



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

Board of County Commissioners (BCC) Meeting

November 7, 2017
9:30 A.M.
Commission Chambers

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**BCC Meeting: November 7, 2017
Research Notes**

Item No. 3B1

File No. 172059

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING TERMS OF AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR \$20,725,631.00 IN PUBLIC TRANSIT BLOCK GRANT PROGRAM FUNDS FOR TRANSIT BUS SERVICE OPERATING ASSISTANCE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE AGREEMENT; AND AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD THEY BECOME AVAILABLE

ISSUE/REQUESTED ACTION

Whether the Board should approve the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDT), to provide \$20,725,631 in grant program funding, that the County will have to match.

APPLICABLE LEGISLATION/POLICY

Section 2-285 (6) of the County Code prescribes the power of the County Mayor to execute state joint participation agreements subject to Board ratification.

http://miamidade.fl.elaws.us/code/coor/coor_ptiii_ch2_artxxxii_sec2-285/

PROCEDURAL HISTORY

The item was reviewed by the County Attorney's office. This is a consent item that requires no committee approval nor a sponsor.

In the memorandum from Charles Scurr, Executive Director of the Citizen's Independent Transportation Trust (CITT), it is stated that on October 12, 2017, the CITT voted (9-0) to forward a favorable recommendation to The Board for the approval of the item. (CITT Resolution No. 17-054).

FISCAL IMPACT

The total funding from the state, provided by this JPA is \$20,725,631. According to the agreement, the County is required to match the value of the grant funding (\$20,725,631) to total \$41,451,262.

The funding will come from the Department of Transportation and Public Works (DTPW) operating funds, as already approved by the Board in the County's Fiscal Year 2017-2018 DTPW Operating Budget.

ANALYSIS

The agreement details the procedures for auditing of the department, and allows for visits from the FDT. It also provides the guidelines for insurance, invoices, limits to the funds, and actions for termination or suspension of project. The funds used for the operating costs will minimize the effects of budget cuts to the DTPW, by maintaining transportation routes open.

The Public Transit Block Grant Program, established in 1989, allows for the State government to fund up to 50% of capital projects or operation costs to transit providers across the State of Florida. There are several cities within the

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County that have recent similar JPA agreements with the Florida Department of Transportation, including City of Miami and City of Miami Beach.

FDT JPA with City of Miami:

<http://egov.ci.miami.fl.us/Legistarweb/Attachments/56726.pdf>

FDT JPA with City of Miami Beach:

<https://miamibeach.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=2970&MeetingID=292>

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Item No. 3B2

File No. 172379

Researcher: SM Reviewer: TD

RESOLUTION RATIFYING ACCEPTANCE AND EXECUTION BY THE COUNTY MAYOR'S DESIGNEE OF GRANT AGREEMENT NO. 3-12-0050-012-2017 WITH THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$3,126,600.00 TO MODIFY TAXIWAYS "A" AND "D" AND THE TAXIWAY CONNECTOR AT MIAMI EXECUTIVE AIRPORT

ISSUE/REQUESTED ACTION

Whether the Board should ratify the actions of the County Mayor's designee, in accepting and executing Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0050-012-2017 in the amount of \$3,126,600 to modify Miami Executive Airport (TMB) Taxiways "A" and "D" and the Taxiway Connector.

APPLICABLE LEGISLATION/POLICY

Section 2-285(6) - of the County Code governs the County Manager's authority as to contracts for the Aviation Department. The County Manager may execute all standard form federal grant documents or state joint participation agreements, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits. See link below:

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTXXXIIIVDE_S2-285COMAAUCOAVDE

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The Federal Aviation Administration (FAA) will contribute \$3,126,600 toward the total project cost of \$3,494,000. The Florida Department of Transportation (FDOT) is providing funding of \$293,920, and MDAD's Reserve Maintenance Fund will cover the remaining \$73,480.

ANALYSIS

This item is brought to the Board relating to ratifying acceptance and execution by the County Mayor's designee of grant agreement no. 3-12-0050-012-2017 On June 27, 2017, Miami-Dade Aviation Department submitted a grant application for federal assistance to reconfigure TMB's Taxiways "A" and "D" at the entrance points of Runways 9L and 13 to comply with the FAA's Runway Incursion Mitigation Program. The project also includes construction of an additional north-south taxiway and an aircraft engine run-up area.

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Item No. 3B3

File No. 172377

Researcher: SM Reviewer: TD

RESOLUTION RATIFYING A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND UNITED STATES CUSTOMS AND BORDER PROTECTION FOR COSTS OF EQUIPMENT INSTALLATION AND MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$417,337.50, PLUS COSTS FOR EQUIPMENT UPGRADES AT MIAMI INTERNATIONAL AIRPORT'S FEDERAL INSPECTION SERVICES CONCOURSE E LOCATION; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENFORCE SAME AND EXERCISE THE RIGHTS AND PROVISIONS THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should ratify the actions of the County Mayor's designee entering into a Memorandum of Agreement (MOA) between Miami-Dade County and the U.S. Customs and Border Protection (CBP) for costs of equipment installation and maintenance for equipment upgrades at Miami International Airport.

APPLICABLE LEGISLATION/POLICY

Section 2-8.3 of the County Code – Manager's recommendation. The Commission, by two-thirds (2/3) vote of the members present, may waive the requirements of this section. The foregoing notwithstanding, the requirements of this section shall not apply to contracts or purchases which the County Manager has the delegated authority to award under Section 2-8.1(b) of this Code. See link below:

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.3MARE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.3MARE).

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

Miami-Dade Aviation Department (MDAD) will reimburse CBP for the ordering, installation and maintenance costs of the equipment required to maintain continuous CBP operations in the reopened Federal Inspection Services (FIS), Concourse E location at Miami International Airport (MIA). The estimated costs shall not exceed \$417,337.50. The funds will be drawn from MDAD's reserve maintenance budget.

ANALYSIS

The item is being brought forth to the Board so that they may ratify the actions of the County Mayor's designee entering into the aforementioned MOA. (CBP is now requiring airports to pay for the equipment. CBP will retain ownership of all equipment until it vacates the premises at which time it will transfer ownership and rights to MDAD). In the past, CBP had funded and procured the equipment it needed to operate at the airports around the county.

Departmental Input(Answers from Department in **Bold**):

1. Why is MDAD reimbursing CBP for ordering, installation and maintenance costs of the equipment required to support CBP operations?

One of the basic requirements that must be met for an airport to be designated as a CBP port of entry includes providing CBP with their computer equipment to clear international

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arriving passengers. The day to day maintenance of the computer equipment will be done by CBP.

2. The mayoral memorandum indicates CBP owns the equipment until it vacates the premises; when is this anticipated to occur and what are the implications for continuity of federal inspection services?

There has been no discussions regarding CBP vacating MIA as we would not be able to arrive international passengers.

3. How will the equipment be procured and maintained?

CBP will order the computer equipment through their own procurement process and they will maintain and install the equipment.

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Item No. 4A

File No. 172445

Researcher: SAP Reviewer: TD

ORDINANCE RELATING TO OVERNIGHT CAMPING ON COUNTY PROPERTY: AMENDING SECTION 21-286 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AN EXCEPTION TO THE REQUIREMENT THAT LAW ENFORCEMENT GIVE VIOLATORS THE OPPORTUNITY TO GO TO A HOMELESS SHELTER RELATED TO SEXUAL PREDATORS, SEXUAL OFFENDERS AND CERTAIN OTHER PERSONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Article XVIII Section 21-286 of the Code relating to prohibitions on overnight camping and County property and the requirement that law enforcement give violators the opportunity to go to a homeless shelter.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code of Ordinances, Article XVIII Section 21-286 governing Prohibition on Overnight Camping http://miamidade.fl.elaws.us/code/coor_ptiii_ch21_artxviii_sec21-286

ANALYSIS

The proposed ordinance amends Chapter 21-286 of the Code of Miami-Dade County, Florida, prohibiting overnight camping on county property and also to give violators the opportunity to go to a Homeless Shelter related to sexual predators and sexual offenders. Overnight camping is defined as the use of outdoor space for living accommodation purposes involving the erection of structures such as the setting up of any tents, shacks, or shelters for sleeping activities from the hours of sunset to sunrise.

County property is an inappropriate setting for overnight camping activities for reasons that include, but are not limited to, the lack of adequate means for disposing of waste and access to utilities. The County has an obligation to maintain its property clean, safe and publicly accessible in accordance with the requirements of law. The requirement to offer homeless persons violating the prohibition an opportunity to go to a homeless shelter has proven unworkable, unduly burdensome on law enforcement, and has rendered the prohibition meaningless when the homeless person is a sexual predator, sexual offender, or is otherwise ineligible to stay at homeless shelters. With approval of this ordinance, the County will help ensure the proper aesthetic maintenance and safety of our properties and facilities.

Excerpts from Recent News Articles on Sex Offenders and Homelessness

- Miami Times, *Hundreds of Miami Sex Offenders Live in a Squalid Tent City near Hialeah, August 8, 2017*
Over the past few months, Medina has lost 40 percent of his regulars, including many families that are afraid to bring their children to the area or to park their cars out front, he says. Though the place used to make about \$8,000 every week, it's now down to \$3,000, which must be split among the restaurant's five employees. Medina attributes the parlor's drop in customers to one problem. Less than a block away, pitched along both sides of the road, are 28 camping tents. In them live scores of registered sex offenders.

The encampment is the result of a 2005 County law, much stricter than a similar measure passed by the state ten years earlier that imposes restrictions on where sexual offenders and predators may live. It eliminated many residential neighborhoods, public housing complexes, and homeless shelters. So the offenders were exiled to live under a Dolphin Expressway overpass, then the Julia Causeway, and a spot near the Miami

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River in 2014, the colony moved to this block between train tracks in the warehouse district. No one argues that their crimes, which include everything from sexting with minors on dating apps to raping children, aren't serious. But critics of the camp consider it an outrage that human beings are forced to live in such horrendous conditions.

<http://www.miaminewtimes.com/news/south-beach-loves-ball-stretchers-bondage-sex-toys-9792810>

- Miami Herald. *Tent Camp of Homeless Sex Offenders Near Hialeah*. August 22, 2017
Recently police officers and social workers visited the roughly 30 tents set up near warehouses that sit by railroad tracks outside Hialeah's city limits, the legally registered homes of almost 300 people convicted of sex offenses against minors and barred from living within 2,500 feet of schools, parks, daycare centers and other places where children congregate. Homeless Trust workers alongside city employees and police officers canvassed the tents Monday night, August 21, 2017, to talk to their occupants about finding them places that don't conflict with County rules on how close offenders can be to schools and parks.

Ron Book said that about 270 offenders are registered as living in the tent village outside Hialeah, sitting on either side of the 3500 block of Northwest 71st Street. There is no electricity, running water or bathroom facilities, leading to complaints of human waste being tossed roadside and around the warehouses whose fences front the tents. Others use bathrooms at a Walmart and a Walgreens about a mile away. The 2,500-foot restriction is far tougher than Florida's 1,000-foot rule but matches the limit for some local governments across the country, including Lake County near Orlando and Pasco County north of Tampa. In dense Miami-Dade, hemmed in by the Everglades and the Atlantic Ocean, the 2,500-foot rule eliminates wide swaths of Miami-Dade's housing stock as an option. The county also bars sex offenders from homeless shelters where families are housed, making most of the tax-funded emergency housing off-limits, too.

<http://www.miamiherald.com/news/local/community/miami-dade/article168569977.html>

- WLRN, *During Hurricane Irma, Registered Sex Offenders Struggle To Find Shelter*, September 10, 2017
In an evacuation like the ones that have been called across Florida, that becomes extremely difficult, and it does not appear as if the state has a plan in place for those individuals. Most hurricane shelters do not allow sex offenders to stay there. On the intake sheet in Broward County, there is a check box asking if you are an individual required to register your location with local law enforcement. These stem from safety concerns for the other people—many families with children—who come to these shelters for help. "So the solution in Florida has been for anybody who's in an evacuation zone or is homeless or has nowhere to go, they can be sheltered in the jails."

The Department Of Corrections (DOC) says they accept individuals who are on active probation, individuals who are under their supervision. DOC did not confirm if they would take individuals who were off probation, but face similar residency restrictions.

<http://wlrn.org/post/during-hurricane-irma-registered-sex-offenders-struggle-find-shelter>

Monroe County Parks

Public campgrounds are available in Monroe County including four Youth/Scout Group camping areas (at Greece Canal, Mendon Ponds, Northampton, or Webster Parks). Youth/Scout Camping is available all year-round; *however, park occupants are not permitted to sleep overnight in any park Shelter or Lodge, or in any Cabin in Webster Park.*

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Item No. 4B

File No. 172437

Researcher: AIP Reviewer: TD

ORDINANCE RELATING TO ANIMALS; AMENDING SECTIONS 5-5 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROHIBITING ADOPTION OF ANIMALS FROM THE COUNTY'S PET ADOPTION AND PROTECTION CENTER BY INDIVIDUALS ADJUDICATED OF COMMITTING CERTAIN ANIMAL-RELATED OFFENSES; CLARIFYING ANIMAL SERVICES DEPARTMENT DIRECTOR'S DISCRETION TO REFUSE ADOPTION OR TRANSFER FOR OTHER REASONS TO PROTECT HEALTH, SAFETY, OR WELFARE OF PEOPLE OR ANIMALS; PROVIDING FOR APPEAL OF ADOPTION OR TRANSFER REFUSAL; DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COORDINATE WITH THE CLERK OF COURTS AND THE MIAMI-DADE COUNTY STATE ATTORNEY'S OFFICE REGARDING INFORMATION ON ANIMAL-RELATED OFFENSES AND TO REPORT TO THE BOARD WITHIN A SPECIFIED TIME FRAME; PROVIDING FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve the ordinance, which amends sections of the County Code, in order to prohibit certain individuals from adopting an animal from Animal Services Department, and enforce this through civil penalty.

APPLICABLE LEGISLATION/POLICY

The ordinance amends the following sections of the County Code:

Section 5-5 of the County Code (Adoption of animals from the department; sterilization requirements; requirements for animal rescue organizations; authority to negotiate and enter into agreements.)

<http://www.miamidade.gov/animals/library/chapter-5.pdf>

Section 8CC-10 of the County Code (Schedule of civil penalties).

http://miamidade.fl.elaws.us/code/coor_ptiii_ch8cc_sec8cc-10

PROCEDURAL HISTORY

This item was introduced on October, 26, 2017. It has no procedural history.

FISCAL IMPACT

There is no fiscal impact associated to this item.

ANALYSIS

This item allows the Animal Services Department to prohibit certain individuals found to have abused animals, from adopting an animal. This insures the safety of both animals and people, and helps prevent future cases of animal abuse. OCA found no similar ordinance in Broward County's County Code, but in Palm Beach County Code, Section 4-12 (d) explicitly states that:

“The Division shall have the authority to approve or decline the adoption or release of any animal in its custody or responsibility. At its discretion, the Division may refuse an adoption or the release of an animal if it is determined

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that the adoption or release is not in the best interest of the animal or the health, safety and general welfare of the public. Factors to be considered may include, but are not limited to the following:

- (1) Property and/or lease restrictions.
- (2) Insufficient personal identification or address verification.
- (3) Previous or current reported animal offenses or citations.
- (4) Failure to fulfill requirements of previous animal adoptions.
- (5) Number of animals presently owned.
- (6) Conditions under which animals are to be housed.
- (7) Disposition/temperament of animal to be adopted.
- (8) Observations and determination of field investigator.
- (9) Prior convictions for animal cruelty or abuse.
- (10) Prior removal of an animal for neglect or mistreatment under F.S. § 828.073.
- (11) Relinquishment of ownership of an animal(s) within the past year or history of relinquishing ownership of animal(s) on more than one (1) occasion.
- (12) Outstanding fees, costs or fines owed to the Division.”

Similar ordinances and/or efforts have been made in Orange County and Marion County, as well as in other states such as Arizona and Michigan. In Marion County, about 60 miles north Orlando, “Molly’s Law” was spurred by the case of a man who was convicted of abuse after beating his dog, Molly, and then wanted to adopt another dog after getting out of jail. Furthermore, back 2015, New York City started an animal abuser “do-not-adopt” blacklist; this registry is managed by the city Health Department.

Broward adoption ordinances:

https://library.municode.com/fl/broward_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH4DOCA_S4-7ADREDOCA

Palm Beach County Code:

https://library.municode.com/fl/palm_beach_county/codes/code_of_ordinances?nodeId=PABECOCO_CH4AN_S4-12READ

<http://discover.pbcgov.org/publicsafety/animalcare/Pages/Ordinance.aspx>

Orange County and Marion County:

<http://www.orlandosentinel.com/news/politics/political-pulse/os-orange-animal-abuse-mollys-law-20170314-story.html>

Arizona:

<http://www.wsmv.com/story/29855619/pacc-working-to-prevent-animal-abusers-from-adopting>

Michigan:

http://www.mlive.com/news/saginaw/index.ssf/2016/02/bills_aimed_at_stopping_abuser.html

New York City:

<http://www.nydailynews.com/new-york/nyc-crime/new-york-city-starts-animal-abuser-do-not-adopt-blacklist-article-1.2308990>

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Item No. 4C

File No. 172438

Researcher: NR Reviewer: TD

ORDINANCE RELATING TO ENVIRONMENTAL PERMITTING OF WORK IN TIDAL WATERS, BAY BOTTOM LANDS, AND WETLANDS AND MARINE FACILITIES OPERATING PERMITS; AMENDING SECTIONS 24-5, 24-48 AND 24-48.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING SECTION 24-48.221 OF THE CODE; ADDING DEFINITION; PROHIBITING THE USE OF UNENCAPSULATED POLYSTYRENE IN CONNECTION WITH MIAMI-DADE COUNTY CLASS I PERMITS AND PERMIT EXEMPTIONS; REQUIRING MARINE FACILITIES TO REPAIR OR REPLACE UNENCAPSULATED POLYSTYRENE THAT HAS EVIDENCE OF DEGRADATION, SHREDDING, OR OTHER DAMAGE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Ordinance relating to environmental permitting of work in tidal waters, bay bottom lands, and wetlands and marine facilities operating permits; amending sections 24-5, 24-48 and 24-48.3 of the Code; creating section 24-48.221 of the Code; adding definition, prohibiting the use of un-encapsulated polystyrene in connection with Miami-Dade County Class I Permits and permit exemptions; requiring marine facilities to repair or replace un-encapsulated polystyrene that has evidence of degradation, shredding, or other damage.

APPLICABLE LEGISLATION/POLICY

County Code Section 24-5 (Definitions) <http://miamidade.fl.elaws.us/code/cid10620/24-5/>

County Code Section 24-48 (Permit required; expedited administrative authorizations; exceptions; work standards; compliance with work standards, suspension of permit)

http://miamidade.fl.elaws.us/code/coor_ptiii_ch24_artiv_div1_sec24-48

County Code Section 24-48.3 (Factors for evaluation of permit applications; incomplete permit applications)

http://miamidade.fl.elaws.us/code/coor_ptiii_ch24_artiv_div1_sec24-48.3

FISCAL IMPACT

None stated in the item

ANALYSIS

This ordinance relating to polystyrene, known commonly by the brand name Styrofoam, is proposed to be amended. Note: Below are the material revisions to the Code which are underlined.

Section 1. Section 24-5 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 24-5. Definitions.

Unencapsulated polystyrene shall mean polystyrene that is not fully enclosed in material that reduces the chance that it can be released into tidal waters if the polystyrene is degraded or damaged.

Section 2. Section 24-48 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

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Sec. 24-48. Permit required; expedited administrative authorizations; exceptions; work standards; compliance with work standards, suspension of permit.

- (1) This section shall not apply to (i) work in treatment facilities or their ancillary facilities such as, but not limited to cooling canals or polishing ponds or (ii) the following projects provided that unencapsulated polystyrene shall not be used or installed:
- (2) The following activities shall not require a permit and shall be eligible to receive a written expedited administrative authorization, provided (i) the Department determines that the work meets one of the criteria set forth herein below in subsections (a)-(g) and will not result in adverse environmental impacts, and (ii) unencapsulated polystyrene shall not be used or installed in connection with the work.

Section 3. Section 24-48.3 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 24-48.3. Factors for evaluation of permit applications; incomplete permit applications.

9) In addition to the applicable evaluation factors contained in subsection (1)(a) through (i) above, the use or installation of unencapsulated polystyrene shall be prohibited in connection with any work requiring a class I permit.

Section 4. Section 24-48.221 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

Sec. 24-48.221. Degraded polystyrene.

For all facilities which are subject to a County marine facilities operating permit pursuant to this chapter, such permit shall require the removal, replacement or repair of any unencapsulated polystyrene where such polystyrene shows evidence of degradation, disintegration, shredding, or other damage, as determined in the discretion of the Director.

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Item No. 4D

File No. 172414

Researcher: SM Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING ARTICLES XXXIII(K), XXXIII(R), AND XXXIII(S) OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING GAS AND SERVICE STATIONS IN ADDITIONAL LAND USE CATEGORIES SUBJECT TO CONDITIONS UNDER THE COUNTY'S STANDARD URBAN CENTER DISTRICT REGULATIONS AND IN THE MODEL CITY URBAN CENTER AND NORTH CENTRAL URBAN AREA DISTRICTS; AMENDING DEFINITIONS RELATING TO BUILDING FRONTAGE; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This Ordinance relates to zoning; amending articles XXXIII(K), XXXIII(R), and XXXIII(S) of chapter 33 of the Code Of Miami-Dade County, Florida.

APPLICABLE LEGISLATION/POLICY

Articles XXXIII(K), XXXIII(R), AND XXXIII(S) of Chapter 33 of the Code Of Miami-Dade County, Florida.

See link:

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXIII_R_MOURCEDIMC

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

Fiscal Impact pertains to Urban Center zoning districts.

ANALYSIS

This Board wishes to provide for greater availability of gasoline service stations within the County's Urban Center zoning districts in the broader Mixed-Use Corridor land use category. The County has established Urban Center zoning districts, which, as set forth in the County's Comprehensive Development Master Plan, are intended to be developed in "a more compact and efficient urban structure" and "to be moderate-to-high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically"; and , Urban Centers are designed to emphasize pedestrian- and transit-oriented development and to de-emphasize reliance on automobiles.

The Urban Center zoning regulations accordingly restrict the development of gasoline service stations to certain mixed-use industrial areas and a limited mixed-use category; ensuring sufficient availability of gasoline and gasoline service stations is important to the public health, safety, and welfare of Miami-Dade County and its residents, particularly in the event of an emergency evacuation such as occurred in preparation for Hurricane Irma in September 2017.

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Item No. 4E

File No. 172453

Researcher: NR Reviewer: TD

ORDINANCE RELATING TO THE INDEPENDENT REVIEW PANEL; AMENDING CHAPTER 2, ARTICLE IC OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CHANGING THE NAME OF THE INDEPENDENT REVIEW PANEL TO THE INDEPENDENT COMMUNITY PANEL; AMENDING THE COMPOSITION, AUTHORITY, POWERS, AND STAFFING OF THE INDEPENDENT REVIEW PANEL; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Ordinance relating to the Independent Review Panel; amending Chapter 2, Article IC of the Miami-Dade Code; changing the name of the Independent Review Panel to the Independent Community Panel; amending the composition, authority, powers, and staffing of the Independent Review Plan.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-1075-16, (<http://intra/gia/matter.asp?matter=162943&file=false&yearFolder=Y2016>) created the Miami-Dade County Independent Review Panel Working Group (“Working Group”) and charged it with:

1. Reviewing Article IC – Independent Review Panel - of the Code of Miami-Dade County;
http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artic
2. Analyzing the history and effectiveness of the Independent Review Panel.

PROCEDURAL HISTORY - N/A

FISCAL IMPACT

None stated in the item

ANALYSIS

The purpose of this article is to create a mechanism for external community fact-finding and dispute resolution. It is the intent of the Board that the impartial review panel created by this article conduct independent reviews and hold public hearings concerning complaints or grievances made against an employee, agency or instrumentality of the County.

This ordinance relating to the Independent Review Panel. Below are the material revisions to the Code. Note: (amendments are underlined), and deletions are [[double bracketed]]

Sec. 2-11.43. - Composition; appointment and terms of office; compensation; oath; attendance at meetings, vacancies.

(A) The Panel shall consist of [[nine]] thirteen members, each of whom is a qualified elector of Miami-Dade County and possesses a reputation for civic pride, integrity, responsibility and has demonstrated an active interest in public affairs and service.

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(1) Members:

(a) In order to secure representative membership on the Panel, each of the following ~~[[five]]~~ eleven community groups or organizations shall submit a list containing the names of three (3) qualified persons and the Board of County Commissioners shall select one (1) panel member from each of the ~~[[five]]~~ eleven lists:

(i) The ~~[[Community Relations Board]]~~ American Civil Liberties Union of Greater Miami

(ii) The ~~[[Community Action Agency]]~~ Miami-Dade Branch of the National Association for the Advancement of Colored People

(iii) The ~~[[Miami-Dade County League of Women Voters]]~~ Spanish American League Against Discrimination

(iv) The ~~[[Miami-Dade County Bar Association]]~~ Florida Immigrant Coalition

(v) The Miami-Dade County Association of Chiefs of Police ~~[[Chiefs' Association]]~~. ~~[[Each nominee by the Miami-Dade Police Chiefs' Association shall be an Association member.]]~~ In the event the Panel is investigating an incident involving the jurisdiction employing this appointee, the Miami-Dade County Association of Chiefs of Police ~~[[Chiefs' Association]]~~ shall submit the names of three (3) different members for an appointment as a substitute until the conclusion of the investigation. In the event that none of the three (3) nominees meets with County Commission approval, the nominating entity shall submit

(vi) National Alliance on Mental Illness

(vii) Miami Coalition of Christians and Jews

(viii) Miami Coalition of South Florida Muslim Organizations

(ix) Equality Florida

(x) Haitian Women of Miami

(xi) National Organization of Black Law Enforcement Executives

The remaining two members will as follows:

(i) One, currently four members, will be appointed by the Panel based on consensus of integrity and community representation, considering ethno cultural and gender balance.

(ii) The Chair of the Miami-Dade County Youth Commission.

Sec. 2-11.45. - Authority and powers generally.

(A) The Panel may hold public hearings, conduct mediations or other forms of dispute resolution, make factual determinations, draw conclusions, propose recommendations, and prepare interim and final reports on matters relating to ~~[[serious]]~~ complaints or grievances made against an employee, agency or instrumentality of Miami-Dade County. The Panel may also hold hearings, render findings of fact and conclusions of law and issue recommendations, as provided in Chapter 2, Article LXXI of the Code. The Panel shall have the authority and responsibility to determine whether sufficient merit has been established for complaints or grievances ~~[[sufficiently serious]]~~ to institute a review process.

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[[d The Panel may enter and inspect any premises under the jurisdiction or control of Miami-Dade County or any of its agencies or instrumentalities.]]

(D) The Panel may request any person, including the supervisor of the Internal Review Section of the Miami-Dade Police Department, to give sworn testimony or to produce documentary or other evidence to the extent permitted by applicable law.

(F) The [[Panel may request the]] County Attorney [[to]] shall render opinions relating to the Panel's [[its]] duties, jurisdiction or power and such opinions shall be binding upon and adhered to by the Panel.

(H) The Panel shall not act on matters that fall within the jurisdiction of the Miami-Dade County Office of Inspector General.

(I) The Panel shall be empowered to subpoena witnesses and/or documents for all matters within its jurisdiction, except for County employees who are law enforcement or correctional officers as defined in the Police Officers' Bill of Rights, codified in sections 112.531-121.535, Florida Statutes.

Sec. 2-11.46. - Panel proceedings.

Panel members shall meet with staff from time to time.

(B) To consider whether sufficient merit has been established for any complaint or grievance filed with the Panel [[is sufficiently serious]] to warrant [[merit]] review by the full Panel.

Sec. 2-11.48. - Final reports on matters reviewed; referral for further proceedings.

The Panel shall publish a final report with regard to each matter reviewed. Said final report shall be transmitted simultaneously to the Board of County Commissioners, the County [[Manager]] Mayor or County Mayor's designee and the director of the concerned County department. If the Panel has reason to believe that any public official, employee or other person warrants criminal or disciplinary proceedings, it shall refer the matter to the appropriate governmental authorities.

Sec. 2-11.51. - Physical facilities and staff.

(B) Executive Director. The Board of County Commissioners shall appoint an Executive Director from 3 nominees provided by the Independent [[Review]] Community Panel. The Independent [[Review]] Community Panel shall utilize a competitive selection process when selecting nominees for Executive Director. The Executive Director shall only be removed by the Independent [[Review]] Community Panel. Such removal shall be for good cause upon a majority vote. The Independent [[Review]] Community Panel shall establish the rate of remuneration of the Executive Director in conjunction, concurrence and consensus with the County [[Manager]] Mayor or County Mayor's designee.

(C) Staff. The Executive Director may hire and administer the necessary staff [, subject to budgetary allocation by the Board]]. At a minimum, subject to budgetary allocation by the Board, staff shall consist of the following positions: (1) Senior investigator/mediator, (2) Mediator, (3) Office Administrator, (4) Professional Auditor.

