



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Metropolitan Services Committee

March 16, 2016
2:00 P.M.
Commission Chamber

Research Division

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

Metropolitan Services Committee
March 16, 2016 Meeting
Research Notes

Item No.	Research Notes										
1G1 160263	ORDINANCE RELATING TO THE TREE TRUST FUND; AMENDING SECTIONS 2-1336 AND 24-39 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING THAT RECOMMENDATIONS AS TO DISBURSEMENTS FROM THE TREE TRUST FUND WOULD BE MADE BY NEAT STREETS MIAMI; DELETING REFERENCES TO TREE FOREST ADVISORY COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE										
Notes	The proposed ordinance, relating to the Tree Trust Fund: - Amends Sections 2-1336 and 24-39 of the Miami-Dade County Code providing that recommendations as to disbursements from the Tree Trust Fund would be made by Neat Streets Miami; and - Deletes references to Tree Forest Advisory Committee. Additional Information – Million Trees Miami¹: The Million TREES Miami Campaign is a Community-wide effort to plant 1 million trees by 2020 in order to achieve a 30% tree canopy cover for Miami-Dade County. The campaign was developed by the Miami-Dade Community Image Advisory Board and was born of the idea that a healthy and sustainable urban forest provides significant social, economic, and environmental benefits that fosters a high quality, livable, vibrant, and beautiful community. Miami-Dade County has experienced historical losses in tree canopy cover due to hurricanes, citrus canker and urban development. The canopy coverage calculations have varied over the years, hovering around 10-15% on average, with some urban areas having coverage as low as 1-2%. What would planting a million trees mean to our community? 24,000 acres of new urban forests spread throughout the county. - Reaching the national average for healthy tree cover for an urban community. - New green infrastructure to mitigate the effects of flooding and pollution. - Livable communities despite rapid growth. - Protection: South Florida is at the epicenter for climate change. Trees anchor existing and future natural resources. - Sunscreen: About 626 people in Florida die of melanoma every year. Trees provide UV protection. - More food: Trees generate many of South Florida's favorite healthy foods and contribute greatly to the economy. Examples of cities that have stepped it up Charlotte – 40 percent tree coverage - TreesCharlotte launched in 2012 after the release of an assessment showing Charlotte losing tree canopy. The goal: 50 percent tree canopy by 2050. Washington DC – 35 percent tree coverage - Casey Tree's mission is "to restore, enhance and protect the tree canopy of the nation's capital." Thus far, more than 20,000 trees have been planted.										
1G2 152320	ORDINANCE RELATED TO RED LIGHT CAMERAS; AMENDING SECTION 30-422 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REPEALING THE AUTHORITY FOR MIAMI-DADE COUNTY TO USE TRAFFIC INFRACTION DETECTORS/RED LIGHT CAMERAS; REPEALING RESOLUTION NO. R-759-10, REPEALING DIRECTION AND AUTHORITY TO THE MAYOR OR DESIGNEE TO IMPLEMENT A RED LIGHT CAMERA PROGRAM FOR MIAMI-DADE COUNTY; SETTING POLICY THAT NO RED LIGHT CAMERA PROGRAM SHALL BE IMPLEMENTED OR MAINTAINED BY MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE										
Notes	The proposed ordinance, related to red light cameras: - Amends Section 30-422 of the Miami-Dade County Code - Repeals the authority for Miami-Dade County to use traffic infraction detectors/red light cameras; - Repeals Resolution No. R-759-10; - Repeals the direction and authority to the Mayor or designee to implement a red light camera program for Miami-Dade County; and - Directs the Mayor or designee to prepare a report for the creation of a pilot program implementing and maintaining red light cameras at the 10 intersections in unincorporated Miami-Dade County with the highest number of right-angle traffic crashes. Specifically, the proposed ordinance will set policy that no red light camera program will be implemented or maintained by the County. <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Additional Information on Previous Legislation</th></tr> </thead> <tbody> <tr> <td style="text-align: center;">R-937-05 8/23/2005</td><td>Directed the County Manager to explore the feasibility, cost and benefit of installing cameras at certain dangerous intersections with traffic signals to curb red-light running.</td></tr> <tr> <td style="text-align: center;">R-1248-07 11/6/2007</td><td>Urged the Florida Legislature to allow the use of unmanned cameras at intersections with traffic signals in an effort to reduce red-light running.</td></tr> <tr> <td style="text-align: center;">R-759-10 7/8/2010</td><td>Established policy for Miami-Dade County authorizing the installation of red light cameras at high crash, high volume intersections; and directed the Mayor or his designee to implement a red light camera program in Miami-Dade County. This proposed ordinance would supersede Resolution 759-10.</td></tr> <tr> <td style="text-align: center;">9/16/2010</td><td>The Health, Public Safety and Intergovernmental Committee deferred a resolution directing the Mayor or designee to study the feasibility of negotiation with municipalities in Miami-Dade County to create a single,</td></tr> </tbody> </table>	Additional Information on Previous Legislation		R-937-05 8/23/2005	Directed the County Manager to explore the feasibility, cost and benefit of installing cameras at certain dangerous intersections with traffic signals to curb red-light running.	R-1248-07 11/6/2007	Urged the Florida Legislature to allow the use of unmanned cameras at intersections with traffic signals in an effort to reduce red-light running.	R-759-10 7/8/2010	Established policy for Miami-Dade County authorizing the installation of red light cameras at high crash, high volume intersections; and directed the Mayor or his designee to implement a red light camera program in Miami-Dade County. This proposed ordinance would supersede Resolution 759-10.	9/16/2010	The Health, Public Safety and Intergovernmental Committee deferred a resolution directing the Mayor or designee to study the feasibility of negotiation with municipalities in Miami-Dade County to create a single,
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¹ <http://milliontrees.miamidade.gov/about-us.asp>

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		uniform countywide program for red light cameras with revenues generated in municipalities to be provided to such municipalities.
	O-11-01 <i>1/20/2011</i>	Created Section 30-422 of the Code of Miami-Dade County and authorized and regulated the use of Traffic Infraction Detectors in the Unincorporated Areas.
	Background	The County issued a solicitation to obtain proposals from experienced and qualified firms to establish a turnkey Red Light Camera Program (Program) for the MDPD. It was anticipated that the Program would be at no-cost to the County, funded through the revenue generated by the citations issued. It was also anticipated that the Program would be deployed in phases, with the initial implementation phase of 50 cameras. Additional cameras would have been added in increments of up to 50 cameras for up to a total of 150 cameras at the County's discretion. The RFP required the selected proposer to fully fund all costs associated with the implementation of the Program. Florida law permits public entities to use Traffic Infraction Detectors (Detectors), subject to rules and procedures established by the Florida Department of Transportation. More specifically, the law allows a county or municipality to install traffic detectors on state, county, or municipal rights-of-way within the boundaries of that county or municipality. Local agencies are required to provide a hearing for individuals who are issued a notice of a traffic infraction. There has been substantial discourse in the Florida House and Senate regarding the proper application of Detectors, including the administration of the Detectors, by local agencies. In October 2014, the Fourth District Court of Appeal ruled that the City of Hollywood was not authorized to delegate police power by entering into a contract that allowed a private vendor to screen data and decide whether a violation had occurred before sending that data to a Traffic Infraction Enforcement Officer for authorization of a citation. The Fourth District reasoned that such outsourcing to a third-party for-profit vendor of a city's statutorily mandated obligation to issue uniform traffic citations for red light camera violations was contrary to the Florida Statutes. The Fourth District's decision was appealed to the Florida Supreme Court, which declined to hear the appeal. In light of this and the time that has elapsed since the January 24, 2014 proposals submission date, it was recommended that all proposals be rejected without prejudice to the proposers. The County would determine the feasibility of re-issuing a solicitation for this Program pending judicial and legislative action that have an impact on the administration of Detectors.
	R-477-15 <i>6/2/2015</i>	Approved the rejection of the proposals received under Request for Proposals (RFP) No. 881, Red Light Camera Program for the Miami-Dade Police Department (MDPD) and directed the County Mayor, or Mayor's designee, to re-solicit for the Program within 60 days or report to the BCC on why it was unable to re-solicit.

