self storage facilities be not less than 2.5 acres. ]]~~

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><b>Sec. 33-255. Uses permitted.</b></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 purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:</p> <p 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 align="center">* * *</p>	<p><b>Sec. 33-255. Uses permitted.</b></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 purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:</p> <p 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 <del>[[with floor area no greater than four hundred (400) square feet and an interior height not to exceed twelve (12) feet]]</del>. &gt;&gt;<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>

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(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:

\* \* \*

~~(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.

>>(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:

\* \* \*

>>(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:

\* \* \*

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.

Section 33-284.83 of the County Code	Proposed changes to Section 33-284.83 of the County Code
<p><b>Sec. 33-284.83. Uses.</b></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 align="center">* * *</p>	<p><b>Sec. 33-284.83. Uses.</b></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 align="center">* * *</p>

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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 *section* 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:

LAND USE GROUP	LAND USE CATEGORY								
	R	RM	MC	MM	MO	MCS	MCI	ID	I
	[3][4]	[3][4]	[1][3]	[1][3]	[1][3]	[1][3]	[1][3]		

\* \* \*

[ # ] Footnote (as provided below)

*Footnotes:*

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 shall be required on the first floor.

\* \* \*

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 *section* 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:

LAND USE GROUP	LAND USE CATEGORY								
	R	RM	MC	MM	MO	MCS	MCI	ID	I
	[3][4]	[3][4]	[1][3]	[1][3]	[1][3]	[1][3]	[1][3]		

\* \* \*

[ # ] Footnote (as provided below)

*Footnotes:*

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 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. In addition, 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.<<

\* \* \*

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Research Notes**

**Item No. 7F  
File No. 182016**

**Researcher: MF Reviewer: TD**

ORDINANCE RELATING TO THE MIAMI-DADE MILLENNIAL TASK FORCE; CREATING ARTICLE CLXI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING ORDINANCE NO. 17-101; DELETING THE SUNSET PROVISION AND ESTABLISHING THE TASK FORCE AS A PERMANENT COUNTY BOARD; PROVIDING FOR PURPOSE, COMPOSITION, MEMBERSHIP, PROCEDURES, AND DUTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should create Article CLXI of the Code of Miami-Dade County (Millennial Task Force), amending Ordinance No. 17-101, deleting the Sunset provision; and establishing the Task Force as a permanent County Board.

**APPLICABLE LEGISLATION/POLICY**

**Resolution No. R-1058-16**, adopted by the Board on November 1, 2016, created the Miami-Dade Millennial Task Force; and provided for membership, organization and procedures; and set forth purpose, function, responsibility, and Sunset provision.

<http://intra/gia/matter.asp?matter=162228&file=true&yearFolder=Y2016>

**Ordinance No. 17-101**, adopted by the Board on December 5, 2017, extended the Sunset Date of the Miami-Dade Millennial Task Force created by Resolution No. R-1058-16 for a certain period of time; and provided for membership, organization and procedures setting forth purpose, function, responsibility, and Sunset provision.

<http://intra/gia/matter.asp?matter=172734&file=true&yearFolder=Y2017>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: None**

The proposed ordinance was considered at the September 5, 2018 BCC meeting. It was adopted on first reading and scheduled for a public hearing before the Government Operations Committee on October 17, 2018.

The proposed ordinance was considered at the October 17, 2018 GOC meeting. It was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

Resolution No. R-1058-16, adopted by the Board on November 1, 2016, created the Miami-Dade Millennial Task Force, whose purpose was to develop strategies to attract, retain, and assist millennials in Miami-Dade County through, among other things, housing, career, and transportation opportunities or incentives. The term “millennials” refers to individuals born in the early 1980s through the early 2000s.

Resolution No. R-1058-16 provided for the Sunset of the Task Force on the 365<sup>th</sup> day from the effective date of the resolution. The resolution became effective on November 11, 2016; therefore, the Task Force’s Sunset date was set for November 11, 2017.



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On December 5, 2017, the Board adopted Ordinance No. 17-101, which extended the Sunset date of the Task Force to either the date when the Board would receive a final report from the Task Force or May 9, 2018.

On May 1, 2018, the Task Force presented its preliminary report to the Board, and the Board requested that the Task force conduct further research and present additional findings within 180 days. Thus, the Task Force is set to Sunset on October 28, 2018.

However, the Task Force requires more time to carry out its work. Therefore, the proposed ordinance requests the Board to create Article CLXI of the Code of Miami-Dade County, amend Ordinance No. 17-101, delete the Sunset provision and establish the Task Force as a permanent County Board. The implementation of the proposed ordinance will not have a fiscal impact on Miami-Dade County as it will not result in additional staffing needs or future operational costs.

According to the Social Equity Statement, the proposed ordinance will further increase the involvement of Miami-Dade County millennials; particularly those in underserved communities, in an advisory capacity, by providing an additional platform for millennials to inform local government of services, programs and facilities that can improve their quality of life.

The table below shows the proposed Article CLXI of the Code of Miami-Dade County. Words [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

**ARTICLE CLXI. MIAMI-DADE MILLENNIAL TASK FORCE**

Sec. 2-2385. Creation and Purpose.

The Miami-Dade Millennial Task Force (“Task Force”) is hereby created as a permanent board. The purpose of the Task Force is to develop strategies to attract, retain, and assist millennials in Miami-Dade County through, among other things, housing, career, and transportation opportunities or incentives

Sec. 2-2386. Composition.

The Task Force shall be comprised of 27 members, with one appointment from each County Commissioner, one appointment from the County Mayor, seven at-large seats appointed by the County Commission as a whole, and six ex-officio appointments, one seat to be appointed by each of the following departments and entities: the Beacon Council, the Miami-Dade County Department of Public Housing and Community Development, the Miami-Dade Chamber of Commerce, the Greater Miami Chamber of Commerce, the Greater Miami Convention and Visitors Bureau and the Miami-Dade Economic Advocacy Trust. The members shall be permanent residents and electors of Miami-Dade County, unless waived, in accordance with section 2-11.38, as may be amended. Members shall have knowledge of and interest in the County’s millennial population, and shall serve four-year terms. No member may serve more than eight consecutive years, unless waived, in accordance with section 2-11.38.2, as may be amended.

Sec. 2-2387. Membership; officers; meetings.

The members of the Task Force shall serve without compensation. Members shall select, by majority vote of the voting members present, a chairperson, vice-chairperson, and such other additional officers as the Task Force shall deem necessary. All officers shall serve one-year terms, and no member may remain in the same officer position for more than two consecutive years. After one year of not holding the office, a member may be elected to the same office that was previously held for up to two consecutive years. Ex-officio members are non-voting members of the Task Force and shall not serve as an officer of the Task Force.

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The chairperson shall preside at all meetings at which he or she is present. The vice chairperson shall act as chairperson in the absence of the chairperson. In the event of a chairperson vacancy, the vice chairperson shall conduct the next meeting and the voting members of the Task Force shall select a new chairperson at that meeting. In the event of a vice chairperson vacancy, the chairperson shall conduct the next meeting and the voting members of the Task Force shall select a new vice chairperson at that meeting. In the event of both a chairperson and vice chairperson vacancy, the Task Force shall select, by majority vote of the voting members present, a temporary presiding chair of the Task Force to perform the duties of the chair for the remainder of the terms in which the vacancies exist.

The Task Force shall meet at least once a month.

Sec. 2-2388. Procedures; regulations.

In order to transact any business or to exercise any power vested in the Task Force, a quorum consisting of a majority of voting members duly appointed shall be present.

The Task Force may establish, adopt, and amend bylaws, rules, and regulations for its own governance. Nevertheless, all proceedings of the Task Force shall be conducted in accordance with the Government in the Sunshine Law, section 286.011, Florida Statutes, as such may be amended from time to time, and the Citizens Bill of Rights of the Miami-Dade County Home Rule Charter. The Task Force shall be deemed an “agency” for purposes of the Public Records Law. The Task Force shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, section 2-11.1 of the Code of Miami-Dade County. The Task Force shall provide members of the public a reasonable opportunity to be heard, consistent with section 286.0114, Florida Statutes. Accordingly, rule 6.06 of the Miami-Dade County Board of County Commissioners Rules of Procedures is incorporated herein.

Sec. 2-2389. Duties; powers.

The Task Force shall provide reports on its findings and recommendations to the Board of County Commissioners at least annually. Reports shall consist of comprehensive assessments of the issues millennials face within the County, the issues contributing to millennials moving to other regions and solutions or strategies to attract, retain, and assist millennials in the County through, among other things, housing, career, and transportation opportunities or incentives. Reports shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65. The Board may request further work of the Task Force as may be in the public interest.

The Task Force is advisory only and shall not have the power or authority to commit the County or any of its agencies or instrumentalities to any policies, incur any financial obligations, or create any liability, contractual or otherwise, on behalf of the County or any of its agencies or instrumentalities.

Sec. 2-2390. Staff and Support.

The Task Force shall be provided adequate staff and support services by the County Mayor or County Mayor’s designee. The staff shall maintain and keep records of the Task Force; prepare, in cooperation with the chairperson, the agenda for each meeting; be responsible for the preparation of such reports, minutes, documents, or correspondence as the Task Force may direct; and, generally administer the business and affairs of the Task Force, subject to budgetary limitations. The Task Force may request that the Board provide such other specialized consulting expertise as it may determine are necessary from time to time. The County Attorney’s Office shall provide legal counsel, as needed, to the Task Force.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

**ADDITIONAL INFORMATION**

Miami-Dade County Millennial Task Force preliminary report, presented to the Board of County Commissioners at its May 1, 2018 meeting.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2018/181121.pdf>

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**Item No. 7G**

**File No. 182529 (182026)**

**Researcher: IL Reviewer: PGE**

ORDINANCE RELATING TO ZOO OVERSIGHT BOARD; AMENDING ARTICLE LXXXIII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CHANGING THE NAME OF THE BOARD; MODIFYING METHOD OF APPOINTMENT OF BOARD MEMBERS; AND MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Article LXXXIII of the Code of Miami-Dade County (the "Code"), relating to the Zoo Oversight Board, changing the name of the Board, modifying method of appointment of Board members, and making technical changes.

**APPLICABLE LEGISLATION/POLICY**

Section 2-1151(1) of the Code of Miami-Dade County, establishes "[t]he *Creation of the Miami-Dade Zoological Park and Gardens Oversight Board*. Is hereby created and established as an agency and instrumentality of Miami-Dade County a board which shall be named and known as the Miami-Dade Zoological Park and Gardens Oversight Board (hereinafter referred to as "the Zoo Board").

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTLXXXIIIMIDEZOPAGAOVBO\\_S2-1151MIDEZOPAGAOVBO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTLXXXIIIMIDEZOPAGAOVBO_S2-1151MIDEZOPAGAOVBO)

Section 2-1151(5) of the Code of Miami-Dade County, relates to the organization of the Oversight Board, it states that "[t]he chairperson of the Zoo Board shall be the Board Designee and the vice-chairperson of the Zoo Board shall be a representative of the Zoological Society selected by the Zoological Society. The Zoo Board shall designate a secretary who may or may not be a member of the Zoo Board, and such other officers as the Zoo Board may determine to be necessary. In addition, the Zoo Board shall make, adopt and amend bylaws, rules and regulations for its own governance and for the operation, governance, restoration, preservation and maintenance of designated facilities".

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTLXXXIIIMIDEZOPAGAOVBO\\_S2-1151MIDEZOPAGAOVBO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTLXXXIIIMIDEZOPAGAOVBO_S2-1151MIDEZOPAGAOVBO)

Ordinance No. O-98-168, adopted on November 24, 1998, creates the Miami MetroZoo oversight Board; providing for membership, purpose, organization and procedure, appointment and tenure, powers, duties and functions of the Board, and staff support; providing for related operating agreement; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=990329&file=false&fileAnalysis=false&yearFolder=Y1999>

Resolution No. R-329-10, adopted on April 6, 2010, approves the renaming of the Miami Metrozoo to "Miami-Dade Zoological Park and Gardens" after a public hearing.

<http://intra/gia/matter.asp?matter=100594&file=true&yearFolder=Y2010>

**PROCEDURAL HISTORY**

**Prime Sponsor: District 9, Commissioner Dennis C. Moss**

**Department/Requester: None**

The proposed ordinance was adopted on first reading at the September 5, 2018 Board meeting and set for public hearing before the Parks and Cultural Affairs Committee (PCAC) on October 18, 2018. PCAC forwarded the ordinance to the BCC with a favorable recommendation, as amended. The amendment replaces the word "President" with "Chairperson" when referring to

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the head of the Zoo Miami Foundation, Inc. and replaces “Zoological Society” with “Foundation” when referring to the Zoo Miami Foundation, Inc.

**ANALYSIS**

The proposed ordinance is requesting that the Board amend Article LXXXIII of the Code relating to the Zoo Oversight Board to: (1) change the name of the Board; (2) modify the method of appointment of Board members; and (3) make technical changes.

The Zoo Oversight Board was created in 1998 and codified in Article LXXXIII of the Code of Miami-Dade County. According to Section 2-1151 of the Code, the Zoo Oversight Board shall have the following purpose as well powers and limitations:

- The Zoo Board shall be a governing advisory board to the Board of County Commissioners and have such rights and responsibilities as set forth in this ordinance and in the Operating Agreement between Miami-Dade County and the Zoological Society. In addition to overall policy and operational guidance, the Zoo Board shall be responsible for establishing long and short term strategic and program plans for Miami-Dade Zoological Park and Gardens, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated (Zoological Society and County) budget for Miami-Dade Zoological Park and Gardens for adoption by the Zoological Society and Board of County Commissioners.

Section 2-1151(5)(e) of the Code, states [t]hat Neither the Zoo Board nor any of its members shall direct or request the appointment of any person to, or his removal from, their position by the County Zoo Director or Zoological Society Executive Director or any of their subordinates, or take part in the appointment or removal of Miami-Dade or Zoological Society employees at Miami-Dade Zoological Park and Gardens; provided, however, that the Zoo Board and its members may render advisory assistance regarding the removal and appointment of the Directors as provided in this section. Except for the purpose of inquiry, the Zoo Board and its members shall deal with the employees at Miami-Dade Zoological Park and Gardens solely through the Executive Directors of the Zoological Society and the County Zoo Director and neither the Zoo Board nor any members thereof shall give orders to any subordinates of the Executive Directors of the Zoological Society and the County Zoo Director, either publicly or privately. Any willful violation of the provisions of this section by a member of the Zoo Board shall be grounds for his or her removal from the Zoo Board by an action brought in the Circuit Court by the State Attorney of this County.

The chairperson of the Zoo Board shall be the Board Designee and the vice-chairperson of the Zoo Board shall be a representative of the Zoological Society selected by the Zoological Society. The Zoological Society changed its name to the Zoo Miami Foundation in 2015. The proposed ordinance allows the Zoo Miami Foundation Inc. to nominate a person to serve on the Zoo Board, subject to approval by the remaining members, in the event the immediate past president is unable or unwilling to serve.

The table below shows the original Section 2-1151 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 2-1151 (current language)	Section 2-1151 (proposed changes)
<p><b>ARTICLE LXXXIII. - MIAMI-DADE ZOOLOGICAL PARK AND GARDENS OVERSIGHT BOARD</b></p> <p><b>Sec. 2-1151. - Miami-Dade Zoological Park and Gardens Oversight Board.</b></p> <ul style="list-style-type: none"> <li>• <i>Creation of the Miami-Dade Zoological Park and Gardens Oversight Board. There is hereby</i></li> </ul>	<p><b>ARTICLE LXXXIII. - <del>[[MIAMI-DADE ZOOLOGICAL PARK AND GARDENS]]</del> &gt;&gt;<u>Zoo Miami</u>&lt;&lt; OVERSIGHT BOARD</b></p> <p><b>Sec. 2-1151. - <del>[[Miami-Dade Zoological Park and Gardens]]</del> &gt;&gt;<u>Zoo Miami</u>&lt;&lt; Oversight Board.</b></p> <p><i>1. Creation of the <del>[[Miami-Dade Zoological Park and Gardens]]</del> &gt;&gt;<u>Zoo Miami</u>&lt;&lt; Oversight Board. There is</i></p>

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created and established as an agency and instrumentality of Miami-Dade County a board which shall be named and known as the Miami-Dade Zoological Park and Gardens Oversight Board (hereinafter referred to as "the Zoo Board").

2. *Purpose.* The Zoo Board shall be a governing advisory board to the Board of County Commissioners and have such rights and responsibilities as set forth in this ordinance and in the Operating Agreement between Miami-Dade County and the Zoological Society. In addition to overall policy and operational guidance, the Zoo Board shall be responsible for establishing long and short term strategic and program plans for Miami-Dade Zoological Park and Gardens, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated (Zoological Society and County) budget for Miami-Dade Zoological Park and Gardens for adoption by the Zoological Society and Board of County Commissioners.

3. *Designated facilities.* Facilities designated as Miami-Dade Zoological Park and Gardens. As used herein, the term "Miami-Dade Zoological Park and Gardens" shall include certain real property owned by Miami-Dade County at the zoological park located at 12400 SW 152 Street subject to certain restrictive covenants and its related personal property utilized to support the Miami-Dade Zoological Park and Gardens.

4. *Board membership.*

A. *Members.* Oversight of the policy and operation of the Miami-Dade Zoological Park and Gardens shall be performed by an Oversight Board composed of the following nine (9) members:

- (a) The County Mayor and in his absence, a designee;
- (b) The Miami-Dade County Manager or designee;
- (c) The Sitting President of the Zoological Society;
- (d) The immediate past president of the Zoological Society;
- (e) The Executive Director of the Zoological Society;
- (f) The Executive Director of the Miami-Dade Zoological Park and Gardens;
- (g) The Director of the Miami-Dade Park and Recreation Department;
- (h) A member of the Board of County Commissioners to be designated by the Chairperson of the Board of County Commissioners ("Board Designee"); and

hereby created and established as an agency and instrumentality of Miami-Dade County a board which shall be named and known as the ~~Miami-Dade Zoological Park and Gardens~~ >>Zoo Miami<< Oversight Board (hereinafter referred to as "the Zoo Board").

2. *Purpose.* The Zoo Board shall be a governing advisory board to the Board of County Commissioners and have such rights and responsibilities as set forth in this ordinance and in the Operating Agreement between Miami-Dade County and ~~the Zoological Society~~>>Zoo Miami Foundation, Inc. (the "Foundation")<<. In addition to overall policy and operational guidance, the Zoo Board shall be responsible for establishing long and short term strategic and program plans for ~~Miami-Dade Zoological Park and Gardens~~>>Zoo Miami<<, including the establishment of goals and objectives guiding all activities and for overseeing the preparation of a consolidated ([[Zoological Society]] >>Foundation<< and County) budget for [[~~Miami-Dade Zoological Park and Gardens~~]] >>Zoo Miami<< for adoption by the [[~~Zoological Society~~]] >>Foundation<< and Board of County Commissioners.

*Designated facilities.* [[~~Facilities designated as Miami-Dade Zoological Park and Gardens~~]]. As used herein, the term [[~~"Miami-Dade Zoological Park and Gardens"~~]] >>"Zoo Miami"<< shall include certain real property owned by Miami-Dade County at the zoological park located at 12400 SW 152 Street subject to certain restrictive covenants and its related personal property utilized to support [[~~the Miami-Dade Zoological Park and Gardens~~]]>>Zoo Miami<< .

4. *Board membership.*

A. *Members.* Oversight of the policy and operation of the [[~~Miami-Dade Zoological Park and Gardens~~]] >>Zoo Miami<< shall be performed by an Oversight Board composed of the following nine (9) members:

- (a) <<Two members to include or be appointed by the<<[[~~The~~]] County Mayor and in his absence, a designee;
- (b) [[~~The Miami-Dade County Manager or designee;~~]] The Sitting President of the [[~~Zoological Society~~]] >>Foundation<<;
- (c) [[~~(d)~~]] The immediate past president of the [[~~Zoological Society~~]] >>Foundation, provided however, that if the immediate past president of the Foundation is unable or unwilling to serve as a member of the Zoo Board, then the Foundation shall nominate a person to

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(i) A member of the Executive Committee of the Zoological Society.

Members of the Zoo Board shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties. Each member must sign and abide by a code of ethics modeled after the most recent American Association of Zoos and Aquariums Code of Ethics.

*5. Organization of the Oversight Board.*

\* \* \*

(e) *Restriction on the Zoo Board.* Neither the Zoo Board nor any of its members shall direct or request the appointment of any person to, or his removal from, their position by the County Zoo Director or Zoological Society Executive Director or any of their subordinates, or take part in the appointment or removal of Miami-Dade or Zoological Society employees at Miami-Dade Zoological Park and Gardens; provided, however, that the Zoo Board and its members may render advisory assistance regarding the removal and appointment of the Directors as provided in this section. Except for the purpose of inquiry, the Zoo Board and its members shall deal with the employees at Miami-Dade Zoological Park and Gardens solely through the Executive Directors of the Zoological Society and the County Zoo Director and neither the Zoo Board nor any members thereof shall give orders to any subordinates of the Executive Directors of the Zoological Society and the County Zoo Director, either publicly or privately. Any willful violation of the provisions of this section by a member of the Zoo Board shall be grounds for his or her removal from the Zoo Board by an action brought in the Circuit Court by the State Attorney of this County.

\* \* \*

*7. Liberal construction to effectuate public purpose.* This section, being for the public purpose and for the long-term welfare of the Miami-Dade Zoological Park and Gardens facilities and the present and future citizens of Miami-Dade County, Florida, shall be liberally construed to effect the purposes hereof.

serve as a member of the Zoo Board and said nomination shall be subject to the approval of the Zoo Board<<;

(d) ~~[[e]]~~ The Executive Director of the ~~[[Zoological Society]]~~ >>Foundation<<;

(e) ~~[[f]]~~ The ~~[[Executive]]~~ Director of the ~~[[Miami-Dade Zoological Park and Gardens]]~~ >>Zoo Miami<<;

(f) ~~[[g]]~~ The Director of the Miami-Dade Park >>, << ~~[[and]]~~ Recreation >> and Open Spaces << Department >>, or its successor department with oversight over the Zoo<<;

(g) ~~[[h]]~~ A member of the Board of County Commissioners to be designated by the Chairperson of the Board of County Commissioners ("Board Designee"); and

(h) ~~[[i]]~~ A member of the Executive Committee of the ~~[[Zoological Society]]~~ >>Foundation<<.

*5. Organization of the Oversight Board*

\* \* \*

(e) *Restriction on the Zoo Board.* Neither the Zoo Board nor any of its members shall direct or request the appointment of any person to, or his removal from, their position by the County Zoo Director or ~~[[Zoological Society]]~~ >> the Foundation<< Executive Director or any of their subordinates, or take part in the appointment or removal of Miami-Dade or Zoological Society employees at ~~[[Miami-Dade Zoological Park and Gardens]]~~ >>Zoo Miami<<; provided, however, that the Zoo Board and its members may render advisory assistance regarding the removal and appointment of the Directors as provided in this section. Except for the purpose of inquiry, the Zoo Board and its members shall deal with the employees at ~~[[Miami-Dade Zoological Park and Gardens]]~~ >>Zoo Miami<< solely through the Executive Directors of the ~~[[Zoological Society]]~~ >>Foundation<< and the County Zoo Director and neither the Zoo Board nor any members thereof shall give orders to any subordinates of the Executive Directors of the ~~[[Zoological Society]]~~ >>Foundation<< and the County Zoo Director, either publicly or privately. Any willful violation of the provisions of this section by a member of the Zoo Board shall be grounds for his or her removal from the Zoo Board by an action brought in the Circuit Court by the State Attorney of this County.

\* \* \*

*7. Liberal construction to effectuate public purpose.* This section, being for the public purpose and for the long-

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term welfare of ~~[[the Miami Dade Zoological Park and Gardens]]~~ >>Zoo Miami<< facilities and the present and future citizens of Miami-Dade County, Florida, shall be liberally construed to effect the purposes hereof.



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**Item No. 8A1  
File No. 182248**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING CONTRACT AWARD RECOMMENDATION TO CENTRAL FLORIDA EQUIPMENT RENTALS, INC. FOR THE MIAMI INTERNATIONAL AIRPORT CENTRAL BASE APRON AND UTILITIES MODIFICATION AND EXPANSION PROJECT, MDAD PROJECT NO. V037A, IN THE AMOUNT OF \$76,293,573.88; AND AUTHORIZING COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME, AND TO EXERCISE THE PROVISIONS THEREIN, INCLUDING TERMINATION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the award recommendation to Central Florida Equipment Rentals, Inc., for the Miami International Airport Central Base Apron and Utilities Modification and Expansion Project, MDAD No. V037A, in the amount of \$76,293,573.88.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County Code, Section 2-8.3**, provides that “[w]henver a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Manager shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_arti\\_sec2-8.3](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.3)

**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/matter.asp?matter=120287&file=true&yearFolder=Y2012>

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Miami-Dade Aviation Department**

The proposed ordinance was considered at the October 19, 2018 Economic Development and Tourism Committee meeting. It was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The proposed resolution seeks the Board's approval of the award recommendation to Central Florida Equipment Rentals, Inc., for the Miami International Airport (MIA) Central Base Apron and Utilities Modification and Expansion Project, MDAD No. V037A, in the amount of \$76,293,573.88.

The scope of work for Phase I of the MIA Central Base Apron and Utilities Modification and Expansion Project includes the following:

- Restoration of the North Terminal Development (NTD) Gate Area;
- Reconstruction and expansion of the north apron over the existing drainage canal;
- Reconfiguration of the area south of the NTD for additional aircraft parking;
- Realignment of the vehicle service road; and
- Reconstruction of the existing central base apron pavement, drainage, and lighting.

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The project was advertised for bids on May 2, 2018, and Central Florida Equipment Rentals, Inc. submitted the lowest bid in the amount of \$76,293,573.88. The amount of the engineer's estimate was \$95,626,865.01. The amount of the contract is within the budget and 20.22 percent below the engineer's estimate.

Central Florida Equipment's (CFE) bid was lower than the Engineer's estimate due to the following main reasons. The project contemplates the removal of hazardous, potentially contaminated material from the site. The disposal is considered expensive depending on the type and categorization of the material. The Engineer's estimate considered disposing of all of the excavated material in a regulated landfill outside of the State of Florida. CFE most likely assumed that not all material will be contaminated and bid it at a lower unit price.

The second reason that could have affected CFE's bid is that the unit prices in the Engineer's estimate were calculated to account for the shortage of contractors brought about by the aftermath of Hurricane Irma after September 2017. More contractors than expected bid on the project and the low bid unit prices represent stabilized and normal market prices. Other reasons for the difference include the contractor's anticipated means and methods of disposing of the material, risk analysis, and prior experience at the airport, and in similar projects. The difference of \$17.5M between the Engineer's estimate and CFE's bid before adding the allowance is mainly due to the four items listed below:

P-160 Environmental Items:	\$11.4M
P-151 Demolition Items:	\$ 2.6M
P-152 Earthwork Items:	\$ 2.6M
P-713 Monitoring Wells	<u>\$ 0.6M</u>
	\$17.2M

The total project cost is \$76,293,573.88. The Federal Aviation Administration (FAA) will issue grant funds of 75 percent of the eligible costs in multi-year grants totaling \$51,900,390. The Florida Department of Transportation (FDOT) will fund 12.5 percent of the remaining non-federal share and the remaining 12.5 percent will be funded by the MDAD's Capital Improvement Program and reserve maintenance/operating funds.

The annual cost of routine maintenance including but not limited to crack repairs is between \$100,000 and \$150,000. The life expectancy of the asset is 10 to 15 years.

In the past, the Aviation Department has contracted with Central Florida Equipment Rental, Inc. for the MIA Tract One Apron Grading, Drainage, and Pavement Improvement Project for which the Notice to Proceed was issued in June 2007. There were no performance issues on the referenced project.

**ADDITIONAL INFORMATION**

Miami International Airport (MIA), located on 3,230 acres of land near downtown Miami, is operated by the Miami-Dade Aviation Department and is the property of Miami-Dade County government. Founded in 1928, MIA now offers more flights to Latin America and the Caribbean than any other U.S. airport, is America's second-busiest airport for international passengers, boasts a line-up of over 100 air carriers and is the top U.S. airport for international freight. MIA is also a leading economic engine for Miami-Dade County and the State of Florida, generating business revenue of \$33.7 billion annually and welcoming 70 percent of all international visitors to Florida.

[http://www.miami-airport.com/about\\_us.asp](http://www.miami-airport.com/about_us.asp)

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**Research Notes**

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Central Florida Equipment Rentals, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 11/04/1977. The principal address is registered as 9030 NW 97<sup>th</sup> Terrace, Medley, FL 33178. Its registered agent is Baer, Robert, 9030 NW 97<sup>th</sup> Terrace, Medley, FL 33178.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

**DEPARTMENT INPUT**

The Office of the Commission Auditor posed the following questions to the Miami-Dade Aviation Department, and has received the following answers:

- Please explain the reason Central Florida Equipment Rentals, Inc.'s bid was so much lower than the engineer's estimate. **Central Florida Equipment's (CFE) bid was lower than the Engineer's estimate due to the following main reasons. The project contemplates the removal of hazardous, potentially contaminated material from the site. The disposal is considered expensive depending on the type and categorization of the material. The Engineer's estimate considered disposing of all of the excavated material in a regulated landfill outside of the State of Florida. CFE most likely assumed that not all material will be contaminated and bid it at a lower unit price. The second reason that could have affected CFE's bid is that the unit prices in the Engineer's estimate were calculated to account for the shortage of contractors brought about by the aftermath of Hurricane Irma after September 2017; more contractors than expected bid on the project; and the low bid unit prices represent stabilized and normal market prices. Other reasons for the difference include the contractor's anticipated means and methods of disposing of the material, risk analysis, and prior experience at the Airport, and in similar projects. The difference of \$17.5M between the Engineer's estimate and CFE bid before adding the allowance is mainly due to the four (4) items listed below:**

○ P-160 Environmental Items:	\$11.4M
○ P-151 Demolition Items:	\$ 2.6M
○ P-152 Earthwork Items:	\$ 2.6M
○ P-713 Monitoring Wells	<u>\$ 0.6M</u>
	<b>\$17.2M</b>

- Has the County ever contracted with Central Florida Equipment Rental, Inc. in the past? If so, were there any performance issues? **The Aviation Department has contracted with Central Florida Equipment Rental, Inc. for the MIA Tract One Apron Grading, Drainage, and Pavement Improvement Project for which the Notice to Proceed was issued in June 2007. There were no performance issues on the referenced project.**

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Research Notes**

**Item No. 8C1  
File No. 182250**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING THE FUNDING OF 35 GRANTS FOR A TOTAL OF \$180,000.00 FROM THE DEPARTMENT OF CULTURAL AFFAIRS FISCAL YEAR 2018-2019 COMMUNITY GRANTS PROGRAM FIRST QUARTER FOR VARIOUS ENTITIES; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve funding 35 grants, totaling \$180,000, from the First Quarter funds of the Department of Cultural Affairs Fiscal Year 2018-2019 Community Grants Program, and allow waiver of R-130-06 so that the proposed Resolution may be placed on the commission agenda even though the grant agreement has yet to be executed by the other parties, expediting the grant process.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-130-06, adopted January 24, 2006, clarifies that proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties. The proposed resolution seeks waiver of this provision.

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Department of Cultural Affairs**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Parks and Cultural Affairs Committee at its October 18, 2018 meeting.

**ANALYSIS**

The proposed resolution recommends a total of \$180,000 in grant funding from the Department of Cultural Affairs' FY 2018-2019 Community Grants Program (First Quarter) to the following grantees:

Grantee	Recommended Award	District Location(s) of Project Activity*
Algo Nuevo, Inc.	\$4,710	6, 12
Art Creates US, Inc. d/b/a ProjectArt	\$5,435	2, 3
Arts Connection Foundation, Inc.	\$5,435	3, 5, 7, 11, 12
Center Street Projects, Inc.	\$5,435	7
Community Performing Arts Association, Inc.	\$7,245	12
Cuatrogatos Foundation, Inc.	\$5,435	3, 4, 5, 6, 7, 12, 13
Fire Haus Projects, Inc.	\$3,623	6
Florida Dance Education Organization, Inc.	\$5,435	5
Friends of South Florida Music, Inc.	\$5,435	3, 9
Funcionarte Corp.	\$4,348	3, 5, 6, 7

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Girasol Foundation, Inc.	\$5,072	5, 7
Greater South Dade/South Miami/Kendall Chamber of Commerce d/b/a Chamber South	\$10,869	7
Hispanic Heritage Literature Organization Corp.	\$5,435	5, 12
Illuminarts, Inc. a/f/a/ Juraj Kojs	\$5,435	3, 7
Italian Film Festival, Inc.	\$3,623	5
Kuyayky Foundation, Inc.	\$5,435	3
Lemon City Cemetery Community Corp.	\$5,435	3
Love the Everglades Movement, Inc.	\$5,435	5
Macaya Foundation, Inc.	\$2,100	1, 3
MAIACA, Inc.	\$5,435	5
Merrick Festival, Inc.	\$7,245	6
Miami Center for Architecture & Design, Inc.	\$3,986	6
Music in Miami, Inc	\$3,623	3, 4, 7
Polish Film Festival Miami	\$3,623	5
Pridelines Youth Services, Inc.	\$3,624	3
Prizm Projects, Inc.	\$5,435	5
Push to Open, Inc.	\$5,435	6
Richmond Heights Community Association, Inc.	\$5,435	9
Sundari Foundation, Inc. d/b/a Lotus House	\$5,435	3
Sunflower Society, Inc.	\$5,435	3, 5
The German School of South Florida, Inc.	\$4,348	7, 9, 10
The Miami Foundation, Inc. a/f/a for Kunya Rowley	\$4,348	3
Urban Oasis Project, Inc.	\$5,435	3
What if Works, Inc.	\$4,348	5, 6, 9, 11
Zunzun Arts & Education, Inc.	\$5,435	5, 9
<b>TOTAL</b>	<b>\$180,000</b>	

*\*Multiple districts are listed if project activity spans more than one district.*

The Community Grants Panel reviewed 35 applications requesting \$268,492, and ultimately recommended funding for all 35, but at the total amount of \$180,000.

Funding for the Community Grants Program comes from Department of Cultural Affairs' approved departmental revenues, as adopted in the Fiscal Year 2018-19 County budget ordinance. In the FY 2018-19 ordinance, a total of \$650,000 is allocated for FY 2018-19 Community Grants, under Grants to/Programs for Artists and Non-Profit Cultural Organizations. A remaining balance of \$470,000 is to be used in the subsequent quarters of the program.

The requested waiver of Resolution No. R-130-06 requiring that contracts with non-governmental entities be signed by the other parties before being placed on the commission agenda is for the purpose of expediting the grant agreements, saving one to two months' time in an already lengthy grant process. The Cultural Affairs Council approved these recommendations at their September 14, 2018 meeting.