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(E) Research personnel, investigative personnel and independent counsel. The Panel may request the Board to provide such other fact-finding personnel, [[and]] research personnel and independent counsel as it may determine are necessary from time to time.

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Research Notes**

Item No. 4H

File No. 172415

Researcher: SM Reviewer: TD

ORDINANCE RELATING TO THE CHILDREN’S TRUST; AMENDING CHAPTER 2, ARTICLE CIII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE MEMBERSHIP OF THE GOVERNING BOARD AND DELETING THE INTERIM SUPPORT PROVISION; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This Ordinance relates to the children’s trust amending chapter 2, Article CIII of the Code Of Miami-Dade County, Florida and revising the membership of the governing board and deleting the interim support provision.

APPLICABLE LEGISLATION/POLICY

Section 125.901, Florida Statutes, specifies the membership of the governing board, powers, duties, responsibilities and dissolution of The Children’s Trust

See link: http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.901.html

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The County electorate authorized the levy of an ad valorem tax to supplement current County expenditures for children’s services on September 10, 2002. On August 26, 2008, the voters approved an extension of The Children’s Trust’s ad valorem tax levy.

ANALYSIS

This Board wishes to amend the ordinance establishing The Children’s Trust by revising the membership of the governing board and deleting the interim support provision. In 1988, the voters of Miami-Dade County (the “County”) approved the creation of a juvenile welfare board, which, by voter approval on September 10, 2002, was renamed The Children’s Trust.

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Item No. 5A

File No. 172094

Researcher: NR Reviewer: TD

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECTS NO. 332.1 - "GARDEN OF THE ARTS" TO REDUCE ALLOCATION BY \$61,684.00 FOR A NEW FUNDING ALLOCATION OF \$2,723,316.00 AND NO. 355 - "JOHN F. KENNEDY LIBRARY" TO REDUCE FUNDING ALLOCATION BY \$623,014.00 FOR A NEW FUNDING ALLOCATION OF \$132,472.00, ADDITION OF NEW PROJECT NO. 364 - "CHARLES DEERING ESTATE" WITH \$684,698.00 OF SURPLUS FUNDS FROM PROJECT NOS. 332.1 AND 355, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-919-04, AFTER A PUBLIC HEARING; WAIVING PROVISIONS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BOND PROGRAM USING SURPLUS FUNDS; APPROVING SIGNIFICANT MODIFICATIONS TO PROJECTS NO. 28 - "CHARLES DEERING ESTATE" TO REDUCE ITS ALLOCATION BY \$684,698.00 FOR A NEW ALLOCATION OF \$4,315,302.00 AND NO. 350 - "HIALEAH - PARK RENOVATIONS AND IMPROVEMENTS" TO INCREASE ITS ALLOCATION BY \$684,698.00 FOR A NEW ALLOCATION OF \$1,683,978.00, BOTH AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04, AFTER A PUBLIC HEARING

ISSUE/REQUESTED ACTION

Whether the Board should approve a significant modification to Project No. 332.1 - Garden of the Arts and Project No. 355 - John F. Kennedy Library; waive the provisions of IO 3-47 and approve the addition of new Project No. 364 - Charles Deering Estate; and approve a significant modification to Project No. 28 - Charles Deering Estate and Project No. 350 - Hialeah Park Renovations and Improvements.

APPLICABLE LEGISLATION/POLICY

Pursuant to Resolution No. R-919-04 (the "Cultural Facilities Resolution"), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$552,692,000.00 to construct and improve libraries, cultural facilities, and Head Start learning centers for pre-school children to offer multicultural educational opportunities and activities.

<http://intra/gia/matter.asp?matter=042291&file=false&yearFolder=Y2004>

Pursuant to Resolution No. R-913-04 ("Parks Resolution"), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed \$680,258,000.00 to construct and improve neighborhood and regional parks and other recreational areas.

<http://intra/gia/matter.asp?matter=042285&file=false&yearFolder=Y2004>

Implementing Order 3-47 ("IO 3-47") sets forth a process for the allocation of surplus funds to existing and new Bond Program projects and this Board desires to waive the provisions of IO 3-47 as it pertains to the addition of new projects to be funded to the Bond Program using surplus funds in order to fund new Project No. 364;

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-47.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee (IUC) at its October 10, 2017 meeting.

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FISCAL IMPACT - N/A

ANALYSIS

This Resolution seeks to approve Significant Modification to Building Better Communities General Obligation Bond Programs Projects:

- No. 332.1 - Garden of the Arts with an allocation of \$2,723,316.00, has been completed for less than its total allocation and thus \$61,684.00 of unused funds remain available; and
- No. 355 – John F. Kennedy Library eligible costs from the renovation were less than the allocation \$755,486.00; therefore, \$623,014.00 of unused funds remain available

This Resolution seeks that the Board to waive the provisions of IO 3-47, and to fund new Project No. 364 - Charles Deering Estate totally \$684,698 by using surplus funds from Project No. 332.1 and Project No. 335.

Further, this Resolution seeks to approve Significant Modifications to Projects:

- No. 28 – “Charles Deering Estate” reduce its allocation by \$684,698 from an original allocation of \$5,000,000.00 for Area-wide park improvements that include rehydration; south addition improvements, fencing, vehicular and pedestrian circulation; and landscaping for a new funding allocation of \$4,315,302
- No. 350 - “Hialeah- Park Renovations and Improvements” increase its allocation by \$684,698 with an allocation of \$999,280.00 for a new funding allocation of \$1,683,978

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Research Notes**

Item No. 5B

File No. 171863

Researcher: NR Reviewer: TD

RESOLUTION DECLARING SURPLUS NINE COUNTY-OWNED PROPERTIES AND REVISING THE INVENTORY LIST OF REAL PROPERTY, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTIES ON THE LIST IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING THE CONVEYANCE OF A TOTAL OF 10 PROPERTIES, INCLUSIVE OF THE NINE SURPLUS PROPERTIES, TO HABITAT FOR HUMANITY OF GREATER MIAMI, INC., A NOT-FOR-PROFIT 501(C)(3) CORPORATION, AT A PRICE OF \$10.00 PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, FOR THE DEVELOPMENT OF SUCH PROPERTIES THROUGH THE INFILL HOUSING INITIATIVE PROGRAM; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE CONVEYANCE OF THE PROPERTIES AND TO ENFORCE THE PROVISIONS AS SET FORTH IN THE COUNTY DEED

ISSUE/REQUESTED ACTION

Whether the Board should:

- Declare nine County Properties as surplus and revise the Affordable Housing Inventory List to include the County Properties in accordance with section 125.379(1), Florida Statutes;
- Approve the conveyance of the County Properties to Habitat for Humanity of Greater Miami, Inc. (Habitat) at a price of \$10.00 pursuant to section 125.379(2), Florida Statutes, for the construction of single family homes to be sold to qualified households in accordance with the Infill Housing Program; and
- Authorize the County Mayor or County Mayor's designee to receive on behalf of the County from the Habitat a deed(s) which conveys any or all of the County Properties back to the County in the event the Habitat is unable or fails to comply with the deed restrictions set forth in the County Deed;

APPLICABLE LEGISLATION/POLICY

Pursuant to Administrative Order No. 8-4, County-owned properties that are deemed to be suitable for development, and which are no longer needed for County or municipal purposes, must be declared surplus by the Board before they can be offered to qualified developers.

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

In accordance to Implementing Order No. 3-44, PHCD announced that availability of the County Properties to all County departments and no department expressed an interest in such properties.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its October 13, 2017 meeting.

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Research Notes

At the Board's July 18, 2017 meeting the Board amended Section 2-8.6.5 of the Code, which codified in the Code existing county policy that provides for lease rather than conveyance of county property to Not-For-Profit corporations unless other compelling circumstances justify conveyance.

One of the County Properties was declared surplus by this Board pursuant to Resolution No. R-527-12.

FISCAL IMPACT

The County Properties are conveyed to Habitat at a price of \$10.00 pursuant to section 125.379(2), Florida Statutes, for the construction of single family homes to be sold to qualified households in accordance with the Infill Housing Program.

ANALYSIS

This item conveys ten County Properties to Habitat for the construction of single family homes to be sold to qualified households per the Infill Housing Program. All 10 ten properties are located in District 3 represented by Vice-Chairwoman Edmonson, and the 10 ten properties were acquired by the County through Tax Deeds. The 2017 market value of the subject properties range from the lowest value of \$16,110 to the highest value of \$64,192.

Habitat, Inc. is an active Florida nonprofit organization that promotes, develops and provides safe and affordable housing to persons with limited financial resources in the County. The Properties will be conveyed to Habitat pursuant to a reverter requiring the completion of the construction of single-family homes to be sold to qualified homebuyers per the Infill Housing Program with two years of the effective date of the conveyance, unless extended at the discretion of the Board.

The Infill Housing Program's main goal is to increase the availability of affordable homes for homeownership for very low-, low- and moderate-income families. Other goals include: maintain a stock of affordable housing for homeownership; redeveloping urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; generating payment of ad valorem taxes; and, equitably distributing homeownership opportunities within the Urban Infill Target Areas as well as the Targeted Urban Area and Empowerment Zones. Participating developers will be required to build the home per the Infill Housing Initiative Guidelines.

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Research Notes**

Item No. 5C

File No. 171869

Researcher: NR Reviewer: TD

RESOLUTION DECLARING SURPLUS TWO COUNTY-OWNED PROPERTIES LOCATED AT 1928 NW 67TH STREET AND 835 NW 64TH STREET IN MIAMI, FLORIDA AND REVISING THE INVENTORY LIST OF REAL PROPERTIES, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTIES IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF THE PROPERTIES TO AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF REHABILITATING SUCH PROPERTIES WITH AFFORDABLE HOUSING TO BE SOLD TO LOW- AND MODERATE INCOME HOUSEHOLDS; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

ISSUE/REQUESTED ACTION

Whether the Board should declare the Properties as surplus, and, revise the Affordable Housing Inventory List; approve the conveyance of the Properties to the Developer; and direct the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of the conveyance.

APPLICABLE LEGISLATION/POLICY

Pursuant to Administrative Order No. 8-4, County-owned properties that are deemed to be suitable for development, and which are no longer needed for County or municipal purposes, must be declared surplus by the Board before they can be offered to qualified developers.

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

In accordance to Implementing Order No. 3-44, PHCD announced that availability of the County Properties to all County departments and no department expressed an interest in such properties.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its October 13, 2017 meeting.

At the Board's July 18, 2017 meeting the Board amended Section 2-8.6.5 of the Code, which codified in the Code existing county policy that provides for lease rather than conveyance of county property to Not-For-Profit corporations unless other compelling circumstances justify conveyance.

Pursuant to Administrative Order No. 8-4, ISD announced the availability of the Properties to all County departments and no department expressed an interest in the Properties.

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FISCAL IMPACT

The County Properties are conveyed to Affordable Housing and Community Development Inc., a Florida not-for-profit corporation, at a price of \$10.00 pursuant to section 125.379(1) and 125.379(2), Florida Statutes, for the purpose of rehabilitation such properties with affordable housing.

ANALYSIS

This item conveys two County Properties to Affordable Housing and Community Development, Inc. for the purpose of rehabilitating such properties with affordable housing to be sold to low and moderate income households.

Affordable Housing and Community Development, Inc. is an active Florida nonprofit organization. Its mission is to foster new homeownership opportunities for first-time, low to moderate income homebuyers. Affordable Housing and Community Development, Inc., will partner with the non-for profit Neighborhood Housing Services of South Florida (NHSSF), an active Florida nonprofit organization. NHSSF is a certified community development organization providing comprehensive homebuyer and financial literacy education and counseling to affordable homebuyers. NHSSF has qualified first-time homebuyers presently ready to purchase new homes in District 3.

The two properties are located in Commissioner's Edmonson District 3. The properties were acquired by the County through Tax Deeds. The 2017 market value of the two properties is as follows: \$50,428 for the property located at 1928 NW 67 Street, and \$26,670 for the property located at 835 NW 64 Street.

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Research Notes**

Item No. 5E

File No. 172311

Researcher: AIP Reviewer: TD

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY BUS SERVICE ADJUSTMENTS TO BE IMPLEMENTED ON OR BEFORE FEBRUARY 4, 2018

ISSUE/REQUESTED ACTION

Whether the Board should approve the resolution that authorizes adjustments to several bus routes in Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Chapter 2, Article XIX, Section 2-150 (Fixing and changing fares, service, rates or charges), which required Board approval of proposed service modifications, following a public hearing.

- http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artxix_sec2-150

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee (TPWC) forwarded the item to the BCC without a recommendation.

FISCAL IMPACT

The fiscal impact of implementing the proposed service changes for the routes represents an estimated annual cost savings of \$4.408 million.

ANALYSIS

The item recommends the discontinuation of 2 routes due to duplicate services, and two route modifications. These proposed changes would save the Department of Transportation and Public Works (DTPW) money, and these changes were approved in the Fiscal Year 17-18 Adopted Budget.

This item would:

- Discontinue Route 70, and consolidate with Route 35
- Discontinue Route 249, because it duplicates service with the City of Miami Trolley
- Modifies the service frequency of Route 31, during peak periods from 15 min. to 30 min.
- Modifies the services of Route 115 to only provide service during peak hours.

These changes to routes would take into effect on February 4, 2018. In the TPWC, several commissioners expressed concern over other department expenditures, while cutting bus services.

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Research Notes**

Item No. 5I

File No. 172051

Researcher: AIP Reviewer: TD

RESOLUTION GRANTING PETITION TO CLOSE A PORTION OF OLD SW 72 AVENUE FROM SW 39 TERRACE SOUTH FOR 100 FEET (ROAD CLOSING PETITION NO. P-915)

ISSUE/REQUESTED ACTION

Whether the Board should approve the petition by Schatzie, LLC, for road closure of a 100-foot section of old SW 72 Avenue, in Commissioner Sosa's district.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Sections 336.09 – 336.12:

Section [336.09](#) (Closing and abandonment of roads; authority)

Section [336.10](#) (Closing and abandonment of roads; publication of notice)

Section [336.12](#) (Closing and abandonment of roads; termination of easement; conveyance of fee)

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0336/0336ContentsIndex.html

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee forwarded the item to the BCC with a favorable recommendation. This is a public hearing item.

FISCAL IMPACT

The Property Appraiser's office assessed the adjacent properties to the right-of-way at \$40.00 per square foot. Based on this, the estimated value of the right-of-way is approximately \$127,160.00. If approved, the land will be placed on the tax roll, generating an estimated \$2,275 per year in additional property taxes. The fee for the road closing is \$13,516. Therefore this item is of no cost to the County, rather, it generates revenue through additional property taxes and by the required fee of the road closure.

ANALYSIS

This right-of-way is part of the old portion of SW 72 Avenue, and is West of the railroad and the main road of SW 62 avenue. This is clearly demonstrated in the following drawn attachments, and in pictures on the Google Earth map: <https://goo.gl/maps/H65hqbVVLqA2>

According to the Florida Department of State Website (Sunbiz), the petitioner, Schatzie, LLC, first filed with the State of Florida on December 13, 2006, and has an active status. The petition is signed by all abutting property owners, which includes Schatzie, LLC, and Busy Bird Creations, Inc.

The Board has previously approved dozens of similar items relating to petitions for road closures. Most recently, on July 6, 2017, the Board adopted a resolution granting a petition to close NW 7 Court from NW 97 St to NW 98 St in Commissioner Monestime's district (file No. 171309).

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Schatzie, LLC, Links:

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=SCHATZIE%20L060001189750&aggregateId=flal-106000118975-176ac0e7-dea5-49f7-9531-9747b63861ea&searchTerm=SCHATZIE%20LLC&listNameOrder=SCHATZIE%20L060001189750>

<https://www.corporationwiki.com/Florida/Miami/schatzie-llc-2798844.aspx>

<https://companyfl.com/biz/schatzie-llc/L06000118975>

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Item No. 5J

File No. 171574

Researcher: NR Reviewer: TD

RESOLUTION DECLARING VARIOUS COUNTY-OWNED PROPERTIES SURPLUS AND REVISING THE INVENTORY LIST OF REAL PROPERTY UPON CONCLUSION OF A PUBLIC HEARING, TO INCLUDE THE PROPERTIES IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INCLUDE SAID PROPERTIES IN THE MIAMI-DADE INFILL HOUSING INITIATIVE PROGRAM, SUBJECT TO CONSULTATION WITH EACH COUNTY COMMISSIONER IN WHOSE DISTRICT THE PROPERTIES ARE LOCATED; AND WAIVING THE REQUIREMENTS OF RESOLUTION NOS. R-376-11 AND R-333-15

ISSUE/REQUESTED ACTION

Whether the Board should declare various County Properties as surplus, and revise the Affordable Housing Inventory List; authorize the County Mayor or County Mayor's designee to identify County Properties which are suitable for inclusion in the Infill Housing Program, and to make such properties available to qualified developers; and waive the requirements of Resolution Nos. R-376-11 and R-333-15

APPLICABLE LEGISLATION/POLICY

Section 125.379(1) of the Florida Statutes

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.379.html

Resolution R-376-11 and R-333-15

- <http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011>

- <http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Pursuant to Administrative Order No. 8-4, County-owned properties that are deemed to be suitable for development, and which are no longer needed for County or municipal purposes, must be declared surplus by the Board before they can be offered to qualified developers. <http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

In accordance to Implementing Order No. 3-44, PHCD announced that availability of the County Properties to all County departments and no department expressed an interest in such properties.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its October 13, 2017 meeting.

As required by Resolution No. R-380-17 adopted by the Board on April 4, 2017, the Department provided written notification to each of the District Commissioners in which the County Properties are located.

FISCAL IMPACT

The conveyance of the County Properties will eliminate the County's obligation to maintain the properties, which averages approximately \$58,846.00 per year for all 201 County Properties being considered for surplus. Once

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developed and sold to qualified households, the conveyed properties will generate real estate taxes to the County and will also increase the supply of affordable housing in the County.

ANALYSIS

This item declares 201 properties surplus for the construction of single family homes to be sold to qualified households in accordance with the Infill Housing Program, and to make such properties available to qualified developers who submit proposals through a Request of Proposal (RFP) or other method of solicitation.

Further, this item request to waive the requirements of Resolution Nos. R-376-11 and R-333-15. The information required by these resolutions will be provided to the Board when the properties are conveyed to developers.

The Infill Housing Program's main goal is to increase the availability of affordable homes for homeownership for very low-, low- and moderate-income families. Other goals include: maintain a stock of affordable housing for homeownership; redeveloping urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; generating payment of ad valorem taxes; and, equitably distributing homeownership opportunities within the Urban Infill Target Areas as well as the Targeted Urban Area and Empowerment Zones. Participating developers will be required to build the home per the Infill Housing Initiative Guidelines.

The County Properties are located in the following Commission districts: District 1, represented by Commissioner Jordan; District 2, represented by Commissioner Monestime; District 3, represented by Vice-Chairwoman Edmonson; and District 9, represented by Commissioner Moss.

According to ISD, the County acquired as follows: 149 by Tax Deed; 39 by Quit Claim Deed; 9 by Warrant Deed; 1 by Special Warranty Deed; 1 by Certificate of Title; and the remaining 2 properties need a title search according ISD to determine how they were acquired.

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**Item No. 7A
File No. 171724**

Researcher: PGE Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-302 AND 33-303 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REGULATIONS FOR APPROVAL OF GOVERNMENTAL FACILITIES TO PROVIDE FOR APPROVAL OF COUNTY FACILITIES WHERE THE COUNTY RETAINS JURISDICTION IN INCORPORATED AREAS; REORGANIZING EXISTING CODE PROVISIONS SETTING FORTH THE COUNTY'S ZONING JURISDICTION AND EXEMPTIONS FOR GOVERNMENTAL FACILITIES HEARINGS; UPDATING DEFINITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend the existing zoning procedures relating to approving the designation of a County-owned facility to authorize the use of the County's public hearing approval process and other associated criteria for designating government facilities to apply to incorporated areas where the County retains jurisdiction.

APPLICABLE LEGISLATION/POLICY

Section 33-302 of the County Code sets forth definitions relating to zoning procedures.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-302DE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-302DE)

Section 33-303 of the County Code sets forth the exclusive procedure for zoning in the unincorporated areas of the County, including an exception for designating government facilities, such as parks, fire and police stations and public hospitals.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303EXPR)

Also see Ordinance No. 13-16, which provided the last comprehensive updates to the regulations guiding the zoning process.

<http://intra/gia/matter.asp?matter=130136&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

The item was adopted on first reading at the Board's July 18, 2017 meeting. On July 27, 2017, the Commission's Agenda Office notified the municipalities of the public hearing. The public hearing was held at the Government Operations Committee's October 10, 2017 meeting.

The Government Operations Committee forwarded the item to the Board with a favorable recommendation at its October 10, 2017 meeting. At the meeting, Commissioner Levine Cava, the item's sponsor, said the item proposes to change the public hearing process for designating government facilities located in a city but owned or operated by the County to follow the County's process instead of the current quasi-judicial process. The proposal only applies where the County retains zoning jurisdiction in the city. The change would afford Commissioners the opportunity to review proposals, hear from constituents and County departments while creating uniformity in the zoning process for designating County-owned or operated government facilities located in municipalities where the County retains zoning control. Commissioner Levine Cava further noted that this scenario is quite rare.

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FISCAL IMPACT

As communicated in the mayoral memorandum, the proposed ordinance is not anticipated to create a fiscal impact as implementation will neither result in additional staffing needs nor future operating costs.

ANALYSIS

The existing Code provides an exception to the standard process for specifying an allowable use for approving government facilities in the unincorporated areas of the County. This item expands the applicability of that exclusive process to municipalities, setting forth the same criteria for approving County-owned facilities in a municipality where the County retains jurisdiction. The mayoral memorandum indicates that without this amendment, the approval of County facilities in incorporated areas where the County retains zoning jurisdiction would require a quasi-judicial zoning hearing that limits communications outside of the public hearing between Board members and both the administration and members of the public. The item's Social Equity Statement suggests that the proposed amendments will facilitate the development of parks, fire stations, police stations and other County facilities that serve the public interest. However, no analysis explaining the link between the proffered amendments and the referenced development has been provided.

Under the existing Code, the Board may establish any of the following government facilities without regard to the zoning or use classification of any particular site or location: public parks, playgrounds and buildings, and structures supplementary and incidental to such uses; domestic violence centers; fire and police stations; public auto inspection stations; public water and sewer treatment and distribution facilities; public libraries; public buildings and centers; public hospitals, nursing homes and health facilities; public auditoriums, arenas, museums, art galleries and convention halls; maximum and minimum detention facilities; solid waste collection and disposal facilities; public maintenance and equipment yards; and public bus stations and Rapid Transit stations and facilities. This item proposes to further clarify those categories of facilities to include public housing and homeless shelters owned or operated by the County.

Enumerated below are the other substantive proposed changes:

1. Updates all references to department from Planning and Zoning to Department of Regulatory and Economic Resources;
2. Clarifies that the procedure for designating government facilities in the unincorporated area also applies where the County retains zoning jurisdiction in incorporated areas; this includes notice and public hearing requirements;
3. Clarifies that the procedure covers property operated by or on behalf of the County;
4. Removes all references to the word "erection" when addressing the planning and construction of a government facility;
5. Provides for deferral by a County Commissioner for up to two meetings the first time the item appears on an agenda or the first time the item is raised at a Board meeting, if the impact of the proposed construction or operation of the public facility would be felt exclusively or predominantly in that Commissioner's district; and
6. Provides for administrative approval of non-substantial changes to government facility plans by the Director of the Regulatory and Economic Resources Department; such approval will be guided by two factors: (a) development density and intensity have not materially changed and (b) design has not materially changed.

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Research Notes**

Item No. 7B

File No. 171639

Researcher: AIP Reviewer: TD

ORDINANCE RELATING TO THE SOUTH B MUNICIPAL ADVISORY COMMITTEE CREATED TO STUDY THE POSSIBLE INCORPORATION OF A MUNICIPALITY IN THE SOUTH B AREA IN COUNTY COMMISSION DISTRICT 9; AMENDING ORDINANCE NO. 15-85 TO EXTEND THE SUNSET DATE OF THE COMMITTEE FOR UP TO ONE YEAR; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve the extension of the sunset date for the South B Municipal Advisory Committee for up to one year.

APPLICABLE LEGISLATION/POLICY

Ordinance No. 13-78, which created the South B Municipal Advisory Committee (File No. 130806)

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2013/13-78.pdf>

Ordinance No. 15-85, relating to the South B Municipal Advisory Committee, which includes a sunset provision (File No. 150844)

<http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2015/15-85.pdf>

This item requires 6 weeks between first reading and public hearing; as well as 4 weeks notification to municipal officials prior to the public hearing.

PROCEDURAL HISTORY

6/27/2017: Item was presented to the Board for approval for the required municipal notification.

7/6/2017: Item was adopted on first reading by the BCC, and tentatively scheduled for a public hearing.

7/10/2017: Municipalities were notified of the public hearing.

10/10/2017: Item was forwarded with a favorable recommendation by the Government Operations Committee, to the BCC.

FISCAL IMPACT

There is no fiscal impact determined.

ANALYSIS

The South B Municipal Advisory Committee (MAC), created in 2013 studies and gives advice to the County Commission regarding the creation of the proposed municipality. In 2015, the Board adopted Ordinance No. 15-85, which extended the sunset date of the committee for 2 additional years. That extension expired on September 11, 2017, but further time is needed for the MAC to conduct its public hearings and duties. Therefore, this item is extending again, for a period of one year.

Municipal Advisory Committee Links:

- <http://www.miamidade.gov/incorporationandannexation/municipal-advisory-committees.asp>

- <http://www.miamidade.gov/incorporationandannexation/south-b.asp>

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Item No. 8A1

File No. 172054

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING APPROVAL OF LEGACY CONTRACT X027A FOR THE BUILDING MANAGEMENT SYSTEM FOR THE MIAMI-DADE AVIATION DEPARTMENT BETWEEN MIAMI-DADE COUNTY AND HONEYWELL INTERNATIONAL, INC. IN THE AMOUNT OF \$143,562,981.22 FOR AN INITIAL TERM OF TEN YEARS AND OPTION TO RENEW TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS CONTAINED HEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a legacy contract award to Honeywell International, Inc. for maintenance of the Building Management System (BMS) for the Aviation Department for a cumulative 15-year term in the amount of \$143,562,981.22.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code governs legacy purchases; such purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. Unlike other noncompetitive purchases which require a two-thirds vote of the Board members present, a legacy purchase may be awarded by the Board upon a majority vote of the members present.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-8.2.5 of the County Code authorizes the Mayor to advertise proposed contracts administered by the Aviation Department without prior Board approval.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.5AVDEPR

Resolution No. R-187-12 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Ordinance 08-27 relates to fire prevention and safety, including installation, operation, maintenance, testing and supervision of fire alarm systems; the ordinance also applies to the installation, operation, maintenance, testing and supervision of sprinkler systems, fire pumps and other fire extinguishing systems.

<http://intra/gia/matter.asp?matter=080101&file=true&yearFolder=Y2008>

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Economic Development and Tourism Committee at its October 12, 2017 meeting. At that meeting, Commissioner Sosa stated that she sponsored legislation prohibiting legacy contracts but carved out an exception for appropriate cases, later stating that this case fits the exception. She asked the Aviation Department to clarify the contract's structure, including the responsibilities of the vendor, Honeywell, and the implications of switching to a new vendor. Aviation Department staff responded, stating the following: (1) the vendor has provided services to the airport for over 20 years, of which, the last 15 years

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have been under two Board-approved contracts; (2) Honeywell performs testing, inspections, installation, and maintenance services for the airport's most critical security systems, i.e., fire alarms, smoke evacuation and BMS; (3) Honeywell has performed satisfactorily, contributing to department's passenger safety goals; and (4) it would be cost-prohibitive to switch to a new vendor as the systems are Honeywell's proprietary product; moreover, an independent cost analysis concluded that switching to a new vendor would require a six-year phase-in period as well as \$516 million.

FISCAL IMPACT

The total contract value is \$143,562,981.22, i.e., \$93,353,140.84 for the initial 10-year term and \$50,209,840.38 for the five-year option to renew term.

ANALYSIS

The item proposes awarding Honeywell International, Inc. a legacy contract for a 10-year initial term plus a five-year optional renewal term for a total award value of \$143,562,981.22 for the delivery of maintenance, testing and inspection services for the BMS for the Aviation Department. This is a fixed-price contract that includes Inspector General Fees. The item is framed as a legacy purchase because the BMS and fire alarm systems to be maintained are proprietary to Honeywell. As indicated in the mayoral item, the BMS is a computer-based system installed in buildings to control and monitor mechanical and electric equipment, such as heating, ventilation and air conditioning systems and other mechanical, safety and security systems, including fire alarm systems and smoke evacuation systems. Honeywell International, a foreign for-profit corporation, invents and manufactures technologies that address energy, safety, security and global urbanization challenges.

The MDAD facilities serviced by Honeywell include Miami International Airport, General Aviation Airports and remote MDAD buildings. Honeywell first contracted with the Aviation Department to deliver BMS services in 2003 via a competitive procurement process. In February 2009, the Board approved the award of a BMS successor contract to Honeywell for a 10-year contract term. Although 18 months remain in the current contract's term, accelerated depletion of the allocation occurred due to Honeywell's completion of various construction projects. The current contract is valued at \$71,056,042.