Additional Information – Red Light Camera Status Report – November 12, 2015:

In response to Resolution No. R-477-15, the administration released a status report of the Red Light Camera Program for the Miami-Dade Police Department (MDPD).

Based on changes in the legislation pertaining to the manner in which citations may be reviewed and issued, the burden of responsibilities and costs have now shifted to the County. As such, the services to be provided will change, requiring a thorough review of the operational and fiscal impact for the establishment and management of the Program.

In order to administer the Program, the Miami-Dade Police Department (MDPD) would establish a unit within the Special Patrol Bureau and utilize approximately 25 personnel to manager and perform the tasks necessary. The new unit would consist of one (1) Lieutenant to supervise and oversee the unit; two (2) Sergeants to manage the operations of their respective shifts; four (4) Police Officers to testify in court and review red light violations; 17 Public Service Aides to view all red light camera videos and identify violations; and one (1) Secretary to perform administrative tasks, assist with mailing notices, and assign public records requests.

It is expected that any County Program would commence with 150 cameras. The intersections where the cameras would be located are expected to generate up to 1,000,000 videos during the first and second years, before decreasing to approximately 500,000 videos for subsequent years, as drivers comply with the traffic control devices. It is expected that the cameras will produce approximately 180,000 Notice of Violations (NOV) each year during the first two (2) years, before decreasing to approximately 115,000 in subsequent years. The size of the new unit, the time needed for court, and the number of vehicles needed for the unit are based on this data. The cost of personnel and vehicles per year is expected to be approximately \$2.6 million. Of that amount, the estimated vehicle cost is about \$275, 000.

It is anticipated there will be an additional \$400,000 in costs to the County to include internet upgrades, office space, computer equipment, stationary, and mailing needs. This estimate takes into account that the MDPD will be responsible for the mailing of NOVs and any subsequent mailing of Uniform Traffic Citations (UTC). The total estimated cost for personnel, infrastructure, and equipment for MDPD is approximately \$3,000,000, the majority of which will be recurring annual expenses. Previously, these costs were not contemplated, as the vendor would have been responsible for many of the required tasks.

Due to the size of the new unit and the need for continuous ongoing video viewing, it was recommended by the City of Miami Police Department, and suggested by the County's Information Technology Department's Engineering Design Service Manager, that the new unit be equipped with dedicated internet lines capable of handling the expected volume of internet use without impacting normal operations.

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	While the exact cost of the necessary equipment cannot be obtained without first identifying the location to house the new unit, an estimate for the installation of dedicated internet lines within the Special Patrol Bureau and MDPD Headquarters Building, where the infrastructure is already in place, is approximately \$25,000, with an additional \$15,000 per year in service costs. Additionally, MDPD would use certified and trained public service aides to review and approve the NOVs and UTCs. In order to meet the requirements of Florida State Section 316.0083, the Mark Wandall Traffic Safety Program, the public service aides selected for the Program would have to attend a 40-hour in-service training course to meet the requirements to be authorized to review and approve the NOVs and UTCs. The cost of training public service aides has not yet been determined. <i>Market research cannot be conducted to assess what the estimated costs for the Program would now be, based on the County's anticipated changes to the scope of services. This is due to the fact that the revised scope of services that the County would be requesting has not been performed before in Florida. Most agencies within Florida that operate a red light camera program continue to pay the same rates in their contracts, even with reduced services provided by the vendors.</i> The public service aides dedicated to the Program will be removed from all of their normal patrol functions, which include but are not limited to, preparation of vehicle crash reports, responding to and documenting minor law violations, assisting with traffic control and scene security on traffic accidents, and enforcing parking and County ordinance violations related to improperly parked vehicles. This loss of personnel will have an adverse impact, as it will increase the calls-for-service for sworn uniformed personnel and reduce that amount of available time for them to conduct proactive enforcement activities. The County would utilize personnel assigned to the new unit in the Special Patrol Bureau to answer public records requests. If the number of the public records requests becomes too voluminous for allocated staff to respond to, additional staff or overtime will be needed. With the recent ruling by the Fourth District Court of Appeal, and based on consultations with the County Attorney's Office, the County would have to take on a larger role in the Program. MDPD would be tasked with issuing the NOVs and UTCs and, in order to avoid conflict of interest, it is suggested that the collection of fines be administered by another department or separate unit within Police. While there are several ways to handle this aspect of the Program, they all may require hiring of additional personnel. Additional personnel would have to be hired if the County determined that the most efficient and effective way to handle the payment of fines is in-house. Potentially a computer software program would also have to be acquired that would be dedicated to track this process. These costs are undetermined at this time. It should be noted that the Clerk of Courts will manage and conduct hearings related to a UTC. Per the legislative changes of 2013, municipalities and counties having red light cameras must make a hearing for NOVs, which are conducted by the municipality or county of jurisdiction, available. In order to comply with this change and foster citizen satisfaction and Program legitimacy consistent with procedural justice, the County needs to identify a department or entity independent from the MDPD, Clerk of Courts, or Finance Department that would be responsible for administering this portion of the Program, which includes scheduling NOV hearings, notifying the violators of their hearing date/time, conducting the hearing, and administering all paperwork related to the hearing. Additionally, a location to conduct these hearing would have to be identified along with the proper staff to conduct the hearings, to include the hiring of a magistrate to preside over the hearing, who cannot be associated or employed by the Clerk of the Courts. At this time, an accurate cost projection to comply with this mandate cannot be calculated, but it should be noted that this could be a substantial cost. The Administrative Office of the Courts, in conjunction with the Clerk of Courts, determined that if current courtroom space is utilized for these hearings at the Gerstein, North Dade, and South Dade, no additional court room security monitor or clerk staff would be needed. If it is determined that the red light camera hearings would need to expand to additional court rooms at North Dade or South Dade, then the issue of required equipment and staffing would need to be re-addressed. Changes in Approach and Scope of Services Going Forward Currently, one (1) potential vendor would require the County to list at least three (3) locations for every intersection where a red light camera is proposed. After completion of their independent research, the vendor would then select which intersections are most suitable for red light camera equipment placement and revenue generation. This presents a major issue for the MDPD, as the intersections chosen may not be the ones with the most reported traffic crashes or safety needs and would be a change in the approach for the Program. Legislative Impact At this time, there are no legislative changes pending. On September 25, 2015, a final ruling was issued by Judge Steve Leifman, Associate Administrative Judge for the County Court Criminal Division, on the motion to dismiss filed by attorneys representing an individual that received a violation issued by the City of Aventura. The motion to dismiss was filed based on the decision of the Fourth District Court of Appeal on October 2014, regarding procedural issues in the processing of red light camera cases between the municipalities and private vendors. In his ruling, Judge Steve Leifman granted the individuals motion to dismiss, however, in addition, certified three (3) areas of concern to the Third District Court of Appeal. Based on Judge Leifman's ruling, attorneys for the City of Aventura filed an appeal to the Third District Court of Appeal and a motion entitles "Motion for Recognition of automatic stay and extension of same to Other Traffic Court Proceeding." In response to the City of Aventura's filed motion, attorneys representing other individuals on Red Light Camera Cases, filed a motion to strike the "City of Aventura's motion for recognition of automatic stay." A hearing was scheduled before Judge Leifman on October 16th and issued an order by Judge Leifman granting the City of Aventura's motion for stay. A final decision is not anticipated until the Third District Court of Appeals addresses the three (3) issues raised by Judge Leifman in his prior ruling.