**ADDITIONAL INFORMATION**

The Community Grants (CG) Program is responsive on a quarterly basis to not-for-profit organizations developing small and large-scale community-based cultural (dance, theater, music, visual arts) programs, as well as projects and events, such as fairs, parades, neighborhood festivals and publications that have a strong artistic component.

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The CG panel considers projects with strong community involvement and/or outreach component. The CG Program is particularly sensitive to the needs of indigenous cultural neighborhood activities and projects encouraging the preservation of heritage, traditions and culture, as well as social service organizations and cultural groups developing collaborative intervention projects using the arts.

Each applicant organization was evaluated specifically based on the following competitive review criteria:

- 1) quality of the program;
- 2) administrative capability;
- 3) marketing strategy
- 4) fundraising efforts; and
- 5) geographic location of event

<http://www.miamidadearts.org/community-grants-cg-program>

**INPUT FROM THE DEPARTMENT OF CULTURAL AFFAIRS**

OCA posed the following questions to the Department Cultural Affairs; the department's response is below in bold and italics.

- Are there instances where the grant award wholly funds a grantee's program? If so, which organizations/programs received their full request?  
***No, the Community Grants Programs does not wholly fund a grantee's program and requires a minimum \$1 to \$1 funding match. The Community Grant award shall not be considered the sole source of funding for a project. Typically, applications to the Community Grants Program do not receive the full request.***
- Is there a timeframe for expending the grant dollars and a grantee reporting requirement, monitoring grant program compliance?  
***Funded activities must take place within the County's fiscal year for which they are approved (October 1 - September 30). A Final Report is required within forty-five (45) days of the project completion date.***
- How many times can an organization apply for a grant? Is there a limit?  
***An organization may only apply to the Community Grants Program once in a program-funding year (October 1 - September 30).***
- Why was the requested amount of \$268,492 not funded at that level?  
***The grant amount requested from the applicants was greater than the grant funding available. This is often the case in the Community Grants Program.***

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Research Notes**

**Item No. 8C2  
File No. 182282**

**Researcher: MF Reviewer: TD**

RESOLUTION AMENDING RESOLUTION NO. R-680-18, REGARDING THE FUNDING OF TWENTY-EIGHT GRANTS FROM THE FISCAL YEAR 2017-2018 THIRD QUARTER OF THE TOURIST DEVELOPMENT COUNCIL GRANTS PROGRAM ROOM TAX PLAN AND SURTAX CATEGORY TO INCREASE THE FUNDING ALLOCATION TO MARTI PRODUCTIONS, INC. FROM \$5,000.00 TO \$10,000.00, FOR A TOTAL OF \$240,000.00 FOR ALL RECIPIENTS COMBINED

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Resolution No. R-680-18 regarding the funding of 28 grants from Fiscal Year 2017-2018 Third Quarter of the Tourist Development Grants Program Room Tax Plan and Surtax Category to increase the funding allocation to Marti Productions, Inc. from \$5,000.00 to \$10,000.00, for a total of \$240,000.00 for all recipients combined.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-680-18, adopted by the Board on July 10, 2018 approved the funding of 28 grants for a total of \$235,000.00 from the Fiscal Year 2017-2018 Third Quarter of the Tourist Development Council Grants Program Room Tax Plan and Surtax Category to promote Miami-Dade County tourism.

<http://intra/gia/matter.asp?matter=181367&file=true&yearFolder=Y2018>

Ordinance No. 16-104, adopted by the Board on September 22, 2016, approved, adopted and ratified proprietary budgets, special assessment district budgets, and other budgets of Miami-Dade County for the Fiscal Year commencing on October 1, 2016 and ending on September 30, 2017.

<http://intra/gia/matter.asp?matter=162075&file=true&yearFolder=Y2016>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Cultural Affairs**

The proposed resolution has no procedural history.

**ANALYSIS**

The Tourist Development Council (TDC) Grants Program promotes organizations/events on a quarterly basis promoting Miami-Dade County's appeal as a tourist destination by sponsoring tourist-oriented sports events, cultural and special events (visual and performing arts, including theater, concerts, recitals, opera, dance, art exhibitions, and festivals) and television origination projects. The TDC, a nine member volunteer advisory board established by Florida Statute, meets as a panel to review and make funding recommendations to the Miami-Dade County Mayor and Board of County Commissioners with the idea of developing and enhancing the image of Miami-Dade County locally, nationally and internationally.

<http://www.miamidadearts.org/tourist-development-council-tdc-grants-program>

Resolution No. R-680-18, adopted by the Board on July 10, 2018 approved the funding of 28 grants for a total of \$235,000.00 from the Fiscal Year 2017-2018 Third Quarter of the Tourist Development Council Grants Program Room Tax Plan and Surtax Category to promote Miami-Dade County tourism. A scrivener's error was made by the Cultural Affairs Department when preparing the initial recommendation to the Board. Marti Productions, Inc. was incorrectly listed with an allocation of \$5,000; it should instead have been listed with an allocation of \$10,000, which was approved by the TDC, thus bringing the total for the 28 grants to \$240,000.00.

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**Research Notes**

The proposed resolution seeks the Board to amend Resolution No. R-680-18 regarding the funding of 28 grants from Fiscal Year 2017-2018 Third Quarter of the Tourist Development Grants Program from Tax Plan and Surtax Category to increase the funding allocation to Marti Productions, Inc. from \$5,000.00 to \$10,000.00, for a total of \$240,000.00 for all recipients combined.

Funding for the TDC Grants Program comes from the 2 percent Tourist Development Room Tax Revenue and the 2 percent Hotel/Motel Food and Beverage Surtax revenues. In addition, the Greater Miami Convention and Visitors Bureau provides \$25,000.00 to the TDC pursuant to a multi-year agreement. Further, a remaining balance of \$213,072.00 from FY 2016-17 in unspent grant funds was carried over and is being appropriated as part of the FY 2017-18 program.

Pursuant to Ordinance No. 16-104, \$1.25 million has been allocated for FY 2017-18 TDC Grants. The current Third Quarter recommendations, totaling \$240,000.00, continue the recommended TDC grant allocations for this fiscal year. There are sufficient funds budgeted for FY 2017-18 TDC grants to cover the correct grant amount.

**ADDITIONAL INFORMATION**

Marti Productions, Inc. operates in the Theatrical Producers and Services industry within the Amusement and Recreation Services sector. It was established in 2010, is estimated to generate \$59,700 in annual revenues, and employs 5 people.

<http://www.buzzfile.com/business/Marti-Productions-Inc-305-220-2863>



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**Item No. 8E1  
File No. 182621**

**Researcher: JFP Reviewer: TD**

RESOLUTION ACCEPTING, PURSUANT TO 2-8.2.6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AN UNSOLICITED PROPOSAL AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO ADVERTISE A SOLICITATION FOR THE SAME PROJECT PURPOSE AS THE UNSOLICITED PROPOSAL FOR AN ENERGY AUDIT, REVIEW OF SUSTAINABILITY REPORTS, AND ADDITIONAL PROJECT SERVICES FOR THE MIAMI-DADE FIRE RESCUE DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should accept an unsolicited proposal and authorize the County Mayor or his designee to advertise a solicitation for the same project purpose as the unsolicited proposal: an energy audit, review of sustainability reports, and additional project services for the Miami-Dade Fire Rescue Department.

**APPLICABLE LEGISLATION/POLICY**

**Section 255.065, Florida Statutes**, governs public-private partnerships; public records and public meetings exemptions, stating that a responsible public entity may provide a copy of its comprehensive agreement to the Department of Management Services. A responsible public entity must redact any confidential or exempt information from the copy of the comprehensive agreement before providing it to the Department of Management Services.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=255.065&URL=0200-0299/0255/Sections/0255.065.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=255.065&URL=0200-0299/0255/Sections/0255.065.html)

**Section 2-8.2.6 of the Code of Miami-Dade County** governs Public-private partnerships and outlines County protocol regarding unsolicited proposals.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.2.6PUIVPAUNPR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.6PUIVPAUNPR)

**Resolution No. R-795-12**, adopted by the Board on October 2, 2012, authorizes the Mayor or his designee to execute the United States Department of Energy's Better Buildings Challenge Community Partnership Agreement.

<http://intra/gia/matter.asp?matter=121751&file=true&yearFolder=Y2012>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Miami-Dade Fire and Rescue Department**

This item has no procedural history.

**ANALYSIS**

The proposed resolution is for acceptance of an unsolicited proposal and authorizes the County Mayor or his designee to advertise a solicitation for the same project purpose as the unsolicited proposal: an energy audit, review of sustainability reports, and additional project services for the Miami-Dade Fire Rescue Department.

BioStar Renewables LLC submitted an unsolicited proposal to the County initially on April 25, 2018. The proposal offers the services of a commercial grade energy audit, periodic sustainability reports, and additional project services as recommended in the energy audit review. MDRF personnel evaluated the unsolicited proposal pursuant to Section 2-8.2.6 of the County Code through the lens of whether the proposal aids in efforts toward meeting the County's goal outlined in Resolution No. R-795-12 of reducing energy consumption from 2009 levels by 20 percent by 2020. Some other factors considered, as prescribed in the County Code,

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were: whether the proposed project is in the public's best interest; the costs of the proposed project and its funding sources and its financial viability; whether the proposed project may be accomplished through the use of County resources; the need for the proposed project; the scientific, technical or socioeconomic merits of the unsolicited proposal; the contribution of the proposal to the County's goals and objectives; the cost, if any, to the County to proceed with implementation of the proposed project; and any other information the County deems appropriate for such evaluation.

Upon Board approval and acceptance of the unsolicited proposal, MDRR would like to pursue publication of a competitive solicitation, in which BioStar Renewables LLC would have to compete, in order to consider alternative energy measures and negotiate terms most beneficial to MDRR.

BioStar Renewables has an active status on the Florida Department of State Division of Corporations website (Sunbiz.org), and is registered to do business in the State of Florida with its principal address in Tampa, Florida.

**ADDITIONAL INFORMATION**

***BioStar Renewables LLC***

BioStar Renewables is a full-service, clean-energy company providing complete turnkey project implementation from engineering, financing, construction and operations. The company is redefining "energy-services" by delivering solutions that both produce and reduce kilowatts for the new energy economy. BioStar and its partners have monetized all types of incentives in over \$100M in transactions in over 30 projects, in addition to building over 1.5GW of solar installations.

<https://biostarrenewables.com/>

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**Research Notes**

**Item No. 8F1**  
**File No. 182110**

**Researcher: MF Reviewer: TD**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT 401 NW 3 STREET, MIAMI, FLORIDA (FOLIO NO. 01-0109-000-1270); AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER IN ACCORDANCE WITH SECTION 125.35(1), FLORIDA STATUTES, FOR NO LESS THAN \$341,250.00; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

**ISSUE/REQUESTED ACTION**

Whether the Board should declare surplus a County-owned real property located at 401 NW 3<sup>rd</sup> Street, Miami and authorize the public sale of this property to the highest bidder in accordance with Section 125.35 (1) of the Florida Statutes for no less than \$341,250.00.

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes, Section 125.35**, provides that “[t]he Board of County Commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the County, whenever the Board determines that it is to the best interest of the County to do so, to the highest and best bidder for the particular use the Board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.”

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0125/Sections/0125.35.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.35.html)

**Miami-Dade County Code, Section 2-10.4.2**, entitled “Appraisers required for purchases, sales and leases.”

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_arti\\_sec2-10.4.2](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-10.4.2)

Administrative Order 8-4 provides that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded in the policy, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification, if applicable.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

**Resolution No. R-487-02**, adopted by the Board on May 21, 2002, accepted a donation of a 7,500 square foot parcel containing an approximate 1,250 square foot historically designated residence located at 401 NW 3<sup>rd</sup> Street, Miami, from GHG Miami River, LLC; and authorized the execution of a Lease Agreement of the property to the MDHA Development Corporation, a non-for-profit corporation, for premises to be re-developed and utilized as a Wellness and Community Center.

<http://intra/gia/matter.asp?matter=021307&file=false&yearFolder=Y2002>

**Resolution No. 932-15**, adopted by the Board on October 20, 2015, authorized the conveyance of the property located at 401 NW 3<sup>rd</sup> Street, Miami to the Dade Heritage Trust, Inc., a Florida not-for-profit corporation, at no cost, pursuant to Section 125.379 of the Florida Statutes; and required the restoration of a historic cottage located thereon.

<http://intra/gia/matter.asp?matter=152086&file=true&yearFolder=Y2015>

**Resolution No. R-1199-17**, adopted by the Board on December 5, 2017, rescinded Resolution No. 932-15, which authorized the acquisition of the property located at 413 NW 3<sup>rd</sup> Street, Miami, and the subsequent conveyance of such property as well as adjoining County-owned property to Dade Heritage Trust, Inc., for the construction of affordable housing and historical preservation of a cottage located on the property.

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<http://intra/gia/matter.asp?matter=172490&file=true&yearFolder=Y2017>

**Resolution No. R-380-17**, adopted on April 4, 2017, requires that the County Mayor or County Mayor's designee provide written notification to District Commissioners in which County-owned property lies no less than four weeks prior to (1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such property or (2) placing any item on the agenda of the Board or any committee of the Board requesting the approval, sale, lease, or surplus of County-owned property.  
<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

**Resolution No. R-974-09**, adopted by the Board on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.  
<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Eileen Higgins, District 5**  
**Department/Requester: Internal Services**

The proposed resolution was considered at the October 17, 2018 Government Operations Committee; and was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The proposed resolution requests the Board to declare surplus County-owned real property located at 401 NW 3<sup>rd</sup> Street, Miami, and authorize the public sale of this property to the highest bidder in accordance with Section 125.35 (1) of the Florida Statutes, for no less than \$341,250.00.

Resolution No. R-487-02, adopted by the Board on May 21, 2002, accepted a donation of a 7,500 square foot parcel containing an approximate 1,250 square foot historically designated residence located at 401 NW 3<sup>rd</sup> Street, Miami, from GHG Miami River, LLC; and authorized the execution of a Lease Agreement of the property to the MDHA Development Corporation, a non-for-profit corporation, for premises to be re-developed and utilized as a Wellness and Community Center.

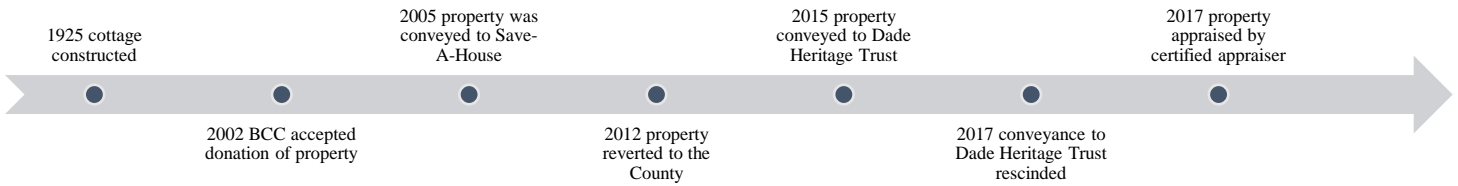
In 2005, the property was conveyed to Save-A-House, Inc., a not-for-profit organization that planned to renovate the building and use it as a resource center; however, the building was not repaired and the property reverted to the County in 2012.

Resolution No. 932-15, adopted by the Board on October 20, 2015, authorized the conveyance of the property located at 401 NW 3<sup>rd</sup> Street, Miami to the Dade Heritage Trust, Inc., a Florida not-for-profit corporation, at no cost, pursuant to Section 125.379 of the Florida Statutes; and required the restoration of a historic cottage located on the property. However, due to lack of funding, the Dade Heritage Trust, Inc., was unable to restore the cottage.

Resolution No. R-1199-17, adopted by the Board on December 5, 2017, rescinded Resolution No. 932-15. An Independent State of Florida certified appraiser inspected the property and concluded that the market value of the vacant and unimproved property as of June 8, 2017 was \$455,000. In addition, he determined that the cottage was beyond repair. However, the cottage cannot be demolished without the approval of the City of Miami's Historic Preservation Board. It is, therefore, recommended that the property be sold to the highest bidder for no less than \$341,250.00.

According to the Fiscal Impact Statement, the sale of this property will eliminate the County's obligation to maintain the property, which costs approximately \$1,100 per year. In addition, it will place the property on the tax roll, generating approximately \$10,082 in annual ad valorem taxes.

**BCC Meeting: November 8, 2018  
Research Notes**



Below is an aerial view of the property located at 401 NW 3<sup>rd</sup> Street, Miami:



**ADDITIONAL INFORMATION**

The City of Miami's historic preservation program promotes the identification, evaluation, rehabilitation, adaptive use, and restoration of the City's historic, architectural, and archeological heritage. For more information, please consult the webpage below.

<http://www.historicpreservationmiami.com/>

**BCC Meeting: November 8, 2018**  
**Research Notes**

**Item No. 8F2**  
**File No. 182157**

**Researcher: LE Reviewer: TD**

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MEXICAN AMERICAN COUNCIL, INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION, FOR THE PREMISES LOCATED AT 49 WEST MOWRY DRIVE, HOMESTEAD, FLORIDA, TO BE UTILIZED AS ITS HEADQUARTERS TO PROVIDE FAMILY EMPOWERMENT PROGRAMS FOR RESIDENTS OF MIAMI-DADE COUNTY, THROUGH PARENTAL AND STUDENT COUNSELING, COLLEGE CAREER READINESS PROGRAMS, ACADEMIC ADVISING, AND SUPPORT SERVICES, WITH A TOTAL RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE \$102,101.80, FOR THE INITIAL FIVE-YEAR TERM OF THE LEASE AND THE ONE, FIVE-YEAR OPTION TO RENEW TERM; DECLARING SUCH PROPERTY SURPLUS; WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE 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 execute a lease agreement between Miami-Dade County and the Mexican American Council, Inc. for the premises located at 49 West Mowry Drive, Homestead, Florida, for an initial five year term and one, five year option to renew term and declare the property as surplus.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County Administrative Order No. 8-4** states that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification, if applicable."

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

**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\\_ARTINGE\\_S2-8.6.5PUSALEREPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-8.6.5PUSALEREPR)

**Resolution No. R-380-17**, adopted by the Board on April 4, 2017, established the policy requiring the County Mayor to provide written notification to the District Commissioner in which the County-owned property lies no less than four weeks prior to placing any item on the agenda requesting approval of the sale, lease or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

**Resolution No. R-333-15**, adopted 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.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

**Florida Statutes, Section 125.38** states that any department, agency, state, political subdivision, municipality of the state, corporation, or not for profit organization desires real or personal property that may be owned by any county of the state or its

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board of county commissioners, for the purposes of promoting community interest and welfare, must apply to the board of county commissioners for a conveyance or lease of such property.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.38&URL=0100-0199/0125/Sections/0125.38.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html)

**Resolution No. R-1054-16**, adopted on November 1, 2016, delineates that gender neutral/gender inclusive signage on or near single occupancy restrooms in buildings and facilities owned, operated, or leased by the County and the Public Health trust should be identified and that future leases and agreements require tenants to comply with this resolution based on availability.

<http://intra/gia/matter.asp?matter=162300&file=true&yearFolder=Y2016>

**Ordinance No. 12-53**, adopted on July 3, 2012, requires criminal background checks of certain proposed tenants of County property and disclosure of adverse results to the Board.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120899min.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Internal Services**

The proposed resolution was considered at the October 16, 2018 Housing and Social Services Committee meeting and was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

This item is requesting Board authorization to execute a lease agreement between Miami-Dade County and the Mexican American Council, Inc. for a County-owned property located at 49 West Mowry Drive, Homestead, Florida for an initial five year term and one, five year option to renew term, declare the property as surplus, and waive the requirements of Administrative Order No. 8-4. The Mexican American Council, Inc. intends to utilize the property as its headquarters to provide family empowerment programs.

The item has a positive fiscal impact for the County. For the initial five years of the lease, the rental revenue will be \$42,047, which includes the annual increase of three percent after the second year of the lease. The total revenue will be \$102,101.80, which includes the annual increase of three percent and a four percent lease management fee, with the one, five year option to renew term. The annual increase in the amount of three percent begins the third year. The rent for the initial year is \$1 and for the second year of the lease, the rent will be \$10,050 annually (\$837.50 per month, \$5.00 per square foot). The current market rent is estimated at approximately \$18.67 per square foot with a comparative range from \$17.00 to \$20.00 per square foot. Since the tenant is providing services intended to promote community interest and welfare, the rental rate is discounted from the market rate.

The Mexican American Council, Inc. intends to use the property as its headquarters to provide family empowerment programs such as parental and student counseling, college career readiness programs, academic advising, and support services including life skills, employability skill training, and summer internships.

The tenant is responsible for all costs and expenses associated with the property including, but not limited to, security guard and security monitoring services, utilities, janitorial, maintenance, improvements, repairs, and replacement of furniture, fixtures, equipment, and all utility services including the costs and expenses associated with it.

It is recommended to waive Administrative Order No. 8-4 because the premises are not needed for County purposes and should be declared surplus property.

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**Research Notes**

Below is an aerial image of the property at 49 W Mowry Drive, Homestead, Florida 33030-5901



**ADDITIONAL INFORMATION**

The Mexican American Council, Inc. is a non-profit that is dedicated to advancing the living standards of farmworker youth by breaking the cycle of poverty through education, the arts, and civic engagement and has a record of 30 years of service to the community.

<https://www.mexamcouncil.org/>



**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8F4  
File No. 182264**

**Researcher: IL Reviewer: PGE**

RESOLUTION APPROVING REPLACEMENT OF SENIOR COUNSEL COZEN O'CONNOR, PC WITH GRAYROBINSON, P.A. IN THE DISCLOSURE COUNSEL POOL, RTQ-00528, FOR THE FINANCE DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the replacement of Senior Counsel Cozen O'Connor, PC with GrayRobinson, P.A. in the County's disclosure counsel pool, Pool No. RTQ-00528, for the Finance Department.

**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 \$250,000.00; (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 Implementing Order (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)

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-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. 999-17, adopted by the Board on November 7, 2017, establishes closed prequalification pool RTQ-00528 consisting of Cozen O' Connor, PC, Hunton & Williams, LLP, and Nabors, Giblin & Nickerson, P.A. in a total amount up to \$4,900,000.00 for a seven-year term for disclosure bond counsel for the Finance Department.

<http://intra/gia/matter.asp?matter=172068&file=true&yearFolder=Y2017>

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, and directs the County Mayor to include such information in the memorandum to Board pertaining to vendor being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&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>

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Research Notes**

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board approval for the replacement of Senior Counsel Cozen O’ Connor, PC with GrayRobinson, P.A. in the disclosure counsel pool, Pool No. RTQ-00528, for the Finance Department. This replacement neither impacts the pool’s term nor allocation. The pool has a current cumulative allocation of \$4,900,000.00 which expires on February 28, 2025. The funding source is Bond Proceeds.

The County awarded this competitively-established pool on November 11, 2017 for a term of seven years under Resolution No. R-999-17. The pool consists of three bond counsel law firms (senior counsel) with their associate law firms (associate counsel). The pool is currently in the first-year of its term. The Finance Department uses this pool to provide disclosure counsel services, on an as needed basis, for the issuance of public bond or debt transactions related to the County. Awarded vendors are selected for bond transactions on a rotational basis. There are currently three awarded vendors and each vendor has a local associate counsel. A summary of the award is seen in the table below.

Senior Partner	Associate Counsel
Cozen O’ Connor, PC	Law Offices of Thomas H. Williams, Jr., PL
Hunton & Williams, LLP	DiFalco & Fernandez, LLP
Nabors, Giblin & Nickerson, P.A.	Manuel Alonso-Poch, P.A.

The substitution is requested due to Cozen O’Connor’s termination as senior counsel. As a condition of award, each senior counsel is required to contractually engage with an associate counsel located in Miami-Dade County in an effort to expand the availability of small and local law firms with experience in public finance. Pursuant to the solicitation, if a senior or associate counsel terminates their contractual engagement, the County may, at its sole discretion and upon approval of the Board, permit the surviving counsel to make a substitution, provided that the replacement firm meets the applicable requirements set forth in the solicitation. Cozen O’Connor, senior counsel, had a joint venture agreement with the Law Offices of Thomas H. Williams, Jr., P.L. (THW), associate counsel. Due to a conflict of interest with other County projects, not related to THW, Cozen O’Connor terminated their agreement.

OCA performed a search for commodity code 94648 (Financial Advisor) on the Business Management Workforce System’s Certified Vendor Directory on October 21, 2018. Listed below are the local SBEs identified:

A. L. JACKSON & COMPANY, P.A.	Miami, FL	<a href="#">SBE-G&amp;S</a>
Anthony Brunson, P.A.	Miami, FL	<a href="#">SBE-G&amp;S</a>
C Borders-Byrd, CPA LLC	Miami, FL	<a href="#">SBE-G&amp;S</a>

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Research Notes**

**Item No. 8F5  
File No. 182266**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00918 IN A TOTAL AMOUNT UP TO \$3,995,000.00 FOR THE PURCHASE OF SIGNS AND BANNERS FOR MULTIPLE 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 the establishment of Prequalification Pool No. RTQ-00918, for the purchase of signs and banners, in the amount of \$3,995,000.00 for a term of five years, for various County departments.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

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

Resolution No. R-36-14, adopted by the Board on January 22, 2014, authorizes additional time of five years and expenditure authority in a total amount up to \$69,552,000.00 for various services and various County departments.

<http://www.miamidade.gov/govaction/matter.asp?matter=132381&file=true&fileAnalysis=false&yearFolder=Y2013>

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>

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**Research Notes**

Implementing Order No. 3-38 provides 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 (ISD); 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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization to establish a prequalification pool in the amount of \$3,995,000.00 for a term of five years for the purchase of signs and banners for various County departments. This pool, which was advertised on June 13, 2018, provides for the purchase of electrical and non-electrical signs and banners which may include installation and removal services, throughout the County.

The pool is composed of three groups: 1) Purchase of Signs and Banners; 2) Purchase, Install, and/or Removal – Non-Electrical Signs and Banners; and 3) Purchase, Install, and/or Removal – Electrical Signs and Banners. For Group 3, all work orders shall be submitted to Small Business Development for review and application of SBE-Con measures. Departments will utilize this pool to provide new logo or special event signs and banners and replacement of building signs after a hurricane or building renovation. The pool includes a set-aside of up to \$100,000 where there are three or more certified firms.

The fiscal impact is \$3,995,000.00 for a term of five years. The largest user department of this service is ISD. The current pool, 0800-0/14, is valued at \$6,924,000.00 for a term of six years and expires on April 30, 2019. The annual allocation under the current pool is \$1,154,000.00 whereas the annual allocation under the replacement pool is \$799,000.00. The difference in allocation under the replacement pool is attributable to a shorter pool term, and anticipated futures usage based on historical spend.

A total of eight vendors responded to the solicitation and all are being recommended for inclusion in the pool, they are all active on sunbiz (the Florida Division of Corporations website); of those vendors, six are local and of those six, three are certified SBE firms. There are 28 vendors under the current pool. The following current (incumbent) pool vendors are being recommended for inclusion under this replacement pool: Superior Office Services LLC, Master Visuals Pro, LLC., Neon Sign Solutions, Inc., And System 2 90.

OCA performed a search for commodity codes 35010 (Banners, Pennants and Decorative Fans, Drapes, and Pull Downs); 55762 (Signage, Advertising Type Interior and Exterior); and 55970 (Signage Incls. Destination, Routing and Advertising) on the Business Management Workforce System's Certified Vendor Directory on October 15, 2018. Listed below are the local SBEs identified (none are in the replacement pool):

Fair Play, Inc., dba Freedom Flag & Banner Company	North Miami, FL	<a href="#">SBE-G&amp;S</a>
Gateways Unlimited, Inc.	Miami, FL	<a href="#">SBE-G&amp;S</a>

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I P A C	Cutler Bay, FL	<a href="#">SBE-G&amp;S</a>
Innovative Incentives, Inc.	Miami, FL	<a href="#">SBE-G&amp;S</a>
Digigraphix Advertising Co.	Doral, FL	<a href="#">SBE-G&amp;S</a>
Eastern Rail Corp.	Hialeah, FL	<a href="#">SBE-G&amp;S</a>
Remington Steel & Signs Llc	Miami, FL	<a href="#">SBE-G&amp;S</a>
Apimaging, Inc., Db a Associated Photo & Imaging	Hialeah, FL	<a href="#">SBE-G&amp;S</a>

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Research Notes**

**Item No. 8F6  
File No. 182296**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$2,532,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00299 FOR HEATING, VENTILATING, AND AIR-CONDITIONING AND CONTROL SERVICES FOR MULTIPLE DEPARTMENTS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure authority to Prequalification Pool No. RTQ-00299, Heating, Ventilating, and Air-Conditioning and Control Services, in the amount of \$2,532,000.00, for the Community Action and Human Services, Corrections and Rehabilitation and Cultural Affairs departments to continue receiving HVAC services.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

Resolution No. R-373-16, adopted by the Board on May 17, 2016, authorizes the establishment of prequalification pool RTQ-00299 in a total amount up to \$10,328,000.00 for heating, ventilating and air-conditioning (HVAC) and control services for County Departments.

<http://intra/gia/matter.asp?matter=160575&file=true&yearFolder=Y2016>

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 provides 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.

**BCC Meeting: November 8, 2018**  
**Research Notes**

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

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization to increase expenditure authority to Prequalification Pool No. RTQ-00299 for HVAC services in the amount of \$2,532,000.00 to support multiple County departments. The County established the current pool to enable user departments to solicit spot market quotes for projects such as ductwork cleaning and sanitizing, emergency repairs, and repair or replacement of chillers, piping, cooling towers, air handlers, and supporting structures. The pool includes four groups: (A) Repair, replace, supply, install and/or rent HVAC Equipment and controls; (B) Testing, Adjusting and Balancing HVAC Equipment; (C) A/C Duct Cleaning & Sanitizing; and (D) Emergency and Repairs.

The pool currently has 30 vendors, of which 17 are local. The vendors are all active and in good standing per sunbiz (the official website of the FL Division of Corporations). Of the 30 vendors currently in the pool, 17 have local addresses (56%), which is below the 75% threshold required by Resolution No. R-477-18.

The pool term expires on May 31, 2024 and has a current cumulative allocation of \$10,788,000.00. If this request is approved, the pool will have a modified cumulative allocation of \$13,320,000.00. The requested increase in expenditure is based upon anticipated expenditures. Per information seen in BTS on November 6, 2018, a total of \$10,788,000 was allocated to the pool's Blanket Purchase Order; of that sum, \$3,353,980.26 has been released, leaving a balance of \$7,434,019.74.

The justification per user department for the requested additional expenditure is as follows:

1) Community Action and Human Services has an original allocation of \$224,765, of which no funds have been released; the department is requesting \$1,376,000.00 for ongoing air-conditioning repair and installation services through the expiration of the pool term, ensuring continuity of operations at all of its facilities.

2) Corrections and Rehabilitation has an original allocation of \$520,000, of which \$219,864.99 has been released; the department is requesting \$750,000.00 for emergency repair and maintenance services of magnetic chillers located at the Metro West Detention Center and to replace old equipment servicing the Medical Housing Unit at the Turner Guilford Knight Correctional Center.

3) Cultural Affairs has an allocation of \$100,000, of which \$15,650 has been released; the department is requesting \$406,000.00 in order to provide regular and emergency services as needed to all of its facilities through the expiration of the pool term.

OCA performed a search for commodity code 91036 (Heating, Air Conditioning, and Ventilation Maintenance, Repair and Installation Services), 031 (Air Conditioning, Heating, and Ventilation), 220 (Controlling, Indicating, Measuring, Monitoring), 90644 (Heating, Ventilating, Air Conditioning-Architectural Services) and 238220 (Plumbing, Heating, And Air-Conditioning Contractors) on the Business Management Workforce System's Certified Vendor Directory on November 6, 2018 and found 22 local SBE G&S firms for code 031, 9 local SBE G&S firms for code 220, 54 local SBE G&S firms for code 91036, 3 local SBE G&S firms for code 90644 for a total of 88 SBE G&S firms identified. Code 238220 did not yield any matches.

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Research Notes**

**Item No. 8F7  
File No. 182297**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00924 IN A TOTAL AMOUNT UP TO \$2,812,000.00 FOR THE PURCHASE OF SECURITY EQUIPMENT, MAINTENANCE, AND REPAIR SERVICES FOR MULTIPLE 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 Prequalification Pool No. RTQ-00924, for the purchase of security equipment, maintenance, and repair services, in the amount of \$2,812,000.00 for a term of eight years, for various County departments.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami -  
\\_dade county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_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 (SBE) program certification in any procurement item submitted for Board approval.

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

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&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 why 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-885-18, adopted by the Board on September 5, 2018, authorizes waiver of formal bid procedures pursuant to section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the code of Miami-Dade County ratifying an emergency contract in the amount of \$424,000.00 for the purchase of body scanners for the Miami-Dade Corrections and Rehabilitation Department.

<http://intra/gia/matter.asp?matter=181541&file=true&yearFolder=Y2018>



**BCC Meeting: November 8, 2018**  
**Research Notes**

Resolution No. R-886-18, adopted by the Board on September 5, 2018, authorizes waiver of formal bid procedures pursuant to section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the code of Miami-Dade County ratifying an emergency contract in the amount of \$364,000.00 for the purchase of x-ray equipment and drug detection devices for the Miami-Dade Corrections and Rehabilitation Department.

<http://intra/gia/matter.asp?matter=181533&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 (ISD); 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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

### **ANALYSIS**

The proposed resolution is requesting Board authorization to establish a prequalification pool in the amount of \$2,812,000.00 for an eight-year term, for the purchase of security equipment, maintenance, and repair services for County departments. This pool provides for the purchase, installation, maintenance, calibration, and repair services for x-ray machines, turnstiles, walk-through metal detectors, and related security equipment. The pool includes two groups: Group 1, Purchase and Installation of Equipment; and Group 2, Maintenance, Calibration, and Repair Services. The equipment to be purchased may include, but is not limited to, x-ray machines, belts and roller tables, electronic turnstiles, monitors and any other related security equipment that is used to prevent unauthorized entry into a facility or other areas. The maintenance and repair services to be purchased include preventive maintenance, equipment cleaning, replacing parts, and equipment reset.

The living wage will only apply to Group 2 where permitted by the funding source. A SBE set-aside shall be applied where there are three or more certified firms available. This pool is necessary to ensure the safety and security of County employees and members of the public by eliminating contraband from entering Miami-Dade County facilities through the use of properly functioning security equipment. The user departments are Aviation, Corrections and Rehabilitation and Internal Services. ISD is requesting the largest allocation, i.e., \$1,600,000.

The fiscal impact is \$2,812,000.00 for an eight-year term. There is no previous long-term contract for the purchase of this equipment; however, at the September 5, 2018 Board meeting, the County ratified two emergency contracts for a one-time purchase of x-ray and body scanner equipment for the Miami-Dade Corrections and Rehabilitation Department. The emergency contracts were awarded as part of the response to the opioid crisis, providing for the purchase of security products and services needed to detect and eradicate concealed contraband entering correctional facilities throughout the County. One of the awarded vendors under the emergency contract (E9980-0/18) (Pemica Inc) is also recommended for inclusion in this pool.

