



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

Parks, Recreation and Cultural Affairs
Committee (PRCA) Meeting

February 14, 2019
2:00 P.M.
Commission Chambers

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Miami, FL 33128
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**PRCA Meeting: Feb. 14, 2019
Research Notes**

**Item No. 3A
File No. 190161**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING RESTRICTIVE COVENANT IN FAVOR OF THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, FOR A TERM OF TEN YEARS IN EXCHANGE FOR GRANT IN THE AMOUNT OF \$500,000.00 TO BE USED BY VIZCAYA MUSEUM AND GARDENS TRUST, INC. IN SUPPORT OF ITS RESTORATION OF THE MAIN HOUSE AT VIZCAYA MUSEUM AND GARDENS LOCATED AT 3251 SOUTH MIAMI AVENUE, MIAMI, FLORIDA 33129; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND AUTHORIZING ITS RECORDATION IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should approve a Restrictive Covenant in favor of the State of Florida, Department of State, Division of Historical Resources, for a term of ten years in exchange for a grant in the amount of \$500,000.00 to be used by Vizcaya Museum and Gardens Trust, Inc. in support of its restoration of the main house at Vizcaya Museum and Gardens located at 3251 South Miami Avenue.

APPLICABLE LEGISLATION/POLICY

Ordinance 98-112, adopted July 21, 1998 created the Vizcaya Museum and Gardens Trust and is codified in Article LXXXI of the Code of Miami-Dade County. It states that the powers of the Trust include:

1. Prepare a Mission Statement for the Vizcaya Museum and Gardens;
2. Establish written schedules of rates, charges and fees relating to Vizcaya;
3. Develop policies regarding Vizcaya Museum and Gardens;
4. Negotiate and recommend contracts and agreements with support groups;
5. Develop such additional appropriate plans and ordinance amendments for the transition of the operation of the Museum and Gardens to a public/private operating partnership
6. Exercise its powers regarding the budget of the Museum and Gardens; and
7. Advise the County Manager, Mayor, Board of County Commissioners, the Director of the Park and Recreation Department, and the Executive Director of Vizcaya on matters relating to the operation and management of the Museum and Gardens.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artlxxxi_sec2-1114

Ordinance No. 17-42, adopted July 6, 2017, relates to the Vizcaya Museum and Gardens Trust; amends Article LXXXI of the Code of Miami-Dade County; deletes and revises various provisions to provide for the winding up of the affairs of the Vizcaya Museum and Gardens Trust; transitions the responsibility for the management of Vizcaya Museum and Gardens to Vizcaya Museum and Gardens Trust, Inc.; approves an Operating and Management Agreement with Vizcaya Museum and Gardens Trust, Inc., for the management of Vizcaya Museum and Gardens.

<http://intra/gia/matter.asp?matter=171827&file=false&yearFolder=Y2017>

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Javier D. Souto, District 10
Department/Requester: Cultural Affairs**

This proposed Resolution has no procedural history.

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ANALYSIS

Vizcaya was built by International Harvester Vice President James Deering. The planning and construction of Vizcaya lasted over a decade, from 1910 to 1922. In 1952, James Deering's nieces conveyed Vizcaya to Dade County. Vizcaya received a National Historic Landmark status in 1997.

In 1998, through Ordinance 98-112, the Board of County Commissioners formed the Vizcaya Museum and Gardens Trust, an agency of the County, to enhance the preservation of Vizcaya Museum and Gardens as an accredited museum and National Historic Landmark.

In October 2013, in anticipation of Vizcaya's Centennial, the Trust approved a five-year strategic plan with the goal of fully preserving the entire landmarked estate, including the Village, to boost Vizcaya's role as a community resource. The Trust concluded through this strategic plan that Vizcaya's enhancement could be best accomplished by having the County retain sole ownership of Vizcaya's grounds, buildings and art collections, but by having its management and operations overseen by a single, not-for-profit organization. Accordingly, on October 1, 2017, Vizcaya's operations transitioned to the 501 (c)(3) non-profit organization, Vizcaya Museum and Gardens Trust, Inc. (Vizcaya Trust).

