



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Strategic Planning & Government
Operations Committee Meeting**

July 12, 2016

9:30 A.M.

Commission Chamber

Research Division

Office of the Commission Auditor

111 NW First Street, Suite 1030

Miami, Florida 33128

305-375-4354

Strategic Planning and Government Operations Committee
July 12, 2016 Meeting
Research Notes

Item No.	Research Notes
1G1 161399	ORDINANCE AMENDING RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ALLOWING ANY COMMISSIONER TO REQUIRE SEPARATE VOTE FOR ANY PART OF MID-YEAR AND END-OF-YEAR BUDGET AMENDMENTS; REQUIRING SEPARATE VOTE FOR CERTAIN PARTS OF MID-YEAR AND END-OF-YEAR BUDGET AMENDMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	The proposed ordinance amends Section 2-1 of the Miami-Dade County Code relating to the rules of procedures of the Board of County Commissioners pertaining to budget amendments. Currently, the BCC has the ability to segregate and vote via motion adjustments presented to the BCC in the mid-year and end-of-year budget amendment items. This portion of the proposed ordinance would codify current practice. The proposed ordinance requires that a separate motion and vote be held if the recommended amendment to the budget requires the use of reserves. Most of the end-of-year general fund budget amendments include the use of the Wage, Separation and Energy Reserve. Lastly, the proposed ordinance also requires a separate motion and vote when funding countywide expenses from the unincorporated municipal services area of the general fund budget. <u>Fiscal Impact Statement:</u> There is no fiscal impact with the implementation of this ordinance. <u>Social Equity Statement:</u> The proposed ordinance is not anticipated to have any measureable social equity benefit or burden.
2A 161535	RESOLUTION APPROVING POLICY UNDERLYING AMENDMENT 4 ENTITLED "SOLAR DEVICES OR RENEWABLE ENERGY SOURCE DEVICES; EXEMPTION FROM CERTAIN TAXATION AND ASSESSMENT"
Notes	The proposed resolution approves of the policy underlying Amendment 4 entitled "Solar Devices or Renewable Energy Source Devices; Exemption from Certain Taxation and Assessment" and expresses its support for efforts to increase solar energy generation and other forms of renewable energy in the State of Florida. <u>Background:</u> In 2008 Florida voters approved a constitutional amendment that authorized the Florida Legislature to exclude wind resistance and renewable energy improvements from residential property appraisals. The effective exemption of solar energy systems from residential property taxes, enabled by the 2008 amendment and the implementing legislation passed by the Legislature in 2013, encourages homeowners to invest in rooftop solar and other renewable energy systems. Amendment 4, entitled "Solar Devices or Renewable Energy Source Devices; Exemption from Certain Taxation and Assessment," will be presented to voters at the August 30, 2016, election as a result of the unanimous passage of House Joint Resolution 193 by both the Florida House of Representatives and Florida Senate on March 9, 2016. Amendment 4 would authorize the Florida Legislature to exempt solar and other renewable energy systems from both residential and commercial property appraisals and from the tangible personal property tax, effective January 1, 2018, and for the subsequent 20 years. <u>Additional Information on Relevant Legislation:</u> On April 21, 2015, the BCC, through Resolution No. R-315-15, supported the expansion of solar photovoltaic energy by local governments in the state; welcomed the publication "Florida Solar Financing Action Plan, A Menu of Options" as a valuable resource for local governments seeking to expand the use of solar photovoltaic energy in their communities, without specifically endorsing or adopting any of the individual options contained within; and encouraged all other Florida counties to adopt R-315-15.

