



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Unincorporated Municipal Service Area
Committee Meeting

December 13, 2016
2:00 P.M.
Commission Chamber

Research Division

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

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Item No.	Research Notes
1G1 162513	ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-13 AND 33-16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REGULATING REMOVAL OF FILL FROM LAKE EXCAVATION IN ZONING DISTRICTS OUTSIDE THE URBAN DEVELOPMENT BOUNDARY THAT AUTHORIZE RESIDENTIAL USES; PROHIBITING OFF-SITE TRANSFER OF SUCH FILL; PROVIDING FOR VARIANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance amends Sections 33-13 and 33-16 of the Miami-Dade County Code regulating removal of fill from lake excavation in zoning districts outside the Urban Development Boundary that authorize residential uses. The proposed ordinance further prohibits off-site transfer of such fill.</p> <p><u>Background</u></p> <p>Currently, Section 33-16 of the Code defines which lake excavation based on location and type are subject to or are exempt from a public hearing in order to obtain approval, but the prohibition on transferring the fill off-site is not in the Code. Properties that do not require a public hearing go through an Administrative Site Review to obtain approval to excavate, contingent on the fill not being transferred. The proposed resolution codifies the prohibition of transferring the fill.</p> <p>Under the current regulations, a property owner west of the salt barrier line that wants to obtain approval to excavate a pond can do so subject to an Administrative Site Plan Review with the condition that the fill not be transferred. With the approval of this proposed ordinance, the same property owner can either:</p> <ul style="list-style-type: none"> • Go through the Administrative Site Plan Review if they wish to keep the fill on their property; or • Go through a public hearing process in order to obtain approval to excavate and transfer the fill, which takes longer than the Administrative Site Plan Review process.
1G2 162562	ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-49 AND ARTICLE XIVB OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING DEVELOPMENT STANDARDS AND CREATING SITE PLAN REVIEW CRITERIA FOR RU-1M(A), MODIFIED SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS, IN CERTAIN SECTIONS OF TOWNSHIP 54 SOUTH, RANGE 39 EAST, AND OF TOWNSHIP 55 SOUTH, RANGE 39 EAST, TO ENHANCE AESTHETICS AND EMPHASIZE SMART GROWTH PRINCIPLES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
Notes	<p>The proposed ordinance:</p> <ul style="list-style-type: none"> • Amends Section 33-49 and Article XIVB of Chapter 33 of the Miami-Dade County Code to set development standards within the developable areas of Commission District 11; <ul style="list-style-type: none"> ◦ Under the proposed ordinance, subdivisions of ten (10) acres or more in RU-1M(a) zoned districts – single family homes with a minimum lot size of 5,000 square feet – will have greater flexibility in developing varying lot sizes as long as the entire subdivision averages 5,000 square feet per lot size. • Requires an Administrative Site Plan Review for the subdivisions within the developable areas of Commission District 11 without an already approved site plan or plat to ensure compliance with specific zoning regulations, such as buffering elements, the inclusion of energy or water conservation methods, landscaping, pedestrian and automobile circulation, and open spaces. • Requires that these developments install energy and water conservation systems and to provide greater buffers along roadways. <p><u>Fiscal Impact/Funding Source</u></p> <p>Construction costs associated with the specific design, conservation systems and construction criteria in the RU-1M(a) zoned district in the developable areas of Commission District 11 without an already approved site plan or plat will be borne by the development entity and possibly passed on to the home buyer. The cost of going through the Administrative Site Plan Review process, which is a minimum of \$1,467.75, will also be borne by the development entity.</p>
2A 162490	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CREATE A WORKING GROUP FOR THE PURPOSE OF DEVELOPING AN IMPLEMENTATION PLAN AND SCHEDULE FOR THE OPEN SPACE MASTER PLAN; AND FURTHER DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE, WITH THE INPUT OF THE WORKING GROUP, A WRITTEN REPORT WITH AN IMPLEMENTATION STRATEGY, PLAN, AND SCHEDULE FOR