A Request for Qualifications was issued under full and open competition. Six vendors responded to the solicitation, of which two were "No Bids." Currently, two vendors are being recommended for inclusion in the pool.

- Pemica, Inc. (Pre-qualified for Groups 1 and 2) is a local firm located at 7324 SW 48<sup>th</sup> Street, Miami, FL 33155
- Rapiscan Systems, Inc. (Pre-qualified for Groups 1 and 2) is not a local firm.

Note that although Rapiscan is located in California, the company has technicians located in Florida. Also, Rapiscan equipment is currently being used at some airport locations throughout the County. It is unclear from the mayoral memorandum how these services are currently being procured.

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**Research Notes**

OCA performed a search for commodity codes 93673 (Security and Access Systems Maintenance and Repair); 03595 (X-Ray Scanner, Passenger Baggage); 68002 (Accessing Control Systems and Security Systems); and 68044 (Detectors, Gun and Metal) on the Business Management Workforce System's Certified Vendor Directory on October 15, 2018. Listed below are the local SBEs identified:

- Conwell & Associates Consulting Company Miami, FL SBE-G&S
- A&B Hardware , Inc., dba A&B Hardware-Lumber, Inc. Miami, FL SBE-G&S
- All Dade Fences, Inc., Hialeah, FL SBE-G&S
- CMS International Group, Corp., Miami, Gardens, FL SBE-G&S
- Conwell & Associates Consulting Company, Miami, FL SBE-G&S
- Genard & Associates, LLC, Miami, FL SBE-G&S
- Golden Fence Company, Inc. Miami, FL SBE-G&S
- Guaranteed Fence Corp., Hialeah, FL SBE-G&S
- Javan Lumber, Inc., North Miami, FL SBE-G&S
- Smart House Solutions, Inc., Miami, FL SBE-G&S
- United Iron Works, Inc., DBA United American Metal Works, Miami, FL SBE-G&S
- Smart House Solutions, Inc., Miami, FL SBE-G&S
- Generating Systems, Inc., Miami, FL SBE-G&S
- Coral Way Locksmith, Corporation, Miami, FL SBE-G&S
- Delphi One Systems Corp., Miami, FL SBE-G&S
- Galactic Technology Group, LLC, Miami, FL SBE-G&S

**ADDITIONAL INFORMATION**

Based on information found on Pemica Inc.'s website, the vendor has provided security equipment maintenance to multiple agencies such as the Broward County Sheriff's Office, Broward County, Florida Department of Corrections, Lee County, Osceola County and Manatee County.

<https://www.pemica.us/customers/>

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Research Notes**

**Item No. 8F8  
File No. 182303**

**Researcher: IL Reviewer: PGE**

RESOLUTION APPROVING \$1,554,000.00 INCREASE IN EXPENDITURE AUTHORITY FOR A TOTAL MODIFIED CONTRACT AWARD OF \$7,496,000.00 FOR CONTRACT NO. FB-00149 FOR THE PURCHASE OF SHOES AND BOOTS FOR VARIOUS DEPARTMENTS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure authority of up to \$1,554,000 to Contract No. FB-00149 for the purchase of shoes and boots for various County departments.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

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-837-15, adopted by the Board on October 6, 2015, approving award of Contract No. 00149 for purchase of shoes and boots for various county departments in a total amount not to exceed \$5,492,000.00 for a term of five years

<http://intra/gia/matter.asp?matter=151634&file=true&yearFolder=Y2015>

Resolution No. R-391-17, adopted by the Board on April 4, 2017, Directs the Mayor to conduct competitive selections whenever feasible instead of expanding the term or services under existing contracts, to include in any recommendation to the Board for the expansion of term or services under existing contracts a written justification of why a competitive process is not feasible, to include to the maximum extent possible in any proposed expansion of term or services any requirements of Ordinance or Resolutions adopted by the Board subsequent to the initial contract and to report to the Board in the recommendation which requirements were adopted and rejected.

<http://intra/gia/matter.asp?matter=170534&file=true&yearFolder=Y2017>

Resolution No. R-716-12, adopted by the Board on September 6, 2012, Directs the Mayor to identify certified SBE, CBE-AVE, CSBE, DBE, and ACDBE firms in any procurement item submitted for Board approval.

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

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 (ISD); 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>

**BCC Meeting: November 8, 2018  
Research Notes**

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization for increased spending totaling \$1,554,000.00 for Contract No. FB-00149 for the purchase of shoes and boots for various departments.

The County awarded this formal bid contract on October 6, 2015 for a term of five years in the amount of \$5,492,000.00. The contract expires on October 31, 2020. Since award, the contract has been modified, administratively, for \$446,860, resulting in the current cumulative allocation of \$5,938,860. The method of award was to four vendors per manufacturer's brand who offered the highest percentage discount off of the MSRP. County departments use this contract for the purchase of safety shoes and boots as mandated by collective bargaining agreements, the County's Safety Manual, and the U.S. Occupational Safety and Health Administration. The awarded vendor provides the facility, tools, equipment and personnel required to size and fit the County employee. There are 7 awarded vendors in the pool of which 6 have an active status and 1 (Design Lab, Inc. FEIN No. 56-2051141) does not have an active status on the Florida Division of Corporations website.

The fiscal impact of this item is countywide, and the increased amount is \$1,554,000.00, if approved, would result in a modified cumulative allocation of \$7,492,860, i.e., \$5,938,860 plus \$1,554,000.

The chart below illustrates the distribution by department. The data was pulled from BTS on November 5, 2018.

<b>Department</b>	<b>Allocation Amount</b>	<b>Released Amount</b>	<b>Balance</b>
Animal Services	\$50,000.00	\$30,709.11	<b>\$19,290.89</b>
Aviation	\$532,860.00	\$322,200.71	<b>\$210,659.29</b>
Community Action and Human Services	\$4,000.00	\$3,595.89	<b>\$404.11</b>
Miami-Dade Corrections and Rehabilitation Department	\$ 516,000.00	\$468,991.82	<b>\$47,008.18</b>
Communications Department	\$5,000.00	\$0.00	<b>\$5,000.00</b>
Department of Cultural Affairs	\$6,000.00	\$506.27	<b>\$5,493.73</b>
Enterprise Technology Services Department (ITD)	\$62,000.00	\$33,938.98	<b>\$28,061.02</b>
Finance Department	\$10,000.00	\$4,373.34	<b>\$5,626.66</b>
Fire	\$611,000.00	\$610,932.30	<b>\$67.70</b>

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Miami-Dade Public Housing	\$197,000.00	\$150,000.00	<b>\$47,000.00</b>
Internal Services Department	\$361,000.00	\$162,630.25	<b>\$198,369.75</b>
Miami-Dade County Library	\$11,000.00	\$10,145.59	<b>\$854.41</b>
Medical Examiner	\$14,000.00	\$9,783.97	<b>\$4,216.03</b>
Department of Transportation	\$833,470.31	\$730,737.01	<b>\$102,733.30</b>
Miami-Dade Police Department	\$294,000.00	\$185,991.78	<b>\$108,008.22</b>
Regulatory and Economic Resources	\$141,123.52	\$84,914.22	<b>\$56,209.30</b>
Miami-Dade Parks and Recreation (PROS)	\$422,123.52	\$324,505.26	<b>\$97,618.26</b>
Public Works	\$15,648.42	\$15,648.42	<b>\$0.00</b>
Seaport Department	\$170,000.00	\$157,220.57	<b>\$12,779.43</b>
Department of Solid Waste Management	\$633,634.23	\$567,764.28	<b>\$65,869.95</b>
Vizcaya	\$20,000.00	\$6,136.01	<b>\$13,863.99</b>
Miami-Dade Water and Sewer	\$1,029,000.00	\$996,265.66	<b>\$32,734.34</b>
<b>Total :</b>	<b>\$5,938,860.00</b>	<b>\$4,869,190.44</b>	<b>\$1,069,669.56</b>

The requesting departments will apply the additional expenditure authority as follows:

1. Fire Rescue almost exhausted its original allocation of \$611,000.00 and is requesting an additional \$350,000.00 to provide shoes to its employees as part of their authorized uniforms. A spend analysis was conducted based on expenditures and inflation rate to assist the department in projecting the allocation that will be needed until the expiration of the contract.
2. Internal Services Department (ISD) has an original allocation of \$361,000.00, and is requesting an additional \$45,000.00 to provide safety shoes to all employees stationed at its 19 fleet shops. ISD based this request on a spend analysis.
3. Parks, Recreation and Open Spaces has an original allocation of \$422,123.52, and is requesting an additional \$134,000.00. The Causeways Division became part of the department after the award of this contract, therefore increasing the department's needs for shoes. Turnover rates across divisions as well as an expansion of Zoo Miami also factored into the requested sum.
4. Port-Miami almost exhausted its original allocation of \$170,000.00, and is requesting an additional \$100,000.00 allocation to purchase safety shoes and boots to accommodate the increase in new hires. Per the collective bargaining agreement, the department provides its union employees with shoes and uniforms twice a year.
5. Solid Waste Management almost exhausted its original allocation of \$633,634.23 and is requesting an additional \$295,000.00 to provide safety shoes to new hires. During the last several years, the department has filled numerous vacancies that have required the purchase of additional safety shoes.

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6. Water and Sewer (WASD) almost exhausted its original allocation of \$1,029,000.00 and is requesting an additional \$630,000.00 to continue providing safety shoes and rubber boots for its employees through the remainder of the contract term.

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**Research Notes**

**Item No. 8F9**  
**File No. 182311**

**Researcher: IL Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$3,135,000.00 FOR PREQUALIFICATION POOL NO. 1298-1/21-1 FOR PURCHASE OF PLANT MATERIAL AND TREE SERVICES FOR VARIOUS DEPARTMENTS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure authority to Prequalification Pool No. 1298-1/21-1, Plant Material and Tree Services, in the amount of \$3,135,000 in order for the Corrections and Rehabilitation, Parks, Recreation and Open Spaces and Public Housing and Community Development departments to continue purchasing services under this pool.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 Implementing Order (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)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

Resolution No. R-131-12, adopted by the Board on February 7, 2012, established a prequalification pool to purchase and install, Plant Material (Group 1), Provide and Install Plant Material (Group 2), Tree Services (Group 3) and Tree Relocation for various tree species (Group 4). The total contract value of this pool is \$10,372,000.00 for a five (5) year term with a five (5) year option-to-renew.

<http://intra/gia/matter.asp?matter=112690&file=true&yearFolder=Y2011>

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

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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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization to increase expenditure authority to Prequalification Pool No. 1298-1/21-1, Plant Material and Tree Services, in the amount of \$3,135,000.00 in order for multiple County departments to continue purchasing plant services. The departments requesting additional spending are: MDCR (\$245,000), PROS (\$2,000,000) and PHCD (\$890,000). Based on the solicitation, the pool has four groups: (1) Furnish Plant Material, (2) Furnish and Install Plant Material, (3) Tree Services, and (4) Tree Relocation. There are 32 pre-qualified vendors, of which 29 are local. The vendor table does not specify which group the vendor is qualified for.

If the request for additional expenditure authority in the amount of \$3,135,000.00 is approved, the modified cumulative allocation will be \$38,081,000.00.

A total of \$19,100,561.56 has been allocated to the current pool's Blanket Purchase Order (BPO); note that the pool is in its option term which expires on February 28, 2022. Of that allocated sum, a total amount of \$8,536,481.40 has been released, leaving a balance of \$10,564,080.16. The chart below illustrates the distribution by department. The data was pulled from BTS on November 5, 2018.

<b>Department</b>	<b>Allocation Amount</b>	<b>Released Amount</b>	<b>Balance</b>
Aviation	\$2,718,670.00	\$729,777.00	<b>\$1,988,893.00</b>
Community Action and Human Services	\$ 110,000.00	\$ 0.00	<b>\$ 110,000.00</b>
Miami-Dade Corrections and Rehabilitation Department	\$ 50,000.00	\$ 50,000.00	<b>\$0.00</b>
Department of Cultural Affairs	\$100,000.00	\$27,575.00	<b>\$72,425.00</b>
Fire	\$70,375.00	\$21,892.00	<b>\$48,483.00</b>
Miami-Dade Public Housing	\$1,352,237.74	\$1,303,321.97	<b>\$48,915.77</b>
Internal Services Department	\$106,625.00	\$40,397.50	<b>\$66,227.50</b>
Miami-Dade County Library	\$50,000.00	\$35,679.50	<b>\$14,320.50</b>



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Department of Transportation and Public Works	\$143,884.70	\$2,953.00	<b>\$140,931.70</b>
Miami-Dade Police Department	\$25,000.00	\$0.00	<b>\$25,000.00</b>
Permitting, Environment and Regulatory Affairs (RER)	\$1,033,000.00	\$197,185.25	<b>\$835,814.75</b>
Miami-Dade Parks and Recreation (PROS)	\$10,661,395.43	\$5,519,062.61	<b>\$5,142,332.82</b>
Seaport Department	\$59,000.00	\$0.00	<b>\$59,000.00</b>
Department of Solid Waste Management	\$998,755.85	\$68,191.81	<b>\$930,564.04</b>
Vizcaya	\$212,617.84	\$208,179.75	<b>\$4,438.09</b>
Miami-Dade Water and Sewer	\$1,409,000.00	\$332,266.01	<b>\$1,076,733.99</b>
<b>Total :</b>	<b>\$19,100,561.56</b>	<b>\$8,536,481.40</b>	<b>\$10,564,080.16</b>

The departments requesting additional spending will use the funds as follows:

1. MDCR: the department has exhausted its current allocation and is requesting \$245,000 to maintain the current contractual lawn services for four correctional services as well as to cover unforeseen services caused by storms or hurricanes.
2. PROS is requesting \$2 million to purchase and install plant materials to replace those damaged by Hurricane Irma; the money will also be used to purchase tree trimming services to mitigate damages from future storms.
3. PHCD has almost exhausted its current allocation and is requesting \$890,000 to purchase and install plant materials and receive tree trimming services for all of its housing facilities.

OCA performed a search for commodity code 59510 (Bedding Plants and Cuttings) on the Business Management Workforce System's Certified Vendor Directory on November 5, 2018. Listed below is the local SBE-G&S identified:

- Southern Blossoms Inc. (Firm is not included in the current pool)

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Research Notes**

**Item No. 8F10  
File No. 182304**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9166-1/21, GALILEO ON-LINE REGISTRATION SYSTEM, FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE ONE, THREE-YEAR OPTION TO RENEW TERM FOR LEGACY CONTRACT NO. L9166-1/21, GALILEO ON-LINE REGISTRATION SYSTEM, FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$250,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize award of a legacy contract to Assessment Technology, Inc. for the Community Action and Human Services Department's utilization of the Galileo On-Line Registration System and approve the exercise of the contract's one, three-year option to renew term in a total amount not to exceed \$250,000, giving the contract a cumulative value of \$500,000.

**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=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 2-8.1(b)(2) of the County Code provides for legacy purchases upon a majority vote of the Board members present. A legacy purchase is defined as a purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. In any legacy purchase award recommendation, the County Mayor shall include a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for legacy purchases for the particular good or service.

[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)

Resolution No. R-1433-06, adopted by the Board on December 19, 2006, directs the Mayor to develop an administrative process for review of all contracts for procurement of goods and services for opportunities for Small Business Enterprise participation prior to exercising the options-to-renew.

<http://intra/gia/matter.asp?matter=063176&file=true&yearFolder=Y2006>

Resolution No. R-98-12, adopted by the Board on January 26, 2012, directs the Mayor or his designee to negotiate better prices on all awarded contracts for the purchase of goods and services and prior to the exercise of any options-to-renew and delegating authority to County Mayor or designee to amend contracts to provide better prices for the County.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

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>

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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, 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>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Requester/Department: Internal Services Department**

This item was forwarded to the BCC with a favorable recommendation by the Housing and Social Services Committee at its October 16, 2018 meeting.

**ANALYSIS**

The proposed resolution authorizes award of a legacy contract to Assessment Technology, Inc. (ATI) for the Community Action and Human Services Department’s utilization of the Galileo On-Line Registration System (Galileo) to import and export data to the Social Services Information System (SSIS), ChildPlus, and the Electronic Devereux Early Childhood Assessment System (eDECA) in furtherance of meeting local and federal reporting and funding mandates related to the operation of Head Start centers throughout the County.

The item also approves the exercise of the contract’s one, three-year option to renew term in a total amount not to exceed \$250,000, giving the contract a cumulative value of \$500,000. During the option to renew term, ATI will continue to provide hosting, maintenance and support services for the system. The table below details the current allocation by department, the allocation requested for the option to renew term, and the cumulative allocation.

<b>Department</b>	<b>Current Allocation</b>	<b>Allocation Requested for Option to Renew</b>	<b>Cumulative Allocation</b>
Community Action and Human Services	\$248,133	\$250,000	\$498,133
Unallocated	\$1,867	\$0	\$1867
<b>Total:</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$500,000</b>

It is unclear from the item why \$1,867 in funds went unallocated, particularly since all the allocated funds have already been released.

Galileo, owned by ATI, is proprietary, with system-related services being performed solely by ATI. The system was chosen in 1998 by the Florida Head Start Association Research Committee, and CAHSD has been utilizing the system for the past sixteen

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years to provide and evaluate cognitive, physical development, linguistic development and socio-emotional assessments to children participating in the Head Start program.

The current agreement was approved under delegated authority in December 2015 and expires on December 31, 2018. The agreement's scope of services includes service support and data import/export services. A July 24, 2018 Request for Information was issued to identify vendors who could provide the services for the System; the department did not receive any responses. However, Market Research identified other software providers, albeit not with the services required by CAHSD.

The County has made a significant investment in Galileo, with over 16 years and more than \$1,274,000 already spent on the System's implementation and utilization throughout the County. This, along with the costs that would result from replacing the current System, and the department's lack of budgeted funds for such a transition, make a solicitation for a new system impracticable and cost prohibitive for the department.

Award of this legacy contract and exercising the option to renew term—requiring Board approval since the cumulative value of the current term and the requested renewal term exceeds the Mayor's delegated authority—will extend the contract until December 31, 2021, whereas the initial contract term would otherwise expire on December 31, 2018.

ATI contracts with approximately a dozen counties throughout the State of Florida for the use of Galileo in over two-thirds of all Florida Head Start agencies. Broward and Palm Beach Counties do not currently contract with ATI for this purpose.

The departments due diligence search conducted pursuant to Resolution No. R-187-12 produced no adverse findings related to contractor responsibility.

**ADDITIONAL INFORMATION**

***Assessment Technology, Inc.***

ATI was founded in 1986 by educators with expertise in child development, the psychology of learning, and in educational measurement. Those founders are part of today's ATI team which is nationally known as an energized and dedicated group of professionals focused on carrying forth the long-standing mission of creating technology to promote learning. Partnering with clients, ATI ensures that educators receive cutting-edge technology and guidance offered promptly and through clear communications so that they and those they teach can benefit from all that Galileo has to offer.

<http://ati-online.com/Index.html>

**INPUT FROM ISD**

OCA posed the following questions to the Internal Services Department; the department's response is included below in bold and italics.

- Please provide a timeline showing when the County originally contracted with the vendor for these services through the proposed expiration of the requested OTR.
  - ***ADPICS shows that Purchase Order No. APCA0200020 for \$18,500 was created on 10/9/2001. It is the first record of payment we could find to Assessment Technology Inc. in the system, and the vendor confirmed that this was the first purchase order they received from the County.***
  - ***ADPICS shows that the direct payment process was used from September 2002 through 2009.***
  - ***CP9166-CA, effective 11/4/2009, was a confirmation purchase to pay outstanding invoices for Galileo Online License Renewal for the 2009-10 Head Start Program Year. "CP9166-CA\_AWARD," page 7, states, "Initially CAA staff was advised that direct pay process could be used this year. It has since been determined that the contract process should be used. However, these licenses are already in use for the current Head Start program year and an invoice has been presented for payment."***
  - ***SS9166-4/15 was awarded 11/23/2010. SS9166-4/15-4 expired 11/22/15.***
  - ***L9166-1/21 was awarded 12/9/2015. The current term expires 12/31/18.***

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- Has CAHSD encountered any performance issues with the vendor during the current term?  
*No, the department has not encountered any performance issues with the vendor.*

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**Item No. 8F11  
File No. 182345**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF CLOSED PREQUALIFICATION POOL RFQ-MDAD-17-04 IN A TOTAL AMOUNT UP TO \$6,016,000.00 FOR TIER 2 AVIATION SIGNAGE DESIGN, FABRICATION AND INSTALLATION FOR THE AVIATION DEPARTMENT FOR AN INITIAL TERM OF FIVE YEARS, WITH ONE, FIVE-YEAR OPTION TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, AND 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

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of closed Prequalification Pool No. RFQ-MDAD-17-04, for Tier 2 Aviation Signage Design, Fabrication and Installation, in an amount up to \$6,016,000.00 for a five (5) year term with one (1), five (5) year option-to-renew for the Miami-Dade Aviation Department (MDAD).

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

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 designee 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-100-17, adopted by the Board on February 7, 2017, approving five (5) non-exclusive contracts for the MDAD airport signage fabrication and installation contract, number MDAD 15-03, for one year at \$2,000,000.00 to Allen Industries, Inc.;

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Architectural Graphics, Inc.; Creative Mailbox Designs, LLC d/b/a Creative Sign Designs; Baron Sign Manufacturing; and Don Bell Signs, LLC.

<http://intra/gia/matter.asp?matter=170851&file=false&yearFolder=Y2017>

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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Economic Development and Tourism Committee at its October 19, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization to establish a replacement prequalification pool in the amount of \$6,024,000.00 for a five (5) year term with one (1), five (5) year option to renew for MDAD to purchase Tier 2 Aviation Signage Design, Fabrication and Installation.

The purpose of this pool is to provide for large scale, complex signage projects valued at less than \$50,000.00. Tier 2 projects do not include electrical or structural work. The pool provides signage elements, including printed signage, banners, decals, fabricated letters, first-surface printed signs applied directly to surfaces, second-surface or reverse printed signs, aluminum traffic signs of limited sizes, hazard and warning signs, vinyl sign applications, magnetic signs, and vinyl wraps for architectural elements and vehicles. A separate item is being submitted to the Board to establish the pool for Tier 1 projects (File Item No. 182347).

The fiscal impact for the initial five (5) year term is \$3,008,000.00. Should the County choose to exercise, at its sole discretion, the one (1), five (5) year option-to-renew, the estimated cumulative value will be \$6,016,000.00. The previous pool, RFQ-MDAD-15-03, included both Tier 1 and Tier 2 projects and was valued at \$2,000,000.00 for a one (1) year term.

The Table below illustrates the difference between the original amounts requested and the current amounts requested.

<b>Department</b>	<b>Prior Requested Allocation (OTR 02/07/2017-02/17/2018)</b>	<b>Current Requested Allocation</b>	<b>Increase/Decrease (+/-)</b>
The Aviation Department	\$2,000,000.00	\$6,016,000.00	+\$4,016,000.00

Three vendors are recommended for inclusion in the pool. Outreach efforts were made to all vendors registered with Miami-Dade County under the signage commodity code. Local businesses were invited to participate via e-mail, and advertisements. Additional outreach efforts were made by the Small Business Development Division to vendors under the signage commodity code.

Currently there are three (3) vendors in the pool, AAA Flag and Banner Mfg. Co. of FL, LLC., LSJ Corp. dba Graphplex Signs., and The Printers Consultant, Inc. Currently in the pool two (2) of the three (3) vendors are local vendors representing 66%, which is below the 75% threshold required by Resolution No. R-477-18. None of the current vendors were on the prior contract RFQ-MDAD-15-03.

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OCA performed a search for commodity codes 57880, 80166 (Signs, Electronic Display, Marquee, etc.) and 80183 (Signs, Metal, not Blank), on the Business Management Workforce System's Certified Vendor Directory on November , 2018. No The following SBEs were identified:

Signalite, Inc	Miami, FL	<a href="#">SBE-CON</a> <a href="#">SBE-G&amp;S</a>
Gateways Unlimited, Inc.	Miami, Fl	<a href="#">SBE-G&amp;S</a>
Remington Steel & Signs LLC.	Miami, Fl	<a href="#">SBE-G&amp;S</a>



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**Item No. 8F12  
File No. 182347**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF CLOSED PREQUALIFICATION POOL RFQ-MDAD-17-03 IN A TOTAL AMOUNT UP TO \$9,024,000.00 FOR TIER 1 AVIATION SIGNAGE DESIGN, FABRICATION AND INSTALLATION FOR THE AVIATION DEPARTMENT FOR AN INITIAL TERM OF FIVE YEARS, WITH ONE, FIVE-YEAR OPTION TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, AND 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

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of Closed Prequalification Pool No. RFQ-MDAD-17-03, Signage Design, Fabrication and Installation for Tier 1 Projects, in the total amount up to \$9,024,000.00 for a five-year term with one, five-year option-to-renew, for the Miami-Dade Aviation Department (MDAD).

**APPLICABLE LEGISLATION/POLICY**

Section 255.05 of the Florida Statutes (Bond of contractor constructing public buildings) states that a person entering into a formal contract with the state or any county, city, or political subdivision thereof, or other public authority or private entity, for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work shall be required, before commencing the work or before recommencing the work after a default or abandonment, to execute and record in the public records of the county where the improvement is located, a payment and performance bond with a surety insurer authorized to do business in this state as surety.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0255/Sections/0255.05.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0255/Sections/0255.05.html)

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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>

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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-100-17, adopted by the Board on February 7, 2017, approved five non-exclusive contracts for the Miami-Dade Aviation Department for airport signage fabrication and installation. The term of the contracts was for one year at for an amount of \$2,000,000.00 to Allen Industries, Inc.; Architectural Graphics, Inc.; Creative Mailbox Designs, LLC d/b/a Creative Sign Designs; Baron Sign Manufacturing; and Don Bell Signs, LLC.

<http://intra/gia/matter.asp?matter=170851&file=false&yearFolder=Y2017>

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**

The proposed resolution was forwarded to the BCC without a recommendation by the Economic Development and Tourism Committee at its October 19, 2018 meeting. At the committee meeting, the following discussion transpired:

- Commissioner Sosa questioned whether the Administration surveyed whether there are local companies capable of delivering the solicited design, fabrication and installation service; she also commented that all the companies that are recommended are from other states and do not have a local address or employ local residents of Miami-Dade County; MDAD responded that; there are two items 3C and 3D, 3C is the smaller contract has two local vendors, but 3D does not have local vendors, and that ISD responded that all local vendors were reached out to that are registered with Miami-Dade County, and none responded. Commissioner Sosa, requested that ISD provide due diligence on what the Board agreed requiring firms to have a local office here in Miami-Dade County with at least two employees and produce that report at the BCC.

### **ANALYSIS**

The proposed resolution is requesting Board authorization to establish a replacement prequalification pool in the amount of \$9,024,000.00 for a five-year term with one, five-year option to renew for MDAD to purchase Tier 1 aviation signage design, fabrication and installation services.

The purpose of this pool is to provide for large-scale, complex signage projects in excess of \$50,000.00 for MIA and the general aviation airports. Tier 1 projects include interior and exterior, illuminated and non-illuminated directional signage, dynamic signage, roadway signage, and work requiring structural and electrical engineering associated with installations.

Types of signs include: interior and/or exterior internally-illuminated and static signs, roadway signage, parking garage signage, airfield signage, ADA signage, tactile and braille signage, regulatory signage, monument signs, identification signs, dimensional letters, wayfinding elements and various other airport/transportation related signage as required by MDAD.

Firms eligible for work under this tier must possess electrical licensure, engineering capability and bonding capacity, as stipulated in Florida Statutes 255.05. The six highest-ranked respondents which meet the solicitation's criteria will be prequalified. A separate

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item is being submitted to the Board to establish a pool for Tier 2 projects (Item No.182345), which do not require a bond. This pool includes a CWP goal of 10 percent. Individual work orders issued by MDAD are not expected to exceed \$2,000,000.

The fiscal impact for the initial five-year term is \$4,512,000.00. Should the County choose to exercise, at its sole discretion, the one, five-year option to renew, the estimated cumulative value will be \$9,024,000.00. The previous pool, RFQ-MDAD-15-03, included both Tier 1 and Tier 2 projects and was valued at \$2,000,000.00 for a one (1) year term. The tiers have been separated under individual replacement pools in order to offer more opportunities to small and local businesses.

Six vendors are recommended for inclusion in the pool, none of which are local. Of the six recommended vendors, the following are two incumbents as they are included in the previous contracts under RFQ-MDAD-15-03AVB and RFQ-MDAD-15-03B: Architectural Graphics, Inc., and The Baron Group, Inc. dba Baron Sign Manufacturing. The previous contracts expired on 03/29/2018.

OCA performed a search for commodity code 57880 (Signs, Electronic Display), 236220 (Addition, alteration and renovation for-sale builders, commercial and institutional building) and 238210 (Airport runway lighting contractors) on the Business Management Workforce System's Certified Vendor Directory on November 5, 2018. Under code 238210 148 SBE-Con firms were identified and under code 236220 382 SBE-Con firms were identified as well. Under code 57880 no SBE firms were identified.

**ADDITIONAL INFORMATION**

Architectural Graphics, Inc. website reports the firm has provided services for multiple Fortune 500 companies.  
<https://www.agi.net/focus-markets/corporate>

Bergen Sign Company website reports the firm has done work for Florida Atlantic University in Palm Beach County, amongst other notable projects.  
<http://www.bergensign.com/gallery-ft-lauderdale.php#horizontalTab5>

Don Bell Signs, LLC website reports the firm has done work for the City of Surfside as well as Sumter County.  
<https://www.donbellsigns.com/image-gallery/wayfinding>

Icon Identity Solutions, Inc. website reports the firm has done work for companies such as Merrill Lynch, Hewlett Packard Enterprise and Pfizer.  
<http://www.iconid.com/corporate/>

Jones Sign Co., Inc. website reports the firm has done work for organizations such as Hard Rock Stadium and the Daytona International Speedway.  
<https://jonessign.com/>

The Baron Group, Inc. dba Baron Sign Manufacturing website reports the firm has done work for organizations such as Palm Beach State College and City of North Miami.  
<http://baronsign.com/testimonials.php>

**DEPARTMENT INPUT:**

OCA asked the following question to MDAD. MDAD's response is below in bold.

1. How will the non-local vendors provide services? **They will rent a local facility to construct the signage and then deliver to MDAD. The installations at MDAD will be conducted by the firms crew that will be sent down to the airport(s), where they will be given badges and work out of a temporary facility or the firms may sub-contract installation work out to local firms.**

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**Item No. 8F14  
File No. 182294**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF ADDITIONAL TIME OF UP TO FIVE YEARS AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$3,909,000.00 FOR CONTRACT NO. SS8667-1/18-1 FOR THE PURCHASE OF INFOR ENTERPRISE ASSET MANAGEMENT FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize a designated purchase to award additional time of up to five years and additional expenditure authority in an amount up to \$3,909,000.00 for Contract No. SS-8667-1/18-1 for the purchase of Infor Enterprise Asset Management (INFOR EAM) for the Information Technology Department (ITD).

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1(b)(3) of the Code of Miami-Dade County (*Procedures for purchases when competitive procedures are not practicable*), Notwithstanding the requirements of section 2-8.1(b)(1), formal sealed bids for purchase of goods or services shall not be required where such formal sealed bids would not be practicable as set forth herein. Designated Purchase shall mean a purchase within the scope of this section when the purchase through the use of formal sealed bids is not practicable, including, but not limited to: (i) sole source purchases, (ii) services where no competition exists such as public utility services, (iii) where purchases or rates are fixed by law or ordinance, (iv) unique professional or artistic services not governed by the Consultants' Competitive Negotiations Act, section 287.055, Florida Statutes, (v) purchases of goods and services necessary to address an emergency, or where additional formal competition would not be practicable, and (vi) solicitations where only a single proposer has responded to a competitive solicitation but such response contains material defects and the County still desires to enter into a contract with such proposer.

Any recommendation by the Mayor for the award of a Designated Purchase shall at a minimum: (i) provide a written explanation of why the purchase through formal sealed bids would not be practicable under the circumstances and is in the best interest of the County, (ii) provide a written explanation of the process followed resulting in the recommendation for a Designated Purchase, and (iii) provide a written description of any informal competition conducted and any and all efforts to obtain a valuation of the recommended purchase. The Board of County Commissioners shall adopt any resolution authorizing a Designated Purchase by a two-thirds vote of the members present.

[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)

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>

**BCC Meeting: November 8, 2018**  
**Research Notes**

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-652-08, adopted by the Board on June 3, 2008, waives formal bid procedures for the purchase of Enterprise Asset Management System, for a five year term with one five year option-to-renew in the amount of \$2,500,000.00.

<http://intra/gia/matter.asp?matter=081302&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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Infrastructure and Utilities Committee at its October 17, 2018 meeting.

**ANALYSIS**

This proposed resolution is requesting Board authorization for a designated purchase award of additional time of up to five years and additional expenditure authority in an amount up to \$3,909,000.00 for Contract No. SS-8667-1/18-1 for the purchase of Infor EAM for ITD. The current contract has been extended administratively by six months, from the original expiration date of June 23, 2018 to December 31, 2018. If this request is approved, the contract will have a modified cumulative value of \$12,628,000.00 and will expire on December 31, 2023. The awarded vendor is Infor(US), Inc.

Additional expenditure authority and time is needed to provide continuous service and to prepare for the Enterprise Resource Planning (ERP) implementation. As part of the ERP implementation, assessment of the need for ongoing Infor EAM usage will be defined. The County conducted market research, which revealed that the market has vendors offering enterprise asset solutions. A comprehensive questionnaire was submitted to various prospective providers of an Infor EAM system, which included over 250 functionality questions. The survey confirmed that there are vendors capable of providing enterprise systems; however, the investment in time, money and internal resources for the Infor EAM System is substantial. If this system is replaced, the County will incur significant implementation costs. It was determined that it is not practicable at this time to replace the Infor EAM system due to the estimated cost of \$88 million to transition to a new system. Accordingly, it is in the County's best interest to authorize this designated purchase to allow ITD to continue purchasing the necessary software licenses, maintenance and support services for this critical technology.

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The table below illustrates the existing cumulative allocation, released amount and final balance as of November 1, 2018:

<b>Department</b>	<b>Existing Cumulative Allocation</b>	<b>Released Amount</b>	<b>Balance</b>
Enterprise Technology Services Department (ITD)	\$4,903,500.00	\$4,790,849.33	<b>\$112,650.67</b>
Miami-Dade Water and Sewer	\$30,000.00	\$0.00	<b>\$30,000.00</b>
<b>Total :</b>	<b>\$4,933,500.00</b>	<b>\$4,790,849.33</b>	<b>\$142,650.67</b>

The initial contract (SS8667-1/18) was effective on June 3, 2008 in the amount of \$2,500,000.00, and was scheduled to expire on June 23, 2013. Two monetary modifications occurred to the initial contract, the first was in the amount of \$500,000.00 and the second modification was in the amount of \$785,000.00. It was presented as sole source contract with an option to renew and was approved by the Board. The option-to-renew (SS8667-1/18-1) was executed on June 24, 2013 in the amount of \$4,933,500.00 and is scheduled to expire on November 30, 2018. The yearly allocation under the current option is \$493,350.00 and the yearly allocation under the recommended contract is also \$781,800.00 (a difference of \$288,450.00 annually).