The new contract will be utilized by the Aviation Department to support future and additional work, system upgrades or expansion, as needed. The contract includes the provision of materials, tools, labor, new equipment, hardware, firmware, software and the design, development, delivery, configuration completion, installation, testing, commissioning, training, warranty, operation and maintenance, and tenant support of a fully operational BMS.

There are 10 CSBE subcontractors and one SBE subcontractor under the contract; the CSBE goal is 15.75 percent and the CWP goal is 10 percent. The contract also includes a Responsible Wage and Benefits provision, requiring the minimum wage rates for laborers, mechanics and apprentices to be in accordance with the County's Responsible Wages Ordinance.

The Aviation Department suggests that replacing the BMS through award to another vendor would be cost-prohibitive. The department hired a cost estimator that concluded such replacement would total \$516 million dollars and require a phase-in period. The cost estimator – RIB U.S. Cost – noted that the cost estimate for replacement of the existing fire alarm and BMS systems is highly conceptual since the scope of work was assumed and provided by the Aviation Department; no detailed drawings were provided for quantification.

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Additional Findings

See Resolution No. R-627-16, adopted by the Board on July 6, 2016, authorizing contract renewals to Advanced Control Corporation, Inc. through September 2025 for BMS services for the Internal Services and Corrections and Rehabilitation Departments.

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Item No. 8D1

File No. 172307

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ACCOUNTS RECEIVABLE ADJUSTMENT FOR MULTIPLE FISCAL YEARS OF CERTAIN MIAMI-DADE COUNTY DEPARTMENTS' UNCOLLECTIBLE ACCOUNTS RECEIVABLE IN THE AGGREGATE OF \$19,771,497, PURSUANT TO IMPLEMENTING ORDER 3-9 [SEE ORIGINAL ITEM UNDER FILE NO. 171499]

ISSUE/REQUESTED ACTION

Whether the Board should authorize adjustments for uncollectible accounts receivable balances totaling \$19,771,497 for multiple fiscal years for County departments.

APPLICABLE LEGISLATION/POLICY

See Implementing Order No. 3-9 (Accounts Receivable Adjustments) which prescribes the County's policies for efficient financial administration, including the administration of customer accounts receivable and the process to adjust uncollectible accounts receivable. The Implementing Order requires accounts receivable adjustments in excess of \$10,000 be reviewed and approved by the Board. The authority to adjust accounts receivable deemed uncollectible for amounts less than \$10,000 per customer within a given fiscal year has been delegated to the County Mayor.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-9.pdf>

Resolution No. R-589-12, adopted by the Board on July 3, 2012, directed the Administration to provide written quarterly reports to the Board listing all delinquent accounts receivables subject to adjustment that are in excess of \$2,500.

<http://intra/gia/matter.asp?matter=121159&file=true&yearFolder=Y2012>

Also see Ordinance No. 99-162 which prohibits individuals and entities who are not current in their obligations to the County from obtaining a new County contract or purchase order.

<http://intra/gia/matter.asp?matter=992832&file=false&yearFolder=Y1999>

PROCEDURAL HISTORY

The item was deferred at the July 11, 2017 Government Operations Committee.

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting. The substitute version differs from the original in that it updates the adjustment amounts for the Public Housing and Community Development Department (PHCD) from \$11,676,913.97 to \$11,782,921.01 and further describes the impact that delinquent accounts receivable have on PHCD. At the committee meeting, Commissioner Martinez commented that this accounting practice is wrong. He further stated that the Water and Sewer Department (WASD) did not provide a client list for its uncollectible accounts. WASD staff responded that it will include the list in the official agenda item, and, in the interim, it will distribute the listing to the Commissioners.

Martinez later questioned why the re-procurement cost to replace Adelante's Staffing Services, an Internal Services Department (ISD) vendor that defaulted on a contract, was \$111,000. ISD staff explained that the cost represented the difference in contract rates between the defaulted vendor and the new vendor. Martinez requested a more specific cost breakdown and the resolution relating to that contract; ISD promised to furnish that information.

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Next, Commissioner Monestime asked if the County sells these accounts to third-parties for collection purposes. Deputy Mayor Marquez responded that the County first attempts to collect in-house and then may sell to third parties; however, the Deputy Mayor noted that third parties prefer newer accounts.

FISCAL IMPACT

The mayoral memorandum suggests that approval of the adjustments to the uncollectible accounts will not have a negative fiscal impact to the County.

ANALYSIS

This item is requesting Board authorization to adjust uncollectible accounts receivable totaling \$19,771,497 for multiple County departments. PHCD, WASD and Aviation Departments have the largest adjustments. Per Implementing Order No. 3-9, the primary responsibility for collection of accounts receivable rests with the department or agency under which the receivable or claim originated. In general, an account receivable becomes delinquent when payment is not received in accordance with the conditions giving rise to the receivable. A County department shall declare an account past due if it is not paid within 30 days of the due date. If not paid within 90 days of the due date, the account shall be considered delinquent. Each department director or designee must ascertain that their respective internal accounting control system can accommodate a subsidiary accounts receivable ledger that is reconcilable to the County's General Ledger System, and which can monitor changes in customer accounts on a monthly basis, including an aging thereof.

The adjustments of an uncollectible account receivable is not considered a total forgiveness of debt; customers for whom accounts have been declared uncollectible in excess of \$25,000 or as stipulated by contractual agreement shall not be considered for future business with the County until restitution has been made or agreed to.

For this item, the uncollectible accounts receivables include customer billings for services rendered, fees, receivables from loans, mortgages and/or long-term contracts. The past-due accounts represent revenues that the County is unlikely to collect, equating to 0.19 percent of all revenues collected during the associated time period. The impact is mitigated by the fact that the County establishes an allowance for doubtful accounts. Summary information per departmental uncollectible amount is bulleted below.

- Aviation; covers Fiscal Years 2011-14; 11 accounts; accounts receivable adjustment amount of \$2,974,584; mostly for tenants no longer doing business at MIA;
- Internal Services; Fiscal Years 2000-13; 5 accounts; accounts receivable adjustment amount of \$284,393; mostly for delinquent tenants;
- PHCD; Fiscal Years 2011-16; 215 accounts; accounts receivable adjustment amount of \$11,782,921; mostly associated with homeownership/rental rehabilitation and commercial loans;
- SWM; Fiscal Year 2013; 1 account; accounts receivable adjustment amount of \$67,375; amount for a defaulted payment agreement;
- Transit; Fiscal Year 2013; 1 account; accounts receivable adjustment amount of \$610,960; amount for a breach of contract; and
- WASD; Fiscal Years 1993-2014; 48 accounts; accounts receivable adjustment amount of \$4,051,264; mostly related to connection fees.

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Additional Findings

The Finance Department maintains a Vendor Payment Inquiry application designed to present invoice and payment information to County vendors to assist in expediting payment inquiry resolution. Invoice and check payment information is available under the application, as is the date payment is due, the amount paid, the date the check was processed and whether payment was made by check or direct deposit. Invoice and payment information under the application is not available for Aviation Department, Housing Agency, WASD and Public Health Trust obligees as those entities process their own payments.

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Research Notes**

Item No. 8D2

File No. 172390

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED \$430,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, PURSUANT TO SECTION 208 OF ORDINANCE NO. 93-134, AS AMENDED, TO REFUND ALL OUTSTANDING TAX-EXEMPT CP NOTES; AUTHORIZING ISSUANCE OF NOT TO EXCEED \$620,000,000.00 AGGREGATE PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM REVENUE REFUNDING BONDS, IN ONE OR MORE SERIES, PURSUANT TO SECTION 209 OF ORDINANCE NO. 93-134, AS AMENDED, TO REFUND ALL OR A PORTION OF OUTSTANDING SERIES 2010 BONDS, WITH ESTIMATED NET PRESENT VALUE SAVINGS OF 8.65%, ESTIMATED COSTS OF ISSUANCE OF \$3,489,565.63 AND ESTIMATED FINAL MATURITY OF OCTOBER 1, 2039; PROVIDING FOR CERTAIN DETAILS OF BONDS AND THEIR SALE BY NEGOTIATION; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE, WITHIN CERTAIN LIMITATIONS AND RESTRICTIONS, TO FINALIZE DETAILS, TERMS AND OTHER PROVISIONS OF BONDS, THEIR NEGOTIATED SALE AND REFUNDING OF TAX-EXEMPT CP NOTES AND REFUNDED BONDS; APPROVING FORMS OF AND AUTHORIZING EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS; PROVIDING CERTAIN COVENANTS; AUTHORIZING COUNTY OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH ISSUANCE, SALE, EXECUTION AND DELIVERY OF BONDS AND REFUNDING OF TAX-EXEMPT CP NOTES AND REFUNDED BONDS; WAIVING PROVISIONS OF RESOLUTION NO. R-130-06; AND PROVIDING SEVERABILITY

ISSUE/REQUESTED ACTION

Whether the Board should the Series 2017 Resolution which authorizes the following:

* The issuance of Water and Sewer System Revenue Bonds in an aggregate amount of \$1,050,000,000:

- Series 2017 New Money Bonds in a principal amount not to exceed \$430,000,000 to refund all outstanding Tax-Exempt Commercial Paper Notes (the CP Notes), and
- Series 2017 Refunding Bonds in a principal amount not to exceed \$620,000,000 to refund all or a portion of the Water and Sewer System Revenue Bonds, Series 2010 (the Refunded Bonds); and

* Waiver of the requirements of Resolution No. R-130-06

APPLICABLE LEGISLATION/POLICY

Pursuant to Ordinance No. 09-67 and Resolution No. R-347-16 (collectively, the "CP Ordinance"), the Board authorized the issuance from time to time of CP Notes in an aggregate principal amount not to exceed \$400,000,000 outstanding at any one time to provide the Department temporary funding for a part of the Department's multi-year Capital Improvement Plan (CIP).

Ordinance No 09-67: <http://intra/gia/matter.asp?matter=091583&file=true&yearFolder=Y2009>

Resolution No. R-347-16: <http://intra/gia/matter.asp?matter=160966&file=true&yearFolder=Y2016>

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PROCEDURAL HISTORY – N/A

FISCAL IMPACT

The Series 2017 New Money Bonds are being issued to refinance the CP Notes with long-term amortizing, fixed-rate bonds, pay the cost of issuance, pay the underwriter's discount and fund any reserve requirement necessitated by the issuance of the Series 2017 New Money Bonds. After the current CP Notes have been refinanced by the Series 2017 New Money Bonds, the Department will have access to \$400 million in commercial paper capacity which it will use as the interim funding source for its CIP.

The proposed advance refunding contemplated by the issuance of the not to exceed \$620,000,000 Series 2017 Refunding Bonds is expected to generate debt service savings of approximately \$68.217 million over the life of the Series 2017 Refunding Bonds, representing net present value savings of \$47.065 million or 8.65 percent of the amount of the Refunded Bonds. Consistent with the County's refunding policy established by R-1313-09, the net present value savings that will be achieved by issuing the Series 2017 Refunding Bonds, exceeds a five percent threshold and the final maturity of the Series 2017 Refunding Bonds is not greater than the final maturity of the Refunded Bonds.

Attachment 2 referenced in the mayoral memorandum:

- (1) reflects the proposed structure of the Series 2017 Bonds as fixed rate current interest bonds;
- (2) includes a comparison of the debt service on the Refunded Bonds with the estimated debt service of the proposed Series 2017 Refunding Bonds, producing the projected annual refunding savings; and
- (3) Includes a Sources and Uses of Proceeds schedule outlining the components of the transaction, including an estimated cost of issuance of \$6,476,978.13 (includes underwriting fees).

According to the mayoral memorandum, an update to Attachment 2 will be provided to the Board prior to its consideration, and once again after the Series 2017 Refunding Bonds are priced. The Series 2017 Bonds are expected to be priced via a negotiated underwriting in December 2017.

ANALYSIS

This item is requesting authority for the issuance of Water and Sewer System Revenue Bonds, Series 2017, in an aggregate amount not to exceed \$1,050,000,000.00 and will be used to:

- to refund all outstanding Tax-Exempt CP Notes in a principal amount not to exceed \$430,000,000; and
- To refund all or a portion of the Water and Sewer System Revenue Refunding Bonds, Series 2010 in a principal amount not to exceed \$620,000,000.

Attachment 1 to the resolution shows a list of projects that have been funded with CP Notes totaling \$400,000,000. It is important to note that the refinancing of the CP Notes is integral to the Department's ability to efficiently fund its CIP, as the CP Notes capacity will be available again to provide low-cost interim financing.

Input Finance Department

All of the Series 2010 bond proceeds have been depleted. However, some of the projects that were funded by Series 2010 Bonds are multi-year projects that may have continued on with different funding sources and is still ongoing. Please see to Attachment 1 for project status for each of the projects.

In addition to the commercial paper and revenue bonds, WASD uses a number of other sources to fund its CIP, including: the State of Florida's Revolving Loan Water Program, renewal and replacement funds which are funded

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from WASD cash flow and GOB proceeds from the BBC program. Please see Attachment 2 which is a summary of WASD's capital budget in the Fiscal Year 2016-17 Budget.

The expected debt service savings of \$68.2 million was determined as follows: "the debt service of the Series 2010 bonds which are proposed to be refunded is calculated ("Prior Debt Service") and compared against the Series 2017 B debt service ("Refunding Debt Service") on a fiscal year basis for every year the bonds are outstanding to analyze annual and aggregate savings, see Attachment 3."

A reserve credit facility is typically a surety instrument purchased from a monoline insurance company which reduces the requirement to cash fund the debt service reserve. While WASD has used these instruments in the past and there are still \$111 million of reserve credit facilities outstanding (see page 14 of the draft Preliminary Official Statement), these instruments are usually only available when bond insurance is used for a transaction which is currently not expected to be the case. The language is included however so that the County has flexibility up until the pricing date to determine the most cost effective strategy.

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Item No. 8E1

File No. 171995

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING THE MIAMI-DADE COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE AGREEMENTS WITH LOCAL MUNICIPALITIES, AND TO FILE AND EXECUTE ANY NECESSARY REVISIONS REQUIRED BY ANY APPLICABLE AMENDMENTS TO FLORIDA STATUTES

ISSUE/REQUESTED ACTION

Whether the Board should approve the County's Comprehensive Emergency Management Plan (CEMP) and authorize the County Mayor or Mayor's designee to execute associated agreements with local municipalities.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Chapter 252 established the County Office of Emergency Management.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0252/0252.html

Florida Administrative Code (FAC) Rule Chapter 27P-6 sets forth the requirements and approval process for local emergency management plans.

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=27P-6>

Chapter 8B of the County Code governs the County's emergency management protocol, including planning, the duties of the Office of Emergency Management (OEM), territorial limits, Board powers and the duties of the County Mayor and Manager.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH8BEMMA

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Public Safety and Health Committee at its October 11, 2017 meeting.

FISCAL IMPACT

The mayoral memorandum indicates that there is no fiscal impact associated with the item.

ANALYSIS

The CEMP is intended to provide an organized system for preparedness, response and recovery by which the Mayor and the Board are guided in applying their statutory responsibilities in the delivery of direction and control during a disaster. The plan establishes the official emergency management policy for all County agencies and municipalities in response to and recovery from emergencies and disasters within the County; it is an operations-based plan that addresses evacuation, sheltering, post disaster response and recovery, deployment of resources, communications and warning systems and intergovernmental coordination with the State of Florida and the federal government.

CEMP is comprised of four volumes: (1) The Basic Plan, which outlines the different hazards the County and its municipalities are at risk or vulnerable to; (2) The Emergency Support Function (ESF) Annexes, which organizes the County's departments and agencies into 18 ESFs; (3) Operations Guides, which includes procedures that support responses to incidents that are function or agency specific and detail germane processes to accomplish missions or

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activities that are multi-agency and/or disciplinary in nature; and (4) The Hazard Specific Annexes, which contains hazard specific plans that are comprehensive in scope.

FAC requires that a comprehensive review and revision of the Comprehensive Emergency Management's Basic Plan be conducted every four years. The last CEMP was adopted pursuant to Resolution No. R-418-13 at the Board's June 4, 2013 meeting (see: <http://intra/gia/matter.asp?matter=130753&file=false&yearFolder=Y2013>). In accord with FAC, OEM submitted the County's revised CEMP to the Florida Division of Emergency Management (FDEM) for review. On July 17, 2017, FDEM notified OEM that the County's revised CEMP satisfied the compliance criteria and required Board adoption. Per FAC, the FDEM-approved CEMP must be adopted by the Board within 90 days of the notice of compliance. Failure to adopt the plan by resolution within 90 days will result in a non-compliance letter.

Under the CEMP, the following County agencies are each assigned functional responsibilities and may be required to have representation within the Emergency Operations Center:

- Office of Emergency Management
- Agency for People with Disabilities
- Animal Services
- Aviation
- Community Action and Human Services
- Corrections and Rehabilitation
- Regulatory and Economic Resources
- Information Technology
- Finance
- Fire Rescue
- Internal Services
- Communications
- Homeless Trust
- Public Housing and Community Development
- Miami-Dade Expressway Authority
- Medical Examiner
- Mayor's Office of Communications
- Office of Americans with Disability Act Coordination
- Office of Economic Development and International Trade
- Management and Budget
- Parks, Recreation and Open Spaces
- Police
- PortMiami
- Property Appraiser
- Solid Waste Management
- Transportation and Public Works
- Water and Sewer

Legislative and regulatory changes that may impact OEM are identified via participation in professional groups such as Florida Emergency Preparedness Association, National Association of Counties, Big City Emergency Managers

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and FDEM hosted annual meetings such as Critical Issues in Emergency Management and monthly FDEM hosted Statewide Emergency Management Directors' conference calls.

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Item No. 8E2

File No. 172028

Researcher: NR Reviewer: TD

RESOLUTION APPROVING OF MUTUAL AID AGREEMENT BETWEEN MIAMI-DADE COUNTY, THROUGH THE MIAMI-DADE FIRE RESCUE DEPARTMENT, AND KEY LARGO FIRE RESCUE AND EMERGENCY MEDICAL SERVICES DISTRICT FOR MUTUAL EMERGENCY AID DURING CATASTROPHIC EVENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE TERMINATION PROVISION CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve this resolution authorizing the County Mayor or County Mayor's designee to execute the Mutual Aid Agreement (Agreement) between Miami-Dade County, through the Miami-Dade Fire Rescue Department (MDFR), and Key Largo Fire Rescue and Emergency Medical Services District for mutual emergency aid during catastrophic events.

APPLICABLE LEGISLATION/POLICY – N/A

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Public Safety and Health Committee (HSHC) at its October 11, 2017 meeting

FISCAL IMPACT

There is no fiscal impact to the County.

ANALYSIS

The Key Largo Fire Rescue District requested that an agreement be entered into for their mutual benefit in times of emergency or disaster, due to the magnitude of the event, such as hurricanes, tornadoes, large structural fires and/or mass casualty incidents. The Agreement included in this item further outlines the roles of the parties in an event requiring MDRF to respond to an emergency.

The County partners with a variety of agencies to provide mutual aid. The following are example of previous mutual aid agreements the County has entered into:

- Resolution R-219-4, Mutual Aid Agreements between Miami-Dade County, through the Miami-Dade Police Department, and its law enforcement partner agencies, specifically herein, a Mutual Aid Agreement with the City of Miami Beach, for the purpose of participating in joint operations of the Robbery Intervention Detail Task Force;
- Resolution R-214-15, Mutual Aid Agreements for each municipality located in Miami-Dade County that operates a police department and its respective police department; the Miami-Dade County Public Schools and the Miami-Dade County Public Schools Police Department; and Florida International University and the Florida International University Police Department. These Agreements will be effective upon execution and will expire on January 1, 2025; and

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- Resolution R-613-16, Mutual Aid Agreement between the Florida Department of Corrections (Institution) and Miami-Dade County through the Miami-Dade Fire Rescue Department (Agency) beginning April 4, 2016 ending at midnight April 3, 2021.

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Research Notes**

Item No. 8F1

File No. 171867

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, FOR A NOMINAL SUM OF \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES TO SERVICE THE HISTORIC REDLAND FARM LIFE SCHOOL, LOCATED ON COUNTY-OWNED LAND AT 24701 SW 162 AVENUE, HOMESTEAD, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the conveyance of a 2,310 square foot easement to Florida Power and Light Company (FPL) for a nominal sum of \$1 for installation and maintenance of electric power facilities to service the Historic Redland Farm Life School located on County-owned property.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-968-99, approved by the Board on September 9, 1999, authorized a lease agreement of 30 years with the South Florida Pioneer Museum, Inc., for the purpose of renovating, constructing and operating an educational and/or community activity facility.

<http://intra/gia/matter.asp?matter=992111&file=false&yearFolder=Y1999>

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

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

Resolution No. R-974-09, approved by the Board on July 21, 2009, requires any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter or mortgage creating or reserving a real property interest in favor of the County contain language that such instrument, after proper execution, be recorded in the public records of the county within which the real property is located.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Also see Legistar File No. 171688 regarding an item adopted at the Board's October 3, 2017 meeting approving an allocation of up to \$1,500,000 from Building Better Communities General Obligation Bond Program Project No. 124 to fund the Redland Farm Life Culinary Center.

<http://intra/gia/matter.asp?matter=171688&file=true&yearFolder=Y2017>

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

FISCAL IMPACT

The County conveyed the easement to FPL for the nominal sum of \$1. As stated in the mayoral memo, the item does not require the expenditure of County funds.

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ANALYSIS

An easement is a right to cross or otherwise use someone else's land for a specified purpose. This item involves FPL agreeing to provide underground electric power facilities to the Historic Redland Farm School in exchange for an easement to allow access to install and maintain the electric power facilities. The easement was given by the County, as the owner of the land, to FPL for \$1 for FPL to construct, operate and maintain underground electric utility facilities, including cables and conduits and appurtenant above ground equipment; the easement also grants FPL the right to ingress and egress on the premises at all times. The easement will ensure that FPL's service route no longer crosses Miami-Dade County School Board property.

The County-owned property is located at 24701 SW 162 Avenue in Homestead, Florida, which falls in Commission District 8. South Florida Pioneer Museum, Inc. has leased the property since 1999. The Historic Redland Farm School was once a center for home economics and agriculture and now aims to be a commercial kitchen incubator.

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Research Notes**

Item No. 8F2

File No. 171725

Researcher: PGE Reviewer: TD

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT 1851 NW 9 AVENUE, SPECIFICALLY CERTAIN AUTOPSY ROOMS, LABORATORY ROOMS, AND AN OFFICE SPACE, LOCATED IN THE CITY OF MIAMI, AND APPROVING PURSUANT TO FLORIDA STATUTES, SECTION 125.38, TERMS OF THE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND UMTB DONOR SERVICES FOUNDATION, A FOREIGN NOT-FOR-PROFIT CORPORATION, FOR CONDUCTING STERILE AUTOPSIES, BONE AND TISSUE HARVESTING, INVESTIGATIONS, AND RELATED PURPOSES, FOR A THREE YEAR TERM, WITH ONE THREE YEAR RENEWAL PERIOD, WITH AN ANNUAL RENT OF \$34,229.28 FOR THE FIRST YEAR, AND ADJUSTED ANNUALLY THEREAFTER BY APPROXIMATELY TWO PERCENT FOR EACH SUBSEQUENT YEAR, WITH A TOTAL GROSS REVENUE TO THE COUNTY FOR THE SIX YEAR PERIOD, INCLUDING OPERATING EXPENSES, OF \$248,321.40; AND AUTHORIZING THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, TO EXECUTE THE LEASE AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN, TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING, AND TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should authorize a lease agreement between the County and UMTB Donor Services Foundation (UMTB) for operation of a sterile autopsy suite and associated services, such as histopathology and tissue harvesting, for the Medical Examiner's Office for three years plus a three-year optional renewal term for a total rental revenue of \$248,321.40.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes governs the sale of county property, allowing nonprofits that desire any real property that may be owned by any county or by its board for public or community interest and welfare to apply to the board for a conveyance or lease of such property; such board, if satisfied that such property is required for such use and is not needed for county purposes may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, regardless of the actual value of the property.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/0125.html

Chapter 406 of the Florida Statutes governs Medical Examiners and the disposition of human remains.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0406/0406.html

Resolution No. R-333-15 requires the disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-380-17 requires the Administration to provide written notification to the District Commissioner wherein County-owned property lies no less than four weeks prior to (1) any issuance of a Request for Proposals or Expression of Interest regarding the sale, lease or development of such property and (2) placement of any item on an agenda of the Board or any Committee of the Board requesting the approval of the sale, lease or surplus of County-owned property.

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

Administrative Order (AO) No. 8-4 prescribes the County's policy relating to the sale, lease or other disposal of County-owned real property. Under the AO, if property owned by the County is desired by another public agency for the same public purposes as held by the County and it is determined by the Board that the property is not needed by the County for such use, it may be conveyed at a nominal cost.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation from the Government Operations Committee at its October 10, 2017 meeting. At the meeting, Commissioner Martinez requested clarification on the lessee's status as a foreign nonprofit. The CAO responded, stating the term is used to describe a company registered outside the State of FL; in this case, the company is registered in Delaware.

FISCAL IMPACT

The total rental revenue to the County is \$215,921.40 and is arrived at as follows:

- First year - \$34,229.28
- Second year - \$34,913.88
- Third year - \$35,612.16
- Option year 1 - \$36,323.40
- Option year 2 - \$37,050.84
- Option year 3 - \$37,791.84

The lessee is also responsible for operating expenses (e.g., utilities, cleaning and repair to the common areas) totaling \$450 per month, equating to \$32,400 for the initial lease term and option period. The total rental revenue plus the operating expenses for the initial lease term plus the option period equals \$248,321.40. It is unclear from the mayoral memorandum who pays the referenced \$8,636.85 lease management fee.

ANALYSIS

This item proposes the lease of 2,718 square feet of space across two floors, consisting of office space and autopsy and other medical labs to UMTB, a foreign nonprofit corporation, for a total term of six years (three-year initial term plus an optional three-year term) for the Medical Examiner's Office. The property is located at 1851 NW Ninth Avenue. UMTB will use 1,268 square feet of space as its sterile autopsy suite wherein it will conduct bone and tissue harvesting. The remaining 1,450 square feet of space will be used by the lessee to deliver associated services for the Medical Examiner's Office in the Histopathology Laboratory. There is an existing contractual relationship between the Medical Examiner's Office and UMTB for the delivery of histopathology services (see Contract No. BW 9156-4/21 which expires on March 31, 2018 and is valued at \$178,000). Under the lease agreement, both parties have the right to terminate, without cause, by giving the other party advanced written notice of at least 180 days.

The mayoral memorandum indicates that there is an affiliation between UMTB and Vivex Biomedical, Inc.; however, the nature and extent of that relationship is unclear. Also, the memorandum is silent as to the status of the current lease agreement for the delivery of these services, including the current rental rate.

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Research Notes**

Item No. 8F3

File No. 172077

Researcher: SM Reviewer: TD

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A QUIT CLAIM DEED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION CONVEYING TO THE COUNTY 5,649 SQUARE FEET OF REAL PROPERTY, LOCATED ADJACENT TO PELICAN HARBOR MARINA PARK AT 1265 NE 79 STREET IN MIAMI-DADE COUNTY; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH SAME; AND DIRECTING THE COUNTY MAYOR OR DESIGNEE TO RECORD THE QUIT CLAIM DEED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY IN ACCORDANCE WITH RESOLUTION NO. R-974-09

ISSUE/REQUESTED ACTION

Whether the Board should authorize the acceptance of a quit claim deed from the Florida Department of Transportation (FDOT) conveying to the county 5,649 square feet of real property.

APPLICABLE LEGISLATION/POLICY

Resolution NO.R-974-09, the Board directs the County Mayor or the County Mayor's designee to record this instrument of conveyance accepted herein in the public records of Miami-Dade County, Florida.

See Link: <http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2009/091900min.pdf>

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The right-of-way is being conveyed to the County at no cost.

ANALYSIS

Parks, Recreation and Open Spaces is redeveloping Pelican Harbor Marina Park to provide enhanced pedestrian and vehicular circulation, along with improved boat and trailer parking. Additional enhancements will be made to alleviate the congestion of marina-related traffic onto the 79 Street Causeway, (FDOT) has agreed to convey to the County the real property to the quit claim deed.

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Research Notes**

Item No. 8F4

File No. 172180

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$139,700.00 FOR SALE AND PURCHASE BETWEEN ROBERT RENESCA AND MARIE RENESCA, AS SELLERS, AND MIAMI-DADE COUNTY, AS BUYER, FOR APPROXIMATELY 5,000 SQUARE FEET OF LAND FOR THE PURPOSE OF RELOCATING AND CONSTRUCTING A NEW PUMP STATION 49 BY THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT, THE 5,000 SQUARE FEET BEING A PORTION OF A LARGER RESIDENTIAL PROPERTY AT 899 NE 83 STREET, CITY OF MIAMI, FLORIDA; AUTHORIZING THE EXPENDITURE OF UP TO \$4,000.00 FOR CLOSING COSTS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT, EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, TO TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD SUCH DEED

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor's execution of a Contract for Sale and Purchase as well as a Warranty Deed for the County to purchase land to relocate and construct Pump Station 49 for the Water and Sewer Department (WASD).