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	THE COUNTY'S OPEN SPACE MASTER PLAN AND PROVIDING RECOMMENDATIONS FOR THE LONG-TERM FUNDING OF CAPITAL, OPERATIONS, PROGRAMMING, AND MAINTENANCE NEEDS
Notes	<p>The proposed resolution directs the County Mayor or County Mayor's designee to:</p> <ul style="list-style-type: none"> • Establish a working group (Working Group) consisting of representatives from the Parks Foundation, the Miami Foundation, municipalities, and other parks-oriented stakeholders identified by the County Mayor or County Mayor's designee; • Prepare a report, with the input of the Working Group, to: <ul style="list-style-type: none"> ○ Develop an implementation strategy, plan, and schedule for the Open Space Master Plan; and ○ Provide recommendations for the long-term funding of capital, operations, programming, and maintenance needs. • Provide the report to the BCC within 180 days of the effective date of this resolution and place the completed report on a BCC agenda. <p><u>Background</u></p> <p>In 2007, Miami-Dade County, through its Parks, Recreation and Open Spaces Department, finalized the Open Space Master Plan, which is a plan to develop a County park system that is accessible to all County residents. The multi-year process that culminated in the development of the Open Space Master Plan represented the first critical look at how the County park system functioned since 1969.</p> <p>The Open Space Master Plan's broad guiding principles seek to provide for seamlessness, beauty, access, equity, sustainability, and the optimization of the use of taxpayer dollars. More specifically, the Open Space Master Plan aims to ensure that:</p> <ul style="list-style-type: none"> • Every resident in the County can walk (within five minutes) to a central neighborhood park and civic space for picnics, special events, informal play, and socialization; • Every resident can safely and comfortably walk, bicycle, or take transit to community parks, recreation centers, and special use/sports facilities; • The County Parks Department works cooperatively with every municipality and Miami-Dade County Public Schools to provide public access to schools, city parks, and County recreation areas; • Equitable public access is provided to lakes, beaches, and other major natural features; • Conservation areas and critical habitat are protected from over-use and negative impacts; • An interconnected network of shaded and safe bikeways and trails connect to parks, neighborhoods, schools, employment centers, civic buildings, and other community destinations; • Existing streets are transformed into tree-lined boulevards and parkways that define the County's urban form; • Bus transit is provided to every park and civic site; • Public art, signage, and cultural/historical exhibits are integrated into every park and public realm/infrastructure project to "tell the County's story" and to create a sense of place; • The County's significant cultural and historical sites are protected, maintained, and promoted; • Park improvements are used as catalysts for neighborhood stabilization and/or redevelopment; • Parks are designed to reduce energy and water consumption, and to serve as models for sustainable development countywide; • Parks are designed to be flexible in order to accommodate ever-changing recreation trends and demographics; and • Residents of surrounding neighborhoods are engaged in the planning and design of each park. <p>The BCC approved the Open Space Master Plan on February 19, 2008, through Resolution No. R-171-08.</p>
3A 162383	RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00318 TO WESTREC MANAGEMENT, INC. FOR OPERATION AND MANAGEMENT OF THE CRANDON PARK MARINA CONCESSION AND FUEL SERVICES FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT WITH AN ESTIMATED REVENUE TO THE COUNTY IN AN AMOUNT OF UP TO \$2,292,000.00 FOR THE INITIAL FIVE-YEAR TERM AND ONE, FIVE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING ANY CANCELLATION, RENEWAL AND