Vizcaya Trust applied for and received a Fiscal Year 2018-19 Historic Preservation Special Category grant from the Florida Department of State, Division of Historical Resources in the amount of \$500,000. These grant funds will be used primarily to support the restoration and reinforcement of the Main House's historic roof system. A requirement of the Historic Preservation Special Category Grant Program is that a Restrictive Covenant be executed by the owner (the County) and the grant recipient (Vizcaya Trust).

The proposed resolution seeks the Board's approval of a Restrictive Covenant in favor of the State of Florida, Department of State, Division of Historical Resources, for a term of ten years in exchange for a grant in the amount of \$500,000.00 to be used by Vizcaya Museum and Gardens Trust, Inc. in support of its restoration of the main house at Vizcaya Museum and Gardens located at 3251 South Miami Avenue.

The Restrictive Covenant includes some of the following restrictions:

1. The owner and grant recipient agree to maintain the property in accordance with good preservation practices and the Secretary of the Interior's Standards for Rehabilitation;
2. The owner and the grant recipient agree that no modifications will be made to the property other than routine repairs and maintenance, without advance review and approval of the plans and specifications by the Department's Bureau of Historic Preservation;
3. The owner and the grant recipient agree that the Department, its agents and its designees shall have the right to inspect the property at all reasonable times in order to ascertain whether the conditions of the Grant Award Agreement and these covenants are being observed; and
4. The owner and the grant recipient agree that these restrictions shall encumber the property for a period of ten years from the date of recordation, and that if the restrictions are violated within the ten-year period, the Department shall be entitled to liquidated damages.

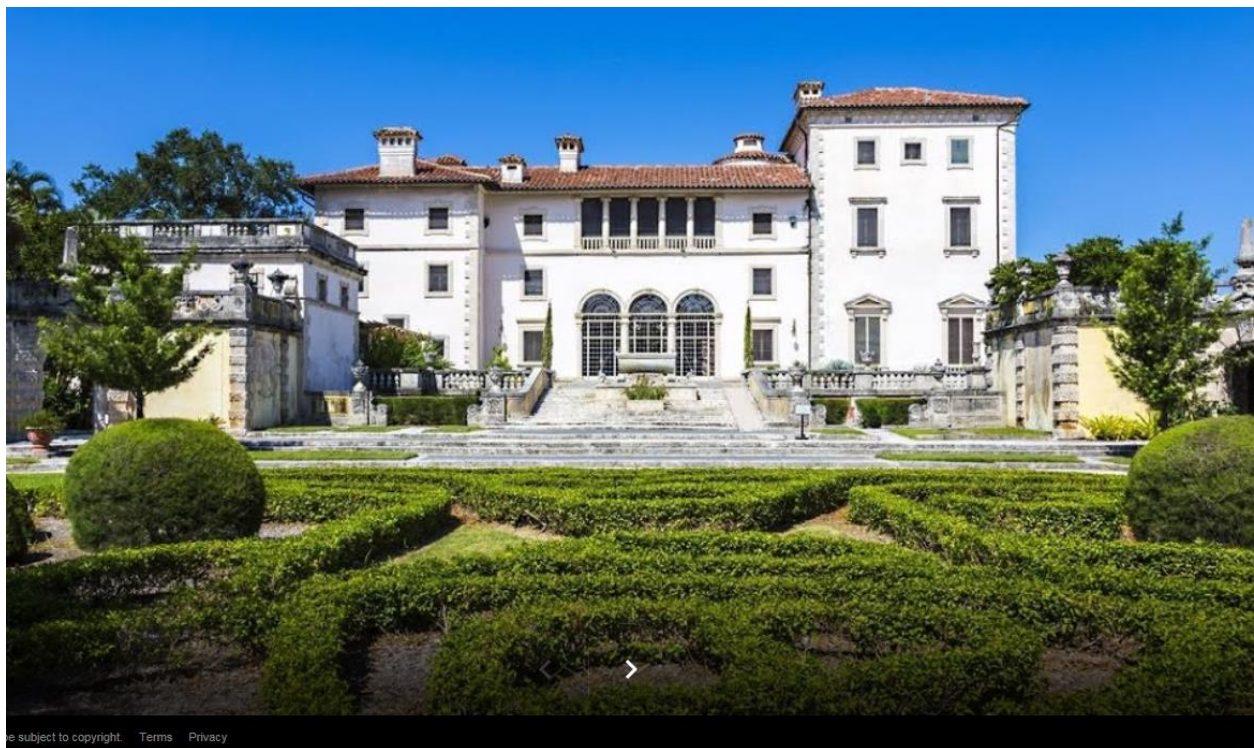
According to the Fiscal Impact Statement, the State's 2018-19 Historic Preservation Special Category Program grant will be used to partially fund the restoration of Vizcaya's Main House roof. There is no fiscal impact to the County.