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09, adopted by the Board on July 21, 2009, requires any item authorizing the execution of instruments creating a County interest in real property to be recorded in the public records of the County and attached by the Clerk of the Board.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee at its October 10, 2017 meeting.

FISCAL IMPACT

The estimated total cost of the land purchase is \$143,700, representing \$139,700 for the acquisition and approximately \$4,000 for closing costs. Wastewater Connection Charges is the funding source.

ANALYSIS

This item requests Board authorization for the Administration to purchase 5,000 square feet of land located at 899 NE 83 Street in the City of Miami from Robert and Marie Renesca, husband and wife. The purpose of the transaction is to accommodate proposed additional wastewater flows from North Bay Village as well as maximize the capacity for future flows due to service area growth. WASD hired an independent contractor – Civil Works Inc. – who concluded that it is in the County's best interest to abandon the current pump station and have flows redirected to the site located directly north of the station. Such relocation will improve the existing infrastructure by allowing the facility to handle pressure from North Bay Village's new 16-inch force main.

Under the Contract for Sale and Purchase, the purchase price is predicated on a site area of 5,000 net square feet and shall be adjusted according to the net square feet as determined by the final survey. The agreement requires the

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sellers to convey good, marketable and insurable title by General Warranty Deed. The agreement was signed by the sellers on January 5, 2017. Under the Warranty Deed, the grantor (sellers), for consideration of \$10, sells the premises to the grantee (Miami-Dade County). As provided for under the deed, the conveyance is subject to: (a) taxes and assessments for the year 2014 and subsequent years; and (b) reservations, easements, matters of plat, covenants and restrictions of public record, if any.

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Research Notes**

Item No. 8F5

File No. 171868

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, FOR A NOMINAL SUM OF \$1.00 TO FORMALIZE THE EXISTING ELECTRICAL SERVICE UTILITIES THAT SERVICE COUNTY-OWNED PROPERTY LOCATED AT 15665 BISCAYNE BOULEVARD, NORTH MIAMI, FLORIDA; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the Administration to convey an 8,175 square foot easement to Florida Power and Light Company (FPL) to formalize the existing electrical utilities servicing County property located at 15665 Biscayne Boulevard in North Miami.

APPLICABLE LEGISLATION/POLICY

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

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

Resolution No. R-974-09, approved by the Board on July 21, 2009, requires any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter or mortgage creating or reserving a real property interest in favor of the County contain language that such instrument, after proper execution, be recorded in the public records of the county within which the real property is located.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

FISCAL IMPACT

The item authorizes the conveyance of an easement to FPL for a nominal sum of \$1.

ANALYSIS

An easement is a right to cross or otherwise use someone else's land for a specified purpose. The land at issue here is located at 15655 Biscayne Boulevard in North Miami, and, per the Summary Report attached to the item, is owned by the County's Fire Rescue Department. The land is a 3.97 acres and houses a County Fire Rescue station as well as a Police station under one address and folio number.

The Police Department desires to obtain a waiver of plat with the City of North Miami to create a separate folio number. During that review process, it was discovered that FPL does not have an easement for the utility line running through the property. The City of North Miami is requiring the County to convey this easement to FPL as a condition of approval for the waiver of plat. The language in the item's Easement attachment grants FPL an easement forever

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for the construction, operation and maintenance of underground electric utility facilities, including cables and conduits, and appurtenant above ground equipment.

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Research Notes**

Item No. 8F6

File No. 172045

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FIVE YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$91,744,000.00 FOR PREQUALIFICATION POOL NO. 9562-5/22 FOR JANITORIAL SERVICES FOR VARIOUS COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the Administration's exercise of the remaining five, one-year option-to-renew (OTR) terms under Prequalification Pool No. 9562-5/22 for countywide janitorial services.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive acquisitions may be approved; and establishes the requirements for legacy and designated purchases.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 2-8.9 of the County Code provides that County service contractors for covered services shall pay employees a living wage.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-
8.9LIWAORCOSECOEM](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.9LIWAORCOSECOEM)

Section 29-124 of the County Code requires review by the Citizens' Independent Transportation Trust (CITT) of contracts funded by the People's Transportation Plan or for contracts with a transit allocation exceeding \$1 million.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSA
SUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSA_SUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

Resolution No. R-841-06 directs the County Mayor to seek approval for award of successor contracts or extensions 30 days prior to contract expiration.

<http://intra/gia/matter.asp?matter=061720&file=true&yearFolder=Y2006>

Resolution No. R-1433-06 directs the County Mayor to develop an administrative process to review all contracts for procurement of goods and services for opportunities for small business enterprise participation prior to exercising an OTR.

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

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Resolution No. R-98-12 directs the County Mayor to attempt to negotiate better prices on all awarded contracts for the purchase of goods and services prior to the exercise of any OTRs, including a summary of such negotiation efforts in OTR recommendations requiring Board approval.

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

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

On October 12, 2017, CITT voted to forward a favorable recommendation of this item to the Board.

FISCAL IMPACT

The renewal allocation for the five-year period is \$91,744,000. The requested allocation for the OTR is based on existing and projected service requirements as well as Living Wage adjustments.

ANALYSIS

The current janitorial services pool was adopted by the Board on June 5, 2012 pursuant to Resolution No. R-456-12. The resolution provided for a pool term of five years, including five, one-year OTRs, for a value of \$92,000,000 for multiple County departments. The method of award was to all responsive and responsible vendors that met the minimum qualifications by group for participation in future spot market competition. There were three groups: (1) the vendor shall have a minimum of one-year of experience in managing facilities of any size; (2) the vendor shall have a minimum of three years of experience managing facilities exceeding 25,000 square feet; and (3) the vendor shall have a minimum of five years of experience managing facilities exceeding 75,000 square feet and/or buildings taller than five stories. The pool has been extended twice, from its original expiration date of June 30, 2017 to November 30, 2017 under delegated authority. There is one-month of extension authority remaining for the Administration.

County departments use this pool to provide a wide array of janitorial services for roughly 300 facilities. The departments requesting the largest allocations under this item are Internal Services, Library System, and Transportation and Public Works. The majority of the prequalified vendors have a local presence.

In addition to this contract, the County, pursuant to Resolution No. R-597-14, approved a legacy award in July 2014 to Florida Association of Rehabilitation Facilities, Inc. (Respect of FL) for janitorial services for County facilities managed by the Police and Internal Services Departments. The contract value is \$22,847,000 for a five-year term. The contract allows the County to exercise a single five-year OTR at its discretion.

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Item No. 8F7

File No. 171441

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING THE AWARD OF LEGACY CONTRACT NO. L9007-3/2 FOR PRIORITY DISPATCH PROQA MAINTENANCE AND SUPPORT SERVICES TO MEDICAL PRIORITY CONSULTANTS, INC.; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT OF UP TO \$96,000.00 FOR THE INITIAL TERM OF THE CONTRACT; AUTHORIZING THE EXERCISE OF THE SOLE OPTION TO RENEW TERM WITH AN ALLOCATION OF UP TO \$324,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve additional expenditure authority of \$96,000 under Legacy Contract No. L9007-3/2, Priority Dispatch ProQA Maintenance and Support, and exercise the two-year option-to-renew (OTR) term for \$324,000 for the Information Technology Department on behalf of the Police Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code authorizes legacy awards; formal sealed bids are not required for legacy purchases, which may be awarded by the Board upon a majority vote of the Board members present; a legacy purchase is the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure; the County Mayor shall include in any legacy purchase award recommendation a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for legacy purchases for the particular good or service.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-1433-06 directs the County Mayor to develop an administrative process to review all contracts for procurement of goods and services for opportunities for small business enterprise participation prior to exercising an OTR.

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

Resolution No. R-98-12 directs the County Mayor to attempt to negotiate better prices on all awarded contracts for the purchase of goods and services prior to the exercise of any OTRs, including a summary of such negotiation efforts in OTR recommendations requiring Board approval.

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

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee at its October 10, 2017 meeting.

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FISCAL IMPACT

The contract has an existing allocation of \$226,000 for the current term. An additional \$96,000 is requested for the current term and \$324,000 is requested for the OTR. The cumulative allocation, if this item is approved, is \$646,000. The funding source is 911 funds.

ANALYSIS

This item is requesting approval of \$96,000 in additional funding under the current term to purchase 53 ProQA Spanish language licenses and to cover the cost of associated maintenance and support services. The item is also requesting approval of \$324,000 for the single, two-year OTR commencing March 1, 2018. The value of the OTR was fixed at the time of the contract's execution.

The contract is styled as a legacy award because the awardee, Medical Priority Consultants, Inc., is the proprietary owner of the application and the only vendor that can readily satisfy the County's needs. Market research identified another vendor that could deliver similar services. However, switching to a new vendor would be cost-prohibitive.

The contract was awarded under delegated authority for two years plus one, two-year OTR for \$225,139 on January 22, 2016. The ProQA System assists with prioritizing the appropriate vehicles, equipment and personnel needed to respond to emergency calls as part of 911 operations. A search of the Small Business Development Certified Firms list dated October 26, 2017 revealed that the following certified small business vendors are registered under the commodity code for these services:

- ATS.COM, Inc.
- Compu-Design USA, Inc.
- Computer Based Associates, Inc.
- Meridian Partners, LLC
- Next Technology Consulting, Inc.
- RPR Empire Corp
- The Ashvins Group, Inc.
- Trust Technology Solutions, Inc.
- Visual Data Solutions, Inc.

Note that the vendor's principal address is in Salt Lake City, Utah.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8F8

File No. 171828

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF CLOSED PREQUALIFICATION POOL RTQ-00460 CONSISTING OF GREENBERG TRAUIG, P.A., HOGAN LOVELLS US, LLP AND SQUIRE PATTON BOGGS (US), LLP IN A TOTAL AMOUNT UP TO \$7,000,000.00 FOR COUNTY BOND COUNSEL FOR THE FINANCE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ASSIGN WORK IN ACCORDANCE WITH THE SOLICITATION DOCUMENT, AWARD CONTRACTS, AND EXERCISE ALL PROVISIONS OF THE CONTRACTS, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve the establishment of a replacement County Bond Counsel Pool for a seven-year term in the amount of \$7,000,000 for the Finance Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive acquisitions may be approved; and establishes the requirements for legacy and designated purchases.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-161-17, adopted by the Board on February 7, 2017, extends the County's Bond Counsel Pool, Authority Bond Counsel Pool and Disclosure Bond Counsel Pool for a one-year period on a month-to-month basis or until new pools are established, whichever occurs first.

<http://intra/gia/matter.asp?matter=170307&file=true&yearFolder=Y2017>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, requires that vendors provide addresses of all local branch offices and headquarters as well as the number and percentage of local residents such vendor employs in contract award recommendations before the Board.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the Administration to conduct a full review of a contract's scope of services prior to re-procurement of the contract to ensure such contract reflects the County's current needs.

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

Resolution No. R-157-10, adopted by the Board on February 2, 2010, appointed qualified firms to the County's Bond Counsel and Disclosure Counsel Pools.

<http://intra/gia/matter.asp?matter=093232&file=true&yearFolder=Y2009>

BCC Meeting: November 7, 2017 Research Notes

Resolution No. R-527-10, adopted by the Board on May 4, 2010, appointed qualified firms to the County's Authority Bond Counsel Pool.

<http://intra/gia/matter.asp?matter=100816&file=true&yearFolder=Y2010>

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting. At the committee, there was discussion regarding the cost of bond counsel. The Administration addressed this by clarifying that: (1) there is a scale based on a par amount of the bond issued that has not changed since 1993; (2) bond counsel is paid per transaction for individual work assignments; and (3) payment for re-financing is slightly higher as it is not a straight bond deal and requires other elements such as an escrow deposit.

FISCAL IMPACT

The fiscal impact for the seven-year term is \$7,000,000. The funding source is Bond proceeds.

ANALYSIS

The County utilizes three pools of law firms, which are the Bond Counsel, Disclosure Counsel and Authority Counsel, to represent it and its peripheral authorities (e.g., Health Facilities Authority, Educational Facilities Authority and Housing Finance Authority). The legal firms in the pools were originally selected through a competitive process for a seven-year period. The County's bond counsel and disclosure counsel pools serve the County and its departments. The County's authority counsel pool serves as bond counsel to the County's peripheral authorities. Each pool consists of three joint ventures and each joint venture is structured with a nationally recognized law firm with an office in the State of Florida and a local bond counsel firm with gross revenue of \$5 million or less.

Per the Market Research file associated with the replacement award, no single law firm is permitted to serve in more than one pool. Assignment under the pools are made by the Finance Department on an equitable basis, first by order of ranking and then by amount of work and money received.

The current bond counsel pool is valued at \$7,000,000 and expires on November 12, 2017. The current pool members are: (1) Squire, Sanders & Dempsey LLP along with Y3K Holdings, Inc; (2) Greenberg Traurig PA along with Edwards & Associates PA; and (3) Hogan & Hartson LLP along with Law Offices of Steve E. Bullock PA.

The replacement pool was advertised on February 27, 2017. Seven proposals were received in response to the solicitation. The award under the replacement pool is being made to the three highest-ranked proposers. The purpose of the solicitation was to obtain proposals from qualified joint venture firms for inclusion in the County Bond Counsel Pool in order to serve on (1) County bond or debt transactions as bond counsel for which they shall render an approving opinion, and (2) public finance matters involving the County or any of its Departments as special bond counsel.

A search of the Small Business Development Certified Firms List dated October 26, 2017 revealed the following vendors registered under the commodity code for these services:

- A.L. Jackson & Company PA
- Anthony Brunson PA
- C Borders-Byrd CPA LLC

**BCC Meeting: November 7, 2017
Research Notes**

**Item No. 8F9
No. 171865**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO INVITATION TO BID NO. FB-00544 FOR THE PURCHASE OF MAILING SERVICES FOR MULTIPLE COUNTY DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve the rejection of all bids received under Invitation to Bid No. FB-00544, mailing services for multiple County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally). [https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order No. 3-38 governing the authority to award and modify contracts.
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

ANALYSIS

The proposed resolution authorizes the rejection of three bids for the purchase of mailing services received in response to Invitation to Bid No. FB-00544, one of which included a “No Bid”. The solicitation was advertised on April 04, 2017 to solicit proposals from interested parties a contract to provide bulk mailing services and related services including pick-up and delivery.

This solicitation is to replace Contract #8058-0/17 Mailing Services issued on October 23, 2012 for a five-year period which expires on November 30, 2017 with the awarded amount of \$6,450,000. Allocation for Contract #8058-0/17 was for seven departments; however, as noted in the table below allocation to Property Appraisal was excluded in the new contract. Of the \$2.749 million contracted \$1.6 million is allocated to the ISD.

Contract 8058-0/17		New Contract	
<i>Department</i>	<i>Allocation</i>	<i>Revised Allocation</i>	<i>Variance</i>
Aviation	\$ 75,000	\$ 75,000	Same
Clerk of Courts	\$3,875,000	\$ 230,000	Decreased
Finance	\$ 150,000	\$ 530,000	Increased
Internal Services	\$1,600,000	\$1,600,000	Same
Library Services	\$ 70,000	\$ 10,000	Decreased
Property Appraisal	\$ 500,000	\$ 0	Decreased
Water and Sewer	\$ 230,000	\$ 304,000	Increased
TOTAL	\$2,749,000	\$2,749,000	

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Research Notes

The request to reject all bids received is due to errors discovered by staff during the evaluation of such bids. The errors were found in the estimated annual quantities of three line items in the solicitation. A replacement solicitation was issued for these services and a recommendation to the Board is anticipated near the end of the calendar year.

OCA posed the following questions, to which ISD responded.

1. The bids are being recommended for rejection due to errors in the estimated quantities in the solicitation discovered during the evaluation process; were the quantities under- or overestimated?

Overestimated

2. If applicable, please provide the updated allocation by departments based on the corrected quantities. *Aviation \$15,000; Clerk of Courts \$278,000; Finance \$35,000; Internal Services \$357,000; Library \$10,000 and Water and Sewer \$236,000*

3. What is the estimated date of delivery for the replacement solicitation to the Board?

The replacement solicitation will be awarded under the mayor's delegated authority.

4. Under the current Contract (8058-0/17), the Property Appraiser's Office has an allocation of \$500,000, yet the office does not have an allocation under the replacement re-procurement; explain why the department no longer has an allocation.

The Property Appraiser's Office issued its own solicitation for these services and awarded a contract last year. As a result, they no longer needed an allocation under this replacement contract.

5. Is the Method of Award under the replacement contract the same as under the current contract?

No. The Method of Award under the current contract, Contract No. 8058-0/17 was to the lowest priced vendor by group, with each user department representing a different group. The Method of Award under FB-00544 was to the lowest priced vendor in the aggregate for all items.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8F10

File No. 171877

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF CLOSED PREQUALIFICATION POOL RTQ-00527 CONSISTING OF BRYANT MILLER OLIVE, P.A., FOLEY & LARDNER, LLP, AND LOCKE LORD, LLP IN A TOTAL AMOUNT UP TO \$4,200,000.00 FOR A SEVEN YEAR TERM FOR AUTHORITY BOND COUNSEL FOR THE FINANCE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ASSIGN WORK IN ACCORDANCE WITH THE SOLICITATION DOCUMENT, AWARD CONTRACTS, AND EXERCISE ALL PROVISIONS OF THE CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve the establishment of a replacement County Authority Bond Counsel Pool for a seven-year term in the amount of \$4,200,000 for the Finance Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive acquisitions may be approved; and establishes the requirements for legacy and designated purchases.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-161-17, adopted by the Board on February 7, 2017, extends the County's Bond Counsel Pool, Authority Bond Counsel Pool and Disclosure Bond Counsel Pool for a one-year period on a month-to-month basis or until new pools are established, whichever occurs first.

<http://intra/gia/matter.asp?matter=170307&file=true&yearFolder=Y2017>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, requires that vendors provide addresses of all local branch offices and headquarters as well as the number and percentage of local residents such vendor employs in contract award recommendations before the Board.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the Administration to conduct a full review of a contract's scope of services prior to re-procurement of the contract to ensure such contract reflects the County's current needs.

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

Resolution No. R-157-10, adopted by the Board on February 2, 2010, appointed qualified firms to the County's Bond Counsel and Disclosure Counsel Pools.

<http://intra/gia/matter.asp?matter=093232&file=true&yearFolder=Y2009>

BCC Meeting: November 7, 2017 Research Notes

Resolution No. R-527-10, adopted by the Board on May 4, 2010, appointed qualified firms to the County's Authority Bond Counsel Pool.

<http://intra/gia/matter.asp?matter=100816&file=true&yearFolder=Y2010>

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting. At the committee, there was discussion regarding the cost of bond counsel. The Administration addressed this by clarifying that: (1) there is a scale based on a par amount of the bond issued that has not changed since 1993; (2) bond counsel is paid per transaction for individual work assignments; and (3) payment for re-financing is slightly higher as it is not a straight bond deal and requires other elements such as an escrow deposit.

FISCAL IMPACT

The fiscal impact for the seven-year term is \$4,200,000. The funding source is Bond proceeds.

ANALYSIS

The County utilizes three pools of law firms, which are the Bond Counsel, Disclosure Counsel and Authority Counsel, to represent it and its peripheral authorities (e.g., Health Facilities Authority, Educational Facilities Authority and Housing Finance Authority). The legal firms in the pools were originally selected through a competitive process for a seven-year period. The County's bond counsel and disclosure counsel pools serve the County and its departments. The County's authority counsel pool serves as bond counsel to the County's peripheral authorities. Each pool consists of three joint ventures and each joint venture is structured with a nationally recognized law firm with an office in the State of Florida and a local bond counsel firm with gross revenue of \$5 million or less.

Per the Market Research file associated with the replacement award, no single law firm is permitted to serve in more than one pool. Assignment under the pools are made by the Finance Department on an equitable basis, first by order of ranking and then by amount of work and money received. The current authority bond counsel pool is valued at \$4,200,000 and expires on November 12, 2017. The current pool members are: (1) Bryant Miller Olive PA along with Manuel Alonso-Poch PA; (2) Foley & Lardner LLP along with Richard Kuper PA; (3) Akerman Senterfitt along with Law Offices of Michael Diaz; and (4) Adorno & Yoss LLP along with Clyne & Associates PA.

The replacement pool was advertised on February 27, 2017. Five proposals were received in response to the solicitation. The award under the replacement pool is being made to the three highest-ranked proposers. The purpose of the solicitation was to obtain proposals from qualified joint venture firms for inclusion in the County Authority Bond Counsel Pool for bond counsel services for the issuance of municipal bonds through the County's peripheral authorities.

A search of the Small Business Development Certified Firms List dated October 26, 2017 revealed the following vendors registered under the commodity code for these services:

- A.L. Jackson & Company PA
- Anthony Brunson PA
- C Borders-Byrd CPA LLC

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Research Notes**

Item No. 8F11

File No. 171966

Researcher: SM Reviewer: TD

RESOLUTION APPROVING REJECTION OF ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. 00344 FOR THE DEVELOPMENT, MANAGEMENT, AND OPERATION OF MIAMI-DADE WEST KENDALL DISTRICT PARK FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve rejection of all proposals received in response to request for proposals No. 00344 for the development, management, and operation of Miami-Dade West Kendall District Park for the Parks, Recreation and Open Spaces Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.5 Procedure to provide preference to local business in the County contracts. See link: https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.5PRPRPRLOBUCOCO

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

There is no fiscal impact to the County for the rejection of proposals.

ANALYSIS

Three proposals were received in response to the solicitation. The County affirmed that the solicitation requires the awarded vendor to facilitate the removal of the deed restrictions located on the property and pay all associated costs. The proposal from Sports City International, LLC was deemed non-responsive by the County Attorney's Office. In April 2017, Life Sports provided its response to the County's requirement, but the proposed resolution did not address the original intent of the solicitation and was not feasible. The Parks, Recreation, and Open Spaces Department intends to review the requested services and may issue a new solicitation in the future, depending upon the results of further market research and need.

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Research Notes**

**Item No. 8F12
File No. 171967**

Researcher: SM Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00454 FOR PURCHASE OF PREVENTIVE MAINTENANCE SERVICES, PARTS, REPAIRS, AND DETERGENTS FOR VEHICLE WASH AND WATER RECLAMATION SYSTEMS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$1,715,000.00 FOR THE FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve Contract No FB-00454 for purchase of preventive maintenance services, parts, repairs and detergents for vehicle wash and water reclamation systems for various departments with a fiscal impact of up to \$1,715,000 for the initial term of five-year.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38 governing the authority to award and modify contracts. See link:

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

PROCEDURAL HISTORY

This item does not have procedural history

FISCAL IMPACT

The advertised value of this contract was \$2,395,000. The current contract expired on July 31, 2017, is valued at \$898,000 for three years and six months and expired on July 31, 2017. The proposed contract is valued at \$1,715,000 for an initial five-year term. The increase in allocation amount is due to an immediate need for repairs at several facilities. There is another Bid No. FB-00454B from Vehicle Wash Detergents and Wash Facilities, Repairs, and Maintenance Services with an advertised/awarded value of \$250,000.00 in addition to the \$1,715,000.

ANALYSIS

This item recommends approval for a contract award for Vehicle Wash Detergents and Wash Facilities, Repairs, and Maintenance Services, for Multiple County Departments for a five-year term valued at \$1,715,000. This item was protested and thus pulled. On June 23, 2017 a memorandum was sent before the Board regarding a protest was filed by a bidder, regarding the validity of the credentials to provide the goods and services as specified in the solicitation submitted by another vendor, Pancar Industrial Supply Corporation. County staff reviewed the protest and agreed with the allegations. Nine bids were received including three "No Bids." The increase in the replacement contract is due to the immediate repair needs at the three facilities managed by the Transportation and Public Works Department and one vehicle was facility managed by Solid Waste Management.

The services are used by three departments: Aviation (AV), Solid Waste Management (SW), Transportation and Public Works (TPW). Aviation, Solid waste and Transportation and Public Works are allocated \$85,000, \$780,000 and \$850,000 of the \$1,715,000 respectively.

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Research Notes**

Item No. 8F13

File No. 172064

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY CONTRACT IN THE AMOUNT OF \$379,003.79 FOR THE PURCHASE OF INTEGRATED PEST MANAGEMENT SERVICES FOR THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve, by a two-thirds majority, to waive formal bid procedures to ratify an award for an emergency contract for pest management services to El Toro Exterminator of Florida, Inc.

APPLICABLE LEGISLATION/POLICY

Section 5.03 (d) of the Home Rule Charter, which prescribes that competitive bids can be waived by two-thirds majority vote of the Board.

<http://www.miamidade.gov/charter/library/charter.pdf>

Section 2.8.1 of the County Code, which expands on the "bid requirement for certain purchases; delegation of authority to advertise, award and reject bids or proposal for certain purchases.

[https://library.municode.com/fl/miami -
dade county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order 3-38 which details the County's process for purchasing good and services.

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

Resolution No. R-454-13, directing the administration to bring emergency contract ratifications to the Board within 120 days of such emergency.

<http://intra/gia/legistarfiles/MinMatters/Y2013/131016min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Transportation and Public Works Committee at its October 12, 2017 meeting.

At that Committee, there was discussion as follows:

- *The Committee wanted clarification as to why there was a need to increase the legacy contract; if it was solely because of the many complaints regarding insects on the buses.*
- *ISD responded that this contract expired and should be brought to the Board last year; however, at the time of the complaints, DTPW did not have enough allocation, so there was an emergency process done and the vendor provided the services.*
- *The Committee noted that because of a mistake by the Department, meaning no process of solicitation before the contract expired, the County lost the opportunity to solicit for other competitors to get a better price.*

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- *ISD responded that competitive solicitation with local participants was completed and a replacement award was approved by the Board for future services. However, this item is brought to the Committee for ramification only for a one time need because the vendor already completed the services. This request is for retroactive payment to the vendor for addressing the emergency situation to fumigate buses.*

FISCAL IMPACT

The fiscal impact of this emergency purchases is \$379,003.79

ANALYSIS

This is an emergency purchase for fumigation and pest control on County buses. The contract includes a memorandum from the DTPW Director to the ISD Director approving the emergency services. That procedure complies with Implementing Order 3-38 for the purchase of emergency services in response to an unforeseen or unanticipated urgent and immediate need for good or services to public the public's welfare.

The awarded vendor, El Toro Exterminator of Florida, Inc., is a minority-owned company and has been in business since 1969. According to the Bid Tracking System (BTS), Contract No. EPP-WOPR8264 was used by Transportation and Public Works department to select the vendor El Toro to deliver the pest control services. The emergency contract, E9930-MT, was requested on June 30, 2017, with the award value of \$379,003.79.

According to the Small Business Development SBE List, there are four additional certified Vendors that currently provide the subject services under commodity code 91059 (Pest Control – Including Termite Inspection).

Vendor	Contact	Phone
Abraham Vanegas Landscaping, Inc.	Abraham Vanegas	(305) 251-0080
American Contracting, Inc.	Julio Cruz	(305) 759-7000
<i>El Toro Exterminator of Florida, Inc.</i>	<i>Alejandro Perez</i>	<i>(305) 594-4767</i>
LCN Group, Inc.	Leighton Brown	(305) 318-2686
Sharp Shot, Inc.	Bonnie L. Morales	(305) 251-4890

Pest Control for Mass Transit, Trains & Airports

Pests can infest any area including trains, airports and mass transit modes. If you are in the transport industry, you know how damaging pests can be not only to your property, but also to your image and reputation as a service provider. People want to travel in the most hygienic spaces but pests can come in the way of these. Besides being very unsightly and scary to your customers, they could actually end up posing dangers such as bites or poisonous stings.

<http://www.toropest.com/transportation>

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8F15

File No. 172042

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE REMAINING ONE-YEAR OPTION TO RENEW PERIOD FOR CONTRACT NO. FB-00220-1(2) FOR THE PURCHASE OF LIQUID WASTE HANDLING SERVICES FOR VARIOUS COUNTY DEPARTMENTS IN AN AMOUNT NOT TO EXCEED \$604,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or his designee to exercise the remaining one-year option to renew period for Contract No. FB-00220-1(2) for the purchase of liquid waste handling services for various departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally).

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order No. 3-38, governing the authority to award and modify contracts.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its 10/10/2017 meeting.

FISCAL IMPACT

If this request is approved, the contract will have a modified cumulative value of \$1,604,000.

ANALYSIS

This items recommends exercising the second option to renew on contract no. FB-00220-1(2) until November 30, 2018. The contract was awarded September 2015 for one-year with two, one-year option to renew terms.

County departments use this contract to pump out grease, water and solids from life stations and grease traps, scrape and pressure wash trap walls; and transport and dispose of liquid waste. Of the six departments awarded allocation in this contract, Aviation and Parks, Recreation and Open Spaces (PROS) had the highest modification cumulative allocation of \$880,000 and \$435,000 respectively. Funding source for PROS is listed as General Fund. Allocation for Aviation has increased due to recent airport expansions. The modified amounts are based on the projected departmental needs for the renewal term.