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	Additionally, a class action lawsuit against three red light camera vendors and more than 70 Florida counties and cities is moving forward after a Miami federal judge rejected a motion to dismiss, seeking more than \$200,000,000 in damages for tickets issued in violation of federal and Florida Laws. It is important to note that Miami-Dade County has been dismissed from this suit since we do not have red light cameras. <u>Additional Information – Proposed Statewide Legislation:</u> During the 2016 Legislation Session Senate Bill (SB) 168, which would repeal state statutes authorizing red light cameras, and the House companion bill, House Bill (HB) 4027, were proposed but not passed. <u>Additional Information – OPPAGA Report: Florida Red Light Camera Programs² – February 7, 2014</u> - At the end of Fiscal Year 2012-13, 79 jurisdictions (74 municipalities, 5 counties) operated red light camera programs in 26 Florida counties and the DHSMV's most recent survey of local governments operating red light camera programs found that, as of June 30, 2013, cameras were installed at 922 approaches to intersections however, there can be multiple cameras at each intersection; - Local governments consider several criteria when making red light camera placement decisions; use of countermeasures at red light intersections varies among jurisdictions; <i>Using information about a variety of factors, engineering countermeasures can be developed to help reduce the occurrence of hazardous driver behaviors such as red light running. Selecting the most appropriate countermeasures for red light running depends on individual intersection characteristics and can only be determined after conducting an engineering study that investigates existing intersection design elements and intersection safety as related to red light running and the occurrence of red light violations.</i> <i>Although national and state transportation organizations strongly recommend the use of countermeasures, OPPAGA's survey results indicate that most (56%) of the respondents did not implement countermeasures prior to installing red light cameras. Of the jurisdictions that did implement countermeasures prior to installing red light cameras (44%), the most frequent types of countermeasures were</i> <i>Installation of signal ahead signs;</i> <i>Use of LED signal lenses;</i> <i>Modification of signal-cycle length; and</i> <i>Alteration of yellow light change intervals.</i> - Yellow light change intervals are relevant to red light camera programs because altering their duration can affect the frequency of red light running; <i>Recent research indicates that using a value greater than 1.0 second would encompass the reaction times of a larger proportion of the driver population. Based on these research results, the Florida Department of Transportation recently revised requirements for yellow light timing across all of the state's jurisdictions. DOT increased the perception/reaction time to 1.4 seconds, effectively increasing the department's previous minimum yellow light change interval by 0.4 seconds. Intersections with existing red light cameras were required to comply with the new standards by December 31, 2013.</i> <i>According to OPPAGA's survey of counties and municipalities that operate red light camera programs, most (58%) jurisdictions reported using DOT standards for yellow light interval timing, while some (43%) jurisdictions reported not having the authority to change yellow light interval timing, as it is often managed at the county level for many cities and towns.</i> - Jurisdictions use red light cameras to enforce several types of traffic infractions including the enforcement of right turns on red without making a complete stop and right turns on red at intersections with "No Turn on Red" signs; - State and local red light camera revenue has increased more than 200% since Fiscal Year 2010-11; <i>Red light camera program revenues have increased significantly over the last three fiscal years. Between Fiscal Year 2010-11 and Fiscal Year 2012-13, total revenues grew from \$37.6 million to \$118.9 million, an increase of 215%.</i> <i>Of the local governments that reported revenues to the Department of Revenue in Fiscal Year 2012-13, a small number of jurisdictions accounted for a large portion of the \$56.4 million in local red light camera revenues.</i> <table border="1"> <thead> <tr> <th>Jurisdiction</th><th>Jurisdiction Revenue</th></tr> </thead> <tbody> <tr> <td>Miami</td><td>\$5,841,750</td></tr> <tr> <td>Miami Gardens</td><td>\$2,889,975</td></tr> <tr> <td>Tampa</td><td>\$2,786,695</td></tr> <tr> <td>Apopka</td><td>\$1,835,625</td></tr> <tr> <td>North Miami</td><td>\$1,822,345</td></tr> <tr> <td>Orlando</td><td>\$1,725,300</td></tr> <tr> <td>Aventura</td><td>\$1,423,125</td></tr> <tr> <td>Sweetwater</td><td>\$1,254,290</td></tr> </tbody> </table>	Jurisdiction	Jurisdiction Revenue	Miami	\$5,841,750	Miami Gardens	\$2,889,975	Tampa	\$2,786,695	Apopka	\$1,835,625	North Miami	\$1,822,345	Orlando	\$1,725,300	Aventura	\$1,423,125	Sweetwater	\$1,254,290
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² <http://www.thenewspaper.com/rlc/docs/2014/fl-oppaga.pdf>