The timeline below illustrates the contract life of the previous agreement with Miami-Dade County:

**Timeline**

<b>Contract No.</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Value</b>
SS8667 -1/18	06/24/2018	06/23/2013	\$ 3,785,000.00
SS8667 – 1/18-1	06/24/2013	12/31/2018	\$ 4,933,500.00
		<b>Total</b>	<b>\$ 8,718,500.00</b>

OCA performed a search for commodity code 92045: (Software Maintenance and Support Services) on the Business Management Workforce System's Certified Vendor Directory on October 10, 2018. Listed below are the seven (7) local SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned codes.

AMIRITECH GROUP LLC	Miami, FL	SBE-G&S
COMPUTER BASED ASSOCIATES, INC.	Miami, FL	SBE-G&S
Insinet Group LLC	Doral, FL	SBE-G&S
MERIDIAN PARTNERS, LLC	MIAMI BEACH, FL	SBE-G&S
THE ASHVINS GROUP, INCORPORATED	Miami, FL	SBE-G&S
TRUST TECHNOLOGY SOLUTIONS, INC.	Miami Lakes, FL	SBE-G&S
VISUAL DATA SOLUTIONS, INC.	MIAMI, FL	SBE-G&S

**BCC Meeting: November 8, 2018**  
**Research Notes**

**Item No. 8F15**  
**File No. 182051**

**Researcher: IL Reviewer: PGE**

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 establishment of Prequalification Pool No. RTQ-00880 for the purchase of special event equipment rental services in the amount of \$5,691,000.00 for a term of eight years for various County departments.

**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)

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

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-718-17, adopted by the Board on July 06, 2017, Directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

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>

**BCC Meeting: November 8, 2018**  
**Research Notes**

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.

<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, approving the award of competitive contracts, with the authority to exercise options-to-renew, a bid rejection, contract modifications and award of competitively bid contracts of other governmental entities.

<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**

The proposed resolution was deferred by the Government Operations Committee at its September 12, 2018 meeting. Prior to deferment, Commissioner Sosa asked "How can the non-local firm provide special equipment. Has a cost analysis been done?"

Namita Uppal.- explained the process for securing special event equipment.

Commissioner Sosa: advised that staff is recommending adding two vendors for inclusion into the pool, one local vendor and one non-local vendor. IF both vendors were offering the same goods and services at the same price and inquiries what was being done to enforce the legislation which requires non-local vendors to open a local office to engage in County business.

Ms. Uppal clarified that the inclusion of a vendor into a pool did not mean they would automatically be awarded a bid and noted that contracts were awarded after a competitive bid process. Commissioner Sosa asked staff to review the existing legislation governing non local vendors.

There was a rule that was approved that if you are offering me a good price you need to have a local address within a certain amount of days."

- Commissioner Joe Martinez: asked as a point of clarification, if the rule was violated?
- Assistant County Attorney Gonzalez noted there was currently legislation in place governing local preference and local headquartered businesses; and requested additional time to research the issue further as it related to non-local vendor requirements identified by Commissioner Sosa.
  
- County Attorney's Office stated that "they would look into what rule Commissioner Sosa was talking about."
  
- Commissioner Martinez pointed out that the products and services were available locally and stated he could not support the item until the pending local vendors were added to the list.



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- Ms. Uppal reassured the Committee members that a minimum of 3 local vendors would be added to the pool list before the item was presented to the BCC for approval. Commissioner Martinez reiterated his objection to the item at this time.
- Deputy Mayor Edward Marquez requested the Committee members reconsider the vote to provide the administration an opportunity to withdraw the current item and return to the Committee with supplemental information at the next Committee meeting (10/17).
- Commissioner Suarez stated that a large portion of this contract is for the Port of Miami, and did not want to delay an enterprise.
- Commissioner Martinez pointed out that the current pool contract was valid until January 31st, 2019 providing staff ample time to bring the item back to the Committee. Commissioner Martinez moved to reconsider the foregoing proposed resolution.
- Commissioner Joe Martinez made a motion to reconsider as the current contract remains in effect until January 2019.
- Item deferred.

The proposed resolution passed at the Government Operations Committee held on October 17, 2018 and was forwarded to the BCC with a favorable recommendation. Prior to passage: Commissioner Rebecca Sosa asked “if any cost analysis has been done?” The Department did not provide a response. Commissioner Dennis C. Moss requested that an answer to Commissioner Rebecca Sosa’s questions be furnished at the BCC.

**ANALYSIS**

The proposed resolution requests Board authorization for the establishment of *Prequalification Pool No. RTQ-00880, Special Event Equipment Rental*, in the amount of \$5,691,000.00 for various County departments. The user departments access this pool for purchase of tents, tables and chairs, linens, lights, stage equipment, podiums and microphones. The solicitation includes two Groups: (1) Tents and (2) Equipment. A set-aside applies where there are three or more certified firms available.

711,375-622500

The fiscal impact is \$5,691,000.00 for a term of eight years. The current pool, 8341-1/18-1, is valued at \$6,225,000.00 for a 10-year term and expires on January 31, 2019. PortMiami is the largest user of this pool, requesting \$4,480,000 for the replacement term. The annual allocation of \$711,375.00 under the replacement pool is higher than the previous pool (with an annual allocation of \$622,500.00) because of an operational need for tents that serve as temporary cruise 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 current pool has a total of seven vendors. See Supplement #1 (File No. 182358). The vendors in the current pool are: A Navas Party Production, Inc., Diamonette Party Rental, Economy Party & Tent Rental Inc., Fiesta Carousel Inc., Kikos Party Rentals, Miami Grandstand Entertainment Group and SBS Investments of Dade County DBA Christinas Party Rentals. Two vendors are being recommended for inclusion in the replacement pool, of which one has a local address. Of these recommended vendors, the following one is in the current pool (#8341-1/18-1): Fiesta Carousel, Inc.

As noted in Supplement #2 (File No. 182574), while some departments have found it useful to purchase items that are used frequently such as tables, chairs, and small tents, the predominant issue with purchasing these commodities is the maintenance, storage space required, trained staff to safely set-up and dismantle the items, and additional equipment needed to set-up and dismantle items.

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OCA performed a search for commodity code 98172 (Tents, Tarpaulins and Supplies Rental or Lease) 96234 (Event Planning Services), 96260 (Party, Holiday, and Event Decorating and Planning Services), and 98152 (Meeting Room Equipment and Accessories, Rental or Lease) on the Business Management Workforce System's Certified Vendor Directory on November 06, 2018. Code 98152 did not have any local SBEs identified. Listed below are the local SBEs identified on the other remaining codes:

ALL ABOUT EVENTS & MEETINGS, LLC	Homestead, FL	<a href="#">SBE-G&amp;S</a>
Flowers Consulting LLC	Miami Gardens, FL	<a href="#">SBE-G&amp;S</a>
MAJESTIC'S VISION, INCORPORATED	Miami, FL	<a href="#">SBE-G&amp;S</a>
THE PARTY COMPANY, DBA Same	Miami Gardens, FL	<a href="#">SBE-G&amp;S</a>
A 2ND CHANCE PARTY RENTAL, INC., DBA GENAIR EVENT OF SOUTH FLORIDA	Miami, FL	<a href="#">SBE-G&amp;S</a>
PLANT PROFESSIONALS, INC.	Homestead, FL	<a href="#">SBE-G&amp;S</a>
Van Vark Creative Enterprises, Inc., DBA Stephanie Creates	Miami, FL	<a href="#">SBE-G&amp;S</a>

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**Research Notes**

**Item No. 8F16**  
**File No. 182307**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00867 IN A TOTAL AMOUNT UP TO \$330,000,000.00 FOR THE PURCHASE OF EMERGENCY PUSH AND CLEAR AN DEBRIS REMOVAL SERVICES FOR PARKS, RECREATION AND OPEN SPACES AND TRANSPORTATION AND PUBLIC WORKS 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 *Prequalification Pool No. RTQ-00867*, for the purchase of emergency push and clear and debris removal services, in the amount of \$330,000,000.00 for a term of eight years for the Parks, Recreation and Open Spaces Department (PROS) and the Transportation and Public Works Department (DTPW).

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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)

Section 29-124 of the Code of Miami-Dade County (Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust) Requires CITT review of contracts funded by the People's Transportation Plan or for contracts with a Transit allocation that exceeds \$1 million.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIIICOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551\\_FLST2001\\_S29-124SPFUCRUSSUPPROCIINTRTR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551_FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

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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-329-18, adopted by the Board on April 10 2018, ratified an emergency contract in the amount of \$3,350,000.00 for the purchase of debris push and clear services for the Transportation and Public Works Department.

<http://intra/gia/matter.asp?matter=180435&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 (ISD); 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**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Government Operations Committee at its October 17, 2018 meeting.

**ANALYSIS**

The proposed resolution is requesting Board authorization to establish a prequalification pool in the amount of \$330,000,000.00 for an eight-year term for PROS and DTPW to purchase Emergency Push and Clear and Debris Removal Services. This pool will provide the County with access to prequalified vendors capable of performing services such as: push and clear, hauling vegetative debris, removal and disposal of stumps, and removal of hazardous leaning trees and hanging limbs. All services include, but are not limited to, supervision, labor, materials, equipment, machinery, and tools to provide fast mobilization and efficient services immediately following an emergency.

This pool has four groups:

- Group 1, Debris Push and Clear;
- Group 2, Debris Hauling;
- Group 3, Stump Removal and Disposal; and
- Group 4, Hazardous Leaning Trees and Hazardous Hanging Limbs.

To qualify for Group 1, the vendor shall provide proof of ownership or lease of heavy equipment that will be used to provide services; for Group 2, the vendor shall hold a current general hauling permit for each vehicle that will be used to perform services as well as proof of ownership or lease of heavy equipment that will be used to provide services; for Group 3, the vendor shall hold a general hauling permit and provide proof of ownership or lease of heavy equipment; and to qualify for Group 4, the vendor shall provide proof of ownership or lease of heavy equipment that will be used to provide services.

The pool is federally-funded and includes all required federal language and affidavits per Federal Emergency Management Agency requirements in the event the County seeks reimbursement for any disaster related expenditures.

The fiscal impact is \$330,000,000.00 for an eight-year term. The largest user department of this service is PROS (requesting \$280,000,000 for the term). There is no existing pool or contract providing the aforementioned services. However, there was an

**BCC Meeting: November 8, 2018**  
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emergency procurement for similar services approved by the Board on April 10, 2018, pursuant to Resolution No. R- 329-18, ratifying an emergency contract in the amount of \$3,350,000.00 for the purchase of debris push and clear services for the Transportation and Public Works department. A total 16 vendors responded to the solicitation, of which nine are being recommended for inclusion in the pool. All nine vendors were checked in the Florida Division of Corporations website and reflect an active status. Of the nine vendors, seven vendors are local and four are certified Small Business Enterprise (SBE) firms. The pool will remain advertised on ISD's Procurement Division's website to encourage additional participation. Outreach efforts to vendors that participated in the emergency response services following Hurricane Irma resulted in four additional vendors responding after the solicitation due date. The four are all local vendors and their qualifications are under review.

Note that A Native Tree Service, Inc., Thomas Maintenance Services, Inc. and Weed-A-Way, Inc., all of whom are being recommended for inclusion in this pool, are also vendors on the aforementioned emergency contract E9940-0/18 that was previously ratified by the Board pursuant to Resolution No. R-329-18.

OCA performed a search for commodity codes 98836 (Grounds and Roadside Maintenance: Mowing, Edging, Plant, Not Tree Trimming, Etc.) and 99030 (Disaster Relief Services) on the Business Management Workforce System's Certified Vendor Directory on November 5, 2018. A combined total of 58 local SBEs (51 for code 98836 and 7 for code 99030) were identified.

**ADDITIONAL INFORMATION:**

Research conducted on Bergeron Emergency Services' website reveals that the firm has contracts with: Miami-Dade Public Schools, South Florida Water Management District, and the School Board of Broward County.

<https://bergeronemergencyservices.com/about-bergeron/current-contracts/>

Research conducted on SFM Services, Inc.'s website reveals that the firm has done work for Miami-Dade County, Town of Miami Lakes, and City of Doral.

<http://www.sfmresources.com/reffarence.html>

Research conducted on TFR Enterprises, Inc.'s website reveals that the firm has contracts with the City of Rogers, Arkansas, Fort Bend County, Texas, and the City of Norman, Oklahoma.

<http://www.tfrinc.com/testimonials/>

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**Research Notes**

**Item No. 8F17**

**File No. 182618 (182310)**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00894 IN A TOTAL AMOUNT UP TO \$50,000,000.00 FOR THE PURCHASE OF INFORMATION TECHNOLOGY CONSULTING SERVICES FOR INFORMATION TECHNOLOGY DEPARTMENT 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 a prequalification pool for the purchase of information technology consulting services for the Information Technology Department in a total amount of up to \$50,000,000 for a term of five 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)

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-395-12, adopted by the Board on May 1, 2012, requires vendors added to open pool contracts to be subject to biannual Board ratification.

<http://intra/gia/matter.asp?matter=120561&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-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 scope of services or goods requested to ensure such contracts reflect the current needs of the County and to include such information in award recommendations to the Board.

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

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>

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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**

This item was amended and forwarded as amended to the BCC with a favorable recommendation by the Infrastructure and Utilities Committee at its October 17, 2018 meeting. The item was amended to require 1) an annual report detailing expenditures under this pool; and 2) County Mayor or County Mayor's Designee shall not award any contract or work order under this pool, without prior Board approval, if such contract does not achieve savings. The discussion during committee was as follows:

Commissioner Jose "Pepe" Diaz proposed amending the resolution to require the department director to report back annually on how the moneys were spent. The department representative expressed that the department would be amenable to such an amendment.

Commissioner Suarez expressed concern about the enormity of the request, albeit over five years. The department representative clarified that the request will serve the IT consulting needs of various departments. Commissioner Suarez asked if this item was in addition to, or separate from Board Resolution No. R-642-18 wherein a large contract was awarded to Accenture for the revamping of IT services. The department representative responded that the proposed resolution is unrelated to the Accenture award.

Commissioner Jose "Pepe" Diaz requested that the department include the savings that the proposed resolution would provide, by department, when the item travels to the Board.

**ANALYSIS**

This item is requesting Board approval to establish a replacement prequalification pool, RTQ-00894, for the purchase of information technology consulting services for the Information Technology Department in a total amount of up to \$50,000,000 for a term of five years. Consulting services under the pool, intended to provide information technology consultant services to augment or support County staff when in-house resources are not available, include:

- project management,
- system design,
- multi-platform systems integration,
- software programming,
- development and customization,
- web development,
- data and media management,
- network security,
- engineering, and
- technical support.

The fiscal impact for the five-year term is \$50,000,000, with the anticipated usage during the first year estimated at \$10,000,000. The current pool, established initially in 2010 for a five-year term, has a cumulative value of \$59,298,260. The current OTR is valued at \$12,246,800 initially for a 12-month term, but extended administratively so that it now expires on December 31, 2018.

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The current OTR's Blanket Purchase Order shows a released amount of \$11,230,111.82, with \$1,016,648.18 remaining (as of November 2, 2018).

54 vendors responded to the Request to Qualify. Of these, 33 vendors, of which 14 are local and five are certified Small Business Enterprises, are being recommended for inclusion in the pool. The vendors that are not being recommended for inclusion in the pool either did not submit required documents to satisfy the prequalification criteria, or are pending County registration. Upon remedying these factors, the vendors may be added to the pool. Of the 33 vendors, the following 13 are incumbents of the pool:

- 300 Engineering Group (SBE)
- Ascendo Resources, LLC
- Ashvins Group, Inc. (SBE)
- BLM Technologies of FL, LLC dba Evolvtec
- Focused HR Solutions
- Informatica El Corte Ingles
- Millennium Consulting, LLC
- Momentum Consulting Corp.
- Optiv Security, Inc.
- Think Forward (SBE)
- TRG, Inc.
- Vitaver & Associates, Inc.
- Woolpert, Inc.

42% of the vendors recommended for inclusion of the pool are local, which is lower than the 75% threshold prescribed by Resolution No. R-477-18. The department's outreach efforts consisted of notifying the 601 vendors listed on the Tax Collector's website about the replacement solicitation as well as contacting all 59 vendors in the current pool to encourage participation in the replacement pool. ISD intends to conduct local outreach events quarterly to encourage local participation in the pool, as well as continue to advertise on the ISD Strategic Procurement website.

OCA searched the Certified Vendor Directory in the Business Management Workforce System on November 2, 2018, and identified the following 44 additional SBEs under commodity codes 91828 - Computer Hardware Consulting, 91829 – Computer Software Consulting, and 91895 – Telecommunications Consulting:

- Advanced Total Systems, Inc.
- AFL International Consulting Staff & Services Inc.
- Amiritech Group LLC
- Automated Port Solutions, Inc.
- Azimuth 360 Consulting Group, Inc.
- BND Engineers, Inc.
- Civil Works, Inc.
- EB Tech Consulting, Inc.
- E.R. Brownell & Associates, Inc.
- Epic Consultants, Inc.
- Galactic Technology Group, LLC
- Glass Land Acquisition Service Specialists, Inc.
- Hammond & Associates, Inc.
- HCS Engineers, LLC
- I&C Consulting Engineers, Corp
- Imaas Consolidated, Inc., dba Konvergence



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- Infrastructure Solutions Company LLC, dba Infracol
- Insinet Group LLC
- Invizio, LLC
- J&J Logistics Solution Consulting
- Johnstek, Inc.
- JRD & Associates, Inc.
- L. Jackson & Company, P.A.
- M. Gill & Associates, Inc., dba Minority Business Enterprise Center
- MDT Technologies, Inc.
- Meridian Partners, LLC
- Milian, Swain & Associates, Inc.
- Mosscorp Corporation, dba Pchelp365
- Oracle Consulting Group, LLC
- Outlook International, Inc.
- PC Solutions & Integration, Inc.
- Program Controls, Inc.
- Saeco Systems, Inc.
- SDM Consulting Engineers, Inc.
- Southern Data Systems, Inc. dba Nettogo
- St. Martin Consulting LLC
- Statewide Electrical Services, Inc.
- Sun Wiring Inc.
- Sytec-USA, Inc.
- TNR Accounting Services Inc.
- Transamerica Training Management, Inc.
- Trust Technology Solutions, Inc.
- Visual Data Solutions, Inc.
- Youssef Hachem Consulting Engineering, Inc., dba YHCE, Inc.

**INPUT FROM ISD**

OCA posed the following questions to the Internal Services Department; the department's response is below in bold and italics.

- What is the interplay between this pool and the recently Board-approved ERP contract with Accenture (R-642-18)? ***The countywide ERP allocation in the consulting contract will provide temporary staff with the skillset required to assist/support the implementation. Certain positions that are on the Miami-Dade County side (not Accenture) will be temporary in nature during multiple phases of the County-wide ERP implementation. These staff augmentation Examples include: Trainers (only used during the training phase just prior to go-live) and Testers (only used during System and User Acceptance Testing phases), and some Developers that will be utilized for Interfacing with other County Systems (that are not planned for replacement by ERP – ex: Tax Collector systems, Departmental specific applications, etc.).***
- Is the project list included in the Mayoral Memorandum limited to the first year? ***Yes***
- Over the cumulative life of the pool, which have been the top five vendors in terms of highest cumulative awards? ***VITAVER & ASSOCIATES, INC.; THINK FORWARD CONSULTING INC; KFORCE INC; BLUE DOT SOLUTIONS INC and MILLENNIUM CONSULTING LLC***
- What are some of the projects the pool has supported during the current OTR? ***See attached spreadsheet.***

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	DEPT	PROJECT/JUSTIFICATION	AMOUNT
1	MDAD	<b>PeopleSoft Enterprise Resource Planning (ERP) Financials Projects:</b> Continue the deployment of the PeopleSoft Inventory Module across the remaining MDAD maintenance shop warehouses; develop additional ERP integration points with Infor as part of the EAMS (Enterprise Asset Management) Implementation and upcoming EAMS 11.2 upgrade. Upgrade the current version of ERP Financials to version 9.2 to leverage new functionality offered by the vendor and ensure continued support by the vendor. Support Financial Systems and HR interface enhancements as well as Project Controls interfaces. Support integration sessions and changes required due to Countywide FIN and HR ERP implementations. Backfill MDAD ERP technical positions in support of the PropWorks (Airport Property Management and Billing System) upgrade.	\$ 1,500,000
2	MDAD	<b>I.T. System Infrastructure Upgrades &amp; Project Support:</b> This covers highly technical project-based consultants required for the completion of desktop, network, infrastructure and network security projects. Project assignments for these technical resources are: 1. Wi-Fi Access Point upgrades and sensors for Wi-Fi project & i Beacons expansion and integration 2. Write and develop technical specifications for projects, bid development, and project proposals 3. Expand implementation of Mobile Device Management 4. Assist with creation of new virtual firewalls for wireless and all tenant and business partner networks 5. Existing Hotel relocation project, including upgrades to Hotel and restaurant systems 6. Assist with hardware replacement for EOL servers 7. Green Initiative:continue airport-wide project for client connections to new copier/scanner/fax devices 8. Server virtualization including virtualization of storage and networking technologies in a Windows and Linux environment. 9. Establish external presence for desktop collaboration between MACC (airline consortium), STS, and MDAD 10. Provide support for expanding self-service processes on intranet 11. Project work as needed (Concept of Operations AOCC; I.T. Master Plan; Security Directives ...) 12. Business Intelligence Dash Board Project Support	\$ 1,300,000

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3	MDAD	<p><b>Capital Improvement and Technical Shop Projects (Telecommunication Techs and Network Infrastructure Engineer):</b></p> <ol style="list-style-type: none"> <li>1. Expanded Taxi Lot Roadway Alert System</li> <li>2. Renovate the Audio/Visual system at the North Terminal Auditorium</li> <li>3. Improve remote A/V setup equipment for easier setup and better sound quality</li> <li>4. Design and build a wireless paging system at the Taxi Lot</li> <li>5. Install a new Passenger Call Forwarding System at all Federal Inspection Stations.</li> <li>6. Install a new Queue Wait Time System at all Federal Inspection Stations</li> <li>7. Install a new Duress Alarm System at all Federal Inspection Stations</li> <li>8. Design and install remote viewing of Central Blvd. dynamic roadway signs</li> <li>9. Improve audio/visual system at the Unified Command Center</li> <li>10. Re-cable AVI system readers #35 and 59, to improve system uptime and prevent revenue loss</li> <li>11. Install cabling infrastructure and CATV service to Miami Executive Airport</li> <li>12. Install cabling infrastructure and CATV service to Homestead General Airport</li> <li>13. Improve environmental conditions to Public Address Life Safety ACS Room #D3129</li> <li>14. Re-cable Public Address Life Safety System around the MIA Hotel lobby, to Concourse-E</li> <li>15. Engineer Solutions - LAN, WAN, Voice over IP, Distribute Antenna System (DAS), CIP PDS projects including review of test results and telephone room inspection, Shut down project review, Central Terminal Upgrade, and General Telecom project support.</li> </ol> <p>In addition to the above projects, the consultants will assist with maintenance on the following systems: Terminal-wide Public Address (PA) / Fire Annunciation system, Automated Flight Announcement System (FAS); Dynamic LED Signage; computers used to display passenger information, flight schedules and other pertinent flight record data; Cable Television System; VHF / UHF / 800MHz radio networks; Clocks; Automatic Vehicle Identification System (AVI); Audio-Visual setups and recordings; Employee Lot Emergency Call-Box System; Security Checkpoint Flex Police Response System; Taxi Lot Airport Entrance Control; Pagers (Beepers); Meeting room setups; Intercom Systems; Music for Public Address and Telephone Hold; Wireless</p>	\$ 625,000
<b>Total for MDAD:</b>			\$ 3,425,000
1	COC	<p><b>Odyssey/SPIRIT/Internal Document Management Solutions:</b> Project Management consultants to assist in the implementation and maintenance of all electronic documents such as; SPIRIT, Odyssey and Recording documents, eFiling documents, in addition to assisting with the redaction process for these documents in accordance with State mandates.</p>	\$ 350,000
<b>Total for COC:</b>			\$ 350,000

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1	ITD	<b>CAD/911</b> - services are being sought from an organization that has proven expertise in project management, analysis, documenting of functional and technical requirements, developing Request for Proposals (RFP), evaluating RFP responses and providing overall assistance throughout the procurement process for a Public Safety Computer Aided Dispatch (CAD) system.	\$	<b>185,000</b>
2	ITD	* <b>Law Enforcement Records Management System (LRMS)</b> - LRMS Analysis Project will cover the entire life span of MDPD records development – from the initial generation to its completion. The analysis effort is considerable since it will inventory existing system functionalities and identify those requirements needed in the future LRMS. The analysis conducted will document the “as is” or current state and consider future requirements or “to be”, transaction volumes and alignment to strategic business plans. The end result will be	\$	<b>156,000</b>
3	ITD	<b>Enterprise Resource Planning (ERP) System Project:</b> There is a plan to implement Human Resources Employee Profiles, along with an Electronic Performance Evaluations and Discipline Tracking. Consulting resources, with PeopleSoft Human Capital experience will be needed to augment our existing staff knowledge for this functionality.	\$	<b>250,000</b>
4	ITD	<b>OPA Development and Support:</b> This is support required to continue the development of rulebase applications within the ERP framework and to assist with existing OPA applications upgrades and enhancements.	\$	<b>150,000</b>
5	ITD	<b>Enterprise Resource Planning (ERP) System Project:</b> IT staff augmentation required for continued support of CC&B and ERP. Currently, this technical project manager provides support in the management of infrastructure and resources to WASD’s CC&B upgrade project as well as secondary support for PeopleSoft and Hyperion.	\$	<b>180,000</b>
6	ITD	<b>Enterprise Resource Planning (ERP) System implementation Project (Sharepoint Developer):</b> IT staff augmentation required for the development of the SharePoint site for the Countywide rollout of ERP. Miami Dade County will require specific skill sets in Sharepoint, Infopath, and Visual Studio to leverage the full functionality of Sharepoint and create a Web and client interface.	\$	<b>300,000</b>

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7	ITD	<p><b>ISD-Procurement Vendor Portal Phase 3:</b> Procurement Management has approved the extension of the contractor's engagement from October 1, 2016 through March 31, 2017. Phase 3 finalizes the automation of the Miscellaneous Construction Contracts (MCC) program, to minimize manual data entry by County staff and eliminate the need for redundant entries. Enhancements to the Insurance Transmittal process are included to improve the contract award process, and to Contract Modification to allow for the merging of new requests. Other features include interfacing with the Small Business Development (SBD) system. The contractor's technical and business process knowledge is vital for the timely and technically solid completion of this project, which is of high visibility, and has been given the highest priority by the customer. The functionality, which will be made available to County vendors on the Portal, will significantly improve the efficiency and convenience of doing business with the County. It is estimated that the Vendor Portal Phase 3 work, approved by the customer, will cost approximately \$85,280.00 which covers 130 days of development work (1,040 hours) at the rate of \$82.00 an hour. An additional extension (Customer Contingency) through September 30, 2017 is also included, to address various customer requests relating to this same Procurement project. The additional extension will cost approximately \$85,280.00 which covers 130 days of development work (1,040 hours) at the rate of \$82.00 per hour.</p>	<p>\$ 85,280</p>
8	ITD	<p><b>Enterprise Network Support ATT Metro-E to ASE Conversion Project and MDCR Edge Network Upgrade</b> - The ATT Metro-E to ASE Conversion Project project involves the conversion of over 120 sites from the ATT Metro-E Service to the AT&amp;T Switched Ethernet Service (ASE). The ATT Metro-E service is set to be sunset on 10/1/19. No new Metro-E circuits will be able to be ordered by 7/1/15. This resource is required to ensure a smooth transition with minimal impact is provided to our customers. After this migration is complete this resource will continue to provide support to these Additionally, this resource will also be used to upgrade the aging MDCR network edge/access infrastructure. This will include the TGK, Metro-West, Pre-Trail, Women's Detention Center, and MLK facilities. This resource will continue to provide support to these facilities after the upgrade is completed.</p>	<p>\$ 180,960</p>
9	ITD	<p><b>Radio/Communications Planing:</b> Provisioning of professional expertise in assisting ITD to develop an evaluation plan to determine the best manner for municipal and other public safety agencies to share 911 communications resources and Land Mobile Radio resources effectively. Resource to the Enterprise Portfolio Manager in the newly formed Portfolio Management Office. Will be responsible for development of program strategy, supporting business cases and enterprise wide project plans.</p>	<p>\$ 112,000</p>
10	ITD	<p><b>Accounts Receivables and Collections:</b> Required for the continued support of Countywide IT accounts payables and vendor assistance, maintain compliance with A/P metrics for the payment cycle and upkeep of the Countywide IT contracts invoice volume.</p>	<p>\$ 40,000</p>

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11	ITD	<b>WASD Customer Billing Application:</b> Contract staff is working under the supervision of ITD in the development of the WASD Billing application currently in Phase 1. After Phase 1 is completed, contract staff will be retained to continue working on Phase 2 of this system to implement and deploy additional features and components.	\$ 200,000
12	ITD	<b>IDMS: IDMS Database Support for IDMS 19.0 Upgrade and IDMS Database Support knowledge transfer and mentoring, part time position.</b>	\$ 45,760
13	ITD	<b>SQL:</b> SQL Server Database Administration, assist with the additional workload of SQL databases as the result of Consolidation and the additon of support for other Municipalitys' SQL databases	\$ 24,960
14	ITD	<b>zLinux Support and Maintenance:</b> IT Staff augmentation is required for the maintenance and support of exisiting zLINUX workloads. The applications supported under the zLinux workload are enterprise applications such at the Cognos deployments and the ISD Fleet applications as well as ITD departmental applications. The recommended maximun rate of \$88/hour	\$ 184,800
<b>Total for ITD:</b>			\$ 2,094,760
1	WASD	<b>EAMS Mobile Development to support Consent Decree Pump Station reimplementaion and IMS:</b> IT Staff Augmentation is required to develop, upgrade, and/or extend mobile applications to enhance EAMS user experience in the field and ensure data is captured in an efficient manner. The mobile applications will support work management, new equipment inventory, condition monitoring, repairable spares management functions. These applications support various Consent Decree and CMOM requirements imposed by the EPA. Required experience is needed in the Blue Dot Solutions mobile platform, HTML5, Javascript, CSS, and Infor EAM product, in addition to extensive knowledge on current mobile device technology and management.	\$ 850,000
2	WASD	<b>EAMS enhancements to support the Consent Decree IMS:</b> IT Staff Augmentation is required to develop and upgrade existing EAMS integrations to multiple external systems to include Consent Decree IMS. Several critical integrations have been identified to FEMA and ERP T&L systems that will greatly improve user efficiency by reducing duplicate data entry. Required experience is needed in the Infor EAM 11.x version and its integration to systems such as IBM Integration Bus/MQ, Oracle/Peoplesoft ERP, Oracle CC&B, ESRI GIS and other systems.	\$ 300,000

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3	WASD	<p><b>ERP Financials 9.2 Upgrade:</b> Water &amp; Sewer together with Miami-Dade Aviation Dept and the Information Technology Department plan to upgrade their implementation of PeopleSoft ERP Financials so that they can leverage new functionality offered by the vendor, ensure continued support at the current release level, and prepare for the countywide implementation of ERP. This is a 18-month project that requires dedicated resources exceeding the available full-time employees currently managing ERP support. The allocation will provide both technical and functional resources with expertise in the product.</p>	<p>\$ 505,000</p>
4	WASD	<p><b>CC&amp;B web services Project:</b> IT Staff Augmentation is required to develop CCB web services to be consumed by Internet Self-Service application, Interactive Voice Response (IVR) and other channels. Additional tasks include customizations to extend functionality of Customer Care and Billing (CCB) system. Required skillset includes Java, SQL,PL/SQL, Oracle, OU Application Framework, XAI, XML, Eclipse, BPA scripting, Bundling and Oracle Configuration tools.</p>	<p>\$ 385,000</p>
5	WASD	<p><b>CC&amp;B &amp; MWM enhancements project:</b> IT staff augmenation is required to implement new features, correct issues and revise customizations in Customer Care and Billing (CCB) system and Mobile Workforce Management (MWM) system. Required skillset includes OU Application Framework, SQL, config tools, Web Logic, FWPIP, CCB, MWM, ORS</p>	<p>\$ 350,000</p>
6	WASD	<p><b>CC&amp;B Web Self-Service Application Project (Phase II):</b> IT Staff Augmentation is required to continue implementing functionality on the WASD Internet Self-Service application that provides enhanced online services to the citizens while automating processes in the back end Customer and Care Billing (CCB) system. Additional tasks include supporting Self-service application's existing functionality. Required skillset includes Java, Javascript, Spring, SpringBoot, OAuth2, HTML5 and AngularJS.</p>	<p>\$ 547,000</p>
7	WASD	<p><b>CC&amp;B Web Self-Service Application Project (Phase II):</b> IT Staff Augmentation is required to lead design effort of additional functionality for the WASD Internet Self-Service application. Tasks will include meeting with end users, gathering and documenting requirements, producing specification documents to be used by development team, etc. Required skill skillset includes OU Application Framework solution design experience, SQL, CCB, Configutation tools, BPA Scripting, SQL, experience lading functional and technical discussions, excellent verbal and writing skills.</p>	<p>\$ 250,000</p>

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8	WASD	<b>CC&amp;B / AMI:</b> This position will serve as project manager for the various projects that WASD has scheduled over the next couple of years. Person in this position is desired to have years of experience in planning and managing several projects at once. Person should be able to communicate verbally as well as in writing the issues and concerns which may be encountered without proper planning. Person will have experience in an large scale AMI implementation. This person should be able to assist in the writing up of a RFP for program manager as well as assist in selection of program manager for AMI project. Person will also be a part of team that will review RFP for AMI project that is estimated to occur over a 5 year period.	\$ 336,000
9	WASD	<b>Consent Decree IMS:</b> IT staff Augmentation is required to develop and implement the Analytics data framework that will form the foundation of the IMS. This will include all the data needed for the various KPIs, dashboards, reports, etc..as listed in Consent Decree. Required Skillset includes Pyramid Analytics.	\$ 650,000
10	WASD	<b>Consent Decree IMS:</b> IT staff Augmentation is required to develop and implement the Presentation framework that display the KPIs dashboard and reports from the IMS. Create the custom "portals" for each level and person using the IMS. Required Skillset includes Microsoft SharePoint 2013, Office 365, Microsoft BI, excellent verbal and writing skills.	\$ 320,000
11	WASD	<b>Consent Decree IMS:</b> IT staff Augmentation is required to program manage the Analytics and Presentation development and implementation. Required Skillset include working knowledge of Microsoft SharePoint 2013, Pyramid Analytics, excellent verbal and writing skills. Person must have strong and extensive project management experience.	\$ 320,000
12	WASD	<b>Consent Decree PCTS:</b> IT staff is maintain and support the Capital Project, Control and Tracking System (PCTS). Required Skillsetlytics data framework that will form the foundation of the IMS. This will include all the data needed for the various KPIs, dashboards, reports, etc..as listed in Consent Decree.	\$ 220,000
13	WASD	<b>Consent Decree e-Builder:</b> IT staff Augmentation to assit in the configuration, implementation and deployment of the new Capital Construction Management Project system. This system will house the department's Capital Improvement Projects (CIP) to include the \$15.5 Billion and other Capital projects. Required Skillset includes knowledge of e-Builder and construction management. Person must have strong written and oral skills.	\$ 350,000