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	EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38
Notes	<p>The proposed resolution approves award of Contract No. RFP-00318, Operation of Crandon Park Marina Concession and Fuel Services, to Westrec Marina Management, Inc. (Westrec) for the Parks, Recreation and Open Spaces Department.</p> <p>Under the contract, Westrec is responsible for the operation and management of the marina and fuel dock at Crandon Park. More specifically, Westrec will operate and manage the park's bait and tackle shop, boat rental facility, and fuel dock. All operational and management activity will be performed in conformance with the Crandon Park Master Plan.</p> <p><u>Fiscal Impact/Funding Source</u> The fiscal impact from estimated revenues during the five-year initial term is \$1,012,000. Should the County choose to exercise, at its sole discretion, the one (1), five-year option to renew, the contract's estimated cumulative revenue would be \$2,292,000. The revenue projections are based on a guaranteed monthly fee for operation of the shop and boat rental plus 10 percent of monthly gross receipts from goods and services sold at the shop, boat rental, and fuel dock.</p> <p><u>Vendor Recommended for Award</u> A Request for Proposals was issued under full and open competition on February 25, 2016. The Request for Proposals method of award was used to obtain the best value for the County by conducting a qualitative review of proposals, including qualifications, experience, and financial capability. One (1) proposal was received in response to the solicitation.</p> <p>Westrec Marina Management, Inc.</p> <ul style="list-style-type: none"> • 16633 Ventura Boulevard, Sixth Floor, Encino, CA • 801 NE Third Street, Dania Beach, FL 19 <p>Number of Employee Residents</p> <ul style="list-style-type: none"> • Miami-Dade County – 19 • Broward County – 61 • Percentage – 18%
3B 162384	RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00181 TO MIAMI-KITE BOARDING, INC. FOR OPERATION OF A WATERSPORTS CONCESSION AT CRANDON PARK FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT WITH AN ESTIMATED REVENUE TO THE COUNTY IN AN AMOUNT OF UP TO \$1,690,000.00 FOR THE INITIAL FIVE-YEAR TERM AND TWO, TWO-YEAR OPTION TO RENEW TERMS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38
Notes	<p>The proposed resolution approves award of Contract No. RFP-00181, Operation of Watersports Concession at Crandon Park, to Miami-Kite Boarding, Inc. for the Parks, Recreation and Open Spaces Department.</p> <p>Under the contract, Miami-Kite Boarding, Inc. is responsible for the operation and management of a watersports concession at Crandon Park. Operational activities include a diverse array of programs and services associated with the watersports industry, such as stand-up paddleboard rentals and instruction, kite boarding rentals and instruction, and kayak rentals. The contract allows for the sale of non-alcoholic beverages and prepackaged snacks to concession customers. All operational and management activity will be performed in conformance with the Crandon Park Master Plan.</p> <p><u>Fiscal Impact/Funding Source</u> The estimated revenue for the five-year term is \$890,000. Should the County elect to exercise, at its sole discretion, the two (2), two-year options to renew, the estimated cumulative revenue will be \$1,690,000. The estimated revenues are based on a guaranteed monthly rent of \$2,500 for the first two (2) years of the initial term and \$3,500</p>

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	<p>thereafter, including both option to renew terms. In addition, Miami-Kite Boarding, Inc. will pay the County 15 percent of the total monthly gross receipts for the entire term.</p> <p><u>Vendor Recommended for Award</u> A Request for Proposals was issued under full and open competition on December 29, 2015. Three (3) proposals were received in response to the solicitation. The Request for Proposals method was used to obtain the best value for the County by conducting a qualitative review of proposals, including qualifications, experience, technical capability, project approach, and pricing.</p> <p><u>Miami-Kite Boarding, Inc. (SBE)</u> 6747 Crandon Boulevard, North Beach, Crandon Park, Key Biscayne, FL</p> <p>Number of Employee Residents</p> <ul style="list-style-type: none"> • Miami-Dade County – 3 • Broward County – 0 • Percentage – 100% <p><u>Vendors Not Recommended for Award</u> Adventure Sports, Inc. and Beachlife, LLC d/b/a TKS Miami were not recommended for award due to evaluation scores and ranking.</p>
<p>3D 162711</p>	<p>RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF 3201 COLLINS AVENUE, MIAMI BEACH, FLORIDA, PURSUANT TO FLORIDA STATUTES SECTION 196.1997 AND SECTION 16A-18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE MAYOR OR DESIGNEE TO EXECUTE AND RECORD COVENANT; AND AUTHORIZING MAYOR OR DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN</p>
<p>Notes</p>	<p>The proposed resolution authorizes the ad valorem tax exemption for the property located at 3201 Collins Avenue, Miami Beach, Florida, pursuant to the provisions of Florida Statutes Section 196.1997 and Section 16A-18 of the Code of Miami-Dade County.</p> <p>The Saxony Hotel was built in 1948 and was designed by architect Roy F. France. The building was listed as a locally significant landmark by the City of Miami Beach and is also a contributing structure within the Collins Waterfront Historic District.</p> <p>The current owners bought the building in 2010, but the previous owner had already started some of the renovations that were left incomplete. The current owners found that windows had been removed, the interiors had been stripped, and balcony walls were removed. All new code compliant windows installed matched the original window configurations, balconies were reconstructed, and the original Saxony signage that was previously removed was restored and reinstalled in its original location on the southwest rooftop corner.</p> <p>Part II of the application indicates that the amount spent by the property owner on the total renovation was \$52,000,000, of which the Property Appraiser's office determined that the taxable value of the qualifying improvements was \$30,715,982.</p> <p><u>Fiscal Impact/Funding Source</u> The annual amount of ad valorem taxes to be exempted for the ten-year period is determined by applying the countywide operating millage against the taxable value of the qualifying improvements to the property. The ad valorem tax exemption is not applicable to other taxing authorities. Based on this methodology, the estimated tax exemption for one (1) year is \$143,348 as provided by the Property Appraiser.</p> <p>However, the annual value of the tax exemption during the ten-year period may fluctuate based on adjustments to either the countywide operating millage or the Property Appraiser's taxable value of the qualifying improvements to the property. Countywide operating ad valorem property taxes will still be assessed and collected on the remaining taxable value that did not qualify for the exemption. Following the ten-year incentive period, the County will begin to assess and collect the countywide operating millage on the full value of the property, inclusive of the previous exempt improvements.</p>