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	- Nearly 50% of fines collected by local governments are used to pay red light camera vendors; - To examine the financial arrangement between jurisdictions and red light camera vendors, OPPAGA reviewed 36 contracts and city ordinances from 20 unique jurisdictions and found that jurisdictions typically pay vendors between \$4,250 and \$4,750 per camera, per month. These payments cover costs associated with site selection; camera installation, operation, and maintenance; review of possible violations; violation issuance; payment collection; data collection; and customer service. In general, fees are fixed. - Estimates of the safety effects of other states' red light camera programs vary considerably; - As of December 2013, 502 communities in the U.S. had red light camera programs. - Red light camera research results differ due to wide variation in factors examined; many studies have been limited by methodological concern; - Notices of violation and uniform traffic citations issued by jurisdictions with red light camera programs have increased significantly since Fiscal Year 2010-11. Based on OPPAGA survey results, notices of violation issued and notices of violation paid increased significantly from Fiscal Year 2010-11 to Fiscal Year 2011-12, and increased slightly from Fiscal Year 2011-12 to Fiscal Year 2012-13.20; and - Crashes resulting in fatalities decreased at red light camera intersections on state roads but rear-end and angle crashes increased. - Among the counties with red light camera intersections on state roads, nearly 40% had increases in rear-end and angle crashes. Additional Information: Red-light camera ticket ruling to impact local drivers - Court says it's illegal to have vendor prescreen videos before officers see them – February 22, 2016³ - An Orange County, Florida court ruled the city was not following the red-light camera law. The case could affect other cities and counties where tickets are pending. - The court ruled that allowing the city's vendor, American Traffic Solutions, to prescreen videos before sending them to Orlando's enforcement officer was an unlawful delegation of police power. - The attorney who won a red-light camera case said cities in Orange and Osceola counties are bound by the ruling. - Of 86 cities and counties that have the systems, nine have deactivated their cameras, including Palm Bay, Winter Springs and Dunnellon. Last year, ticket revenue was down 15 percent. - Last fall, Orange County put on hold a plan to add cameras. - Last year, local cities and counties collected \$21 million in ticket revenue. Lawsuit takes aim at Tampa's red-light camera program – Tampa Bay Times – August 18, 2015⁴ - A new lawsuit could mean the beginning of the end for Tampa's red-light camera program — one that lawyers call unconstitutional and activists say can be abused. - The lawsuit was filed by a group of Florida lawyers Aug. 11 in Hillsborough circuit court against the city of Tampa and the private, for-profit merchant the city uses to review video footage and issue tickets for red-light infractions. - The suit argued that the city's delegation of its powers to ticket and fine drivers who run red lights to American Traffic Solutions goes against Florida statutes and aims for all tickets issued since the program started in 2011 to be declared void. - Since Tampa's program started in November 2011, the city has collected \$11.4 million in revenue from red-light tickets through May 2015. Of that, \$7 million has gone to ATS. - Red-light cameras have been hotly debated across the Tampa Bay area and Florida but have lost favor in some jurisdictions. The technology is used by municipalities in Hillsborough, Pasco and Pinellas counties, but last year St. Petersburg ended its program. - The Tampa lawsuit's legal argument follows an October decision from Florida's 4th District Court of Appeal, which dismissed a citation against a Hollywood motorist. The appellate court in West Palm Beach ruled that officials delegated too much authority to the vendor, which was also American Traffic Solutions. - That decision — which the Florida Supreme Court declined to review — spawned several class-action lawsuits that have been consolidated in the U.S. District Court for the Southern District of Florida. - Tampa was originally named as a defendant among more than 70 Florida municipalities in that case, but the city argued it shouldn't be sued in Miami. - Tampa Police Department spokeswoman defended the program, saying its goal is to save lives by stopping drivers from running red lights. The number of red-light tickets police issued fell 33 percent, according to city data, going from 61,618 in 2012 to 41,369 in 2014. - Florida law authorizes municipalities to delegate the initial review of potential traffic violations captured by red-light cameras, the suit argued, but it doesn't authorize them to delegate the power to determine who violated the law or the ability to send out notices of violation and issue traffic citations. - Under Tampa's program, ATS reviews recorded images and video from red-light cameras and determines whether those images should be sent to a police officer. When an officer authorizes enforcement, ATS automatically sends a notice of violation with a copy of the officer's signature and badge number. Additional Information – 4th District Court of Appeal:

³ <http://www.wesh.com/news/redlight-camera-ticket-ruling-to-impact-local-drivers/38136496>

⁴ <http://www.tampabay.com/news/courts/civil/lawsuit-takes-aim-at-tampas-red-light-camera-program/2241810>

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	Red-light refund seekers find red tape⁵ - Sun Sentinel - February 24, 2015 - The 4th District Court of Appeal in West Palm Beach recently struck down camera programs in Hollywood and Davie, ruling that the way those cities delegated police authority to a private vendor was improper. The legal uncertainty has caused some cities to rethink red-light cameras; for example, Boca Raton abruptly stopped its program earlier this month. - As for refunds, class-action suits against South Florida cities are in the early stages, say some lawyers involved in the fight. Even if those lawsuits are successful, those who paid tickets might only get back a fraction of what they paid. - The final verdict on red-light cameras isn't in, as Hollywood intends to take the issue to the Florida Supreme Court. American Traffic Solutions, the Arizona-based vendor that runs the program in most Florida cities, will pay for Hollywood's legal fees, according to a city spokeswoman. - The camera program was authorized by the Florida Legislature in 2010, and those who have paid tickets could fight to get money back. That could leave cities and the state (which divided the red-light ticket money) on the hook for huge liabilities. At its peak, more than 70 Florida municipalities and counties had red-light cameras, generating over \$100 million in some years. - Because no class-action suits have been certified yet, it's unclear who'll be eligible to seek refunds: Those who paid the \$158 "Notice of Violation" (NOVs) sent by the vendor, those who waited 60 days until the violations turned into \$265 Uniform Traffic Citations (UTCs), or both. - An attorney involved in class-action suits against Fort Lauderdale, Sunrise and other South Florida cities, said he believes only those who let violations lapse into citations would be eligible. Court delivers new strike to Volusia-Flagler red-light cameras⁶ - Daytona Beach News-Journal (FL) - February 2, 2015 - Florida's 4th District Court of Appeal recently turned down a request to reconsider its decision in October that the city of Hollywood didn't have authority under state law to delegate the ability to issue uniform traffic citations to its red-light camera vendor. - The South Florida appeals court decision matters to Daytona Beach, Holly Hill and Palm Coast — the only municipalities in Volusia and Flagler with red-light cameras — because it could set a precedent for the way citations have to be issued. It could also spur lawsuits brought by people who want their fine money back, and it could scare the three cities into dropping their red light programs. - For now, though, all three local cities are watching a flurry of lawsuits work their way through the courts before deciding whether to change course. - Reacting to the October ruling in the Hollywood case, late last year Daytona Beach and Holly Hill suspended their red light enforcement programs. Palm Coast decided to keep using its cameras and issuing citations, although Palm Coast hasn't been going after the people who refuse to pay. - The three cities are going to keep tabs on whether the Florida Supreme Court agrees to consider the Hollywood case. In its ruling Friday, the 4th DCA refused to recommend that the Florida Supreme Court take up the challenge to the way many cities across the state have handled red light citation issuance. Hollywood could still ask the Supreme Court to take up the case, but attorneys say its chances of getting Florida's highest court to oblige are severely weakened without the appeals court endorsement. - Daytona Beach is also going to be watching a new federal court case with 15 plaintiffs challenging red light cameras. Daytona Beach, which was just served last week with the federal suit, was one of 29 cities named as defendants in the class action filed in November challenging red light camera programs, Hartman said. The case in the U.S. District Court for the Northern District of Florida also lists as defendants the state government and American Traffic Solutions, the private for-profit company that Hollywood, Palm Coast and other Florida cities have used in their red light programs. - There are also seven additional federal red light lawsuits against individual cities pending in South Florida. - The Oct. 15 ruling in the 4th DCA suit said only police officers and traffic infraction enforcement officers have the authority to make the initial review of the images caught on the cameras, decide which cases will be pursued and ultimately issue citations. Daytona's system was similar to what Hollywood had, with the Daytona vendor selecting and sending video footage for Daytona Beach police to make decisions on and the vendor mailing out citations. - Daytona Beach put up its first red-light cameras in 2010, and now has 12 cameras at seven intersections. Daytona has used Massachusetts-based Gatso USA as its vendor, and last year began a new three-year contract with the company. - The contract allows the city to terminate the agreement for changes in state law or court decisions, and it allows both parties to end the contract for "convenience" with 90 days' written notice. - The cameras, owned by Gatso, are still up but they're turned off and the city is not using them for anything. - In 2008, Palm Coast became the first area city to get red-light cameras, and now has 43 cameras at 27 intersections. Palm Coast has been monitoring the court cases but continues its red light program. American Traffic Solutions is still issuing notices of violation for Palm Coast, and the city is still paying the company's fees, said the city spokeswoman. - Between Nov. 1 and Monday, 2,119 notices of violation had been issued. The only change is that those who don't pay the \$158 fine within 60 days aren't being pursued — at least for now. - Holly Hill also installed red-light cameras in 2010, and has eight cameras at four intersections. Holly Hill also uses Gatso as its vendor. - Holly Hill's cameras are still up and turned on, but they're only used for other types of investigations.