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14	WASD	<b>Consent Decree for Sewer Plants and Pump Stations:</b> IT Staff Augmentation is required to address Consent Decree items associated with sewer plants and pump station. Additional systems include support of water plant montly operating reports. Required skillset include .Net C#/VB, SQL Server Management (Views, Stored Procedures, and Security), HTML, CSS, XML/XSL/XSLT, ASP, JavaScript, JQuery, MVC MS Model, Razor Syntax, Entity Framework MS, SSIS, SSRS, COGNOS, Web Services, Crystal Reports, MS .NET Framework 2.0+, and C# 3.0+	\$ 250,000
15	WASD	<b>Consent Decree GIS Solutions &amp; Integration:</b> IT Staff Augmentation is required to address GIS Consent Decree applications including web viewers, interfaces to other enterprise systems, web services, and mobile solutions. Required skillset include .Net C#/VB, HTML5, ArcGIS Server (including ArcGIS REST API, dynamic and cached map services, feature services, and image services), ArcSDE versioning, ArcSDE (including versioning and geometric networks), SQL Server, Oracle, web services, geoprocessing services, Python, ArcObjects, ArcGIS Server, ArcGIS Online, DOJO library, Web AppBuilder 2.0, Visual Studio 2010 and 2012, and ArcGIS JavaScript API library.	\$ 198,000
16	WASD	<b>Consent Decree &amp; Regulatory Compliance CMOM Solutions:</b> IT Staff Augmentation is required to address Regulatory Compliance solutions and sewer CMOM requirements. Required skillset include .Net C#/VB, SQL Server Management (Views, Stored Procedures, and Security), HTML, CSS, XML/XSL/XSLT, ASP, JavaScript, JQuery, MVC MS Model, Razor Syntax, Entity Framework MS, SSIS, SSRS, COGNOS, Web Services, Crystal Reports, MS .NET Framework 2.0+, and C# 3.0+	\$ 219,000
17	WASD	<b>Consent Decree, SSORP, &amp; SSOCOF Requirements:</b> IT Staff Augmentatin is required to support CD, SSORP, SSOCOF requirements, along with upgrades to existing operational systems. Required skillset include .Net C#/VB, SQL Server Management (Views, Stored Procedures, and Security), HTML, CSS, XML/XSL/XSLT, ASP, JavaScript, JQuery, MVC MS Model, Razor Syntax, Entity Framework MS, SSIS, SSRS, COGNOS, Web Services, Crystal Reports, MS .NET Framework 2.0+, and C# 3.0+	\$ 162,000
18	WASD	<b>Consent Decree, CMOM &amp; Scada Historical requirements for IMS:</b> IT Staff Augmentation is required to support CD, CMOM, Scada Historical, and Regulatory Requirement integration with IMS systems. Required skillset include .Net C#/VB, SQL Server Management (Views, Stored Procedures, and Security), HTML, CSS, XML/XSL/XSLT, ASP, JavaScript, JQuery, MVC MS Model, Razor Syntax, Entity Framework MS, SSIS, SSRS, COGNOS, Web Services, Crystal Reports, MS .NET Framework 2.0+, and C# 3.0+	\$ 165,000
			<b>Total for WASD:</b> \$ 6,377,000

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	<b>Total for all Departmental: \$ <u>12,246,760</u></b>
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**Research Notes**

**Item No. 8F18**  
**File No. 182544**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN MIAMI-DADE COUNTY AND D. STEPHENSON CONSTRUCTION, INC. FOR THE MIAMI DADE PUBLIC SAFETY TRAINING INSTITUTE- IMPROVEMENTS PROJECT, ISD PROJECT NO. DB15-ISD-01 ESP GOB PROVIDING FOR AN INCREASE OF \$785,255.00 AND 201 CALENDAR DAYS OF PROJECT TIME; WAIVING COMPETITIVE BID PROCEDURES PURSUANT TO SECTION 5.03 (D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS; AUTHORIZING FUNDING IN PART FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME

**ISSUE/REQUESTED ACTION**

Whether the Board should waive competitive bid procedures by a two-thirds vote of the Board members present to approve a change order to the construction contract between the County and D. Stephenson Construction, Inc. for the Miami-Dade Public Safety Training Institute-Improvements Project in District 12, in the total amount of \$785,255, increasing the contract amount from \$3,114,780 to \$3,900,035, and adding 201 calendar days to the project timeline.

**APPLICABLE LEGISLATION/POLICY**

Section 5.03(D) of the Home Rule Charter states that contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. The Chairperson of the Board of County Commissioners and not the Mayor shall have all authority provided by this Charter or Board to solicit, evaluate, award or recommend the award of such contract including, but not limited to, the authority to recommend a bid waiver in writing.

<http://www.miamidade.gov/charter/library/charter.pdf>

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\\_ARTINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-8.1COPUGE)

Resolution No. R-832-15, adopted by the Board on October 6, 2015, adds certain capital projects to the approved list of economic stimulus projects pursuant to the County's Economic Stimulus Plan. The project in the proposed resolution is part of this Economic Stimulus Plans approved list of projects.

<http://intra/gia/matter.asp?matter=151977&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>

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**Research Notes**

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item has no procedural history.

**ANALYSIS**

The proposed resolution is for approval of a change order to the construction contract between the County and D. Stephenson Construction, Inc. for the Miami-Dade Public Safety Training Institute-Improvements Project (Project), part of the Economic Stimulus Plan approved list of projects, in the total amount of \$785,255—increasing the contract amount from \$3,114,780 to \$3,900,035 (by 23%), and adding 201 calendar days to the project timeline.

The Project, located in District 12 at 9601 NW 58<sup>th</sup> Street, Miami, FL 33178, is for construction of a new training facility and adjacent parking lot for the Miami-Dade Public Safety Training Institute. This facility serves as MDPD's only training facility and is also utilized by the Miami-Dade Corrections and Rehabilitation Department and the United States Federal Bureau of Investigations in a multi-agency partnership to meet mutual training needs. The Project's construction, approximately 40 percent complete, was originally projected to be completed by August 12, 2018.

Additional project time, along with \$351,189 in additional funding, is needed to complete a redesign and construction of a modified foundation system needed due to unforeseen soil conditions (lack of soil compaction at the site) requiring installation of 88 concrete auger cast piles so the soil may now sustain the weight of the facility.

\$13,121 in additional funds are needed to excavate and provide a trench for the extension of a water main required by the Miami-Dade Water and Sewer Department.

\$420,945 in additional funds, and a bid waiver, are needed for the construction of a pre-cast concrete perimeter to further harden and secure the facility. A bid waiver is necessary given that the construction of the perimeter barrier, necessitated by the damage caused by Hurricane Irma, was not within the original scope of the awarded contract. A new perimeter barrier consisting of a 4 ½" thick reinforced precast concrete wall, required to provide protection to public health and safety as it encloses multiple on-site firearm training ranges, a tactical simulator building and an ammunition storage building. The perimeter barrier replaces the original perimeter barrier consisting of a chain link fence and landscape.

\$685,255 of the requested amount will be funded through the Building Better Communities General Obligation Bond with the remaining \$100,000 funded by Police Impact Fees.

The project is now projected to reach substantial completion on March 1, 2019.

**ADDITIONAL INFORMATION**

***Building Better Communities General Obligation Bond (BBC GOB)***

General Obligation Bonds (GOB) are a way to finance government capital improvement projects such as those included in the Building Better Communities Bond Program. On November 2, 2004, the voters of Miami-Dade County approved the \$2.9 billion bond program which allows the County to issue long-term bonds to fund more than 300 neighborhood and regional capital projects to be completed over the next 15 years.

The General Obligation Bonds are legally backed by the full faith and credit of the County which has committed future taxes over the next 40 years to repay the bonds. General Obligation bonds typically are the least expensive type of debt available to government.

<https://www.miamidade.gov/bondprogram/building-better-communities.asp>

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***D. Stephenson Construction, Inc.***

An active Florida Profit Corporation with its principal address in Fort Lauderdale, Florida.

<http://www.dstephenson.com/>

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**Item No. 8H1  
File No. 182257**

**Researcher: MF Reviewer: TD**

RESOLUTION RETROACTIVELY AUTHORIZING A COOPERATIVE AGREEMENT WITH THE MIAMI-DADE COUNTY PUBLIC SCHOOL BOARD TO CONTINUE THE IMPLEMENTATION OF PROJECT SEARCH; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should retroactively authorize a cooperative agreement between Miami-Dade County and the School Board of Miami-Dade County to continue Project SEARCH program providing disabled students employability and job skills.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-1036-09, adopted by the Board on July 21, 2009, authorized a cooperative agreement with the Miami-Dade County Public School Board for a term from July 22, 2009 to July 21, 2010 to form the basis for implementation of Project SEARCH.

<http://intra/gia/matter.asp?matter=092169&file=true&yearFolder=Y2009>

Resolution No. R-550-12, adopted by the Board on July 3, 2012, authorized a cooperative agreement with the Miami-Dade County Public School Board for a term from July 22, 2012 to June 30, 2015 to continue the implementation of Project SEARCH.

<http://intra/gia/matter.asp?matter=121051&file=true&yearFolder=Y2012>

Resolution No. R-572-15, adopted by the Board on June 30, 2015, approved a cooperative agreement with the School Board of Miami-Dade County for a term from July 31, 2015 to June 30, 2018 to continue the implementation of Project SEARCH.

<http://intra/gia/matter.asp?matter=151150&file=true&yearFolder=Y2015>

Miami-Dade County Code, Chapter 26, Article III, requires background checks for child event workers, park vendors, and programming partner or community-based organization employees and volunteers, as well as Miami-Dade Park and Recreation Department employees and volunteers.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH26PAREDERURE\\_ARTIITHSHMEAC](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH26PAREDERURE_ARTIITHSHMEAC)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9  
Department/Requester: Parks, Recreation and Open Spaces**

The proposed resolution was considered at the October 18, 2018 Parks and Cultural Affairs Committee meeting. It was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The proposed resolution requests the Board retroactively authorize a cooperative agreement with the Miami-Dade County Public School Board (MDCPS) to continue the implementation of Project SEARCH.

Project SEARCH was established in 2009 through Resolution No. R-1036-09. Project SEARCH, a cooperative effort between Miami-Dade County and the Miami-Dade County Public School Board, provides students with disabilities between the ages of 18 and 22 appropriate educational and vocational experiences in a work-appropriate setting at Miami MetroZoo. The cornerstone of the one school-year program is immersion into Miami MetroZoo. Through the project the students learn job skills while

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participating in a variety of worksite rotations which may lead to competitive employment in the community. There are 11 students participating in the program for this term, which began on August 20, 2018.

The following are eligibility criteria for Project SEARCH. The students must:

- Desire to work competitively in the community at the end of the program;
- Be 18-22 years of age;
- Have completed high school credits necessary for graduation with a Special Diploma;
- Meet eligibility requirements for Florida Vocational Rehabilitation;
- Have independent hygiene and grooming skills;
- Maintain appropriate work behaviors and social skills in the workplace;
- Be able to access public transportation;
- Be able to take re-direction form Project SEARCH and Zoo Miami staff; and
- Be able to communicate effectively.

MetroZoo has played an important role in the project. Its employees have mentored the students through “on the job” training in tasks deemed appropriate for the students’ skill levels. MDCPS has provided a Special Education Instructor with Transition experience to coordinate/teach the program, and one para-professional to work with the students at work sites throughout MetroZoo.

At the inception of the program, the Parks and Recreation Department received a \$10,000 grant from the Florida Developmental Disabilities Council to fund training for both MDPR and MDCPS employees involved in the project, as well as supplies and materials that were to be used on site.

The project has been very successful in teaching the students employability skills, as several of the students have been hired by numerous businesses during or shortly after the school year. In 2012, six out of the eleven students obtained employment; in 2013 seven out of the eleven students obtained employment; in 2014 five out of the ten students obtained employment; in 2016, six out of the eleven students obtained employment; in 2017 for out of the eight students obtained employment; and in 2018, eight out of the ten students obtained employment.

The term of the original agreement was from July 22, 2009 to July 21, 2010. Upon expiration, the agreement was extended by mutual consent of the parties for two additional one-year periods ending on July 21, 2012. The agreement was renewed through Resolution No. R-550-12 with a term from July 22, 2012 to June 30, 2015; and Resolution No. R-572-15 with a term from July 31, 2015 to June 30, 2018. If the proposed resolution is approved, the term of the agreement will be from July 1, 2018 to June 30, 2021. The agreement was received from MDCPS in August 2018; therefore, the approval of the agreement is retroactive. The delay was due to the School Board attorney’s office that had to finalize the agreement.

The annual fiscal impact to Miami-Dade County is estimated to be approximately \$250 per year for the value of identification badges and Zoo Volunteer T-Shirts issued for the Project SEARCH staff and students, and \$100 for any photocopy and telephone line usage expenses to be funded from Zoo Miami code PREMETS558000.

Key responsibilities of the parties under the agreement are as follows:

Miami-Dade Parks, Recreation and Open Spaces Department shall:

- Provide classroom space for one hour in the morning and a half hour in the afternoon;

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- Provide work space, and access to telephone, fax, photocopy equipment, computer and e-mail access to Project SEARCH staff
- Provide a liaison that is available on a frequent basis to assist with job site development, to introduce Project SEARCH staff to PROS staff, and to work with the instructor to reinforce workplace procedures; and
- Be an active participant in the Project SEARCH Advisory Committee and evaluate program progress.

MDCPS shall:

- Provide a Special Education Instructor with Transition experience to coordinate/teach the program, and provide one para-professional to work with students at work sites throughout Miami Metro Zoo;
- Develop and provide curriculum and instructional materials that encompass functional academics, transition, job development and job readiness;
- Assist PROS staff on development of worksites, create job and task analysis and identify appropriate accommodations; and
- Facilitate student recruitment activities.

**DEPARTMENT INPUT**

The Office of the Commission Auditor posed the following questions to the Parks, Recreation and Open Spaces Department, and received the following answers:

- How many students are participating in the program this term? **There are 11 students participating in the program for this term. Project Search has been operating at Zoo Miami since 2009 and is in its 10<sup>th</sup> year.**
- When does the term begin? **The term began on August 20, 2018.**
- The last agreement ended in June 2018, but the new agreement was received from MDCPS in August 2018. What caused the delay? **PROS received the new agreement from Miami-Dade Schools on August 6. The delay was due to the School Board attorney's office that had to finalize the agreement. The term of this agreement is July 1, 2018 to June 30, 2021.**



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**Item No. 8I1  
File No. 182062**

**Researcher: IL Reviewer: PGE**

RESOLUTION RETROACTIVELY APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND MIAMI-DADE COUNTY TO PROVIDE THE SCHOOL BOARD WITH MIAMI-DADE POLICE DEPARTMENT SWORN PERSONNEL, PURSUANT TO NEW SCHOOL SAFETY REQUIREMENTS, IN SECTION 1006.12, FLORIDA STATUTES; RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING AND EXERCISE THE CANCELLATION, RENEWAL, AND AMENDMENT PROVISIONS

**ISSUE/REQUESTED ACTION**

Whether the Board should retroactively approve a Memorandum of Understanding (MOU) with the School Board of Miami-Dade County for a one-year term plus two, one-year options to renew for Miami-Dade County to provide the School Board with Miami-Dade County Police Department (MDPD) sworn personnel to serve as School Based Law Enforcement Officers in compliance with new school safety requirements.

**APPLICABLE LEGISLATION/POLICY**

Section 1006.12 of the Florida Statutes (Marjory Stoneman Douglas High School Public Safety Act) requires, for the protection and safety of school personnel, property, students, and visitors, that each district school board and school district superintendent partner with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1006/1006.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1006/1006.html)

Section 1006.12(2)(c) of the Florida Statutes authorizes a district school board to enter into mutual aid agreements with one or more law enforcement agencies. A school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1006/Sections/1006.12.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1006/Sections/1006.12.html)

The Florida Education Finance Program is the funding formula adopted by the Legislature in 1973 to allocate funds appropriated to school districts for K-12 public school operations.

<http://www.fldoe.org/finance/fl-edu-finance-program-fefp/fl-edu-finance-program-fefp-calculatio.stml>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4  
Department/Requester: Miami-Dade Police Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Public Safety and Health Committee at its October 18, 2018 meeting.

**ANALYSIS**

This item proposes to retroactively approve a Memorandum of Understanding (MOU) with the School Board of Miami-Dade County to provide the School Board with Miami-Dade Police Department (MDPD) sworn personnel. The reason this is being done is to safeguard school-aged children pursuant to Section 1006.12 of the Florida Statutes. There has been an upward trend in school shooting taking place across the Country. In Florida, the Marjory Stoneman Douglas High School shooting earlier this year

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is most conspicuous. The MOU provides the District with MDPD sworn personnel to serve as School Based Law Enforcement Officers at 103 schools impacted by the requirements of the Marjory Stoneman Douglas High School Public Safety Act.

Under the MOU, the School Board will provide the County one-third of the total funding made available to municipalities and/or law enforcement agencies across the County during the fiscal year. Accordingly, the County will receive \$2 million from the Safe Schools allocation for FY 2018-19. The final fiscal impact to the County cannot be determined at this time, but is not expected to exceed \$18 million after the current \$2 million reimbursement from the School Board is applied. Retroactive approval of this MOU is necessary because the 2018-19 school year began while the Board was in summer recess. The MOU became effective on August 17, 2018.

The key duties of the parties under the MOU are set forth below:

School Board:

- To conduct an eight hour orientation for MDPD officers who have been identified by MDPD to serve as School Based Law Enforcement Officers (SBLEOs)
- That SBLEOs shall not be responsible for investigating non-criminal violations of student conduct
- To respond to calls for service which occur on MDCPS property; if a MDSPD unit is not available via dispatch, a MDPD unit will be assigned to the call
- To conduct investigative follow-up for all criminal violations except homicide, sexual battery and bomb threat investigations that occur on MDCPS property
- To provide the County with funding in the amount of \$35,088 per school to which the County has agreed to assign a MDPD SBLEO

Miami-Dade County:

- To provide high visibility presence at assigned schools on all regular school days for the protection and safety of school personnel, property, students and visitors
- To be responsible for handling all complaints against MDPD SBLEOs, to include conducting use of force investigations
- To work cooperatively with school administration at assigned MDCPS school sites
- That, during the term of the MOU, at least one MDPD SBLEO shall be present at each of the schools to which the County has assigned a MDPD SBLEO during the entirety of each regular school day.

**ADDITIONAL INFORMATION**

Miami-Dade reaches an agreement with the School District to provide armed officers.

<https://miami.cbslocal.com/2018/08/17/miami-dade-reaches-agreement-with-school-district-to-provide-armed-officers/>

After Sandy Hook (2012), at least 193 school shootings have taken place nationwide. This is based on the information obtained from the website for “Everytown for gun safety/support fund.”

<https://everytownresearch.org/gunfire-in-school/5837/#>

There were 14 school shootings in Florida in the past 3 years (2015-2018) according to the website for “Everytown for gun safety/support fund.”

<https://everytownresearch.org/gunfire-in-school/5837/#>

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**Departmental Input:**

OCA contacted the Miami Dade Police Department to seek clarity on the following questions (MDPD's responses are in bold):

1. Why are the High Schools not being covered in the MOU? **The School Board Police Department already covers the high schools in the district with Miami-Dade County Public Schools police staff.**
  
2. Will funding be an issue in future years? **MDPD states that OMB advised them that funding will come from the general fund, not necessarily from MDPD's budget. This program is intended to be a "stop gap" measure while the MDCPS Police department increases staff.**

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**Item No. 8I2  
File No. 182124**

**Researcher: JFP Reviewer: TD**

RESOLUTION RETROACTIVELY APPROVING A COOPERATIVE AGREEMENT WITH THE STATE ATTORNEY, ELEVENTH JUDICIAL CIRCUIT, RELATING TO THE SERVICE OF PROCESS FOR CHILD SUPPORT ENFORCEMENT ACTIONS, IN AN AMOUNT ESTIMATED AT \$259,405.00 IN REIMBURSEMENT REVENUE; RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE COOPERATIVE AGREEMENT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS, MODIFICATIONS, AND RENEWALS, AND TO EXERCISE THE TERMINATION CLAUSES CONTAINED THEREIN ON BEHALF OF MIAMI-DADE COUNTY, FLORIDA

**ISSUE/REQUESTED ACTION**

Whether the Board should retroactively approve the County Mayor's action of entering into a Cooperative Agreement with the State Attorney, Eleventh Judicial Circuit whereby the Miami-Dade Police Department attempts the service of process in child support enforcement cases and is reimbursed for this attempted service of civil documents.

**APPLICABLE LEGISLATION/POLICY**

42 U.S.C. 655, Title IV D of the Social Security Act, governs grants to states for aid and services for child-welfare services related to child support and paternity case enforcement.

[https://www.ssa.gov/OP\\_Home/ssact/title04/0455.htm](https://www.ssa.gov/OP_Home/ssact/title04/0455.htm)

45 CFR § 304.21 outlines federal financial participation in the costs of cooperative arrangements with courts and law enforcement officials.

<https://www.gpo.gov/fdsys/pkg/CFR-2010-title45-vol2/pdf/CFR-2010-title45-vol2-sec304-21.pdf>

Section 409.257, Florida Statutes, states that the sheriff shall be reimbursed at the prevailing rate of federal financial participation for service of process and orders as allowed by law for the service of original process and orders in any paternity or child support action.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=409.257&URL=0400-0499/0409/Sections/0409.257.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=409.257&URL=0400-0499/0409/Sections/0409.257.html)

Resolution No. R-430-13, adopted by the Board on June 4, 2013, is the previous agreement authorizing execution of a cooperative agreement for service of process on Title IV-D Child Support Enforcement Actions between the State Attorney, Eleventh Judicial Circuit and Miami-Dade County, in the amount not to exceed \$285,000.00 in reimbursement revenue.

<http://intra/gia/matter.asp?matter=130889&file=true&yearFolder=Y2013>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4**

**Department/Requester: Miami-Dade Police Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Public Safety and Health Committee at its October 18, 2018 meeting.

**ANALYSIS**

The proposed resolution retroactively approves a Cooperative Agreement, to July 1, 2018 through June 30, 2023 (with up to five one-year optional renewal period), between the County and the State Attorney, Eleventh Judicial Circuit, whereby the Miami-

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Dade Police Department attempts the service of process in child support enforcement cases and is reimbursed for this attempted service of civil documents.

The County will be reimbursed an estimated \$259,405 for the service of process for the first year of the contract term (July 1, 2018 through June 30, 2019). The reimbursement will be sourced from federal funds from the U.S. Department of Health and Human Services, Agency for Children and Families, Office of Child Enforcement, Florida Department of Revenue, and the State Attorney, Eleventh Judicial Circuit. The County will be reimbursed at the prevailing rate of Federal Financial Participation, 66% of the \$70.00 fee (\$46.20) for a writ of bodily attachment, which includes all associated costs. The rate of federal financial participation, or applicable matching rate, means the rate of federal funding of State IV-D programs' administrative costs for the appropriate fiscal year. Numerous state court systems and individual courts take advantage of federal funding under Title IV-D of the Social Security Act to obtain reimbursement for the costs of adjudicating child support and paternity matters. The 66 percent matching rate has been applicable since FY 1990.

This new agreement is in light of the previous agreement (adopted by the Board on June 4, 2013) expiring on June 30, 2018. The Miami-Dade Police Department's role in enforcement of child support orders and service of process, and reimbursement of such activities, is in accordance with federal and state prescribed requirements outlined federally in 45 CFR § 304.21 and for the state in Section 409.257, Florida Statutes.

Civil documents served by the Miami-Dade Police Department include:

- summons and complaints,
- subpoenas (except witness subpoenas),
- orders to show cause,
- contempt notices to appear,
- default orders and judgments,
- notices to absent parents for deemed income deduction orders,
- writs of bodily attachment, and
- commitment orders.

Under the new agreement, the State Attorney has the following responsibilities:

- Clearly identify all Title IV-D child support enforcement cases referred to the sheriff for which service or writ of bodily attachment is requested.
- Provide directly to the sheriff the best-known address(es) where the person may be served or the writ executed.

Under the new agreement, the County will provide service of process on child support enforcement cases throughout the County and agrees to the following:

- The sheriff should promptly attempt service of process and execution of writs of bodily attachment pursuant to Section 30.231, Florida Statutes, on all Title IV-D Child Support Enforcement actions that are referred by the State Attorney.
- Promptly provide the State Attorney's Office with a copy of the Sheriff's return indicating whether service of process has been made. Where service of process has not been perfected, the sheriff must specifically state on the return why service of process has not been perfected. Failure to perfect service at the address provided does not excuse the sheriff from his or her duty to exercise due diligence in locating the person to be served.
- The sheriff is to maintain sufficient staff, facilities and equipment to deliver the agreed upon services or to notify the State Attorney 30 days in advance whenever the sheriff is unable, or is going to be unable, to provide the required quality or quantity of services.
- Under the provisions of the law and the terms of this contract, the sheriff is required, but not limited, to serve the following:
  - Summons and Complaint
  - Subpoena except witness subpoena

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Order to Show Cause  
Contempt Notice to Appear  
Default Order and Judgment (when court orders to be served by the sheriff)  
Notice to Absent Parent for deemed Income Deduction Order  
Writ of Bodily Attachment  
Commitment Orders

**INPUT FROM MIAMI-DADE POLICE DEPARTMENT**

OCA posed the following questions to MDPD; the department's responses are below in bold and italics.

- This new agreement is in light of the previous agreement (adopted by the Board on June 4, 2013) expiring on June 30, 2018. What accounts for the delay in renewing the agreement?

***The new agreement, which expired June 30, 2018, was provided to the Miami-Dade Police Department (MDPD) just slightly ahead of the expiration of the existing agreement on June 14, 2018. The MDPD submitted the agenda item, signed by Director Perez, on June 26, 2018. Once the MDPD submits the item, it is reviewed, approved, and entered into Legistar per the County legislative process. The item appeared in Legistar on August 31, 2018.***

- Please provide the numbers per year over the term of the last agreement for process served in child support order enforcement actions.

***Please be advised that the numbers per year over the term of the last agreement are as follows:***

***State Fiscal Year July 1, 2013 – June 30, 2014 - \$287,525***

***State Fiscal Year July 1, 2014 – June 30, 2015 - \$279,644***

***State Fiscal Year July 1, 2015 – June 30, 2016 - \$279,354***

***State Fiscal Year July 1, 2016 – June 30, 2017 - \$274,702***

***State Fiscal Year July 1, 2017 – June 30, 2018 - \$271,405***

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**Item No. 8I3  
File No. 182285**

**Researcher: JFP Reviewer: TD**

RESOLUTION RETROACTIVELY APPROVING A LETTER OF AGREEMENT AND CONTRACT WITH THE UNIVERSITY OF NORTH FLORIDA TRAINING AND SERVICES INSTITUTE, INC., D/B/A INSTITUTE OF POLICE TECHNOLOGY AND MANAGEMENT, IN AN AMOUNT UP TO \$175,000.00 FOR A TERM ENDING ON MAY 17, 2019; AND RETROACTIVELY AUTHORIZING THE ACTION OF THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE IN EXECUTING THE LETTER OF AGREEMENT AND CONTRACT

**ISSUE/REQUESTED ACTION**

Whether the Board should retroactively approve a Letter of Agreement and contract with the University of North Florida Training Services Institute, Inc. d/b/a Institute of Policy Technology and Management (IPTM) through May 17, 2019 in an amount up to \$175,000 for the County to execute a traffic safety campaign where MDPD will utilize selected traffic education and enforcement operations in order to reduce traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists.

**APPLICABLE LEGISLATION/POLICY**

Section 316.2065, Florida Statutes, specifies the state's bicycle regulations as part of the state's uniform traffic control. [http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=316.2065&URL=0300-0399/0316/Sections/0316.2065.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=316.2065&URL=0300-0399/0316/Sections/0316.2065.html)

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4  
Department/Requester: Miami-Dade Police Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Public Safety and Health Committee at its October 18, 2018 meeting.

**ANALYSIS**

The proposed resolution retroactively approves a Letter of Agreement and contract with IPTM through May 17, 2019 in an amount up to \$175,000. The Florida Department of Transportation (FDOT), through a grant with University of North Florida, will utilize law enforcement support to educate and enforce safe pedestrian, bicyclist, and driver behaviors in priority counties in Florida, The main objective being to reduce traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists through the use of selected traffic education and enforcement operations. This campaign is a component of Florida's Bicycle/Pedestrian Focused Initiative and is implemented by IPTM under the direction of FDOT. The County is contracting with IPTM to execute the campaign in Miami-Dade County at no cost to the County. The contract provides for cost reimbursement by IPTM up to \$175,000.

In 2016, 3,176 people lost their lives in traffic crashes on Florida's roadways, of which more than 21% of them were pedestrians (667) and more than 4% were bicyclists (140). The table below depicts the scope of the campaign, including a list of approved intersections/corridors to conduct operations.

Number of operations to be completed	101
Hours per operation	4
Officers per operation	5
List of approved intersections/corridors to conduct operations	<ul style="list-style-type: none"> <li>NW 27<sup>th</sup> Ave between NW 79<sup>th</sup> St. and NW 167<sup>th</sup> St.</li> </ul>

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- NW 7<sup>th</sup> Ave between NW 79<sup>th</sup> St. and NW 155<sup>th</sup> Ln
- Kendall Dr. (SW 88th St) between SW 77<sup>th</sup> Ave. and SW 158th Ave.
- W Flagler St. between NW 79<sup>th</sup> Ave and NW 117<sup>th</sup> Ave.
- US-1 & SW 136<sup>th</sup> St.
- US-1 & SW 152<sup>nd</sup> St.

Detailed below are the services to be provided by the County in accordance with the agreement with IPTM and in furtherance of this campaign:

- High Visibility Enforcement of all road users, including pedestrians, bicyclists, and motorists, in an effort to change behaviors and improve the safety of pedestrians and bicyclists. Conduct on-street education and enforcement operations that include the distribution of educational materials with each contact. The issuance of warnings and/or citations to pedestrians, bicyclists, and motorists must comply with Florida Statutes. The County must emphasize education and document educational efforts in each detail report throughout the entire contract period.
- Operations must begin within 30 days of the contract execution date. Exceptions for delayed start may be approved if a State of Emergency is declared by the Governor that directly impacts the County's ability to perform. All exceptions require the approval of IPTM and FDOT.
- The County shall distribute the provided safety educational materials during ALL High Visibility Enforcement operations. Materials are provided free of charge for this purpose. Enforcement agencies may elect to participate in bicycle light distribution to improve nighttime visibility and compliance with F.S. 316.2065(7). A Bicycle Light Distribution Assurance Form is required for each bicycle light set that is distributed. Bicycle Light Distribution Assurance Forms must be signed by the officer and included with the detail report submission.
- Media Releases. The County is required to distribute a minimum of two (2) media releases during the contract period. The initial required media release announcing that operations are beginning must be distributed a minimum of seven (7) days in advance of the operation start date. The second required media release must include a reminder that enforcement operations are ongoing. 11Us release must be distributed halfway through the contract period. Additional media engagement is encouraged throughout the contract period. Media releases may include social or digital media, but must also be distributed through local media outlets. Proof of media engagement must be provided within 30 days of the press release or news report as a backup documentation component for invoicing during the period in which it is conducted.

IPTM's responsibilities under the agreement are as follows:

- IPTM will provide the required training/training materials, a copy of Florida's Pedestrian and Bicycle Strategic Safety Plan, and educational materials to the County for distribution during enforcement operations under contract execution. Additional educational materials, bicycle lights, and electronic media may be requested by the County, but are subject to availability.
- IPTM reserves the right to review and audit the County's compliance with the terms of the Letter of Agreement and Contract during business hours and at IPTM's sole expense. In the event IPTM determines that the County is not averaging the required number of operations, hours, and officers in each operation over the period of time between the date delivery of services commences and the audit date, IPTM may reduce the funding for the remaining term of the Agreement by the percentage difference between the required number of operations and officers and the actual average.



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**Item No. 8J1**  
**File No. 182312**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING AGREEMENT WITH ODEBRECHT CONSTRUCTION, INC., FOR THE PROJECT TITLED "SFCT - CARGO YARD DENSIFICATION ERTGS PHASE I, CONTRACT NO. 2017-034," IN THE AMOUNT OF \$34,880,819.66; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL RIGHTS CONTAINED THEREIN, INCLUDING ANY TERMINATION AND RENEWAL PROVISIONS, UPON THE REVIEW AND APPROVAL OF THE AGREEMENT BY THE COUNTY ATTORNEY'S OFFICE AND THE BOARD'S APPROVAL AND TERMINAL LINK (MIAMI) LLC'S (TLM) EXECUTION OF THE SECOND AMENDMENT TO THE TERMINAL OPERATING AGREEMENT BETWEEN TLM AND THE COUNTY

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a Recommendation for Award for Odebrecht Construction, Inc. to complete a PortMiami project involving infrastructure improvements in an active cargo yard for the use of Electric Rubber Tire Gantries (eRTG), for a total contract amount of \$34,880,819.66.

**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)

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-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, 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

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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: Port of Miami**

This item has no procedural history.

**ANALYSIS**

The proposed resolution is for approval of a Recommendation for Award for Odebrecht Construction, Inc. to complete a PortMiami project involving infrastructure improvements in an active cargo yard for the use of Electric Rubber Tire Gantries (eRTG), for a total contract amount of \$34,880,819.66, with a total contract period of 777 days. The improvements, intended to accommodate cargo capacity increases on a smaller footprint while simultaneously making acreage available for increased cruise business, include, but are not limited to:

- Furnish and installation of concrete runways and turning pads,
- eRTG high wind/storm tie-downs and associate foundations,
- pavement,
- pavement marking and signage,
- grading and drainage for runways,
- reefer rack structure and foundations,
- two new Florida Power & Light vaults,
- a ductbank from the FPL substation on the Port to the FPL transformers, and
- electrical connections to owner-provided bus bars.