Strategic Planning and Government Operations Committee

July 12, 2016 Meeting

Research Notes

Item No.	Research Notes
2B 161585	RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AGREEMENT BETWEEN THE OFFICE OF NEW AMERICANS OF MIAMI-DADE, A FLORIDA NOT-FOR-PROFIT CORPORATION, AND MIAMI-DADE COUNTY; APPROVING TERMS AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S EXECUTION, PURSUANT TO FLORIDA STATUTE SECTION 125.38, OF LEASE AGREEMENT BETWEEN THE OFFICE OF NEW AMERICANS OF MIAMI-DADE (TENANT) AND MIAMI-DADE COUNTY (LANDLORD) FOR A FIVE-YEAR TERM PLUS AN ADDITIONAL FIVE-YEAR OPTION TO RENEW, FOR THE PURPOSE OF PROMOTING NATURALIZATION EFFORTS, AT AN ANNUAL RENT OF \$1.00; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ANY AMENDMENT, RENEWAL OR EXTENSION OF THE OPERATING AND LEASE AGREEMENTS AND EXERCISE ALL PROVISIONS CONTAINED THEREIN; AUTHORIZING IN-KIND SERVICES FROM THE INFORMATION TECHNOLOGY DEPARTMENT IN CONNECTION WITH FIRST YEAR OF LEASE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$1,500.00 TO BE FUNDED FROM THE BALANCE OF THE DEPARTMENT'S FISCAL YEAR 2015-2016 INTERAGENCY FUND; AUTHORIZING SIMILAR IN-KIND SERVICES IN AN ANNUAL AMOUNT NOT TO EXCEED \$1,500.00 FOR REMAINING DURATION OF LEASE AGREEMENT SUBJECT TO ANNUAL APPROPRIATION; AUTHORIZING WAIVER OF FEES IN CONNECTION WITH AGREEMENT FOR THE USE OF BRANCH LIBRARIES FOR CITIZENSHIP CLINICS IN AN AMOUNT NOT TO EXCEED \$40,000.00 ANNUALLY; AUTHORIZING CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO APPOINT REPRESENTATIVE FROM OFFICE OF COMMUNITY ADVOCACY AS COUNTY'S NON-VOTING DESIGNEE ON THE OFFICE OF NEW AMERICANS' BOARD OF DIRECTORS
Notes	The proposed resolution: • Authorizes the County Mayor or County Mayor's designee to execute an agreement between the Office of New Americans of Miami-Dade, a Florida not-for-profit corporation, and Miami-Dade County; • Approves a lease agreement between the Office of New Americans of Miami-Dade (tenant) and Miami-Dade County (landlord) for a five-year term plus an additional five-year option to renew, for the purpose of promoting naturalization efforts, at an annual rent of \$1.00; - o The Lease would provide the Office of New Americans with approximately 301 rentable square feet of County-owned space at 601 NW 1st Court, specifically Room 1-116. • Directs the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of the Lease and to provide a copy of the Lease to the Miami-Dade County Property Appraiser's office; • Authorizes in-kind services from the Information Technology Department in connection with the first year of the Lease in an amount not to exceed \$1,500.00 to be funded from the balance of the Information Technology Department's Interagency Fund for Fiscal Year 2015-16; - o Also authorizes continually providing those same in-kind services for the duration of the Lease subject to annual appropriation; and - o The in-kind services in connection with the Lease will include: the use of two telephones, two personal computers (Citrix Box), and one printer, and maintenance and service of those items, subject to any necessary annual approvals. The estimated costs are approximately \$275.00 per year for each Citrix Box, \$7.30 per month per telephone for maintenance, \$16.00 per telephone line for service, \$10.00 per month per data port, for a total annual amount not to exceed \$1,500.00. • Authorizes the County Mayor or County Mayor's designee to execute the Agreement with the Office of New Americans to take all actions necessary to effectuate the Agreement, and to exercise any and all rights set forth in the Agreement; • Authorizes a waiver of fees for the use by the Office of New Americans of meeting space at Miami-Dade County branch and regional libraries under the terms and conditions set forth in the Agreement in an amount not to exceed \$40,000.00 annually; and - o Subject to authorization by the BCC the Office of New American may use meeting space at Miami-Dade County branch and regional libraries without charge provided that (1) the meeting space(s) will be used for the sole purpose of providing citizenship clinics that will promote an increase in the number of legal permanent residents in Miami-Dade County who apply for citizenship and not for any fundraising, press conference, or other media event; (2) the use of