⁵ <http://infoweb.newsbank.com/resources/doc/nb/news/153BCC105C54E630?p=NewsBank>

⁶ <http://infoweb.newsbank.com/resources/doc/nb/news/153434603B6FBA90?p=NewsBank>

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	Clearwater tightens control of red-light camera citations⁷ – The Tampa Tribune (FL) - January 1, 2015 <i>In an attempt to avoid a court challenge, city officials have tightened procedures for issuing traffic citations stemming from the use of red-light cameras.</i> <i>Citations for running red lights no longer will be mailed from Arizona by Clearwater's camera vendor, RedFlex Traffic Systems, the Assistant City Attorney recently told council members. The move comes in reaction to a decision by Broward County's Fourth District Court of Appeal.</i> <i>In October, the court ruled that the City of Hollywood illegally delegated to its red-light camera vendor the ability to issue traffic citations.</i> <i>To protect Clearwater's program against a similar challenge, the city delayed issuing more than 100 red-light camera citations since October until it could change its practices.</i> <i>The appellate court objected to Hollywood's program because it allowed American Traffic Solutions, or ATS, to print and send out violation notices and then issue citations if motorists failed to pay their fines.</i> <i>Under a contract change Clearwater council members recently approved, local police now will mail the traffic citations after the vendor prints them. This local control should address the district court's objection and put the city "solidly in a defensible position."</i> <i>The city's red-light camera contract expires in August. The cameras have prompted protests and lawsuits since Florida cities began putting them up to catch drivers who ignore stop lights and fly through intersections. Proponents say the cameras have made streets and intersections safer, while critics contend they have made cities and vendors richer.</i>
2A 160489	RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT EMPLOYEES AND EQUIPMENT TO DESIGN AND INSTALL APPROXIMATELY 7,000 LINEAR FEET OF 8-INCH WATER PIPELINES AND 750 FEET OF 16-INCH WATER PIPELINES FOR A PROJECT BOUNDED BY SW 116 STREET TO THE NORTH, SW 120 STREET TO THE SOUTH, 84 AVENUE TO THE WEST, AND THE SOUTH MIAMI-DADE BUSWAY TO THE EAST, LOCATED WITHIN THE KENDALWOOD NEIGHBORHOOD OF MIAMI-DADE COUNTY IN AN AMOUNT NOT TO EXCEED \$1,771,546.03, INCLUDING CONTINGENCY, TO BE FUNDED FROM \$1,600,000.00 OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDING PROJECT NO. 17 – "COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS" AND THE BALANCE FROM FUNDS TO BE PROVIDED BY THE STATE OF FLORIDA IN ORDER TO FUND WATER SERVICE TO HOMEOWNERS AFFECTED BY CONTAMINATED PRIVATE WATER WELLS; FINDING INSTALLATION OF WATER PIPELINES BY MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO BE IN THE PUBLIC'S BEST INTEREST AND NECESSARY TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE
Notes	The proposed resolution directs the County Mayor or Mayor's designee to use Miami-Dade Water and Sewer Department employees and equipment to design and install approximately 7,000 linear feet of 8-inch water pipelines and 750 feet of 16-inch water pipelines for a project bounded by SW 116th Street to the north, SW 120th Street to the south, 84th Avenue to the west, and the South Miami-Dade busway to the east, located within the kendalwood neighborhood in an amount not to exceed \$1,771,546.03. <u>Fiscal Impact/Funding Source:</u> The estimated cost of designing and installing the Infrastructure in the Project Area using generally accepted cost-accounting principles that fully account for all costs associated with performing and completing the work, including employee compensation and benefits, equipment cost and maintenance, insurance costs, materials, and a ten percent (10%) contingency of \$151,421.77 for unforeseen conditions is \$1,771,546.03 (Project Cost). An amount not to exceed \$1,600,000.00 of the Project Cost will be funded from Building Better Communities General Obligation Bond Program (Bond Program) Project No. 17 – "Countywide Water and Sewer System Enhancements" (Project No. 17). Project No. 17 has an original allocation of \$222,000,000, and the balance of the Project Cost will be funded from the State of Florida. The Miami-Dade Water and Sewer Department has indicated that \$3,296,519 of Project No. 17 funds remain available to be used and allocated to new projects. <u>Background:</u> Recently, Miami-Dade County residential wells within the Kendalwood Neighborhood of south Miami-Dade County have tested positive for Dieldrin, above exposure levels considered unsafe by the State Department of Health. Dieldrin and Aldrin were commonly used as a termiticide in residential developments from approximately 1950 to 1987 and Dieldrin exposure can impact humans' nervous system, immune system, and endocrine system, and is of particular concern for pregnant women and children. According to the US Center for Disease Control's Agency for Toxic Substances and Disease Registry, EPA banned all uses of dieldrin in 1974, except to control termites, and in 1987, EPA banned all uses, because of concerns about damage to the environment and potentially to human health. Currently, 9 homes scattered throughout the Kendalwood community exceed the health advisory level for this contamination in the area bounded by SW 116 Street to the North, SW 120 Street to the South, 84 Avenue to the West, and the South Miami-Dade Busway to the East, in the Kendalwood Neighborhood of Miami-Dade County (Project Area). Section 255.20(1)(c)(9), Florida Statutes, authorizes a county to use its own services, employees and equipment to perform public improvements with an estimated cost in excess of \$300,000 upon a majority vote of the Board members, after at least twenty-one (21) days public notice, a public meeting, and a finding by a majority of the Board members present that it is in the public's best interest to perform the improvements using the county's own services, employees, and equipment.
2D 160406	RESOLUTION DECLARING THE MONTH OF APRIL 2016 AS WATER CONSERVATION MONTH IN MIAMI-DADE COUNTY
Notes	The proposed resolution designates the month of April 2016 as Water Conservation Month in Miami-Dade County and urges all water users to take action by increasing their water use efficiency and take appropriate measures to conserve and protect our State's most vital natural resource.