ADDITIONAL INFORMATION

Vizcaya was built by International Harvester Vice President James Deering. Like many “snowbirds” today, he was attracted to the warm weather and hoped it would improve his health. The planning and construction of Vizcaya lasted over a decade, from 1910 to 1922. Deering modeled his estate after a centuries’-old Italian country villa. This involved the large-scale purchase of European antiques and the design of buildings and landscapes to accommodate them.

In 1952, James Deering’s nieces, Barbara Deering Danielson and Marion Deering McCormick, conveyed Vizcaya to Dade County. In the following year, the estate opened as the Dade County Art Museum within the County’s Park and Recreation Department. Deering’s descendants generously donated Vizcaya’s art collections and transferred the buildings and grounds to the County for \$1.4 million. Vizcaya quickly emerged in the 1950s as a major tourist attraction. More than 300,000 people enjoy Vizcaya each year through daytime admissions, educational programs and special events.

<http://vizcaya.org/>



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Item No. 3B
File No. 190101

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00992 IN A TOTAL AMOUNT UP TO \$4,263,000.00 FOR THE PURCHASE OF PARK OPERATIONS ITEMS FOR THE PARKS, RECREATION, AND OPEN PARKS DEPARTMENT FOR A FIVE-YEAR TERM; 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-00992, for the purchase of park operations items for the Parks, Recreation and Open Spaces Department (PROS) in a total amount of up to \$4,263,000 for a five year term.

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 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 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 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 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 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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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

There is no procedural history for this item at this time.

ANALYSIS

This item requests the Board approve the establishment of Prequalification Pool *RTQ-00992* for the purchase of park operations items for the Parks, Recreation and Open Spaces Department (PROS) for a five-year term in an amount of up to \$4,263,000. The proposed pool consolidates four current pools used to obtain similar items for operations – Contract No. 6486-1/21, Contract No. 7767-1/21-1, Contract No. 8983-0/19 and Prequalification Pool No. 7780-1/22-1. The mayoral memorandum suggests that consolidating the pools promotes administrative efficiencies and reduces duplication of vendor efforts as only one pool will be accessed to fulfill departmental needs for resale items.

PROS operates golf courses, tennis centers, marina stores, restaurants and a gun range. As such, the department requires a variety of operation items for its diverse business operations and will use this pool to purchase those items. Standard items to be purchased clay targets, cardboard backers, skeet release machines, ball washers, rental golf bags and carts, club washers, driving range mats, golf balls, tennis balls, tennis racquets, and kitchen utensils. As needed, PROS will conduct spot market competitions in the form of an ITQ to acquire the specific good.

The requisition for this solicitation was posted on September 18, 2018, and the solicitation opening date was October 2, 2018. Eight vendors responded to the solicitation, of which five are being recommended for inclusion in the pool. Four of the five are local businesses, of which two are certified Small Business Enterprise (SBE) firms. Note that the pool includes a SBE set-aside for purchases up to \$100,000 where there are three or more certified firms available.

The fiscal impact for the five-year term is \$4,263,000. The allocation is based on estimated usage over the pool's term. The current pools: Contract No. 6486-1/21 (Tagboard Targets) is valued at \$216,000 for a term of 10 years, expiring on July 31, 2021; the pool has 2 vendors, Contract No. 7767-1/21-1 (White Flyer Clay Targets) is valued at \$1,390,000 for a ten-year term and expires on June 30, 2022, the pool has 4 vendors, Contract No. 8983-0/19 (Swimming Pool Chemicals, Accessories, Parts) is valued at \$265,000 for a five-year and three-month term and expires on April 30, 2019, the pool has 1 vendor and Prequalification Pool No. 7780-1/22-1 is valued at \$600,000 for a ten-year term and expires on January 31, 2023 the pool has 10 vendors.