The key benefits of the project, to the County as well as the South Florida Container Terminal Operator, include:

- 1) 20 acres of land transferred back to the Port for two new cruise terminal facilities, each having capacities exceeding one million cruise passenger movements (see Item 8J2, File No. 182622), and
- 2) construction of an eRTG system which provides up to a 40% increased cargo throughput of at least 500,000 Twenty-Foot Equivalent Unit containers on a smaller footprint within the lease area.

The life expectancy of the improvements is 50 years.

Detailed below are the contract costs by funding source.

<b>Source</b>	<b>Amount</b>
Seaport Bonds/Loans	\$4,380,819.66
FDOT Funds	\$12,050,000.00
Future Financing	\$18,450,000.00
<b>Total:</b>	<b>\$34,880,819.66</b>

Five bids were received in response to the solicitation. Odebrecht Construction, Inc. submitted the lowest bid in the amount of \$30,867,982 (excluding allowance accounts). While the Engineer of Record (EOR) originally calculated the base estimate to be \$27,462,388.81, the EOR revised that amount during the bidding process to reflect revisions due to Building Department requirements and comments from the Regulatory and Environmental Agencies, changes requested by FP&L, and additions requested by the tenant, South Florida Container Terminal. Odebrecht's Construction, Inc.'s submitted base bid was 1.87 percent higher than the revised based estimate of \$30,302,437.49. Nevertheless, the EOR opined that Odebrecht Construction, Inc. provided a reasonable and competitive bid based on the current market conditions and that it meets and exceeds the contract's

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project minimum qualification requirements and therefore had no objections in awarding the contract to Odebrecht Construction, Inc.

While Odebrecht Construction, Inc. has not held any contracts with the County during the last five years, the prime contractor, along with its subcontractors, Fisk Electric Company, and Westbrook Project Management, Inc., have met the specified minimum qualification of the prime contractor or subcontractors, and the electrical subcontractor, having completed a minimum of three projects of a similar scope during the past ten years where one of these projects was completed within the past five years under the firm's current business name.

The due diligence review produced no adverse findings, and two evaluations listed in the Capital Improvements Information System demonstrate an average score of 4.0 out of a possible 4.0 points (verified by OCA).

Odebrecht Construction, Inc. is a local, Florida Profit Corporation with a principal address of 6505 Blue Lagoon Drive, Suite 465, Miami, Florida 33126.

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**Item No. 8J2  
File No. 182622**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING SECOND AMENDMENT TO THE TERMINAL OPERATING AGREEMENT BETWEEN TERMINAL LINK (MIAMI) LLC (OPERATOR) AND MIAMI-DADE COUNTY WITH AN ESTIMATED FISCAL IMPACT OF \$64,000,000.00 IN THE COST OF IMPROVEMENTS TO THE PORT, OF WHICH APPROXIMATELY \$42,000,000.00 WILL BE BORNE BY THE COUNTY AND \$22,000,000.00 WILL BE BORNE BY THE OPERATOR; WITH A FURTHER FISCAL IMPACT IN REDUCED PORT REVENUES FROM LAND RENT OF \$1,559,448.00 PER YEAR IN EXCHANGE FOR A RETURN OF APPROXIMATELY 20 ACRES OF LAND TO THE COUNTY TO BE USED IN CONNECTION WITH NEW CRUISE TERMINAL PROJECTS; AND WITH ANTICIPATED ADDITIONAL REVENUES TO THE COUNTY FROM A REVISED DISCOUNT TIER STRUCTURE OF APPROXIMATELY \$250,750.00, SUBJECT TO ANNUAL FLUCTUATION, TAKING EFFECT UPON COMPLETION OF THE ELECTRIC RUBBER TIRE GANTRY INFRASTRUCTURE; AUTHORIZING THE COUNTY'S EXPENDITURE OF ADDITIONAL AMOUNTS TOWARDS THE AFOREMENTIONED IMPROVEMENTS TO THE EXTENT SUCH ADDITIONAL AMOUNTS ARE FUNDED BY THIRD-PARTY GRANTS; WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT IN ACCORDANCE WITH SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY TO SELECT THE OPERATOR AS THE DEVELOPER OF CERTAIN IMPROVEMENTS AT THE PORT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SECOND AMENDMENT AND EXERCISE ALL RIGHTS CONTAINED THEREIN; AND APPROVING WAIVER OF RESOLUTION NO. R-130-06 [SEE AGENDA ITEM NO. 8J1]

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the execution of the Second Amendment to the Terminal Operating Agreement between Miami-Dade County and Terminal Link (Miami) LLC ("TLM") with an estimated fiscal impact of \$64,000,000.00 in the cost of improvements to the Port, of which approximately \$42,000,000.00 will be borne by the County; and whether the Board should waive competitive bid procedures pursuant to Miami-Dade County Code Section 2-8.1 and Section 5.03 (D) of the Home Rule Charter in order to select TLM as the developer for certain improvements in their lease yard at the Port, which are identified in the Amendment as the Maintenance and Repair and Administration Buildings.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County Home Rule Charter, Section 5.03(D)**, governs contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

<http://www.miamidade.gov/charter/library/charter.pdf>

**Miami-Dade County Code, Section 2-8.1**, requires formal sealed bids for purchases over \$250,000; describes the circumstances under which competitive bidding may be waived; establishes requirements for legacy purchases, designated purchases, and provides that procurement procedures shall be established via an Implementing Order.

[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)

**Resolution No. R-763-08**, adopted by the Board on July 1, 2008, authorized execution of (I) a Terminal Agreement between Miami-Dade County and Terminal Link (Miami) LLC ("TLM") for terminal operations at the Port of Miami; and (II) a Termination, Release and Reservation of Rights Agreement between Miami-Dade County and MAERSK, Inc., terminating existing terminal agreement, resolving disputed claims, and reserving certain rights.

<http://intra/gia/matter.asp?matter=081834&file=true&yearFolder=Y2008>

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**Resolution No. R-578-16**, adopted by the Board on July 6, 2016, authorized the County Mayor to execute Amendment No. 1 to the Terminal Operating Agreement between Miami-Dade County and Terminal Link (Miami) LLC (“TLM”); modified terminal area size and configuration; authorized relocation of a portion of current terminal access road and related canopies and infrastructure at the County’s expense; expanded eligibility for discount provisions; delegated limited sub-lease approval authority to the Port Director, including associated right to grant temporary ground rent credits estimated not to exceed \$530,000.00; delegated limited authority to Port Director to adjust TLM Terminal Area as needed to improve Port operations, not to exceed five acres in aggregate, upon the mutual written agreement between the Port Director and TLM.

<http://intra/gia/matter.asp?matter=161413&file=true&yearFolder=Y2016>

**Resolution No. R-130-06**, adopted by the Board on January 24, 2006, amended Resolution No. R-1198-05 to clarify that proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties.

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester:**

The proposed resolution has no procedural history.

**ANALYSIS**

Resolution No. R-763-08, adopted by the Board on July 1, 2008, authorized execution of (I) a Terminal Agreement between Miami-Dade County and Terminal Link (Miami) LLC (TLM) for terminal operations at the Port of Miami; and (II) a Termination, Release and Reservation of Rights Agreement between Miami-Dade County and MAERSK, Inc., terminating existing terminal agreement, resolving disputed claims, and reserving certain rights. This agreement had an initial term of 15 years, with two five-year options to renew.

Among other things, the agreement included escalating land rental rates, escalating Minimum Throughput Guarantees, escalating Twenty-Foot Equivalent Units (TEUs) rates, and a commitment to an annual minimum gantry crane guarantee. It provided for TLM to:

- Commit to an annual Minimum Throughput Guarantee of 2,750 TEUs per acre with 2 percent compounded growth;
- Pay \$1.25 land rent per gross square foot annually through its entire terminal area;
- Contribute up to \$12.5 million towards improvements;
- Pay a termination fee should TLM desire to terminate the agreement;
- Pay an assignment fee of \$500,000 for each year remaining on the agreement and both renewal periods should TLM elect to assign the agreement to Universal (Maersk’s stevedoring arm);
- At the County’s request, reduce its terminal area if TLM’s aggregate actual TEU throughput for two successive three-year periods falls short of its aggregate minimum guaranteed TEU throughput for those consecutive six years; and
- Commit to annual minimum gantry crane rental payments based on a minimum of 4,358 annual crane hours.

In return, the County agreed to:

- Make available 71.32 of terminal area
- Provide (i) preferential berthing rights for bays 99 to 116, as well as 2,000 linear feet of gantry berth area and (ii) preferential gantry crane rights for a minimum of four cranes;

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- Allow for the servicing of non-affiliated customers in or using the terminal area;
- Extend the first right to attempt to negotiate for the use of continuous cargo terminal space, if such additional land becomes available for permanent use;
- Work cooperatively with TLM to design, procure, construct, install, and co-fund a fully functional Rugged Tired Gantry System (RTG System) and related infrastructure improvements within the terminal area.

Resolution No. R-578-16, adopted by the Board on July 6, 2016, authorized the County Mayor to execute Amendment No. 1 to the Terminal Operating Agreement between Miami-Dade County and Terminal Link (Miami) LLC (“TLM”); modified terminal area size and configuration; authorized relocation of a portion of current terminal access road and related canopies and infrastructure at the County’s expense; expanded eligibility for discount provisions; delegated limited sub-lease approval authority to the Port Director, including associated right to grant temporary ground rent credits estimated not to exceed \$530,000.00; delegated limited authority to Port Director to adjust TLM Terminal Area as needed to improve Port operations, not to exceed five acres in aggregate, upon the mutual written agreement between the Port Director and TLM.

Amendment No. 1 proposed changes to TLM’s terminal operating footprint by memorializing the addition of 9.8 acres to TLM that were transferred in January 2014. It also provided for the future deletion of a 1.25 acre parcel and the relocation of a portion of the existing terminal access road, to accommodate the future construction of Cruise Terminal A. The deletion of the 1.25 parcel from TLM’s Terminal Area was offset by a 1.63 acre replacement parcel. Additionally, Amendment No. 1 delegated to the Port Director limited authority to approve certain potential temporary sub-leases subject to size, durational, and other limits.

The proposed resolution seeks the Board’s approval of the Second Amendment to the Terminal Operating Agreement between TLM and Miami-Dade County, which is intended to accommodate cargo capacity increases while simultaneously making acreage available for increased cruise business at future Cruise Terminals AA and AAA. The key features of the Amendment include:

- The return of approximately 20 acres to the County for two new cruise terminals, each having capacities to exceed one million cruise passenger movements;
- Construction of an e-Rugged Tired Gantry System (e-RTG System) providing up to a 40 percent increased cargo capacity from 358,000 TEUs per year to at least 500,000 TEUs per year on a smaller footprint; and
- Extension of the term of the Agreement for an additional 10 years for a new expiration date of September 30, 2033, and two five-year renewal options that would extend the term through September 30, 2043.

The proposed Amendment provides the County with a continuation of the Minimum Annual Throughput Guarantee, 3,419 TEUs per acre for Fiscal Year 2019; Annual Throughput Guarantee increases of 2 percent compounded annually; increases to the TEU rate of 3 percent compounded annually; and increases to the land rent rate of 3 percent compounded annually.

Upon completion of the e-RTG improvements and return of the land to the County, TLM’s land rent will be reduced to account for the 20 acres returned to the County. Further, TLM’s existing preferential access to gantry cranes will increase by one additional crane if the County procures two additional gantry cranes and will increase by two additional cranes if the County procures three or more gantry cranes.

According to the Fiscal Impact Statement, the proposed Amendment will have a fiscal impact of approximately \$42,000,000.00 for the County. This amount represents the cost of the County’s estimated expenditures on infrastructure for the new e-RTG System, relocation of an entry gate, and acquisition and transportation of four temporary diesel RTG Systems, as well as the County’s maximum expenditures towards TLM’s construction of their M&R Building and the purchase of busbars, which are a component of the e-RTG System.

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TLM will contribute approximately \$22,000,000.00 for all designs costs, the cost of construction for their Administration Building, construction costs for the M&R Building exceeding the County \$3,000,000, and the cost of purchasing 12 e-RTGs.

Upon completion of the improvements and the return of approximately 20 acres to the County, TLM's land rent will be reduced in accordance with per-acre rent amounts set forth in the original Agreement, which will result in a reduction of the land rent received by the County in the amount of approximately \$1,559,448 per year.

In addition, TLM and the Port have agreed to modify TLM's discount tier structure. The TLM discount tier structure revises upwards TLM's minimum TEU volume per acre by 1,000 TEU over the current lease volume. The anticipated fiscal impact of this adjustment is approximately \$250,750 based on current throughput, subject to annual fluctuation.

**ADDITIONAL INFORMATION**

PortMiami boasts the title "cruise capital of the world", and its busiest cruise/passenger port in the world. It accommodates the operations of such major cruise lines as Carnival, Royal Caribbean and Norwegian Cruise Line. In 2018, PortMiami became homeport for five more modern mega-liners: Mariner of the Seas, Symphony of the Seas, Carnival Horizon, and Norwegian Bliss.

As the "Cargo Gateway of the Americas", the port primarily handles containerized cargo with small amounts of breakbulk, vehicles and industrial equipment. It is the largest container port in the State of Florida and ninth in the United States. As a world-class port, Port Miami is among an elite group of ports in the world which cater to both cruise ships and containerized cargo.

PortMiami is an important contributor to the local South Florida and State economies. Over four million cruise passengers pass through the Port, 7.4 million tons of cargo and over 1 million Twenty-Foot Equivalent Units (FY 2004-2005) of intermodal container traffic move through the seaport per year. This combination of cruise and cargo activities supports approximately 176,000 jobs, and has an economic impact in Miami-Dade County of over \$17 billion, \$14 billion of which is generated by its cargo operations

<https://en.wikipedia.org/wiki/PortMiami>

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**Item No. 8K1**  
**File No. 182300**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING A LOAN TO WOODLAND GROVE APARTMENTS, LLC OR RELATED ENTITY IN AN AMOUNT NOT TO EXCEED \$1,739,985.57 OF DOCUMENTARY STAMP SURTAX PROGRAM FUNDS, ALL BASED UPON PREPAYMENT BY ST. MARTIN AFFORDABLE HOUSING, LTD. OF PREVIOUS LOANS, FOR DEVELOPMENT OF THE WOODLAND GROVE AFFORDABLE MULTIFAMILY HOUSING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONDITIONAL LOAN COMMITMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the redeployment of \$1,739,985.57 in repaid Documentary Surtax Program funds from St. Martin Affordable Housing, Ltd. to Woodland Grove Apartments, LLC or a related entity, for development of the Woodland Grove Affordable Multi-Family Housing project in Commission District 9.

**APPLICABLE LEGISLATION/POLICY**

**Miami-Dade County Code, Section 17-02** relates to refinancing of affordable housing loans made to developers. It states that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

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

[\\_dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH17HO\\_ARTIINGE\\_S17-02REAFHOLOMADE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH17HO_ARTIINGE_S17-02REAFHOLOMADE)

**Resolution No R-1287-98**, adopted by the Board on November 24, 1998, approved the funding recommendations for the State Housing Initiative Partnership and Surtax programs; and authorized the filing with the U.S. HUD of Miami-Dade County's Fiscal Year 1999 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=990099&file=false&yearFolder=Y1999>

**Resolution No R-789-99**, adopted by the Board on July 13, 1999, authorized the allocation of additional 1999 Surtax funds from the Incentive Pool to developers for multi-family developments.

<http://intra/gia/matter.asp?matter=991746&file=false&yearFolder=Y1999>

**Resolution No R-1331-99**, adopted by the Board on December 9, 1999, approved the Fiscal Year 2000 finding recommendations for the State Housing Initiative Partnership and Surtax programs; and authorized the filing with U.S. HUD of Miami-Dade County's FY 2000 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=000095&file=false&yearFolder=Y2000>

**Resolution No R-1349-00**, adopted by the Board on December 14, 2000, approved the Fiscal Year 2001 funding recommendations for the State Housing Initiative Partnership and Surtax Programs; and authorized the filing with U.S. HUD of Miami-Dade County's FY 2001 Action Plan with projected uses of funds for the County's Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

<http://intra/gia/matter.asp?matter=003258&file=false&yearFolder=Y2000>



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**Resolution No. R-346-15**, adopted by the Board on April 21, 2015, established the maximum development cost per unit of \$225,000.00 for affordable housing constructed, rehabilitated or acquired with County funds, except for high-rise new construction which shall have a maximum development cost per unit of \$250,000.00.

<http://intra/gia/matter.asp?matter=151090&file=false&yearFolder=Y2015>

**Resolution No. R-343-15**, adopted by the Board on April 21, 2015, limited the amount that any affordable housing development may receive in Documentary Surtax funds for gap funding to a percentage of the total development cost for that development.

<http://intra/gia/matter.asp?matter=151100&file=false&yearFolder=Y2015>

### **PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Public Housing and community Development**

The proposed resolution was considered at the October 16, 2018 Housing and Social Services Committee meeting. It was forwarded to the BCC with a favorable recommendation.

### **ANALYSIS**

Resolution Nos. R-1287-98, R-789-99, R-1331-99 and R-1349-00 allocated a total of \$1,941,485 to St. Martin Affordable Housing, Ltd. for the Miami Stadium Apartments project through Documentary Stamp Surtax Program funds for Fiscal Years 1999-2001. These funds were repaid well in advance of the loans' maturity date of August 1, 2021. This item is requesting that the funds, pursuant to County Code, be redeployed to a related entity, Woodland Grove Apartments, LLC, for the development of affordable housing in Commission District 9.

Miami-Dade County Code, Section 17-02 provides that "(a) [a]ny developer or other entity that has received a loan from Miami-Dade County for the provision of affordable housing and repays such loan in full before the date on which the loan is due in full, may upon approval of the Board of County Commissioners, have the repaid funds loaned to it, or a related entity, for additional eligible affordable housing projects ... (b) Notwithstanding any other provision of the Code of Miami-Dade County or of any ordinance, no competitive process shall be required for the loan of funds made pursuant to subsection (a) above."

St. Martin Affordable Housing Ltd. and Woodland Grove Apartments, LLC, are special purpose entities that were created as affiliates of Centennial Management Corporation. They are all registered under the same address in Sunbiz. The proposed resolution seeks the Board's approval of a loan to Woodland Grove Apartments, LLC or a related entity, in an amount not to exceed \$1,739,985.57 of Documentary Surtax Program funds, all based upon pre-payment by St. Martin Affordable Housing, Ltd. of previous loans, for development of the Woodland Grove Affordable Multi-Family Housing project. The difference between the amounts of the original loans totaling \$1,941,485 and the amount of the proposed loan of \$1,739,985.57 includes accrued interest. The loan will be used for payment of hard construction costs.

The loan, if approved, will be used to develop the Woodland Grove Apartments, an affordable multi-family rental housing project, which will be comprised of 190 units arranged in three-story apartment buildings on approximately 5.61 acres located at the northeast corner of SW 268<sup>th</sup> Street and 142<sup>nd</sup> Avenue, in Naranja. The applicant has committed to set aside 31 units for tenants with incomes at or below 28 percent of Area Median Income (AMI) and 159 units for tenants with incomes at or below 60 percent of AMI. Additionally, 12 of the 190 units will be set aside for persons living with disabilities.

According to the Fiscal Impact Statement, the total amount to be awarded will be \$1,739,985.57 for the Woodland Grove affordable housing project. This amount will be taken from loans previously issued to St. Martin Affordable Housing Ltd., which along with Woodland Grove Apartments, LLC, are affiliates of Centennial Management Corporation.

**BCC Meeting: November 8, 2018**  
**Research Notes**

Upon approval of the new loan, the County Mayor will execute conditional loan commitments. The Woodland Grove Development will be subject to a full credit underwriting analysis, and must receive a favorable recommendation from the underwriter and show financing commitments for the full development costs prior to financial closing of the loan.

Woodland Grove's application proposes/specifies a construction start of December 2018 and a construction completion with certificate of occupancy in December 2020. Loan terms, including the interest rate, are those set forth in the Fiscal Year 2018 Surtax Request for Applications (RFA) for repaid loan funds in accordance with Section 17-02 of the Code. Those terms are 0 percent interest during construction – years 1 and 2 – and then .75 percent interest-only payments for years 3-30, as modified prior to closing by the Mayor in accordance with the results of Underwriting.

**ADDITIONAL INFORMATION**

Under Sections 201.02 and 201.031 of the Florida Statutes, certain counties are authorized to levy a surtax on documents that transfer interest in Florida real property. Transfers of interest in single-family residences are exempt from this documentary surtax. In 1984, Miami-Dade County exercised this authority, and established a Housing Assistance Loan Trust Fund, and implemented the Documentary Surtax Program to benefit very low, low and moderate income families.

<http://www.miamidade.gov/housing/documentary-stamp-surtax-program.asp>

Area Median Income (AMI): Each year, the Department of Housing and Urban Development (HUD) calculates the median income for every metropolitan region in the country. HUD uses the five-year estimates of the American Community Survey – a national survey similar to the United States Census – to measure household income. HUD distinguishes between three types of households: households earning less than 80 percent of the AMI are considered low-income; very low-income households earn less than 50 percent of the AMI; and extremely low-income households earn less than 30 percent of the AMI.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), St. Martin Affordable Housing Ltd., has an active status as a Florida Limited Partnership and first filed and registered on 04/10/1996. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Woodland Grove Apartments, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 10/02/2017. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Centennial Management Corporation, has an active status as a Florida Profit Corporation and first filed and registered on 01/18/2001. The principal address is registered as 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016. Its registered agent is Lewis Swezy, 7735 NW 146<sup>th</sup> Street, Suite 306, Miami Lakes, FL 33016.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

**DEPARTMENT INPUT**

The Office of the Commission Auditor posed the following questions to the Public Housing and Community Development Department, and received the following answers:

**BCC Meeting: November 8, 2018**  
**Research Notes**

- When is the construction of the Woodland Grove Apartments scheduled to begin, and be completed? **Woodland Grove's application proposes/specifies a construction start of December 2018 and a construction completion with certificate of occupancy in December 2020.**
  
- What is the loan term and what are the interest rates for the Woodland Grove Apartments? **Loan terms, including the interest rate, are those set forth in the Fiscal Year 2018 Surtax Request for Applications (RFA) for repaid loan funds in accordance with Section 17-02 of the Code. Those terms are 0 percent interest during construction – years 1 and 2 – and then .75 percent interest-only payments for years 3-30, as modified prior to closing by the Mayor in accordance with the results of Underwriting.**

**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8K2**

**File No. 182608 (182291)**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING SUBSTANTIAL AMENDMENTS TO THE FISCAL YEAR (FY) 2013-2017 (EXTENDED TO 2019) CONSOLIDATED PLAN AND THE FY 2015-2018 ACTION PLANS FOR THE RECAPTURE AND REALLOCATION OF \$694,915.71 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS \$938,962.91 OF HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS, AND \$3,977.15 OF EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM FUNDS; WAIVING THE PROVISIONS OF RESOLUTION NO. R-692-12 AND THE FY 2013-17 CONSOLIDATED PLAN, REQUIRING THAT PROJECTS RECEIVING CDBG FUNDS APPLY THROUGH THE REQUEST FOR APPLICATIONS PROCESS, AS TO ACTIVITIES BY MIAMI BRIDGE YOUTH AND FAMILY SERVICES, INC. AND REBUILDING TOGETHER MIAMI-DADE, INC.; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE SUBSTANTIAL AMENDMENTS WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL STANDARD SHELL CONTRACTS, AMENDMENTS, STANDARD SHELL LOAN DOCUMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION, TO SUBORDINATE AND/OR MODIFY AGREEMENTS APPROVED HEREIN IN ACCORDANCE WITH CONDITIONS SET FORTH HEREIN; AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should waive the requirement that projects receiving CDBG funds apply through the Request for Applications process and approve substantial amendments to the Fiscal Year (FY) 2013-2017 (extended to 2019) consolidated plan and the FY 2015-2018 action plans for the recapture and reallocation of \$694,915.71 of Community Development Block Grant (CDBG) funds, \$938,962.91 of Home Investment Partnerships (Home) funds, and \$3,977.15 of Emergency Solutions Grant (ESG) program funds.

**APPLICABLE LEGISLATION/POLICY**

**Resolution No. R-692-12** requires projects receiving Community Development Block Grant (CDBG) funds, apply through the Consolidated Request for Applications process.

<http://intra/gia/matter.asp?matter=122112&file=false&yearFolder=Y2012>

**Resolution No. R-630-13** requires a detailed project budget, sources and uses statement, certifications as to past defaults on agreements with non-county funding sources, and due diligence check prior to recommendation and commitment of County funds.

<http://intra/gia/matter.asp?matter=131512&file=false&yearFolder=Y2013>

**Resolution No. R-697-13**, adopted on September 4, 2013, establishes that any allocations of housing and community development funds and Building Better Communities general obligation bond program funds for the purpose of acquiring, improving real property, or paying off secured debts on real property in excess of \$25,000 shall be in the form of secured loan or grant with restrictions on future use of the property. Additionally, the policy must be incorporated into the selection processes and contracts for housing and community development funds and Building Better Communities general obligation bond program funds.

<http://intra/gia/matter.asp?matter=131250&file=true&yearFolder=Y2013>

**PROCEDURAL HISTORY**

**Prime Sponsor: Housing and Social Services Committee**

**Department/Requester: Public Housing and Community Development**

**BCC Meeting: November 8, 2018**  
**Research Notes**

This item was amended at the October 16, 2018 Housing and Social Services committee as it relates to Exhibit 2. The amount to be reallocated for District 3 would be \$30,081.52 and District 9 would be \$7,500 for the Greater Miami Service Corps under the Public Services Activity category. The total reallocation amount for this agency was not changed. The item was forwarded to the BCC as amended with a favorable recommendation by the Housing and Social Services Committee at its October 16, 2018 meeting. Prior to passage, the following discussion transpired:

Commissioner Martinez inquired why Resolution R-692-12 was being waived. The department responded that even though there is a requirement for who receiving fund to go through the RFA process, they are asking for the Board to allow entities that are working with particular commissioners, to be recipients of the funding. The Board has to approve the allocations based on commission district funding request. Some entities do not have the opportunity to go through the RFA process because the current RFA is for 2019 funding. Additionally, if they were not able to reallocate the recaptures and reallocations of recaptured funds, they would be missing the window for HUD guidelines to obligate the money according to HUD.

Commissioner Martinez also requested to clarify what the unrelated entities are. The department replied that the unrelated entities mean shifting from different entities, if there is a change in potential ownership, for the same project within the same total amount of funds subject to board approval prior.

**ANALYSIS**

The proposed resolution is for Board authorization for the County Mayor of his designee to file with the United States Department of Housing and Urban Development (HUD) substantial amendments to the Fiscal Year (FY) 2013-2017 (extended to 2019) consolidated plan and the FY 2015-2018 action plans for the recapture and reallocation of \$694,915.71 of Community Development Block Grant (CDBG) funds, \$938,962.91 of Home Investment Partnerships (Home) funds, and \$3,977.15 of Emergency Solutions Grant (ESG) program funds.

The County continues to evaluate the progress of projects throughout the year and to reprogram funding where necessary to assure the timely expenditure of funds.

PHCD recommends the recapture of \$694,915.71 in CDBG funding from completed activities which funds remaining, from projects experiencing serious delays and the agency cannot proceed, from a project that has an unused balance, and from PHCD-administered projects in order to reallocate funds for district-specific CDF projects. PHCD recommends the reallocation of \$694,915.71 of CDBG funds to district-specific projects recommended as CDF allocations, projects needing additional funding, and County department programs, including the Parks, Recreation and Open Spaces Department.

PHCD recommends the recapture of \$938,962.91 of HOME funds primarily from St. John Community Development Corporation, Inc. and Little Haiti Housing Association, Inc. since the St. John CDC project was originally funded in 2015 and the project is still not ready to proceed, and the Little Haiti Housing Association, Inc. has decided not to proceed with its housing project. PHCD recommends the reallocation of these funds to Atlantic Pacific Communities development of residences at Dr. King Boulevard, Ltd.

Due to its activity being complete and a small balance remaining, PHCD recommends the recapture of \$3,977.15 of ESG funds from Camillus House, Inc. and the reallocation of these funds to Citrus Health Network, Inc. for its rapid rehousing efforts for those individuals at risk of homelessness.

The County Mayor or his designee will execute a Conditional Loan Commitment for all reallocations of CDBG and HOME Program funds for construction and rehabilitation projects.

**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8L1  
File No. 182210**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN VILLAGE OF EL PORTAL AND MIAMI-DADE COUNTY TO PROVIDE FILM PERMITTING SERVICES FOR A FIVE-YEAR TERM WITH OPTION TO RENEW FOR ONE ADDITIONAL FIVE-YEAR TERM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AGREEMENT AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an Interlocal Agreement between the Village of El Portal and Miami-Dade County to provide film permitting services by the Miami-Dade County Film and Entertainment Office on behalf of the municipality, for a five-year term with option to renew for one additional five-year term.

**APPLICABLE LEGISLATION/POLICY**

**Ordinance No. 91-50** authorizes the Miami-Dade Film and Entertainment Office to provide film, television and still photography permitting services for all of the County's municipalities (see attached resolution).

**PROCEDURAL HISTORY**

**Prime Sponsor: Vice Chairwoman Audrey M. Edmonson, District 3**

**Department/Requester: Regulatory and Economic Resources Department**

The proposed resolution was forwarded to the BCC with a favorable recommendation by the Economic Development and Tourism Committee meeting at its October 19, 2018 meeting.

**ANALYSIS**

The proposed resolution seeks to authorize the execution of an Interlocal Agreement with the Village of El Portal (Village) by the County Mayor or his designee to allow the Miami-Dade Office of Film and Entertainment (Film Office) in the Department of Regulatory and Economic Resources to issue permits to film, television and still photography production companies desiring to use the Village's facilities, located in District 3, for a five-year term with option to renew for one additional five-year term.

Under the proposed agreement, the Miami-Dade Office of Film and Entertainment will receive a \$100.00 application fee for each film permit processed on behalf of the Village, which assists with funding the maintenance of the permitting system utilized by County staff.

Ordinance No. 91-50 authorizes the Miami-Dade Film and Entertainment Office to provide film, television and still photography permitting services for all of the County's municipalities. To date, Miami-Dade County has entered into Interlocal agreements with 16 municipalities, allowing the efficient processing of permits for most filming locations so that the challenges of needing additional permitting at municipal boundaries can be avoided.

In 2013, the Village and the County entered into such an agreement, which subsequently expired. On May 22, 2018, the Village Council adopted Resolution 2018-12, which authorized the Village Mayor to execute a new agreement with the County. According to Resolution 2018-12, the Village will appoint a representative to act as a liaison to the Film Office. The representative will coordinate the use of facilities and services, and will have the authority to authorize the issuance of permits by the County on behalf of the Village.

**BCC Meeting: November 8, 2018**  
**Research Notes**

**ADDITIONAL INFORMATION**

Miami-Dade County issues film permits on behalf of 16 municipalities, including Hialeah, South Miami, Miami Gardens, Sunny Isles Beach, Miami Lakes and more.

[http://www.filmiami.org/permits\\_Municipalities.asp](http://www.filmiami.org/permits_Municipalities.asp)

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 2(d)

109.01-14

TO Honorable Mayor and Members  
Board of County Commissioners

DATE

(Public Hearing 5-7-91)  
April 2, 1991

SUBJECT

Ordinance relating to  
Film Permitting; Amending  
Sec. 2-11.14

FROM

Robert A. Ginsburg  
County Attorney

91-50

The attached ordinance was prepared and placed on the agenda at the request of Commissioner Mary Collins and Commissioner Charles Dusseau.

*Robert A. Ginsburg*  
Robert A. Ginsburg  
County Attorney

RAG/ydl



ORDINANCE NO. 91-50

ORDINANCE RELATING TO FILM PERMITTING;  
AMENDING SECTION 2-11.14, CODE OF  
METROPOLITAN DADE COUNTY, FLORIDA; REQUIRING  
PERMITS FOR FILMING ON PUBLICLY-OWNED PROPERTY;  
PROVIDING EXCEPTIONS; PROVIDING PROCEDURE FOR  
OBTAINING PERMITS; PROVIDING FOR INTERLOCAL  
AGREEMENTS WITH MUNICIPALITIES; PROVIDING OTHER  
PERMIT ISSUING RESPONSIBILITIES OF COUNTY;  
PROVIDING SEVERABILITY, INCLUSION IN THE CODE  
AND AN EFFECTIVE DATE

WHEREAS, the film and television industries are increasingly important segments of Dade County's economic well-being; and

WHEREAS, various cities within Florida, within the United States and around the world are in competition to establish local film and television industries as well as to attract new film and television production business; and

WHEREAS, it is in the best interests of the people of Dade County to regulate film production events located on public lands and rights-of-way in order to provide for adequate police and fire service supervision of film production activities; and

WHEREAS, it is in the best interests of Dade County and all the Dade municipalities to cooperate and to coordinate their efforts to attract film and television production and post-production business; and

WHEREAS, a County-wide coordination of permits issued to regulate film production on publicly-owned lands and rights-of-way would significantly enhance Dade County and its municipalities as locations for film and television productions,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-11.14, Code of Metropolitan Dade County, Florida, is hereby amended by deleting all existing language in its entirety.

Section 2. Section 2-11.14, Code of Metropolitan Dade County is hereby enacted to read as follows:

Sec. 2-11.14 Legislative purpose.

The purpose of this section shall be to provide for the coordination of film production on publicly-owned or controlled property to serve the public interest.

Sec. 2-11.14(a) Definitions.

The following terms shall have the meanings ascribed to them below for the purposes of this section:

Film. Still, live or motion picture production whether made on or by film, electronic tape, or any other electronic device used to produce theatrical motion pictures, television entertainment motion pictures, industrial motion pictures, television commercials, or print media.

Participating municipalities. Those municipalities located within Dade County which have executed interlocal agreements with Dade County with regard to the coordination of film permitting.

Sec. 2-11.14(b) Film Permits.

(1) Required. No person shall film within a publicly-owned site, facility or right-of-way within the participating incorporated or unincorporated area of Dade County without first obtaining a permit. Within the unincorporated area of Dade County, the County Manager shall establish the criteria and procedures to be followed for film permits. Within the participating incorporated areas, the municipality having jurisdiction shall establish the criteria and procedures to be followed for film permits through

interlocal agreement with Dade County. Permits shall be authorized by the governmental body having jurisdiction over the public site.

(2) Exceptions. Nothing in this section shall require any permit from:

(i) individuals filming or video taping only for their own personal or family use.

(ii) employees of print or electronic news media when filming on-going news events. This exception shall not apply to simulations or re-enactments orchestrated by print or electronic news media.

(iii) students and faculty filming exclusively for educational purposes.

(3) Permit Application. The permit application shall (i) identify the applicant; (ii) demonstrate the public liability insurance provided by the applicant in the amount established by the governmental body having jurisdiction; (iii) identify the number and type of locations to be utilized for filming and the agencies to provide assistance. Each participating municipality may establish additional permit requirements.