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	<p>The tax exemption takes effect on January 1 following substantial completion of the improvement and extends for a ten-year period, which for this property will begin on January 1, 2016 and end on December 31, 2025. Failure by the owners to adhere to these standards would result in revocation of the exemption.</p> <p><u>Background</u></p> <p>In 1993, the State of Florida legislature approved tax exemptions for historic properties and enable local governments the option to provide this property tax exemption for eligible historic properties.</p> <p>The purpose of this legislation is to encourage the preservation of historic buildings by offering an economic incentive to those property owners that take on the responsibility of restoring and maintaining a designated historic structure. The exemption is not for the entire assessed value of the property. The tax exemptions are calculated from what the value of the renovations to the historic property were, and only apply to the Countywide portion of the property's tax bill. An exemption may also be granted on the municipal portion of the property tax bill if approved by the respective municipality. Furthermore, all applicants must meet certain criteria as set forth by the Florida Department of State, Division of Historical Resources, in order for a tax exemption to be allowed, including:</p> <ul style="list-style-type: none"> • Certification that the property has been designated historic by the applicable preservation board; • Certification that the property has received approval for the improvements by the applicable preservation board; and • A determination that the planned improvements are consistent with the Secretary of the Interior's Standards for Rehabilitation. <p>To obtain the County's ad valorem tax exemption, Part I of the application (construction plans) must be submitted prior to construction to ensure adherence to the rehabilitation standards. When the project is complete, the owner/applicant must submit Part II of the application (post-construction documentation) to the County along with a signed covenant. The local preservation officer must also review and authorize the work for Part I and Part II of the application.</p> <p>Upon review and approval of Part II, the item can then be placed on the County's Historic Preservation Board agenda. The Property Appraiser prepares the Revenue Implications Report when they consider the project substantially complete, and provides this report to the County's Office of Historic Preservation. The tax exemption is calculated using the millage rate for the year in which the project was completed.</p>
<p>3E 162705</p>	<p>RESOLUTION APPROVING POLICY WITH RESPECT TO DISTRIBUTION OF COMPLIMENTARY TICKETS FOR 2017 MIAMI OPEN TENNIS TOURNAMENT SPONSORSHIP BENEFITS PACKAGE AND 2017 MIAMI MARLINS BASEBALL SEASON</p>
<p>Notes</p>	<p>The proposed resolution approves a ticket distribution policy for the 2017 Miami Open tennis tournament and the 2017 Miami Marlins baseball season.</p> <p><u>Background</u></p> <p>The Miami-Dade Commission on Ethics and Public Trust approved a report regarding complimentary event tickets on March 1, 2012 titled "Guidelines and Recommendations Regarding 'Public Benefit' Clauses in Certain Government Contracts", and issued an addendum on March 29, 2012 clarifying "official function". On June 11, 2012, the County Mayor provided a report to the BCC that contained a summary of current agreements between the County and other entities which provide for complimentary tickets as well as other events/facilities for which the County also customarily receives complimentary tickets.</p> <p>Miami Open</p> <p>The current license agreement in effect between the County and International Players Championships, Inc. (IPC) for the annual tennis tournament at the Crandon Park Tennis Center was approved by the BCC under Resolution No. R-891-86 and was amended twice via Resolution No. R-712-88 and Resolution No. R-1187-90.</p> <p>Beginning in 2012 and through the 2016 Miami Open, the BCC has annually approved a policy to receive a payment from IPC in lieu of the allotment of courtside boxes, tickets, and passes, and in 2016 the County received a payment of \$102,000.00 from IPC under BCC Resolution No. R-207-16. IPC has informed PROS that for the 2017 Miami Open it will provide the allotment of courtside boxes, tickets, and passes instead of a payment to the County, as is</p>