As of February 6, 2019 none of the vendors being recommended (Bettoli Trading Corp. dba Bettoli Vending, Commercial Energy Specialists, Inc., The Players Connection of Florida, LLC dba The Player's Connection (SBE) and Superior Office Services, LLC.) for this replacement pool are incumbents under the current pool contracts.

The commodity codes for this procurement found on the SBD Project Worksheet are: 00574 (Racks, vehicle, Gun, Hat, Etc); 30550 (Field Equipmen: Arrows, Bush Knives, Flags and Flagging, hand Levels, Leveling Rods, machetes, Plumb Bobs, Pocket Transits, Range Poles, etc.); 62591 (Telescopes, Terrestrial Alignment, Spotting, Etc.); 65066 (Swimming Pools, Equipment and Supplies); and 68056 (Gun Cleaning Supplies: Patches, Rods, Silicone Cloths, Solvents and

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Brushes, Etc.). A search on the Business Management Workforce System under the codes on February 6, 2019 yielded the following certified small business vendors:

- Abracol North America Corp. Miami, FL SBE-G&S

ADDITIONAL INFORMATION

Bettoli Trading Corp. is being sued in the Eleventh Judicial Circuit of Miami-Dade County on a vicarious liability claim for bodily harm to the Defendant due to the negligent operation of a motor vehicle by its employee within the scope of his employment. (See *Rodney Lubin v. Bettoli Trading Corp.*, Case No. 2018-004894-CA-01.)

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Research Notes

Item No. 3C
File No. 190001

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING, IN ACCORDANCE WITH SECTION 2-8.1(B)(3) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS (2/3) VOTE OF THE BOARD THE DESIGNATED PURCHASES OF EQUIPMENT AND SERVICES FOR THE FURNISHING, DELIVERY, AND/OR INSTALLATION OF PLAYGROUND AND PARK EQUIPMENT, WITH A TOTAL CONTRACTUAL AUTHORITY OF \$5,000,000.00 IN THE AGGREGATE AND \$350,000.00 PER PROJECT, FOR A PERIOD OF FOUR (4) YEARS

ISSUE/REQUESTED ACTION

Whether the Board should authorize a designated purchase of equipment and services for the furnishing, delivery, and/or installation of playground and park equipment for a total contract amount of \$5,000,000.00 and \$350,000.00 per project for a term of four (4) years for the Miami-Dade Parks, Recreation and Open Spaces Department (PROS).

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 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 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 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-113-16, adopted February 2, 2016, authorizing the designated purchases of equipment and services for the furnishing, delivery, and/or installation of playground and park equipment, with a total contractual authority of \$4,000,000.00 in the aggregate and \$350,000.00 per project funded in part from the building better communities general obligation bond program, for a period of three (3) years.

<http://www.miamidade.gov/govaction/matter.asp?matter=152876&file=true&fileAnalysis=false&yearFolder=Y2015>

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

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

There is no procedural history for this item at this time:

ANALYSIS

This proposed resolution requests Board authorization for a designated purchase of equipment and services for the furnishing, delivery, and/or installation of playground and park equipment for a total contract amount of \$5,000,000.00 and \$350,000.00 per project for a term of four (4) years for the Miami-Dade Parks, Recreation and Open Spaces Department (PROS).

The Fiscal Impact is \$350,000 per project and \$5,000,000 in aggregate over a period of four (4) years. Capital Funding sources budgeted on annual basis by the Board including Building Better Communities General Obligation Bond Program, Park Impact Fees and Grants are intended to fund this request.

This contract is intended to provide playground and park equipment, furniture & fixtures, fitness equipment, and shade canopies. Examples are playground equipment, safety surfacing and playground equipment parts; and miscellaneous park equipment and park equipment parts (e.g., shelters, shade structures, water play equipment, skate park elements, prefabricated structures, benches, chickee huts, barbeques, etc.).

This Resolution allows the Miami-Dade County Parks, Recreation and Open Space Department (PROS) to procure playground and park equipment from prequalified and specialty vendor based upon unique project criteria.

According to the Mayoral memo this open pool is not to replace competitive procurements for installation and infrastructure services, however, this designated purchase can be accessed for installations and infrastructures when the completion of a project is critical (i.e. a specified vendor is a participant or in a collaboration, as with the Trust for Public Lands Fitness Zone program), supports completion of the project within a deadline (such as a completion deadline required by a grant agreement), or due to the non-availability of qualified installers under the Playground: Installation and Infrastructure contract.