The item states that prior to expiration of the contract, market research was conducted to assess factors such as pricing, and results showed that the current vendor, Carlos Rivero Plumbing & Septic Tank Contractor, Inc., offers competitive pricing and the knowledge and capacity to handle the needs of the County. The vendor is a general

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contractor based in Miami and maintains active status with the Florida Department of State Division of Corporations. Since 2006, this vendor has been awarded approximately 19 contracts with the County.

To date, Carlos Rivero Plumbing & Septic Tank Contractor, Inc. is not a SBE certified firm with Miami-Dade County. As of October 29, 2017, under Commodity Code 90680 (*Sewage Collection Services, Treatment and Disposables*), Civil Works, Inc. located in Doral, is registered as a Small Business Development Certified firm (SBE/AE).

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Research Notes**

Item No. 8F16

File No. 172068

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF CLOSED PREQUALIFICATION POOL RTQ-00528 CONSISTING OF COZEN O'CONNOR, PC, HUNTON & WILLIAMS, LLP, AND NABORS, GIBLIN & NICKERSON, P.A. IN A TOTAL AMOUNT UP TO \$4,900,000.00 FOR A SEVEN YEAR TERM FOR DISCLOSURE BOND COUNSEL FOR THE FINANCE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ASSIGN WORK IN ACCORDANCE WITH THE SOLICITATION DOCUMENT, AWARD CONTRACTS, AND EXERCISE ALL PROVISIONS OF THE CONTRACTS INCLUDING ANY CANCELLATION RENEWAL, AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve the establishment of a replacement County Disclosure Counsel Pool for a seven-year term in the amount of \$4,900,000 for the Finance Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive acquisitions may be approved; and establishes the requirements for legacy and designated purchases.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-161-17, adopted by the Board on February 7, 2017, extends the County's Bond Counsel Pool, Authority Bond Counsel Pool and Disclosure Bond Counsel Pool for a one-year period on a month-to-month basis or until new pools are established, whichever occurs first.

<http://intra/gia/matter.asp?matter=170307&file=true&yearFolder=Y2017>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, requires that vendors provide addresses of all local branch offices and headquarters as well as the number and percentage of local residents such vendor employs in contract award recommendations before the Board.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-140-15, adopted by the Board on February 3, 2015, directs the Administration to conduct a full review of a contract's scope of services prior to re-procurement of the contract to ensure such contract reflects the County's current needs.

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

Resolution No. R-157-10, adopted by the Board on February 2, 2010, appointed qualified firms to the County's Bond Counsel and Disclosure Counsel Pools.

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<http://intra/gia/matter.asp?matter=093232&file=true&yearFolder=Y2009>

Resolution No. R-527-10, adopted by the Board on May 4, 2010, appointed qualified firms to the County's Authority Bond Counsel Pool.

<http://intra/gia/matter.asp?matter=100816&file=true&yearFolder=Y2010>

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting. At the committee, there was discussion regarding the cost of bond counsel. The Administration addressed this by clarifying that: (1) there is a scale based on a par amount of the bond issued that has not changed since 1993; (2) bond counsel is paid per transaction for individual work assignments; and (3) payment for re-financing is slightly higher as it is not a straight bond deal and requires other elements such as an escrow deposit.

FISCAL IMPACT

The fiscal impact for the seven-year term is \$4,900,000. The funding source is Bond proceeds.

ANALYSIS

The County utilizes three pools of law firms, which are the Bond Counsel, Disclosure Counsel and Authority Counsel, to represent it and its peripheral authorities (e.g., Health Facilities Authority, Educational Facilities Authority and Housing Finance Authority). The legal firms in the pools were originally selected through a competitive process for a seven-year period. The County's bond counsel and disclosure counsel pools serve the County and its departments. The County's authority counsel pool serves as bond counsel to the County's peripheral authorities. Each pool consists of three joint ventures and each joint venture is structured with a nationally recognized law firm with an office in the State of Florida and a local bond counsel firm with gross revenue of \$5 million or less.

Per the Market Research file associated with the replacement award, no single law firm is permitted to serve in more than one pool. Assignment under the pools are made by the Finance Department on an equitable basis, first by order of ranking and then by amount of work and money received. The current disclosure counsel pool is valued at \$4,900,000 and expires on November 12, 2017. The current pool members are: (1) Hunton & Williams LLP along with the Law Offices of Thomas H. Williams Jr. PL; (2) Nabors Giblin & Nickerson PA along with Liebler, Gonzalez & Portuondo PA; and (3) Edwards Angell Palmer & Dodge LLP along with Rasco Reininger Perez Esquenazi & Vigil PL.

The replacement pool was advertised on February 27, 2017. Seven proposals were received in response to the solicitation. The award under the replacement pool is being made to the three highest-ranked proposers. The purpose of the solicitation was to obtain proposals from qualified joint venture firms for inclusion in the County Disclosure Counsel Pool for the issuance of public bond or debt transactions related to the County.

A search of the Small Business Development Certified Firms List dated October 26, 2017 revealed the following vendors registered under the commodity code for these services:

- A.L. Jackson & Company PA
- Anthony Brunson PA
- C Borders-Byrd CPA LLC

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Research Notes**

**Item No. 8F17
File No. 172181**

Researcher: SAP Reviewer: TD

RESOLUTION RATIFYING THE ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE WITH RESPECT TO THE ADDITION OF VENDORS TO OPEN POOL CONTRACTS DURING THE PERIOD OF JANUARY 1, 2017 THROUGH JUNE 30, 2017

ISSUE/REQUESTED ACTION

Whether the Board should ratify the actions of the County Mayor or his designee in the addition of vendors to various active open pools.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-395-12 requires that a report of vendors added to open pool contracts be provided to the Board for bi-annual ratification. <http://intra/gia/legistarfiles/MinMatters/Y2012/120561min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its 10/10/2017 meeting

ANALYSIS

The first semi-annual ratification report was approved by the Board through R-79-13. At that time, several Commissioners requested that additional information be included in subsequent reports, including information regarding small business certifications and information regarding the amount of work/payments received by the vendors that are added to the pool.

Open prequalification pools provide ongoing opportunities to vendors interested in participating in the County's competitive business process. Pursuant to recent discussions at Board of County Commissioners meetings, the Internal Services Department will be leading an aggressive outreach campaign to encourage additional participation by local businesses in the County's pools.

According to the item, a total of 95 vendors were added to the prequalification pools during the 6-month period (January- to June 2017). Of the 95 vendors, only 13, listed below, are registered as Small Business Development Certified Firms with Miami-Dade County.

SBD Certified Vendor	Local Address
Daysi Ynigo Landscaping & Lawn Service	2517 NW 21 Terrace, Unit 7, Miami, FL
Pedro Hernandez	3274 NW 30 Street, Miami, FL
Corcel Corporation	2461 NW 23 Street, Miami, FL
Alm Machine, Inc.	13906 SW 139 Court, Miami, FL
Distreebutors, Inc.	17121 NW 137 Avenue, Hialeah Gardens, FL
J mac Cleaning Services, Inc.	13640 NW 19 Avenue, Bay 10, Miami, FL
El Toro Exterminator of Florida, Inc.	1460 NW 107 Avenue, Unit 1, Miami, FL
Miami Grandstand Entertainment Corp.	2330 W 79 th Street, Hialeah, FL

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Atlas Polymers Corp.	2930 NW 108 Avenue, Miami, FL
Awards, LLC	6400 NW 77 Court, Miami, FL
Buzzard Air Conditioning, LLC	14346 SW 157 Street, Miami, FL
Disamerica Consulting Group, Inc.	8315 SW 150 Drive, palmetto Bay, FL
Trienergy Solutions, Inc.	4342 NW 44 Terrace, Coconut Creek, FL

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Research Notes**

**Item No. 8F18
File No. 172075**

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00420, PROFESSIONAL VETERINARY SERVICES, TO NYK ANIMAL HOSPITAL, PLLC DBA SKY LAKE ANIMAL HOSPITAL FOR THE NORTH ZONE AND KNOWLES ANIMAL CLINIC SNAPPER CREEK, PA FOR THE SOUTH ZONE WITH AN ESTIMATED FISCAL IMPACT TO THE COUNTY IN AN AMOUNT UP TO \$1,771,000.00 FOR THE INITIAL THREE-YEAR TERM AND ONE THREE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve award of Contract No. RFP. 00420, Professional Veterinary Services to NYK Animal Hospital for the North Zone and Knowles Animal Clinic Snapper Creek for the South Zone.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally). I

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order No. 3-38, governing the authority to award and modify contracts.

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

Resolution R-841-06, which speaks to timeframe for presenting replacement contracts to the Board for approval.

<http://intra/gia/legistarfiles/Matters/Y2006/061720.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

FISCAL IMPACT

The current contract RFP-745, valued at \$1,254,000 for a 78-month term expired on October 31, 2017. Should the County choose to exercise, at its sole discretion, the one three-year option to renew term, the estimated cumulative value will be \$1,771,000. *Resolution No. R-841-06 was adopted to change the deadline from 60 days to 30 days prior to the expiration of an effected contract.*

ANALYSIS

This items seeks approval of Contract No. RFO-00420 for professional veterinary services for five departments namely Police, Fire Rescue, Corrections and Rehabilitation, Animal Services and Aviation. The contract is used by departments for working canines assigned to public safety departments that require specialized veterinary treatment due to the nature of the job.

This contract was established in May 2011 under delegated authority for the delivery of professional veterinary services, including 24-hour emergency services, for the Miami-Dade County. The contract provides for routine and

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emergency office visits, annual physical exams, pre-purchase testing of prospective canines, teeth cleaning, ear cleaning/flushing, heartworm tests, radiology, yearly vaccinations, fecal examinations, surgery, complete blood chemistry tests, spay and neutering, boarding services, prescriptions, and medical supplies. The spay and neutering services provided under this contract are only for working canines assigned to the departments. On November 1, 2016, the Board approved a modification of the current contract, through Resolution No. R-967-16 to allow for this re-solicitation.

The contract was awarded to two (2) vendors, by zones (*North – NYK Animal Hospital and South – Knowles Animal Clinic Snapper Creek*) for three (3) years, with three (3), one-year option to renew periods. Both vendors are Florida-licensed veterinarians operating permitted animal treatment facilities but are not Small Business Development Certified firms. As of October 29, 2017, under commodity code 96186, (*Veterinary Services*), Boros Veterinary Services, Inc. is registered as a Small Business Development Certified firm (SBE/GS) with Miami-Dade County.

OCA posed the following questions, to which ISD responded.

1. The Mayor's memorandum states that Resolution No. R-967-16, adopted on 11/1/16, allowed for this re-solicitation; clarify what's meant by that statement;
The County exercised the remaining two option to renew periods on the previous contract simultaneously, however the funds were only given for one-year due to the approval threshold. Resolution No. R-967-16 added funds to the last OTR term, which allowed ISD to timely resolicit for these services as intended.
2. The Mayor's memorandum states that the increase in expenditure under the replacement contract is higher than the current contract's due to the purchase of new canines; which departments are those canines for?
The Police Department
3. What's the distinction in the services covered under this replacement contract and Contract No. BW9870-4/21?
This contract is for police canines, which require comprehensive and specialized veterinary care due to the nature of their jobs. BW9870-4/21 is an operations and maintenance agreement that provides free and low cost sterilization (spay/neuter) services for privately owned dogs and cats, as well as free-roaming community cats at the South Dade Animal Services Clinic.
4. Provide the number of veterinarians currently working for the Animal Services Department.
Seven

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Item No. 8F19

File No. 172183

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO INVITATION TO BID NO. FB-00555 FOR ACCESS CONTROL POINT BARRIER SYSTEMS MAINTENANCE AND RELATED SERVICES FOR THE AVIATION DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve the rejection of all bids received in response to a solicitation for access control point barrier systems maintenance and related services for the Aviation Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive acquisitions may be approved; and establishes the requirements for legacy and designated purchases.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

PROCEDURAL HISTORY

The item was forwarded to the Board with a favorable recommendation by the Economic Development and Tourism Committee at its October 12, 2017 meeting.

FISCAL IMPACT

The advertised value posted in the Bid Tracking System is \$2,700,000. However, there is no fiscal impact to the County as the item is recommending the rejection of all bids received.

ANALYSIS

The solicitation was advertised on June 13, 2017 and sought a vendor to deliver preventive maintenance, assessment, inspection and repair services of the access control point barrier and traffic gate arm systems at the Aviation Department (MDAD). The services would have been performed at Miami International Airport. MDAD has a continuous need for routine maintenance and repair services for its automatic gate arms and access control point barriers to protect its assets and facilities against unlawful entry.

The contract would have had a five-year term and one, two-year option to renew. The method of award was to the single lowest-priced responsive and responsible bidder submitting an offer on all the items in the aggregate. The solicitation contained a minimum qualification requirement, i.e., submission of a copy of a General Contractor or Mechanical License. As indicated in the mayoral memorandum, six bids were received in response to the solicitation, including two “No Bids.” During bid evaluation, staff discovered that the minimum qualification requirement was inaccurate; a general contractor license was not required to perform the solicited services, rather an electrical contractor license and a mechanical contractor license are both required. The County has prepared a replacement solicitation identifying the correct licenses and anticipates advertisement in October 2017.

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The current contract, FB-00320, is valued at \$398,961 for one year and six months and has been awarded to SGA Management, Inc. The current contract expires on February 28, 2018.

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Research Notes**

Item No. 8F20

File No. 171714

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00486 FOR PURCHASE OF BUS AND TRAIN OPERATORS UNIFORMS FOR COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$4,041,000.00 FOR THE FIVE- YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2- 8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should award Contract FB-00486 for purchase of uniforms for bus and train operators for the Aviation and Transportation and Public Works Departments (DTPW).

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code which expands on the "bid requirement for certain purchases; delegation of authority to advertise, award and reject bids or proposals for certain purchases.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Implementing Order 3-38 which details the County's process for purchasing goods and services.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Transportation and Public Works Committee at its October 12, 2017 meeting.

FISCAL IMPACT

The fiscal impact for the five-year term is \$4,041,000. The current contract, 9436-2/17-2, is valued at \$4,356,000 for a six-year and six-month term, which expires on December 31, 2017.

ANALYSIS

This items seeks approval of Contract FB-00486 to purchase over 60 line items, representing various articles of clothing and accessories comprising of uniforms for bus and train operators, mechanics and maintenance workers. The departments being awarded are Aviation for \$180,000 and DTPW for \$3,881,000.

Aviation will use the allocation to purchase shirts for employees in its Terminal Operations, Security and Public Safety and Noise Abatement Offices, as well as for airport couriers. The DTPW will use the requested allocation to purchase uniforms, which includes various articles of clothing. Pursuant to the Article V.22 of the collective bargaining agreement with the Transportation Workers Union, Local 291, DTPW will provide one pair of safety shoes per year and a jacket for cold weather once every two years to employees who work in areas deemed to require same.

According to the Bid Tracking System, the three vendors that bid on this replacement contract were Global Trading, Inc., Kina Group Corp., and T-Shirts Plus Color, Inc. As of October 29, 2017, under commodity code 20072, Carily of Miami Uniforms, Inc. is also a Small Business Development Certified firm (SBE/GS) with Miami-Dade County.

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The awarded vendor, Global Trading, Inc. (SBE), was the lowest bidder. Global Trading, Inc., and has been marketing Safety Shoes and Uniforms for the Industrial, Public Safety, and Law Enforcement industries since 1991. They cater to the South Florida market with our two stores located in Miami and Fort Lauderdale as well as nationwide.

<http://www.gtim.com/#uniforms>

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Research Notes**

Item No. 8F22

File No. 172466

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9837-3/23, DELTA CONTROLS BMS MAINTENANCE SERVICES, FOR THE INTERNAL SERVICES DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE A ONE-YEAR OPTION TO RENEW TERM FOR LEGACY CONTRACT NO. L9837-3/23, DELTA CONTROLS BMS MAINTENANCE SERVICES, FOR THE INTERNAL SERVICES DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$88,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 [SEE ORIGINAL ITEM UNDER FILE NO. 172184]

ISSUE/REQUESTED ACTION

Whether the Board should authorize Legacy Contract No. L9837-3/23, Delta Controls Building Management Systems (BMS) Maintenance Services.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally).

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38, governing the authority to award and modify contracts.

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

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee, with committee amendments, at its October 10, 2017 meeting. The item was amended to renew the contract with South Florida Controls, Inc. for an additional 1 year, with a value of \$88,000, exercising the existing contract's first option to renew.

At that Committee, there was discussion as follows:

1. *The Committee was concerned about the number of legacy contracts and wanted an explanation as to the legitimate need for this legacy contract. How do we know we are getting the best product with the advance in technology and the competition in the market? How can we say a company can offer something better that has been there for years? How long is this contract and how long does the bureaucracy of the County take for a procurement item?*
2. *The Assistant Department Director stated that open competition would take about eight to ten months.*
3. *The Committee noted that no one company should believe that they own anything as in a legacy contract in Miami-Dade County. Due diligence is necessary and that the Department should explore the market.*
4. *Deputy Mayor Marquez added that the reason this is considered a legacy contract was because the Department did the research and the alternative would be securing a new system that would cost substantially more, and he didn't know if it would be possible to go with an RFP that ask for two types of alternatives.*

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5. *The Committee stated that the item should be amended only approving the first option to renew while the Administration competes the long-term replacement contract so that the public can be informed that it was an open competition for everyone.*
6. *The Committee Chair advised Administration that legacy contracts will be the first discussion at the next Committee meeting and that a report on Legacy Contracts should be provided to the Committee, prior to the next meeting. The Chair also suggested that the Administration meet with each Committee Member to explain all the legacy contracts and why the product(s) cannot be outsourced.*

FISCAL IMPACT

The contract, which is in its initial term, expires on December 31, 2017. If the option to renew is exercised, the contract's estimated value will be \$285,000 and the expiration date will be December 31, 2018. According to BTS, the current value was \$196,650.00, of which \$160,638.52 has been released, with a remaining balance of \$36,011.48.

ANALYSIS

The proposed resolution authorizes Legacy Contract No. L9837-3/23, Delta Controls BMS Maintenance Services for Internal Services Department. The Scope of Services, in the contract dated September 2, 2015, is for a comprehensive/all-inclusive technical support program, including all parts, labor, repairs, preventative maintenance, software updates, continuing education, database protection and modifications, and emergency support as needed by BMS, which controls Miami-Dade County facilities located at West Lot, 220 NW 3rd Street, Miami, FL and 2) Hialeah Courthouse, 11 E 6th Street, Hialeah, FL. Delta Controls provides all parts, labor, repairs, preventative maintenance, database protection, continuing education, software updates, and emergency support services for all equipment located at the two facilities.

As of October 26, 2017, the awarded vendor, South Florida Controls, Inc. is a Small Business Development Certified Firm (SBE/CONS) with the County. The alternative to this legacy contract would be the replacement of the Building Management System which is estimated to cost between \$650,000 and \$1,000,000. If a new system was installed, ongoing maintenance and support would again be required, which would create another legacy contract.

ADDITIONAL INFORMATION

There are currently a total of 42 active legacy contracts in the County, to include nine contracts for the Information Technology Department, seven for the Aviation Department, six for the Fire Rescue Department, five for the Internal Services Department and five for the Water and Sewer Department. The majority of these legacy purchase contracts are for information technology, proprietary licenses and maintenance services. These legacy contracts represent only five percent of the current 921 active goods and services contracts established by the Internal Services Department.

It is the policy of the County to procure goods and services via a competitive process. As a standard procurement procedure, market research is conducted prior to the acquisition of a good or service to determine the appropriate method of award. When a legacy purchase is completed, the Administration will continue to assess the possibility of conducting in-house development to avoid future reliance on a proprietary provider and monitor the associated industry to determine if a technology migration through a competitive process is feasible. In many cases, internal County resources cannot provide such services due to the proprietary nature of certain parts.

One example where the County utilizes a legacy contract to purchase services of a proprietary nature is for IBM products that support enterprise-wide departmental functions. IBM is the sole manufacturer in the mainframe space. This legacy purchase contract is necessary and in the best interest of the County, although the Administration continues to assess the possibility of conducting in-house development and monitor technologies to determine if a competitive process is feasible to avoid future reliance on a proprietary provider.

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<http://intra/gia/matter.asp?matter=172428&file=true&yearFolder=Y2017>

The OCA posed the following questions, to which ISD staff responded:

1. At Committee, Deputy Mayor Marquez mentioned that ISD conducted research that confirmed it would be cost-prohibitive to compete these services; provide a copy of that Market Research
The market research referred to by the Deputy Mayor is included in the agenda item as the replacement cost. There isn't a separate market research document that further describes the replacement cost.
2. Provide a list of all the BMS maintenance services providers for ISD-managed facilities; and
 - *South Florida Controls Inc. (Delta Controls BMS)*
 - *Advance Control Corporation (Tour Andover BMS)*
 - *Siemens Industry, Inc. (Siemens BMS)*
 - *Johnson Controls, Inc. (Johnson Controls)**Additional service providers exist for non-ISD managed facilities.*
3. The amended item authorizes the first option to renew while a long-term replacement contract is competed; is one year sufficient time to re-procure these services; will the amendment have an operational impact to ISD?
After committee, ISD issued a formal Request for Information (RFI) to confirm that no other vendor is capable of providing these services. Upon evaluation of responses, ISD will be able to determine whether a competitive solicitation is appropriate or whether approval will be sought to exercise the remaining OTRs. Therefore, an operational impact cannot be determined at this point.

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Research Notes**

Item No. 8F23

File No. 172389

Researcher: SM Reviewer: TD

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$4,982,000.00 FOR PREQUALIFICATION POOL NO. 2121-2/13-2 FOR PURCHASE OF FIRE RESCUE REPLACEMENT EQUIPMENT FOR THE FIRE RESCUE DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve additional expenditure authority in a total amount up to \$4,982,000.00 for prequalification pool no. 2121-2/13-2 for purchase of fire rescue replacement equipment for the fire rescue department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38 governing the authority to award and modify contracts.

See link:

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

PROCEDURAL HISTORY

Forwarded to BCC with a favorable recommendation with committee amendment on 10/11/17

FISCAL IMPACT

The existing cumulative allocation per department as follows:

Department	Allocated Amount	Additional Allocation Requested	Modified Cumulative Allocation
Aviation	\$493,000	\$0	\$493,000
Fire Rescue	\$17,755,000	\$4,982,000	\$22,737,000
Police	\$39,000	\$0	\$39,000
Total	\$18,287,000	\$4,982,000	\$23,269,000

ANALYSIS

The current term expires on February 28, 2019. The County established this pool on February 20, 2007 for a five year term with two, one-year option to renew terms. There are currently 29 prequalified vendors, of which two have a Miami-Dade County address.

When looking at the certified small businesses in the County and comparing it to the mayoral memo, there are the following local certified firms not included in the list attached.

1. Dan Enterprises Team LLC
2. Pancar Industrial Supply
3. Aaron Industrial Safety, Inc.

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Research Notes**

Item No. 8F24

File No. 172468

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$185,000.00 FOR CONTRACT NO. SS9862-0/18 FOR PURCHASE OF EZ-IO INTRAOSSEOUS INFUSION SYSTEMS AND RELATED ITEMS FOR THE FIRE RESCUE DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority in a total amount up to \$185,000.00 for Contract No. SS9862-0/18 for the purchase of EZ-IO Intraosseous Infusion Systems and related items for the Fire Rescue Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code (Contracts and Purchases Generally), governing the authority to award contracts for goods and services.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

PROCEDURAL HISTORY

This item was amended at the October 11, 2017 Public Safety and Health Committee (PSHC) meeting to remove the reference to the minimum requirements for the EZ-IO device outlined in the Florida Administrative Code.

FISCAL IMPACT

The contract term expires on May 26, 2018. The contract has a current cumulative allocation of \$250,000. If this request is approved, the contract will have a modified cumulative value of \$435,000.

ANALYSIS

The department is requesting \$185,000 in additional expenditure authority due to a 20 percent increase in the use EZ-IO systems. The increase in usage resulted from the expansion of advanced life support response units that are equipped with this device.

The County awarded this sole source contract on May 27, 2016 for a two-year term. The EZ-IO device provided by the vendor under this contract is the only battery-operated product available in the marketplace.

The table below reflects the existing contract allocation, the additional expenditure requested, and the modified cumulative allocation.

Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation
\$250,000	\$185,000	\$435,000

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Research Notes**

Item No. 8K1

File No. 172006

Researcher: NR Reviewer: TD

RESOLUTION RELEASING THE PROPERTY LOCATED AT 10171 W. GUAVA STREET, FOLIO NO. 30-5032-004-0020, FROM COUNTY DEED RESTRICTIONS AND THE INFILL HOUSING INITIATIVE PROGRAM, SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A RELEASE OR SIMILAR INSTRUMENT TO BE RECORDED IN THE PUBLIC RECORDS UPON 10171 W GUAVA STREET, LLC EXECUTING AND RECORDING A DECLARATION OF RESTRICTIONS TO ENSURE THAT THE PROPERTY REMAINS AN AFFORDABLE RENTAL HOUSING FOR VERY LOW-, LOW- OR MODERATE-INCOME HOUSEHOLDS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO ENFORCE THE PROVISIONS SET FORTH IN SUCH DECLARATION OF RESTRICTIONS AND TO PERFORM ALL ACTIONS NECESSARY TO EFFECTUATE SAME

ISSUE/REQUESTED ACTION

Whether the Board should release the property located at 10171 W. Guava Street from the County Deed restrictions and the Infill Housing Initiative Program (Infill Program); and authorize the County Mayor or the County Mayor's designee to execute a release of the County Deed restrictions or similar instrument, upon the execution and recordation by 10171 W Guava Street, LLC of a declaration of restrictions.

APPLICABLE LEGISLATION/POLICY

On June 21, 2005, pursuant to Resolution No. R-739-05, the County conveyed the Property under the old Infill Program to American Construction & Financing Corporation (American) for the purposes of developing the Property with housing to be sold to qualified homebuyers through the Infill Program, and remain affordable for a period of ten years.

Resolution No. R-739-05 <http://intra/gia/matter.asp?matter=051209&file=true&yearFolder=Y2005>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its October 13, 2017 meeting.

FISCAL IMPACT

There is no fiscal impact to the County related to the removal of the Property from the Inventory List of the Infill Program.

ANALYSIS

This item proposes to release 10171 W Guava Street, LLC (Property Owner) from the restrictions of the old Infill Program which required that a homebuyer maintain their home as affordable for ten years from the issuance of the certificate of occupancy.

The Property Owner rented both duplex dwelling units to Section 8 Housing Choice Voucher tenants; however, the property was never sold to a qualified household as required by the Infill Program.

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Since 2010 the Property Owner advised the County that it was unaware of the Infill Program. The Public Housing and Community Development Department, “believes it is in the best interest of the County that the Board approve the resolution because the old Infill Program and the County Deed only required that a homebuyer maintain their home as affordable for ten years from the issuance of the certificate of occupancy.”

The Property Owner will continue to rent the property to very low, low or moderate income households for the remaining three years until July 30, 2020.

The property is located in District 9, represented by Commissioner Moss.

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Research Notes**

Item No. 8K2

File No. 172038

Researcher: SM Reviewer: TD

RESOLUTION APPROVING SUBSTANTIAL AMENDMENTS TO THE FISCAL YEAR (FY) 2013-2017 CONSOLIDATED PLAN AND THE FY 2013-2017 ACTION PLANS FOR THE ALLOCATION OF \$150,000.00 OF ONE-TIME SUPPLEMENTAL EMERGENCY SOLUTIONS GRANT (ESG) FUNDS AND \$400,000.00 OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME FUNDS AND THE RECAPTURE AND REALLOCATION OF \$1,382,301.09 OF CDBG FUNDS, \$150,000.00 OF HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS, AND \$274.72 OF EMERGENCY SOLUTIONS GRANT (ESG) FUNDS; WAIVING RESOLUTION NO. R-630-13 TO PERMIT REQUIRED DUE DILIGENCE WORK TO BE COMPLETED BY THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE AFTER AWARD RECOMMENDATION BUT PRIOR TO CONTRACT NEGOTIATION AND EXECUTION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE SUBSTANTIAL AMENDMENTS WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION AND TO EXERCISE THE TERMINATION, WAIVER, ACCELERATION, CANCELLATION, OR OTHER PROVISIONS SET FORTH THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve substantial amendments to the fiscal year 2013-2017 action plans in order to allocate \$150,000.00 of one-time supplemental Emergency Solutions Grant (ESG) funds to The Sundari Foundation, Inc. d/b/a Lotus House for the provision of tenant-based rental assistance; to allocate \$400,000.00 of future Community Development Block Grant (CDBG) Program Income, when such program income becomes available, to the PHCD-administered SPED program.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-762-17- See link: <http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-762-17.pdf>

PROCEDURAL HISTORY

Forwarded to BCC with a favorable recommendation following a public hearing.

FISCAL IMPACT

This item will not have a negative impact on County general revenue funds. This item allocates, recaptures and reallocates federal CDBG, HOME, and ESG funds.