(4) Procedures. Procedures for the collection of required fees and reimbursements, if any, shall be established through administrative orders in connection with county locations and through interlocal agreements in connection with participating municipal locations.

(5) Permit criteria. The permit shall be granted unless the County Manager's designee finds that the proposed film production:

(i) unduly impedes governmental business or public access; or

(ii) conflicts with previously scheduled activities; or

(iii) imperils public safety; or

(iv) violates the provisions of an applicable interlocal agreement.

municipality. Municipal fees shall be determined by each participating municipality.

(6) supporting public programs and private initiatives that enhance Dade County as a location for film production and post-production facilities.

(7) developing and disseminating a comprehensive listing of all related available resources including but not limited to companies dealing with film production to assist in the expansion and enhancement of the film production industry and related industries in Dade County.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 5. The provisions of this ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: MAY 07 1990

Approved by County Attorney as  
to form and legal sufficiency.

KEG

Prepared by:

DBM

(6) Appeals. Any person aggrieved by the terms of a permit issued by the County, by the decision not to issue a permit or by a revocation of a permit issued by the County may, within ten (10) days of the decision, appeal to the County Manager, whose decision will be final.

Sec. 2-11.14(c) Authority of County Manager.

The County Manager shall designate an individual who shall be authorized to facilitate and coordinate the use of publicly-owned sites within the incorporated and unincorporated areas of Dade County for the filming and production of film projects. In this regard the Manager's designee shall be responsible for:

(1) negotiating interlocal agreements with municipalities to provide that the County may issue municipal film permits on behalf of the participating municipality, which shall conform to the requirements of all applicable municipal ordinances and written regulations, and shall set out the procedures by which the County shall facilitate film production within the municipality.

(2) establishing by administrative order the criteria for film permits issued with regard to sites owned or controlled by the County.

(3) issuing, denying or revoking permits pursuant to this section, administrative order or interlocal agreements.

(4) coordinating proposed film production schedules to minimize conflicts and to monitor compliance with applicable rules and regulations of the County and of the participating municipalities, and coordinating with the police and fire departments having jurisdiction to determine those services reasonably necessary to protect the life, safety and welfare of the public, as well as property.

(5) facilitating execution of appropriate permits for the provision of special police, fire or other public services as may be required. In connection with these arrangements, the County may collect all necessary fees and deposits on behalf of the County and participating municipalities and shall remit municipal fees collected in accordance with the interlocal agreement with the participating

STATE OF FLORIDA )  
DADE COUNTY ) SS:  
 )

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct

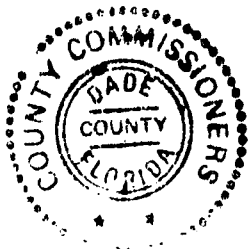
COPY OF ORDINANCE 91-50 PASSED AND ADOPTED MAY 7, 1991

\_\_\_\_\_ as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on  
this 30TH day of JUNE A.D. 1999.

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Dade County, Florida

By   
Deputy Clerk



SEAL

Board of County Commissioners  
Dade County, Florida

**BCC Meeting: November 8, 2018**  
**Research Notes**

**Item No. 8L2**  
**File No. 182197**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING TELEVISION, FILM AND ENTERTAINMENT PRODUCTION INCENTIVES PROGRAM GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CINEMAT, INC. FOR A TELEVISION SERIES "CLUB 57" IN THE AMOUNT OF \$100,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE RIGHTS AND PROVISIONS THEREIN, INCLUDING TERMINATION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an application submitted to the TV, Film and Entertainment Production Incentives Program by Cinemat, Inc. for a grant of \$100,000 to help fund the local filming of the television series "Club 57".

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.9 of the Code of Miami-Dade County codifies the Living Wage Ordinance for County service contracts and County employees. Each project supported by the Miami-Dade County TV, Film and Entertainment Production Incentive Program must pay qualified Miami-Dade County residents hired a minimum of the Living Wage as defined in this section.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.9LIWAORCOSECOEM](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.9LIWAORCOSECOEM)

Resolution No. R-783-17, adopted by the Board on July 18, 2017, creates the TV, Film and Entertainment Production Incentives Program with the intent of awarding grants to incentivize production in Miami-Dade County in the absence of a state incentive.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-783-17.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4**  
**Department/Requester: Regulatory and Economic Resources**

This item was forwarded to the BCC with a favorable recommendation by the Economic Development and Tourism Committee at its October 19, 2018 meeting.

**ANALYSIS**

Cinemat, Inc. applied for a grant of \$100,000 to help fund the local filming of "Club 57", a television series with distribution with Rai Italia, Italy's public television network, involving a time traveler storyline that voyages back to the to the 1950's. The grant is through the TV, Film and Entertainment Production Incentives Program established by the Board in July 2017 to incentivize local production of TV, film and entertainment projects, filling the void of an expired state incentive program that was not renewed by the Florida State Legislature in 2016.

Cinemat, Inc.'s grant application to the TV, Film and Entertainment Production Incentives Program is for the maximum award amount of \$100,000, which will come from the Countywide General Fund and be contingent upon an audit of the project and its corresponding documentation to ensure compliance with all guidelines and requirements of the agreement. The total project budget is \$6,998,526.34.

To qualify for the grant, the project must meet the specified definition of production, must spend a minimum of \$1,000,000 in Miami-Dade County on qualifying payroll and qualifying expenses, and hire a minimum of 50 main cast and crew that are Miami-Dade County residents. Additionally, 70 percent of the project must be filmed in Miami-Dade County, and 80 percent of the vendors/businesses utilized must be Miami-Dade County registered businesses.

**BCC Meeting: November 8, 2018**  
**Research Notes**

“Club 57” is expected to meet all of the grant requirements, given the information provided in its application. The total expected local expenditure during the 74 local production days is projected at \$4,020,723.85. The project will also employ 62 Miami-Dade County residents, amassing to 62% of the entire cast and crew. 80 percent of hired vendors will be Miami-Dade County businesses, and 77 percent of the television show will be filmed in Miami-Dade County, if the grant application is approved. While wanting to film in Miami given the local tax incentive, Cinemat, Inc. is also considering Georgia and Broward County, as well as Colombia and Mexico.

Among the projects awarded grants since the inception of the TV, Film and Entertainment Production Incentives Program are “Tio Papi”, “I am Frankie”, and “Grand Hotel”. The projects are awarded funding once filming concludes and compliance with the grant requirements is determined.

**ADDITIONAL INFORMATION**

The Florida Entertainment Incentive program was launched in 2010 with a pool of \$296 million in tax credits for film, TV and video productions for eligible projects which had 60% of the cast and crew based in Florida. The funding was depleted in three years due to extensive interest in the program. Funding was not replenished in subsequent years.

In the absence of a state incentive program, notable TV, film and entertainment projects set in Florida have been produced elsewhere, namely Georgia, Louisiana, California, and other states where tax incentives exist for the industry, with some states offering as much as 30% in tax credits.

<http://www.miamidade.gov/releases/2017-07-18-rer-filmiami-incentive-program.asp>

<http://www.filmiami.org/>



**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8L3  
File No. 182259**

**Researcher: MF Reviewer: TD**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND IRA S. SILVER, INDIVIDUALLY AND AS TRUSTEE, AS SELLER, FOR A PURCHASE PRICE OF \$25,000.00 USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND TO PERFORM ALL ACTS NECESSARY TO EFFECTUATE SUCH TRANSACTIONS; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

**ISSUE/REQUESTED ACTION**

Whether the Board should accept an "Assignment of Option to Purchase" for five acres of wetlands from the Nature Conservancy, as assignor, Miami-Dade County, as assignee, and Ira S. Silver, individually and as trustee, as seller, for a purchase price of \$25,000.00, using Building Better Communities General Obligation Bond Program funds, for the Environmentally Endangered Lands Program.

**APPLICABLE LEGISLATION/POLICY**

**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](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR)

**Miami-Dade County Code, Chapter 24, Division 3**, defines nuisance, sanitary nuisances; and provides enforcement, remedies and penalties. Section 24-28 defines nuisances injurious to health, including (e) air pollution which is harmful to human beings, animal life, or plant life; (f) water pollution which is harmful to human beings, animal life, or plant life; and (g) ground pollution which is harmful to human beings, animal life, or plant life.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR\\_ARTIINGE\\_DIV3EN](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR_ARTIINGE_DIV3EN)

**Miami-Dade County Code, Section 24-50.3**, established the Environmentally Endangered Lands Program "to acquire, preserve, enhance, restore, conserve, and maintain threatened natural forest and wetland communities located in Miami-Dade County, for the benefit of present and future generations.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR\\_ARTIVNABIENREPEPRREDRSYSTMA\\_DIV3ENENLAPR\\_S24-50.3ENENLAPRES](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR_ARTIVNABIENREPEPRREDRSYSTMA_DIV3ENENLAPR_S24-50.3ENENLAPRES)

**Miami-Dade County Code, Section 24-50.5**, created the Environmentally Endangered Lands Acquisition Trust Fund.

[https://library.municode.com/fl/miami - dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR\\_ARTIVNABIENREPEPRREDRSYSTMA\\_DIV3ENENLAPR\\_S24-50.5ENENLATRFU](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQACOARBIBAENENTRFUENENLAPR_ARTIVNABIENREPEPRREDRSYSTMA_DIV3ENENLAPR_S24-50.5ENENLATRFU)

**BCC Meeting: November 8, 2018**  
**Research Notes**

**Resolution No. R-974-09**, adopted by the Board on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9**

**Department/Requester: Regulatory and Economic Resources**

The proposed resolution was considered at the October 17, 2018 Infrastructure and Utilities Committee meeting. It was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

Concerned about continuing loss of pinelands and other natural areas, Miami-Dade County voters approved a property tax that was collected between 1990 and 1992 to fund the acquisition, protection and maintenance of environmentally endangered lands. The Miami-Dade County's Environmentally Endangered Lands (EEL) Program identifies and secures these lands for preservation. The EEL Program and its partners purchased approximately 22,268 acres of environmentally endangered lands into public ownership since 1990.

The proposed resolution seeks the Board's approval of the Assignment of Option to Purchase as negotiated by the Nature Conservancy for the Environmentally Endangered Lands (EEL) Program. According to the Fiscal Impact Statement, the appraised value of the 5-acre parcel is \$30,000 and the negotiated purchase price is \$25,000. Building Better Communities General Obligation Bond (BBC-GOB) Program funding under Project No. 2, Site No. 70230, will be used for this purchase.

The parcels proposed for acquisition are located within the South Dade Wetlands EEL Project. The Project acquires land in this area because of its strategic location between the Everglades National Park and Biscayne National Park, and within the watersheds of Florida Bay, Biscayne Bay, and Card and Barnes Sounds. The parcel is located south of SW 392<sup>nd</sup> Street, north of SW 408<sup>th</sup> Street, west of SW 137<sup>th</sup> Avenue, and east of SE 147<sup>th</sup> Avenue. (Please see attached South Dade Wetlands Project map).

As of July 31, 2018, the remaining balance under the BBC-GOB Program for allocations towards EEL acquisitions is \$10,718,072. In the event that BBC-GOB Program funds are not available, the EEL Acquisition Trust Fund may be used for this acquisition. As of July 31, 2018, the balance of the EEL Trust Fund is \$32,882,393.02, of which \$21,406,930.93 is reserved for acquisition and \$11,475,462.09 is reserved for management.

**ADDITIONAL INFORMATION**

Founded in 1951, the Nature Conservancy is one of the world's leading conservation organizations. Its mission is to conserve the lands and waters on which all life depends.

<https://www.nature.org/about-us/vision-mission/history/index.htm?intc=nature.tnav.about>

On November 2, 2004, the voters of Miami-Dade County approved the \$2.9 billion Building Better Communities Bond Program which allows the County to issue long-term bonds to fund more than 300 neighborhood and regional capital projects to be completed over the next 15 years.

<https://www.miamidade.gov/bondprogram/building-better-communities.asp>

**BCC Meeting: November 8, 2018**  
**Research Notes**

Noting the mounting evidence supporting the overwhelming scientific consensus that climate change is real and in fact already accelerating sea level rise, the Miami-Dade County Commissioners created the Miami-Dade County Sea Level Rise Task Force in July 2013 by unanimously passing Resolution No. R-599-13, as a focused next step to better gauge and plan for what lies ahead. One of the Task Force's recommendations pertained to the County's Environmentally Endangered Lands (EEL) Program. It reads as follows: "The Sea Level Rise Task Force recommends that Miami-Dade County's resiliency efforts must incorporate support for Everglades restoration, including making restoration a top priority for County lobbying efforts, and must strategically utilize and fully fund both acquisition and management needs for the EEL Program." For more on the Task Force's recommendations, please click on the link below.

<http://www.miamidade.gov/planning/library/reports/sea-level-rise-final-report.pdf>



# SOUTH DADE WETLANDS PROJECT








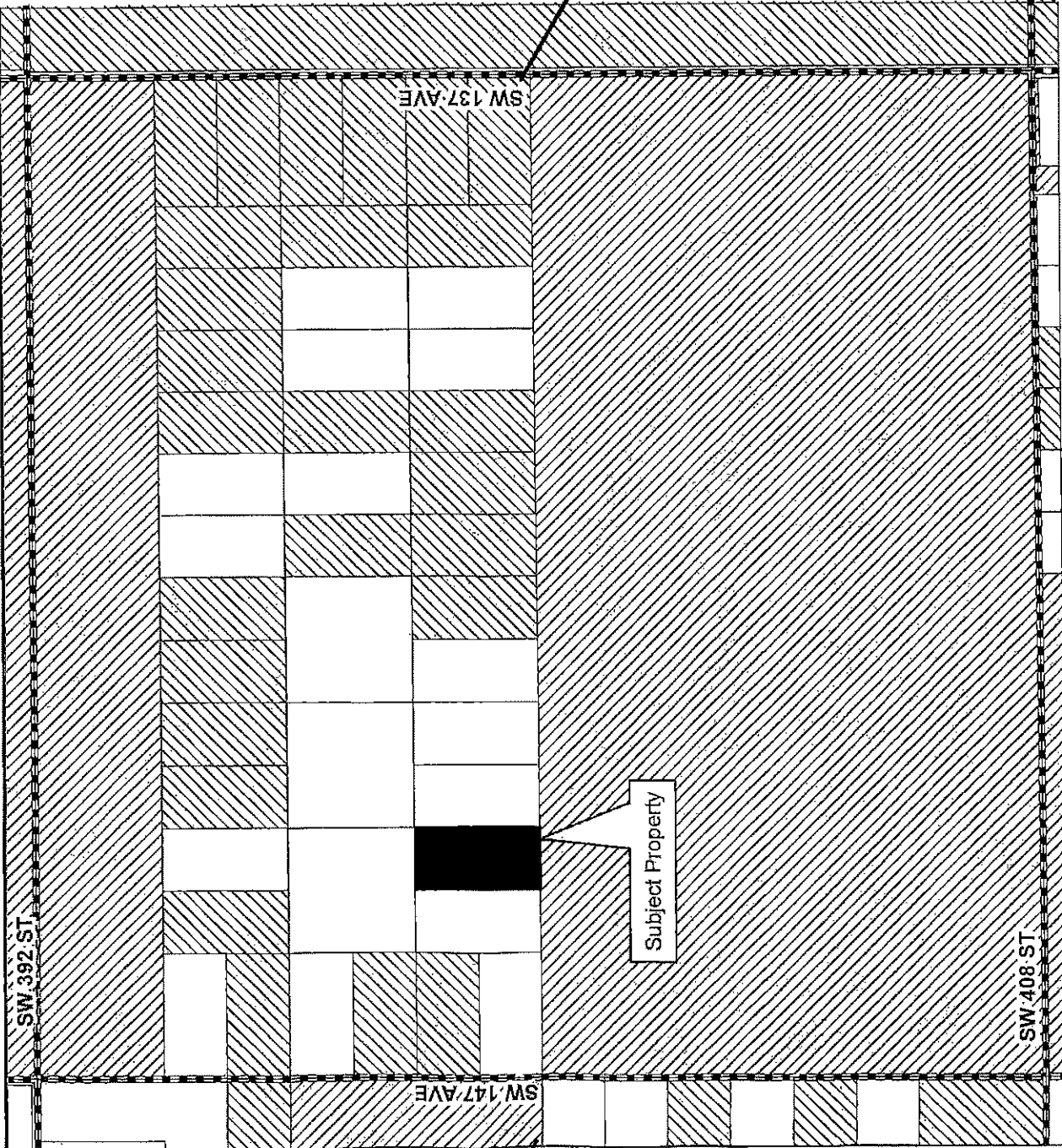
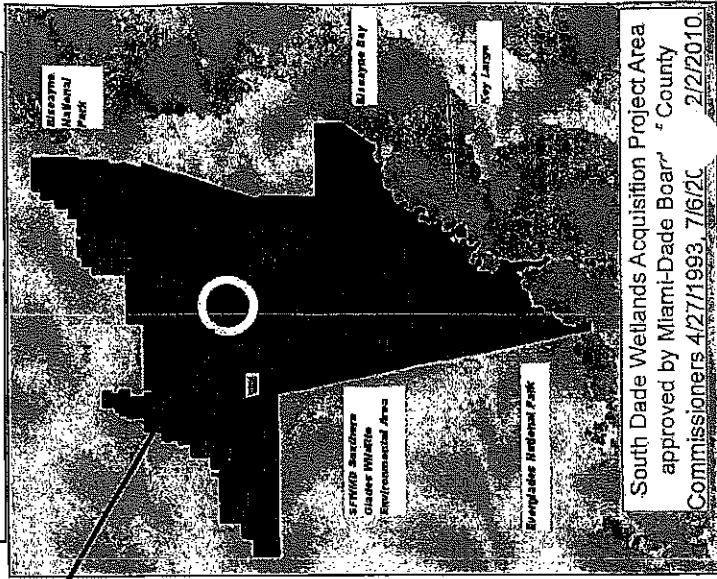
Ira S. Silver Property

Environmentally Endangered  
Lands Program

Parcel Information:  
Folio # 30-8910-000-00560

### Legend

-  PROJECT PARCEL
-  COUNTY OWNED
-  SFWMD OWNED
-  PRIVATE
-  SECTION BOUNDARY



**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8L5  
File No. 182198**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR STORMWATER MANAGEMENT BETWEEN THE CITY OF SOUTH MIAMI AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR A TERM OF THREE (3) YEARS WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL YEARS AND PROVIDING THAT THE CITY OF SOUTH MIAMI SHALL REIMBURSE THE MIAMI-DADE COUNTY STORMWATER UTILITY IN AN AMOUNT UP TO \$476,499.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY RENEWAL AND TERMINATION PROVISIONS AND ALL OTHER RIGHTS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an Interlocal Agreement for Stormwater Management between the City of South Miami and the Miami-Dade County Stormwater Utility, allowing the County to be reimbursed for stormwater maintenance work to be performed on County canals and a flood control structure that serves South Miami in an amount up to \$476,499, for a term of three years with the option to renew for two additional years.

**APPLICABLE LEGISLATION/POLICY**

Section 403.0893 Florida Statutes governs stormwater funding, specifying rights and powers at the local level.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=403.0893&URL=0400-0499/0403/Sections/0403.0893.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=403.0893&URL=0400-0499/0403/Sections/0403.0893.html)

Section 24-51 – 24-51.5 of the Code of Miami-Dade County governs the County's stormwater utility and its fees, creating a countywide stormwater utility and adopting stormwater utility fees sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Section 403.0891(3), Florida Statutes.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR\\_ARTVSTUT\\_S24-51SHTI](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR_ARTVSTUT_S24-51SHTI)

Ordinance No. 91-66, adopted by the Board on June 18, 1991, creates the Miami-Dade County Stormwater Utility and establishes a uniform countywide approach to stormwater management (see attached resolution).

Ordinance No. 95-195, adopted by the Board on October 17, 1995, amends Section 24-51.2 of the Code of Miami-Dade County, Stormwater Utility Ordinance, thereby granting municipalities the option of obtaining an exemption from the County Stormwater Utility and in turn creating a local stormwater utility (see attached ordinance).

Resolution No. R-1045-00, adopted by the Board on October 3, 2000, exempts South Miami from the Miami-Dade County Stormwater Utility.

<http://intra/gia/matter.asp?matter=002381&file=false&yearFolder=Y2000>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Regulatory and Economic Resources**

This item was forwarded to the BCC with a favorable recommendation by the Infrastructure and Utilities Committee at its October 17, 2018 meeting.

**BCC Meeting: November 8, 2018**  
**Research Notes**

**ANALYSIS**

This item is requesting Board approval of an Interlocal Agreement for Stormwater Management between the City of South Miami and the Miami-Dade County Stormwater Utility, allowing the County to be reimbursed for stormwater maintenance work to be performed on County canals and a flood control structure that serves South Miami in an amount up to \$476,499, for a term of three years with the option to renew for two additional years. Pursuant to the agreement, the reimbursement is for the County's provision of canal maintenance services for the Ludlam Glades Canal (57% share), from SW 52<sup>nd</sup> Street to SW 80<sup>th</sup> Street, in District 7, represented by Commissioner Xavier L. Suarez.

The Agreement is slated to retroactively commence on March 1, 2018 and end on September 30, 2020. South Miami will reimburse the County up to \$285,899 of an estimated County cost of \$442,320 for this period. If South Miami renews the agreement for an additional two years, from October 1, 2020 to September 30, 2022, South Miami will reimburse the County up to \$190,600 of an estimated County cost of \$294,880.

South Miami passed and adopted City Resolution No. 121-18-15154 approving a new Interlocal Agreement with the County on June 19, 2018. The Resolution limits the annual costs for routine canal maintenance for the Ludlam Glades and Broad Canals to \$95,300 annually.

South Miami and the County previously had a stormwater management Interlocal Agreement in place from Fiscal Year 2002 to Fiscal Year 2014 for the cost sharing of the maintenance of the Ludlam Glades Canal, but South Miami did not renew that agreement when it expired on September 30, 2014. Without the proposed agreement, the County could be responsible for all costs. It is unclear from the item if the County has been providing canal maintenance without a cost-sharing agreement in place with the City since 2014.

The purpose of the agreement is to provide a mechanism for the County and the City to share and allocate the cost of maintaining and repairing shared stormwater drainage systems. Pursuant to the agreement, the County Stormwater Utility's key responsibility is to maintain, repair, and enhance shared stormwater management systems located within the limits of the drainage service areas in accordance with the Agreement.

Bulleted below are the key responsibilities of the City under the agreement.

- The City shall maintain and repair shared stormwater systems located with the limits of the drainage service areas in accordance with the Agreement and the City's stormwater management plan.
- The City shall be responsible for maintaining aesthetic conditions only on canals and other water bodies within the City's boundary by providing for litter and minor debris removal as needed, and at no cost to the County.
- Payments by the City are to be made within 30 days after the bill presentation.

**INPUT FROM RER**

OCA posed the following questions to the Department of Regulatory and Economic Resources on October 29, 2018; the department's response is pending as of November 6, 2018.

- Please verify the term of the agreement. While the Mayoral Memorandum states three years with the option to renew for additional two years, it also specifies that the Agreement is slated to retroactively commence on March 1, 2018 and end on September 30, 2020, which would in actuality be a period of two years and six months.
- Why did South Miami allow the Agreement to expire in 2014?
- It is unclear from the item if the County has been providing canal maintenance without a cost-sharing agreement in place with the City since 2014. Please clarify.

**M E M O R A N D U M** Alternate  
Agenda Item No. 2(f)

**TO:** Hon. Mayor and Members  
Board of County Commissioners

**DATE:** June 18, 1991

**FROM:** *Joaquin A. Avino*  
Joaquin Avino, P.E., P.L.S.  
County Manager

**SUBJECT:** Alternate Ordinance Creating  
the Metropolitan Dade County  
Stormwater Utility

91-66

**RECOMMENDATION:**

It is recommended that the attached alternate ordinance creating the Metropolitan Dade County Stormwater Utility be approved by the Board.

**BACKGROUND:**

Biscayne Bay is an estuarine resource of unusual ecological recreational, and aesthetic value. Although progress has been made in maintaining and improving water quality in Biscayne Bay, the remaining and one of the greatest contributors of pollutants to Biscayne Bay is stormwater runoff discharged into the bay and its tributaries.

There are environmental requirements and also stormwater capital improvements and operating program needs that cannot be fully addressed and thus significantly affect surface water quality and the level of flood protection. When evaluating the total stormwater system needs, it becomes apparent that both runoff quality and quantity management issues require a comprehensive new approach.

An additional factor affecting the environmental management of the municipal stormwater system are the recent requirements mandated by the Federal Government. Specifically the EPA National Pollutant Discharge Elimination System (NPDES) Permit regulations for stormwater discharges became effective on November 16, 1990. These regulations will involve a two step two year application and permitting process involving the entire county public stormwater system. It is EPA's intent to evaluate stormwater county-wide in an integrated and comprehensive manner. This permitting program will require the county to substantially increase water quality evaluation and monitoring activities and ultimately develop a Master Plan and Management Plan for the elimination of substandard stormwater systems.

It is estimated that meeting the EPA NPDES requirements and improving the stormwater system maintenance program in F.Y. 91-92 will require \$12,762,400. Depending on the final requirements imposed by EPA in their permit, the F.Y. 94-95 cost could escalate to about \$23,013,200. Current funding is primarily provided by ad valorem property taxes and consequently, subject to partial deferments because of other programs considered to be more critical.

In addressing these issues, the Comprehensive Development Master Plan (CDMP) objectives and policies adopted by the Board of County Commissioners in December, 1988 directed that a stormwater utility be established. This directive, Objective 2B in the CDMP's Conservation, Aquifer Recharge and Drainage Element, indicates that a stormwater utility program will be implemented to prioritize stormwater/drainage deficiencies for correction.

In response to the CDMP directive and projected Federal requirements, DERM initiated in 1989 the development of a stormwater utility. The ELUC and the Board of County Commissioners in March, 1990, approved the selection of a consulting firm to assist DERM in establishing the stormwater utility. The first phase of the utility development work is now complete and an ordinance has been prepared to implement the utility.

The stormwater utility approach has been widely accepted throughout the State and nation as the best way to provide both a stable funding source and an integrated environmentally pro-active program that can effectively address water quality, quantity/flooding and system maintenance. The City of Miami, Tallahassee, Orlando and Sarasota County are some of the twenty-nine established stormwater utilities. There are an additional fifty-three utilities in various stages of implementation within the state.

The proposed ordinance establishes a county-wide stormwater utility. The ordinance provides the Commission with the authority to adopt stormwater utility fees sufficient to plan, construct, operate and maintain publicly owned stormwater management systems. The stormwater utility fee is based on a user fee concept that is typical of existing potable water and sanitary sewer-based utilities. The property owners are assigned equitable shares of the cost of stormwater management, based on their relative contribution of runoff to the stormwater conveyance facilities. The relative runoff contribution is estimated by the amount of impervious area on the parcel. This allows the utility to equitably and fairly charge users, such that the charge reflects the degree of use of the stormwater conveyance capacity and associated maintenance and administration costs.



The proposed ordinance establishes the utility's legal framework. The Commission by separate resolution would establish the specific fee to be charged by the utility. The utility consultants, based on their evaluation of the current and future unincorporated area stormwater requirements are recommending an initial monthly fee of \$2.50 per "Equivalent Residential Unit" (ERU). The ERU is the average impervious area for all dwelling units (i.e. single family, multi-family, condominiums, and mobile homes) in the stormwater utility service area. For non-residential property the fee charged will be based on the exact amount of existing impervious area converted to "Equivalent Residential Units" (ERU's).

The county-wide applicability of this stormwater utility ordinance sets a uniform approach to stormwater management in Dade County, while allowing the municipalities the option of providing dedicated funds for stormwater management in accordance with Section 403.0893(1), (2) or (3) Florida Statutes. A time limit for the municipalities to exercise this option is also provided to insure conformity to the basic approach.

The Environment and Land Use Committee at its March 27th meeting authorized the forwarding of the subject ordinance to the full Commission for first reading which occurred on April 16, 1991. As a result of numerous discussions with representatives of the municipalities and other interested parties subsequent to the first reading of the ordinance, the original ordinance has been modified to accommodate their concerns.

The alternate ordinance allows for stormwater management programs to be patterned to fit each municipality's situation. In particular it provides more flexibility for the municipalities that choose not to join the County Stormwater Utility, by allowing three different methods of providing dedicated funds for stormwater management.

In view of the significant environmental and flood protection benefits to be gained from establishing the Dade County Stormwater Utility, I am recommending that the alternate ordinance be approved by the Board.

ldw.1973

ORDINANCE NO. 91-66

ORDINANCE CREATING ARTICLE IV OF CHAPTER 24 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, THE METROPOLITAN DADE COUNTY STORMWATER UTILITY ORDINANCE; AMENDING SECTION 24-3 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, PROVIDING DEFINITIONS; AMENDING SECTION 24-5 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, PROVIDING DUTIES AND POWERS OF DIRECTOR; ENACTING ARTICLE IV OF CHAPTER 24 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, PROVIDING LEGISLATIVE INTENT, CONSTRUCTION, APPLICABILITY, MUNICIPAL EXEMPTION, GOVERNING BODY AND ORGANIZATION; AUTHORIZING AND DIRECTING THE METROPOLITAN DADE COUNTY STORMWATER UTILITY TO ESTABLISH, ASSESS, AND COLLECT STORMWATER UTILITY FEES UPON ALL RESIDENTIAL AND NONRESIDENTIAL DEVELOPED PROPERTY SUFFICIENT TO PLAN, CONSTRUCT, OPERATE AND MAINTAIN STORMWATER MANAGEMENT SYSTEMS; PROVIDING FOR BILLING, LATE CHARGES, INTEREST, AND LIENS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 24-3 of the Code of Metropolitan Dade County, Florida, is hereby amended to read as follows:<sup>1/</sup>

Sec. 24-3. Definitions.

\* \* \*

( ) "Developed property" shall mean any parcel of land which contains an impervious area.

<sup>1/</sup> Words stricken through shall be deleted. Underscored words constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

( ) "Dwelling" shall mean any building which is wholly or partly used or intended to be used for living, sleeping, cooking and eating.

( ) "Dwelling unit" shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating. This term shall include, for the purposes of this ordinance, rooming units.

( ) "Rooming unit" shall mean any room or group of rooms, forming a single habitable unit, used or intended to be used for living and sleeping but not for cooking or eating purposes.

( ) "Equivalent residential unit" (sometimes hereinafter referred to as "ERU") shall mean the statistically estimated average horizontal impervious area of residential developed property per dwelling unit. This estimated average is calculated by dividing the total estimated impervious area of four residential categories, to wit, single family, mobile home, multifamily and condominium, by the estimated total number of residential dwelling units. For the purposes of this ordinance each dwelling unit, to wit, single family residence, mobile home, multifamily, or condominium, is assigned one ERU.

( ) "Impervious area" shall mean a division of the horizontal ground surface which is incapable of being penetrated by rainwater. This shall include, but not be limited to, all structures, roof extensions, slabs, patios, porches, driveways, sidewalks, parking areas, swimming pools, athletic courts, and decks.

( ) "Mobile home" shall mean the same term as defined by Sec. 320.01(2), Fla. Stat., as same may be amended from time to time.

( ) "Nonresidential developed property" shall mean any parcel of land which contains an impervious area and which is classified by the Dade County Property Appraiser as land use types 10 through and including 99 as set forth in the Fla. Admin. Code Rule 12D-8.008(2)(c), as same may be amended from time to time.

( ) "Residential developed property" shall mean any parcel of land which contains an impervious area and which is classified by the Dade County Property Appraiser as land use types 00 through and including 09 as set forth in Fla. Admin. Code Rule 12D-8.008(2)(c), as same may be amended from time to time.

( ) "Stormwater infrastructure" shall mean the structural, non-structural or natural features of a parcel of land or watershed which collect, convey, store, absorb, inhibit, treat, use, reuse, or otherwise affect the quantity or quality of stormwater.

( ) "Stormwater" shall mean the water which results from rainfall.

( ) "Stormwater management system" shall mean the same term as defined by Sec. 403.031(15), Fla. Stat., as same may be amended from time to time.

( ) "Stormwater utility" shall mean the same term as defined by Sec. 403.031(16), Fla. Stat., as same may be amended from time to time.

( ) "Stormwater management program" shall mean the same term as defined by Sec. 403.031(14), Fla. Stat., as same may be amended from time to time.

( ) "Watershed" shall mean the same term as defined by Sec. 403.031(17), Fla. Stat., as same may be amended from time to time.

\* \* \*

( ) "Nonresidential developed property" shall mean any parcel of land which contains an impervious area and which is classified by the Dade County Property Appraiser as land use types 10 through and including 99 as set forth in the Fla. Admin. Code Rule 12D-8.008(2)(c), as same may be amended from time to time.

( ) "Residential developed property" shall mean any parcel of land which contains an impervious area and which is classified by the Dade County Property Appraiser as land use types 00 through and including 09 as set forth in Fla. Admin. Code Rule 12D-8.008(2)(c), as same may be amended from time to time.

( ) "Stormwater infrastructure" shall mean the structural, non-structural or natural features of a parcel of land or watershed which collect, convey, store, absorb, inhibit, treat, use, reuse, or otherwise affect the quantity or quality of stormwater.

( ) "Stormwater" shall mean the water which results from rainfall.

( ) "Stormwater management system" shall mean the same term as defined by Sec. 403.031(15), Fla. Stat., as same may be amended from time to time.

( ) "Stormwater utility" shall mean the same term as defined by Sec. 403.031(16), Fla. Stat., as same may be amended from time to time.

( ) "Stormwater management program" shall mean the same term as defined by Sec. 403.031(14), Fla. Stat., as same may be amended from time to time.

( ) "Watershed" shall mean the same term as defined by Sec. 403.031(17), Fla. Stat., as same may be amended from time to time.

\* \* \*

Section 2. Section 24-5 of the Code of Metropolitan Dade County, Florida, is hereby amended to read as follows:

Sec. 24-5 Same - Duties and powers.

\* \* \*

(35) Serve as the director of the Metropolitan Dade County Stormwater Utility, subject to the supervision of the County Manager.

Section 3. Article IV of Chapter 24 of the Code of Metropolitan Dade County, is hereby enacted as follows:

Article IV. Stormwater Utility

Sec. 24-61. Short title.

(A) This article shall be known as the Metropolitan Dade County Stormwater Utility Ordinance.

Sec. 24-61.1 Legislative Intent;  
Construction.

(A) The purpose of this article is to implement the provisions of Sec. 403.0893(1), Fla. Stat., by creating a county-wide stormwater utility and adopting stormwater utility fees sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Sec. 403.0891(3), Fla. Stat.

(B) This article shall be liberally construed to protect the public health, safety, and welfare and to effectuate the purposes set forth herein.

Sec. 24-61.2. Applicability.

(A) The provisions of this article shall be effective in both the unincorporated and incorporated areas of Dade County.