⁷ <http://infoweb.newsbank.com/resources/doc/nb/news/15293EDAF250DFE8?p=NewsBank>

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	Background: The State of Florida, the South Florida Water Management District and Miami-Dade County have worked together to develop and implement a Comprehensive Water Conservation Program that instills a lasting culture of conservation in our communities. Miami-Dade County, through the implementation of goal-based water conservation practices, has saved an estimated 14.1 million gallons of water per day since executing the 20-Year Water Use Efficiency Plan in 2007. Additional Information on Water Use Efficiency Plan⁸: Through the Water Use Efficiency Plan, Miami-Dade County is implementing various programs to make water use more efficient, through alternative water supplies, reuse water projects and the water conservation program. Water availability is crucial to keep up with the County's current and future residents. In April 2006, the BCC adopted the Miami-Dade Water Use Efficiency Plan through Resolution No. R-468-06. The plan is part of a bigger effort to improve management of traditional water supplies while encouraging the development of alternative water supplies and improving the efficiency of our current water use. Several incentive programs have been implemented to encourage the efficient use of water and help residents save money. They include: plumbing retrofits, landscape irrigation evaluations and residential and commercial water use evaluations and rebates. Miami-Dade residents have responded to the call to be more efficient in their water use contributing to an unprecedented drop in consumption. The current demand for finished water is 44 million gallons per day lower than what was projected in November 2007. The lower demand is the result of lower-than-projected population growth, permanent landscape irrigation restrictions, water loss reduction and the success of the water conservation initiatives and best management practices that have been implemented. As a result of the lower-than-projected demand, the Miami-Dade Water & Sewer Department re-evaluated the County's water use projections and has adjusted the schedule of capital water supply projects. This collective awareness has allowed for the per capita use to drop from 158 to 134 gallons per person per day during the same period of time.
2E 160157	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT EMPLOYEES AND EQUIPMENT TO DESIGN AND INSTALL APPROXIMATELY 1,612 LINEAR FEET OF 8-INCH WATER PIPELINES FOR A PROJECT ALONG SW 107TH STREET, BETWEEN SW 87TH AVENUE AND SW 84TH AVENUE, IN THE CONTINENTAL PARK AREA OF MIAMI-DADE COUNTY IN AN AMOUNT NOT TO EXCEED \$322,000.00; FINDING INSTALLATION OF WATER PIPELINES BY MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO BE NECESSARY TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE
Notes	The proposed resolution authorizes the County Mayor or Mayor's designee to use Miami-Dade Water and Sewer Department's services, employees and equipment to design and install approximately 1,612 linear feet of 8-inch water pipelines along SW 107th Street, between SW 87th Avenue and SW 84th Avenue. The cost of the project will not exceed \$322,000.00 without further approval by the BCC. <i>Pursuant to Section 255.20(1)(c)(9), Florida Statutes, the BCC has considered the Miami-Dade Water and Sewer Department's estimated cost of \$322,000.00 and the accuracy of the estimated cost and finds by a majority vote of the BCC members that it is necessary to design and install water pipelines in the area along SW 107th Street, between SW 87th Avenue and SW 84th Avenue; and that it is in the public's best interest for the Miami-Dade Water and Sewer Department to utilize its own services, employees and equipment to design and install all improvements necessary to expeditiously provide county water to the subject area.</i> Section 255.20(1)(c)(9), Florida Statutes, authorizes a county to use its own services, employees and equipment to perform public improvements with an estimated cost in excess of \$300,000.00 upon a majority vote of the BCC, after at least 21 days public notice and a public meeting, finding that it is in the public's best interest to perform the improvements using its own services, employees, and equipment. As of the time of the BCC's final action on this resolution, the County Mayor or Mayor's designee has provided the public notice required under Section 255.20(1)(c)(9), Florida Statutes. Background: The Miami-Dade County Health Department recently discovered concentrations of a pesticide above the State of Florida drinking water maximum contaminant limit in certain homes that use private well water. The Miami-Dade County Health Department has urged residents with concentrations above this limit to stop drinking or cooking with this water as 24 homes may be affected by the pesticide in the area along SW 107th Street, between SW 87th Avenue and SW 84th Avenue in the Continental Park area of Miami-Dade County. Fiscal Impact: The estimated cost of designing and installing the new water mains using generally accepted cost-accounting principles that fully account for all costs associated with performing and completing the work, including employee compensation and benefits, equipment cost and maintenance, insurance costs and materials is \$322,000.00.
3A 160466	RESOLUTION DESIGNATING MIAMI DAILY BUSINESS REVIEW AS THE NEWSPAPER FOR PUBLICATION OF DELINQUENT TAX LISTS IN 2016 FOR 2015 TAX YEAR IN ACCORDANCE WITH FLORIDA STATUTES §197.402, AND FOR THE PUBLICATION OF DELINQUENT IMPROVEMENT LIENS

⁸ <http://www.miamidade.gov/waterconservation/plans-initiatives.asp>

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	AND SPECIAL ASSESSMENT LIENS PURSUANT TO SECTION 18-14(8) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND FLORIDA STATUTES §197.363 AND §197.3632 IN AN AMOUNT NOT TO EXCEED \$35,000.00
Notes	The proposed resolution designates Miami Daily Business Review as the newspaper for publication of the 2016 lists of delinquent tangible personal property taxes, delinquent real property taxes, and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2015 tax roll in accordance with Section 197.402 of the Florida Statutes and Rule 12D-13.036 of the Florida Administrative Code. Fiscal Impact/Funding Source: Approval of this resolution does not create a negative fiscal impact to the County. The cost of the advertising delinquent property taxes is paid by the Tax Collector at the time of advertising and is recovered from the delinquent taxpayers at the time taxes are paid or from investors when tax certificates are sold. Background: The collection of the 2015 real property and tangible personal property taxes began on November 1, 2015 and taxes become delinquent on April 1, 2016. Florida Statutes require the Tax Collector to issue warrants and sell tax certificates to ensure the continued funding of essential governmental services provided by the various government taxing authorities authorized to levy and impose taxes. If taxes are not paid by May 31, 2016, tax certificates for real property taxes will be sold starting June 1, 2016 and tax warrants may be issued for tangible personal property at any time after delinquency. Sub-Section 197.402(3) of the Florida Statutes provides that the list of delinquent tangible personal property tax payers and the amount due by each will be published once within 45 days of the taxes becoming delinquent and that the list for delinquent real property taxes will be advertised once each week for three (3) consecutive weeks prior to the Tax Certificate Sale. In addition, Section 18-14 of the Miami-Dade County Code, Section 197.363 of the Florida Statutes and Section 197.3632 of the Florida Statutes require the advertisement of delinquent non-ad valorem assessments and improvement liens collected on the tax bill in the same manner as delinquent real property taxes. - Section 50.011 of the Florida Statutes requires the delinquent tangible personal property tax and delinquent real property tax advertisements be placed in a newspaper that is published at least once a week, contains at least 25 percent of its words in English, is available for sale to the public, and is generally available to the public for the publication of official or other notices. Newspapers that meet these statutory requirements were identified, invited to bid and are listed below: - o Miami Today - o Miami Daily Business Review - o Miami New Times - o The Miami Herald - o The Miami Times Miami Daily Business Review, Miami New Times, Miami Today and The Miami Times responded. The lowest responsive bidder for the project was Miami Daily Business Review. Its bid is as follows: - Delinquent tangible personal property taxes - \$1,695.00 - Delinquent real property taxes - \$29,500.00 - TOTAL - \$31,195.00 Miami Daily Business Review has experience in legal advertising, having published the County's delinquent tangible personal property tax and delinquent real property tax advertisements in 2013 and 2015. Miami Daily Business Review also has data processing capabilities that provide efficient and reliable interfaces with the County data processing systems, thereby enabling last-minute additions and deletions to the advertisement. These capabilities, coupled with Miami Daily Business Review's experience, will help avoid delays that could result in the invalidation of the annual Tax Certificate Sale, which generated \$150 million of revenues for the local taxing authorities last year. The cost of advertising delinquent real property taxes is recovered at the time the tax certificates are sold and are ultimately borne by the delinquent taxpayers. Having previously published the voluminous delinquent tax listings (more than 300 newspaper pages), Miami Daily Business Review has demonstrated its ability to successfully complete this undertaking. In addition to required legal advertising, the Tax Collector's Office will continue its public awareness efforts by placing courtesy ads in The Miami Herald, The Miami Times, El Nuevo Herald, Diario De Las Americas and Haiti En Marche. The Tax Collector's Office may also take full advantage of local periodicals in an attempt to capture further segments of the community that do not read the more circulated publications listed above. These courtesy advertisements are placed in March and April prior to the legally required advertisement in Miami Daily Business Review. The estimated cost of the additional courtesy advertising will cost the Tax Collector's Office approximately \$15,000. The 311 Answer Center will be alerted to the Tax Collector's public awareness efforts and will be ready for the increased call volume. Answer Center staff will be receiving refresher training on the delinquent tax process and Tax Collector staff will be onsite to provide technical support. The County's web portal and the Tax Collector's Webpage will be updated to provide the most up-to-date information, including the published list of delinquent properties. Potential investors will be directed to the Tax Collector's auction website and will have a direct buyers line and e-mail address to answer technical questions. In addition, Tax Collector representatives regularly speak at community and homeowner meetings as requested regarding the taxing process.