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Moreover, this resolution allows sole source purchasing when warranted including for the procurement of replacement parts from the original equipment manufacturer, procurement of materials to match existing park elements and equipment.

The table below illustrates the existing cumulative allocation, released amount and final balance found in the Blanket Purchase Order tab in the Bid Tracking System (BTS) as of February 11, 2019:

Department	Existing Cumulative Allocation	Released Amount	Balance
PROS	\$4,000,000.00	\$2,569,583.29	\$1,430,416.71
Total :	\$265,000.00	\$225,000.00	\$40,000.00

The initial contract (R-113-16) was effective on March 21, 2016 in the amount of \$4,000,000.00, and scheduled to expire on March 20, 2019. It was presented as a designated purchase and approved by the Board on February 2, 2016 (Resolution No. R-113-16). The yearly allocation under the current option is \$1,333,333.00 and the yearly allocation under the recommended contract is \$1,250,000.00 (a difference of \$83,333.00 less, annually). There are approximately 29 firms under the current Contract. The mayoral memo does not mention who the current vendors are in the proposed contract.

OCA performed a search for commodity code 65080: (Whirls, Playground) on the Business Management Workforce System's Certified Vendor Directory on February 11, 2019. Zero (0) local SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned code.

DEPARTMENTAL INPUT:

The following questions were made to the department on February 13, 2019:

- Does this contract take effect on March 21, 2019 assuming it is approved? If so what vendors are already forecasted to be part of the pool?
- How many vendors are from the prior pool?
- What parks have been retrofitted with a new playground (where are they located) and Park Equipment and how many parks are still pending to have new playground?

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Research Notes**

**Item No. 3D
File No. 190014**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING THE MASTER JOINT USE AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE JOINT USE AGREEMENT AND TO EXERCISE ANY AND ALL RIGHTS AND PROVISIONS CONFERRED THEREIN, INCLUDING THE RIGHT TO ADD OR DELETE SITES FROM THE SCOPE OF THE AGREEMENT, SUBJECT TO ANNUAL RATIFICATION, AND TO PERMIT CONSTRUCTION ON COUNTY PARK SITES FOLLOWING THE EXECUTION OF ADDITIONAL CONSTRUCTION AGREEMENTS SETTING FORTH THEN-APPLICABLE REQUIREMENTS AND POLICIES FOR CONSTRUCTION ON COUNTY PARK PROPERTY

ISSUE/REQUESTED ACTION

Whether the Board should approve the Master Joint Use Agreement between the County and the Miami-Dade County Public Schools (MDCPS) to provide for community recreational and educational needs through the shared use of park and public school properties and facilities for a term of 40 years plus two, five-year options to renew.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 1012.32 (Qualifications of Personnel) sets forth eligibility criteria for appointment to any position in any district school system. Instructional and noninstructional personnel who are hired or contracted to fill positions that require direct contact with students in any district school system or university lab school must undergo background screening.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1012/1012.html

Resolution No. R-171-08, adopted by the Board on February 19, 2008, approved the County Park and Open Space System Master Plan, endorsing the plan's principle, goals and vision.

<http://intra/gia/matter.asp?matter=080529&file=false&yearFolder=Y2008>

The Recreation and Open Space Element addresses open spaces and facilities which provide recreation opportunities as their primary function.

<https://www.miamidade.gov/planning/library/reports/planning-documents/cdmp/recreation-and-open-spaces.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Parks, Recreation and Open Spaces

The item has no procedural history.

ANALYSIS

This item is requesting that the Board approve the Master Joint Use Agreement between the County and MDCPS for shared use of park and public school properties and facilities for community recreational and educational needs for a term of 40 years plus two, five-year options to renew. The joint use agreement allows designated park sites and designated school sites located within the County to be made available to both the County and MDCPS for recreational and educational services. No additional funding is required under the agreement as the Parks, Recreation and Open Spaces Department (PROS) shall maintain its park facilities adjacent to the MDCPS sites in accordance with Board-approved budgeted funds.