ANALYSIS

Whether the board should allocate \$150,000.00 of the \$4,092,047.00 of one-time, Supplemental Fiscal Year (FY) 2017 Emergency Solutions Grant (ESG) program funds, described in Resolution No. R-762-17, to The Sundari Foundation, Inc. d/b/a/ Lotus House's (Sundari) Tenant-Based Rental Assistance (TBRA) program.

Public Housing and Community Development (PHCD) is the County's lead agency for coordination of community development block (CDBG) grant, HOME, and emergency solutions grant (ESG) funding as well as the submission

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of consolidated plans, action plans, and amendments thereto to HUD. The annual action plan is updated on an ongoing basis as funds are reprogrammed through recapture and reallocation processes throughout the program year.

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Item No. 8K3

File No. 171998

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING PROPOSED FISCAL YEAR 2017 STATE HOUSING INITIATIVES PARTNERSHIP FUNDING RECOMMENDATIONS IN AN AMOUNT UP TO \$775,000.00, TO HOMEBUYER EDUCATION AND COUNSELING ACTIVITIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the proposed funding recommendations in the amount of \$775,000.00 in Fiscal Year 2017 Request for Applications (RFA) for the State Housing Initiatives partnership (SHIP).

APPLICABLE LEGISLATION/POLICY

Resolution No. R-630-13 requiring a detailed project budget, sources and uses statement, certifications and due diligence check prior to recommending a commitment of County funds to Social Services, Economic Development, Community Development, and Affordable Housing Agencies

<http://intra/gia/matter.asp?matter=131512&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee at its October 13, 2017 meeting.

ANALYSIS

This item seeks to approve \$775,000 for the SHIP Program in Homebuyer Education and Counseling activities. The FY 2017 SHIP RFA was issued with \$800,000 in available SHIP funding.

The SHIP program is administered by Florida Housing Finance Corporation (Florida Housing). Florida Housing was created by the state Legislature to assist in providing a range of affordable housing opportunities for residents that help make Florida communities great places in which to live, work and do business. Florida Housing provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate income families.

SHIP dollars may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. SHIP funds may be used to assist units that meet the standards of chapter 553.¹

A total of four applications totaling \$775,000 were submitted for the services. All proposals were reviewed and scored by an Evaluation/Selection Committee appointed by the Mayor. Background checks are conducted by the Office of the Commission Auditor for all members serving on Evaluation/Selection Committees.

¹ <https://www.floridahousing.org/programs/special-programs/ship---state-housing-initiatives-partnership-program>

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Below is a breakdown of the proposed use of FY 2017 SHIP funding:

Agency/Center	Amount requested	History
Trinity Empowerment Consortium (TEC)	\$175,000	TEC is a HUD affiliate agency located in Miami, FL. They provide comprehensive pre and post homebuyer education and financial literacy education.
Centro Campesino Farmworker Center, Inc.	\$200,000	Centro Campesino is a Community Development Corporation that strengthens families in Central and South Florida. They accomplish this goal by providing opportunities to access affordable housing, homeownership support, economic advancement and educational & leadership development.
Opa Locka Community Development Center (OLCDC)	\$200,000	OLCDC has spent the past 36 years working to improve the quality of life in North Miami-Dade, recently attracting more than \$83 million in resources to help transform the greater Opa-Locka community.
Experts Resource Community Center (ERCC)	\$200,00	ERCC is a fully integrated nonprofit 501(c)(3) organization with demonstrated capacity in pre-purchase, post purchase, foreclosure-prevention, loss mitigation counseling, and financial literacy for adults and youth. Through monthly workshops, one-on-one counseling sessions, outreach events and collaborative partnerships, the Center helps individuals attain and sustain homeownership.

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Item Nos. 8L1 and 8L2

File Nos. 172041 and 172043

Researcher: SAP Reviewer: TD

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF **428 NE 73 STREET, MIAMI, 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

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF **7301 BISCAYNE BOULEVARD, MIAMI, 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize historic preservation tax exemption ad valorem tax for the following properties located at: 428 NE 73 Street, Miami, Florida and 7301 Biscayne Boulevard, Miami, Florida.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 196.1997 Ad Valorem tax exemptions for renovations for historic properties.

<https://www.flsenate.gov/Laws/Statutes/2014/196.1997>

Section 16A-18 of the Code of Miami-Dade County governing Historic Preservation.

<http://www.miamidade.gov/planning/library/work-group/2015/December/12.03.15-Neisen-Kasdin-Proposed-Revisions.pdf>

Resolution No. R-974-09: County interest in real property be recorded in public records of Miami-Dade County.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2009/091900min.pdf>

PROCEDURAL HISTORY

This items were forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

FISCAL IMPACT

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. The estimated tax exemptions were provided by the Property Appraiser. 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.

ANALYSIS

This items seeks historic preservation tax exemption for ten year periods at the following addresses: 428 NE 73 Street (*January 1, 2015 through December 31, 2024*) and 7301 Biscayne Boulevard (*January 1, 2016 through December 31, 2025*). Both properties were designated as contributing structures within a local historic district by the City of Miami.

The Ad-Valorem Tax Exemption is an incentive that is provided by state and County law that is intended to encourage the rehabilitation and maintenance of historic structures. The exemption is effective January 1st following substantial

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completion of the improvements. In order to be eligible for the tax exemption, properties must be listed in the national register of Historic Places, or a locally designated historic structure and must be about to undergo restoration and/or rehabilitation.

The Office of Historic Preservation preserves and protects Miami-Dade County's cultural, historical, architectural and archaeological resources through historic designations, site management and monitoring, public education and by finding creative solutions and economic incentives for historic preservation efforts.

Pursuant to the provisions of Florida Statutes Section 196.1997 and Section 16A-18 of the Code of Miami-Dade County, the proposed resolutions authorize the Historic Preservation ad valorem tax exemption for the following properties.

Item No.	Address	Estimated tax exemption for one (1) year
8L1 172041	428 NE 73 Street, Miami, Florida	\$447 <i>Part II of the application indicates that the amount spent by the property owner on the total renovation was \$180,000 of which the Property Appraiser's office determined that the taxable value of the qualifying improvements was \$95,887.</i>
8L2 172043	7301 Biscayne Boulevard, Miami, Florida	\$8,418 <i>Part II of the application indicates that the amount spent by the property owner on the total renovation was \$5,100,000 of which the Property Appraiser's office determined that the taxable value of the qualifying improvements was \$1,803,871.</i>

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Item No. 8L3

File No. 172172

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AGREEMENTS RELATED TO THE GRANT FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO.352 - "NEW FAMILY UNITS AT LIBERTY SQUARE AND LINCOLN GARDENS" IN THE AMOUNT OF \$15,000,000.00 TO BAC FUNDING CORPORATION AND RELATED URBAN DEVELOPMENT GROUP, LLC. AND APPROVING USE OF REPLACEMENT HOUSING FACTOR FUNDS IN THE AMOUNT OF \$1,517,381.00 FOR LIBERTY SQUARE PHASE ONE AND HOPE VI FUNDS IN THE AMOUNT OF \$4,063,472.00 FOR LINCOLN GARDENS; WAIVING REQUIREMENTS OF RESOLUTION NO. R-130-06, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SUCH FUNDS, TO EXECUTE AMENDMENTS, SHELL CONTRACTS, LOAN DOCUMENTS AND OTHER TRANSACTIONAL DOCUMENTS NECESSARY TO ACCOMPLISH THE PURPOSES SET FORTH IN THIS RESOLUTION, AND TO EXERCISE TERMINATION, WAIVER, ACCELERATION AND OTHER PROVISIONS SET FORTH THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should:

- 1) Approve agreements to the grant from Building Better Communities GOB Project Program No. 352 in the amount of \$15,000,000.00;
- 2) Approve \$1,517,318.00 for construction of new public housing at Liberty Square Phase One and \$4,063,472.00 for Lincoln Gardens; and
- 3) Award the funds to Related Urban, LLC or its related affiliates or subsidiaries and to BAC Funding Corporation (the "Grantee"), the entity selected by Related Urban. LLC to receive the grant on its behalf.

APPLICABLE LEGISLATION/POLICY

R-197-15/R-852-15 regarding funding from BBC-GOB

<http://intra/gia/legistarfiles/MinMatters/Y2015/151883min.pdf>

R-636-16 regarding funding for Liberty Square Rising project.

<http://intra/gia/legistarfiles/MinMatters/Y2016/161778min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee at its October 13, 2017 meeting.

ANALYSIS

This item seeks approval of agreements related to Building Better Communities GOB project No 352 – “New Family Units at Liberty Square and Lincoln Gardens” in the amount of \$15,000,000.00 to BAC Funding Corporation and Related Urban Development Group, and also approval of Replacement Housing Factor (RHF) funds in the amount of \$1,517,581.00 for Liberty Square Phase One and Hope VI funds in the amount of \$4,063,472.00 for Lincoln Gardens. RHF are capital fund grants that are awarded to Public Housing Agencies (PHA) that have removed units from inventory for the sole purpose of developing new public housing units.

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Subsequent to contract award, \$1,517,381 in RHF funds became available for building new public housing units. It is advantageous for the County that the RHF funds be issued for the Project since the RHF funds must be obligated no later than April 12, 2018. If the obligation deadline is not met, these RHF funds will be recaptured by HUD.

The Department recommends that:

- The Board approve the RHF funds for construction of new public housing units for Liberty Square Phase One, since there are no other current projects which include new public housing units that would meet the obligation deadline.;
- The remaining HOPE VI funds, recently approved by HUD, be used for the Lincoln Gardens site.

Liberty Square is the largest public housing site in Miami-Dade County with 709 existing units and one of the first public housing developments built in the U.S. Liberty Square and Lincoln Gardens are in an area of low income and high crime. Built in 1937, Liberty Square was the first public housing development for Blacks in the Southeastern United States. Many popular families including Patrick and Athalie Range, Judge Wilkie Ferguson, and School Board Representative Dorothy Bendross Mindingall, were raised in Liberty Square.

Excerpts from Recent News Articles

- Miami Herald regarding Project 352 - May 17, 2017

The ambitious project under way by Related Urban Development Group, the affordable housing arm of Miami's biggest luxury condo developer, involves demolishing and rebuilding Liberty Square's 709 public housing units in phases. The end product which also includes the construction of a new housing complex in Brownsville is planned as a bustling, mixed-income community with shops, parks, community facilities and 1,400 condos, townhouses and apartments.

Mayor Carlos Gimenez hopes that by redesigning and reinvesting in Liberty Square, the county will return the community to its roots as a stepping stone to better things and push away the predators who've turned the neighborhood into a nighttime shooting gallery. "We are changing the narrative surrounding Liberty Square and Liberty City," he said. "No doubt, this redevelopment project will leave a lasting positive impact in our community." Gimenez's administration hopes to see the project completed by the time he leaves office in 2020.

<http://www.miamiherald.com/news/local/community/miami-dade/article151092242.html>

- The Real Deal, South Florida Real Estate News. Related at the center of federal affordable housing investigation in South Florida, June 16, 2017.

South Florida's biggest developer is being investigated by the U.S. Attorney's Office as part of an expanding probe into South Florida's affordable housing industry. Federal authorities are looking into whether Related Group's affordable housing arm, Related Urban, pocketed money from boosting construction costs on a senior housing project in Miami's Shenandoah neighborhood. The focus on Related is part of a larger investigation examining at least a dozen publicly subsidized developments by other developers, according to the Miami Herald. The feds are determining whether Related profited from alleged misreported construction costs via its Related-owned contractor and subcontractor instead of returning money to the County to build other affordable housing developments.

<https://therealdeal.com/miami/2017/06/16/related-at-the-center-of-federal-affordable-housing-investigation/>

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- Miami Herald. *Did Miami's biggest developer avoid labor taxes?* July 6, 2017

Federal investigators are seeking to learn if the Related Group, Miami's biggest developer, lowered costs on an affordable-housing project by hiring subcontractors who failed to pay employment taxes, the Miami Herald has learned. The strategy involves treating workers as outside contractors instead of in-house employees. That allows companies to skip paying costly employment taxes.

Related hired subcontractors who did just that, according to certified payrolls obtained by the Herald through a public records request. Related's business practices are under scrutiny because of a long-running federal investigation into South Florida's affordable-housing industry. Investigators have recently focused on Edificio Piñeiro, a Miami apartment building for low-income seniors that Related developed with public money in 2014, according to sources with knowledge of the inquiry who were not authorized to speak on the record. Related has denied being targeted by investigators.

<http://www.miamiherald.com/news/local/community/miami-dade/article159788874.html>

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Item No. 8L5

File No. 172166

Researcher: SAP Reviewer: TD

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND ANTHON HOLDINGS, LLC AS SELLER FOR A PURCHASE PRICE OF \$25,000.00 USING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AUTHORIZING THE USE OF ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND FOR THIS PURCHASE IN THE EVENT THAT BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS ARE NOT AVAILABLE; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ASSIGNMENT OF OPTION TO PURCHASE AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RECORD IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY THE INSTRUMENT OF CONVEYANCE AS REQUIRED BY RESOLUTION NO. R-974-09

ISSUE/REQUESTED ACTION

Whether the Board should approve resolution to accept the "Assignment of Option to Purchase" as negotiated by The Nature Conservancy for the Environmentally Endangered Lands (EEL) Program for a purchase price of \$25,000 to Anthon Holdings, LLC.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09: County interest in real property be recorded in public records of Miami-Dade County.
<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2009/091900min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Infrastructure and Utilities Committee at its October 10, 2017 meeting.

FISCAL IMPACT

The appraised value of the 5 acres is \$32,500 and the negotiated purchase price is \$25,000. Building Better Communities General Obligation Bond (BBC-GOB) Program funding under Project No. 2, Site # 70230 will be used for this purchase.

ANALYSIS

This item seeks approval of a resolution to accept the "Assignment of Option to Purchase" of approximately 5 acres of a parcel located south of theoretical SW 392, north of SW 408 Street, west of theoretical SW 147 Avenue and east of theoretical SW 157 Avenue. The item also seeks authority to EEL acquisition trust fund for this purchase in the event BBC-GOB funds are not available. The property is outside of the Urban development Boundary and was appraised on March 16, 2017 at \$32,500.

The South Dade Wetlands Project Area contains the most important wetland system in the southern part of Miami Dade. Public agencies have targeted the area for acquisition because of the wetland's strategic location between two national parks Everglades National Park and Biscayne National Park in the watersheds of Florida Bay, Biscayne Bay, Card Sound and Barnes Sound and because of the importance of the region to endangered and threatened species. These wetlands are home to many of South Florida's endangered species.

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The EEL program, administered by the Regulatory and Economic Resources, focuses on the protection and conservation of endangered lands. The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve and maintain environmentally-endangered lands for the benefit of present and future generations. The EEL Program and its partners have brought more than 20,700 acres of environmentally endangered lands into public ownership since 1990. Additionally, the EEL Program manages 2,800 acres of natural lands within Miami-Dade County Parks, for a total of more than 23,500 acres protected.

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Item No. 8L9

File No. 172173

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI DADE COUNTY AND CO-PERMITTEES NAMED IN THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003 BY WHICH THE CO-PERMITTEES WOULD REIMBURSE THE COUNTY UP TO \$2,276,055.00 OVER THE FIVE-YEAR TERM FOR PERFORMANCE OF PROFESSIONAL SERVICES RELATED TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE ANY TERMINATION PROVISIONS AND ALL OTHER RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve an interlocal agreement to allow the County to invoice the 33 co-permittees in Miami-Dade County for reimbursement.

APPLICABLE LEGISLATION/POLICY

Resolution R-1032-12 governing the Interlocal Agreement and reimbursement to the County.

<http://intra/gia/legistarfiles/MinMatters/Y2012/122234min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017.

FISCAL IMPACT

The cost of County services, prior to reimbursement by co-permittees, will be funded by Stormwater utility fees. Under the proposed Interlocal Agreement, the County will be reimbursed up to \$445,211 of the \$667,000 that will be spent for professional services performed.

ANALYSIS

This item seeks approval of an interlocal agreement that will allow Miami-Dade County to be reimbursed by the 33 co-permittee, under National Pollutant Discharge Elimination System (NPDES) Permit No. FLS000003, for performance of professional services required under NPDES. Professional services include water sampling and monitoring, analyses of storm sewer systems, data analyses, technical report writing, Impaired Wates Rule sampling, and other related activities.

The obligation of co-permittees are:

1. Prevention of Theft of County Equipment;
 2. Compensation (reimbursing the County for costs of activities performed; and
 3. Access (providing the County with reasonable access at all times to perform the sampling and monitoring required by the agreement.
-
1. The (NPDES) permit program addresses water pollution by regulating point source that discharges pollutant to waters in the United States. Created by 1972 Clean Water Act, the NPDES permit program is authorized to State governments by Environmental Protection Agency (EPA), to perform many permitting,

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administrative, and enforcement aspects of the program. An outfall is defined as the place where a river, drain, or sewer empties into the sea, or river, or a lake. The municipalities with the highest number of outfalls for Fiscal Year 2017/18 to 2021/22 are City of Doral with 352, City of Miami Beach with 306 and City of Miami Gardens with 298. Unincorporated Miami-Dade County has a total of 2,829 outfalls. Municipalities with no outfalls have been assigned a value of one outfall.

The scope of the Interlocal Agreement specifies that the parties agree that the EPA is requiring as part of NPDES MS4 Operating Permit the sampling, monitoring, and analysis of a variety of storm sewer systems throughout Miami Dade County. Also 40 CFR 122.26(d)(2)(i)(D) requires control of pollutants through interlocal agreements, making each NPDES Co-permittee responsible for discharges from their MS4 to the MS4 of another NPDES Co-permittee or to the waters of the United States.

Other laws besides the Clean Water Act (CWA) that may apply to the NPDES permit program and affect NPDES implementation are:

- [National Environmental Policy Act \(NEPA\)](#), 42 U.S.C. 4321 et seq. - NEPA requires that agencies conduct environmental impact reviews ("Environmental Assessments" and "Environmental Impact Statements") for major Federal actions significantly affecting the quality of the human environment.
- [Endangered Species Act \(ESA\)](#), 16 U.S.C. 1531 et seq. - Section 7 of the ESA requires that Federal agencies consult with the ESA administering services to ensure that any projects authorized, funded, or carried out by them are not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species.
- [Coastal Zone Management Act \(CZMA\)](#), 16 U.S.C. 1451 et seq. - CZMA was enacted to protect the Nation's coastal zone and is implemented through state-federal partnerships. Section 307(c) of CZMA prohibits the issuance of NPDES permits for activities affecting land or water use in coastal zones unless the permit applicant certifies that the proposed activity complies with the state coastal zone management program.
- [Fish and Wildlife Coordination Act](#), 16 U.S.C. 661 et seq. - This Act requires that the regional administrator, before issuing a permit proposing or authorizing the impoundment, consult with the United States Fish and Wildlife Service, Department of the Interior, and the appropriate state agency exercising jurisdiction over wildlife resources to conserve those resources.

<https://www.epa.gov/npdes>

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**Item No. 8M1
File No. 172115**

Researcher: SM Reviewer: TD

RESOLUTION AUTHORIZING EXECUTION OF THE FIRST AMENDED AND RESTATED RESEARCH SERVICE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE UNIVERSITY OF FLORIDA TO STUDY THE SUITABILITY OF USING ASH FROM THE COUNTY'S RESOURCES RECOVERY FACILITY AS A SUBSTITUTE FOR COAL ASH IN THE PRODUCTION OF CEMENT INCREASING THE CONTRACT VALUE BY \$68,130.00 TO A TOTAL AMOUNT OF \$187,023.00; AUTHORIZING THE EXPENDITURE OF UP TO \$53,500.00 FOR TRANSPORTATION AND DISPOSAL COSTS IN THE EVENT THE TEST BATCH OF CEMENT CANNOT BE USED COMMERCIALY; AND AUTHORIZING AN EXTENSION OF TWENTY-FOUR MONTHS

ISSUE/REQUESTED ACTION

Whether the Board should approve the First Amended and Restated Research Service Agreement (Amendment) with the University of Florida (UF) to determine the suitability of ash from the County's Resources Recovery Facility (RRF), located at 6990 NW 97 Avenue as a substitute for coal ash in the production of cement.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-213-16. - authorizing execution of the research service agreement between Miami-Dade County and UF to determine the suitability of ash from the County's resources recovery facility as a substitute for coal ash in the production of cement. See link:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2016/R-213-16.pdf>

PROCEDURAL HISTORY

Forwarded to BCC with a favorable recommendation on 10/10/2017

FISCAL IMPACT

The Board previously adopted Resolution No. R-213-16 on March 8, 2016, which approved \$118,893.00 towards this research project. Approval of this Amendment will increase the total expenditure by \$68,130.00, bringing the total contract value with UF to \$187,023.00. The funding source for this project is Department of Solid Waste Management (DSWM) proprietary funds.

ANALYSIS

Whether the Board should approve the First Amended and Restated Research Service Agreement (Amendment) with the University of Florida (UF). This Amendment extends the agreement 24 months to November 30, 2019.

Scope of the Services to be performed are that UF agrees to undertake and conduct the work entitled: "Evaluate the Use of Waste to Energy Bottom Ash from Miami-Dade Renewable Energy Facility as Kiln Feed Component in the Manufacture of Portland Cement" for SPONSOR. The research services may begin on December 1, 2015 with activities ending on November 30, 2019, unless extended by written amendment or terminated sooner following the termination provisions.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N2

File No. 171676

Researcher: AIP Reviewer: TD

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

ISSUE/REQUESTED ACTION

Whether the Board should approve the application for three certificates of public convenience and necessity to ATC Medical Transport Corp. which provides wheelchair and sedan non-emergency medical transportation services.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 4-42 refers to the intent and history of the county with non-emergency vehicles and public convenience certificates. Section 4-43 defines all the terms involved with driving fares and public convenience. Section 4-44 of the code specifies how to obtain a certificate of public convenience and necessity. Section 4-47 elaborates on the fares and rates for the services, and Section 4-48 speaks to the insurance requirements. Section 4-49 expands on the vehicle standards.

PROCEDURAL HISTORY

10/12/2017: The item was forwarded with a favorable recommendation by the Transportation and Public Works Committee to the BCC.

FISCAL IMPACT

The Department of Transportation and Public Works (DTPW) collects all the fees for licensing, operating, permits and inspections. The annual regulatory fee is \$625.00 per certificate. For this particular item, there are 3 certificates that will yield \$1,875 in revenue, annually. The County also collects \$38.00 per vehicle inspection; with inspection frequency varying with the vehicle age from 1-4 inspections per year.

ANALYSIS

ATC Medical Transportation provides non-emergency medical transportation services. This is an important service, which allows the members of the community affordable access to non-emergency medical transportation throughout the County. The services include vehicles that can transport wheelchairs, vehicles that allow for transport in a stretcher, and sedans. Companies that provide this service work to meet the demand for medical transportation throughout the county, including driving to and from hospital appointments, rehabilitation centers. The services span The entire county, both incorporated, and unincorporated.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), ATC Medical Corp. has an active status and first filed and registered on 02/08/2016. Currently, ATC Medical Transportation holds four certificates of Public Convenience and Necessity, and is in compliance with all the requirements.

The County does not dictate the rates, nor does it choose one vendor to work with – rather it allows for the providers to compete with one another to provide low and fair rates, and allows the customer to have preference over the service providers. Section 4-47 of the County Code states that the rates can be done in 2 ways: public rates and contract rates. The public rates must be clearly posted within the vehicle on the passenger side, and the rates must be explained to the person requesting the service prior to the transport. Contract rates are subject to negotiation.

**BCC Meeting: November 7, 2017
Research Notes**

ATC Medical Transportation's rates are:

Service	Rates	Additional
Wheelchair Lift Equipped Vehicles	\$30.00 (Each Way)	After 10 miles, \$2.75 per mile
Stretcher Service	\$55.00 (Each Way)	After 10 miles, \$2.75 per mile

Sunbiz Link:

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=ATCMEDICALTRANSPORT%20P140000592080&aggregateId=domp-p14000059208-bf7d558b-16dd-4c4d-b9de-663c66225b57&searchTerm=atc%20medical%20corp&listNameOrder=ATCMEDICALCENTERLIBERTYCITY%20P090000602370>

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N3

File No. 171674

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING APPLICATION FOR SIX CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO FLORIDA KEYS AMBULANCE SERVICE, INC. TO PROVIDE SEDAN NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE

ISSUE/REQUESTED ACTION

Whether the Board should approve the application for three certificates of public convenience and necessity to Florida Keys Ambulance Service, Inc. which provides sedan non-emergency medical transportation services.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 4-42 refers to the intent and history of the county with non-emergency vehicles and public convenience certificates. Section 4-43 defines all the terms involved with driving fares and public convenience. Section 4-44 of the code specifies how to obtain a certificate of public convenience and necessity. Section 4-47 elaborates on the fares and rates for the services, and Section 4-48 speaks to the insurance requirements. Section 4-49 expands on the vehicle standards.

PROCEDURAL HISTORY

7/13/2017: The proposed resolution was read into record along with Items 1G1 through 1G8, and a public hearing was opened under Agenda Item 1G1. Item was deferred.

10/12/2017: The item was forwarded with a favorable recommendation by the Transportation and Public Works Committee to the BCC.

FISCAL IMPACT

The Department of Transportation and Public Works (DTPW) collects all the fees for licensing, operating, permits and inspections. The annual regulatory fee is \$625.00 per certificate. For this particular item, there are 6 certificates that will yield \$3,750 in revenue, annually. The County also collects \$38.00 per vehicle inspection; with inspection frequency varying with the vehicle age from 1-4 inspections per year.

ANALYSIS

Florida Keys Ambulance Service, Inc., provides non-emergency medical transportation services. This is an important service, which allows the members of the community affordable access to non-emergency medical transportation throughout the County. Companies that provide this service work to meet the demand for medical transportation by driving customers to and from hospital appointments, and rehabilitation centers. Florida Keys Ambulance Service, Inc. currently serves Monroe County with ambulatory and stretcher van vehicles, but also serves requests within Miami-Dade County, therefore is seeking to obtain the permits to provide ambulatory services to the County.

The County does not dictate the rates, nor does it choose one vendor to work with – rather it allows for the providers to compete with one another to provide low and fair rates, and allows the customer to have preference over the service providers. Section 4-47 of the County Code states that the rates can be done in 2 ways: public rates and contract rates. The public rates must be clearly posted within the vehicle on the passenger side, and the rates must be explained to the person requesting the service prior to the transport. Contract rates are subject to negotiation.

BCC Meeting: November 7, 2017
Research Notes

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Florida Keys Ambulance Service filed and registered on August, 6th, 2012.

Florida Keys Ambulance Service, Inc.'s rates are:

Service	Rates	Additional
Ambulatory (one way)	\$20.00	After 10 miles, \$2.00 per mile
Ambulatory (round trip)	\$40.00	After 20 miles, \$2.00 per mile

Sunbiz Link:

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=FLORIDAKEYSAMBULANCESERVICE%20P120000678950&aggregateId=domp-p12000067895-ae6bd8f4-4ab4-4858-8827-4978326e48f6&searchTerm=florida%20keys%20ambulance&listNameOrder=FLORIDAKEYSAMBULANCESERVICE%20P120000678950>

Corporation Wiki:

<https://www.corporationwiki.com/Florida/Tavernier/florida-keys-ambulance-service-inc/107818679.aspx>

**BCC Meeting: November 7, 2017
Research Notes**

**Item No. 8N4
File No. 171931**

Researcher: SM Reviewer: TD

RESOLUTION APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ALONG SW 312 STREET/CAMPBELL DRIVE FROM APPROXIMATELY 527 FEET TO THE WEST OF SR 997/KROME AVENUE CENTERLINE TO SR 997/KROME AVENUE, SW 312 STREET/CAMPBELL DRIVE FROM SR 5/US-1 TO APPROXIMATELY 784 FEET TO THE EAST OF SR 5/US-1, SOUTH DADE TRANSITWAY BETWEEN APPROXIMATELY 83 FEET TO THE SOUTH AND 71 FEET TO THE NORTH OF SW 312 STREET/CAMPBELL DRIVE CENTERLINE, AND N FLAGLER AVENUE BETWEEN APPROXIMATELY 190 FEET TO THE SOUTH AND 120 FEET TO THE NORTH OF SW 312 STREET/CAMPBELL DRIVE CENTERLINE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Off-System Construction and Maintenance Agreement between Miami-Dade County and the Florida Department of Transportation (FDOT), for the construction of improvements.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts. See link:

[https://library.municode.com/fl/miami -
dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The Project will be built by FDOT with federal funds. The maintenance operations will be funded through the Department of Transportation and Public Works' General Fund Allocation.

ANALYSIS

The improvements to be constructed include, but are not limited to, the reconstruction, widening and milling and resurfacing of SW 312 Street/Campbell Drive and the intersections of SW 312 Street/Campbell Drive with South Dade Transit way and N Flagler Avenue, and the addition of turn lanes, signalization, lighting, and drainage improvements. In the event that the Project requires the acquisition of additional right-of-way, FDOT shall acquire such right-of-way in order to complete the Project at no cost to the County. Construction of the improvements is scheduled to commence in September 2019.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N5

File No. 172044

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING A CONSTRUCTION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CSX TRANSPORTATION, INC. FOR THE REPLACEMENT OF THE RAILROAD CROSSING SURFACE AT SW 137 AVENUE IN THE VICINITY OF SW 143 STREET IN THE AMOUNT ESTIMATED AT \$370,296.00, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT, TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the execution of a construction agreement for railroad resurfacing, in both District 9 and District 11.