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	<p>allowed under the current agreement in effect. The 2017 Miami Open runs from March 20 to April 2 and includes 24 sessions over 14 days. The County allotment consists of:</p> <ul style="list-style-type: none"> • 38 courtside box seats for all 24 sessions, or 912 tickets; • 24 inner circle reserved seat tickets for all 24 sessions or 576 tickets; • Up to 200 reserved seats to be used for sessions one through eight; • 16 VIP tennis center on-site parking passes; and • 32 VIP parking passes for parking lot 3 at Crandon Park. <p>Miami Marlins</p> <p>The Operating Agreement between the County and the Marlins Stadium Operator, LLC (Operator) for the Marlins Ballpark was approved by the BCC on March 23, 2009 under Resolution No. R-318-09. Section 7.3 of the Operating Agreement between the County and the Operator requires the Operator to provide the County and the City of Miami (City) a standard suite for public or charity use for 40 regular Major League Baseball home games each, with the home opener being shared by the County and the City. Each game represents 16 standard suite tickets and four (4) parking spaces. The home opener game represents eight (8) tickets and two (2) parking spaces each, for the County and the City.</p> <p>The contractual County ticket allocation for the entire 2017 Miami Marlins baseball season is 664 suite tickets for 40 home regular season games (16 tickets per game), and shared allocation with the City for the home opening day game (eight (8) County and eight (8) City), and one (1) exhibition game (16 tickets). Of the 16 Miami Marlins per-game tickets, two (2) will be reserved for the organization's chaperones, and 14 will be reserved for the organization's members. For the 2016 baseball season, the BCC directed the Clerk of the Board to conduct a ticket lottery for distribution of the County tickets. The ticket lottery was conducted and tickets were allocated to the Mayor and the 12 Commissioners who opted to participate. Tickets were distributed to youth participating in little league or some other charitable organization identified by the District Commissioner.</p> <p>Distribution via Random Lottery</p> <p>For the 2017 Miami Marlins baseball season and Miami Open tennis tournament it is recommended that the County use a ticket lottery procedure similar to that used for the 2016 allocation of the Miami Marlins tickets and to include the Mayor and the Commissioners that choose to participate.</p> <p>County Commissioners and the County Mayor are to advise the Clerk of the Board in writing as to his/her participation in the lottery and the organizations to which they want tickets distributed. The Clerk of the Board will distribute the tickets from the Clerk's Office, located at the Stephen P. Clark Center, 17 Floor, and will require that any recipient receiving the tickets present his or her driver's license or identification card with photo and sign for the package.</p> <p>Other Agreements</p> <p>With respect to the other events, facilities and activities the County has a partnership in, such as the City of Homestead/Homestead-Miami Speedway, Santa's Enchanted Forest, and Miami-Dade County Fair & Expo. Inc., and for which the County receives complimentary tickets, the BCC approved a policy and process for distribution of these tickets at its January 23, 2013 meeting under Resolution No. R-24-13. This policy and procedure will be continued and in effect.</p>