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	Additional Information on previous legislation relating to newspapers for publication of delinquent tax lists: <table> <tr> <th>Legislation</th><th>Summary</th></tr> <tr> <td>R-334-09 4/7/2009</td><td> Designated the Miami Daily Business Review as the newspaper for publication of the 2009 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2008 tax roll in accordance with §197.402, Florida Statutes (FS) and Rule 12D-13.036, Florida Administrative Code. - The following newspapers that met the statutory requirements were identified and invited to bid: - Miami Today - Miami Daily Business Review - New Times - The Miami Herald - The Miami Times - Only the Miami Daily Business Review responded. Thus the lowest responsive bidder for the project was the Miami Daily Business Review whose bid was as follows: - Delinquent real property taxes - \$240,766.00 - Delinquent real tangible personal property taxes - \$15,362.00 TOTAL - \$256,128.00 </td></tr> <tr> <td>R-438-10 4/20/2010</td><td> Designated The Miami Times as the newspaper for publication of the 2010 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2009 tax roll in accordance with §197.402, Florida Statutes (FS) and Rule 12D-13.036, Florida Administrative Code. - The following newspapers that met the statutory requirements were identified and invited to bid: - Miami Today - Miami Daily Business Review - New Times - The Miami Herald - The Miami Times - The Miami Daily Business Review, New Times, Miami Today and The Miami Times responded. The lowest responsive bidder for the project was The Miami Times whose bid was as follows: - Delinquent tangible personal property taxes - \$38,262.62 - Delinquent real property taxes - \$135,658.38 TOTAL - \$173,921.00 </td></tr> <tr> <td>R-233-11 4/4/2011</td><td> Designated the Miami Daily Business Review as the newspaper for publication of the 2011 list of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments pertaining to the 2010 tax roll as required by Florida Statutes §197.402 and Rule 12D-13.036 of the Florida Administrative Code. - The following newspapers that met the statutory requirements were identified and invited to bid: - Miami Today - Miami Daily Business Review - New Times - The Miami Herald - The Miami Times - The County received responses from Miami Daily Business Review, New Times and Miami Today. The lowest responsive bidder was the Miami Daily Business Review whose bid was as follows: - Delinquent tangible personal property taxes - \$4,000 - Delinquent real property taxes - \$105,000 TOTAL - \$109,000 </td></tr> <tr> <td>R-276-12 4/3/2012</td><td> Designated The Miami Times as the newspaper for publication of the 2012 lists of delinquent tangible personal property taxes, delinquent real property taxes, and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2011 tax roll in accordance with §197.402, Florida Statutes and Rule 12D-13.036, Florida Administrative Code. - The following newspapers that met the statutory requirements were identified and invited to bid: - Miami Today - The Miami Herald - Miami Daily Business Review - The Miami Times - The New Times - The Miami Daily Business Review, The Miami Times and Miami Today responded. The lowest responsive bidder for the project was The Miami Times whose bid was as follows: - Delinquent tangible personal property taxes - \$16,729.60 - Delinquent real property taxes - \$66,918.40 TOTAL - \$83,648.00 </td></tr> <tr> <td>R-225-13 4/2/2013</td><td> Designated Miami Daily Business Review as the newspaper for publication of the 2013 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments such as improvement liens </td></tr> </table>	Legislation	Summary	R-334-09 4/7/2009	Designated the Miami Daily Business Review as the newspaper for publication of the 2009 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2008 tax roll in accordance with §197.402, Florida Statutes (FS) and Rule 12D-13.036, Florida Administrative Code. - The following newspapers that met the statutory requirements were identified and invited to bid: - Miami Today - Miami Daily Business Review - New Times - The Miami Herald - The Miami Times - Only the Miami Daily Business Review responded. 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	and special assessments pertaining to the 2012 tax roll in accordance with §197.402, Florida Statutes (FS) and Rule 12D-13.036, Florida Administrative Code. • <i>The following newspapers that met the statutory requirements were identified and invited to bid:</i> - o <i>Miami Today</i> - o <i>Miami Daily Business Review</i> - o <i>New Times</i> - o <i>The Miami Herald</i> - o <i>The Miami Times</i> • <i>The Miami Daily Business Review, The Miami Times and Miami Today responded. The lowest responsive bidder for the project was Miami Daily Business Review whose bid was as follows:</i> - o <i>Delinquent tangible personal property taxes - \$3,500.00</i> - o <i>Delinquent real property taxes - \$61,500.00</i> - o <i>TOTAL - \$65,000.00</i> R-322-14 4/8/2014 Designated The Miami Times as the newspaper for publication of the 2014 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments such as improvement liens and special assessments pertaining to the 2013 tax roll in accordance with §197.402, Florida Statutes (FS) and Rule 12D-13.036, Florida Administrative Code. • <i>The following newspapers that meet these statutory requirements were identified invited to bid and are listed below:</i> - o <i>Miami Today</i> - o <i>Miami Daily Business Review</i> - o <i>New Times</i> - o <i>The Miami Herald</i> - o <i>The Miami Times</i> • <i>The Miami Daily Business Review and The Miami Times responded. The lowest responsive bidder for the project was The Miami Times whose bid is as follows:</i> - o <i>Delinquent tangible personal property taxes - \$10,822.46</i> - o <i>Delinquent real property taxes - \$38,370.54</i> - o <i>TOTAL - \$49,193.00</i> R-296-15 4/21/2015 Designated the Miami Daily Business Review as the newspaper for publication of the 2015 lists of delinquent tangible personal property taxes, delinquent real property taxes and non-ad valorem assessments, such as improvement liens and special assessments, pertaining to the 2014 tax roll in accordance with Florida Statute 197.402 and Rule 12D-13.036 of the Florida Administrative Code. • <i>The following newspapers meet these statutory requirements and were invited to bid:</i> - o <i>Miami Today</i> - o <i>Miami Daily Business Review</i> - o <i>New Times</i> - o <i>The Miami Herald</i> - o <i>The Miami Times</i> • <i>The Miami Daily Business Review, Miami Today and The Miami Times responded. The lowest responsive bidder for the project was the Miami Daily Business Review.</i> - o <i>Delinquent tangible personal property taxes - \$1,695.00</i> - o <i>Delinquent real property taxes - \$30,780.00</i> - o <i>TOTAL - \$32,475.00</i>
3C 160369	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 UP TO SIX MONTHS AND AN ADDITIONAL AMOUNT OF UP TO \$11,600.00 FOR CONTRACT NO. RFQ97-2(2) FOR PURCHASE OF TOWING SERVICES FOR THE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE EXTENSION AND CONTINUE TO EXERCISE ALL RIGHTS UNDER THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38
Notes	The proposed resolution approves a request for a designated purchase under Contract No. RFQ97-2(2) for the towing and storage of towed or impounded vehicles for the Miami-Dade Police Department. Approval of a designated purchase is being requested, pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, to authorize the extension of the current contract term by six (6) months and increase expenditure authority by \$11,600 to ensure continuity of services while the competitive selection process for the replacement solicitation is finalized and a contract is awarded. Background: This contract was established in August 2007 for the Police Department to facilitate the towing and storage of towed or impounded vehicles. The contract's method of award was up to two (2) vendors per district on a 24-hour rotating basis. The services are administered in accordance with applicable law governing the towing and impoundment of vehicles by the Police Department. The maximum non-consent towing fees that may be charged are set by the BCC. The County receives an administrative fee of \$15 for each vehicle that is recovered, towed, removed, or stored at the request of the Police Department, excluding law enforcement tows. Law enforcement tows include any