APPLICABLE LEGISLATION/POLICY

Resolution R-1152-93, approved by the Board on October 5, 1993, states that the County is responsible for costs associated with the needed replacement crossing surfaces. (Online records of County resolutions only go back to 1996, so no link is available for R-1152-93)

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee, forwarded the item to the BCC with a favorable recommendation.

FISCAL IMPACT

The estimated cost is \$307,296. This will be funded with Road Impact Fees, through the Fiscal Year 2016-2017 Adopted Multi-Year Capital Plan, Project 20000000539 (Resurfacing Countywide Improvements).

ANALYSIS

According to the Florida Department of State website (Sunbiz), CSX Transportation, Inc., first filed with the state of Florida in March 26, 1946, and has an active status. It is headquartered in Jacksonville, FL. The Foreign Profit Corporation has branches in multiple states including Georgia, Alabama, Virginia, and Kentucky.

CSX Transportation, Inc. Links:

- <https://www.csx.com/>

- <https://www.corporationwiki.com/Florida/Jacksonville/csx-transportation-international-inc-4638238.aspx>

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N6

File No. 172062

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF WEST PARK TO PROVIDE THE CITY OF WEST PARK WITH FUNDING IN AN AMOUNT UP TO \$248,372.24 FOR THE CONSTRUCTION OF A ROADWAY RESURFACING PROJECT ALONG THE PORTION OF NE 215 STREET FROM NE 2 AVENUE TO 525 FEET EAST OF NE 10 AVENUE WITHIN MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the execution of a Joint Participation Agreement (JPA) with the City of West Park in order to reimburse them for roadway resurfacing within the County, specifically in District 1.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee, forwarded the item to the BCC with a favorable recommendation.

FISCAL IMPACT

Although the mayoral memo indicates that the road resurfacing is located in District 1, the funds listed in the fiscal impact section of the memo come from District 3. The County will provide up to \$248,372.24 from Road Impact Fee District 3 funds. The Capital Project number is 2000000539 (Site 3000740) in the Adopted Fiscal Year 2016-2017 Multi-Year Plan.

The agreement also states that the construction contract contains a contingency amount, to account for unforeseen conditions and owner required changes, which shall not exceed 10% of the base amount of the contract (unless otherwise approved in writing by the designated representatives of the County and City.)

ANALYSIS

This item provides half the funding for the City of West Park to be able to resurface the road where it is most needed. The agreement includes County guidelines the city must maintain, limits to the funds, and actions for termination or suspension of project. This is a one-time project, and tenants and business owners in the area will be properly notified of the construction.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N7

File No. 172119

Researcher: SM Reviewer: TD

RESOLUTION APPROVING THE USE OF UP TO \$5,174,245.38 IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR TRAFFIC SIGNAL AND INTERSECTION CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACT 7040 AND 7360 PLANS

ISSUE/REQUESTED ACTION

Whether the Board should approve the use of Charter County Transportation Surtax (Surtax) Funds for Contracts, which have previously been awarded under the Miscellaneous Construction Contracts (MCC) 7040 and 7360 Plans, respectively, for traffic signal and intersection improvement projects.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts. See link:

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The individual projects will be funded through Infrastructure Improvements-Countywide Project 2000000535 in the FY 2016-17 Adopted Multi-Year Capital Plan. The fiscal impact to the Surtax shall not exceed the contract award amount for each contract. There is no additional fiscal impact to operations or maintenance.

ANALYSIS

Adoption of this Resolution would authorize the use of Surtax funds for those roadway improvement projects included within the PTP. Consistent with Florida Statute 212.055, and section 29-124 and 2-1421 of the County Code, Surtax funds will be used for projects included in the Five Year PTP Implementation Plan. Contracts provide Department of Transportation and Public Works (DTPW) a means of quickly responding to critical construction and repair needs via a competitively bid contract. The work on these contracts is initiated via work order on an as-needed basis to address these needs. Within the contract, an estimated quantity is provided for bidding purposes as plan details are not available at the time of the bid. Bidders are advised that actual quantities may vary, depending on the scope of work identified in each work order. Payment is based on the authorized work completed by the contractor.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N8

File No. 172018

Researcher: AIP Reviewer: TD

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND FILE A GRANT APPLICATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION FOR FISCAL YEAR 2016, SECTION 5339(C) LOW OR NO EMISSION GRANT PROGRAM FUNDING IN THE AMOUNT OF \$2,357,143.00; AUTHORIZING RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO SUCH APPLICATION AND AGREEMENT; AUTHORIZING RECEIPT OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS AS MATCHING FUNDS FOR THE GRANT APPLICATION IN THE AMOUNT OF \$415,966.00

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor (or designee) to execute and file an application for a grant with the federal government for the purchase of low or no emission electric buses.

APPLICABLE LEGISLATION/POLICY

Fixing America's Surface Transportation Act 49 U.S.C. 5339 (c) : <https://www.fhwa.dot.gov/fastact/>

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee, forwarded the item to the BCC with a favorable recommendation.

FISCAL IMPACT

The total estimated cost for the new replacement buses is \$2,773,109. The federal grant will pay for \$2,357,143, which is 85% of the cost, while surtax proceeds will pay for the remaining \$415,966. This project is already included in the FY 2016-2017 Adopted Budget and Multi-Year Capital Plan, under Bus Related Projects (Project # 673800) as well as the FY 2017-2018 Budget.

ANALYSIS

If approved, this grant will be used to purchase three (3) new 40-foot electric buses. Apart from the environmental benefits and cost-savings of purchasing the electric buses, they also require less maintenance than the older, traditional diesel buses that currently make up our active, yet aging fleet. The majority of the 849 total current buses, are past their "life span", and cost more to maintain and repair. These new buses, are a step in providing more reliable and safe services.

The Fixing America's Surface Transportation Act, created by former President Barack Obama, allocated over \$55 million to provide grants to states and local municipalities in order to improve the quality and lower the emissions of local transportation.

Low or No Emission Program Links:

- <https://www.transit.dot.gov/funding/grants/lowno>
- <https://www.transit.dot.gov/about/news/FY17-Low-No-Project-Selections>

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 8N9

File No. 172344

Researcher: AIP Reviewer: TD

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 112 FOR A PARK AND RIDE FACILITY LOCATED AT SW 112 AVENUE/SOUTH ALLAPATTAH ROAD AND SOUTH DADE TRANSIT WAY, TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT IN FEE SIMPLE, BY NEGOTIATION, DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR TAX ASSESSED VALUES, WHICHEVER IS THE HIGHER OF THE TWO, TOGETHER WITH REASONABLE ATTORNEYS' FEES, EXPERT FEES, BUSINESS DAMAGES, AND COSTS PURSUANT TO SECTIONS 73.091 AND 73.092, FLORIDA STATUTES, OR BY EMINENT DOMAIN COURT PROCEEDINGS AS NECESSARY; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES [SEE ORIGINAL ITEM UNDER FILE NO. 172029]

ISSUE/REQUESTED ACTION

Whether the Board should approve the declaration of the acquisition of the designated property (Parcel 112) for a Park and Ride Lot.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-486-17, which is a joint-agreement with The Florida Department of Transportation (FDT) for funding Park and Ride programming.

- R-486-17 (File No. 162728) <http://intra/gia/legistarfiles/Matters/Y2016/162728.pdf>

Resolution No. R-1019-08, which authorized a lease agreement for 6.8 acres at a site located near South Allapattah Road, and the Transitway. This site has been used as a "park-and-ride" facility.

- R-1019-08 (File No. 082529) <http://intra/gia/legistarfiles/Matters/Y2008/082529.pdf>

PROCEDURAL HISTORY

10/12/2017: The Transportation and Public Works Committee, forwarded the item to the BCC with a favorable recommendation, with committee amendment(s).

FISCAL IMPACT

The estimated cost of the purchase and rehabilitation is \$5,216,000. Pursuant to R-486-17, the FDT will provide \$2,608,000 in Park and Ride program funding, and the rest needed to match those funds will come from Bond proceeds from FY 2016-2017, Adopted Capital Budget, Project No. 67610.

ANALYSIS

The Transitway is heavily utilized, and due to ridership increase, there is little to no parking for transit users to leave their cars. Current lots are at maximum capacity, therefore, this project would encourage more drivers to park there and use public transportation. The item also includes an attachment of a map, which demonstrates the location map.

Transitway Links:

- <https://www.miamidade.gov/transit/smart-plan-south-dade-transit-way-corridor.asp>

- <https://www.miamidade.gov/transit/library/smart-plan-map.pdf>

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 10A1

File No. 172146

Researcher: NR Reviewer: TD

RESOLUTION RATIFYING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE'S ACTION IN APPLYING FOR FUNDS TOTALING UP TO APPROXIMATELY \$32,000,000.00 FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR HOMELESS CONTINUUM OF CARE HOUSING AND SERVICES; RATIFYING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE'S ACTION IN ISSUING A REQUEST FOR APPLICATIONS TO SELECT NON-PROFIT SERVICE PROVIDER SUB-GRANTEES; APPROVING SUB-GRANTEES SELECTED; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FEDERAL FUNDS, ENTER INTO GRANT AND SUB-GRANT AGREEMENTS AND TO AMEND THE COUNTY'S FEDERAL APPLICATION AND AGREEMENTS AND SUB-AGREEMENTS

ISSUE/REQUESTED ACTION

Whether the Board should ratify the County Mayor or the County Mayor's designee's action in applying for funds from the United States Department of Housing and Urban Development (USHUD) pursuant to the Fiscal Year 2017 Notice of Funding Availability Consolidated Application Process (Federal Application) in an amount up to approximately \$32,000,000.00; and ratify the County Mayor or the County Mayor's designee's action in issuing a Request for Applications to:

- select non-profit service provider sub-grantees;
- approve the sub-grantees selected;
- authorize the County Mayor or County Mayor's designee to receive and expend federal funds awarded; and
- execute grant agreements with the USHUD and sub-grant contracts and agreements with non-profit providers,

APPLICABLE LEGISLATION/POLICY – N/A

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Housing and Social Services Committee (HSSC) at its October 13, 2017 meeting.

FISCAL IMPACT

The total amount anticipated to be received competitively for FY 2017-18 is approximately \$32 million. The 2017 Notice of Funding Availability (NOFA) was a tiered application as follows:

- Tier 1 included 94 percent of the Annual Renewal Demand, the total of all the Continuum of Care (CoC) projects that will be eligible for renewal, plus new projects; and
- Tier 2 included the balance of the Annual Renewal Demand (6 percent).

Additional funding for two new bonus projects, two new projects realized through reallocation of existing funding, and one Planning Grant have been funded, adding approximately \$2.6 million in new and reallocated resources.

The County, through the Homeless Trust, will provide Food and Beverage Tax match funding in an amount up to \$800,000 per year to programs serving the chronic homeless, using the Housing First model.

**BCC Meeting: November 7, 2017
Research Notes**

Housing First is an approach that emphasizes stable, permanent housing as a primary strategy for ending homelessness, centered on providing the homeless with housing as quickly as possible and later providing services, as needed.

ANALYSIS

This item is requesting the Board to ratify the County's action to apply for funds up to approximately \$32,000,000 from USHUD and to ratify the County's action in issuing a Request for Application to Select Non-Profit Service Provider Sub-Grantees; and approving Sub-Grantees selected. The County, through the Homeless Trust, will serve as the coordinating agency and the collaborative applicant for our community's homeless CoC application.

To serve the homeless individuals, the 2017 NOFA will provide additional permanent housing units and continuation funding for currently-funded transitional housing, permanent supportive housing, safe haven and services-only homeless outreach programs. All of the housing and collateral services will be consistent with the County's CoC approach, as outlined in the County's Community Homeless Plan and local Standards of Care.

Input from Miami-Dade Homeless Trust (HT)

As posted in <http://www.homelesstrust.org/about-homeless-trust.asp>. The 2017 Plan priorities are: 1. Housing: Emergency, Transitional, Permanent Housing & Rapid Re-Housing; 2. Coordinated Outreach, Assessment and Placement; 3. Homeless Prevention and Diversion; 4. Support Services; 5. Effective Use of Data; 6. Governance & Resource Maximization; 7. Quality Assurance; and 8. Homeless Plan.

HT received \$29,898,527 last year under USHUD's NOFA

The additional and bonus programs include 3 Permanent Supportive Housing programs, and 1 Rapid Rehousing program.

The service providers for the programs funded by USHUD include Carrfour Supportive Housing, New Horizons Community Mental Health Center, Volunteers of America, Citrus Health Network, Fellowship House, Better Way of Miami, Camillus House, City of Miami, City of Miami Beach, Douglas Gardens Community Mental Health Center, Community Health of South Florida, Inc. and The Advocate Program, Inc., and Chapman Partnership who is currently not funded through U.S. HUD has also applied for a grant.

Housing First refers to providing low barrier access to services, which means it applies to all levels of care including outreach, shelter, treatment and permanent housing. HT adopted Housing First throughout the Continuum of Care on 6/30/2016.

The number of persons who exited shelter, Safe Haven, Transitional housing and short-term rental assistance into permanent housing were: 4,165 in FY14-15; 4,186 in FY15-16; and 3,830 in FY16-17; and the number of persons who remained in permanent housing (aka. permanent housing retention) were: 3,553 in FY14-15; 3,942 in FY15-16; and 4,263 in FY16-17. HT noted that the FY16-17 data has not been reviewed for data quality and may change before HT submit the data to HUD on their data exchange early next year.

HT has proposed 66 new units of Permanent Supportive Housing and 75 new units of Rapid Rehousing (short- to medium term rental assistance). However, depending on the outcome of the NOFA competition HT could realize none, some or all of those projects.

**BCC Meeting: November 7, 2017
Research Notes**

**Item No. 10A2
File No. 172364**

Researcher: SM Reviewer: TD

RESOLUTION RESCINDING RESOLUTION NO. R-494-16 AND APPROVING, FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE DEBT OBLIGATIONS BY THE HOUSING FINANCE AUTHORITY OF MIAMI-DADE COUNTY (FLORIDA), IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED \$26,400,000.00, THE PROCEEDS OF WHICH WILL BE LOANED TO THREE ROUND TOWERS B AND C, LLC TO FINANCE THE DEVELOPMENT OF A MULTIFAMILY HOUSING RENTAL PROJECT TO BE KNOWN AS THREE ROUND TOWERS B AND C

ISSUE/REQUESTED ACTION

Whether the Board should authorize Housing Finance Authority of Miami-Dade County (HFA) to issue Multifamily Mortgage Revenue Bonds(Bonds) in one or more series in an aggregate principal amount not to Exceed \$26,400,000

APPLICABLE LEGISLATION/POLICY

Resolution Nos. HFA 2016-07 and HFA No. 2017-12

See link Attachment (Exhibit A): <http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2017/172364.pdf>

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The principal and interest on the Bonds shall not constitute a debt, liability or a general obligation of the HFA, County, the State of Florida or any political subdivision of each, but shall be the responsibility of the owner of the Project.

ANALYSIS

The Board of County Commissioners, as the highest governing body, must approve the issuance of the Bonds by the HFA as required by the Code after a public hearing. The public hearing was held by the HFA and such public hearing disclosed no reason why the Bonds should not be issued. The Series 2018 Bonds are expected to be issued by January of 2018.

**BCC Meeting: November 7, 2017
Research Notes**

**Item No. 10A3
File No. 172365**

Researcher: SM Reviewer: TD

RESOLUTION RESCINDING RESOLUTION NO. R-495-16 AND APPROVING, FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE DEBT OBLIGATIONS BY THE HOUSING FINANCE AUTHORITY OF MIAMI-DADE COUNTY (FLORIDA), IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED \$18,500,000.00, THE PROCEEDS OF WHICH WILL BE LOANED TO SMATHERS PRESERVATION PHASE ONE, LLC TO FINANCE THE DEVELOPMENT OF A MULTIFAMILY HOUSING RENTAL PROJECT TO BE KNOWN AS SMATHERS PRESERVATION PHASE ONE

ISSUE/REQUESTED ACTION

Whether the Board should authorize Housing Finance Authority of Miami-Dade County (HFA) to issue Multifamily Mortgage Revenue Bonds(Bonds) in one or more series in an aggregate principal amount not to Exceed \$18,500,000 for the acquisition and rehabilitation of Smathers Preservation Phase one (Project).

APPLICABLE LEGISLATION/POLICY

Resolution Nos. HFA 2016-06 and HFA No. 2017-13

See link Attachment (Exhibit A): <http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2017/172365.pdf>

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

The principal and interest on the Bonds shall not constitute a debt, liability or a general obligation of the HFA, County, the State of Florida or any political subdivision of each, but shall be the responsibility of the owner of the Project.

ANALYSIS

The Board of County Commissioners, as the highest governing body, must approve the issuance of the Bonds by the HFA as required by the Code after a public hearing. The public hearing was held by the HFA and such public hearing disclosed no reason why the Bonds should not be issued. The Series 2018 Bonds are expected to be issued by January of 2018.

**BCC Meeting: November 7, 2017
Research Notes**

Item No. 10A4

File No. 172358

Researcher: NR Reviewer: TD

RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000.00, IN ONE OR MORE TAX-EXEMPT OR TAXABLE SERIES TO (I) FINANCE OR REFINANCE ALL OR A PORTION OF THE COSTS OF ACQUISITION, DESIGN, CONSTRUCTION, INSTALLATION AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES, (II) FUND A DEBT SERVICE RESERVE FUND FOR THE BONDS AND (III) PAY CERTAIN COSTS OF ISSUANCE RELATING TO THE BONDS, ALL BENEFITTING DORAL ACADEMY, INC., A FLORIDA NOT FOR PROFIT CORPORATION, FOR PURPOSES OF AND PURSUANT TO SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED

ISSUE/REQUESTED ACTION

Whether the Board should approve the issuance of Industrial Development Revenue Bonds (IDB) by the Industrial Development Authority (the Authority) for Doral Academy, Inc. in a principal amount not to exceed \$24,000,000.

APPLICABLE LEGISLATION/POLICY

Pursuant to Florida Statutes 159.44-159.53, Industrial development authorities were created for the purpose of financing and refinancing projects for the public purposes, and for the purpose of fostering the economic development of a county.

Ordinance 78-19 established the Miami-Dade County Authority.

The Tax Equity and Fiscal Responsibility Act (TEFRA) requires that the Board approve the issuance of Bonds by the Authority after a public hearing has been held either by the IDA or by the Board.

PROCEDURAL HISTORY – N/A

FISCAL IMPACT

Neither the Authority nor Miami-Dade County has any liability with respect to the repayment of the Bonds.

ANALYSIS

This item request approval of IDB by the Authority for Doral Academy, Inc. in a principal amount not to exceed \$24,000,000. Doral Academy, Inc. is an active Florida nonprofit organization.

The primary role of the Authority is the implementation and management of federally legislated bond financing programs serving as fixed asset investment incentives for private sector industry expansion and location.

IDBs are securities issued by a local government agency for the purpose of acquiring or constructing capital facilities for use by private business and industry. In the case of IDBs, the local issuing agency, the Authority, serves as a conduit. The loan is made to the Authority; the Authority relends the bonds (bond proceeds) to the private company to pay the cost of the capital project.

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Research Notes**

Item No. 10A5

File No. 172363

Researcher: NR Reviewer: TD

RESOLUTION APPROVING THE ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$5,000,000.00 TO FINANCE CAPITAL PROJECTS FOR THE BENEFIT OF PINECREST ACADEMY, INC. A FLORIDA NOT-FOR-PROFIT CORPORATION FOR PURPOSES OF AND PURSUANT TO SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED

ISSUE/REQUESTED ACTION

Whether the Board should approve the issuance of Industrial Development Revenue Bonds (IDB) by the Industrial Development Authority (the Authority) for Pinecrest Academy, Inc. in a principal amount not to exceed \$5,000,000.

APPLICABLE LEGISLATION/POLICY

Pursuant to Florida Statutes 159.44-159.53, Industrial development authorities were created for the purpose of financing and refinancing projects for the public purposes, and for the purpose of fostering the economic development of a county.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0159/0159.html

Ordinance 78-19 established the Miami-Dade County Authority.

<http://www.mdcida.org/aboutida.html>

The Tax Equity and Fiscal Responsibility Act (TEFRA) requires that the Board approve the issuance of Bonds by the Authority after a public hearing has been held either by the IDA or by the Board.

<https://www.congress.gov/bill/97th-congress/house-bill/4961>

PROCEDURAL HISTORY – N/A

FISCAL IMPACT

Neither the Authority nor Miami-Dade County has any liability with respect to the repayment of the Bonds.

ANALYSIS

This item request approval of IDB by the Authority for Pinecrest Academy, Inc. in a principal amount not to exceed \$5,000,000. Pinecrest Academy, Inc. is an active Florida nonprofit organization.

The primary role of the Authority is the implementation and management of federally legislated bond financing programs serving as fixed asset investment incentives for private sector industry expansion and location.

IDBs are securities issued by a local government agency for the purpose of acquiring or constructing capital facilities for use by private business and industry. In the case of IDBs, the local issuing agency, the Authority, serves as a conduit. The loan is made to the Authority; the Authority relends the bonds (bond proceeds) to the private company to pay the cost of the capital project.

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Research Notes**

Item No. 11A2

File No. 171926

Researcher: SAP Reviewer: TD

RESOLUTION REQUIRING PERSONS OR ENTITIES CONTRACTING WITH MIAMI-DADE COUNTY TO DEMONSTRATE COMPLIANCE WITH THE EQUAL PAY ACT OF 1963, SECTION 448.07 OF THE FLORIDA STATUTES, CERTAIN MIAMI-DADE COUNTY ORDINANCES, AND OTHER LAWS PROHIBITING WAGE RATE DISCRIMINATION BASED ON SEX AS A CONDITION OF BEING AWARDED A COUNTY CONTRACT; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REQUIRE POTENTIAL VENDORS AND CONTRACTORS TO PROVIDE AN AFFIDAVIT ATTESTING TO SUCH COMPLIANCE PRIOR TO CONTRACT AWARD, REVISE THE VENDOR AFFIDAVIT FORM TO INCLUDE A SEPARATE SECTION LISTING SPECIFIED PROVISIONS, AND PROVIDE A REPORT TO THE BOARD WITHIN 60 DAYS

ISSUE/REQUESTED ACTION

Whether the Board should approve a resolution requiring that persons or entities contracting with Miami-Dade County demonstrate compliance with the equal pay act of 1963 and other laws prohibiting wage rate discrimination based on sex.

APPLICABLE LEGISLATION/POLICY

Equal Pay Act of 1963 - <https://www.eeoc.gov/laws/statutes/epa.cfm>

Florida Statutes Section 448.07 – Wage rate discrimination based on sex prohibited.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0448/Sections/0448.07.html

Sections 11A and 22 of the Code of Miami-Dade-County, governing discrimination.

https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH11ADI_ARTVFALE_S11A-30DE

Chapter 8A, Article XIX of the Code, Gender Price Discrimination

http://miamidade.fl.elaws.us/code/coord_ptiii_ch8a_artxix

Ordinance No. 98-30 – County Contractors – Employment/Procurement Practices

<http://intra/gia/matter.asp?matter=980236&file=false&yearFolder=Y199>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Government Operations Committee at its October 10, 2017 meeting.

ANALYSIS

The Equal Pay Act (EPA) of 1963 was established to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce. The Equal Pay Act requires that men and women in the same workplace be given equal pay for equal work. The jobs need not be identical, but they must be substantially equal. Job content (not job titles) determines whether jobs are substantially equal. All forms of pay are covered by this law, including salary, overtime pay, bonuses, stock options, profit sharing and bonus

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plans, life insurance, vacation and holiday pay, cleaning or gasoline allowances, hotel accommodations, reimbursement for travel expenses, and benefits. If there is an inequality in wages between men and women, employers may not reduce the wages of either sex to equalize their pay. An individual alleging a violation of the EPA may go directly to court and is not required to file an EEOC charge beforehand.

<https://www.eeoc.gov/laws/types/equalcompensation.cfm>

Section 1 of the resolution states that any person or entity seeking to contract with the County, shall, as a condition of receiving a County contract, certify in the contract that the person or entity is in compliance with, and continue to comply with the following:

1. The Equal Pay Act of 1962 as amended
2. Section 448.07 of the Florida Statutes
3. Chapters 8A, Article XIX, 11A and 22 of the Miami-Dade Code

The County Mayor's designee is directed to include specific language in all future contracts for goods and services as to the requirements listed in Section 1. Also the County Mayor's designee is directed to revise the online Vendor Affidavits Form to include a new section entitled "Miami-Dade County Pay Parity Affidavit.

ADDITIONAL FINDINGS

The first Status of Women in Miami-Dade County report, published in December 2016, analyzed the critical disparities among men and women in Miami-Dade County and highlighted the following persistent gaps:

- The median income of the 151,135 female-headed households is 25% lower than male-headed households;
- There is a 47% earnings disparity between men and women with a graduate or professional degree, with women earning \$49,400 versus men's median earning of \$72,821;
- The gender pay gap exists in all top ten earning occupations but is largest in legal (115%), health, diagnostics (40%) and architecture and engineering occupations (34%);
- Since 2005 the earnings gaps have decreased between male and female private for-profit wage and salary workers from 32% to 24%; and
- The wage gap for full-time male and female workers decreased from 18% in 2000, to 15% in 2010, and 13% in 2014.

The Miami-Dade Commission for Women developed several recommendations, from the Status of Women report, addressing Wage Gap, Working Women, and Entrepreneurship. A list of the recommendations can be found at:

<http://www.miamidade.gov/advocacy/library/2016-status-of-women-recommendations.pdf>

Although the County's procurement process is gender-neutral, Miami-Dade County Ordinance No. 98-30 requires all firms to have an affirmative action plan and procurement policies files and approved by the County as a condition of contract award. The only existing program which is not gender and race neutral is the Disadvantaged Business Enterprise (DBE) program, a federal program that ensures equal opportunity in transportation contracting markets, addressing the effects of discrimination in transportation contracting, and promotes increased participation in federally funded contract for small, socially and economically disadvantaged businesses, including minority and women owned enterprises.

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BROWARD

In November 2011, Broward County Council unanimously passed an equal benefits ordinance, which resembles similar ordinances in San Diego, San Francisco, Los Angeles, Minneapolis and Portland and requires the county's vendors to provide domestic partners with benefits equal to those offered to spouses of married employees. Equality Florida said the following in their statement: "By enacting this ordinance, Broward County adopts one of the nation's most significant policies furthering workplace equality. Broward County continues its long history of leadership in the area of human rights by delivering on the promise of equal pay for equal work. Broward is the first county IN Florida to adopt an Equal Benefits Ordinance (EBO). In 2005 Miami Beach became the first city in the state to pass an EBO, and the Miami Beach policy has been praised by the city commission and the staff, while reporting no negative fiscal impact. The ordinance places Broward County's domestic partnership policies among the strongest in the country."

<http://southfloridagaynews.com/Local/broward-county-passes-equal-benefits-ordinance.html>

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Research Notes**

Item No. 11A5

File No. 171969

Researcher: AIP Reviewer: TD

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SHARE INFORMATION PERTAINING TO VIOLATIONS OF THE MIAMI-DADE COUNTY CODE FOR VACATION RENTAL PROPERTIES WITH THE APPLICABLE PEER-TO-PEER OR PLATFORM ENTITIES SO THAT SUCH ENTITIES MAY APPROPRIATELY ASSIST IN ADDRESSING SUCH VIOLATIONS

ISSUE/REQUESTED ACTION

Whether the Board should approve the resolution, which directs the County Mayor (or designee) to share information with the vacation rental peer-to-peer platforms in order to assist in addressing County Code violations.

APPLICABLE LEGISLATION/POLICY

File no. 172425, the final adopted resolution pertaining to vacation rentals (and previous versions: 171627, 171070, and 171561).

<http://intra/gia/matter.asp?matter=172425&file=false&yearFolder=Y2017>

PROCEDURAL HISTORY

10/12/2017: The Economic Development and Tourism Committee, forwarded the item to the BCC with a favorable recommendation.

FISCAL IMPACT

No fiscal impact was determined.

ANALYSIS

This item seeks to work together with the online peer-to-peer vacation rental platforms in order to assist in addressing Miami-Dade County Code violations. Working with the platforms to assist, will allow the County to better investigate and enforce the violations, addressing concerns over safety, security, noise, traffic, and overall quality of life in neighborhoods that have traditionally been residential in character.

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Research Notes**

**Item No. 11A11
File No. 172092**

Researcher: SM Reviewer: TD

RESOLUTION APPROVING A FOURTH AMENDMENT TO THE TRANSIT ORIENTED DEVELOPMENT LEASE AGREEMENT WITH CARIBBEAN VILLAGE, LTD, WHICH IS AN ENTITY AFFILIATED WITH PINNACLE HOUSING GROUP, FOR PROVISION OF AN AFFORDABLE HOUSING DEVELOPMENT AT SW 110 COURT AND SW 200 DRIVE, ON THE NORTH SIDE OF SW 200 STREET (CARIBBEAN BOULEVARD) IN COUNTY COMMISSION DISTRICT 9; AMENDING THE LEASE TO EXTEND CERTAIN DEADLINES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the fourth amendment to the transit oriented development lease agreement with Caribbean village, Ltd.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-343-13 authorizing a transit-oriented development lease agreement with Caribbean Village, Ltd. For the development of affordable housing on two County-owned properties.