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The proposed Master Joint Use Agreement supersedes and terminates any existing parks/school agreements and may be amended to add or delete park or school sites by the County Mayor and MDCPS Superintendent. The goal of the agreement is to bolster access to safe public spaces for youth and families to exercise and spend quality time together. This is consistent with the Park and Open Space System Master Plan (OSMP), which created a framework for an interconnected system of parks, public spaces, natural and cultural places, greenways, trails and complete streets. Both the County and MDCPS have adopted resolutions supporting the OSMP.

At its November 20, 2018 meeting, MDCPS authorized the Superintendent to execute the joint use agreement. The agreement covers 33 public school sites and 33 associated County parks across various County Commission districts.

Under the Master Joint Use Agreement, the parties agree that the County shall keep all recreational facilities and equipment located on the park sites in a safe, clean and working condition at all times while MDCPS shall do the same for its school sites. Furthermore, the agreement establishes a Joint Use Committee co-chaired by the PROS Assistant Director for Planning, Design and Construction Excellence and the District's Chief Facilities Officer. The committee is responsible for: (1) reviewing staff recommendations and making recommendations related to site acquisition and development strategies impacting the County and Board; (2) recommending the addition and/or deletion of park and school sites under the agreement; (3) recommending modifications to each party's hours and/or period of use; (4) recommending the establishment or modification of rules and regulations at park and school sites; and (5) assisting with dispute resolution relating to the Master Joint Use Agreement.

Lastly, it is important to note that the agreement may be cancelled in whole by either party by providing the other party with a minimum of one year prior written notice and provided that such cancellation shall be effective at the completion of the then current school year or recreational season in effect. Other than cancellation for cause, the party canceling the agreement shall reimburse the other party for any capital improvements constructed by the other party on the canceling party's land.

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**Item No. 3E
File No. 190096**

Researcher: LE Reviewer: TD

RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY IN EXCHANGE FOR \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES AT ZOO MIAMI (ASIAN ELEPHANT LOCATION), LOCATED AT 12400 SW 152 STREET, MIAMI, FL 33177; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE EASEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize conveyance of an easement to Florida Power and Light Company in exchange for \$1 to install and maintain electric power facilities at Zoo Miami.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-504-15, adopted on June 2, 2015, requires the County to undertake certain measures to minimize negative aesthetic impact to the public prior to conveyance of an easement or license for the installation of utility lines and equipment on County-owned property.

<http://intra/gia/matter.asp?matter=151008&file=true&yearFolder=Y2015>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Parks, Recreation and Open Spaces

This item does not have a legislative history.

ANALYSIS

This item is requesting the Board's authorization to convey an easement to Florida Power and Light Company (FPL) to install and maintain electric power facilities in the Asian Elephant location at Zoo Miami at the price of \$1.00.

The fiscal impact is \$1.00 from FPL.

The Parks, Recreation and Open Spaces (PROS) Department has been working on a project to expand the Asian Elephant section at Zoo Miami and determined that they would need to relocate the electrical power line facilities. A new easement must be established for continued monitoring and maintenance of the relocated FPL facilities. A 10-foot-wide, 780 linear-foot easement will be conveyed by FPL for an underground electrical power transmission line at Zoo Miami. Since the entire installation will be underground, it will not impact the park's aesthetics and will provide unobstructed access, as required by Resolution No. R-504-15. The power lines have been relocated by FPL to meet the site needs for the Asian Elephant location expansion project.

ADDITIONAL INFORMATION

Zoo Miami (also known as The Miami-Dade Zoological Park and Gardens) is the largest and oldest zoological garden in Florida and the only sub-tropical zoo in the Continental United States.

The history of the zoo can be traced back to 1948, with what was then known as the Crandon Park Zoo on the island of Key Biscayne, just off the coast of Downtown Miami. At that time, the zoo occupied 48 acres of the park and its first

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animals included some lions, an elephant and a rhinoceros that had been stranded when a circus sent out of business in Miami.

Zoo Miami today occupies almost 750 acres and is home to more than 3,000 animals representing over 500 different species. Of this population, more than 40 species are classified as endangered. The zoo also houses more than 1,000 species of trees, palms and other plants, and over 100 special exhibits showcasing a broad number of species and scientific topics.

<https://www.zoomiami.org/about-the-zoo>