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	vehicle or property placed on hold or extended hold for an investigation, trial, evidence or forfeiture case, paid by the County at a reduced rate. - According to the Internal Services Department, this contract was originally awarded by the County Manager's office on September 7, 2007. The current term was extended administratively by six (6) months under the County Mayor's delegated authority to afford sufficient time to develop a replacement solicitation that best meets the County's needs. The County anticipates awarding contracts to up to two (2) vendors per district. The replacement solicitation was advertised under full and open competition on December 7, 2015 and responses were due on January 29, 2016. It is anticipated that a contract award recommendation will be made by May 2016. This item is presented for BCC approval as a designated purchase because the Administration has exhausted its authority to extend the contract. Competition is not practicable at this time as the replacement solicitation has been advertised. <u>Fiscal Impact/Funding Source:</u> This contract, which is in its final option to renew term, expires March 31, 2016 and has an existing allocation of \$50,000. The additional time requested will extend the contract's expiration date to September 30, 2016. The requested additional allocation of \$11,600 is prorated based on the current allocation and results in a total modified contract allocation of \$61,600. <u>Delegated Authority</u> The County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. <u>Awarded Vendors</u> - Downtown Towing Company 1451 NW 20 Street Miami, FL - Molina Towing, Inc. 2151 NW 7 Avenue Miami, FL - Excalibur Towing Service Corp. (SBE) 14294 SW 142 Avenue Miami, FL - Kauff's of Miami, Inc. 2435 Ali Baba Avenue Opa Locka, FL - A-1 Redland Economy Towing of Homestead, Inc. 111 SW 2 Street, Homestead, FL - Magic Towing & Recovery, Inc. 7851 W 22 Avenue Hialeah, FL <u>Applicable Ordinances and Contract Measures</u> - The two (2) percent User Access Program provision applies where permitted by funding source. - The Small Business Enterprise Bid Preference and Local Preference ordinances applied to the original award. - The Living Wage Ordinance does not apply.
3E 160382	RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO \$98,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND FOR BAYNANZA 2016; APPROVING AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT TO PROVIDE FUNDING TO MIAMI-DADE COUNTY FOR BAYNANZA 2016; AND AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE THE PROVISIONS CONTAINED THEREIN
Notes	The proposed resolution: - Authorizes the disbursement of \$98,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (Trust Fund) for Baynanza 2016; and - Authorizes the execution of a related agreement with the Florida Inland Navigation District so that the Florida Inland Navigation District can provide up to \$10,000.00 toward Baynanza 2016 expenses. The Baynanza 2016 events will benefit waterways and coastal areas of Commission Districts 3, 4, 5, 7, 8 and 9. Volunteers from all 13 Commission districts, particularly school and community groups, participate in Baynanza every year. <u>Fiscal Impact/Funding Source:</u> Pursuant to Section 7-22.1 of the Code of Miami-Dade County (Code), funds generated by local boat registration fees and deposited into the Trust Fund may be used for water body maintenance and enhancement activities such as Baynanza 2016. The available balance of the Trust Fund is \$2.9 million as of September 30, 2015. Funding in the amount of \$98,000 from the Trust Fund is needed for costs related to education, public awareness, and environmental enhancement activities that are part of Baynanza 2016, particularly Biscayne Bay Cleanup Day. More specifically, costs include event staffing, safety and sanitation equipment, supplies and services, trash collection and disposal, commemorative t-shirts for volunteers, equipment rental, and marketing. Additionally, the Florida Inland Navigation District Agreement will provide up to \$10,000.00 towards Baynanza t-shirts. The Department of Regulatory and Economic Resources' Division of Environmental Resources Management will seek additional funds and in-kind services through sponsorships from local organizations. Additional costs for the planning and implementation of this event which exceed the funding amounts shown above will be paid from the Division of Environmental Resources Management's operating budget. <u>Background:</u>

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	Baynanza is part of the County's longstanding commitment to enhance public awareness of Biscayne Bay as a recreational, aesthetic, economic, historic, scientific, and environmental resource. Baynanza is a cooperative effort among several County departments, environmental groups in Miami-Dade County, and the community at large. The main event, Biscayne Bay Cleanup Day, will take place on April 16, 2016 and will include a shoreline cleanup at 23 sites along Biscayne Bay. This event typically attracts approximately 6,000 volunteers, who each receive a Baynanza t-shirt. A variety of other events related to Biscayne Bay will be scheduled from March through April 2016, including nature walks, kayaking tours, and other similar educational activities. A special outreach event is planned for the VIP cleanup site located at Morningside Park, 750 NE 55 Terrace, Miami, Florida, in 2016 to mark the 34th anniversary of Biscayne Bay Cleanup Day. <u>Additional Information on Relevant Legislation:</u> On February 3, 2015, the BCC, through Resolution No. R-113-15, authorized the disbursement of up to \$98,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund for Baynanza 2015 and authorized the execution of a related agreement with the Florida Inland Navigation District. Under this Agreement, the Florida Inland Navigation District was to provide up to \$10,000 toward Baynanza 2015 expenses. The main event, Biscayne Bay Cleanup Day, took place on April 25, 2015 and included shoreline cleanup at 23 sites along Biscayne Bay.