See link:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-343-13.pdf>

PROCEDURAL HISTORY

This item does not have procedural history.

FISCAL IMPACT

In addition to the lease of County-owned properties to the Developer, \$5,000,000.00 from the Building Better Communities General Obligation Bond has been allocated as a portion of the total development costs of the Project. The Developer has stated that an extension of certain deadlines is necessary due to the occurrence of circumstances outside of its control that have impeded the progress of the Project.

ANALYSIS

Miami-Dade County (the "County") and Caribbean Village, Ltd., a Florida limited partnership affiliated with Pinnacle Housing Group (the "Developer") entered into a Transit Oriented Lease Agreement dated August 5, 2013, as authorized by County Resolution No. R-343-13 and amended by the First Amendment to Caribbean Village Transit Oriented Development Lease Agreement dated September 8, 2014, the Second Amendment to Caribbean Village Transit Oriented Development Lease Agreement dated December 14, 2015, and the Third Amendment to the Caribbean Village Transit Oriented Development Lease Agreement dated November 11, 2016 (collectively, the "Lease"). The Lease is a ground lease for the development of a minimum of 170 units of affordable housing, approximately 5,000 square feet of retail/commercial space, and 150 parking spaces for Miami-Dade Transit (the "Project") on County-owned properties located at SW 110 Court and SW 200 Drive, on the north side of SW 200 Street (Caribbean Boulevard) adjacent to the County Busway in Commission District 9 (the "Property").

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Research Notes**

**Item No. 11A14
File No. 171870**

Researcher: SAP Reviewer: TD

RESOLUTION ESTABLISHING A COUNTY POLICY THAT EFFECTIVE FISCAL YEAR 2017-18 ALL MEETINGS OF THE PARKS AND RECREATION CITIZENS ADVISORY COMMITTEE BE HELD IN THE COMMISSION CHAMBERS AND BROADCAST ON MIAMI-DADE TV; DIRECTING THE COUNTY MAYOR OR DESIGNEE TO IDENTIFY AND PROVIDE A REPORT ON LEGALLY AVAILABLE FUNDING SOURCES WITHIN THE PROPOSED OR ADOPTED FISCAL YEAR 2017-18 BUDGET TO IMPLEMENT THE BOARD'S POLICY AND TO PLACE SAID REPORT ON AN AGENDA OF THE BOARD; AND FURTHER DIRECTING THE COUNTY MAYOR OR DESIGNEE TO INCLUDE WITHIN THE REPORT INFORMATION ON PROPOSED ALTERNATE FUNDING SOURCES, INCLUDING PROPOSED REDUCTIONS IN EXPENDITURES IN THE AMOUNT NECESSARY TO IMPLEMENT THE BOARD'S POLICY, IF INSUFFICIENT FUNDS ARE AVAILABLE IN THE PROPOSED OR ADOPTED FISCAL YEAR 2017-18 BUDGET

ISSUE/REQUESTED ACTION

Whether the Board should approve a County policy effective FY 2017-18 that all meetings of the Parks and Recreation Citizens Advisory Committee (PRCAC) be held in the Commission Chambers and broadcast on Miami-Dade TV.

APPLICABLE LEGISLATION/POLICY

Ordinance No. 94-115 creating the Parks and Recreation Citizens Advisory Committee.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artlxi_sec2-773

Ordinance No. 14-65 governing Rules and Procedures of the Board.

<http://intra/gia/legistarfiles/MinMatters/Y2014/141471min.pdf>

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Parks and Cultural Affairs Committee at its October 11, 2017 meeting.

ANALYSIS

This item is to establish a policy that the PRCAC be held in the Commission Chambers and also be televised on Miami-Dade TV. The purpose of the Committee is to enable local citizens to participate in decisions relating to parks and to make recommendations to improve and promote parks facilities and programs in Miami-Dade County.

The Committee is composed of 27 members, each County Commissioner appoints two members. Members cannot serve more than eight consecutive years and their term coincides with the tenure of the appointing commissioner. To qualify to serve appointees must be residents of Miami-Dade County who possess outstanding reputations for civic pride, interest, integrity, responsibility, and business or professional ability in the fields of recreation, natural resources, conservation and land use planning.

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Based on the PRCAC website, the current membership is as follows:

Appointed by	Member
Designated Seat, Chairperson	Anthony J. Lopez, III
District 1	1 Vacant Carol Hardemon
District 2	1 Vacant Carolyn Gibson
District 3	2 Vacancies
District 4	Karen Evans Jon M. Gold
District 5	Mallory Kauderer Annette Dominguez
District 6	1 Vacant Anthony J. Lopez, III
District 7	Juan Mullerat Mark Stoutenberg
District 8	Jean Tong-Noon Mike Pintado
District 9	2 Vacancies
District 10	1 Vacant Victor Monge
District 11	2 Vacancies
District 12	Frankie Ruiz Gonzalo Sanabria
District 13	1 Vacant Lazaro M. Fernandez

Miami-Dade TV, a division of the Communication Department, is the County's government access television station that televises County meetings and public information programming 24 hours a day, 7 days a week. With the successful integration of Miami-Dade TV in the County, citizens can interact with all levels of government through actual and virtual portals. Along with live coverage of meetings of the Board of County Commissions and its committees, Miami-Dade TV takes pride in providing residents with a wide variety of informational and educational programming about government programs and services, public safety, art & culture and the environment. Communications serves as the backbone of "borderless government".

The OCA posed the following questions, to which PROS responded:

1. Where does the PRCAC currently meet and how often;
 - *The Park and Recreation Citizen's Advisory Committee (PRCAC) meets every other month (six times a year) at various park locations. At the March 22, 2017 PRCAC meeting at the Crandon Park tennis center, the PRCAC Committee decided to alternate meetings between the Parks main office headquarters at the Hickman Building, downtown, at 275 NW 2 Street, and various park locations. Currently, meetings are the third Wednesday of every other month, at 4:00 PM.*

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2. Explain what difficulties, if any, there will be scheduling meetings in Commission Chambers given the standard BCC and BCC Committee Cycle schedule;
 - *PRCAC meetings will need to be scheduled so as to not interfere with BCC and Committee meetings. Should the BCC or Committee Chairman schedule a Special Meeting at the same time as a scheduled PRCAC meeting, the PRCAC meeting will need to be rescheduled, or, the PRCAC meeting would need to be moved to a different location such as an available room on the 18th floor of the Stephen P. Clark Center (SPCC), or to the Hickman Building, which is across the street from SPCC; however, providing television coverage for the meeting at an alternate location would require additional time and effort and would not be practical or cost effective.*
3. Please provide examples during the last FY of PRCAC deliberations contributing to measurable park and park facility improvements;
 - *PRCAC members provided input and direction on a discussion topic of “Organized Play” for the policy and procedure for the equitable use and scheduling of Park athletic fields and open areas. Organized Play is the regular and consistent use of a facility by the same group of players where such activity is managed, scheduled, and coordinated by an individual or an organization. Policy regarding this use assists in field maintenance by grounds crews.*
 - *During the last Fiscal Year (FY) the PRCAC deliberated on “Sparkle Tours” by PRCAC members which resulted in awareness of certain issues that were addressed.*
 - *At the May 31, 2017 PRCAC meeting at Tropical Park, PRCAC members were given a tour of the Ronald Reagan Equestrian Center and provided input during the tour.*
4. What are the funding implications for implementing this policy?
 - *The funding implications for Parks would be the same regardless of the meeting location. The Miami-Dade County Communications Department may need to address any funding implications for televising PRCAC meetings in Commission Chambers.*

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Research Notes**

**Item No. 11A15 and Supplement
File No. 171788 and Supp. 171937**

Researcher: AIP Reviewer: TD

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO INCLUDE IN FUTURE COMPETITIVE SOLICITATIONS FOR BUS PASSENGER SHELTERS THE REQUIREMENT THAT BENCHES WITHIN SAID SHELTERS SHALL CONTAIN AT LEAST ONE ARMREST IN THE MIDDLE PORTION OF THE BENCH

SUPPLEMENT TO RESOLUTION DIRECTING THE COUNTY MAYOR TO INCLUDE IN FUTURE COMPETITIVE SOLICITATIONS FOR BUS SHELTERS THE REQUIREMENT THAT BUS BENCHES WITHIN SAID SHELTERS SHALL CONTAIN AT LEAST ONE ARMREST IN THE MIDDLE OF THE BENCH – DIRECTIVE 171788

ISSUE/REQUESTED ACTION

Whether the Board should approve the item which seeks to install at least one armrest at each bus shelter bench within unincorporated Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

N/A

PROCEDURAL HISTORY

7/13/2017: Item was deferred by the Transportation and Public Works Committee (TPWC), to the following committee.

10/12/2017: The TPWC forwarded the item to the BCC with favorable recommendation, and supplement.

FISCAL IMPACT

The supplement provided by the department states that there are 1,035 bus shelters installed within unincorporated Miami-Dade County, and each installation of an armrest costs \$200. Therefore, the total cost associated with this item would be \$207,000.

ANALYSIS

The purpose of this item is to include armrests in the bus benches at bus stops in order to prevent people from lying across the benches, as well as increase comfort for those who sit waiting for the bus.

During the Transportation and Public Works Committee, several commissioners expressed concern over the lack of fiscal impact information. Once the department responded with the estimated cost, some commissioners felt it was misuse of limited funds to be spend on armrests, while the department is trying to cut transportation services. The supplement is a response to a request by the TPWC, to include the fiscal impact of the armrests.

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Research Notes**

**Item No. 11A16
File No. 172254**

Researcher: SAP Reviewer: TD

RESOLUTION SUPPORTING THE ESTABLISHMENT OF A SISTER CITIES AFFILIATION BETWEEN MIAMI-DADE COUNTY AND THE CITY OF RETALHULEU, GUATEMALA; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AN AFFILIATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF RETALHULEU, GUATEMALA

ISSUE/REQUESTED ACTION

Whether the Board should support the establishment of a sister cities affiliation between the County and Retalhuleu, Guatemala.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-416-95 establishing the Sister City Program.
(See attached resolution)

By-Laws http://www.miamidade.gov/itc/library/sister_by_laws.pdf

PROCEDURAL HISTORY

This item was forwarded to the Board with a favorable recommendation by the Economic Development and Tourism Committee at its October 12, 2017 meeting.

ANALYSIS

This item seeks establishment of a sister cities affiliation between the County and the City of Retalhuleu located in Guatemala. The Miami-Dade Sister Cities Program, is a division of Economic Development and International Trade, and promotes citizen diplomacy, international cultural understanding and trade and commerce.

The Miami-Dade Sister Cities Program has a goal to create and strengthen partnerships between U.S. and communities around the world through municipal cooperation, cultural understanding and economic development activities. Throughout the years, the program has developed innovative projects, which have furthered international cooperation and understanding between Miami-Dade County and other respective Sister Cities. The program has also helped to promote Miami-Dade's position as the Gateway to the Americas.

Sister Cities International creates relationships based on cultural, educational, information and trade exchanges, creating lifelong friendships that provide prosperity and peace through person-to-person "citizen diplomacy. In the new millennium, Sister Cities International continues to expand its reach to new and emerging regions of the world. Today, it dedicates a special focus on areas with significant opportunities for cultural and educational exchanges, economic partnerships, and humanitarian assistance.

Resolution R-416-95, adopted on April 5, 1995, states that the sister city would have to have some other quality in common with the County such as being a major international seaport or a community heavily involved in international trade or a community which bases its economy significantly on tourism.

The City of Retalhuleu is in south-western Guatemala and stands at about 240 meters above sea level. It is the capital of one of the richest and most productive departments in Guatemala, with agriculture generating the main economic

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income. *However, Retalhuleu is also becoming an important tourist destination for individual and more culture interested tourists. Guatemala is currently our 43rd largest goods trading partner with \$10.0 billion in total (two way) goods trade during 2015.* Goods exports totaled \$5.9 billion; goods imports totaled \$4.1 billion. The U.S. goods trade surplus with Guatemala was \$1.7 billion in 2015. Retalhuleu is a commercial and manufacturing center for a fertile agricultural hinterland. Coffee and sugarcane plantations are most prominent in the locality, but grains also are cultivated, and livestock and bees are raised.

Leading categories include: corn (\$149 million), soybean meal (\$148 million), wheat (\$139 million), poultry (\$104 million), and cotton (\$54 million). U.S. imports of agricultural products from Guatemala totaled \$1.9 billion in 2015, our 16th largest supplier of agricultural imports. Leading categories include: bananas and plantains (\$804 million), coffee, unroasted (\$324 million), other fresh fruit (\$238 million), processed fruit & vegetables (\$120 million), and fresh vegetables (\$113 million).

<https://www.britannica.com/place/Retalhuleu-Guatemala>

Around the main square Parque Central, there are interesting colonial buildings and some tourist attractions. The most important building on the square is the huge white church San Antonio de Padua. The city itself has not many tourist attractions. However, the archeological and ethnological museum is an interesting address to learn about the Mayan culture in the area. Retalhuleu is known as a good starting point for excursions in the close surroundings. Other Interesting sites include the ancient Mayan site, Takalik Abaj. It is about one hour away from Retalhuleu and still a secret Mayan ruin not known by many tourists. From Retalhuleu, another tourist attraction is the water park Xocomil and the amusement park Xetulul, which are also a one hour drive away from the city.

<http://tripedia.info/attraction/retalhuleu-guatemala/>

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**Item No. 11A27
File No. 172442**

Researcher: TD Reviewer: PGE

RESOLUTION OPPOSING THE CANCELLATION OF THE MILITARY ACCESSIONS VITAL TO NATIONAL INTEREST ("MAVNI") PROGRAM AND URGING THE DEPARTMENT OF DEFENSE TO CONTINUE THE MAVNI PROGRAM

ISSUE/REQUESTED ACTION

This resolution opposes the cancellation of the Military Accessions Vital to National Interests (MAVNI) program and urges the Department of Defense to continue this program.

APPLICABLE LEGISLATION/POLICY

This resolution does not require special legislation or policy to implement.

FISCAL IMPACT

This resolution has no fiscal impact on Miami-Dade County.

ANALYSIS

An expedited citizenship process for military service is a time honored tradition in the US military. For example, during the First World War approximately 18% of the force were immigrant. At the conclusion of hostilities, 192,000 were awarded citizenship. Thirteen immigrants born in 12 different countries were awarded the Congressional Medal of Honor. (see "National Park Service Immigrants in the Military during WWI"; <https://www.uscis.gov/history-and-genealogy/our-history/immigrant-army-immigrant-service-members-world-war-i>) The US military conducted itself similarly in both World War Two and the Korean Conflict. (see Jeff Mason, "Immigrants in the Military: A History of Service"; <https://bipartisanpolicy.org/blog/immigrants-in-the-military-a-history-of-service/>) Additionally the Lodge Act of 1950 permitted non-citizen Eastern Europeans to enlist between 1950 and 1959 as did a provision of the Cuban Adjustment Act. The Military Bases Agreement of 1947 allowed more than 35,000 Filipinos to enlist in the US Navy between 1952 and 1991. (see "Military Accessions Vital to National Interests (MAVNI) Recruitment Pilot Program; <https://www.defense.gov/news/mavni-fact-sheet.pdf>).

Military Accessions Vital to National Interest (MAVNI) was initiated in 2008 and is a modern approach to the military's historical support of immigrant member's citizenship goals. (see "Military Accessions Vital to National Interests (MAVNI) Recruitment Pilot Program; <https://www.defense.gov/news/mavni-fact-sheet.pdf>).

MAVNI specifically targets critical medical and linguistic skills needed in the military.

Since 2009 more than 10,400 US Service members have availed themselves of this program. (see "The Pentagon tried to kill a program for immigrants. Mattis thinks it can be saved"; https://www.washingtonpost.com/news/checkpoint/wp/2017/10/13/the-pentagon-tried-to-kill-a-program-for-immigrants-mattis-thinks-it-can-be-saved/?utm_term=.d24c88c27b42).

MAVNI has not yet been reintroduced citing security concerns. Nonetheless Secretary of Defense Mattis is supportive of it's reinstatement. (see "The Pentagon tried to kill a program for immigrants. Mattis thinks it can be saved"; https://www.washingtonpost.com/news/checkpoint/wp/2017/10/13/the-pentagon-tried-to-kill-a-program-for-immigrants-mattis-thinks-it-can-be-saved/?utm_term=.d24c88c27b42).

BCC Meeting: November 7, 2017
Research Notes

The benefit of MAVNI in our community is indirect. Nonetheless any community composed of our diversity, deserving immigrant youth should be afforded the opportunity to serve in their adoptive country's military with the benefit of expedited citizenship.

Projects from FY 2010 Multi-Year Capital
Improvement Program
Estimated
Expenditures (in \$1,000)

EXHIBIT "A"	Estimate Expenditures	Project Status
WATER PROJECTS		
Hialeah Preston Water Treatment Plant Improvements	\$16,600	50% of the projects are completed
Alexander Orr Water Treatment Plant Expansion	\$21,400	33% of the projects are completed
Wellfield Improvements	\$5,000	100% of the projects are completed
North Water Transmission Main Improvements	\$8,800	33% of the projects are completed
South Water Transmission Main Improvements	\$500	100% of the projects are completed
Water General Maint & Office Facilities	\$4,500	100% of the projects are completed
Water Distribution System Extensions	\$20,200	85% of the projects are completed
Water Plant Replacements & Renovations	\$4,500	100% of the projects are completed
Water System Maint & Upgrades	\$1,200	100% of the projects are completed
Water Engineering Studies	\$1,000	100% of the projects are completed
Water Treatment Plants Upgrades	\$3,000	60% of the projects are completed
Safe Drinking Water Act Modifications	\$1,400	100% of the projects are completed
South Miami Heights Water Treatment Plant	\$18,000	100% of the projects are completed
Water Tetemetering System Enhancements	\$200	100% of the projects are completed
Aquifer Storage Recovery Wellfields	\$4,500	100% of the projects are completed
TotalWater Expenditures	\$110,800	
WASTEWATER PROJECTS		
North District WWTP Upgrades	\$7,400	100% of the projects are completed
Central District WWTP Upgrades	\$27,800	100% of the projects are completed
South District WWTP Pit Expans	\$2,100	50% of the projects are completed
South District WWTP Upgrades	\$11,300	50% of the projects are completed
No District WWTP Transmission Mains	\$2,000	100% of the projects are completed
Central Dist WWTP Transmission Mains	\$15,000	95% of the projects are completed
South District WWTP Transmission Mains	\$5,000	100% of the projects are completed
Gravity Sewer Renovations	\$21,800	80% of the projects are completed
Sanitary Sewer System Improv	\$1,800	100% of the projects are completed
WW GeneralMaintenance & Office	\$8,600	100% of the projects are completed
Corrosion Control Facilities Improv	\$2,200	100% of the projects are completed
Pump Station Improve Program	\$18,800	94% of the projects are completed
Peak Flow Management Facilities	\$55,300	100% of the projects are completed
Sanitary Sewer System Extension	\$3,300	80% of the projects are completed
Wastewater Engineering Studies	\$1,000	100% of the projects are completed
Pump Station Generators and Upgrades	\$7,600	100% of the projects are completed
Wastewater Telemetering System	\$5,000	100% of the projects are completed
Lift Station Upgrades & Structural	\$3,000	97% of the projects are completed
WWTP Repl & Renovation	\$1,100	100% of the projects are completed
WWTP Automation Enhancements	\$2,700	100% of the projects are completed
WWTP Mise Upgrades	\$2,600	100% of the projects are completed
WWTP Effluent Reuse	\$28,000	100% of the projects are completed
SOWWTP • High Level Disinfection	\$171,030	100% of the projects are completed
Ocean Outfall	\$3,800	100% of the projects are completed
Total Sewer Projects	\$408,230	
TotalExpenditure Needs	\$519,030	

Note: Project cost amounts are not the entire project cost, but instead represent partial funding in most cases, with a need for future "completion" bond funding.

FY 2016 - 17 Adopted Budget and Multi-Year Capital Plan

CAPITAL BUDGET SUMMARY

(dollars in thousands)	PRIOR	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FUTURE	TOTAL
Revenue									
BBC GOB Financing	10,204	9,846	19,538	25,373	16,325	18,397	28,200	29,098	156,981
State Revolving Loan Wastewater Program	19,888	0	0	0	0	0	0	0	19,888
WASD Revenue Bonds Sold	311,028	0	0	0	0	0	0	0	311,028
Rock Mining Mitigation Fees	20,979	0	0	0	0	0	0	0	20,979
BBC GOB Series 2005A	2,399	0	0	0	0	0	0	0	2,399
BBC GOB Series 2011A	2,606	0	0	0	0	0	0	0	2,606
WASD Future Funding	0	0	0	0	0	0	0	1,529,974	1,529,974
State Revolving Loan Water Program	4,452	4,426	7,309	3,000	2,500	1,159	0	0	22,846
Miami Springs Wastewater Construction Fund	1,326	0	0	0	0	0	0	0	1,326
Water Renewal and Replacement Fund	136,162	29,728	34,500	34,500	34,500	34,500	34,500	34,500	372,890
Wastewater Connection Charges	88,165	23,476	12,068	15,837	9,696	7,000	7,000	17,732	180,974
Wastewater Renewal Fund	173,897	50,272	45,500	45,500	45,500	45,500	45,500	45,500	497,169
Wastewater Special Construction Fund	50,380	0	0	0	0	0	0	0	50,380
Water Special Construction Fund	7,087	595	1,000	1,000	1,000	2,000	2,000	0	14,682
BBC GOB Series 2008B-1	5,259	0	0	0	0	0	0	0	5,259
Water Construction Fund	344	0	0	0	0	0	0	0	344
Water Connection Charges	25,697	8,821	3,590	0	0	0	0	0	38,108
BBC GOB Series 2014A	1,531	0	0	0	0	0	0	0	1,531
Future WASD Revenue Bonds	400,000	249,608	535,223	545,560	506,151	567,919	553,359	6,611,521	9,969,341
Fire Hydrant Fund	36,978	3,500	3,500	3,500	3,500	3,500	3,500	3,500	61,478
Miami Springs Water Construction Fund	5,963	0	0	0	0	0	0	0	5,963
BBC GOB Series 2008B	2,952	0	0	0	0	0	0	0	2,952
BBC GOB Series 2013A	246	0	0	0	0	0	0	0	246
Total:	1,307,543	380,272	662,228	674,270	619,172	679,975	674,059	8,271,825	13,269,344
Expenditures									
Strategic Area: NI									
GOB Water and Wastewater Projects	25,197	9,846	19,538	25,373	16,325	18,397	28,200	29,098	171,974
Wastewater Projects	684,574	405,726	448,646	432,126	430,838	432,921	445,401	7,146,527	10,426,759
Water Projects	299,026	189,803	206,907	216,476	181,902	229,854	233,050	1,113,593	2,670,611
Total:	1,008,797	605,375	675,091	673,975	629,065	681,172	706,651	8,289,218	13,269,344

CAPITAL HIGHLIGHTS AND OPERATIONAL IMPACTS

- In FY 2012-13, the Department negotiated a consent agreement with the Federal Environmental Protection Agency (EPA) to address regulatory violations resulting from failing wastewater infrastructure for approximately \$1.6 billion; the agreement was adopted by the BCC on May 21, 2013; on April 9, 2014, the U.S. District Court for the Southern District approved the Consent Decree, replacing and superseding the two existing consent decrees issued in the early-mid 1990's; all projects contained in the consent decree are currently included in the capital plan, but as projects advance, schedules for completion may need to be modified, with the approval of the EPA; increased debt requirements will lead to future rate adjustments

SAVINGS

Miami-Dade County, Florida
Series 2017 A and B
Yields as of October 2, 2017

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Present Value to 12/14/2017 @ 3.1942105%
09/30/2018	13,537,512.50	5,490,213.40	8,047,299.10	7,329,589.17	717,709.93	659,512.71
09/30/2019	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	2,335,977.93
09/30/2020	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	2,263,112.11
09/30/2021	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	2,192,519.17
09/30/2022	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	2,124,128.23
09/30/2023	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	2,057,870.61
09/30/2024	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	1,993,679.74
09/30/2025	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	1,931,491.17
09/30/2026	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	1,871,242.44
09/30/2027	27,075,025.00		27,075,025.00	24,660,300.00	2,414,725.00	1,812,873.05
09/30/2028	57,109,900.00		57,109,900.00	53,588,550.00	3,521,350.00	2,567,919.76
09/30/2029	57,071,150.00		57,071,150.00	53,552,925.00	3,518,225.00	2,485,931.68
09/30/2030	57,033,400.00		57,033,400.00	53,511,300.00	3,522,100.00	2,411,394.05
09/30/2031	57,054,637.50		57,054,637.50	53,533,300.00	3,521,337.50	2,335,294.29
09/30/2032	56,947,250.00		56,947,250.00	53,426,425.00	3,520,825.00	2,262,434.80
09/30/2033	56,900,125.00		56,900,125.00	53,378,175.00	3,521,950.00	2,192,888.99
09/30/2034	56,852,375.00		56,852,375.00	53,332,550.00	3,519,825.00	2,123,525.98
09/30/2035	56,799,250.00		56,799,250.00	53,279,925.00	3,519,325.00	2,057,327.00
09/30/2036	56,745,750.00		56,745,750.00	53,225,550.00	3,520,200.00	1,993,990.77
09/30/2037	56,691,500.00		56,691,500.00	53,169,100.00	3,522,400.00	1,935,386.17
09/30/2038	56,631,000.00		56,631,000.00	53,112,400.00	3,518,600.00	1,873,440.06
09/30/2039	56,568,500.00		56,568,500.00	53,047,000.00	3,521,500.00	1,819,048.70
09/30/2040	56,498,000.00		56,498,000.00	52,978,800.00	3,519,200.00	1,763,827.12
	996,115,575.00	5,490,213.40	990,625,361.60	922,408,289.17	68,217,072.43	47,064,816.54

Savings Summary

Dated Date	12/14/2017
Delivery Date	12/14/2017
PV of savings from cash flow	47,064,816.54
Plus: Refunding funds on hand	2,583.87
Net PV Savings	47,067,400.41

Agenda Item No. 5(D)(12)
4-4-95

RESOLUTION NO. R-416-95

RESOLUTION ESTABLISHING GUIDELINES FOR THE
"SISTER CITY" PROGRAM

WHEREAS, in order to enhance the stature of being a sister city to Dade County, it is important that certain criteria be established prior to a foreign community becoming a sister city,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that it is the policy of this Board that prior to a foreign location's becoming a sister city to Dade County that city would have to meet at least one of the following criteria:

(a) the proposed sister city is the capital of its country,
or

(b) the proposed sister city has the approximate population of Dade County, or

(c) the sister city would have to have some other quality in common with Dade County such as being a major international seaport or a community heavily involved in international trade or a community which bases its economy significantly on tourism.

The foregoing resolution was sponsored by Commissioner Maurice Ferre, Chairman Arthur E. Teele, Jr., and Commissioner Javier D. Souto and was offered by Commissioner Natacha S. Millan, who moved its adoption. The motion was seconded by Commissioner Arthur E. Teele, Jr., and upon being put to a vote, the vote was as follows:

MEMORANDUM

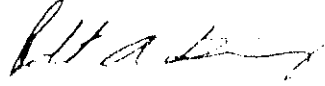
Item 11A16 - Applicable Legislation

Agenda Item No. 5(D)(12)

To: Hon. Chairperson and Members **Date:** April 4, 1995
Board of County Commissioners **Subject:** Guidelines for
"Sister city" Program

From: Robert A. Ginsburg
County Attorney

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Maurice A. Ferré, Chairperson Arthur E. Teele, Jr., and Commissioner Javier D. Souto.

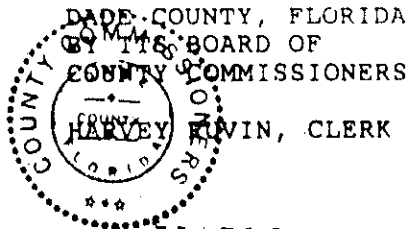

Robert A. Ginsburg
County Attorney

RAG/ydl

Agenda Item No. 5(D)(12)
Page No. 2

James Burke	aye	Miguel Diaz de la Portilla	absent
Betty T. Ferguson	aye	Maurice A. Ferre	absent
Bruce Kaplan	aye	Gwen Margolis	aye
Natacha S. Millan	aye	Dennis C. Moss	aye
Alexander Penelas	aye	Pedro Reboredo	aye
Katy Sorenson	aye	Javier D. Souto	absent
Arthur E. Teele, Jr.		aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of April, 1995.



By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as and
form and legal sufficiency.

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. R-416-95, adopted by the said board of County Commissioners at its meeting held on April 4, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 5th day of April, A.D. 19 95.

HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida

By _____
Deputy Clerk

SEAL

Board of County Commissioners
Dade County, Florida

CLK/CT 587 3/93