Strategic Planning and Government Operations Committee

July 12, 2016 Meeting

Research Notes

Item No.	Research Notes
	meeting space at any branch or regional library will be for up to four hours no more than once per month; (3) the citizenship clinics will be open to the general public, occur during the library's regular operating hours, and not interfere with normal operation of the library facility and programs; (4) the Miami-Dade County Department of Elections is not using the library, at that time, for the purpose of elections. • Authorizes the Chair of the BCC to appoint a representative from the Office of Community Advocacy as the County's non-voting designee on the Office of New Americans' Board of Directors. Background: On June 30, 2015, the BCC passed Resolution No. R-595-15 directing the County Mayor to engage in all necessary outreach and coordination for Miami-Dade County to be designated as a participating community of "Cities for Citizenship," a nation-wide collaboration of local governments that was established to promote large-scale naturalization campaigns in metropolitan areas with large immigrant populations, and launch an initiative that will promote increasing the number of legal permanent residents in Miami-Dade County who apply for citizenship (Citizenship Initiative). As part of its Fiscal Year 2015-2016 Budget, Miami-Dade County allocated \$50,000.00 from the County Mayor's Budget toward this Citizenship Initiative. The Office of New Americans of Miami-Dade (Office of New Americans) is a not-for-profit corporation organized under the laws of the State of Florida, established to exclusively direct its efforts and resources to promote increasing the number of legal permanent residents in Miami-Dade County who apply for citizenship.
2C 161239	RESOLUTION AUTHORIZING AN EXHIBIT PERTAINING TO SEA LEVEL RISE IN THE FIRST FLOOR LOBBY OF THE STEPHEN P. CLARK CENTER BY MIAMI-DADE COUNTY, IN POSSIBLE PARTNERSHIP WITH FLORIDA INTERNATIONAL UNIVERSITY AND THE UNIVERSITY OF MIAMI
Notes	The proposed resolution approves and authorizes the County Mayor or designee, in possible partnership with Florida International University and the University of Miami, to display an exhibit relating to sea level rise in the secured area of the first floor lobby of the Stephen P. Clark Center. The exhibit may be displayed for up to 14 days from the date of installation.
3A 161492	RESOLUTION APPROVING LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AMERICAN BUSINESS CONTINUITY DOMES, INC., FOR THE SECOND, THIRD, AND FOURTH FLOORS OF THE PREMISES LOCATED AT 1390 NW 14 AVENUE, MIAMI, FLORIDA, FOR A FIVE YEAR TERM WITH A TOTAL FISCAL IMPACT TO THE COUNTY ESTIMATED TO BE \$1,418,137.26; APPROVING THE AGREEMENT BETWEEN THE COUNTY AND THE STATE OF FLORIDA, THROUGH THE OFFICE OF THE STATE ATTORNEY, ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, FOR THE SAME PROPERTY TO BE UTILIZED BY THE OFFICE OF THE STATE ATTORNEY AS GENERAL OFFICE SPACE, FOR THE NOMINAL COST OF ONE DOLLAR FOR THE FIVE-YEAR TERM OF THE LEASE, MINUS A DAY; AND AUTHORIZING THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, TO EXECUTE THE LEASE AND THE AGREEMENT, EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN, TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME, AND TO PROVIDE AN EXECUTED COPY OF SAME TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS
Notes	The proposed resolution authorizes the execution of the Lease Agreement (Lease) between Miami-Dade County (County) and American Business Continuity Domes, Inc. (Landlord), a Florida for-profit corporation, for property located at 1390 NW 14 Avenue, Miami, Florida, specifically the second, third, and fourth floors of a five-story building, for use as administrative office space by the Office of the State Attorney, Eleventh Judicial Circuit of Florida (SAO). It is also recommended that the BCC authorize execution of the sublease agreement (Agreement) for the same property between the County and the SAO. More specifically, the resolution provides for the following: • Authorizes the lease of 9,723 square feet of air-conditioned office space, together with five (5) reserved parking spaces; • Authorizes the sublease between the County and the SAO for the same 9,723 square feet of office space, together with five (5) reserved parking spaces; and • Authorizes a lease term of five (5) years.

Strategic Planning and Government Operations Committee

July 12, 2016 Meeting

Research Notes

Item No.	Research Notes
	Lease Conditions The Landlord will pay water, sewer, and gas during the term of the Lease. The Landlord will also be responsible for repair and maintenance of the structural portions of the leased property including, but not limited to, the roof, plumbing, flooring, HVAC, electrical systems, and elevator service. The County will reimburse the Landlord for its proportionate share of electrical charges used by the SAO. The County will be responsible for funding the telephone and computer equipment and installations, janitorial services, and security equipment. The Landlord expressly reserves the right to offer relocation opportunities to the County and the SAO within a four (4) block radius of the property should the Landlord develop a different property during the term of the Lease, with any relocation occurring only with the County's prior written approval and at the Landlord's expense. Cancellation Provision The County will have the right at any time to terminate the Lease, or any portion thereof, by providing the Landlord at least 60 days' prior written notice of such termination. If the County terminates the Lease during the term, the County will be responsible for reimbursing the Landlord for the unamortized portion of the Landlord's improvements estimated at \$680,610.00, (\$11,343.50 per month over 60 months). <u>Fiscal Impact/Funding Source:</u> The total fiscal impact to the County for the first year of the lease term is estimated to be \$339,304.22, which is comprised of \$197,376.96 in base rent (\$20.30 per square foot), \$7,895.08 in lease management fees, and \$134,032.18 in telephone and computer equipment and installations, electricity, janitorial services, and security equipment. The annual base rent increases by three (3) percent in Years Three through Five. The base rent includes the build-out of the property, common area maintenance, property insurance, pest extermination, water usage, and ad valorem real estate taxes. The total fiscal impact to the County for the five-year lease term is estimated to be \$1,418,137.26 (i.e., \$1,023,054.18 in rent; \$40,922.18 in lease management fees; \$354,160.90 in telephone and computer equipment and installations, security equipment, and monthly electricity and janitorial services). The lease management fee represents four (4) percent of the annual base rent and is paid to the Internal Services Department for administration of the Lease and the Agreement. • <i>Pursuant to Resolution No. R-333-15, the Internal Services Department's Real Estate Development Division conducted an in-house survey of the comparable rental values in the area of the subject property to determine the subject property's market rental value.</i> - o <i>1400 NW 10 Avenue, Miami - \$49.00 per square foot on an annual basis. Triple net lease. The tenant is responsible for all operating costs and expenses.</i> - o <i>1150 NW 14 Street, Miami - \$30.00 per square foot on an annual basis. Lacked space, no parking or tenant improvements.</i> - o <i>42 NW 27 Avenue, Miami - \$30.00 per square foot on an annual basis. Triple net lease. The tenant is responsible for all operating costs and expenses.</i> The County is required by Article V, Section 14 of the Florida Constitution to cover the cost of the lease, maintenance, utilities, and security of facilities for the Trial Courts, Public Defender's Office, State Attorney's Office, and the Office of the Clerk of Courts. All costs associated with the Lease will be funded from the General Fund.