(B) Notwithstanding the provisions of (A) above, the provisions of this article shall not apply within any municipality which files with both the Clerk of the Board of County Commissioners and the Director of the Metropolitan Dade County Department of Environmental Resources Management certified copies of a resolution of the governing body of such municipality which notifies the Board of County Commissioners and the Director of the Metropolitan Dade County Department of Environmental Resources Management that the municipality exercises thereby its option to exempt the municipality from the provisions of this article, provided, however, (1) such certified copies are filed as set forth above no later than ninety (90) days from the date of enactment of this ordinance and (2) the municipality commits in said resolution to implement within said municipality the provisions of Sec. 403.0893(1), (2), or (3), Fla. Stat., as amended from time to time, no later than two years from the effective date of this ordinance. Failure to file such certified copies or to implement Sec. 403.0893(1), (2) or (3), Fla. Stat., as amended from time to time, within the aforesaid respective time periods shall render the municipality's exemption from the provisions of this article null and void. Notwithstanding the foregoing, any municipality, at any time after the effective date of this ordinance, may request, by resolution, that the Board of County Commissioners render the municipality's exemption from the provisions of this article null and void. Upon receipt of such a resolution of a municipality the Board of County Commissioners may, by resolution, render the municipality's exemption from the provisions of this article null and void.

Sec. 24-61.3. Creation of Metropolitan Dade County Stormwater Utility; Governing Body; Organization.

(A) There is hereby created and established by the authority of Sec. 403.0893(1), Fla. Stat., and the Home Rule Charter of Dade County, Florida, a county-wide stormwater utility implementing the provisions of Sec. 403.0893(1), Fla. Stat., which shall be named and known as the

"Metropolitan Dade County Stormwater Utility" (hereinafter also referred to as the "Utility"). The Utility shall be a public body corporate and politic which, through its governing body, the Board of County Commissioners of Dade County, Florida, may exercise all those powers specifically granted herein, those powers granted by law and those powers necessary in the exercise of those powers herein enumerated.

(B) The governing body of the Utility shall be the Board of County Commissioners of Dade County, Florida.

(C) The Utility, acting through its governing body, shall be responsible for the operation, maintenance, and governance of a county-wide stormwater utility to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Sec. 403.0891(3), Fla. Stat. The governing body may create by ordinance one or more districts and sub-districts within the service area of the Utility.

(D) The Director of the Dade County Department of Environmental Resources Management shall be the director of the Utility, subject to the supervision of the County Manager.

(E) The organization and operating procedures of the Utility shall be prescribed by administrative orders and regulations of the County Manager. The County Manager shall appoint such employees as may be necessary to operate the Utility. The salaries and compensation of all personnel of the Utility shall be determined by the Board of County Commissioners upon the recommendation of the County Manager.

Sec. 24-61.4. Fees.

(A) The Metropolitan Dade County Stormwater Utility is hereby authorized and directed to establish, assess, and collect stormwater utility fees upon all residential developed property and all nonresidential developed property in Dade County, Florida, sufficient to plan, construct, operate, and



maintain stormwater management systems set forth in the local program required pursuant to Sec. 403.0891(3), Fla. Stat. Such fees shall be in an amount set forth in administrative orders of the County Manager after approval by the Board of County Commissioners.

(B) Each residential developed property shall be assessed a stormwater utility fee calculated by multiplying the rate for one ERU by the number of dwelling units on the parcel.

(C) Each nonresidential developed property shall be assessed a stormwater utility fee calculated by multiplying the rate for one ERU by a factor derived by dividing the actual impervious area of the particular nonresidential developed property by the statistically estimated average horizontal impervious area of residential developed property per dwelling unit, to wit, the square footage base equivalent established for one ERU.

(D) The fees payable hereunder shall be deposited in a separate County fund and shall be used exclusively by the Metropolitan Dade County Stormwater Utility to pay for the costs of planning, constructing, operating and maintaining stormwater management systems set forth in the local program required pursuant to Sec. 403.0891(3), Fla. Stat. No part of said fund shall be used for purposes other than the aforesaid.

**Sec. 24-61.5. Billing; Liens.**

(A) Fees shall be billed to the owner of each developed property in accordance with the administrative orders of the County Manager. If the fees are not fully paid by said owner on or before the past due date set forth on the owner's bill, a ten (10) per cent late charge may be added to the bill and imposed upon the owner by the Utility in accordance with regulations prescribed by the County Manager. Any unpaid balance of said owner for such fees and late charges shall be subject to an interest charge at the rate of eight (8) per cent per annum. Imposition of said interest charge shall commence sixty

(60) days after the past due date of the fees set forth on the bill of the owner of the developed property.

(B) Fees and late charges, together with any interest charges, shall be debts due and owing the Utility and all of same shall be recoverable by the County or its assignee, on behalf of the Utility, in any court of competent jurisdiction.

(C) The Utility shall establish procedures to notify owners and managers of developed property of delinquent fee accounts. Subscribers to this service shall pay in advance a fee in an amount set forth in the administrative orders of the County Manager.

(D) All fees, late charges and interest accruing thereupon, due and owing to the Utility which remain unpaid sixty (60) days after the past due date of the fees shall become a lien against and upon the developed property for which the fees are due and owing to the same extent and character as a lien for a special assessment. Until fully paid and discharged, said fees, late charges, and interest accrued thereupon shall be, remain, and constitute a special assessment lien equal in rank and dignity with the liens of county ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles, and claims in, to or against the developed property involved for the period of five (5) years from the date said fees, late charges, and interest accrued thereupon, become a lien as set forth in this ordinance. Said lien may be enforced and satisfied by the County, on behalf of the Utility, pursuant to Chapter 173, Fla. Stat., as amended from time to time, or by any other method permitted by law. The lien provided for herein shall not be deemed to be in lieu of any other legal remedies for recovery of said fee, late charges, and accrued interest available to the County and to the Utility.

(E) For fees which become more than sixty (60) days past due and unpaid, the County or the Utility shall cause to be filed in the office of the Clerk of the Circuit Court of Dade County, Florida, a notice of

lien or statement showing a legal description of the property against which the lien is claimed, its location by street and number, the name of the owner, and an accurate statement of the fees and late charges then unpaid. A copy of such notice of lien shall be mailed within a reasonable time to the owner of the property involved as shown by the records of the tax collector of Metropolitan Dade County. No such lien shall be enforceable by the County or the Utility unless said notice shall be filed within six (6) months from the date the fees and late charges become a lien as established in this ordinance.

(F) Liens may be discharged and satisfied by payment to the County, on behalf of the Utility, of the aggregate amounts specified in the notice of lien, together with interest accrued thereon, and all filing and recording fees. When any such lien has been fully paid or discharged, the County shall cause evidence of the satisfaction and discharge of such lien to be filed with the office of the Clerk of the Circuit Court of Dade County, Florida. Any person, firm, corporation, or other legal entity, other than the present owner of the property involved, who fully pays any such lien shall be entitled to receive an assignment of lien and shall be subrogated to the rights of the County and the Utility with respect to the enforcement of such lien.

(G) Notwithstanding other provisions to the contrary herein, the County, on behalf of the Utility, shall have the discretion not to file notices of lien for fees, late charges, and interest accrued thereupon in an amount less than fifty dollars (\$50.00). If the County or the Utility elects not to file a notice of lien, said fees, late charges, and accrued interest shall remain as debts due and owing in accordance with (B) above.

(H) The Utility is authorized and directed to execute and deliver upon request written certificates certifying the amount of fees, late charges and interest accrued thereupon, which are due and owing to the Utility and the County, for any developed property which is subject to payment of said

fees, or the Utility may certify that no fees, late charges or accrued interest are due and owing. Said certificates shall be binding upon the County and the Utility.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: JUN 20 1991

Approved by County Attorney as  
to form and legal sufficiency.

Prepared by:

NAC  
RST

STATE OF FLORIDA )  
DADE COUNTY ) SS:  
 )

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct

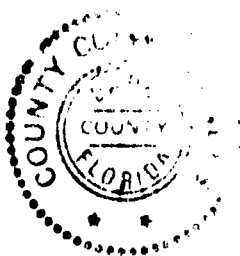
COPY OF ORDINANCE 91-66 PASSED AND ADOPTED JUNE 20, 1991

\_\_\_\_\_ as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on  
this 30TH day of JUNE A.D. 1999.

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Dade County, Florida

By *[Signature]*  
Deputy Clerk



SEAL

Board of County Commissioners  
Dade County, Florida

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

MEMORANDUM Agenda Item No. 7(S)

(Public Hearing 10-17-95)  
September 14, 1995

TO: Honorable Chairperson and  
Board of County Commissioners

DATE:

FROM:  Armando Vidal, P.E.  
County Manager

SUBJECT:

Ordinance Amending  
Section 24-61.2 of the  
Code of Metropolitan Dade  
County

95-195

**RECOMMENDATION**

It is recommended that the Board adopt the attached ordinance amending Section 24-61.2 of the Code of Metropolitan Dade County. This ordinance will allow municipalities now within the County Stormwater Utility to leave the utility after approval by the Board of County Commissioners.

**BACKGROUND**

On June 18, 1991, the County Commission adopted an Ordinance creating the Metropolitan Dade County Stormwater Utility. Its mission is to develop and implement stormwater management programs in Dade County that are designed to improve stormwater quality and increase flood protection for its citizens.

Part of this ordinance required that municipalities in Dade County address the ordinance by either joining the County's Stormwater Utility, creating their own, or creating a line item in their annual budget specifically for stormwater management. If the municipality failed to act, it would automatically join Dade County's Utility.

The ordinance did not, however, address a situation where a municipality would initially join the County Stormwater Utility, but choose to leave the Utility at a later date.

This ordinance amendment will address this exemption, allowing municipalities now within the County Stormwater Utility to leave the utility after approval by the Board of County Commissioners.

## ECONOMIC ANALYSIS

The following economic analysis of the proposed Ordinance amending Section 24-61.2 of the Code of Metropolitan Dade County is submitted pursuant to the requirements of Resolution No. 492-92 approved April 21, 1992:

1. **The economic impact of the Ordinance on the County's budget:**  
The proposed Ordinance amendment will not have an economic impact on the County's budget. Any existing economic agreements with the municipalities related to the Utility would be reviewed by the Board as part of the approval process. Any approval could contain appropriate conditions determined by the Board, in order to prevent an economic impact on the County budget.
2. **The economic impact of the Ordinance on the private sector:**  
The effect of the proposed Ordinance amendment will be a neutral economic impact on the private sector. Any municipality leaving the County utility would still have to create their own dedicated source of stormwater funding in accordance with Section 403, Florida Statutes.
3. **The effect of the Ordinance on public and private employment:**  
The proposed Ordinance will have no impact on private or public employment.
4. **The costs and benefits both direct and indirect of establishing and maintaining the program set forth in this Ordinance:**  
The proposed Ordinance amendment will provide the municipalities with the option to leave the County Stormwater utility and create their own dedicated source of stormwater funding in accordance with Section 403, Florida Statutes. The municipalities could benefit by creating stormwater funding programs tailored to their specific needs. The costs associated with the ultimate funding program a municipality utilizes would be specific to each case, and could not now be determined.
5. **Whether the Ordinance is necessary to enable the County to obtain State or Federal grants or other financing:**  
No.
6. **Whether another Ordinance which is already in existence should be repealed or amended:**  
No other Ordinance needs to be repealed or amended.
7. **Whether the creation of a new Ordinance is the best method of achieving the benefit desired:**  
The proposed Ordinance amendment is the most direct method of achieving the desired result.

**ORDINANCE NO. 95-195**

**ORDINANCE AMENDING SECTION 24-61.2 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, RELATING TO APPLICABILITY OF METROPOLITAN DADE COUNTY STORMWATER UTILITY; PROVIDING EXEMPTION FROM APPLICABILITY FOR CERTAIN MUNICIPALITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:**

**Section 1.** Section 24-61.2 of the Code of Metropolitan Dade County, Florida, is hereby amended as follows:<sup>1</sup>

**Sec. 24-61. Short title.**

This article shall be known as the Metropolitan Dade County Stormwater Utility Ordinance.

**Sec. 24-61.1. Legislative intent; construction.**

(A) The purpose of this article is to implement the provisions of Section 403.0893(1), Florida Statutes, by creating a Countywide stormwater utility and adopting stormwater utility fees sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Section 403.0891(3), Florida Statutes.

(b) This article shall be liberally construed to protect the public health, safety, and welfare and to effectuate the purposes set forth herein.

<sup>1</sup> Words stricken through shall be deleted. Underscored words constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



**Sec. 24-61.2. Applicability.**

(A) The provisions of this article shall be effective in both the unincorporated and incorporated areas of Dade County.

(B) Notwithstanding the provisions of (A) above, the provisions of this article shall not apply within any municipality which files with both the Clerk of the Board of County Commissioners and the Director of the Metropolitan Dade County Department of Environmental Resources Management certified copies of a resolution of the governing body of such municipality which notifies the Board of County Commissioners and the Director of the Metropolitan Dade County Department of Environmental Resources Management that the municipality exercises thereby its option to exempt the municipality from the provisions of this article, provided, however, (1) such certified copies are filed as set forth above no later than ninety (90) days from the date of enactment of this article and (2) the municipality commits in said resolution to implement within said municipality the provisions of Section 403.0893(1), (2), or (3), Florida Statutes, as amended from time to time, no later than two (2) years from the effective date of this article. Failure to file such certified copies or to implement Section 403.0893(1), (2), or (3), Florida Statutes, as amended from time to time, within the aforesaid respective time periods shall render the municipality's exemption from the provisions of this article null and void. Notwithstanding the foregoing, any municipality, at any time after the effective date of this article, may request, by resolution, that the Board of County Commissioners render the municipality's exemption from the provisions of this article null and void- or grant the municipality an exemption from the provisions of this article subject to conditions determined by the Board of County Commissioners. Upon receipt of such a resolution of a municipality the Board of County Commissioners may, by resolution, render the municipality's exemption from the provisions of this article null and void- or grant the municipality an exemption from the provisions of this article subject to conditions determined by the Board of County Commissioners.

**Section 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 4.** This ordinance shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: OCT 17 1995

Approved by County Attorney as  
to form and legal sufficiency.

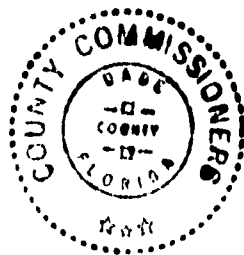
CAG  
PST

Prepared by:

STATE OF FLORIDA        )  
                                  ) SS:  
COUNTY OF MIAMI-DADE )

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Miami-Dade County,  
Florida and Ex-Office Clerk of the Board of County Commissioners of Said County ,  
Do Hereby Certify that the above and foregoing is a true and correct copy of the  
Ordinance 95-195 adopted by said board of County Commissioners at its meeting held on  
October 17, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this  
25th day of May, A.D. 2001.



SEAL

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Dade County, Florida

By

  
Deputy Clerk

Board of County Commissioners  
Miami-Dade County Florida

**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 8L6  
File No. 182535**

**Researcher: MF Reviewer: TD**

RESOLUTION AMENDING INTERLOCAL AGREEMENT BETWEEN CITY OF HOMESTEAD AND MIAMI-DADE COUNTY RELATING TO GRANT IN THE AMOUNT OF \$1,500,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT 320 ECONOMIC DEVELOPMENT FUND IN TARGETED URBAN AREAS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND DELIVER THE AMENDMENT ON BEHALF OF COUNTY

**ISSUE/REQUESTED ACTION**

Whether the Board should amend the Interlocal Agreement between the City of Homestead and Miami-Dade County related to a grant in the amount of \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 Economic Development Fund in Target Urban Areas.

**APPLICABLE LEGISLATION/POLICY**

**Resolution No. R-225-16**, adopted by the Board on March 8, 2016, approved an allocation of up to \$1,500,000.00 from Project 320 Funds to the City of Homestead to fund certain eligible infrastructure projects and directed the County Mayor to negotiate the terms of a related Interlocal Agreement pursuant to the Bond Program's administrative rules.

<http://intra/gia/matter.asp?matter=160226&file=true&yearFolder=Y2016>

**Resolution No. R-857-17**, adopted by the Board on October 3, 2017, waived administrative rules' eligibility requirements for applicants of Project No. 320 funds; approved an Interlocal Agreement between the City of Homestead and Miami-Dade County relating to grant in the amount of \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 Economic Development fund in Target Urban Areas.

<http://intra/gia/matter.asp?matter=171582&file=true&yearFolder=Y2017>

**Resolution No. R-914-04**, adopted by the Board on July 20, 2004, provided for holding of General Obligation Bond Special Election in Miami-Dade County on November 2, 2004 with respect to authorization of not exceeding \$352,182,000 General Obligation Bonds of Miami-Dade to construct and improve bridges, public infrastructure, and neighborhood improvements.

<http://intra/gia/matter.asp?matter=042286&file=false&yearFolder=Y2004>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Daniella Levine Cava, District 8  
Department/Requester: Regulatory and Economic Resources**

The proposed resolution has no procedural history.

**ANALYSIS**

By the mid-1990s, Miami-Dade's elected officials were aware of the sharp and increasing social and economic disparities between the County's various neighborhoods. The County identified 15 neighborhoods and two commercial corridors as Target Urban Areas (TUAs) in 1997. The TUAs would serve as economic development priority areas and the focus of public efforts largely directed by community input. The number of designated TUAs has increased over time, and there are now 23 such designated areas.

The goal of Project 320 is to encourage private sector development that will create jobs and cause economic development that will have long-term benefits for the community in the TUAs. The City of Homestead submitted an application for \$1,500,000.00 of Project 320 funding in order to fund public infrastructure costs associated with its downtown revitalization plan.

**BCC Meeting: November 8, 2018**  
**Research Notes**

Resolution No. R-225-16, adopted by the Board on March 8, 2016, approved an allocation of up to \$1,500,000.00 from Project 320 Funds to the City of Homestead to fund certain eligible infrastructure projects associated with its downtown revitalization plan; and directed the County Mayor to negotiate the terms of a related Interlocal Agreement pursuant to the Bond Program's administrative rules.

Resolution No. R-857-17, adopted by the Board on October 3, 2017, waived administrative rules' eligibility requirements for applicants of Project No. 320 funds; and approved an Interlocal Agreement between the City of Homestead and Miami-Dade County relating to grant in the amount of \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 Economic Development fund in Target Urban Areas.

The proposed resolution seeks the Board's approval to amend the Interlocal Agreement between the City of Homestead and Miami-Dade County related to a grant in the amount of \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 Economic Development Fund in Target Urban Areas. Approval of the Amendment will provide for modification to the scope of work of the project as originally described in the Interlocal Agreement.

According to the fiscal Impact Statement, the proposed resolution does not create a new fiscal impact for the County. The Amendment will partially offset the cost of the construction of the Homestead Waste Water Treatment Plant Influent Pump Station as well as upgrades to the sewer collection system affiliated with the project.

The Agreement provides that if the City wishes to revise the project and such revisions substantially alter the project, the City will notify the Office of Management and Budget in writing. OMB will submit the request to the Mayor and/or the Board for consideration as soon as it is practical. On June 8, 2018, OMB received a request from the City of Homestead to modify the scope of work of the project.

**ADDITIONAL INFORMATION**

On November 2, 2004 the voters of Miami-Dade County approved the \$2.9 billion Building Better Communities Bond Program which allows the County to issue long-term bonds to fund more than 300 neighborhood and regional capital projects to be completed over the next 15 years.

<https://www.miamidade.gov/bondprogram/building-better-communities.asp>

**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 9A4  
File No. 182637**

**Researcher: MF Reviewer: TD**

RESOLUTION AMENDING IMPLEMENTING ORDER 7-15 TO REVISE RATES FOR SPECIAL OFF-DUTY SERVICES AND TO INCORPORATE CHANGES AGREED TO IN THE 2017-2020 DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA) COLLECTIVE BARGAINING AGREEMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the amendment to Implementing Order 7-15 authorizing Miami-Dade County to change the hourly rates that are paid to off-duty County personnel for providing special law enforcement services.

**APPLICABLE LEGISLATION/POLICY**

Miami-Dade County Code, Section 2-56.2 provides that “[a]ny person who engages in an activity or function within Miami-Dade County which may reasonably require special police services or special fire prevention or fire inspection services, in addition to those police services or fire prevention and fire inspection services provided generally to the public by law, may apply to the appropriate department for a permit providing such services.”

[https://library.municode.com/fl/miami -  
\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIVPE\\_DIV3SPOTYPOFISE\\_S2-56.2PEPP](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIVPE_DIV3SPOTYPOFISE_S2-56.2PEPP)

Miami-Dade County Code, Section 2-56.3 provides that “[u]pon application on a form provided by the department for that purpose, the department ay issue to the applicant a permit which shall authorize and define such off-regular-duty police services or off-regular-duty fire prevention or fire inspection services as the department deems appropriate.”

[https://library.municode.com/fl/miami -  
\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIVPE\\_DIV3SPOTYPOFISE\\_S2-56.3SASS](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIVPE_DIV3SPOTYPOFISE_S2-56.3SASS)

Miami-Dade County Code, Section 2-56.4 provides that “[t]he charges for each permit issued shall be made in accordance with a uniform schedule of fees apprevoc by the Manager and submitted to the County Commission in the form of an administrative order.”

[https://library.municode.com/fl/miami -  
\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIVPE\\_DIV3SPOTYPOFISE\\_S2-56.4SAHA](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIVPE_DIV3SPOTYPOFISE_S2-56.4SAHA)

Miami-Dade County Implementing Order 7-15 establishes the rates for special off-duty services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO7-15.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9  
Department/Requester: Human Resources**

The proposed resolution has no procedural history.

**ANALYSIS**

Section 2-56 of the Code of Miami-Dade County allows for the assignment of off-duty County personnel to provide special law enforcement services to persons engaged in activities or functions of which such services would reasonably be seen as necessary. The County Commission has set a policy to reflect its intention that the rates to be charged for such services will be adequate to compensate off-duty County employees for their services, and also to enable the County to recover the fringe benefits and administrative costs associated with these assignments. The rates are to be adjusted once every two fiscal years to keep pace with the national consumer price index rate of inflation.

**BCC Meeting: November 8, 2018**  
**Research Notes**

The proposed resolution seeks the Board's approval of the amendment to Implementing Order 7-15 authorizing Miami-Dade County to change the hourly rates that are paid to off-duty County personnel for providing special law enforcement services. These changes were agreed to through contract negotiations with the Police Benevolent Association for the 2017-2020 collective bargaining agreement.

The table below details the new hourly rates to be paid to employees:

<b>Classification</b>	<b>Current Hourly Rates</b>	<b>Proposed Hourly Rates</b>
Court Services Officer 1	\$30.00	\$50.00
Correctional Officer 1	\$30.00	\$50.00
Court Services Officer 2	\$32.00	\$50.00
Correctional Corporal	\$34.00	\$50.00
Police Officer	\$34.00	\$50.00
Reserve Officer	\$34.00	\$50.00
Correctional Sergeant	\$34.00	\$50.00
Police Sergeant	\$36.00	\$52.00
Police Lieutenant	\$38.00	\$54.00
Police Captain	\$40.00	\$56.00

Currently, the implementing order allows a lesser rate to be paid if the off-duty employee or the permittee so agree. However, the proposed resolution states that "the off-duty employee who works the off-duty assignment will receive a higher rate, should the permittee agree to such a higher rate.

**ADDITIONAL INFORMATION**

Since its incorporation in December 1963, the Dade County Police Benevolent Association has worked to protect the rights of law enforcement personnel and promote professionalism. The Dade County PBA is made up of more than 6,500 police and correctional officers working for Miami-Dade County and more than 40 other agencies.

[http://www.dadecountypba.org/?zone=/unionactive/view\\_page.cfm&page=About20Us](http://www.dadecountypba.org/?zone=/unionactive/view_page.cfm&page=About20Us)

**BCC Meeting: November 8, 2018  
Research Notes**

**Item No. 9A5  
File No. 182639**

**Researcher: IL Reviewer: PGE**

RESOLUTION APPROVING AMENDMENTS TO THE MIAMI-DADE COUNTY LEAVE MANUAL

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the amendments to the Miami-Dade County Leave Manual for the Human Resources Department concerning the Police Benevolent Association (PBA) bargaining unit members.

**APPLICABLE LEGISLATION/POLICY**

No Legislation applicable to this item.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Human Resources Department**

There is no procedural history for this item.

**ANALYSIS**

This item proposes that the Board approve the amendments to the Miami-Dade County leave manual for the Human Resources Department as a result of the contract negotiations with the Police Benevolent Association (PBA) for the 2017-2020 contract term made the following changes to the contract:

1. An additional floating holiday will be granted;
2. Modification to leave payout provisions to allow payment of up to 40 hours of sick leave per year for employee that meet specified conditions.
3. Increased maximum annual leave accrual from 500 to 750 hours while retaining maximum of 500 hours to be paid out at separation. (section 1.07.01)
4. Modification of the Sick leave payout provisions for employees hired after ratification of this agreement.
5. Changed the proration of the sick leave payout for employees who have more than 1,000 hours of Sick leave and have fewer than 25 or 30 years of service upon separation (30 or 33 years for new employees hired after ratification of this agreement).(2.08.03)
6. Limited the use of “unauthorized” leave by the departments to Alpha/Bravo mobilizations only. Requires employee’s to provide reasonable explanation for the absence and if not provided, the leave is restored, unauthorized leave is charged and the full amount of the overpayment is taken in full the following pay period.

This resolution also intends to allow appointment of authorities, officials or directors responsible for making appointments to their offices or departments including offices not under the Mayor’s purview.

**ADDITIONAL INFORMATION**

The Broward County PBA negotiated a similar contract with the City of Wilton Manors where they acquired an additional personal day off (bringing the total to two personal days, see page 40).

<http://bcpba.org/wp-content/uploads/Wilton-Manors-10-1-17-to-9-30-20.pdf>

**Departmental Input:**

OCA asked the following question to the department via telephone:

1. What happens if an employee does not use the annual time (beyond 500 hours) hours they have accrued? **If you are over 500 you get paid the 500 but anything beyond that you forfeit.**



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2. What was original proration of the sick leave payout for employees? What is it now under the new agreement? **The Proration was based on years of longevity and once you would get to 30 years you would get paid 100% of the sick leave, this use to match FRS, FRS has modified that formula and now requires 33 years instead of the 30 years for full retirement pension benefits. Hence, the County is mirroring FRS formula for pay of sick leave time. The changes will also apply to employee's non-bargaining unit.**

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**Item No. 11A10**  
**File No. 182290**

**Researcher: IL Reviewer: PGE**

RESOLUTION AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF FOUR COUNTY-OWNED PROPERTIES TO LHP INVESTMENT AND DEVELOPMENT LLC, A FLORIDA FOR PROFIT CORPORATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTIES WITH AFFORDABLE HOUSING TO BE SOLD TO VERY LOW- LOW- OR MODERATE- INCOME HOUSEHOLDS IN ACCORDANCE WITH MIAMI-DADE COUNTY'S INFILL HOUSING INITIATIVE PROGRAM; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the conveyance of four (4) County-owned properties to LHP Investment and Development, LLC. (LHP) for the purposes of developing such properties with affordable housing to be sold to very low- low- or moderate income households in accordance with the Miami-Dade Infill Housing Initiative Program (Infill Program).

**APPLICABLE LEGISLATION/POLICY**

Miami-Dade County Code Article VII Chapter 17 of the Code of Miami-Dade County (Section 17-121 to 17-128) (*Infill Housing Initiative*): Has the intended purpose to increase the availability of affordable homes for very low, low and moderate income persons, maintain a stock of affordable housing, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, to equitably distribute homeownership opportunities within the Infill Target Areas, and generate payment of ad valorem taxes.

<https://library.municode.com/FL/Miami> -

[Dade County/codes/Code of Ordinances?nodeId=PTIICOOR CH17HO ARTVIIIINHOIN](https://library.municode.com/FL/Miami-Dade-County/codes/Code%20of%20Ordinances?nodeId=PTIICOOR_CH17HO_ARTVIIIINHOIN)

Administrative Order No. 8-4 (Sale or Lease of County Real Property), adopted on May 5, 1981, gives the Board the authority to sell or lease or otherwise dispose of County-owned real property:

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Implementing Order 3-44 (Infill Housing Program Initiative), adopted on February 17, 2017, establishes the process for the implementation and management of the Infill Housing Initiative Program (Infill Program) for Miami-Dade County whereby the procedures are established to carry out the goals of the Infill Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-44.pdf>

Sections 125.379(1) &(2) of the Florida Statutes (Disposition of county property for affordable housing), which requires each County in the State to prepare an inventory list of all real property within its jurisdiction to which the County holds fee simple title that is appropriate for use as affordable housing and properties identified as appropriate for use as affordable housing on the inventory list may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.379.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.379.html)

Section 125.411 of the Florida Statutes (Conveyance of Land by County), sets forth the formality by which Deeds of Conveyance of lands are executed by County governments in the State of Florida.

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[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.411.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.411.html)

Resolution No. R-974-09 (Filing Closing Documents BCC Clerk) adopted on July 21, 2009, mentioned in the Mayoral memo, directs any resolution authorizing the execution of instruments creating a County interest in real property to require that such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Resolution No. R-376-11 (County Owned Real Property Affordable Housing) adopted on May 3, 2011, mentioned in the Mayoral memo, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control. <http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011>

Resolution No. R-333-15 (Market Value or Market Rental in Legislative Items) adopted on April 21, 2015, establishes a 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>

Resolution No. R-979-17 (Resolution Declaring 226 County-Owned Properties Surplus) adopted November 7, 2017, declares various County-owned properties surplus and revises the inventory list of real property upon conclusion of a public hearing, to include the properties in accordance with section 125.379(1), Florida Statutes; authorizing the County Mayor or County Mayor's designee to include said properties in the Infill Program, subject to the consultation with each County Commissioner in whose district the properties are located; and waiving the requirements of Resolution Nos. R-376-11 and R-333-15.

<http://intra/gia/matter.asp?matter=171574&file=true&yearFolder=Y2017>

Resolution No. R-1416-08 (Hope VI) adopted on December 6, 2008, requires developer to give the former Scott/Carver residents the right of first refusal on all units to be sold in the target area.

<http://intra/gia/matter.asp?matter=083584&file=true&yearFolder=Y2008>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 1**

**Department/Requester: None**

Forwarded to BCC with a favorable recommendation by Housing and Social Services committee.

**ANALYSIS**

The proposed resolution is seeking to convey four (4) County-owned properties to LHP. For the purposes of developing such properties with affordable housing to be sold to very low- low- or moderate income households in accordance with the Infill Program. LHP will have to complete the development within two (2) years of the effective date of the conveyance, unless extended at the discretion of the Board. LHP is located at 10290 NW 135<sup>th</sup> Street, Hialeah Gardens, FL 33018 (Primary Address). According to the Florida Department of State website, "LHP" is registered as a "Florida Limited Liability Company."

LHP's experience consists of the production of affordable housing for over 27 years. They have developed 370 homes and have provided project management services for an additional 145 units of affordable housing. LHP provided 27 homes to families below 80% AMI at the Dupuis Pointe – 27 home subdivision located at NW 64 Street and 34 Avenue. The homes were built to Enterprise

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Green Communities Standards. Over the last eight (8) years, 48 scattered home sites have been purchased, built/rehabbed and sold to low income families. The average cost of these homes ranged from \$185,000.00 to \$250,000.00.

The County will receive \$10.00 USD. No other fiscal impact is associated with this item. LHP will take on the rehabilitation of the properties.

The table below illustrates descriptive facts about the four (4) properties being conveyed as seen as attachment “F” in the Mayor’s memo.

<b>Property (Legal Description)</b>	<b>Address</b>	<b>Lot Size (Square ft.)</b>	<b>Market Value (2018)</b>	<b>Annual Tax Revenue Generated</b>
1) “Roosevelt Homesites”	631 SW 11 <sup>th</sup> Avenue Homestead, FL 33030	5,450	\$26,125.00	\$569.20
2) “Roosevelt Homesites”	641 SW 11 <sup>th</sup> Ave Homestead, FL 33030	5,450	\$26,125.00	\$569.20
3) “Roosevelt Homesites”	705 SW 11 <sup>th</sup> Avenue Miami Gardens, FL 33054	5,450 *	\$26,125.00	\$569.20
4) “Roosevelt Homesites”	714 SW 10 <sup>th</sup> Ave, Miami, FL	5,450	\$26,125.00	\$569.20

The proposed sale price for these homes is \$195,000.00. The current home model that is being approved for the Infill Program is a 3 bedroom 2 bathroom home that is approximately, 1,358 Sq ft. The average price per square foot in these homes is \$143.60. The homes will have hurricane impact windows to provide additional hurricane protection for the families.

**ADDITIONAL INFORMATION**

The Miami-Dade County Infill Program is located at 701 NW 1<sup>st</sup> CT, 16<sup>th</sup> Floor Miami, FL 33136. The Infill Program’s purpose is to increase the availability of affordable homes for very low-low- and moderate-income persons and households; maintain a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; equitably distribute homeownership opportunities within the Infill Target Areas; and generate payment of ad valorem taxes. The Infill Program shall encourage the sale or transfer of County-owned properties to Infill Developers. The Infill Developers shall be required to build affordable homes to be sold to very low-low- and moderate-income persons. Although the Infill Program is primarily designed to create affordable homeownership of single family homes, the County, under limited circumstances, at its sole discretion, may allow Infill Developers to rent these homes to qualified very low-, low-, or moderate-income families.

Developer’s experience, qualifications and other evaluation criteria are reviewed as part of the Request for Proposal (RFP) solicitation process or as otherwise required for participation in the Infill Program. Minimum requirements include, but not be limited to the following:

- 1) Relevant experience, qualifications, past performance and length of time in business;
- 2) Relevant experience and qualifications of key personnel, including key personnel of subcontractors, which will be assigned to the project, number of employees, and experience and qualifications of subcontractors;
- 3) Past performance on similar housing projects;
- 4) Financial strength and ability to provide start-up operations;
- 5) Financial capacity to build the homes;
- 6) Sample Marketing plan and skills to reach out to Eligible Households;

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7) Provide project budgets, architectural plans, project schedules, operation of property and meeting time schedules; proposed sales price consistent with program sales cap;

8) Specific key tasks necessary to concurrently develop multiple lots to complete on time and within budget;

9) Contracts (past and current) with the County and describe if developer met project goals, timelines, and within budget;

10) Payment of County real estate taxes, code compliance liens and other County fees when due.

The Developer submits the completed application, required documents, and fee(s) 60 days prior to the sale of an eligible home to a qualified first-time homebuyer. After the sale of the Infill home to a qualified first-time homebuyer, and after the Warrantee Deed and buyer's Restrictive Covenant is recorded, the Department will record the Release of County liens and citations. Only qualified County liens and citations may be released.

Link to Miami-Dade County Infill Housing Developer Requirements:

<http://www.miamidade.gov/housing/infill-housing-developers.asp>

Guidelines for the Miami-Dade County Infill Housing Initiative Program:

<http://www.miamidade.gov/housing/library/guidelines/infill-housing.pdf>